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## TOWN OF JOHNSTON PLANNING BOARD

100 Irons Avenue, Johnston, RI 02919  
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MEMBERS  
Joseph Lembo  
Christine M. Cunneen  
Mohamad Y. Sasa  
Sindy Tonole

SOLICITOR  
Joseph R. Ballirano, Esq.

TOWN PLANNER/  
ADMIN. OFFICER  
Michael A. Asciola

# PLANNING BOARD MEETING

**Tuesday, April 7, 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, April 7, 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: Albert Cournoyer, Vice-Chair; Joseph Lembo, Mohamad Sasa; and Christine Cunneen. Absent: John Laurito, Chair; Peggy Passarelli, Secretary; and Sindy Tonole. Also present for the Town were Joseph Ballirano, Esq.; Michael Asciola, Town Planner; and Susan Leonardi, Planning Clerk.

### II. Approval of Minutes

C. Cunneen made the motion to accept the minutes of the March 3, 2015 Planning Board meeting. Motion was seconded by J. Lembo. **A voice vote was taken; all in favor.**

A. Cournoyer stated that Old Business would be heard after the New Business is completed.

### III. New Business

#### A. Major Subdivision Plan Review - Cianci - George Waterman Rd – PB '15-06

Preliminary Plan review of the proposed two (2) lot residential subdivision of substandard lots, as approved by the Zoning Board of Review on February 26, 2015; 483-485 George Waterman Rd.; A.P. 38 / Lot 180; 19,338 ± sq. ft.; Zoned R-15; Owner, Raymond M. Cianci, III.

A. Russo, Esq. presented the application to the Board and gave history of the project. Nicholas Veltri, PLS was sworn. N. Veltri explained the site plan and proposal to the Board. Property has public water and sewer. Single family dwelling will be constructed with access from George Waterman Road. S. Sasa verified frontage on George Waterman Road. Utilities will be brought in from Brayton Avenue. Additional street trees will be



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planted and will be shown on final plan. S. Sasa verified the location of the trees and asked for confirmation that the trees will not impact sight distances. No abutter questions or comments. A. Russo requested that the Final Plan approval be given administratively.

S. Sasa made the motion to allow the final approval to be handled administratively. J. Lembo seconded the motion. A voice vote was taken; all in favor.

S. Sasa made the motion to approve the Preliminary Plan for PB '15-06, and based on plan submitted application testimony presented to the Board, plan and staff report and memorandum from various Town departments, all of the general purpose of Section 1 of the Land Development and Subdivision Review Regulations have been addressed, positive findings were found for all the standards of section 5-2, required findings. It's also apparent that the proposed Preliminary Plan is consistent with the Comprehensive Community Plan. This was seconded by C. Cunneen. **A voice vote was taken; all in favor.**

**B. Major Subdivision Plan Review - Greico Plat – Golden View Dr. – PB '15-05**

Preliminary Plan review of the proposed two (2) lot residential subdivision of substandard lots, as approved by the Zoning Board of Review on April 30, 2009, located at 48 Golden View Drive; A.P. 45 / Lot 218; 40,000 ± sq. ft.; Zoned R-40; Owner, Michael Greico, Sr.

Cheryl Ann Grossi, was sworn. C. Grossi explained the project. A. Cournoyer verified that the in-ground pool has been removed. Property has public water available but no sewer. M. Asciola stated that the applicant has applied to DEM for septic system for new lot, if this project is approved. S. Sasa stated that the Board needs more information. M. Asciola suggested conditional approval subject to septic system approval, building elevations and copy of DEM approval. The Technical Staff Review meeting will review and approve the stormwater plans. M. Asciola stated that the project received Zoning Board approval in June, 2009. Tonight is a combined review for Master and Preliminary. M. Asciola explained the Tolling Law. No abutter comments made at the public plan review hearing.

Discussion about sequence of events and proper sequence of hearings.

C. Cunneen made the motion to approve the Master and Preliminary Plan of the proposed two lot residential subdivision of substandard lots as approved by the Zoning Board of Review on April 30, 2009, located at 48 Golden View Drive, A.P. 45 lot 218. Owner Michael Greico, Sr. Based upon the submitted application testimony presented to the Board, planning staff report and memorandum from various Town departments all of the general purposes of Section 1 of the Land Development and Subdivision Review Regulations have been addressed and positive findings were found for all of the standards of section 5-2, required findings. It is also apparent that the proposed Master and Preliminary Plan is consistent with the Comprehensive Community Plan subject to: No. 1, the final plan be revised to incorporate the requirements outlined in the Administrative Review and the Certificate of Completeness dated March 13, 2015, and Technical Review Committee on March 13th, 2015; No. 2, inspection and approval of all aspects of drainage, installation is required by the Town Engineer to assure that the system can be adequately maintained by the Town's limited resources. This was seconded by S. Sasa. **A voice vote was taken; all in favor.**



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**C. Advisory Opinion to the Town Council - Lease Agreement for Wireless Telecommunications Tower - PB '15-07**

Advisory opinion to the Town Council for the lease of Town owned property located at 1520 Atwood Avenue, AP 53 Lot 178, within the B-2 Zone to Cellco Partnership d/b/a Verizon Wireless. The lease is for the purpose of locating and operating wireless telecommunications equipment on an existing tower.

