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Anthony Pilozzi

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Joseph Anzelone

Counsel for the Board
Joseph Ballirano, Esq.



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Richard Fascia
Thomas Lopardo

Alternate Board Members
Dennis Cardillo
Albert Colannino

Recording Secretary
Holli Stott

JOHNSTON ZONING BOARD OF REVIEW
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MINUTES

July 25, 2013

The Zoning Board of Review held its monthly meeting on the 25th day of July 2013 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, Chairperson, Anthony Pilozzi, Vice-Chairman, Joseph Anzelone, Albert Colannino, Richard Fascia, Thomas Lopardo and Dennis Cardillo. Also present: Joseph Ballirano, Esq., Holli Stott, Recording Secretary, Bernard Nascenzi, C.B.O./Z.O and Lisa Reis, Stenographer.

Mr. Anzelone made a motion to approve last months minutes with a minor correction. Mr. Pilozzi seconded. A voice vote was taken; all in favor.

A. File 2013-08

LOCATION: 1531 Hartford Avenue
OWNER: Joseph and Lucille DiCenzo
APPLICANT: JKL Learners
LOT: AP 53 — Lot 83; 7,000 sq. ft.; B-2 Zone
EXISTING USE: Three Family Dwelling
PROPOSAL: 1st floor infant / toddler preschool
Special Use Permit petitioned under Article III § 340-8 Table of Use Regulations Subsection 4.11 and Article XII § 340-75 Special Use Permit

Jodi Gladstone with Frank Lombardi's office came up in front of the board and explained that their client would like to postpone this item until the August 29th hearing.

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

B. File 2013-25

LOCATION: 1010 Hartford Avenue
 OWNER/APPLICANT: Operation Stand Down
 LOT: AP 23 — Lot 5, 84 and 157; 119,315.6± sq. ft.; R-15 Zone
 EXISTING USE: Ten households including office /community center
 PROPOSAL: Construct four additional households within two structures

Dimensional Variance petitioned under Article III § 340-9 Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	RIGHT SIDE YARD	20'	10'	10'

Mr. John Pagliarini, attorney for the applicant, was sworn in and he explained to the board that his client would like to construct four additional households within two structures. Mr. Pagliarini gave the board a brief background of Operation Stand Down.

Mr. Anthony Dequattro, president of the organization, was sworn in and he explained to the board how many families and children are living in these homes. All the housing is permanent and supportive housing and all of the families are referred from the V.A.

Attorney Ed D’Agostino, attorney for abutter Vito Basilico, was sworn in and he explained that his client lives directly next door to this property and that the relief the applicant is seeking is not reasonable. Mr. Ballirano explained to Mr. Pagliarini that maybe he should seek smaller relief by ten feet and that is something that the applicant does not want to do.

Mr. Anthony Verado, Town Councilman District 2, was sworn in and he explained that the owners of this property created their own hardship for the following reasons: 1. it’s a nonconforming use and 2. they created their own hardship and they need to seek relief of that hardship.

Mrs. Christine Conti, daughter of an abutter, was sworn in and her concern is that the increased traffic flow directly in front of her mothers house which is on the corner of Hartford Avenue where the property abuts.

Mr. Anzelone made a motion for a five minute recess; Mr. Lopardo seconded. A voice vote was taken; all in favor.

Recess 7:43
 Back to Order 7:57

Mr. Verado asked the board if this application is approved if there can be a stipulation that this will be the last expansion up there. Mr. Pagliarini, Mr. Dequattro and Mr. D’Agostino agreed to this stipulation.

Mr. Pillozzi made a motion to grant with the stipulation of no further residential expansions. Mr. Lopardo seconded. A voice vote was taken; passed four to one. Mr. Fascia opposed.

C. File 2013-26

LOCATION: 1010 Hartford Avenue
 OWNER/APPLICANT: Operation Stand Down
 LOT: AP 23 — Lot 5, 84 and 157; 119,315.6± sq. ft.; R-15 Zone
 EXISTING USE: Ten households including office /community center
 PROPOSAL: 25' x 40' addition to existing office

Use Variance petitioned under Article XI, § 340-71 Extension or enlargement of nonconforming use.

Mr. Pagliarini, attorney for the applicant explained to the board that this is an expansion of a legal nonconforming use. Since they are growing and the Johnston property is corporate headquarters the staff is currently sharing desks and they are very cramped.

No abutters for or against.

Mr. Pillozzi made a motion to grant. Mr. Lopardo seconded. A voice vote was taken; all in favor.

D. File 2013-24

LOCATION: 11 Colony Drive
 OWNER/APPLICANT: Biagio Micheletti and Pamela Oliak
 LOT: AP 37 — Lot 71; 11,750± sq. ft.; R-15 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: 12' x 24' Addition to existing garage

Dimensional Variance petitioned under Article III § 340-9 Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	LOT FRONTAGE	100'	75'	25'
	LOT WIDTH	100'	75'	25'
	REAR YARD	45'	28'	17'
	LEFT SIDE YARD	20'	4'	16'
	RIGHT SIDE YARD	20'	18'	2'

Mr. Biagio Micheletti, owner of the property, was sworn in and he explained to the board that he would like to build an addition to their existing garage and if approved the addition will be only four feet away from the property line. Mr. Pillozzi explained to Mr. Micheletti that he can not remember approving any application that the proposed variance requested is less than ten feet because it would create an "alley" and it would not be enough room if an emergency vehicle needs to get to either house. Mr. Ballirano suggested a carport on the property and Mr. Micheletti declined that idea.

Mr. Richard Machado, contractor for the homeowner, was sworn in and he explained the reasons why the addition to the garage has to go on this side of the property verses the opposite side.

Mr. Louis Piccirilli, abutter at 9 Colony Drive, was sworn in and he explained to the board that his family has lived in this home for 44 years and it is the smallest lot on Colony Drive. Mr. Piccirilli handed the board pictures of that side of the house where the proposed addition will be.

Mr. Pilozzi made a motion to accept the pictures as exhibit A. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Piccirilli explained that in the event of an emergency situation considering that Mr. Micheletti builds cars in his garage and he handles a lot of flammable materials and uses welding equipment and if something was to happen the structure will definitely be too close to Mr. Piccirilli's property. As well as any water run off from this new structure because Mr. Micheletti's property is higher than the Piccirilli's property.

Mr. Louis Piccirilli, Jr., son of the owner of 9 Colony Drive, was sworn in and he expressed that this structure does not belong so close to the property line.

Mr. Anzelone made a motion to deny. Mr. Lopardo seconded. A voice vote was taken; all in favor.

Mr. Cardillo	Aye
Mr. Anzelone	Aye
Mr. Lopardo	Aye
Mr. Fascia	Aye

Five to nothing to deny.

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