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TOWN OF JOHNSTON PLANNING BOARD

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TOWN PLANNER
Michael A. Asciola

SOLICITOR
Joseph R. Ballirano, Esq.

PLANNING BOARD MEETING

Tuesday, February 3, 2015, 6:00 p.m.

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

MEETING MINUTES

The Planning Board of the Town of Johnston held their regular meeting at 6:00 p.m. on Tuesday, February 3, 2015, at the Johnston Senior Center, 1291 Hartford Avenue, Johnston, RI 02919.

I. Call to Order & Roll Call

The meeting was called to order at 6:00 p.m. Quorum present for the Board: John Laurito, Chair; Albert Cournoyer, Vice-Chair; Peggy Passarelli, Secretary; Joseph Lembo, Sindy Tonole and Mohamad Sasa. Absent: Christine Cunneen. Also present for the Town were Joseph Ballirano, Esq.; Michael Asciola, Town Planner and Susan Leonardi, Planning Clerk.

II. Approval of Minutes

Motion was made A. Cournoyer to accept the minutes of the January 6, 2015 Planning Board meeting. Motion was seconded by M. Sasa. **A voice vote was taken; all in favor.**

III. New Business

A. Pine Hill Village - Major Subdivision & Land Development Master Plan Review PB '15-02

Master Plan review of a proposed age restricted senior housing Planned Development project entitled the Pine Hill Village to be located off Greenville Ave. and Killian Road. The lot is identified as A.P. 50 / Lot 66 consisting of 24.6 acres within the R-40 Zoning District and owned by Henry Rosciti. The proposal consists of two (2) potential plans; Scheme A - consisting of 42 age restricted (62+) units; and, Scheme B - consisting of 57 age restricted (62+) units. The Applicant seeks Planning Board approval of one of the proposed schemes which would require a future zone change to a Planned District (PD) Zone.

M. Asciola stated that the application was noticed as a Master Plan review in error. The application before the Board is actually for a pre-application conference. No decision will be rendered this evening and the meeting is only to provide guidance to the applicant. J. Laurito clarified that abutters will be heard this evening.

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David Provonsil, P.E., was duly sworn. D. Provonsil presented the application to the Board. The lot is 26 acres and is abutted by three roadways, Killian Road, Greenville Ave and Interstate 295. There are two encumbrances on the parcel, 7 acres of wetlands and a 200 ft. freeway buffer. Ten years ago a proposal was submitted for 13 single family homes off Killian Road. This project was not approved and a Superior Court decision was rendered allowing the project. Four years ago a proposal was submitted for 50 units of multi-family housing off of Greenville Avenue, requiring a zone change. The proposal was withdrawn and a zone change application was not submitted. Since that time, two changes have occurred. The Zoning Ordinance has been revised to allow multi-family developments with on-site septic systems. There are 29 test holes on the parcel that meet DEM regulations for water tables. The second change is the layout of the proposal.

One scheme is for 42 units incorporated into 14 buildings. Village character. There will be a 100 ft. buffer from Killian Road with no disturbance along that buffer. Public water is available from Greenville Avenue. This proposal avoids major disturbance of wetlands. Insignificant and Formal Alteration permits will be requested from DEM. The roadway will be off of Greenville Avenue instead of Killian Road. This will require reconstruction of an overgrown trail that will require DEM approval. The units will be age restricted to 55+, 1 and 2 bedroom single story units. Roadway may go through the freeway buffer. RIDOT approval for new roadway has already been obtained for the proposal based on the Superior Court decision and will need amendments. The 42 units are under the maximum density allowed based on available acreage.

Scheme B is proposing 57 units, which is still under the max density allowed based on acreage. The additional buildings will be constructed within the freeway buffer, along with the roadway.

The buffer contains 1/3 of the approved water tables. Freeway lanes are an additional 50 ft. away from the boundary lines. The four additional buildings in the freeway buffer allow for two benefits. The buildings will be farther away from the wetlands and it maintains the buffer along Killian Road, which could be increased for those residential properties closest to the project. Because it is age-restricted, there will be no additional children in the school system and will not be a tax burden.

P. Passarelli asked how long the current owners have owned the property. D. Provonsil stated that the owners purchased it after the rendering of the Superior Court decision. She also verified if the applicants were going to apply for Scheme A or B. D. Provonsil stated that the applicant would be applying for Scheme B for 57 units.

J. Lembo asked about DEM and other approvals that would be required. D. Provonsil stated that a Stormwater permit from DEM would be required along with a Septic System Subdivision Suitability Standard permit. The density of the project would be determined by the septic design.

J. Laurito stated that he was concerned about the effect/impact on neighbors in regard to water run-off. D. Provonsil stated that the neighbors should not notice any difference; the run-off may actually decrease.

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P. Passarelli asked who would approve building in the freeway buffer. D. Provonsil stated that the Planning Board can issue a waiver for construction in that area.

