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Joseph Anzelone

Counsel for the Board
Joseph Ballirano, Esq.



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Bernard J. Nascenzi, C.B.O.

Zoning Board Members
Anthony Pilozzi
Bernard Frezza

Alternate Board Members

Dennis Cardillo

Recording Secretary
Susan Leonardi

JOHNSTON ZONING BOARD OF REVIEW
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MINUTES

May 26, 2011

The Zoning Board of Review held its monthly meeting on the 26th day of May, 2011, 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, Richard Fascia, Vice-Chairman, Anthony Pilozzi, Joseph Anzelone, Bernard Frezza and Dennis Cardillo. Also present: Joseph Ballirano, Town Solicitor, Bernard Nascenzi, Building/Zoning Official, Susan Leonardi, Recording Secretary, and Dianne Edson, Stenographer

Mr. Frezzi made the motion to approve the minutes of the April 28, 2011 meeting. Mr. Pilozzi seconded the motion. A voice vote was taken; all in favor.

FILE 2011-19

LOCATION: West Side Drive
OWNER/APPLICANT: Joseph M. Driscoll Trust
LOT: AP 46 — Lot 194; 28,148 sq. ft.; R-40 Zone
EXISTING USE: Vacant Land
PROPOSAL: Construct a 44' x 28' single family dwelling

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— LOT SIZE	40,000'	28,148'	11,852'
	— FRONTAGE	140'	40'	100'
	— WIDTH	140'	134'	6'

Joseph Driscoll was sworn. Mr. Driscoll explained the project to the Board. Mr. Nascenzi had visited the site per the Board's request. Mr. Nascenzi was sworn. He stated that he had a backhoe dig several test holes in the property to foundation depth. Everything looked fine; no debris buried. On May 23, 2011, a fire occurred on the lot. Tires were set on fire; possible arson. He visited the site again with DEM, Police Department, Fire Department, and Joseph Ballirano, Esq. DEM found oil contamination in the ground; deeper than the four feet originally dug. All wetlands must be flagged and all

proceedings must stop until the DEM investigation is completed. Recommended that the application be continued until DEM report is received by the Town. Submitted photos to Board of the backhoe as Exhibit A. A motion to accept photos was made by Mr. Pilozzi. Seconded by Mr. Frezza. A voice vote was taken; all in favor. Mr. Nascenzi also submitted photos of the contamination to the Board. A motion to accept these photos as Exhibit B was made by Mr. Pilozzi. This was seconded by Mr. Frezza. A voice vote was taken; all in favor. DEM will conduct a Phase III Environmental Study of the lot.

Motion to continue was made by Mr. Pilozzi. Mr. Frezza seconded the motion. A voice vote was taken; all in favor.

FILE 2011-21

LOCATION: 16 Moswansicut Drive
 OWNER/APPLICANT: Felix Ernesto and Lisa Waldron
 LOT: AP 57 — Lot 106; 9,367 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct a 12' x 16' sunroom

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— LOT SIZE	40,000'	9,367'	30,633'
	— FRONTAGE	140'	75'	65'
	— WIDTH	140'	75'	65'
SETBACKS:	— FRONT YARD	40'	27.74'	12.26'
	— LEFT SIDE	35'	26.79'	8.21'

Ernesto Felix and Steve Petrucci were sworn. Mr. Petrucci presented the application to the Board. Sunroom will be for additional living space. There will not be heat in the room; it will be built on an existing deck. Relief requested was discussed. 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.

FILE 2011-22

LOCATION: 2 Meadowbrook Drive
 OWNER/APPLICANT: Orchard Oak Builders, Inc.
 LOT: AP 60 — Lot 59; 20,549 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct a 28' x 40' attached garage

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— LOT SIZE	40,000'	20,549'	19,451'
SETBACKS:	— FRONT YARD	40'	30'	10'

	— REAR	75'	58'	17'
	— RIGHT SIDE	35'	23'	12'

Louis Calcagni and Albert Gizarelli were sworn. Mr. Calcagni presented the application to the Board. Relief requested was discussed. The building will not have heat or plumbing. No apartment will be built. No abutters appeared for or against the project.

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

FILE 2011-23

LOCATION: Butler Drive
 OWNER/APPLICANT: Rhonda Sasa
 LOT: AP 65 — Lot 113; 7,000 sq. ft.; R-40 Zone
 EXISTING USE: Vacant Land
 PROPOSAL: Construct a 48' x 28' single family dwelling

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— LOT SIZE	40,000'	7,000'	33,000
	— FRONTAGE	140'	70'	70'
	— WIDTH	140'	70'	70'
SETBACKS:	— FRONT YARD	40'	25'	15'
	— REAR	75'	45'	30'
	— LEFT SIDE	35'	11'	24'
	— RIGHT SIDE	35'	11'	24'

James Creighton, Esq. presented the application to the Board. Rhonda Sasa was duly sworn. Mr. Creighton explained the project. Mr. Frezza verified that the property needs septic approval from DEM. Relief requested was discussed. Mr. Anzelone would like the Town Planner to speak regarding her memo and clarify some points. Mr. Ballirano stated that the Town Planner's memo states that the project is not consistent with the Comprehensive Community Plan.

