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Christine M. Cunneen  
Lori A. Pezzullo  
Mohamad Y. Sasa

SOLICITOR  
Joseph R. Ballirano, Esq.

## TOWN OF JOHNSTON PLANNING BOARD

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

**Tuesday, September 10, 2013, 6:00 p.m.**

Johnston Senior Center, 1291 Hartford Ave., Johnston, RI 02919

### MINUTES

The Planning Board of the Town of Johnston held their regular meeting at 6:00 p.m. on Tuesday, September 10, 2013, at the Johnston Senior Center, 1291 Hartford Ave.

#### I. **Call to Order & Roll Call**

The meeting was called to order at 6:06 p.m. Quorum present for the Board: John Laurito, Vice-Chair; Peggy Passarelli, Albert Cournoyer and Mohamad Sasa. Absent: Lauren Garzone, Christine Cunneen and Lori Pezzullo.

Also present for the Town: Joseph R. Ballirano, Planning Board Solicitor, Ben Nascenzi, Building Official and Susan Leonardi, Planning Clerk.

#### II. **Approval of Minutes**

Mr. Laurito requested a motion to amend the minutes of the August 6, 2013 meeting to reflect Ms. Passarelli instead of Mr. Passarelli. Mr. Cournoyer made the motion to amend the minutes. Ms. Passarelli seconded the motion. Mr. Cournoyer made the motion to accept the minutes as amended. Ms. Passarelli seconded the motion. A voice vote was taken; all in favor.

Mr. Cournoyer made the motion to suspend the rules and hear the petition for Ashley Court to be heard first. Ms. Passarelli seconded the motion. A voice vote was taken; all in favor.

#### III. **New Business**

##### **Ashley Court – Town of Johnston**

PB '13 - 19

Advisory Opinion to Town Council on sale of Town-owned properties, AP 33/Lot 17 (6.23± acres) and AP 33/Lot 123 (40,100± sf) on Ashley Court.  
Owner/Applicant: Town of Johnston

Mr. Nascenzi explained the plan. AP 33 Lot 123 is buildable by Town standards. Town took possession of both lots because the bond was outdated and the Town standards for the roads and the stormwater maintenance were not met. P. Mancini and Louis Calcagni, Jr. developed and produced the plan. An Advisory Opinion to Town Council regarding offering the land for sale is requested.

Louis Calcagni, Jr. was duly sworn. Mr. Calcagni is a registered RI surveyor and did the boundary survey on the parcels. Mr. Calcagni stated that the surveyor who performed the surveys for Phase I & II did not set the granite markers and is no longer available. In his opinion, Lot 17 could be subdivided into four or five lots. Mr. Sasa verified that the Town did own the lots. If the Advisory Opinion is positive, the Town Council will decide if the land will be put up for sale and the money would go to the General Fund.

Tammy Cardillo, abutter, was sworn. She stated that the Town had just awarded a contract to Cardi Corp to fix the roads in Ashley Court and Nicole Lane. Ms. Cardillo stated that the money from the sale of this property should go towards fixing the roads, not the General Fund. Mr. Ballirano stated that the Town Council would allocate the funds correctly.

Debbie McCauley, abutter, was sworn. Ms. McCauley asked if the Town still retained copies of the original Phase III plan that was submitted years ago. She questioned the detention pond and new stormwater regulations, would DEM still have to approve. There are water issues in the area. Mr. Nascenzi stated that any proposals to develop these lots would have to conform to today's standards and approvals.

Mr. Sasa made the motion to send a positive Advisory Opinion to the Town Council. Mr. Cournoyer seconded the motion.

#### IV. **Public Hearings**

##### **Green Earth Ave – Auto Parts Southwest, LLC**

PB '13 - 15

Advisory Opinion to Town Council on Zoning Map Change for AP 31/Lots 66, 67, and 68 currently zoned Light Industrial to Industrial and Zoning Text Change for Table of Use Regulations Subsection 9. Service Business proposed new use: Automotive Recycling Facility. RIRRC owner (Lakeside Commerce Park); Auto Parts Group Southwest, LLC, applicant.

