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Joseph Ballirano, Esq.



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Zoning Board Members
Anthony Pilozzi
Joseph Anzelone

Alternate Board Members
Bernard Frezza
Dennis Cardillo

Recording Secretary
Susan Leonardi

JOHNSTON ZONING BOARD OF REVIEW
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Minutes

September 30, 2010

The Zoning Board of Review held its monthly meeting on the 30th day of September, 2010, 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: Vice-Chairman Richard Fascia, Anthony Pilozzi, Joseph Anzelone, Bernard Frezza, and Dennis Cardillo. Also present: Bernard Nascenzi, Building/Zoning Official, Susan Leonardi, Recording Secretary, and Dianne Edson, Stenographer

Mr. Pilozzi made the motion to approve the minutes of the August 29th meeting. Mr. Frezza seconded the motion. A voice vote was taken; all in favor.

A. File 2010-35

LOCATION: 2 Lakeshore Drive
OWNER/APPLICANT: Erin and Dean Frattone
LOT: AP 61 —Lot 44; .14 acres; R-40 Zone
EXISTING USE: Single Family Dwelling
PROPOSAL: Construct a cape-style roof with dormers for additional living space

Dimensional Variance petitioned under Article III, Section N (1(2) and Section F, Table III F -1

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	—SIZE	40,000'	18,064'	21,936'
	—FRONTAGE	140'	75'	65'
	—WIDTH	140'	75'	65'
SETBACK:	—LEFT	35'	10.6	25
	—RIGHT	35'	14.3'	21'
	—REAR	75'	53'	22'

Dean Frattone was duly sworn and presented the project to the Board. The footprint of the home is not being changed, only adding to the second floor for his growing family. Mr. Pilozzi explained that the home is pre-existing all relief being requested is due to pre-existing conditions. One neighbor present at the meeting; had no objections to the project.

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

File 2010-39

LOCATION: Shun Pike
OWNER APPLICANT: Shun Properties, LLC
LOT: AP 32 —Lots 11, 12, & 17; 23.2 acres; I Zone
EXISTING USE: C & D Facility
PROPOSAL: Operate a C & D Facility

Special Use Permit per Article III, Section D, Table III D-1, Subsection 14

Elizabeth Noonan, Esq. stated that the applicant was ready to go forward. Mr. Pilozzi stated that the attorney for the Zoning Board is unwell this evening and requested that the application be continued to next month. Ms. Noonan stated that her client would have to agree. Mr. Nascenzi stated that the Town Planner, Pamela Sherrill, is present and is very familiar with the project.

Motion to continue application to October 28, 2010, was made by Mr. Frezza. Seconded by Mr. Pilozzi. A voice vote was taken; all in favor.

File 2010-34

LOCATION: Old Pocasset Road
OWNER: William R. Macera, Trustee
APPLICANT: T-Mobile Northeast, LLC
LOT: AP 44 —Lot 351 24.2 acres; R-40 Zone
EXISTING USE: Wireless Communication Tower
PROPOSAL: Install three (3) antennas and equipment cabinets on a 15' x 15' concrete pad.

Special Use Permit petitioned under Article III, Section D, Subsection 5.4

Michael Dolan, Esq. presented the application to the Board. The height of the existing tower is not increasing, the applicant will maintain their area, and no additional structures will be constructed on the ground. No abutters appeared for or against the project.

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

File 2010-42

LOCATION: 1836 Atwood Avenue
 OWNER/APPLICANT: Joshua and Daniel Heywood
 LOT: AP 53 —Lot 66; 1.3 acres; R-20 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Divide existing lot into two (2) lots

Dimensional Variance petitioned under Article III, Section N (1(2) and Section F, Table III F -1

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACK:	—REAR	50'	9'	41'

Joshua Heywood was duly sworn. Mr. Heywood explained the project to the Board. He was referred to the Zoning Board by the Planning Board for relief before the lot can be divided. No abutters appeared for or against the project.

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

File 2010-40

LOCATION: 2227 Plainfield Pike
 OWNER: John Cece
 APPLICANT: International CDL, LLC
 LOT: AP 32 —Lot 15; 4 acres; IL Zone
 EXISTING USE: Vacant land
 PROPOSAL: Operate training field for tractor trailer driving facility

Special Use Permit per Article III, Section D, Table III D-1, Subsection 4.13

Wayne Fortin, John Cece, and John Kinnel were duly sworn. Mr. Kinnel explained the project to the Board. There will be 5 trucks on property. All other licenses are in place. There is an office trailer and a port-a-john on the property. The business will operate 7:00 a.m. to 5:30 p.m., seven days per week. There are very few residential lots in the area. There will be no maintenance of trucks on the property. Ingress/egress were discussed.

