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Mohamad Y. Sasa  
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Peggy A. Passarelli

SOLICITOR  
Joseph R. Ballirano, Esq.

## TOWN OF JOHNSTON PLANNING BOARD

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### MINUTES

NOVEMBER 23, 2010

The Planning Board of the Town of Johnston held a special meeting at 7:00 p.m. on Tuesday, November 23, 2010, at the Johnston Senior Center, 1291 Hartford Ave.

#### I. **Call to Order**

#### II. **Roll Call & Determination of Quorum**

The November 23 meeting was called to order at 7:00 p.m. Present for the Planning Board: Patricia A. Aguiar, Thomas W. Breckel (*Vice-Chair*), Lauren Garzone, Peggy A. Passarelli, Mohamad Y. Sasa, and Anthony Verardo (*Chair*). A quorum was present. Also present for the Town: Joseph R. Ballirano, Esq., Planning Board Solicitor; and Pamela M. Sherrill, AICP, LEED AP, Administrative Officer & Town Planner.

#### III. **Public Hearing**

*Preliminary plan review of proposed major land development entitled **Pocasset Mills** for 91 multi-family apartments to be located at 75 Pocasset Street—A.P. 2/Lot 134 & A.P. 3/Lot 368 on 2.67± acres zoned R-7—for **Starr Development Partners**, LLC. (PB '09-01)*

John Garrahy, representing Starr Development Partners, requested continuance to December 7, 2010, date certain.

*Hearing continued until next regular Planning Board meeting on December 7, 2010 (motion by L. Garzone, second by P. Aguiar).*

#### IV. **Old Business**

*Concept review (continued) of proposed major subdivision (conventional & conservation development) entitled **Bella Woods Vue** from 2 to 9 lots with street construction on Tartaglia Street—A.P. 27/Lot 52 and A.P. 27/Lot 136 on 8.2± acres zoned R-20—for Maria **Gunson** and Felippo **Aceto**. (PB '10-36)*

*(T. Breckel recused himself).*



Al Russo, Jr., Esq., representing the developer, and Joseph Casali, PE, presented testimony. Mr. Casali presented a 9-lot conventional subdivision to establish a yield plan, and then presented a hybrid modeled after the draft Conservation Development (CD) ordinance. This draft ordinance had been favorably referred by the Planning Board to Town Council but not approved. The CD option includes 9 lots with public water and OWTS that range between 15,000 and 17,000 sf with one at 22,000 sf in an R-20 zone. Over two acres of open space would be dedicated. Without CD zoning, the project would require 23 variances from the Zoning board. The applicant anticipates submission of a Master Plan application to the Planning Board for referral to the Zoning Board for necessary variances.

Mr. Casali submitted a new Existing Conditions map indicating Lots 136 (3.06 acres) and Lot 240 (3.21 acres). Lot 136 is developed with a single family dwelling on Tartaglia Street; Lot 240 is vacant landlocked parcel. Water table is at 10 feet or greater depth with excellent perc rates. This may avoid the need for detention basins for stormwater management.

Mr. Casali cited the following benefits of the CD option:

- Conserving land (over 92,000 sf) and protecting the view of Providence from the highpoint of the property.
- Providing interconnections to OS lot from homes in the proposed development as well as abutters.
- Reduced roadway length (30 feet) with a 22 or 24-foot width (compared to 30 ft) results in decreased construction costs, reduced maintenance costs, reduced impervious surface and therefore improved stormwater management.
- CD properties typically have higher value due to the amenities.
- The OS buffers adjacent properties (residential and industrial) from the proposed development.

Mr. Verardo asked who would maintain the open space. This is not yet determined but the developer would be open to considering a homeowner group or other means recommended by the board. With a conventional design one variance would be required for front yard setback on an existing house. Sufficient lot size is available for OWTS. Multiple stormwater management options may be available but further design is required.

Mr. Sasa is concerned that the applicant has created his own hardship and therefore would have difficulty securing needed variances, even if the variances do not produce financial gain. He wanted to make it clear that the proposal is before the board at this time for discussion only and not a vote.

Ms. Aguiar asked about DEM permitting. Mr. Casali indicated that it would be the same for either a conventional or CD development. Both require a determination of suitability for OWTS and stormwater management (Underground Injection Control permit). These would be procured at later project stages. Ms. Aguiar asked about how the value of the property will differ under the concepts. Mr. Casali indicated that he will have a land use planner speak about this at later hearings.

Ms. Sherrill indicated that the Planning Board is interested in seeing CD amendments brought to the Town Council in January. Members of the board indicated that they are supportive of the CD option and would prefer to see an amendment of the regulations and not a series of variances for the project (*note: no vote was taken*). The earliest date for a Master Plan hearing would be February.

Mr. Casali indicated that in other communities, the Planning Board typically votes on the yield plan and then the CD plan. He indicated that flexible development is in place in Scituate and Smithfield requires a mandatory CD approach.



Ms. Aguiar indicated if a Section 8 or Affordable Housing approach was being considered. Mr. Casali indicated that the units would be market rate and that no subsidies are being procured.

The chair asked Mr. Ballirano to address the requirement to have the same members present for votes at all stages of the application. The solicitor indicated there are two cases: if it is impossible to have the same members vote (i.e. with new appointments) or if it is inconvenient (i.e., absences).

*(T. Breckel returned.)*

## V. **Administrative Report & Special Items**

*Ms. Sherrill presented her report.*

*The Chair welcomed Mr. Ballirano as the new Planning Board solicitor.*

*The next regular monthly meeting will be held on Tuesday, December 7, 2010.*

## VI. **Adjournment**

*November 23, 2010, Special Planning Board meeting adjourned at 7:57 p.m.*

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*Lauren A. Garzone, SECRETARY*