

Chairperson
Kenneth Aurecchia

Vice-Chairperson
Richard Fascia

Secretary
Douglas Jeffrey

Counsel for the Board
Joseph Ballirano, Esq.



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

Zoning Board Members
Anthony Pilozzi
Joseph Anzelone

Alternate Board Members
Bernard Frezza
Costanzo Caparrelli, Sr.

Recording Secretary
Susan Leonardi

JOHNSTON ZONING BOARD OF REVIEW
100 Irons Avenue, Johnston, Rhode Island 02919
Tel: 401-231-4135; Fax: 401-231-4181

MINUTES
May 29, 2008

The Zoning Board of Review held its monthly meeting on the 29th day of May 29, 2008, at 7:00 p.m., in the library at the Ferri Middle School, 10 Memorial Avenue, Johnston, RI. All persons interested in the following proposals had been requested to be present at this time.

Present: Chairman, Kenneth Aurecchia, Vice-Chairman Richard Fascia, Anthony Pilozzi, Bernard Frezza, Joseph Anzelone, Secretary Douglas Jeffrey, Costanzo Caparrelli, Sr.

Also present: Joseph Ballirano, Town Solicitor, Susan Leonardi, Recording Secretary, and Dianne Edson, Stenographer

Mr. Pilozzi made the motion to accept the minutes of the April, 2008 meeting. Mr. Fascia seconded the motion. A voice vote was taken, all in favor.

A. File 2008-08 – CONTINUED FROM APRIL, 2008

Owner:	Frank Dirico
Applicant:	MediaFLO USA, Inc.
Location:	104 Peck Hill Road, AP 43 - Lot 521
Lot Dimensions:	Area: 15.3 acres
Zone:	I (Industrial) Zone
Surveyor:	Hub Survey Associates, Inc.
Attorney:	Gregory Mercier, Esq. – Duval & Associates, LLC
Surveyor:	Hub Survey Associates, Inc.
Present use:	Wireless Telecommunications Tower
Development	
Proposal:	To collocate additional MediaFLO USA antennas on tower, install broadcast equipment inside an existing building, install 2 ground-mounted antennas, and install 2 GPS antennas on an existing ice shield structure. Special Use Permit petitioned under Article III, Section D, Table III-D-1, Subsection 5.4 – Collocation of cellular antennas on communications tower

Thomas Voltero, attorney for the project and Thomas Lennon, engineer, presented the application. Mr. Lennon was duly sworn.

Mr. Voltero stated that the Building Official had asked for more information and some plan revisions at the last hearing. The Building Official had requested that we show a light at the top of the tower, a chain link fence around the satellite dishes, structural analysis, and to provide copies of the current F.A.A. and F.C.C. documents. These requests have all been complied with.

Mr. Pillozzi verified with Ms. Leonardi that these documents were received in the Zoning Office. Mr. Pillozzi stated that because all requests were complied with, he makes the motion to grant the application. Mr. Jeffrey seconded the motion. A voice vote was taken, all in favor.

B. File 2008-23

Owner:	Abacor Realty, LLC
Applicant:	David Corsi
Location:	25 Morgan Mill Road, AP 6 - Lot 162
Lot Dimensions:	Area: 19,265± sq ft
Zone:	I (Industrial) Zone
Attorney:	K. Joseph Shekarchi, Esq.
Architect:	Alfred Oaks – Arris Design
Present use:	Vacant Land
Development	

Proposal: Construction of building for the purpose of fabricating stone. Dimensional Variance petitioned under Article III, Section F, Table III-F-1

Minimum Front Yard Setback Required: 50 ft.; Minimum Front Setback Requested: 35.25 ft.; Relief Requested for 14.75 ft.

Minimum Left Yard Setback Required: 50 ft.; Minimum Left Yard Setback Requested: 20.14 ft.; Relief Requested for 29.86 ft.

Minimum Right Side Yard Setback Required: 50 ft.; Minimum Right Side Yard Setback Requested: 20.14 ft.; Relief Requested for 29.86 ft.

