

Chairperson
Bernard Frezza

Vice-Chairperson
Anthony Pilozzi

Secretary
Joseph Anzelone

Counsel for the Board
Joseph Ballirano, Esq.



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

Zoning Board Members
Richard Fascia
Thomas Lopardo

Alternate Board Members
Dennis Cardillo
Albert Colannino

Recording Secretary
Holli Stott

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

MINUTES

January 26, 2012

The Zoning Board of Review held its monthly meeting on the 26th day of January 26, 2012 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: Bernard Frezza, Chairman, Anthony Pilozzi, Vice-Chairman, Joseph Anzelone, Richard Fascia, Albert Colannino, Thomas Lopardo and Dennis Cardillo. Also present: Joseph Ballirano, Town Solicitor, Bernard Nascenzi, C.B.O, Holli Stott, Recording Secretary and Dianne Edson, Stenographer

Mr. Fascia made the motion to approve the minutes of the December 29, 2011 meeting. Mr. Pilozzi seconded the motion. A voice vote was taken; all in favor.

A. File 2011-47

LOCATION: 17 Bigelow Road
OWNER/APPLICANT: William and Claudette Baumlin, Sr. and William Baumlin, Jr.
LOT: AP 59 Lot 35; 7.75 acres; R-40 Zone
EXISTING USE: Single Family Dwelling
PROPOSAL: Appending subdivision of existing lot into three lots, third lot to have a single family dwelling and extension of Bigelow Road to provide frontage for all three lots and legalize existing structure in rear yard.

Dimensional Variance petitioned under Article III, Section F, Table III F-1, Ord. 2003-15, Article III, "Lot width and frontage shall be continuous, not interrupted by any other lot and on a Town-accepted road" and Article III, Section G (7) (c)

Mr. Joseph Casale presented a power point presentation to the board showing where the lots are and what structures are on these lots. Mr. Albert Russo, counsel for the owners, was sworn in to explain to

the board that his clients do not have any intent of having this 1200 sq foot “shed” used as anything but a shed to store his yard equipment. Mr. Nascenzi was asked by the board if the owners of the property obtained the proper permits to build these structures and he stated that permits were pulled for the pool

and the deck, not the “shed.” Mr. Baumlin was sworn in and he explained to the board that there is not water running to this “shed” and that no one ever lived there. He only uses this “shed” as storage for his equipment. There is no sewage or heat to this building. Mr. Nascenzi went to the property to

make sure that no one is living in there and no one is, however this “shed” is ready to be wired because of the pipes that are coming out of the ground. Mr. Baumlin stated that the pipes coming out of the ground are for his sprinkler system for his garden.

Mr. Marvin Hanson is an abutter against the “shed” that has been erected since 2006 without permits. Mr. Hanson stated that this “shed” stores a tractor and other equipment that there is no garage door on it to actually move this tractor inside and that other neighbors have spotted people leaving this “shed” in the morning. Mr. Baumlin stated that the “shed” is for storing yard equipment only and that no one has ever lived there.

Mr. Nascenzi brought it to the zoning board’s attention that Mr. Baumlin went in front of the zoning board back in January of 1998 for permission to build an accessory structure for the use of a family member. After the accessory structure was built Mr. Baumlin moved into the property and the original home his son moved into. After a few years Mr. Baumlin’s son moved to Florida and rented out the property which voids all of the approvals from the zoning board. Mr. Baumlin admitted to renting out the house to a non family member.

Recess 8:40

Back to Order 8:54

Mr. Raymond Leca is sworn in as an abutter with a few questions about this project. First, he questioned if the planning board gave Mr. Baumlin 140 feet or 340 feet. Mr. Casale stated that he was not the engineer on the project at that time and that they will have to get the preliminary planning board plans to review what the planning board had given Mr. Baumlin originally.

Mr. Fascia made the motion to deny the application in its entirety. Mr. Pillozzi seconded the motion. Mr. Anzelone abstained. A voice vote was taken; all in favor for denial of project.

Recess 9:28

Back to Order 9:42

B. File 2012-01

LOCATION: 11 Old Greenville Avenue
 OWNER/APPLICANT: Charles Russo and Robert Russo
 LOT: AP 60 Lot 97; 4.48 acres; R-40 Zone
 EXISTING USE: Single Family Dwelling with barn/garage
 PROPOSAL: Rebuild garage with a separate apartment above

Dimensional Variance petitioned under Article III, Section G (7) (c), Article III, Section F, Table III F-1 and **Use Variance** petitioned per Article III, Section D, Table III D-1, Subsection 2.3

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— BUILDING HEIGHT	15'	26'	11'

Mr. John Shekarchi, attorney for the applicants, and Mr. Edward Pimental, land use expert, sworn in and they explained to the board that the applicants would like to amend the application instead of having one unit with two bedrooms; they would like to build two units with one bedroom each.

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

Mr. Shekarchi then entered a plan that shows the historical evidence that the barn existed for many years.

Mr. Pilozzi made the motion to accept this item as part of the record. Mr. Fascia seconded the motion. A voice vote was taken; all in favor.

Mr. Frezza then confirmed with Mr. Shekarchi that instead of having a one two bedroom apartment, they are now going to construct two one bedroom apartments; also that I.S.D.S is being worked on as well. Mr. Fascia had some questions about tenant parking and Mr. Shekarchi explained to him that there will be two parking spaces per apartment either outside the dwelling or underneath in the garage.

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

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

Adjourn 10:00