

**Chairperson**  
William Riccio, Jr. P.E

**Vice-Chairperson**  
Gregory Burr

**Secretary**  
David M. D'Amico, P.E.

**Administrative Officer/Town Planner**  
Jeanne M. Tracey-McAreavey, AICP



**Mayor**  
William R Macera

**Planning Board Members**  
Thomas Breckel  
Christina D. DiComes, D.M.D.  
Warren S. Kaye  
Allan Mawhiney, MACCCSp

## **JOHNSTON PLANNING BOARD**

### **Meeting Minutes**

August 3, 2004

#### I. Roll Call.

The August 3, 2004 meeting was called to order at 7:06 P.M. in the Nicholas Ferri Middle School Library. Present were Mr. Breckel, Mr. Burr, Mr. D'Amico, Ms. DiComes, Mr. Kaye, Mr. Mawhiney and Chairman Mr. Riccio. Also present was Town Planner Ms. Jeanne Tracey-McAreavey and Assistant Town Solicitor James Howe and his Associate Stephanie DiMaio.

#### II. Reading of the Minutes.

Motion to postpone the reading of the meeting minutes of July 6, 2004 to the next meeting is made by Ms. DiComes. Second by Mr. Burr. Discussion: none. Motion carries 7-0.

#### III. Election of Officers

Motion to suspend the rules and move this item to the end of the meeting is made by Mr. Burr. Second by Ms. DiComes. Discussion: none. Motion carries 7-0.

#### IV. Old Business Items

Motion to suspend the rules and move items B-2 and C to the beginning of this section of the agenda is made by Mr. Burr. Second by Mr. Breckel. Discussion: none. Motion carries 7-0.

##### B. 2. Oak Crest Village

##### **Multi-Family Development Proposal and Subdivision Proposal – Master Plan**

Location: Vicinity of Sage Court (End) and Wychwood Place (end);

Assessor Plat 38 - Lots 338 and 74; R-10 zone, 4.23 acres

Applicants/Owners: Oak Crest Estates LLC, a Rhode Island LLC, &  
Johnston Housing Authority

20 Multi-Family Units in 3 buildings

Construction of Street Extension of Sage Court and an internal roadway.

Motion to accept the applicant's request to continue this item as stated in a letter to the Board from said applicant is made by Mr. Mawhiney. Second by Mr. Breckel. Discussion: none. Motion carries 7-0.

##### C. Stone Hill Marketplace

##### **Business Site Plan Review**

Stone Hill Marketplace Expansion Proposal – Phase I only

Location: Vicinity of 1380 Atwood Avenue and Stone Hill Drive Intersection

Assessor Plat 44/2 – Lots 66 and Assessor Plat 44/4/ - Lots 56, 357, 358, & 359;

B-2 zone (General Business); 17.5 acres

Re-alignment of Stone Hill Drive

Owners/Applicants: Stonehill Drive, LLC; Sunnyland Inc.; 195 Associates, LLC; and,  
Vincent A. and Ada Bruzzese  
Development proposal for construction of additions to existing building and 2 new buildings

Ms. Erin Illuzzi, consul for the applicant, requested a continuance for this item.

Motion to accept the applicant's request to continue this item is made by Ms. DiComes. Second by Mr. Burr. Discussion: none. Motion carries 7-0.

A. Pine Hill Estates

**Major Subdivision – Preliminary Plan**

Location: 62 Pine Hill Road; Assessor Plat 45/2 - Lot 1; Zone R-40; 21.45 acres.

Applicant: Bolton Corporation

Master Plan approval – June 5, 2001 (expired); October 7, 2003 (re-instated)

Preliminary Plan approval – July 6, 2004

8 Lots including 7 residential lots and 1 lot detention pond

Construction of Cedar Grove Court

A review of the plans indicates that the applicant has revised them in accordance with the stipulations made in the previous motion on the preliminary plan approval at the July 6, 2004 Planning Board Meeting. The only comment made was that the revision made to the catch basin on the profile plan was not followed thru on sheet 4 of 7.

