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Joseph Ballirano, Esq.



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Recording Secretary

Holli Stott

JOHNSTON ZONING BOARD OF REVIEW
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MINUTES
September 24, 2015

The Zoning Board of Review held its monthly meeting on the 24th day of September, 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. Frezza announced that file 2015-51 Gesmondi Drive will not be heard this evening.

A. File 2015-50

LOCATION: 25 Armento Street
OWNER/ APPLICANT: William Vigeant
LOT: AP 35 — Lot 77; 6,400 sq. ft.; R-15 Zone
EXISTING USE: Noncommercial personal storage
PROPOSAL: Same

Dimensional Variance petitioned under Article V § 340-25 Authorized departure from yard regulations subsection C Accessory structures

Mr. John Shekarchi, attorney for the applicant, explained to the board that his client would like to place a storage container for his personal belongings at this property.

Mr. Shekarchi handed the board a zoning map showing the board where the storage container will be placed.

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

Mr. Edward Pimental, municipal planner, was sworn in and he explained to the board that this structure is consistent with the comprehensive plan for that area and is the least relief being requested. William Vigeant, applicant, was sworn in and he explained to the board why he needs this storage container and what it will be used for.

Margaret Shearerf, abutter, was sworn in and she explained that Mr. Vigent keeps the property very clean and the storage container is also well kept.

Mr. Joseph Faella, abutter, was sworn in and he wanted to be reassured that this container will only be used for storage and nothing else. Mr. Vigent explained that it will only be used for personal storage.

Mr. Robert Kraven, attorney for an abutter Guilio Regina whom has power of attorney for his grandmother who lives close to property. Mr. Kraven expressed that he is just concerned with the size of the structure. Mr. Kraven stated that if the storage container is blocked by arborvitaes from the line of sight then he will withdraw his objection to the container being placed there.

Mr. Pillozzi made a motion to approve with the stipulation the applicant place arborvitaes in the line of sight for the abutter. Mr. Anzelone seconded. A voice vote was taken; all in favor.

B. 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. Pillozzi made a motion to recess as the zoning board of review and to reconvene as the board of appeals. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. John Shekarchi, attorney, explained to the board that this came down from superior court for a final decision regarding the planning boards technical errors. Mr. Pillozzi expressed that after careful research and reviewing of the planning board’s decision and all proper evidence it is his determination to make a motion to uphold the planning board’s decision. Mr. Fascia seconded. A voice vote was taken; all in favor.

Mr. Anzelone made a motion to reconvene from appeals to the zoning board. Mr. Pillozzi seconded. A voice vote was taken; all in favor.

C. File 2015-42

LOCATION: 3 Hill Drive
OWNER/ APPLICANT: Daniel and Sheila Scuncio
LOT: AP 62 — Lot 93; 190,357 sq. ft.; R-40 Zone
EXISTING USE: Single Family Dwelling
PROPOSAL: Single Family dwelling with addition

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	LOT SIZE	40,000	8,637’	31,363’
	LOT FRONTAGE	140’	79.76’	60.24’
	LOT WIDTH	140’	86’	54’

	FRONT YARD	40'	23.65'	16.34'
	REAR YARD	75'	35.73'	39.27'
	LEFT SIDE YARD	35'	10.19'	24.81'

Mr. and Mrs. Scuncio, were sworn in and they explained to the board that they have three small children and they need more room in their home for each child to have their own bedroom. The residence will be on the same footprint just raising the roof to expand the living area.

No one for or against

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

D. File 2015-43

LOCATION: 19 Beacon Street
 OWNER/ APPLICANT: Edward Bastia
 LOT: AP 22 — Lot 381; 14,352 sq. ft.; R-15 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Two Family Dwelling
Use Variance Petitioned under Article III § 340-8 Table of Use Regulations section 2.3

Mr. Ballirano read a letter written by Mayor Polisena stating that he opposes this application because this property is located in an R-15 zone and it would exacerbate the nonconformity.

Mr. Pilozzi made a motion to enter the Mayor's letter as exhibit A. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Jack Pitts, attorney for the applicant was sworn in and he explained to the board that his client would like to turn his one family into a multi-family which is currently not owner occupied.