M. Asciola presented the application. He explained the lease and presented the Planner's Report. S. Sasa verified the location and that the tower is already existing and this lease was for a co-location. J. Lembo verified the rent being charged. C. Cunneen verified that the money would go into the general fund. J. Ballirano stated that the Board cannot deny the co-location, but the Town can negotiate with others to occupy the tower.

J. Lembo made a motion for this favorable recommendation to the Town Council based on the Planning Board's positive findings as to the two-point test set forth in R.I.G.L. 45-24-52. I find that the proposal is consistent with the Comprehensive Community Plan including the goals and policy statements, the implementation program and all other applicable elements of the Comprehensive Community Plan, and the board's findings which include the recognition and consideration of each of the applicable purposes of zoning, as presented in R.I.G.L. 45-24-30. For these above reasons I find the adoption of this proposed lease agreement for wireless telecommunication tower PB '15-07 consistent with good planning and the Town's Comprehensive Community Plan. I therefore favorably recommend that the lease agreement for wireless telecommunication tower PB '15-07 be adopted by the Town Council. S. Sasa seconded the motion. **A voice vote was taken; all in favor.**

**D. Advisory Opinion to the Town Council – Proposed Zoning Ordinance Amendment Related to Pawnbrokers Use Regulations - PB '15-10**

The Town Council seeks an advisory opinion from the Planning Board on proposed Zoning Ordinance amendments regulating pawnbroker business use. The proposed Zoning Ordinance amendments to Chapter 340, would in part, permit the use of pawnbroker business operations exclusively as a special exception use within Industrial Zones.

M. Asciola presented and explained the Ordinance to the Board. This Ordinance will protect the Town from nuisances related to the industry. Pawnbrokers will be allowed by Special Use Permit in Industrial Zones only. S. Sasa asked if any were currently located in Johnston. M. Asciola stated that the town currently does not have any pawnbrokers. J. Lembo stated that this Ordinance is a preventive measure. Site prohibitions were discussed.

C. Colardo sworn. He owns commercial property in Johnston. Similar businesses already exist. The proposal takes options away from property owners. Surrounding communities allow pawnbrokers; some without a special use permit. Restricting these businesses to Industrial Zones may cause other problems.

C. Cunneen asked if higher crime was associated with this type of business. C. Colardo stated it was not. C. Colardo agrees with the Special Use Permit restriction, but not with limiting the business to an Industrial Zone. Allow the Zoning Board to vet the owner and



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put conditions on the permit. C. Cunneen verified that two separate ordinances would be enacted at the same time as business license and an operating license are proposed under another ordinance chapter. J. Ballirano presented the Board with the history of the proposed ordinance and why it was being proposed. S. Sasa is concerned with setting a precedent for other businesses.

S. Sasa made the motion to continue the Advisory Opinion to the Town Council proposing ordinance amended related to the pawnbrokers use regulation PB '15-10, recommend a workshop be done with the Town Council if they would wish to appear at that meeting to discuss this further. C. Cunneen seconded the motion. **A voice vote was taken; all in favor.**

#### IV. Old Business

##### A. Johnston Comprehensive Plan Update - PB '13-10

Workshop to discuss the Comprehensive Plan Update.

M. Asciola stated that he will be sending a letter to the Town Council requesting funding to hire a consultant to write the new Comprehensive Plan. New plan is due to the State in June 2016.

J. Lembo made the motion for Mr. Asciola to make a letter and proposal for state funding. C. Cunneen seconded the motion. **A voice vote was taken; all in favor.**

#### V. Administrative Report & Special Items

M. Asciola stated that two major projects were recorded; Rockcrest subdivision and the Peck Hill Solar Farm. The Town is also working on securing two easements for sewer pump relocation for the CDBG-DR River Drive project.

#### VI. General Business

None.

#### VII. Adjournment

S. Sasa made the motion to adjourn and this was seconded by J. Lembo. Meeting adjourned at 7:05 p.m.

Respectfully Submitted,

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Peggy Passarelli, Secretary