David Corsi and Arnaldo Abatecola were duly sworn. Mr. Abatecola read a statement regarding the property, where it is located, the wetlands and buffer zone. Mr. Abatecola stated that most of the buildings in the surrounding area do not meet the setbacks. The lot previously had a house and garage. These were taken down. They are in the process of cleaning and grading the lot, with DEM permits. They are proposing a small building because of the wetland restrictions from DEM. A site meeting was held with the Town Planner, Building Official and DEM has approved the project.

Mr. Pillozzi verified the relief needed. Mr. Aurecchia stated that he has visited the property.

Mr. Abatecola stated that the building would be used for fabricating stone, an extension of their current business. Mr. Anzelone verified that the applicant would be installing public sewer and water to the project. Mr. Abatecola stated that he would.

Mr. Fascia asked about noise and dust. Mr. Abatecola stated that they have a state-of-the-art pollution control system and there would be no additional noise.

Rene Froia and Kimberly Fico were duly sworn. Mr. Aurecchia verified that Ms. Froia lived within 200 feet of the project, Ms. Fico does not. Mr. Aurecchia verified with Ms. Leonardi that certified notices were sent to the abutters. Ms. Leonardi stated that they did.

Ms. Fico asked what the company operating hours would be. Mr. Pillozzi reminded Ms. Fico that this is an industrial zone. Ms. Fico said that she has lived there for 22 years and this is the first time she has every complained about the noise from the trucks. Mr. Abatecola stated that the company operating hours are 7:30 a.m. to 4:30 p.m. Ms. Fico stated that the problem is the delivery trucks coming down her street and turning around. She lives on Bennett Drive. Mr. Aurecchia stated that the bridge is closed. Ms. Fico stated that the trucks still use it. Mr. Aurecchia told Ms. Fico to contact the police.

Mr. Corsi told Ms. Fico to notify them if she sees a truck using Bennett Drive immediately and that truck driver will be spoken to at that moment.

Mr. Pillozzi made the motion to approve the application with the stipulation that they work with the neighbors regarding noise and trucks.

Mr. Jeffrey seconded the motion.

A voice vote was taken, all in favor.

C. File 2008-17

Owner/ Applicant: Edward and Mariann Almonte
Location: 47 Venice Ave, AP 5 - Lot 119
Lot Dimensions: Area: 7,552 ± sq. ft.
Zone: R-20 (Residential – 20,000 sq. ft.) Zone
Present use: Single Family Dwelling
Development
 Proposal: To construct a second story addition containing a full bath, den and computer room.
 Dimensional Variance petitioned under Article III, Section F, Table III-F-1
 Minimum Lot Size Required: 20,000 sq. ft.; Minimum Lot Size Requested: 7,552 sq. ft.; Relief Requested for 12,448 sq. ft.
 Minimum Lot Frontage Required: 120 ft.; Proposed Lot Frontage: 94.4 ft.; Relief Requested for 25.6 ft.
 Minimum Lot Width Required: 120 ft.; Proposed Lot Width: 94.4 ft.; Relief Requested for 25.6 ft.
 Minimum Front Yard Setback Required: 30 ft.; Minimum Front Yard Setback Requested: 24 ft.; Relief requested for 6 ft.
 Minimum Rear Yard Setback Required: 50 ft.; Minimum Rear Yard Setback Requested: 29 ft.; Relief Requested for 21 ft.

Edward Almonte was duly sworn. Mr. Almonte stated that he wished to add a second story to his existing single family home.

Mr. Pillozzi asked Mr. Almonte how many lots he currently owned. Mr. Almonte stated that he owns four. Mr. Almonte showed Mr. Pillozzi on the site plan which lots he owned.

Mr. Pilozzi verified the relief being requested.

No abutters appeared for or against the project.

Mr. Pilozzi made the motion to grant the application. This was seconded by Mr. Fascia. A voice vote was taken, all in favor.

D. File 2008-18

Owner/Applicant: Paul and Mariann Cambio
 Location: 20 Colony Drive; AP 37- Lot 103
 Lot Dimensions: Frontage: 100 ft; Depth: 105.6 ft; Area: 10,560 square feet
 Zone: R-15 (Residential – 15,000 sq. ft.) Zone
 Surveyor: Philip Mancini, PLS
 Present use: Single Family Dwelling
 Development
 Proposal: Construct a 24' x 30' (720 sq. ft.) attached garage.

