

**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**  
**August 27, 2015**

The Zoning Board of Review held its monthly meeting on the 27th day of August, 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 July's minutes. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Al Russo explained to the board that his client that was in front of the board last month, Mr. Gonzales, Private Appliance, has agreed to not "remanufacture" appliances and clean up his property. Mr. Pilozzi explained that if his client is caught "remanufacturing" appliances then he will be fined \$500.00 per day until compliance. Mr. Russo understood and advised his client.

**A. File 2014-14 - Remand from Superior Court**

LOCATION: 396 Greenville Ave  
OWNER: Michael and Mary DiMeo  
APPELLANT: Elisabeth Bux  
LOT: AP 47 — Lot 186; R-20 Zone  
ISSUE: As grounds for the appeal, the undersigned contends that the Town of Johnston Planning Board made a prejudicial procedure error, clear error and lack of support by the weight of the evidence in the record by failing to make positive findings on the record at the hearing of the general purposes set forth in R.I.G.L. 45-23-30 and the standard provisions set forth in R.I.G.L. 45-23-60.

Mr. Ballirano explained to the board the appropriate motion is to request the planning board's record for the zoning board to review for next month for a review of the record and a new decision.

Mr. Pilozzi made a motion to continue until next month's meeting. Mr. Anzelone and Mr. Lopardo seconded. A voice vote was taken; all in favor.

**B. File 2015-44**

LOCATION: 350 Central Avenue  
 OWNER: Johnston Building LLC  
 APPLICANT: Hobbs Brook Management LLC  
 LOT: AP 24 — Lot 22; 4,073,295 sq. ft.; PMUD Zone  
 EXISTING USE: Office  
 PROPOSAL: Office with pedestrian bridge over wetlands

**Dimensional Variance** petitioned under Article V § 340-25 Authorized Departures from yard regulations subsection C Accessory Structures

Mr. Russo explained to the board that his client would like to build a pedestrian walkway from a remote parking lot to the building. Mr. John Stabach and James Murphy were sworn in and they explained that they have all the proper applications submitted to other agencies pending zoning board approval.

No one for or against

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

Mr. Pillozzi stated for the record that Raymond Ventichinqway of Country Squire Development will be replacing the trees located at 118 Greenville Avenue at the end of September and if the trees are not replaced by the October meeting he will be placed on the agenda for a hearing.

Mr. Pillozzi made a motion to that Mr. Vintichinqway will be notified prior to the October meeting of the tress are not replaced. Mr. Anzelone seconded. A voice vote was taken; all in favor.

**C. File 2015-41**

LOCATION: 31 Mathew Drive  
 OWNER/ APPLICANT: William and Sandra Frey  
 LOT: AP 60 — Lot 157; 190,357 sq. ft.; R-40 Zone  
 EXISTING USE: Single Family Dwelling  
 PROPOSAL: Single Family dwelling with addition and deck

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	LOT FRONTAGE	140'	134'	6'
	LOT WIDTH	140'	134'	6'

Mr. and Mrs. Frey, owners, were sworn in and Mr. Frey explained that he would like to build an addition and a deck to his existing dwelling for an exercise room and a breakfast area.

No one for or against

Mr. Pillozzi made a motion to approve because it is the least amount of relief requested. Mr. Anzelone seconded. A voice vote was taken; all in favor.

**D. File 2015-45**

LOCATION: 25 Oakdale Avenue  
 OWNER: Domar Corp  
 APPLICANT: Marcos Fountoulakis  
 LOT: AP 13 — Lot 407; 16,000 sq. ft.; I Zone  
 EXISTING USE: Manufacturing and office  
 PROPOSAL: Additional offices and storage

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
<b>SETBACKS:</b>	FRONT YARD	50'	20'	30'
	REAR YARD	50'	10'8"	40 +/-'
	LEFT SIDE YARD	50'	3"	49'-9"
	RIGHT SIDE YARD	50'	19'	31'

Mr. Al Russo, attorney for the applicant, Mr. Marcos Fountoulakis, owner and Mr. Ramzi Loqa, project engineer were all sworn in and explained to the board that they would like to build an addition to the existing building for more office space and storage.

No one for or against

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

**E. File 2015-46**

LOCATION: 11 South Street  
 OWNER: Carl and Elaine Broccoli  
 APPLICANT: Arthur Paone  
 LOT: AP 38 — Lot 233; 9,480 sq. ft.; B-1 Zone  
 EXISTING USE: Upholstery Business  
 PROPOSAL: Fence erection and yard assembly and storage including landscape maintenance

**Special Use Variance** petitioned under Article XII § 340-75 Special Use Permit

Mr. Nick Veltri, surveyor and Mr. Arthur Paone, applicant, were sworn in and they explained to the board that Mr. Paone would like to occupy the building for his fencing and lawn maintenance company. There will be six employees with enough parking for them. This building will contain two offices, a bathroom and an assembly room.

No one for or against

Mr. Pilozzi made a motion to approve with the stipulations that the owner receives a business license from the town council. Mr. Anzelone seconded. A voice vote was taken; all in favor.

**F. File 2015-47**

LOCATION: 189 Simonsville Ave  
 OWNER/APPLICANT: Paul and Helen Gatta  
 LOT: AP 28 — Lot 79; 65,819 sq. ft.; R-20 Zone  
 EXISTING USE: Vacant  
 PROPOSAL: Commercial or business use as was previously used

**Special Use Variance** petitioned under Article XII § 340-75 Special Use Permit

Mr. Al Russo, attorney for the applicant, explained to the board that this business was a laundromat years ago and it has been vacant for over the past 10 years or so with the exception of a baseball academy. This property has been up for sale for a while, but the zoning was changed to a residential and the owners need a use variance which will ride with the building and not expire, however it needs to be used within a year or they will have to be return to the zoning board for approvals.

No one for or against

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

**G. File 2015-48**

LOCATION: Ludlow Street  
 OWNER/APPLICANT: Lake View Development  
 LOT: AP 10 — Lot 338; 8,879 sq. ft.; R-15 Zone  
 EXISTING USE: Vacant  
 PROPOSAL: Single Family Dwelling

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

	<b>DIMENSION</b>	<b>MINIMUM REQUIRED</b>	<b>PROPOSED</b>	<b>RELIEF REQUESTED</b>
<b>SETBACKS:</b>	LOT SIZE	15,000 sq. ft	8,879 sq. ft	6,121 sq. ft
	LOT FRONTAGE	100'	90'	10'
	LOT WIDTH	100'	90'	10'
	REAR YARD	45'	32.5'	12.5'

Mr. Al Russo, attorney for the applicant explained to the board that his client is building a single family dwelling at this location and he needs a dimensional variance for the proposed deck and lot size.

Mr. Paul Vanase, abutter, was sworn in and he stated that he thinks this house will definitely have a positive effect on the surrounding neighborhood.

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

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

**Adjourn 7:19 p.m.**