No abutters appeared for or against the project.

Mr. Pilozzi made the motion to grant the application, with the stipulation that if the business expands over 5 trucks, the applicant come back to the Board for a new Special Use Permit. Mr. Anzelone seconded the motion. A voice vote was taken; all in favor.

File 2010-36

LOCATION: West Side Drive
 OWNER/APPLICANT: Driscoll Associates
 LOT: AP 46 —Lot 194; .64 acres; R-40 Zone
 EXISTING USE: Vacant land
 PROPOSAL: Construct a 2100sq. ft single family dwelling

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	—SIZE	40,000'	28,148'	11,852'
	—FRONTAGE	140'	0	140'
	—WIDTH	140'	0	140'

Jeffrey Campopiano, P.E., was duly sworn. Mr. Campopiano stated that the lot is accessed by a legal right-of-way. The abutters are present, but do not have legal counsel. The applicant has legal counsel. The attorney for the Zoning Board is not present. Mr. Fascia stated that he would be more comfortable hearing the application when Mr. Ballirano was present. Guido Salvatore, Esq., attorney for the applicant, stated that he was in possession of a Court Order regarding this property. The Board had no knowledge of this order.

Mr. Frezza made the motion to continue the application until the October 28, 2010 meeting. Mr. Anzelone seconded the motion. A voice vote was taken; all in favor.

File 2010-41

LOCATION: 200 Stonehill Drive
 OWNER: Stonehill Drive, LLC
 APPLICANT: BJ's Wholesale Club and Home Depot, USA
 LOT: AP 44 —Lot 66; 93 acres; B-3 Zone
 EXISTING USE: Commercial shopping center
 PROPOSAL: Install two wall signs and one pylon sign

Dimensional Variance per Article III, Section J – Signage, Section 5.1.9 and 5.1.5

Frank Lombardi, Esq. presented the application to the Board. Kelley Coates was duly sworn. Mr. Lombardi handed summaries of the application to the Board. Mr. Lombardi explained the relief being requested in detail and showed the Board pictures of the current signage and mock-ups of the proposed signage. Discussion regarding size and placement of proposed signage. Other signage in the area was discussed. Natural barriers such as trees and slope of land were discussed.

Roslyn Holderfield, sign consultant for I.D. Associates, was duly sworn. Ms. Holderfield explained why the height proposal is necessary. Ms. Holderfield has worked on other signage for this project.

Nelson Cabral, Development Manager for BJ's, was duly sworn. Mr. Cabral explained his qualifications and job duties. Mr. Pillozzi made the motion to accept Mr. Cabral as a qualified witness. Mr. Frezza seconded the motion. A voice vote was taken; all in favor. Mr. Cabral stated that without the new signage, it will be difficult to grow BJ's business, along with other tenants of the center.

Pamela Sherrill, AICP, Town Planner, was duly sworn. Ms Sherrill is in support of the project from an economic development standpoint. Ms. Sherrill stated that if the trees can be confirmed to be at least 65-70 ft. tall, then she has no issue with the height of the sign. Ms. Holderfield explained that the individual panels on the sign would be apropos to the individual tenants.

Steven Garofalo, P.E., was duly sworn. Mr. Garafalo stated that he is the owner of Garofalo & Associates, Inc. Mr. Pilozzi made the motion to accept Mr. Garofalo as a qualified witness. Mr. Frezza seconded the motion. A voice vote was taken; all in favor. Mr. Garofalo stated that the height of the trees was estimated based on a measurement taken for the proposed sign. Mr. Garofalo explained the signage and topography of the land.

Richard Poyant was duly sworn. Mr. Poyant stated that he is the President of the Poyant Sign Company. Mr. Anzelone made the motion to accept Mr. Poyant as an expert on signage. Mr. Frezza seconded. A voice vote was taken; all in favor. Mr. Poyant stated that the height of the sign is the least relief necessary under the circumstances. The individual sign panels were discussed. Removal of one panel and the remaining space was discussed.

Mr. Frezza made the motion to amend the application to request the pylon sign will be 111 feet high. The walls signs remain as previously requested. Mr. Pilozzi seconded the motion. A voice vote was taken; all in favor.

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

Meeting adjourned at 9:13 p.m.