A. Cournoyer questioned the area on the site plan with 10 test holes. Is it being left for open space or is that the site for the septic system. D. Provonsil stated that the septic system may be placed there or it will be an additional buffer from neighbors.

M. Sasa verified that the project will require Zoning Board of Review and Town Council approvals. Also inquired if the Zone Change would be to R-7, R-10 or PD. D. Provonsil stated that R-7 allows for either public water or sewer required. PD requires both be public services. M. Asciola stated that the Planning Board has the authority to grant a waiver for the PD designation to have only one public service. M. Sasa does not want a project of this size to have a septic system, only a public sewer. He then inquired as to the size of the units and how many per building. D. Provonsil stated that the buildings will vary between 3, 4, or 5 units each. The units will each be approximately 30 ft. wide. M. Asciola stated that this project may require a Comprehensive Plan Amendment should the applicant seek a zone change to the R-7 Zone. D. Provonsil stated that the applicant does not want to disturb the neighborhood or devalue any properties. In order to minimize noise, visual impact, stormwater run-off, or disturb neighbors, D. Provonsil proposed a maximum of four units per building, each unit no more than 28 ft. wide. M. Sasa stated that no more than 2 units per building would be better. J. Laurito agreed and stated that 2 units per building and re-arrange the layout for a better esthetic. D. Provonsil suggested 2 per building on the Killian Road and easterly edge of property and 3 per building elsewhere. J. Laurito stated that the easterly buffer is too narrow and would like to see at minimum a 100 ft. buffer there.

D. Provonsil stated that the units would be 1,300 – 1,400 sq. ft. each with a garage. The project would have multiple septic systems; one per building. J. Laurito suggested making the common area smaller. D. Provonsil stated that the roadway and size of the common area is to facilitate emergency vehicle access.

M. Sasa verified how long the road would be. D. Provonsil stated that it is about 2000 ft. long. M. Sasa stated that a cul-de-sac cannot be more than 800 ft. long. D. Provonsil stated that it does not apply to this project because it is a private road and will not be turned over to the Town. M. Sasa suggested that the applicant get a legal opinion.

J. Laurito verified that retention ponds would be located on site. D. Provonsil explained where they would be located. M. Sasa questioned the water lines to the site. D. Provonsil explained that they are 8" lines and the pressure tests have not yet been completed. The water would be Providence Water not Johnston Water.

M. Sasa summarized the issues; size of buildings, buffers, septic system, correct zone for zone change, and DEM issues.

Christina DeComes, abutter, was duly sworn. She stated she has been a resident of Killian Road for 27 years. She does not believe this project belongs in this area. She does not want anything

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built in the freeway buffer. Taking down trees would mean additional highway noise and pollution reaching the neighborhood. Quality of life would go down. Verified the age restriction for the project. Notice said the project would be for residents 62+ and earlier tonight it was stated as 55+. D. Provonsil stated that it will be 62+, he misspoke earlier. She expressed concern that the Planning Board will recommend a zone change to Town Council. M. Sasa stated that the applicant would have to bring expert witnesses and much more information. Ms. DiComes stated that the Fire Department may require a second means of ingress/egress and Killian Road is too narrow. This development will have a significant impact on the neighborhood.

John Garraghy, Esq. stated that he represents some of the abutters and the project does not comply with the Comprehensive Community Plan or the Zoning Ordinance. Suggests that the applicant petition for a Zone Change first and then come back to the Planning Board for the project. The decision from the Superior Court has a bearing on what happens with this project. He believes that some incorrect information needs to be corrected before the project goes forward.

Matter closed. No motion required.

B. Johnston LFG Plant - Major Land Development Project PB '15-03

Advisory opinion to Town Council to release the surety bond for the completion of the required landscaping of the site under the application identified as PB '11-15.

J. Laurito presented the request to the Board. No discussion.

A. Cournoyer made the motion for a favorable recommendation to the Town Council to release the surety bond for the Johnston L.F.G. plant based on the Planning Board's positive findings as to the 2 point test forth in Rhode island General Laws 45-24-52 that is one I find that the proposal is consistent with the Comprehensive Plan of the Town including the goals, policy statements, the implementation program, and all other applicable elements of the Comprehensive Plan; and 2, the Board's findings which include the recognition and consideration of each of the applicable purposes of zoning as presented in Rhode Island General Law 45-24-30 and Article 1, Section B of the ordinance. For the above reasons, I find the adoption of this proposed advisory opinion is consistent with good planning and the Town's Comprehensive Plan. I therefore favorably recommend the advisory opinion be adopted by the Town Council. J. Lembo seconded the motion. **A voice vote was taken; all in favor.**

IV. Administrative Report & Special Items

M. Asciola explained the items on the report and asked the Board to contact him if they had any questions or concerns.

V. General Business

None.



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VI. Adjournment

A. Cournoyer made the motion to adjourn and this was seconded by P. Passarelli. Meeting adjourned at 7:23 p.m.

Respectfully Submitted,

Peggy Passarelli, Secretary