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## TOWN OF JOHNSTON PLANNING BOARD

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

Tuesday, January 7, 2014, 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, January 7, 2014, at the Johnston Senior Center, 1291 Hartford Ave.

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

The meeting was called to order at 6:04 p.m. Quorum present for the Board: Lauren Garzone, Chair; Albert Cournoyer, Lori Pezzullo, Mohamad Sasa, Peggy Passarelli and Christine Cunneen. Absent: John Laurito, Vice-Chair.

Also present for the Town: Joseph Ballirano, Esq., Planning Board Solicitor; Ben Nascenzi, Dep. Director, DPW, CBO/ZO, Pamela Sherrill, AICP, Administrative Officer and Susan Leonardi, Planning Clerk.

Mr. Cournoyer made the motion to accept the minutes of the December 3, 2013 meeting. Ms. Passarelli seconded the motion. A voice vote was taken; all in favor.

Ms. Garzone stated that the minutes of the December 10, 2013 meeting needed one correction on page 3. The question regarding the sale of propane was brought by L. Garzone, not L. Pezzullo. Motion to approve the minutes of the December 10, 2013 meeting with the correction was made by Ms. Pezzullo and seconded by Ms. Passarelli. A voice vote was taken; all in favor.

Motion to suspend the rules and hear the petition for Greenville Ave – DiMeo Farm last was made by Mr. Sasa and seconded by Mr. Cournoyer. A voice vote was taken; all in favor.

#### **Old Business**

##### A. **Johnston Comprehensive Plan Rewrite**

PB '13 - 10

P. Sherrill stated that the Planning Department was working on the rewrite and had nothing new to report. An update would be provided at the February 4, 2014 meeting.

#### II. **New Business**

##### A. **Edwards St – DiDomenico**

PB '13 – 36

Advisory Opinion to Town Council on requested purchase of vacant 0.11-acre Town-owned parcel, AP 11/Lot 367, Michael DiDomenico, petitioner.

Board had no discussion after reading petition submitted. Motion to send a positive recommendation to the Town Council subject to the recommendations on page 2 of the planner's memo was made by Ms. Pezzullo and seconded by Mr. Cournoyer. A voice vote was taken; all in favor. A motion to accept the Town Planner's memo was made by Ms. Pezzullo and seconded by Mr. Sasa. A voice vote was taken; all in favor.

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**B. Greenville Ave – Dimeo Farm**

PB '13 – 35

Major land development master plan with road construction and Advisory Opinion to Town Council on zone change to R-10 for the Residences at Dimeo Farm, a residential duplex development (10 buildings/20 units), 396 Greenville Ave, AP 47/Lots 17, 20 & 186. Michael & Mary Dimeo, owner; CF Investments and MTM Development Corp., applicant. Currently zoned R-20, 38.83 total acres (7.1 acre area of work).

K. Joseph Shekarchi, Esq. presented the application to the Board. The development will be deed restricted to ages 55 and over. The applicant is requesting Master Plan approval and a positive recommendation to Town Council for a Zone Change from R-20 to R-10. The majority of the area will be dedicated as Open Space through Conservation Easements. The applicant has availability letters from Providence Water and Narragansett Bay Commission. Any upgrades or improvements required to service the development will be paid for 100% by the applicant.

Joseph Lombardo, Planning Expert, was sworn. Mr. Sasa made the motion to accept Mr. Lombardo as an expert witness. Mr. Cournoyer seconded the motion. A voice vote was taken; all in favor. Mr. Lombardo submitted copies of the report prepared for the Board. The development is consistent with the Comprehensive Community Plan and is consistent with the neighborhood. It also meets the Low Density requirement for the overall 38-acre site, preserves almost  $\frac{3}{4}$  of the site as open space with conservation easements, and is consistent with Future Land Use and the Goals and Policies of the Comprehensive Community Plan. The development also provides diversity of housing choices as required by the Zoning Regulations and opens up single family homes for new families in other neighborhoods as local residents move into the development.

Scott Moorehead, P.E. was sworn. Mr. Sasa made the motion to accept Mr. Lombardo as an expert witness. Ms. Passarelli seconded the motion. A voice vote was taken; all in favor. Mr. Moorehead explained the site plan. The road will be private with no maintenance by the Town. Plowing, trash, maintenance, water and sewer will be maintained by the development. Mr. Moorehead explained drainage system being proposed and reiterated that town staff has stressed the importance that there will be no stormwater discharge to adjacent neighborhoods. Conservation and drainage easements will be placed on property to preserve existing drainage systems. This system will require DEM approvals.

Spencer McCombe, architect, was sworn. Mr. McCombe explained the floor plan as well as the exterior design of the units. An aerial plan of existing and proposed neighborhoods was received. J. Shekarchi indicated that proposed housing is not subsidized and will be restricted to those age 55 and older.

