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Thomas Lopardo

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
Russell Campanelli

Alternate Board Members
Dennis Cardillo
Albert Colannino

JOHNSTON ZONING BOARD OF REVIEW
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MINUTES **November 17, 2016**

The Zoning Board of Review held its monthly meeting on the 17th day of November, 2016 at 6:30 p.m., at the Johnston Senior Center, 1291 Hartford Avenue Johnston, RI 02919.

Present: Chairperson Thomas Lopardo, Vice-Chairperson Pilozzi, Secretary Anzelone, Member Campanelli, Alternate Member Cardillo, Alternate Member Colannino, Legal Counsel Joseph R. Ballirano, Esquire, Lou Fabrizio, Zoning Clerk.

Mr. Pilozzi made a motion to approve the minutes for the November meeting. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

A. File 2016-38

Location: Greenville Avenue
Owner/Applicant: Citizens Bank Campus
Lot: AP 51/1 — Lot 17, Portion of Plat 50 Lot 71; B3 Zone
Existing Use: Vacant
Proposal: Citizens Bank Campus
Dimensional Variance Section 340-9 Article III Table of Dimensional Regulations

Attorney John Bolton, of Hinkley Allen, addressed the board. On November 1st, at that Planning Board meeting, the Planning Board unanimously recommended the four variances they are seeking before the zoning board. Nicole Reilly, DiPrete engineering, sworn in. Mr. Pilozzi made a motion to accept Nicole Reillys an expert witness. Seconded by Mr. Anzelone. WHEREUPON VOICE VOTE WAS TAKEN; ALL IN FAVOR. Stated the two accessory structures are utility buildings. Without these variances, public water supply and fire supply would not be able to be brought to the site. Kent Knight, architect, sworn in. Mr. Pilozzi made a motion to accept him as an expert witness. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR. Stated that applicants are proposing four loading docks. Mr. Knight further stated that they seek six charging stations. Lastly, addressed the sign variance which would exceed the maximum 36 square feet. The proposal would be for a sign that would be a hundred square feet located at the front entrance. Dimnesions of four feet high and 25 feet long. For freestanding sign, proposal of two signs, one at the entrance on the stone wall, and one near the secondary entrance. Also, a pylon sign that would be visible from 295. On these signs, the proposal of lighting would be on the landscape just highlighting the signs. The lights will likely be on 24 hours per day due to employees occupying the property at all times. The freestanding sign seen from 295 will be sixty feet high. Joseph Lombardo, expert witness in Planning, sworn in. Mr. Pilozzi made a motion to accept

Mr. Lombardo as an expert witness. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR. Mr. Lombardo submitted a written report which was submitted to the board. Motion by Mr. Pilozzi. Seconded by Mr. Anzelone as Exhibit A. VOICE VOTE; ALL IN FAVOR. Mr. Pilozzi made a motion on October 12th, 2016, Citizens Bank national association submitted an application for zoning variances related to Major Land Development project for the properties known as Lot 51/1, 17 and a portion of lot 50, 71 in connection with the proposed construction after office campus for Citizens Bank on that site. On October 4th, 2016, Citizens Bank national association, acquired Lot 51-1, 17, and a portion of lot 50-71 from D.A.C. Properties, L.L.C. and the greater Rhode Island Baptist Temple, respectively. The applicant requests zoning variances from the following requirements of the Zoning Ordinance. Article VI, Section 340-29 relating to the number of electrical vehicle charging stations; about, article 8 Section 340-43, number of signs; C., article 14, Section 340-86 and Section 340-87, setbacks in the B-3 district and D. article 14 Section 340-89 the number of loading docks; four the applicant presented testimony of DiPrete Engineering the project engineer, Elkus Manfredi, the project architect and Joseph Lombardo an expert in land use planning. Nicole Reilly of DiPrete Engineering was accepted as an expert in civil engineering. Miss Riley described the Site Plan for the project. Miss Riley described the location of the two master meter buildings relating to water service provided by Providence water for which relief is sought from article 14 Section 340-86 and Section 340-87 governing setbacks in the B-3 district; 7, Miss Riley describe the requirement of Providence water that such buildings be located within 200 feet of the roadway and that the site is constrained by significant wetlands. Miss Riley testified that compliance with Section 340-86 would make the project not compliant with Providence water requirements and jeopardize water service for the project resulting in a hardship do you know to the unique characteristics of the land because of the significant wetlands constraints and amounting to more than a mere inconvenience. Kent Knight of Elkus Manfredi was accepted as an expert in architecture. Mr. Knight testified to the design of the project including the layout of the loading areas, parking configuration, and the signage. Mr. Knight described the proposed number of employing docks and the planned operation of Citizens Bank within the building. Mr. Knight testified that the addition of further loading docks would negatively impact building design, reducing necessary functional space create circulation conflicts for vehicles and pedestrians and negatively impacting outdoor amenities resulting in a hardship for the applicant, amounting to more than a mere inconvenience. Mr. Knight also testified based on observed data and market data, that providing the required number of electrical vehicle charging station, will result in a reduction in the number of spaces available for gas powered vehicles and impact availability of parking and safe and efficient flow of the vehicles through the parking areas. Mr. Knight further testified that compliance with the required number of electrical vehicle charging stations would result in a hardship to the applicant amount to go more than a mere inconvenience. Mr. Knight also testified as to the proposed signage at the project including a wall sign and five free standing signs. Mr. Knight testified that the signs of the wall sign in excess of the amount permitted by Section 340-43 is required to make the sign visible from the access road due to the length of the building facade. Mr. Knight also testified that compliance with the number signs and height of the free standing size would result in a hardship amounting to more than a mere inconvenience to the applicant by allowing inadequate signage to navigate the project site and impacting visibility. Joseph Lombardo A.I.C.P., President of J.D.L. enterprises was accepted as an expert in land use planning. Mr. Lombardo testified that the hardship from which the applicant seeks relief is due to the unique characteristics of the land. Mr. Lombardo testified that the hardship does not result from any prior action of the applicant or result from the desire of the applicant to realize greater financial gain. Mr. Lombardo testified that the granting of the requested variances would not alter the general character of the surrounding area. Mr. Lombardo also testified that the relief requested is the least relief necessary to relieve the applicant of the aforementioned hardship. Mr. Lombardo testified that the hardship that would be suffered by the applicant if the requested variances were not granted would amount to more than a mere inconvenience. Based on the testimony provided and the Zoning Board's review of the subject application, the Zoning Board finds that the applicant has satisfied each of the requirements. So based on those findings of fact, I will make a motion for approval of the variances under Section 340-79 of the Zoning Ordinance. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

Motion by Mr. Pilozzi to convene as the as the board of appeals. Seconded by Mr. Anzelone. WHWREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

Zoning Board of Appeals

Prior to adjournment the board shall convene as the Board of Appeals and hear the following matter:

File 2016-39 – Ray Desrochers, Owner; 38 Pine Hill Ave; AP 50 Lot 15; R-40 Zone; Violation 340-33 Parking Commercial Motor Vehicle Over One Ton in a Residential Zone Not Allowed.

A Motion to Uphold the Building Official/and or Ordinance Enforcement Officer's decision was made by Member Pilozzi and seconded by Member Anzelone.

Adjournment: Mr. Lopardo made a motion to adjourn. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR. (Meeting Adjourned at 7:48 P.M.)