

**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 ext 4068 Fax: 401-231-4181**

**MINUTES**  
**March 26, 2015**

The Zoning Board of Review held its monthly meeting on the 26th day of March, 2015 at 6:30 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, Thomas Lopardo, Al Colannino, Dennis Cardillo and Richard Fascia. Also present: Joseph Ballirano, Esq., Holli Stott, Recording Secretary, Bernard Nascenzi, Zoning Official and Diane Edson, Stenographer.

Mr. Pilozzi made a motion to approve February’s minutes. Mr. Anzelone seconded. A voice vote was taken; all in favor.

**A. File 2015-11**

LOCATION: Belaire Drive  
OWNER/APPLICANT: Anna Martinelli  
LOT: AP 20 — Lot 147; 7,200 sq. ft.; R-15 Zone  
EXISTING USE: Vacant  
PROPOSAL: Single Family Dwelling

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	LOT SIZE	15,000 sq ft	7,200 sq ft	7,800 sq ft
	LOT FRONTAGE	100’	90’	10’
	LOT WIDTH	100’	90’	10’
	REAR YARD	45’	29’	16’
	LEFT SIDE YARD	20’	15’	5’
	RIGHT SIDE YARD	20’	15’	5’

Ms. Martinelli, applicant for the property, was sworn in and she explained to the board that she would like to build a spec house to sell. Ms. Martinelli explained that she received this lot through her family and the abutting property behind this lot is also family members. Mr. Pilozzi expressed his concerns regarding the dimensional relief that she is requesting. He suggested turning the two car garage in a one car garage and that would lower the relief needed which would make the proposed house more favorable with the surrounding neighborhood.

Mr. Barry Bates, abutter, was sworn in and he explained to the board that his concerns are with the setbacks in the rear yard and water run-off. Mr. Bates runs a sump pump all day every day. Mr. Pilozzi explained to Mr. Bates that the relief the applicant is requesting is a lot and not the least relief necessary but it's not affecting him as of yet. Mr. Nascenzi explained that he has not received any complaints about any water situations up in that area.

Mr. David Tatangelo, applicant's real estate agent, was sworn in and he explained that the house will be on a full foundation. Mr. Lopardo explained that if the water table is that high in that area then he might want to reconsider putting it on a slab instead. DEM has to approve all site work prior to any excavation and digging and Mr. Nascenzi has a zero tolerance policy.

Mr. Albert Maccarano, abutter, was sworn in and he just wanted to see the house plans and how far to his house will it be. Mr. Pilozzi explained that if they drop the two car garage down to a one then they will have around 20 feet on the side. Mr. Maccarano agreed and like the plan of the house.

Mr. Lou Dipalo, abutter, was sworn in and he explained that there is a severe water problem in this area and another house is only going to add more problems since the water table is so high.

Mr. Ballirano asked Ms. Martinelli about ownership of the lot in question. Mr. Ballirano explained that on the deed there is judgement that states the deed's null and void from 2011. Ms. Martinelli did not know anything about the judgement and is going to research the deed and find the proper paperwork to prove ownership of the lot.

No motion was made due to the fact that the application is incomplete and needs to be in order. Ms. Martinelli agreed that when everything is in order including proof of ownership and a new house plan without the garage then we will put her back on the agenda for final review.

**B. File 2015-12**

LOCATION: 6 Borden Avenue and 19 Alcazar Ave  
 OWNER/APPLICANT: Jessica Faiola  
 LOT: AP 12 — Lot 15 and 17; 20,680 sq. ft.; R-10 Zone  
 EXISTING USE: 6 Borden Ave – Daycare Center and 19 Alcazar Ave – Single Family Dwelling  
 PROPOSAL: Same

**Dimensional Variance** petitioned under Article III § 340-8 Table of Use Reg. Sect 4-11 and § 340-9

Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	<b>BUILDING HEIGHT</b>	<b>30'</b>	<b>30.83'</b>	<b>.83'</b>
	<b>LOT COVERAGE</b>	<b>25%</b>	<b>27.95%</b>	<b>2.95%</b>

	<b>FRONT YARD</b>	<b>25'</b>	<b>23.5'</b>	<b>1.5'</b>
	<b>REAR YARD</b>	<b>40'</b>	<b>17.7'</b>	<b>22.3'</b>

Mr. Al Russo, attorney for the applicant, was sworn in and he explained to the board that his client currently has a daycare business located at this property and she has now recently purchased the house abutting to the daycare and she would like to extend the daycare so that she can accommodate school age children after kindergarten. Mr. Russo submitted pictures to the board so that they can see a little more clearly on where the addition will be.

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

Nick Veltri, surveyor on the project, was sworn in and he explained how big and where the addition will be built if approved. The existing garage will be demolished and the playground will be moved over so that the two story addition will be build where the playground is currently.

Jessica Faiola, applicant, was sworn in and she explained to the board that she will extend the curb stoppers and poles to protect the building and playground. Pick up and drop off will still be on Alcazar Avenue. Ms. Faiola expressed that she is hoping to have around 15 to 20 school age children to occupy the space.

Mr. Eric Zuena, architect for the applicant, was sworn in and he explained to the board that the addition will be utilized by school age children and preschoolers and the room that they are currently in will be for toddlers. They will be adding five more parking spaces and 1 handicap.

No one for or against

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

### **C. File 2015-13**

LOCATION: 1291 Plainfield Street  
 OWNER/APPLICANT: Adam Combies  
 LOT: AP 3 — Lot 425; 5,250 sq. ft.; B-2 Zone  
 EXISTING USE: Commercial/vacant  
 PROPOSAL: Mixed use two residential and two commercial  
Use Variance petitioned under Article III § 340-8 Table of Use Reg. Sect 14.1

Adam Combies, applicant, was sworn in and he explained to the board that he would like to keep the two offices downstairs and add two residential units upstairs. Mr. Pilozzi explained that this area is tough because of Thornton School and School Street. There are only 8 parking spaces located at this property and with adding more people you will adding more cars. School buses and parents picking up their children at Thornton School will have a tougher time because now there is more traffic. Mr. Combies will need to add four more parking spaces to be in compliance with the zoning regulations. Mr. Pilozzi believes that the building should stay commercial due to the parking issues, ingress and egress and the close proximity to the school.

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

**D. File 2015-14**

LOCATION: 10 Shaw Avenue  
 OWNER/APPLICANT: Nicole and Michael Ryan  
 LOT: AP 3 — Lot 42; 7,440 sq. ft.; R-15 Zone  
 EXISTING USE: Single Family Dwelling  
 PROPOSAL: Modify existing roof configuration to increase usable space

**Dimensional Variance** petitioned under Article III § 340-9 Table of Dimensional Regulations and Article XI § 340-68 Continuance of nonconforming development sect. B

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	LOT SIZE	15,000' sq ft	7,440' sq ft	7,560' sq ft
	LOT FRONTAGE	100'	80'	20'
	LOT WIDTH	100'	80'	20'
	LEFT SIDE YARD	20'	4' 6"	15' 6"

Nicole and Michael Ryan, applicants, were both sworn in and they explained to the board that they would like to raise the roof line so that they will have an additional 250 square feet of living space. Mr. Nascenzi explained to the board that the envelope will stay the same which is an expansion of a nonconforming use.

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

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

**Adjourn 7:43 p.m.**