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TOWN OF JOHNSTON PLANNING BOARD

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MEETING MINUTES

November 13, 2008

A. Roll Call

The November 13 meeting was called to order at 7:00 p.m. at the Johnston Senior Center, 1291 Hartford Avenue. Members present: Aguiar, Campagnone, Garzone (*Secretary*), Passarelli, Sasa (*Vice Chair*), and Verardo (*Chair*). Also present: Timothy J. Chapman (*Solicitor*); Merrick A. Cook, Jr. (*Administrative Officer*); and Rian Smith, Ass't Planner.

B. Minutes

October 7, 2008, minutes accepted.

C. Meetings

Dates for 2009 approved. Meeting on December 2, 2008, cancelled. Venue to remain Johnston Senior Center.

D. Correspondence

Polk Street — Martin (PB '06-57)

Minor Subdivision — *Performance Bond Release*

Vicinity of Polk Street and Railroad Avenue
AP 36 / Lot 85; 2 lots; 38,126 sf.; R-15 zone
No street construction

Applicant: Tina Ferro
Owner: Janet R. Martin
Surveyor: Veltri, Nicholas A., PLS #1719
Engineer: —
Attorney: Joseph A. Sciacca, Esq.

Plan approvals: Preliminary 11/23/04, Final 2/1/05. Release of performance bond requested 10/4/05; continued 11/22/05, 12/6/05.



Attorney requesting release of \$7,500 cash bond. *Bond released based on recommendation from Town Engineer.*

D. Old Business

Rockcrest Highlands (PB '07-48)

Major Land Development — Preliminary Plan Review / Public Hearing (*continued*)

Vicinity of Rockcrest Lane, Venice Avenue & Granite Street
 AP 5 / Lots 355, 356, 357 + 358; 10 lots; 6.5± acres; R-20 zone
 Street construction

Applicant: Domenic A. Rucco — DARE, Inc.
 Owner: Domenic A. Rucco & Thomas S. Borkowski
 Surveyor: Stephen M. Murgo, Sr., RLS — Baron Engineering, Ltd.
 Engineer: Adam J. Baron, PE — Baron Engineering, Ltd.
 Attorney: Michael A. Kelly, Esq.

Master Plan approved, 4/6/07; extended 1 year, 4/1/08; Preliminary Plan review continued, 4/1/08, 5/6/08, 6/3/08, 7/1/08; approved 8/7/08.

Project engineer had been retired by the RI Board of Registration for Professional Engineers as of 12/31/00, putting testimony and information supplied by him in question. Board Solicitor recommended that Master and Preliminary plans be nullified and voided. Letter from project attorney requesting to apply fees paid to future applications, and combine master and preliminary reviews. Discussion re: fees and work conducted to date.

Approvals of Master Plan (4/6/07) and Preliminary Plan (8/7/08) nullified and voided — based on letter from project attorney (11/6/08), memo from Director of Public Works (10/27/08), letter from Board Solicitor (11/6/08), circumstances surrounding project engineer, and incomplete status of project. Request to apply fees already paid to future applications and reviews denied, based on lack of error in plan review process.

E. Other Business

Mohamad Sasa (*Vice Chair*) raised Zoning Board's authority to subdivide and create new, buildable lots, versus granting dimensional relief prior to subdivision by Planning. Discussion re: circumstances and availability of information.

Continued until January 6, 2009.

F. Adjournment

Meeting adjourned at 7:20 p.m.

Lauren Garzone, SECRETARY