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Stephanie DiMaio-LaRivee, Esq.
Town Assistant Solicitor

Town of Johnston
PLANNING BOARD

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Meeting Minutes

January 2, 2007

I. Roll Call

The January 2, 2007 meeting was called to order at 7:06 P.M. in the Nicholas Ferri Middle School Library. Present were Mr. Breckel, Mr. D'Amico, Mr. Kaye, Mr. Mawhiney, Mr. Riccio, Town Planner Ms. Jeanne Tracey-McAreavey, and Town Assistant Solicitor Stephanie DiMaio-LaRivee. Absent were Mr. Burr and Ms. Jobe.

II. Reading of the Minutes

Motion to approve the October 3, 2006 meeting minutes as written by Mr. Mawhiney. Second by Mr. Breckel. Discussion: None. Motion carries 4-0. Noting Mr. Riccio abstention.

Motion to approve the October 6, 2006 meeting minutes as written by Mr. Mawhiney. Second by Mr. Breckel. Discussion: None. Motion carries 4-0. Noting Mr. Riccio abstention.

III. Correspondence

Letter from RIDEM regarding a property near Shun Pike Pole 64 (Plat 32 Lot 8) and two continuance requests from Greenville Farms and Belfield Acres.

Motion to move Item C in Section V to this point in the agenda by Mr. Kaye. Second by Mr. Mawhiney. Discussion: None. Motion carries 5-0

C. PB 2006-17 – Greenville Farms

Major Subdivision – Master Plan Review – Informational Meeting

AP 50/Lot 4 and AP 51/Lot 17

Vicinity of 731 Greenville Avenue

49 House Lots – 109 Acres – R-40 Zone
Construction of 3+ Streets

Owner: DAC Properties, LLC
Applicant: Greenville Holdings, LLC
Surveyor: Garofalo & Assoc, Inc.
Engineer: Nicholas Pampiano, Garofalo & Assoc, Inc.
Attorney: Michael E. Kelly, Esq.
Decision by: 3-6-2007

The chairman read the letter requesting the continuance of this agenda item because of the pending remediation plan from RIDEM on the Tucker Industrial Waste site located on this property. It was discussed sending a letter to RIDEM requesting clarification of the letter on certain items and the permitted residential use after the remediation process is complete. The members of the audience that were present for this application were informed that they should be receiving my mail a letter from RIDEM asking for comments from the abutters about the proposal. The board urged everyone to use this opportunity to voice any comments positive or negative they might have to RIDEM at this time.

Motion to continue this item to the March meeting and to send a letter to RIDEM for clarification on items and permitted use after remediation by Mr. Kaye. Second by Mr. Mawhiney. Discussion: A discussion that the applicant might be asked to extend the decision time further seeing a decision was required in April. If the plan is changed in March more time might be required to review it. Motion carries 5-0

IV. Public Hearing – Amendments to Land Development and Subdivision Review Regulations

Motion to open the public hearing to the next scheduled meeting by Mr. Mawhiney. Second by Mr. Breckel. Discussion: None. Motion carries 5-0.

The Land Development and Subdivision Review Regulations were discussed and many changes were discussed and suggested to the Town Planner. The town planner was going to modify the document per the review comments. The board solicitor was going to review the document and present concerns to the board at the next meeting.

Motion to close the public hearing by Mr. Riccio. Second by Mr. Kaye. Discussion: None. Motion carries 5-0.

A discussion ensue that the correct course of action was to continue the public hearing to the next meeting to review the document changes.

Motion to reconsider closing the public hearing by Mr. Riccio. Second by Mr. Kaye. Discussion: None. Motion carries 5-0.

Motion to continue the public hearing to the next scheduled meeting by Mr. Riccio. Second by Mr. Mawhiney. Discussion: None. Motion carries 5-0.

Motion to open Items A&B in Section IV and Item B in Section V and move to this point in the agenda by Mr. Kaye. Second by Mr. Mawhiney. Discussion: None. Motion carries 5-0.

V. Old Business Items – completion of December Agenda

A. PB 2006-67 Poppy Hill Estates, Section #2

Major Subdivision – Revised Master Plan – Informational Meeting
Vicinity – between Tulip Hill Road and Poppy Hill Drive
AP 55/Lots 19 & 34

9 House Lots; 28.4+ acres; R-40 Zone
Street Construction

Owner: R.J. Colardo, Inc.
Surveyor: David D. Gardner, PLS #1809

Master Plan Approval for 8 Lots Approved at 1-7-2003 Planning Board Meeting
Decision by: 4-4-2007

Mr. Matthew Leonard presenting for the applicant. Mr. Leonard stated that this item is not the first time it has been before the planning board. He stated he was prepared to discuss the history and where the project stands presently. Mr. Leonard stated they were seeking a revised Master Plan approval with waivers and requests of relief from previous stipulations placed by this board on January 13, 2003. It was stated during the previous appearance that the planning board had issues with Lot 8 and the wetlands that comprised a major portion of that lot. The planning board at that time did not approve the creation of Lot 8. Since then the applicant sort out RIDEM approval for a wetland crossing and if Lot 8 was buildable. DEM finding were that Lot 8 could be built on as long as certain conditions were met. The applicant was also requesting an administrative subdivision breaking out the easterly lot from the plans so that could be developed. In addition the applicant is asking for relief of two stipulations from the previous approval. The first being the paved road width of 30 the applicant wants it reduced to 27 feet and to have curbing and sidewalks removed and to go with berms. Also they were seeking relief of the installation of dry water lines in the development.