Dimensional Variance petitioned under Article III, Section F,
 Table III-F-1

Minimum Lot Size Required: 15,000 sq. ft.; Minimum Lot Size
 Requested: 10,560 sq. ft.; Relief Requested for 4,440 sq. ft.

Paul and Mariann Cambio were duly sworn. Mr. Cambio explained the project to the Board. Mr. Aurecchia verified the project.

No abutters appeared for or against the project.

Mr. Pilozzi made the motion to approve the application. This was seconded by Mr. Jeffrey. A voice vote was taken, all in favor.

E. File 2008-19

Owner: John Roberts
 Applicant: Ed Kelly – Bryant Construction
 Location: 1056 Atwood Avenue, AP 24 - Lot 9
 Lot Dimensions: Frontage: 119± ft.; Depth: 913± ft.; Area: 108,000± sq ft
 Zone: R-15 (Residential – 15,000 sq. ft.) Zone
 Surveyor: Richard Bzdyra PLS
 Present use: Single Family Dwelling
 Development
 Proposal: Construct full length dormers (24' x 26') on front and rear of
 home.

Dimensional Variance petitioned under Article III, Section F,
 Table III-F-1

Minimum Right Side Yard Setback Required: 20 ft.; Minimum
 Right Side Yard Setback Requested: 6.6 ft.; Relief Requested for
 13.6 ft.

John Roberts and Ed Kelly were duly sworn. Mr. Roberts stated that approximately 9 months ago he had a fire in his home. They would now like to expand the existing dormers. The house is not being widened nor is the height being increased.

Mr. Pilozzi verified that Mr. Kelly is the contractor on the job. Mr. Pilozzi verified the relief being requested.

Russell Barone, abutter, was duly sworn. Mr. Barone verified that no business would operate out of the house.

Mr. Pilozzi made the motion to approve the application. Mr. Jeffrey seconded the motion. A voice vote was taken, all in favor.

F. File 2008-20

Owner/Applicant: Carmine and Sherri DiSanto III
 Location: 9 Kingston Street, AP 10 - Lot 254
 Lot Dimensions: Frontage: 79± ft.; Depth: 100± ft.; Area: 7,675± sq ft
 Zone: R-15 (Residential – 15,000 sq. ft.) Zone
 Surveyor: Richard Bzdyra PLS

Present use: Single Family Dwelling

Development

Proposal: Construct master bed and bathroom on left side of home and attached one car garage with room above on right side of home.

Dimensional Variance petitioned under Article III, Section F, Table III-F-1

Minimum Lot Size Required: 15,000 sq. ft.; Minimum Lot Size Requested: 7,675 sq. ft.; Relief Requested for 7,325 sq. ft.

Minimum Lot Frontage Required: 100 ft.; Minimum Lot Frontage Requested: 79 ft.; Relief Requested for 21 ft.

Minimum Lot Width Required: 100 ft.; Minimum Lot Width Requested: 79 ft.; Relief Requested for 21 ft.

Minimum Left Side Yard Setback Required: 25 ft.; Minimum Left Side Yard Setback Requested: 5.3 ft.; Relief Requested for 19.7 ft.

Minimum Right Side Yard Setback Required: 20 ft.; Minimum Right Side Yard Setback Requested: 5.2 ft.; Relief Requested for 14.8 ft.

Carmine DiSanto was duly sworn. Mr. DiSanto explained the project to the Board. Mr. Pilozzi verified the relief requested.

No abutters appeared for or against the project.

Mr. Pilozzi made the motion to approve the project. This was seconded by Mr. Fascia. A voice vote was taken, all in favor.

G. File 2008-21

Owner/Applicant: Steven, Jennifer and Pauline Carnevale
 Location: 10 Old Simonsville Road, AP 25 - Lot 215
 Lot Dimensions: Frontage: 95± ft.; Depth: 120± ft.; Area: 11,400± sq ft
 Zone: R-20 (Residential – 20,000 sq. ft.) Zone
 Attorney: Stephen R. Ucci, Esq.
 Present use: Single Family Dwelling
 Development
 Proposal: Construct new kitchen and dining room with basement family room.

