

Chairperson
Kenneth Aurecchia

Vice-Chairperson
Richard Fascia

Secretary
Joseph Anzelone

Counsel for the Board
Joseph Ballirano, Esq.



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

Zoning Board Members
Anthony Pillozzi
Bernard Frezza

Alternate Board Members

Dennis Cardillo

Recording Secretary
Susan Leonardi

JOHNSTON ZONING BOARD OF REVIEW
100 Irons Avenue, Johnston, Rhode Island 02919
Tel: 401-231-4000; Fax: 401-231-4181

MINUTES

June 30, 2011

The Zoning Board of Review held its monthly meeting on the 30th day of June, 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 Pillozzi, Joseph Anzelone, and Dennis Cardillo. Also present: Joseph Ballirano, Town Solicitor, Bernard Nascenzi, Building/Zoning Official, Susan Leonardi, Recording Secretary, and Dianne Edson, Stenographer

Mr. Pillozzi made the motion to approve the minutes of the May 26, 2011 meeting. Mr. Anzelone seconded the motion. A voice vote was taken; all in favor.

Mr. Aurecchia announced that the applications for J & S Scrap on Starr St and Casale of 2741 Hartford Avenue would not be heard this evening.

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'

Rhonda and Mohamad Sasa were sworn. Mr. Sasa presented the application to the Board. Mr. Ballirano verified ownership of the lot and defined the hardship. Least relief necessary was discussed.

House will be sold after it is built. Mr. Anzelone suggested building a smaller home to decrease the relief being requested.

Frank Gracie, abutter, was sworn. Mr. Gracie is concerned about septic issues, water issues and the ownership of the lot.

Israel Morales, interpreter, was sworn. Miguel and Iris Oliva, abutter, were sworn. Mr. Oliva showed a picture of his property and where his well was located. The well is used for drinking water. Submitted photo to Board. Mr. Pilozzi made the motion to accept the photo as Exhibit A for the abutters. MR. Anzelone seconded the motion. A voice vote was taken; all in favor.

Israel Morales, abutter. Concerned about space between homes.

Valerie Valentine, abutter, sworn. Ms. Valentine is concerned about septic system and the proximity to her own septic.

Mr. Anzelone made the motion to grant the application with the following stipulations, 1) Size of home be decreased to 44' x 26', 2) Subject to DEM approval, 3) wall be constructed at rear of property, and 4) Swales be installed to assist with run-off. Mr. Fascia 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'

Mohamad Sasa (previously sworn) presented the application to the Board. Relief requested was discussed. House will be sold.

Bernard Paiva, abutter, was sworn. Concerned about wetlands and stream in back of property.

Frank Gracie, abutter, sworn. Concerned about cellar taking in water,

Mr. Anzelone made the motion to grant the application with the following stipulations, 1) Size of home be decreased to 44' x 26', 2) Subject to DEM approval, 3) property will be built on a slab with four drains, and 4) House will have a gravel driveway. Mr. Fascia seconded the motion. A voice vote was taken; all in favor.

FILE 2011-29

LOCATION: 10 East Scenic View Drive
 OWNER/APPLICANT: Lisa, Barbara & Frank DiCarlo
 LOT: AP 46 — Lot 124; 8,850 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct an Accessory Family Dwelling Unit (In-Law)

Special Use Permit petitioned under Article III, Section O (1), Section P (1)(2), and Section K (9)(1)

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— SIZE	40,000'	8,850'	31,150'
	— FRONTAGE	140'	101.85'	38.15'
	— WIDTH	140'	101.85'	38.15'
SETBACKS:	— FRONT	40'	32'	8'
	— RIGHT	35'	33.5'	1.5'
	— LEFT	35'	2'	33'
	— REAR	75'	17.1'	57.9'

John Bevilacqua, Esq. presented the application to the Board. Lisa DiCarlo was sworn. Relief requested was discussed. New addition will be to house her parents. Will not be a two-family home. Project received a favorable opinion from the Town Planner. New septic system will be installed. The project has preliminary approval from DEM. Project will have its own ingress/egress.

No abutters appeared for or against the project.

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

FILE 2011-31

LOCATION: 1148 Central Avenue
 OWNER/APPLICANT: Silverio & Maureen Piccirillo
 LOT: AP 43 — Lot 178; 28,749 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct a 18' x 24' addition

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— SIZE	40,000'	28,749'	11,251'
	— FRONTAGE	140'	105'	35'
	— WIDTH	140'	105'	35'
SETBACKS:	— FRONT	40'	26.8'	13.2'
	— RIGHT	35'	10'	25'

Silverio and Maureen Piccirillo were sworn. Mr. Piccirillo presented the application to the Board. Relief requested was discussed. The addition is for dining room, laundry room and a bathroom. Project received a favorable opinion from the Town Planner.

