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MEETING NOTES

Public Workshop Conservation Development Zoning Amendments

MAY 31, 2011

The Town Council and the Planning Board of the Town of Johnston held an informational public workshop at 6:30 p.m. on Tuesday, May 31, 2011, at the Johnston Senior Center, 1291 Hartford Ave. The workshop was scheduled as a Town Council agenda item.

Present for Town Council: Stephanie Manzi, Ernest Pitochelli, Robert Russo, and Eileen Fuoco; and for the Planning Board: John Laurito, Lauren Garzone, Peggy Passarelli, Mohamad Sasa, and Anthony Verardo. Also present for the Town: Joseph Ballirano, Esq., William Conley, and Pamela Sherrill.

This was the second workshop held regarding proposed Conservation Development zoning and comprehensive plan amendments. Conservation Development is a zoning option that allows construction of the same number of units as a conventional subdivision on smaller lots and preservation of 50 percent of the site as open space. On January 25, 2011 a joint meeting with the Town Council and Planning Board was held. At its March 1, 2011 meeting the Planning Board voted a positive recommendation to Town Council for hearing on May 9, 2011. At that time it was continued pending another joint workshop.

Pamela Sherrill, Town Planner, indicated that 10 towns have adopted conservation development and 13 more are pending. Of the 28 non-urban communities, 13 either have conservation development or it is pending. The 10 with conservation development include Burrillville, Cumberland, Glocester, North Smithfield, Smithfield, Exeter, North Kingstown, South Kingstown, Richmond and Middletown. Ms Sherrill opened the floor to questions.

Councilman Pitochelli indicated that he has more faith in the current administration including the Town Council and Planning Board and is confident that the new zoning could be appropriately administered. He is concerned that any future administration also have the capacity to adequately administer the proposed zoning.

In response to a question by Council President Russo, Ms. Sherrill replied that based on research of the communities that have implemented conservation development, there has been no indication that conservation development has increased demand for subdivision construction. Many of the communities passed the zoning during the recent economic downturn and therefore demand has been weak.



Discussion followed regarding the need for a lottery to limit conservation subdivisions to one per year. General discussion was that this would be difficult to administer and would require legal input.

Ms. Sherrill recommended that the note in Table 1 – Lot Dimensional Requirements, be deleted since it is the Zoning Board and not the Planning Board that is authorized to grant dimensional variances as provided in §340-74. Anthony Verardo, Planning Board chair, indicated that a developer would have an option to choose either a conventional or a conservation subdivision and that if a project could not meet the dimensional requirements for a conservation development, he or she cannot use that zoning option.

Councilwoman Manzi indicated that she would prefer that an applicant petition for a zone change request for smaller lots, with a commitment to retain open space. Ms. Sherrill responded that applicants are hesitant to add the additional meetings and hearings required for a zone change and prefer a predictable approval process. Ms. Manzi reiterated that her objective is to protect the homeowners of Johnston and not to save developers money. Sam Sasa, Planning Board member, is concerned that a change in zoning would be spot zoning. Ms. Manzi considers conservation development to be spot zoning.

Discussion focused on creating meaningful open space. Ms. Manzi supported a 20-acre minimum lot size in the R-40 zone. Ms. Sherrill indicated that Bella Woods Vue, a 9-lot subdivision submitted in concept for an R-20 zone, was for a 6+ acre site and that it was possible to create meaningful open space with a buffer/walking trail. Ms. Sherrill proposed a 20-acre minimum for R-40, 6 acre minimum for R-20 and 5-acre minimum for R-15 (including single and two-family duplex dwellings).

Ms. Sherrill will amend Table 1 dimensions and delete reference to modifying dimensions through either the Planning or Zoning Board for consideration of a favorable opinion by the Planning Board to Town Council.

The May 31, 2011, public workshop portion of the Town Council meeting adjourned by 7:30 p.m.

Lauren A. Garzone, SECRETARY