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TOWN OF JOHNSTON PLANNING BOARD

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

MINUTES

MARCH 3, 2009

The Planning Board of the Town of Johnston held its regular monthly meeting on Tuesday, March 3rd, 2009, at 7:00 p.m. at the Johnston Senior Center, 1291 Hartford Avenue. All persons interested in items on the following agenda were requested to be present at that time.

A. Roll Call

The March 3 meeting was called to order at 7:07 p.m. at the Johnston Senior Center. Members present: Aguiar, Breckel, Campagnone, Passarelli, Sasa (*Vice Chair*), and Verardo (*Chair*). Also present: Lorraine Caruso, PE (Town Engineer), Timothy J. Chapman (Solicitor); and Rian Smith (Assistant Planner).

B. Minutes

February 3, 2009, minutes were amended to include tally on voice vote for Zoning Ordinance 2008-25—B. Maceroni & Sons, Inc of 5 to 1.

C. Appointment to Municipal Land Trust

Chair Verardo was approved as Planning Board representative to the Municipal Land Trust.

D. Old Business

A. CVS Pharmacy (PB '09-04)

Major Land Development — Preliminary Plan Review / Public Hearing

1993 Plainfield Pike

AP 29 / Lot 13; 2 lots (proposed); 2± acres; B-2 zone

Facilities are accessible to the handicapped. Please direct requests for special accommodations 48 hours in advance to (401) 231-4135. Persons using TDD equipment may contact Relay RI via (800) 745-6675.



Applicant: GB New England 2, LLC
 Owner: Pasco Cardillo, Jr. & Albert Cardillo
 Surveyor: Patrick McCourt, PLS — Vanasse Hangen Brustlin, Inc.
 Engineer: Antonio Moura, PE — Vanasse Hangen Brustlin, Inc.
 Attorney: K. Joseph Shekarchi, Esq. — Shekarchi Law Offices

Master Plan approved 9/2/08 with conditions. Zoning Board variances approved 4/24/08.

Zoning Board approved relief from requirement to subdivide property due to maintenance and taxation issues as stipulated in Master Plan approval; and signage variances. Sewage system redesigned per Town Engineer, and approved by DEM.

Applicant reviewed Town Engineer 2/26/09 memo. [1] RIDOT physical alteration permit (curb openings and signal) approved but not issued because bond not yet posted. [2] DEM approved on-site septic system. [3] PWSB approved water. [4] DEM insignificant alteration permit acquired. [5] storm water management system to be maintained as per DEM and Town. [6] Storm runoff proposal approved by DEM. [7] Affected property owners in agreement in principle; easements to be executed and recorded subsequent to preliminary approval. Citizens Bank easement pending subordination. [8] Zoning Board approved 10’ relief from buffer requirements. [9] Retaining wall to be designed by registered structural engineer and submitted to Building Official. [10] Driveway designed according to grade. [11] Handicap ramp to be configured around traffic signal.

Preliminary and administrative final approval requested subject to three outstanding items (above). Discussion re: municipal sewer arrangement between Cranston and Johnston not reached; hook-up at future date possible. Retaining walls and fill required; storm runoff piped to closed infiltration basin in rear; 7% slope on exit—approved by DOT; snow removal to landscape areas and in back off parking lot; Fire Department approval obtained; two trash enclosures, recycling attached to building, refuse in remote location; deliveries/loading same as all CVS sites.

Public hearing opened and closed.

Preliminary Plan for Major Land Development CVS Pharmacy approved based on application, testimony to Board, and memos from departments; positive findings for Land Development and Subdivision Review Regulations, section 5–2; consistency with Town of Johnston Comprehensive Plan; with conditions.

Conditions: PAP approval (pending bond for \$201,084.75 for work within State right of way), subject to all easements, and pending receipt of Fire Department approval. Final Plan delegated to administrative approval. (6–0) Discussion: property no longer to be subdivided.