Hali Beckman, Landscape Architect, was sworn. Ms. Beckman submitted copies of the Master Landscape Plan to the Board. Mr. Sasa made the motion to accept the plans and this was seconded by Ms. Pezzullo. A voice vote was taken; all in favor. Ms. Beckman stated that the regulations require a minimum of 15% of the area be landscaped and the proposal has much more than that. The applicant will be installing an additional 91 trees (with diversity of type) aside from what is currently on the property. These trees will be a minimum of 8 ft. tall at installation and will include both street trees and buffer trees. Trees in the 20-foot buffer zone will be densely planted and will extend up to 35 feet into the property at maturity. A stockade fence will provide privacy to both the residents on Salina Avenue and adjacent Greenville Avenue and the residents of the development.

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Ms. Cunneen verified that any improvements/upgrades to the water and sewer systems would be completely borne by the applicant with no cost to the current residents of the area. She also questioned the bus stop on the plan. Mr. Shekarchi stated that it is a proposed RIPTA bus stop, not a school bus stop. Mr. Shekarchi also stated that he has no objections to the stipulations proposed by the planner.

Mr. Sasa questioned the size of the water lines. Mr. Moorehead stated that the lines within the development will be 8", as required, possibly larger. That information will be available at the Preliminary stage of approval. These lines will also serve the fire hydrants. Mr. Nascenzi stated that upgrades will have to be done to serve the residents of the area and the development. Ms. Sherrill read the 10/8/13 letter from Providence Water to the Board regarding the size of the water line in Greenville Ave (8") and the applicant will be "required to contribute a soon to be determined fee to future upgrades to our Greenville Avenue pump station". Mr. Sasa verified that the same conditions will apply for the sewer system. Mr. Moorehead agreed. Mr. Shekarchi indicated that they will bond utility improvements if the project is approved. Mr. Nascenzi stated that all upgrades/improvements to the water/sewer systems must be in place before a building permit will be issued.

Mr. Sasa questioned the elevation of the property. Mr. Moorehead stated that the development is approximately 10 ft below that of Salina Avenue so no run-off can add to the water issue there. Ms. Sherrill stated that staff is well aware of 2010 flooding issues in the neighborhood and that applicants must conform to the Stormwater Regulations in the DEM 2010 manual and to the recent stormwater amendments in the Land Development Regulations. All maintenance will be done by the HOA/condo association, not by the Town. Mr. Moorehead stated that because of the high water table in the area, the buildings will not have basements.

Mr. Sasa confirmed that the development will have underground utilities. Mr. Sasa and Mr. Moorehead discussed the impact of the development on surrounding property values. Mr. Lombardo indicated that the proposed will look like a cluster development of large single family homes. He indicated that he is a licensed real estate agent and as such he would not anticipate any change in value of adjacent properties. He also indicated that values would actually stabilize compared to the unknowns associated with an adjacent large developable tract. In response to Mr. Nascenzi questions, Mr. Shekarchi verified that the units must be occupied by someone aged 55 or over. The Planning Board approval of all legal documents including deed restrictions will be conducted at the Preliminary Plan stage.

Phil Lemoi, abutter, was sworn. Mr. Lemoi is concerned that "acceptable" gas leaks in Greenville Avenue would be become unacceptable if natural gas service is extended to the development for cooking or heating. Mr. Moorehead stated that the applicants haven't decided that yet. If gas is used, National Grid will do the installation. Mr. Shekarchi indicated that they want the development to be safe but that the condition of the line outside the site is a National Grid issue. The applicant will do a cost benefit review of geothermal. B. Nascenzi indicated that the National Grid tie in fee could reflect any gas or electric upgrades needed.

Robert Ricciuti, abutter, was sworn. He verified that there will be only one ingress/egress for the development and is concerned about safety during the 12 to 18 month demolition and construction phase. Mr. Shekarchi indicated that the demolition will be conducted by bonded and insured companies. P. Sherrill stated that the stormwater system would be constructed first, then the complete roadway, then the units. Mr. Shekarchi verified that there would be a fence and trees to ensure privacy.

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Charity Fairbanks, abutter, was sworn. Ms. Fairbanks verified the zone change. She is concerned about additional units being built in the open space in the future. Mr. Shekarchi explained that the Conservation Easements would not allow for development.

Charles Currie was sworn. Mr. Currie rents space for farming from the current owners. He is concerned about the loss of farming jobs including five who derive their sole income from the farm and employ an additional 6 to 8. He is also concerned about the revenue that the farms bring in as compared to the revenue of a residential development. P. Sherrill stated that one of the uses of a Conservation Easement is agricultural. This will be defined at the Preliminary Stage. B. Nascenzi stated that the greenhouses can be moved into the Conservation Easement area to assist the farmers. Mr. Shekarchi is sympathetic to the loss of agricultural jobs and confirmed that there will be no long term jobs after residential construction. He indicated that the proposed development would likely generate substantially more tax revenue to the town than current use and that an impact study will be presented to Town Council.