Andrew Teitz, Esq. presented the application to the Board. He has two documents that were not previously submitted and requested that he be allowed to submit them to the Board at this time. The first document is a letter from Narragansett Bay Commission stating that they have the capacity for the project. The second document relates to snow removal and where it will be stored. Mr. Sasa made the motion to accept the letter from NBC and this was seconded by Mr. Cournoyer. Mr. Sasa made the motion to accept the snow removal document and this was seconded by Mr. Cournoyer.

Mr. Teitz stated that all documents not specifically given to the Board that are listed on the Planner's Report are incorporated by reference. All RIDEM approvals have been applied for, but no response from DEM as of yet.

Mr. Sasa stated that he was not present at the August 6, 2013 meeting and would like some points clarified. Brian McFadden, Senior Project Manager of Pick n Pull was duly sworn. Mr. McFadden explained how the operation worked, the hours of operation, how often cars are replaced, how cars are displayed, how different areas would be paved vs. crushed stone, and fire suppression.

Parker Landon, Operations Manager for Pick n Pull, was sworn. Mr. Landon stated that the storage area would be approximately four inches of crushed stone and stone dust. If this were to

be contaminated, the area affected would be shoveled down to clean soil and the stone replaced. The contaminated stone would be removed by an authorized hauler.

Mr. Teitz stated that the Town Council approved the Zone Change from IL to I and the Text Change to amend the Use Table to allow for a Special Use Permit for automobile recycling on September 9, 2013. This project will not disturb the wetlands and the stormwater maintenance plan is in place.

Ms. Passarelli asked how customers are supervised while removing parts. Mr. McFadden explained that each customer entering the facility is given a ticket relating to the part requested. Pick n Pull has employees who continually walk the area assisting customers and verifying tickets.

Mr. Laurito verified that all fluids are drained and switches removed prior to the vehicle being placed in the storage area. Mr. McFadden confirmed.

Mr. Sasa asked how many vehicles the storage area could hold. Mr. McFadden stated that the lot could hold approximately 970 cars. The cars are placed on a rack approximately 18 inches off the ground to assist customers in removing parts.

The hours of operation are Monday thru Friday 9 am to 5 pm and Saturday and Sunday 8 am to 5 pm in the winter. Summer hours are Monday thru Friday 9 am to 6 pm and Saturday and Sunday 8 am to 6 pm. Cars will be crushed during operating hours Monday thru Friday.

The lighting will be directed so that there will be no spillover to adjacent properties. The operation will have approximately 25 employees in total.

Tammy Cardillo, previously sworn, stated that the Town has an Ordinance that no more than 20 junkyards and questioned how many were currently in business in town. Mr. Ballirano stated that Pick n Pull is not a junkyard and that Ordinance does not apply.

Debbie McCauley questioned the Highway Beautification program that was mentioned at the Town Council meeting the prior evening. She handed a flyer to Mr. Ballirano who read the information and told her that it also did not apply because I zones were exempt from that program. She is also concerned about the noise in the area.

Mr. Sasa made the motion to close the Public Hearing. Mr. Cournoyer seconded the motion. A voice vote was taken; all in favor.

Mr. Cournoyer made the motion to accept the Planner's Reports of July 29, 2013 and September 3, 2013 into the record. Ms. Passarelli seconded the motion. A voice vote was taken; all in favor.

Mr. Cournoyer made the motion to approve the Industrial Site Plan Review. Mr. Sasa seconded the motion. A voice vote was taken; all in favor.

#### V. **Old Business**

##### **Johnston Comprehensive Plan Rewrite**

PB'13-10

Department head questionnaire on status of Services and Facilities, Recreation and Circulation elements since 2007.

September 10, 2013

Mr. Sasa made the motion to continue the Comprehensive Plan Rewrite update until the October 1, 2013 meeting. Mr. Cournoyer seconded the motion. A voice vote was taken; all in favor.

VI. **Administrative Report & Special Items** – none

VII. **General Business** - none

VIII. **Adjournment**

Mr. Cournoyer made the motion to adjourn at 7:07 p.m. Mr. Sasa seconded the motion. A voice vote was taken; all in favor.

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*Peggy A. Passarelli*  
SECRETARY