

**Chairperson**

Anthony Pilozzi

**Vice-Chairperson**

Joseph Anzelone

**Secretary**

Christopher B. Maselli, Esq.



**Zoning Official**  
Bernard J. Nascenzi, C.B.O.

**Zoning Board Members**

Kenneth Aurecchia  
Richard R. Fascia

Alternate Board Members

Bernard Frezza  
Alfred P. Cianci

**JOHNSTON ZONING BOARD OF REVIEW**

100 Irons Avenue, Johnston, Rhode Island 02919  
401-231-4135 Fax: 401-231-4181

**E-Mail: zoning@johnston-ri.us**

**MINUTES**

**December 14, 2006**

The Zoning Board of Review held its monthly meeting on the 14<sup>th</sup> day of December, at 7:03, in the Library, at the Ferri Middle School, 10 Memorial Avenue, Johnston, RI. All persons interested in the following proposals requested to be present at this time.

Present:

Chairman Anthony Pilozzi, Vice Chairman Joseph Anzelone, Douglas Jeffrey, Kenneth Aurecchia, Al Cianci, Richard Fascia, Bernard Frezza

Also present: James P. Howe, Town Solicitor, Susan Leonardi, Secretary, and Dianne Edson, Stenographer

**I. Approve Minutes of the previous meeting (s)**

Minutes of October and November, 2006 Zoning Board of Review Meetings

**II. Old Business**

Chairman Pilozzi announced that two items on the agenda would be continued to a future meeting. Anthony and Emilio Pilozzi, 34 Hopkins Avenue and New Cingular Wireless, Armento Street, would both be continued.

**A. ZBR-2006-56**

Owner/Applicant: William and Judy DeChristofaro

Location: 579 Central Avenue; AP 44/Lot 447

Lot Dimensions: Frontage: 142± feet; Depth: 287± feet; Area: 40,786± square feet

Zoning District: R-40 (Residential, 40,000 square feet) Zone

Existing Use: Single Family Dwelling

Development

Proposal: Construct a 2060 sq. ft. addition for additional living space and garage

Dimensional Variance Pet. under Article III, Section F, Table III-F-1

Minimum Right Side Setback Required: 35 feet; Proposed Right Side Setback: 12.7 feet; Relief requested for 22.3 feet.

Michael and Judy DeChristofaro, after being duly sworn, stated that they have provided revised house plans pursuant to the request of the Zoning

Board of Review at the meeting in November, 2006. Mr. Pilozzi verified that there would only be 3 bedrooms in the home. Mr. Aurecchia made the motion to grant the application. Seconded by Mr. Jeffrey. A voice vote was taken, all in favor.

**B. File 2006-62**

Owner/Applicant: Ziad Khalil

Location: Central Avenue; AP 44 - Lot 30

Lot Dimensions: Frontage: 92± feet; Depth: 245± feet; Area: 20,150 ± sq. ft.

Zoning District: R-40 (Residential – 40,000 sq. ft.) Zone

Existing Use: Vacant Land

Development

Proposal: Construct a 42' x 26' (1,092 sq. ft.) Single Family Dwelling

Dimensional Variance pet. under Article III, Section F, Table III-F-1

Lot Frontage Required: 140 feet; Proposed Lot Frontage: 92 feet; Relief requested for 48 feet.

Lot Width Required: 140 feet; Proposed lot width: 92 feet; Relief requested for 48 feet.

Required Right Side Setback: 35 feet. Proposed Right Side Setback: 20 feet. Relief requested for 15 feet

Required Left Side Setback: 35 feet. Proposed Left Side Setback: 30 feet. Relief requested for 15 feet

Al Russo, attorney for the owner, stated that revised house plans have been submitted pursuant to the Zoning Board's request at the November 2006, meeting. Mr. Pilozzi stated that there is a water problem in the area and the Town of Johnston has a "0" tolerance for runoff. Mr. Khalil indicated that he understood. Deb Holt, after being duly sworn, stated that she believes that 48 feet of relief on the Frontage is too much to grant. Mr. Russo stated that the lot is a substandard lot of record and is consistent with other lots in the area. She is concerned about an emergency vehicle getting through. Mr. Pilozzi stated that there was adequate space for an emergency vehicle. Mr. Ralph Garafano, after being duly sworn, stated that he is an immediate abutter and is concerned about the water problem. Mr. Pilozzi stated that the Town will not tolerate any addition to the water problem. The builder will have to fix anything that happens during construction. Motion to grant the application made by Mr. Aurecchia and seconded by Mr. Jeffrey. A voice vote was taken, all in favor.

**C. File 2006-44**

Owner: Belo Holdings, Inc. c/o The Providence Journal

Applicant: Nextel Communications of the Mid-Atlantic, Inc.

