

**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 Pillozzi  
Joseph Anzelone

**Alternate Board Members**  
Bernard Frezza  
Stanley Nadrowski

**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**

**July 30, 2009**

The Zoning Board of Review held its monthly meeting on the 30th day of July, 2009, at 7:00 p.m., at the Johnston Senior Center, 1291 Hartford 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 Pillozzi, Bernard Frezza, Stanley Nadrowski, and Joseph Anzelone. Also present: Joseph Ballirano, Town Solicitor, Susan Leonardi, Recording Secretary, and Dianne Edson, Stenographer

Mr. Pillozzi made the motion to approve the minutes of the June, 2009 meeting. Mr. Fascia seconded the motion. A voice vote was taken, all in favor.

**A. File 2008-69**

LOCATION: Barden Lane  
OWNER/ APPLICANT: Kevin and Paula Smith  
LOT: AP 59—Lot 259; 9,947± sq. ft.; R-40 Zone  
EXISTING USE: Vacant Land  
PROPOSAL: Construct a 25' x 40' single family dwelling

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— FRONTAGE	140'	43.44	40.53'
	— WIDTH			
	— SIZE	40,000 sq. ft.	9,947 sq. ft.	30,053 sq. ft.
SETBACK:	— FRONT	40'	24.7'	15.3'
	— REAR	75'	50.3'	24.7'
	— RIGHT	35'	21.7'	13.3'

Alfred Russo, Jr., Esq. presented the application to the Board. Mr. Russo explained the relief being requested. Mr. Russo submitted photos of other homes on Barden Lane to the Board. Mr. Pillozzi made the motion to accept the photos as Exhibit A for the applicant. Mr. Fascia seconded the motion. A voice vote was taken; all in favor.

Mr. Russo explained that the home would have a well and septic system, and those approvals have already been received.

Mr. Russo explained that Barden Lane is a right-of-way, not a public street.

Kevin and Paula Smith were duly sworn and stated that they are downsizing. The proposed home is for them. They are going to sell their current home.

Edward Gray, abutter, was duly sworn. Mr. Gray stated that he maintains Barden Lane. He has lived there for over 30 years. He stated that residents pay him to do this. Will the applicant's also pay their share of the maintenance costs? He would like this in writing. It is a private road; not owned by the Town.

Mr. Russo stated that his clients would be amicable to this arrangement. Mr. Gray is also concerned about the vehicles for construction blocking the road. Mr. Pillozzi stated that the road must be clear for ingress/egress at all times.

Mr. Pillozzi made the motion to grant the application with the stipulation that the applicants' pay their share for road maintenance. This was seconded by Mr. Anzelone. A voice vote was taken; all in favor.

**B. File 2009-10**

LOCATION: Truman Street  
 OWNER/APPLICANT: Linda Mollicone  
 LOT: AP 48/1 — Lot 28; 13,000 sq. ft.; R-20 Zone  
 EXISTING USE: Vacant Land  
 PROPOSAL: Construct 26' x 36' single family home with garage

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— SIZE	20,000' sq.	13,000'sq.	7,000' sq.
SETBACK:	— REAR	50'	38.1'	11.11'

Mr. Aurecchia announced that this application will not be heard this evening. The applicants have requested a continuance.

**C. File 2009-23**

LOCATION: 8 Dante Avenue  
 OWNER/APPLICANT: Antonio and Frances Alfieri  
 LOT: AP 15 — Lot 264; 5,000 sq. ft.; R-15 Zone  
 EXISTING USE: Two family dwelling  
 PROPOSAL: Construct a 16' x 26' two story addition and a 10' x 10' wooden deck

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— SIZE	15,000' sq.	10,000' sq.	5,000' sq.
SETBACK:	— REAR	45'	32.25'	12.75'
	— LEFT	20'	18'	2'

K. Joseph Shekarchi, Esq. presented the application to the Board. He stated that the application and plans have been revised since the applicants first applied and were heard a couple of months ago. The addition has been moved from the right side of the house to the left side, has been reduced in size, and a deck has been added. Mr. Shekarchi submitted a site plan to the Board. Mr. Pilozzi made the motion to accept the site plan as Exhibit A for the applicant. Mr. Frezza seconded the motion. A voice vote was taken; all in favor.

Mr. Shekarchi explained the relief being requested. Mr. Pilozzi asked what would happen with the three shed currently on the property. Mr. Shekarchi stated that two of the shed would be removed.

Mr. Frezza verified the number of bedrooms in each unit after construction of the addition.

James McCue, architect, was duly sworn. Mr. McCue explained the layout and number of rooms in each unit after construction.