E. New Business

A. 2289 Hartford Avenue — License Agreement between the State of Rhode Island and the Town of Johnston / Advisory Opinion

Agreement between State of Rhode Island and Town of Johnston wherein state leases plot of land to Town for 20 years. Town to construct fire station, and to provide amenities to improve public access to Snake Den State Park and access through easement to abutting state parcels. No cost to Town other than required insurance and nominal \$10. Option to renew lease for another 20 years.



Reviewed by Town solicitor. One year notice required prior to cancellation. Any new agreement to be reviewed by Planning Board.

Favorable advisory recommendation to Town Council to adopt License Agreement between the State of Rhode Island and the Town of Johnston for 2289 Hartford Avenue (6-0). Based on positive findings for RIGL §45-24-52.1 two-point test; consistency with Comprehensive Plan, including goal and policy statement, implementation program, and all other applicable elements the Plan; RIGL §45-24-30, including recognition and consideration of each applicable zoning purpose. Discussion: none.

B. Proposed amendment to Zoning Ordinance text — Incorporation of Federal Emergency Management Agency (FEMA) updates / Advisory Opinion

Continued to next meeting.

**C. Lakeside Commerce Center—Ballard Mack Sales and Services, Inc. (PB '09-06)
Site Plan Review / Informational Meeting**

Scituate Avenue & Austin's Way
AP 31 / Lot 64; 1 lot; 5.37± acres; "I" zone

| | |
|------------|--|
| Owner: | Rhode Island Resource Recovery Corporation |
| Applicant: | Ballard Mack Sales and Services, Inc. |
| Surveyor: | Matthew Sullivan, PLS — Crossman Engineering, Inc. |
| Engineer: | Bruce Hagerman, PE — Crossman Engineering, Inc. |
| Attorney: | Carolyn P. Medina, Esq. — Partridge Snow & Hahn, LLP |

Attorney presented new construction major land development. Tom Plant, General Manager, Ballard Mack RI, presented sales (trucks and parts) and service (garage with 12 bays) uses. Moved after 7 years from Coventry to temporary site across from RIRRC with highway access,. 26-36 as well as 18 technicians employed; 30-40 trucks (garbage, dump, and street) on lot at any given time.

Engineer (expert witness; *c.v.* accepted into record) presented: site is undeveloped with access to water, sewer, electric, telecomm utilities, and natural gas from industrial park. 22,000 sf. metal office building proposed with service bays and office and distribution; parking in front and rear, with truck sales and display in front; 4,500 sf. addition to service bay and 1,500 sf. to office building. Parking for service vehicles enclosed by chain link fence in rear; access from existing driveway on Austin's Way and new curb cut on Scituate Avenue. Storm water runoff collected to existing drainage stub connected to industrial park; no drainage mitigation required; impervious area less than capacity of industrial park. 0 increase in peak stormwater runoff. Lighting; landscaping, street trees and perimeter, additional landscaping around building.

Review of Town Engineer 2/26/09 memo. [1] DOT letter re: PAP not required for Scituate Ave. to be obtained. [2] typo: Woonasquatucket River watershed to be changed to "Pocasset River" on C-5. [3] Copy of industrial park storm water pollution prevention plan to be submitted. [4] Copy of Fire Department approval letter; concerns re: water pressure; connection to hydrant—access to be resolved; truck turning radius. Discussion re: foot traffic; distance from Rte. 295/signage; drainage; standard use of toxic chemicals; no fuel pumps. Rick Hall, French Design Builders, presented as design build witness.

New items not heard by 10:30 p.m. will be continued to the next month's agenda.



Informational hearing closed; Site Plan approved with conditions. Unanimous 6–0.

Site Plan (commercial/business) for Lakeside Commerce Center—Ballard Mack Sales and Services, Inc. approved based on Zoning Ordinance, section E (industrial performance standards), application, testimony to Board, and applicant narrative.

Conditions: submission of [1] DOT letter re: PAP not required for Scituate Ave.; [2] SWPPP for industrial park; [3] Fire Department approval letter. (6–0) Discussion: none.

F. Adjournment