No abutters appeared for or against the project.

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

FILE 2011-32

LOCATION: 12 Jenckes Street
 OWNER/APPLICANT: Wayne & Marie Piadade
 LOT: AP 39 — Lot 106; 11,000 sq. ft.; R-15 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct a 56' x 52' addition, deck and a 512 sq. ft. in-ground pool

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— SIZE	15,000'	11,000'	4,000'
SETBACKS:	— FRONT	25'	13.9'	11.1'
	— RIGHT	20'	14.2'	5.8'
	— LEFT	20'	17'	3'
	— REAR	45'	43.9'	1.1'

Wayne and Maria Piadade were sworn. Thomas DiStefano, contractor, was sworn. Mr. DiStefano presented the application to the Board. Relief requested was discussed. Addition is to provide more living space to help care for Mr. Piadade who is handicapped. In-ground pool will be fenced. Project received a favorable opinion from the Town Planner.

No abutters appeared for or against the project.

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

FILE 2011-33

LOCATION: 2 Circle Drive
 OWNER/APPLICANT: Robert Pezzullo and Anna Marie Fusco
 LOT: AP 47 — Lot 245; 16,915 sq. ft.; R-15 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct a 24' x 24' addition

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— LEFT	20'	12.3'	7.7'

Robert Pezzullo and Anna Marie Fusco, were sworn. Mr. Pezzullo presented the application to the Board. Mr. Pezzullo stated that the addition will be for an ill daughter. Mr. Ballirano questioned if the addition would be an Accessory Family Dwelling Unit. Mr. Pezzullo stated that it was. Based on Mr. Ballirano's explanation and recommendation, Mr. Pezzullo requested that his application be amended to reflect to request a Special Use Permit for an Accessory Family Dwelling Unit.

No abutters appeared for or against the project.

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

FILE 2011-36

LOCATION: 223 Simonsville Avenue
 OWNER/APPLICANT: Vincent Palumbo, Jr. & Eleanor Palumbo
 LOT: AP 28 — Lot 164; 17,062 sq. ft.; R-20 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Construct a 16' x 18' addition

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— SIZE	20,000'	17,062'	2,938'
SETBACKS:	— FRONT	30'	25.2'	4.8'
	— RIGHT	25'	3.5'	21.5'

Vincent and Eleanor Palumbo were sworn. Scott Brouillard, contractor, was sworn. Mr. Brouillard presented the application to the Board. The addition is for a bigger bedroom. The project received a favorable opinion from the Town Planner.

No abutters appeared for or against the project.

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

FILE 2011-35

LOCATION: 26 Putnam Pike
OWNER: Robbi-Fitz, LLC
APPLICANT: Coast Realty, LLC
LOT: AP 38 — Lots 132 & 141; 101,996 sq. ft.; B-2 & R-15 Zone
EXISTING USE: Vehicle Sales
PROPOSAL: Construct a 136' x 95' CVS Pharmacy Store with Drive-Thru

Dimensional Variance petitioned under Article III, Section F, Table III-F-1, Section H (5), Parking, Section G (10), Site Plan Review and Approval for Commercial and Business Use, and Section G (14) Landscape Design Standards

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— REAR	40'	20'	20'

K. Joseph Shekarchi, Esq. presented the application to the Board. DOT and DEM approvals are pending. Landscaping, roadway modifications, traffic patterns, and drainage were discussed.

Lance Hill, P.E. was sworn. Site plan details were discussed.

John Pesce, developer for CVS, was sworn. Store will not be a 24 hour business. Cars on existing used car lot will be moved elsewhere. Width of walking path was discussed.

A list of itemized variances being requested was submitted to the Board. Mr. Anzelone made the motion to accept the list. Mr. Pillozzi seconded the motion. A voice vote was taken; all in favor.

A folder of resumes was submitted to the Board. A voice vote was taken; all in favor.

Length of traffic lights, traffic flow and possible alternatives were discussed.

The following abutters were sworn:

Carl Shewcov – concerned about walkway/bike path. Wants gravel, not paved. ADA will not allow gravel

Maria Soares – concerned about traffic and emergency vehicles

Robert Pattie – concerned about traffic flow. Does not want walkway.

Craig Wilcox – concerned about traffic flow from Taunton Ave to Geo. Waterman

Marie Gruttadauria – does not want ingress/egress on Taunton Ave.

Guido Gosetti – questioned placement of dumpster and transformer. Wants stockade fence to block view from his backyard to the project.

Roselyn Androscia – Proposed walkway is next to her home. Does not want it.

Pamela Sherrill, Town Planner, discussed reasons for allowing the walkway.

Richard Fascia, in full disclosure, announced that his wife is an employee and stockholder of CVS. This will in no way affect his vote.

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

Meeting adjourned at 11:30p.m.