

Chairperson
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
100 Irons Avenue, Johnston, Rhode Island 02919
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MINUTES **December 29, 2016**

The Zoning Board of Review held its monthly meeting on the 29th day of December, 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 Novembers meeting. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

Mr. Pilozzi made a motion to recess as Zoning Board of Review and convene as the board of appeals. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

Old Business

I. Zoning Board of Appeals

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.

Mr. Colannino recuses himself from this matter. Ray Desrochers, sworn in. Attorney David Ursillo addressed the board. The new evidence for the boards reconsideration is that the truck was the homeowner was there with his business truck in existence prior to the Zoning Ordinance of 1994. Mr. Ursillo presented these documents as Exhibit A. In the document, is a RI secretary of the state annual corporation filing report from 1987 showing the business was at this location. . Mr. Pilozzi made a motion to accept. Seconded by Mr. Anzelone. WHEREUPON VOICE VOTE; ALL IN FAVOR. John Bessete, abutter at 35 Pine Hill Ave, sworn in. In favor of Mr. Desrochers truck since it has been there for many years. Anthony Ciresi, abutter at 41 Pine Hill Avenue, sworn in. Spoke in favor of Mr. Desrochers, stated he keeps his property clean. Al Desrochers, abutter at 40 Pine Hill Avenue, sworn in. Brother of Mr. Desrochers, lives next door, in favor of the truck staying. Elizabeth Desrochers, abutter 40 Pine Hill Avenue, stated she the truck is always clean and no debris. Luigi Micheli III and Louis Micheli, sworn in. Questioned the zoning ordinance and for clarity.

Mr. Fascia made a motion to reconsider. Seconded by Mr. Campanelli. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

Mr. Fascia made a motion to reverse the decision of Mr. Nascenzi in this matter. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE IS TAKEN; ALL IN FAVOR.

Mr. Pilozzi made a motion to reconvene as Zoning Board of Review. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

File 2016-39- Reversed

A. File 2016-40

Location: Central Pike
 Owner/Applicant: Green Meadow Investments
 Lot: AP 43/4 — Lot 94, R-40 Zone, 40,083 Sq. Ft.
 Existing Use: Vacant
 Proposal: Single Family Dwelling

Dimensional Variance Section 340-9 Article III Table of Dimensional Regulations

	DIMENSION	REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	LEFT SIDE	35	28	7
	RIGHT SIDE	35	25	10

Bill Baldwin, applicant, sworn in. Stated his proposal for a Single Family Dwelling that needs relief of side setbacks. Mr. Baldwin submitted the document of verified water table readings for this property. Mr. Pilozzi made a motion to put the document into evidence for the applicant, onsite wastewater treatment system program application. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR. Mr. Pilozzi made a motion to accept the certified receipts as Exhibit B for the applicant. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

Mr. Pilozzi made a motion to approve. It is in conformance with code 940 of the Town of Johnston. The relief asked is for the least amount necessary. It is a large parcel and this will be the first house to go there. Base the motion on the fact that the relief asked for is minor. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

File 2016-40- Approved

B. File 2016-41

Location: 2414 Hartford Avenue
 Owner/Applicant: Lawrence Priestly/Susan A Frazier
 Lot: AP 46 — Lot 76; R-40 Zone, 28,439 Sq. Ft.
 Existing Use: Single Family Dwelling
 Proposal: Proposed 20x23 Addition

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

	DIMENSION	REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:				

	LOT FRONTAGE	140	123.25	16.75
	FRONT YARD	40	27.1	12.9
	RIGHT SIDE	35	25.8	9.2

Susan Frazier and Lawrence Priestly were sworn in. Stated they would like to build an addition on the right side of their house. This would be used as a master bedroom.

Mr. Pilozzi made a motion to approve the relief asked for is the least necessary. It's a preexisting structure no relief needed, just the adding of 460 Sq. Ft. and they've proven hardship. Seconded by Mr. Campanelli . WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

File 2016-40 – Approved

C. File 2016-42

Location: 181 George Waterman Rd
 Owner/Applicant: NEX Gen Properties, Dennis R. Cicchitelli
 Lot: AP 35 — Lot 196; R-15 Zone, 32,343 Sq. Ft.
 Existing Use: Single Family Dwelling
 Proposal: Proposed 4,700 Sq. Ft. Addition for Offices & Garage

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

	DIMENSION	REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	REAR YARD	45	21	24

This matter is continued to next month.

D. File 2016-43

Location: 15 Dayton Avenue
 Owner/Applicant: Mark & Amanda Pietros
 Lot: AP 45 — Lot 114; R-40 Zone, 13,023 Sq. Ft.
 Existing Use: Single Family Dwelling
 Proposal: Proposed 650 Sq. Ft. Two Car Garage w/ Above Living Space

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

	DIMENSION	REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	REAR YARD	75	37.08	37.92
	LEFT SIDE	35	12.48	22.52

Christopher Maselli addressed the board on behalf of the applicants. Stated they are proposing a two car garage with above living space which needs relief on the rear and left side. Mark & Amanda Pietros, owners, sworn in. Stated the hardship to get out of the basement.

Mr. Pillozzi made a motion to approve the relief, proved their hardship because it's a growing family. Seconded by Mr. Anzelone. WHEERUPON A VOICE VOTE IS TAKEN; ALL IN FAVOR.

File 2016-43- Approved

Mr. Fascia made a motion to recess. Seconded by Mr. Pillozzi. VOICE VOTE; ALL IN FAVOR. (Recess from 7:33 to 7:45)

E. File 2016-44

Location: 1377 Atwood Avenue
Owner/Applicant: Harvey's Investment/ McDonalds USA, LLC
Lot: AP 23 — Lot 49; B-2 Zone, 36,446 Sq. Ft.
Existing Use: McDonalds
Proposal: Modifications to existing curbing & parking to construct two drive-thru lanes.
Special Use Permit Section 340-9 Table of Dimensional Regulations

Paul Sylvia and Peter Crisafi, sworn in. Stated the proposal of a side by side drive through. This will allow a more efficient way to speed up traffic. The rest of the site will remain the same including ample parking of 43 spaces.

Mr. Pillozzi made a motion to approve. Seconded by Mr. Anzelone. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR.

Adjournment: Mr. Anzelone made a motion to adjourn. Seconded by Mr. Campanelli. WHEREUPON A VOICE VOTE WAS TAKEN; ALL IN FAVOR. (Meeting Adjourned at 8:00 P.M.)