Dimensional Variance petitioned under Article III, Section F, Table III-F-1

Minimum Lot Size Required: 20,000 sq. ft.; Minimum Lot Size Requested: 15,990 sq. ft.; Relief Requested for 4,010 sq. ft.

Stephen Ucci, Esquire, attorney for the owners presented the application to the Board. The owner is asking to enlarge the home for additional living space.

Mr. Pilozzi verified that they were not running a business out of the addition. Mr. Ucci stated that they were not.

No abutters appeared for or against the project.

Mr. Pilozzi made the motion to approve the application. This was seconded by Mr. Jeffrey. A voice vote was taken. All in favor.

H. File 2008-22

Owner/Applicant: Steven Bryant and Heather McLeod
 Location: 7 Pine Lane, AP 61 - Lot 177
 Lot Dimensions: Area: 15,969± sq ft
 Zone: R-40 (Residential – 40,000 sq. ft.) Zone
 Surveyor: Darveau & Assoc, Inc.
 Present use: Single Family Dwelling
 Development
 Proposal: Enclose existing patio with addition for bedroom and entry room. Dimensional Variance petitioned under Article III, Section F, Table III-F-1

Minimum Lot Size Required: 40,000 sq. ft.; Minimum Lot Size Requested: 15,969 sq. ft.; Relief Requested for 24,031 sq. ft.

Minimum Front Yard Setback Required: 40 ft.; Minimum Front Setback Requested: 29 ft.; Relief Requested for 11 ft.

Minimum Rear Yard Setback Required: 75 ft.; Minimum Rear Yard Setback Requested: 31 ft.; Relief Requested for 44 ft.

Minimum Right Side Yard Setback Required: 35 ft.; Minimum Right Side Yard Setback Requested: 18.7 ft.; Relief Requested for 16.5 ft.

Heather McLeod and Steven Bryant were duly sworn. Ms. McLeod presented their application to the Board. Mr. Pilozzi verified the relief requested.

Mr. Pilozzi made the motion to approve the application. This was seconded by Mr. Fascia. A voice vote was taken, all in favor.

I. File 2008-24

Owner/Applicant: Keith and Lisa Albanese
 Location: 20 Moswansicut Drive, AP 57 - Lot 107
 Lot Dimensions: Frontage: 95± ft.; Depth: 120± ft.; Area: 11,400± sq ft
 Zone: R-40 (Residential – 40,000 sq. ft.) Zone
 Surveyor: David Bennett, PLS
 Present use: Single Family Dwelling
 Development
 Proposal: Construct an attached garage with storage above; Possible bonus room in future
 Dimensional Variance petitioned under Article III, Section F, Table III-F-1
 Minimum Lot Size Required: 40,000 sq. ft.; Minimum Lot Size Requested: 9,375 sq. ft.; Relief Requested for 30,633 sq. ft.
 Minimum Lot Frontage Required: 140 ft.; Minimum Lot Frontage Requested: 75 ft.; Relief Requested for 65 ft.
 Minimum Lot Width Required: 140 ft.; Minimum Lot Width Requested: 75 ft.; Relief Requested for 65 ft.
 Minimum Front Yard Setback Required: 40 ft.; Minimum Front Setback Requested: 17.56 ft.; Relief Requested for 22.44 ft.
 Minimum Left Side Yard Setback Required: 35 ft.; Minimum Left Side Yard Setback Requested: 5.88 ft.; Relief Requested for 29.12 ft.
 Minimum Right Side Yard Setback Required: 35 ft.; Minimum Right Side Yard Setback Requested: 3.9 ft.; Relief Requested for 31.1 ft.

Keith and Lisa Albanese were duly sworn. Mr. Albanese presented the application to the Board. Mr. Aurecchia verified the placement of the garage. Mr. Pilozzi stated that he is an abutter, but not within 200 feet of the property.

No abutters appeared for or against the project.

Mr. Pilozzi made the motion to approve the application. This was seconded by Mr. Aurecchia. A voice vote was taken. Vote is 4 to 1, Mr. Anzelone abstaining from the vote.

Adjourned at 7:35 p.m.