Richard Suls, farmer, was sworn. He questioned how the proposed development will not cost more in services. He stated that there are currently over 100 homes for sale in Johnston. He doesn't think more homes needs to be built and cause the Town to lose a viable farm. The climate needs green space. The houses don't match the neighborhood and believes that this development will cause a negative impact to property values. Mr. Suls asked what would happen to the drainage maintenance if the HOA folds. P. Sherrill explained that the Town would step in if that should happen and then a lien would be placed on the property.

Judy Kawa, abutter, was sworn. She questioned if the proposed zone change would affect the entire strip along Greenville Avenue. Mr. Shekarchi stated that only the area being developed would be affected. Ms. Kawa questioned the drainage system. Mr. Moorehead explained that the rate and quantity of drainage cannot change and that the system will require both State and Town approvals. The system will be designed to catch, hold and slowly release drainage and will be designed for the new 100-yr storm to account for climate change (9" of rain, not previous 7" storm). She verified the size of the Open Space. She also verified that the units will always be for ages 55 and over even if units are rented.

Cheryl Jenkins, abutter, was sworn. She questioned if residents could tie into the new sewer system if new homes were built. Mr. Shekarchi stated that that would depend on NBC; the applicant has no control over it. Ms. Jenkins asked if a new pump station would be built. Mr. Moorehead stated that only upgrades to the current pump station would be made. Sewer and emergency access would be via a privately owned paper road. Right of abutters to access the private paper street would not change. Ms. Jenkins indicated that the planner had previously told her that the paper street was not wide enough to develop as a town road.

Vincent Langella, abutter, was sworn. Mr. Langella questioned how the developers could state that it would be approximately one unit per acre, if 20 units were being built on seven acres. Mr. Lombardo explained how the gross and net ratios are determined and that condo owners will own 1/20th of the conservation area (if the condo association is the grantee). Mr. Langella and Mr. Shekarchi discussed the 12-18 month construction timetable. Mr. Langella is concerned with the ability to sell his house during the construction period and is concerned about blasting if the developers should hit ledge (especially in the vicinity of bldg 5). Mr. Moorehead stated that that is an issue that will be discussed at the Preliminary stage.

The Planning Board chair asked if there were any different comments to be made and hearing none, took comments from those who had previously spoken.

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Richard Suls asked if a petition by residents of the area would cause the project to be cancelled. Mr. Ballirano stated that the Board must be fair in its review and cannot advise an abutter on how to cause the project to be dismissed. Ms. Passarelli explained that everyone has the right to consider development of their property. The Master Plan stage is only to get approvals to move forward to get State and other Town approvals. The project can still be denied at any stage.

Jean Lynch, abutter, was sworn. She also represents the Woonasquatucket River Watershed Council and read a letter from the Director into the record requesting that stormwater be treated onsite, low impact development techniques be employed in accordance with the state stormwater manual, and that landscaping onsite include minimal fertilization, water conservation techniques such as automatic sprinkler systems controlled by soil moisture rather than standard timers, and that organic landscaping techniques be employed. Mr. Shekarchi agreed with those requests.

Ms. Lynch is also on the board of the RI Association of Conservation Districts. She is concerned that future residents will complain about farming odors from adjacent agricultural businesses even though they are preexisting uses. She asked that the board consider the current organic farming use in the vote.

Abutters will be notified of future Town Council and Planning Board meetings.

Mr. Cournoyer made a motion to accept the Town Planner's memo into the record. Ms. Passarelli seconded the motion. A voice vote was taken; all in favor.

Mr. Sasa made the motion to approve the Master Plan application subject to the proposed master plan conditions on page 5 of the planner's December 31, 2013 memo. This was seconded by Mr. Cournoyer. A voice vote was taken; all in favor.

Mr. Cournoyer made the motion to send a positive recommendation for the Zone Change to Town Council subject to conservation and/or drainage easement to limit future development of the remainder of the Assessor's Plot 47 lot 17, 20 and 186; this was seconded by Mr. Sasa. A voice vote was taken; all in favor.

III. **Administrative Report & Special Items**

Ms. Sherrill had nothing to add to the Administrative Report.

IV. **General Business** - none

V. **Adjournment**

Motion to adjourn was made by Mr. Cournoyer and seconded by Ms. Passarelli. A voice vote was taken; all in favor.

Adjourned at 8:03 p.m.

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*Peggy A. Passarelli*  
SECRETARY