No one for or against

Mr. Pilozzi made a motion to deny because there is not hardship it is purely for financial gain. Mr. Anzelone seconded. A voice vote was taken; all in favor

E. File 2015-49

LOCATION: 22 Belfield Drive
 OWNER/ APPLICANT: Sharon Taraksian-Essex
 LOT: AP 54 — Lot 18; 190,357 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling with detached garage
 PROPOSAL: Single Family Dwelling with detached garage addition
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'

	RIGHT SIDE YARD	35'	6.5'	28.5'
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Mr., Ballirano recused himself because of being a lifelong neighbor to this applicant. Ms. Sharon Taraksian-Essex was sworn in and she explained to the board that there is an existing garage located at this property and she would like to extend the garage in order to park her small plow for the winter time. None of the board was able to make it to this property to look at her property.

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

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

Recess 8:11 pm
8:20 pm

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

F. File 2015-52

LOCATION: 1291 Plainfield Street
OWNER/APPLICANT: Mohamad Yaser and Rhonda Sasa
LOT: AP 3 — Lot 425; 5,250 sq. ft.; B-2 Zone
EXISTING USE: Commercial/vacant
PROPOSAL: All residential units

Use Variance petitioned under Article III § 340-8 Table of Use Reg. Sect 14.1

Mr. and Mrs. Mohamad Sasa, applicants were sworn in and they explained to the board that they recently purchased this building and would like to convert it from four commercial units to four residential units. Ms. Sasa showed the board pictures of the property. Mr. Pilozzi made a motion to accept the pictures as exhibit A. Mr. Lopardo seconded. A voice vote was taken; all in favor.

Roseann Fallela and Carol Marrocco were sworn in and they explained to the board that in that area there are traffic concerns with the school and the one-way street in front of that building. Mr. Sasa showed them where his tenants are going to park and where the dumpster will be located. Mr. Nasenzi explained to the abutters that if there is a big traffic problem with the school then they need to address the school committee and the police department.

Mr. Pilozzi made a motion to approve with the stipulation that the applicant adhere to the town's planner for the landscaping and the plan for the parking lot. Mr. Lopard and Mr. Fascia seconded. A voice vote was taken; all in favor.

G. File 2015-53

LOCATION: 167 Borden Avenue
OWNER/ APPLICANT: Frank Ciaramello Jr.
LOT: AP 22 — Lot 525; 19,987 sq. ft.; R-15 Zone
EXISTING USE: Single Family Dwelling
PROPOSAL: Single Family dwelling with addition

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	RIGHT SIDE YARD	20'	8'	12'

Mr. Al Russo, attorney for the applicant explained to the board that his client would like to build an addition for an additional bedroom for his children.

Robert Ciaramello, Viviana Arbueta, applicants, and Nick Veltri were sworn in and he explained to the board where the addition will be located on the property and the type of material will be used.

Ron Rubeira, abutter, was sworn in and he expressed that there have been several cars at this property and for a single family residence there should not be this many cars.

Mr. Pillozzi asked Mr. Ciaramello how many families live at this residence and he stated that his mom lives downstairs and him, his girlfriend and children live upstairs. Mr. Ciaramello explained that he has four cars and he utilizes all of them.

Ms. Debra Charron, abutter, was sworn in and she explained that this property is a mess, debris all over the place and cars being worked on at all times. A well as the pool, deck and two sheds located on the property which is very close to her property line. Mr. Nascenzi explained that if the sheds are over 150 sq. feet and the pool setbacks are not in agreement with the zoning ordinance he needs to conform with the ordinance and until then the application is moot.

Mr. Anzelone made a motion to continue until the board has a chance to visit the property. Mr. Pillozzi seconded. A voice vote was taken; all in favor.

H. File 2015-54

LOCATION: 200 George Waterman Rd

OWNER: Comp Realty, LLC & Sanco LLC

APPLICANT: Rui Silva

LOT: AP 37 — Lot 193; 28,605 sq. ft.; B-1 Zone

EXISTING USE: Vacant

PROPOSAL: Electronic repair shop with retail sales of electrics and furniture

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

Mr. Al Russo, attorney for the applicant, explained to the board that his client would like to move his business from New Bedford to Johnston. Rui Silva and Lucille Santoro were both sworn in and he explained that his business consists of making furniture and electronic repair with no more that 10 or so customers a day handicap accessible. Strictly repairing and selling not remanufacturing items. Mr. Silva will maintain all the proper licensing through the town.

Mr. Anzelone 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 seconded. A voice vote was taken; all in favor.

Adjourn 9:32 p.m.