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David M. D'Amico
Allan Mawhiney
William R. Riccio, Jr., P.E.

Solicitor
Timothy J. Chapman, Esquire

TOWN OF JOHNSTON PLANNING BOARD

100 IRONS AVENUE, JOHNSTON, RI 02919
TEL.: (401) 231-4000 FAX: (401) 231-4181

MEETING MINUTES

August 7, 2007

I. Roll Call

The August 7, 2007, meeting was called to order at 7:00 p.m. in the Nicholas Ferri Middle School Library. Members present were Miss Garzone, and Mssrs. Breckel, Mawhiney, Riccio, Sasa, and Verardo. Also present were Lorraine Caruso, Town Engineer; Timothy Chapman, Solicitor; Merrick Cook, Administrative Officer; and Agnes Mancini.

II. Reading of the Minutes

Motion to accept July minutes as amended by Mr. Sasa: second by Mr. Breckel. Motion carried, 5-0. (Mr. Mawhiney abstaining.)

III. Correspondence

Letter introduced by Mr. Cook re: Comprehensive Plan update.

IV. Old Business

A. Killingly Place (PB 2007-13)

Major Land Development — Preliminary Plan Review

Vicinity of 504 Killingly Street

AP 12/Lots 333 and 360; 2 Lots; 2.1 acres; B-2 Zone

Owner: Killingly Holdings, LLC

Surveyor: Samuel A. White, Jr. PLS — Garofalo & Associates, Inc.

Engineer: Samuel S. Hemenway, PE — Garofalo & Assoc, Inc.

Attorney: John O. Mancini, Esq. — Law Offices of Michael A. Kelly, PC



(Master Plan approved with conditions 9-6-06. Continued from 7-3-07.)

Applicant reviewed conditions of Master Plan approval, including buffer and traffic control. Correspondence dated 12-28-06 from former Town Solicitor, Lou DeSimone, introduced as stipulated resolution of buffer zone (10' under ordinance prior to 2005); and as stipulated proof of meeting thereon. No changes to plan since approval. Plans resubmitted to DEM; UIC and erosion control measures approved. Preliminary physical alteration permit approved with conditions by DOT. Setback from Johnston town line meets regulations; no waivers required.

Discussion re: traffic control, nature of use of premises (professional office building), parking, and buffer and fencing.

Meeting opened to public. Concerns expressed re: traffic and landscaping/fencing.

*Motion to approve Preliminary Plan with Town Council and Planning Board's prior conditions by Miss Garzone; second by Mr. Breckel. Discussion: none. Motion carried, 5-0. * (See amendment below.)*

Motion to designate Final Plan for administrative approval by Mr. Breckel; second by Mr. Sasa. Discussion: none. Motion carried, 5-0.

V. New Business

B. **Poppy Hills II** (PB 2007-19)

Major Subdivision — Preliminary Plan Review

Vicinity of Tulip Hill Road and Poppy Hill Drive
AP 55/Lot 19; 9 House Lots; 28.4+ acres; R-40 Zone

Owner /Applicant: Poppy Hills Development Group, Inc.
Surveyor: David D. Gardner, PLS — Gardner & Assoc., Inc.
Engineer: Mark Conboy, PE — Gardner & Assoc., Inc.
Attorney: Matthew J. Leonard, Esq.— Salter, McGowan, Sylvia & Leonard

(Master Plan approved with conditions 1-13-03; upheld 2-6-06. Zoning Board appeal granted for original 9 lots 3-29-07. Continued from 7-3-07.)

Mr. Conboy, PE, described cistern (first of its kind in Johnston). Discussion re: cistern ownership/maintenance, drainage—detention pond fencing, access and appropriateness as a separate lot—and certified cost estimate. Chuck Krause testified re: cistern, and protective housing of solar panel and battery back-up.

Hearing opened to public. Concerns voiced re: location of detention pond.

Motion to approve Preliminary Plan by Mr. Breckel; second by Mr. Sasa. Discussion: none. Motion carried, 5-0.

Motion to designate Final Plan for administrative approval by Mr. Sasa; second by Mr. Breckel. Discussion: none. Motion carried, 5-0.

All new items not heard by 10:30 p.m. placed on subsequent agenda.



Motion to add conditions to Preliminary Plan approval re: road cost to be addressed with Town Engineer; bond to be posted prior to development; and easement for detention pond to be cleared by Town Solicitor. Second by Mr. Breckel. Discussion: none. Motion carried, 5-0.

** Motion to read into the record the findings of fact for **Killingly Place** by Mr. Sasa; second by Mr. Breckel. Discussion: none. Motion carried, 5-0.*

C. **Bellawoods Vue — Aceto** (PB 2006–64)

Major Subdivision — Master Plan Review

Vicinity of terminus of Mascio Drive and Violet Street

AP 27/Lot 52; 3.45 acres; 6 Lots; R-20 Zone

Owner/Applicant Felippo L. Aceto
 Surveyor: Patricia A. Kelly, PLS — International Mapping
 Engineer: Richard N. St. Jean, PE — St. Jean Engineering, LLC
 Attorney: John O. Mancini, Esq.— Law Offices of Michael A. Kelly, PC

(Concept Review 12-5-06. Continued from 7-3-07.)

(Mr. Breckel recused himself.)

Discussion re: 12-inch strip of land (“spike strip”) preventing access to public street. Applicant proposed resolution thereof to occur simultaneously to proceeding through Planning Board approval process. Solicitor opined that applications are not in compliance until adequate and permanent access to public streets proven. He proposed waiting the two months that the applicant deemed necessary to obtain outright title and interest.

Applicant requested a two-month continuance in order to obtain outright title and interest in the subject property.

Motion to continue Preliminary Plan review for two months by Mr. Sasa; second by Miss Garzone. Discussion: none. Motion carried, 4-0.

VI. Adjournment

Meeting adjourned at 10.04 p.m.

Lauren Garzone, SECRETARY

All new items not heard by 10:30 p.m. placed on subsequent agenda.