Mr. Pilozzi verified that the building will stay a two-family.

Giovanni Stanziale, abutter, was duly sworn. Mr. Stanziale stated that he has no objection to the project since it is now going to be built on the opposite side of the lot from his home.

No other abutters appeared for or against the project.

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

**D. File 2009-24**

LOCATION: 2165 Hartford Avenue  
 OWNER: Domenic and Frank Cassisi  
 APPLICANT: Frank Cassisi  
 LOT: AP 54 — Lot 42; 33.09 acres; B-3 Zone  
 EXISTING USE: Vacant Land  
 PROPOSAL: Operate a Landscaping/Composting business with a trailer onsite serving as an office

**Use Variance** petitioned under Article III, Section D, Table III–D–1, Subsection 1.8

Francesco Cassisi was duly sworn. Mr. Cassisi explained to the Board what he would like to do on the property. Mr. Anzelone questioned how large the trailer would be. Mr. Cassisi stated that it would be 20 feet long, telephone and electric service only. Sanitary facilities would be done by portable units.

Mr. Pilozzi stated that composting is not allowed in Johnston. It is considered a landfill. Traffic in that area is a problem. Mr. Pilozzi stated that other uses are allowed there, just not composting. Mr. Cassisi stated that the business would also sell sand, gravel, and decorative stone.

Mr. Aurecchia discussed various issues in regard to the road. Traffic, curb cuts, widening, traffic lights, etc...

James Howe, Esq., stated that he is representing an abutter, Shelburn Realty, LLC. Mr. Howe suggested that the Board notice that the Comprehensive Plan clearly states “no” in relation to composting. The zoning for this area suggests large scale projects having one or more tenants. He requests that the Board rule on this petition this evening and deny it

John Najaraian, Jr., was duly sworn.

Mr. Najarian stated that he served on this Zoning Board for 17 years. He congratulated the Board on “doing their homework” and researching the project. He requested that the Board rule on the petition this evening and deny the application.

No other abutters appeared for or against the project.

Mr. Cassisi stated that he requests to withdraw his application. Mr. Fascia made the motion to allow Mr. Cassisi to withdraw his application. Mr. Pilozzi seconded the motion. A voice vote was taken; all in favor.

**E. File 2009-25**

LOCATION: 15 Buck Hill Road / 20 Green Hill Road  
 OWNER/ APPLICANT: Joseph R. Vinagro Properties, LLC  
 LOT: AP 30 — Lots; 2 & 63; 2.63 acres; I Zone  
 EXISTING USE: Storage Garage  
 PROPOSAL: Construct a 70’ x 30’ (2,100 sq. ft) building for additional storage

**Dimensional Variance** petitioned under Article III, Section F, Table III–F–1

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACK:	— FRONT	50’	25’	25’

Donna Caisse, Esq. presented the application to the Board and the relief being requested.

David DiMaio, was duly sworn. Mr. DiMaio stated that this is a new building that will be used for storage.

Kevin Morin, Engineer, was duly sworn. Mr. Morin explained that it will share one common wall with the existing structure. Mr. Morin submitted aerial photographs to the Board showing the area. Mr. Pilozzi made the motion that the photos be accepted as Exhibit A for the applicant. Mr. Fascia seconded the motion. A voice vote was taken; all in favor.

No abutters appeared for or against the project.

Mr. Pilozzi made the motion to grant the applicant. Mr. Fascia seconded the motion. A voice vote was taken; all in favor.

**F. File 2009-26**

LOCATION: 7 Hunter Avenue  
 OWNER/APPLICANT: Jean C. Finn  
 LOT: AP 15 — Lot 235; 5,000 sq. ft.; R-15 Zone  
 EXISTING USE: Single family dwelling  
 PROPOSAL: Construct a vertical addition over existing dwelling to have two bedrooms and a full bath

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— SIZE	15,000' sq.	5,000' sq.	10,000' sq.
	— FRONTAGE	100'	50'	50'
	— WIDTH	100'	50'	50'
SETBACK:	— FRONT	25'	23'	2'
	— LEFT	20'	12.6'	7.4'
	— RIGHT	20'	3.4'	16.6'

Jean and Stephen Finn were duly sworn. Mrs. Finn stated that she is handicapped and the additional living space is for her son and his family. They will be moving in to help her. Mr. Pilozzi verified that the addition is vertical only.

No abutters appeared for or against the project.

Mr. Pilozzi made the motion to grant the application. Mr. Frezza seconded the motion. A voice vote was taken; all in favor.

Meeting adjourned at 8:14 p.m.