The board discussed the proposal with Mr. Leonard and pointed out that RIDEM does not approve lots the Johnston Planning Board approves lots. If lot 8 was to be built on how would it affect existing lots and ISDS systems in close proximity to the buildable area of the lot? Discussion also ensued on the previous application, the stipulations that were requested to be waived, and Lot 8. It was stated by the board that it was possible that water would be available on Greenville Avenue and that the board would like to see and estimate of bringing water up to the site from Greenville Avenue. When the application was before the board last time the water was estimated coming from the intersection of 295 and Greenville Avenue.

Motion to continue this matter to the next planning board meeting so applicant can provide information the board has requested by Mr. Riccio. Second by Mr., Mawhiney. Discussion: None. Motion carries 5-0

PB 2006-68 Poppy Hill Drive/Tulip Hill Road - Colardo

Administrative Subdivision

Vicinity – between Tulip Hill Road and Poppy Hill Drive
AP 55/Lots 19 & 34

2 Lots; 28.4+ acres; R-40 Zone

Owner: David DePina
Surveyor: Angelo M. Raimondi, PLS #1762

Administrative Subdivision Application petitioned for property and withdrawn by applicant at 11-19-2002 Planning Board Meeting Review contingent upon outcome of Revised Master Plan submission

Decision by: 2-8-2007

Discussion on how this is part of the Master Plan that has been revised and now before the board.

Motion to deny administrative sub-division as it is part of a previously approved major subdivision that is currently before the board as a revised Master Plan submission Mr. Riccio. Second by Mr. Mawhiney. Discussion: A discussion about the lot lines occurred. Motions carries by individual vote 5-0.

Moved From Section V

A. **PB 2006-15 – Brown Avenue - Winsor Estates**

Minor Subdivision – Preliminary Plan

Vicinity of 171 Brown Avenue; AP 60/Lot 92
5.5 acres; 3 Lots; R-40 Zone
No Street Construction

Owner: James S. Winsor
Surveyor: Cataldo Engineering

Decision by: 2-9-2007

The board discussed with the applicant the property proposed to be developed. Concerns were raised regarding the common driveway, slopes, and drainage. The board asked the applicants engineer to re-calculate the slope to show the grade before any proposed construction showing the nature of the land as it is now. The applicant stated to the board this land was going to be used for family and it was pointed out the board can not base it's decision on that seeing property over time changes hands and families move so we have to look at it from our regulations.

Motion to continue so the applicants engineer can provide the board with more information and applicant agrees to a 35 day extension to the 120 day rule by Mr. Riccio. Second by Mr. Kaye. Discussion: None. Motion carries 5-0.

***All other items due to the 10:30 PM cut off rule will be moved to the next meeting agenda.**

VI. Old Business Items – resulting from December Meeting

B. PB 2006-66 El Marocco, A Mixed Use Development, Phase #2

Multi-Family Development Project - Preliminary Plan
Proposal for Multi-Family Condominiums
Vicinity of 1285 Hartford Avenue
AP 20/ Portions of Lots 29, 46, 71, 121, & 274
34 units proposed; 6.9 Acres; R-7 Zone
Street/Internal Driveway Construction

Owners/Petitioners: Michael A. Grieco
Engineer: David Provonsil, P.E.
Engineer: David E. Provonsil, PE #5160
Decision by: 4-4-2007

VII. New Business Items

A. Circle Realty Plat

Minor Subdivision
Vicinity of 15 Brown Avenue
AP 57/Lot 225; 6..94 acres; 2 Lots; R-40 Zone
No Street Construction

Owner: Circle Realty, Inc.
Applicant: 5A Builders
Surveyor: James J. Reddington, Jr., P.L.S. #1728
Decision by: 3-8-2007

IV. Discussion

- A. Zoning Ordinance Amendment Proposals – Potential Text and/or Map Changes**
 - B. Status of Litigation**
 - C. Comprehensive Plan and Amendment Proposals**
 - D. Ordinance Proposals**
 - E. Potential and Ongoing Projects**
 - F. Miscellaneous**
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V. Adjourn

Motion to adjourn meeting by Mr. Riccio. Second by Mr. Mawhiney. Discussion: None.
Motion carries 5-0.

Meeting is adjourned at 11:47 PM.

Warren S. Kaye, Secretary