Frank Gracie, abutter, was sworn. Gave prior history of lot. Mr. Nascenzi explained the Merger Ordinance. Mr. Anzelone mentioned the wetlands in the area.

David McCauley, Miguel Oliva and Iris Oliva were sworn. Mr. McCauley served as a translator for the Oliva's. Mr. Oliva stated that he has a working well approximately 15-20 feet from the property line.

Valerie Valentine, abutter, was sworn. Her septic system abuts the property line in the rear of the property.

Mr. Creighton requested a continuance. Mr. Frezza made the motion to continue the application. Mr. Anzelone seconded the motion. A voice vote was taken; all in favor.

FILE 2011-24

LOCATION: Forest Drive
 OWNER/APPLICANT: Mohamad Yaser Sasa
 LOT: AP 65 — Lot 35; 13,000 sq. ft.; R-40 Zone
 EXISTING USE: Vacant Land
 PROPOSAL: Construct a 48' x 28' single family dwelling
Dimensional Variance petitioned under Article III, Section F, Table III-F-1.

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— LOT SIZE	40,000'	13,000'	27,000
	— FRONTAGE	140'	130'	10'
	— WIDTH	140'	130'	10'
SETBACKS:	— FRONT YARD	40'	25'	15'
	— REAR	75'	45'	30'
	— RIGHT SIDE	35'	15'	20'

James Creighton, Esq. presented the application to the Board. Mohamad Yaser Sasa was sworn. Relief requested was discussed. Mr. Sasa stated that this lot received prior approval, but that approval has expired.

David McCauley, abutter, was sworn. Mr. McCauley stated that there are water issues in the area. Forest Dr. is a steep hill and is hard to maneuver in the winter.

Mr. Anzelone discussed the water issues in the area.

Mr. Creighton requested a continuance. Mr. Anzelone made a motion to continue the application. Mr. Frezza seconded the motion. A voice vote was taken; all in favor.

FILE 2011-25

LOCATION: 7 Progress Avenue
 OWNER/APPLICANT: Sherry Gemma
 LOT: AP 48 — Lot 30; 8,000 sq. ft.; R-20 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct a 10' x 20' addition to east side of existing garage and a 12' x 22' addition on north side of dwelling
Dimensional Variance petitioned under Article III, Section F, Table III-F-1.

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— LOT SIZE	20,000'	8,000'	12,000'
	— FRONTAGE	120'	80'	40'
	— WIDTH	120'	80'	40'
	— COVERAGE	20%	31.65%	11.65%

SETBACKS:	— FRONT YARD	30'	25'	5'
	— REAR	50'	28'	22'
	— LEFT SIDE	25'	10'	15'
	— RIGHT SIDE	25'	14'	11'

Sherry and Raymond Gemma were sworn. Sherry presented the project to the Board. Relief requested and footprint of home were discussed. No abutters appeared for or against the project.

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

FILE 2011-26

LOCATION: 7 Cinnamon Drive
 OWNER/APPLICANT: Brian and Kathleen Gordon
 LOT: AP 43 — Lot 325; 23,799 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct a 25' x 12.4' sunroom and single car drive-under garage on rear of existing single family dwelling

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— LOT SIZE	40,000'	23,799'	16,201'
SETBACKS:	— RIGHT SIDE	35'	16.26'	18.74'

William Baldwin, contractor and Brian Gordon were sworn. Mr. Baldwin presented the application to the Board. Relief requested and need for additional space were discussed. 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.

FILE 2011-27

LOCATION: 54 Serrel Sweet Road
 OWNER/APPLICANT: Jason and Eylana Goffe
 LOT: AP 39 — Lot 171; 10,000 sq. ft.; R-15 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Remove existing garage and construct a 22' x 24' detached garage

Dimensional Variance petitioned under Article III, Section G (7) (c)

Jason Goffe was sworn. Mr. Goffe presented the application to the Board. Size of garage was discussed. There will be no plumbing, heating or apartment in the garage.

Fortuna Falvo, abutter, was sworn. Ms. Falvo is concerned about location of entrance to the garage. It is directly across from her driveway. She has trouble backing out of her driveway occasionally due to cars parked on the street. She is concerned about construction vehicles parking near her driveway.

Richard Machado, contractor, was sworn. Mr. Machado will ensure that the construction vehicles will not block the street or Ms. Falvo's driveway.

Meeting adjourned at 9:30p.m.