Motion to approve the revised Preliminary Plans to include the revision of showing the relocated catch basin on sheet 4 of 7 is made by Ms. DiComes. Second by Mr. Kaye. Discussion: none. Motion carries by individual vote 7-0.

B. 1. Zoning Ordinance – Ordinance #2004-07

**Zoning Amendment Petition – R-40 to Planned Development (PD)**

Change from Residential 40 (R-40) to Planned Development (PD)

Location: Intersection of Sanderson Road and Greenville Avenue; Assessor Plat 51-Lot 64;  
R-40 Zone; 6.7 acres

Applicant: Sanderson Associates; Owner: Joseph G. Moniz

Development Proposal is for construction of a medical office building with Medical Offices,  
Laboratories, and Testing Facilities

No Street Construction

Mr. Robert Healey, Jr., consul for the applicant, discussed with the Board the added details of the proposed development as requested by the Board at the June 2004 Planning Board meeting. Mr. Healey stated, as he has in the past, that this type of development would be harmonious with the neighborhood in supplying medical services to the local area residents and would support the economic development portion of the comprehensive plan.

It was explained to Mr. Healey that a PD overlay is used for existing land use and not to create new uses. The medical facility use is not allowed in an R-40 zone. Also, the total development coverage is 51% of the land area which is more than the allowable coverage. It is Mr. Healey's understanding that the Zoning Ordinance only includes the building at 20% total coverage.

Mr. Healey discussed with the Board that public water would not be available as stated at the last meeting, but the applicant will be able to construct a sewer main to the site that would tie into the Town of Smithfield's sewer system. Smithfield would allow other Johnston residents

to connect to the new main that would service the area. The applicant was asked if the new line as designed “took into account future development in the area” and “was an 8” sewer main sufficient in size to handle future capacities”. The applicant’s engineer, Mr. Philip Mancini, was not able to address that question at this time. Further study must be done. The Planning Board would look for maximum serviceability from this new main for the residents of the area as it has in the past on similar projects.

There was an inconsistency with the plans that were submitted and the plans that are being presented at the meeting by the applicant. The applicant states that the square footage of the building for this application is 36,000 square feet, but the plans state that the structure will be 40,000 square feet. Mr. Mancini states that he has 28,000 square feet on his set, two floors at 14,000 square feet each. Other issues with the current site plan are as follows: no loading areas, no indication of site lighting, disposal area location, and the type of drainage system to be employed at the site. The plans appear to be deficient to a point that a decision on the application would not be possible.

Motion to continue this application until the applicant supplies the Board with sufficient plans to render an opinion to the Town Council is made by Mr. D’Amico. Second by Ms. DiComes. Discussion: Mr. Healey requested whether the Board could make a decision at this time and not continue the application. It was explained that the Board will not make a decision on an application if it does not have the required information to do so. The applicant was asked if he knew exactly what the Board is asking for to render a decision. Mr. Healey responded that he did know what is required. Motion carries 7-0.

V. New Referrals for Comment

A. Town Council Referrals

1. Zoning Ordinance – Ordinance #2004-17

**Street Abandonment Petition – portion of Celia Street**

Abandonment of a Portion of Celia Street: 474 feet of Celia Street connecting Leah Street and Oakdale Avenue, east of Killingly Street

Location: Vicinity of 28 Celia Street – Assessor Plat 13

Applicant: Metals Recycling, LLC

Mr. Russ Parkman, representing the applicant, and Mr. William Huling, the Operations Manager at Metals Recycling, discussed the proposed street abandonment with the Board. The applicant would like to abandon the right-of-way because it owns all the surrounding property and utilizes the area as a crossing during daily operations. A sewer easement will be necessary as a condition of the abandonment to allow the Town to maintain the existing sewer main in the right-of-way as the street is presently configured (that is, prior to the proposed abandonment). The general opinions of the Board members are that this right-of-way will have no further use by the Town in the future.

