

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
October 29, 2015

The Zoning Board of Review held its monthly meeting on the 29th day of October, 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 Septembers' minutes. Mr. Anzelone seconded. A voice vote was taken; all in favor.

A. File 2014-49

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'

Mr. Ballirano recused himself from this application because he has known the applicant since he was a child.

Ms. Sharon Taraksian-Essex was sworn in and she explained to the board that she would like to build an addition to her existing garage for storage of her cars and a plow considering that she has back problems and lives alone. Ms. Taraksian-Essex had an additional survey completed to make sure first

12/18/2015

survey was correct since it was completed years ago. Ms, Taraksian-Essex explained that she lives alone and has three cars registered at that address for her own personal use.

Mr. Ballirano suggested that since the direct abutter’s house is in a purchase and sales agreement and should be closing around the 17th of November that this application should be continued until after the closing so that the new owner has a chance to voice his or her opinion on this application.

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

B. File 2015-55

LOCATION: 49 Orchard Avenue
 OWNER: Joann Raimondo
 APPLICANT: Stephen Petrucci
 LOT: AP 59 — Lot 209; 30,271 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Single Family dwelling with three season room

Dimensional Variance petitioned under Article V § 340-25 Authorized departures from yard regulations section C Accessory Structure

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	LOT SIZE	40,000 sq ft	30,271 sq ft	9,729 sq ft
	LOT WIDTH	140’	135’	5’
	REAR YARD	75’	71.5’	3.5’

Steven Petrucci and Joann Raimondo were both sworn in and they explained to the board that they would like to build a three season room on an existing deck so that she can utilize more of her home since her husband is currently in a nursing home.

Mrs. Gretchen Grove, abutter, was sworn in and she wanted a little clarification on where the property line is and how close to the property line this three season room will be once constructed. Mr. Petrucci showed the abutter where it will be located on the site plan and she understood.

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

C. File 2015-57

LOCATION: 9 Vittorio Emanuel Avenue
 OWNER/APPLICANT: Frederick Paolucci and Michael Paolucci
 LOT: AP 35 — Lot 20; 13,263 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	13,263 sq ft	1,737 sq ft

	LOT WIDTH	100'	80.45'	19.55'
	REAR YARD	45'	29'	16'

Mr. Frederick Paolucci, applicant, sworn in and he explained to the board that he would like to build a single family dwelling on his vacant lot. Mr. Paolucci will not be building this house he just wanted to get it zoning approved for a single family dwelling that way the buyer will be all set.

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 2015-58

LOCATION: 10 Manuel Avenue
 OWNER/ APPLICANT: Gosselin Realty
 LOT: AP 15 — Lot 188; 9,585 sq. ft.; B-2 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Office space
Use Variance Petitioned under Article III § 340-8 Table of Use Regulations

Mr. Gary Gosselin and Joseph Brennan, were sworn in and they explained to the board that they would like to utilize the house they own at 10 Manuel Avenue strictly for administration offices and a conference room. Mr. Nascenzi explained to the applicant that this dwelling is located in a B-2 zone and it needs to have a whole new Certificate of Occupancy to extend the car lot's use. Also, in the Town Planner's memo, there is a recommendation for them to go in front of the planning board as well for further investigation.

Mrs. Sabine Desantis, Michael Desantis and Councilman David Santilli were all sworn in and Mr. Santilli explained that Shannon Motors has been a big problem for everyone in that neighborhood for years now and it needs to be stopped. Snow removal has been a nightmare for the neighbors since Shannon Motors just piles the snow in front of the abutters' houses and there are cars all over the street without license plates on them and children have to walk in the middle of the street in order to get to the bus stop etc.

Mr. Desantis gave the board pictures of his property and all the damage that Shannon Motors has done to his yard with water run-off and the deteriorating wall.

Mr. Pilozzi accepted the pictures as exhibit A. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Nascenzi explained that as the building/zoning official this negligence will not be tolerated any longer for the abutters and will do anything in his power to police these issues for these neighbors.

Mrs. Athena Joannidi, abutter, sworn in and she explained to the board that Shannon Motors's employees have been very rude to her and calling her names when she speaks up if something is going on in front of her property. She stated that there are tow trucks pulling up dropping off cars at 3:30 in the morning. Mr. Santilli explained that he is going to make the police department aware of everything that is going on.