Location: 30 Ludlow Street; AP 1 - Lot 73

Lot Dimensions: Area: 29.77± acres

Zoning District: R-40 (Residential, 40,000 sq. ft.) Zone

Existing Use: Telecommunications Facility

Development

Proposal: Construct a 12' x 20' (240 sq. ft.) equipment shelter and a 5' x 10' (50 sq. ft.) within existing fenced compound  
Special Use Permit petitioned under Art. III, Sect. G, (7) Accessory Structure

Mark Cook of Nextel and Mike Rahme of The Providence Journal, are duly sworn. Mr. Pilozzi verified that Mr. Rahme as the authority to answer the Boards' questions and agree to correct certain situations that may exist on the subject property. Debra Larosee and Joseph Sarandrea, are duly sworn. Ms. Larosee proceeded to read from a written statement. Mr. Pilozzi interrupted to state that the information she was giving was already on record from last month's meeting. She asked to be allowed to continue. Mr. Pilozzi asked her if she had anything new to state, different from last month. Ms. Larosee became irate and insisted that she be allowed to read her statement. Mr. Aurecchia stated that he wants only new information. Ms. Larosee insisted that she be allowed to give the history of the tower. Mr. Pilozzi stated that the Board has the history from last month and only wants new information. Mr. Pilozzi asked the Board for a recess. Ms. Larosee kept speaking over Mr. Pilozzi and the gavel. Mr. Pilozzi stated that she was out of order. Ms. Larosee continued to speak about the history of the tower and would not adhere to the Rules of Order. Mr. Fascia requested that she lower her voice. Mr. Aurecchia stated that Mr. Pilozzi had made a motion for a recess, he seconds the motion. A voice vote was taken, all in favor. A recess was taken from 7:35 p.m. to 7:40 p.m. Mr. Pilozzi asked Mr. Sarandrea to come forward. Mr. Sarandrea stated that the abutters would like a new fence installed to keep out A.T.V.'s, stop the dumping of garbage and the graffiti on the buildings. The abutters are also concerned about noise from the new generator and diesel fuel leaking out of the tank. Mr. Pilozzi verified that the abutters would like a fence around the entire property, not just the tower. Mr. Sarandrea asked if a decibel test had been done on the new generator. Mr. Cook replied that the decibel test would be done after the new generator is actually installed. Specifics are available from the manufacturer on the average decibel level of the unit. Mr. Cook stated that it is approximately 68, roughly the same as a household air conditioner. The generator will only come on if the electricity should go out. Mr. Pilozzi asked Mr. Rahme how many times the current generator came on last year. Mr. Rahme estimates it came on about 7-10 times during the last year. Mr. Pilozzi stated that the abutters would like trees buffering the generator, not just shrubs. Mr. Rahme stated that he was not previously informed about the abutters wanting a fence around the entire property, just the fence around the tower. He had Wood and Wire Fence Co. come and do an inspection of the existing fence. The fence is good shape, but the barbed wire does need replacing. The Providence Journal agrees to replace the barbed wire. Mr. Pilozzi verified that Mr. Sarandrea does not have an issue with the current generator. Mr. Pilozzi verified that The Providence Journal cleans the area once per month. Mr. Rahme stated that The Providence Journal would like to put a gate across the access road to stop the dumping, but thought the access road was a public way. He now knows that it is not a public way and the gate will be installed. Mr. Jeffrey stated that the double-walled tank would satisfy the concerns about diesel fuel spilling. The tank is also alarmed and if a leak should occur, Nextel would be immediately notified and it would be taken care of immediately. Mr. Jeffrey stated that putting chain link fence around the entire property will not deter the A.T.V. riders; they will only cut the fence. Mr. Sarandrea proposed extending the fence line slightly to encompass more of the area around the tower. Mr. Rahme agreed. Mr. Howe suggested motion-detector lights on the area surrounding the tower to discourage dumping and graffiti and the A.T.V. riders. Mr. Pitochelli suggested that the Town install a sign with the Ordinance information on it at the Groton Street side of the site to discourage A.T.V. riders from entering at that point. Monique and Mike DeFusco, after being duly sworn, state that they live right across from The Providence Journal access road. They do not believe that the fence will stop the A.T.V.

riders. Mr. Jeffrey stated that stopping the A.T.V. riders is not The Providence Journal's problem. The fence will be a deterrent. Mr. Cook stated that the gate will also be a deterrent to the A.T.V. riders. Ms. Larosee stated that neither the fence nor the gate will stop the A.T.V. riders. Mr. DeFusco stated that he lives directly across from the access road to the tower. When he first moved in, he called the police frequently regarding the A.T.V.'s. By the time the police arrived, the riders were gone. After a time, he stopped calling. Mr. Jeffrey asked Mr. Rahme about the clean-up procedure currently in place. Mr. Rahme stated that The Providence Journal has an individual that does the landscaping and cleans up the garbage. Mr. Fascia asked if The Providence Journal could provide a contact number for the neighbors. Mr. Rahme agreed to provide his number and the security company number. Mr. Fascia also asked if the clean up schedule could be changed to twice per month from once per month. Mr. Rahme agreed. Judith D'Ambra, after being duly sworn, suggested installing fake security cameras to deter the dumping and the graffiti. Mr. Cianci stated just last night, vandals smashed surveillance cameras at 3 stores. Mr. Cianci instructed Ms. D'Ambra to call the police when she hears people at the tower. If she doesn't get satisfaction, Mr. Fascia suggested she call Chief Tabourini directly. Mr. Aurecchia gave the neighbors his personal number for them to use if they do not get satisfaction from the police. Mr. Fascia made the motion to grant the application with stipulations. The stipulations are: erection of a gate across the access road to the tower, motion lighting, shrubbery around the generator, signage on Groton Street, increased clean-up schedule, and contact phone numbers. Motion is seconded by Mr. Aurecchia.

Meeting adjourned at 8:35 p.m.