Motion to send a positive opinion to the Town Council to grant abandonment of Celia Street between Leah Street and Oakdale Avenue as shown on the documents accompanying the petition because “the right-of-way is no longer useful to the public” and “has no more value to the Town” is made by Mr. Mawhiney. Second by Ms. DiComes. Discussion: the motion should include, that the applicant will grant the required drainage and utility easements to the Town. Mr. Mawhiney so moves to amend his motion as discussed. Second by Ms. DiComes. Motion carries by individual vote 7-0.

VI. Discussion

A. Falcon Nest Estates \*\*\*

**Major Subdivision Proposal – Master Plan Review (Continued)**

Location: Vicinity of 1046 Atwood Avenue and 29 Granite Avenue; Assessor Plat 3 - Lot 2 and Assessor Plat 6 - Lot 53; split R-15 and R-20 zone; 12.5 acres

Applicant/Owner: Abatecola Realty Associates, LLC

Street Construction required (2 streets), Original Proposal for 17 House Lots + 1 Drainage Lot

*\*\*\* NOTE: Secretary David D'Amico recused himself at 9:15 PM and did not take part in the discussion of this matter; the following minutes were compiled and prepared by Board Member, Christina DiComes.*

The Board of Appeal's written decision relative to the Appeal of the Planning Board's Master Plan Approval of the proposed Falcon Nest Estates development was received from the Johnston Zoning Board who serves as the Board of Appeal. Discussion of this matter brought out the point in the decision that the Appeal Board determined that during their consideration of the Master Plan submission, the Planning Board had to consider the slopes provided by the applicant at "face value". The last verbal request by the applicant was for 16 lots. Discussion led to the consensus that a letter should be sent to the Zoning Board for clarification of Item #4 in the Findings of Fact portion of the Appeal Board's Decision, as to at which point the Planning Board should start the review process again; a copy of the request shall be forwarded to the applicant.

Motion made by Ms. DiComes to send a letter from the Planning Board to the Zoning Board, acting in their capacity as the Board of Appeal, asking for clarification as to at what point the Planning Board should start the review process again, with a copy of the request to be forwarded to the applicant. Second by Mr. Breckel. Discussion: none. Motion carried 6-0. (Mr. D'Amico was recused from the discussion and the vote)

- B. Comprehensive Plan Amendment Proposals – Board to look into Moderate and Low Income Housing Regulations.
- C. Zoning Ordinance Amendment Proposals - none
- D. Land Development and Subdivision Review Regulation Amendment Proposals - none
- E. Ordinance Proposals - none
- F. Potential and Ongoing Projects – The matter of 19 Capri Drive was discussed and needs to be addressed by the Town relative to drainage problems in the area.
- G. Miscellaneous – Ms. Tracey-McAreavey will look into the disposition of the Izzo Property application that was in front of the Board recently. Numerous Board members have noticed work being done on the property that is not consistent with the zoning for that property.

III. Election of Officers (moved by motion for suspension of rules)

The Board discussed at length the issue that no member wanted to take the Secretary position. It was suggested that the Board hire a secretary to do the meeting minutes or that a rotation be used among the Board Members to complete the meeting minutes task. Mr. Kaye came forward to say if nominated he would accept the position.

Motion to elect the following officers: Mr. Riccio as Chairman, Mr. D'Amico as Vice Chairman, Mr. Kaye as Secretary is made by Mr. Burr. Second by Mr. Mawhiney. Discussion: Mr. D'Amico was

asked if the Vice Chairman position was acceptable to him, in which he stated “yes”. Mr. D’Amico was asked to assist Mr. Kaye with the meeting minutes to get started. Motion carries 7-0.

VII. Adjourn.

Motion to adjourn is made by Mr. Burr. Second by Mr. Breckel. Motion passes 7-0.

Meeting is adjourned at 9:54 P.M.

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David M. D’Amico, P.E., Secretary