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

E. File 2015-61

LOCATION: 560 Killingly Street
 OWNER: City Place, LLC
 APPLICANT: Red Ginger Chinese Restaurant

LOT: AP 12 — Lot 3; 22,300 sq. ft.; B-2 Zone
 EXISTING USE: Commercial
 PROPOSAL: Signage

Dimensional Variance petitioned under Article VIII § 340-43 Signs permitted in B Districts section H Projecting Signs

Nick Veltri and Xiao Li Ng, were sworn in and Mr. Veltri explained to the board that his client would like to place a projecting sign on the roof of her business and she would like a bigger sign than what is allowed in that zone.

No one for or against

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

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

Recess 8:08 pm
8:15 pm

F. File 2015-59

LOCATION: 1 Granite Street
 OWNER/ APPLICANT: Phylis Cerio, Ronald Raffonelli, John Szelkas, Ileen Szelkas and Benny Capparelli
 LOT: AP 5 — Lot 339; 9,122 sq. ft.; R-20 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: Single Family Dwelling on existing foundation

Dimensional Variance petitioned under Article III § 340-9 Table of Dimensional Regulations, Art XI Non-conforming development section 340-70 destruction or demolition of non-conforming use and Art XII Variance and special use permits section 340-74 application and criteria for variances

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	LOT SIZE	20,000 sq ft	9,122 sq ft	10,878 sq ft
	LOT FRONTAGE	120'	70'	50'
	LOT WIDTH	120'	70'	50'
	FRONT YARD	30'	12.25'	17.25'
	LEFT SIDE YARD	25'	2.2'	22.8'

Mr. John DiBona, attorney for the applicant, Nick Veltri, surveyor and Ronald Raffonelli, owner were all sworn in and Mr. DiBona explained to the board that this house burnt down a while back and they would like to build a single family home on the same foundation and footprint of the preexisting home.

No one for or against

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

G. File 2015-60

LOCATION: 2160 Hartford Avenue
 OWNER: LC, LLC
 APPLICANT: Lenny Curreri
 LOT: AP 54 — Lot 139; 77,785 sq. ft.; B-2 Zone
 EXISTING USE: Auto body repair shop
 PROPOSAL: Addition

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

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	REAR YARD	40'	33.48'	6.52'
	RIGHT SIDE YARD	40'	15.3'	24.7'

Al Russo, attorney for the applicant, and Lenny Curreri were sworn in and Mr. Russo explained to the board that his client would like to build an addition to his existing business for storage. Mr. Nascenzi expressed his and the planner’s feelings stating that this application should go in front of the planning board for a business site review. Mr. David D’Amico, engineer, was sworn in and he express that if he knew that planning needed approvals first then he would of sent this application to that board prior. Mr. Nascenzi showed the owner and attorney the ariel shot of this property which clearly shows a “junk yard.” Mr. Curreri explained to the board that he tows for the town and when a car is taken to his business he places that car in the back of the building, the owners are notified and they give them 30 days to pick up their vehicle. If the vehicle is not picked up in 30 days then he has the car hauled off to the scrap yard. Mr. Nascenzi recommended that Mr. Curreri goes in front of the planning board first then back to the zoning board for a well thought out decision.

Mr. Anzelone made a motion to send this application to planning first. Mr. Lopardo seconded. A voice vote was taken; vote 4 to 1. Mr. Pillozzi opposed.

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

H. File 2015-56 (Appeal from a decision from the Building Official pursuant to Art. XVIII Sect § 340-129)

LOCATION: 155 Morgan Avenue
 OWNER/ APPELLANT: James Johnson
 LOT: AP 8 — Lot 12; R-20 Zone
 ISSUE: Adding an additional electrical meter to existing

Mr. James Johnson was sworn in and he explained to the board that many years ago he appeared in front of the zoning board for an accessory structure above his garage. The apartment was granted but the additional electrical was not. Mr. Nascenzi explained that he does not have a problem with the apartment or the additional meter, however the zoning board needs to overturn his decision for the meter.

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. Lopardo seconded. A voice vote was taken; all in favor.

Adjourn 8:55 p.m.