

Kenneth J. Hopkins
Mayor

Jason M. Pezzullo, AICP
Committee Chairman
Director of Planning



Jim Woyciechowski
Fire Department

David Rodio
Building Official

Nick Capezza
Engineering Division

Stephen Mulcahy
Traffic Safety Division

DEVELOPMENT PLAN REVIEW COMMITTEE

Cranston City Hall
869 Park Avenue, Cranston, Rhode Island 02910

MINUTES 9:00 AM, WEDNESDAY, July 6, 2022 CRANSTON CITY HALL – 3RD FLOOR COUNCIL CHAMBER

1. Call to Order

Chairman Jason Pezzullo called the Development Plan Review Committee meeting to order at 9:05 a.m. in the City Council chamber.

The following members were in attendance for the meeting: Nick Capezza, Franklin Paulino, Stan Pikul, Carl Santucci, and Jim Woyciechowski.

The following Planning Department members were in attendance: Doug McLean, Principal Planner; Joshua Berry, Senior Planner; and Alex Berardo, Planning Technician.

2. Approval of Minutes

- 6/15/22 Meeting (vote taken)

Upon motion made by Mr. Pikul and seconded by Mr. Capezza, the Development Plan Review Committee unanimously voted to approve the minutes of the 6/15/22 meeting.

3. "Nico Bella Restaurant"

Preliminary Plan (vote taken)

Location: 1350 Park Avenue, AP 11, Lot 1768

Zoning District: M-1 (General Industry)

Owner: Park Avenue Realty, Inc.

Applicant: Nico Bella Cranston, LLC

Proposal: The applicant is proposing to locate a restaurant in an M-1 zone. The project includes interior renovations. Minor site modifications for parking, traffic flow and landscaping are proposed. The project will require a special use permit.

Atty. Steve Izzi introduced the proposal on behalf of the applicant. He said the project would reuse a former bakery as a restaurant space for Nico Bella's, a Providence-based restaurant looking to expand into Cranston. The building would house a 40-seat restaurant, while the site would have 14 parking spaces (two for employees, two reserved for handicapped patrons), a dumpster enclosure, trees, and perennials planted at the corner of Budlong Rd and Park Ave. Atty. Izzi noted the plan for this site is essentially the same as was presented three years ago for Macera's Restaurant, with entrances and exits in the same locations as previously shown.

Mr. Berry noted that the applicants needed to seek a Special Use Permit and then reviewed the conditions from the previous decision with the Committee and recommended dropping Conditions 1, 2, 3, 6, 7, 8, 12, and 13, primarily due either to the conditions expressing expectations that are implicitly understood anyway or because the conditions have been satisfied in the time since they were written. The Committee decided to

accept Mr. Berry's recommendations except for Conditions 3 and 12, which were retained alongside Conditions 4, 5, 9, 10, 11, and 14.

After opening the matter to public comment and seeing that no members of the public wished to speak on the matter, Chairman Pezzullo opened the discussion to the Committee members.

Mr. Pikul asked whether there would be outdoor seating, and if so, whether the parking plan the applicants were presenting factored the outdoor patrons into their parking space calculations. Atty. Izzi said the number of spaces currently shown on the plan is correlated to the indoor seating count and that perhaps only two outdoor patrons could be accommodated without adding spaces. Mr. Paulino noted the Executive Order allowing for extra outdoor seating was extended to April 2023, and Chairman Pezzullo and Mr. Pikul both added that they have seen many examples of restaurants adding outdoor seating during the pandemic only for it to become permanent, so the Committee should approach the question with caution. Mr. Pikul also asked if the food truck would remain on-site, to which Atty. Izzi said no.

Regarding the landscaping plan, Mr. Santucci said he would ideally prefer to see wooden guard rails instead of metal against the road, but the rest of the Committee said that since the idea hadn't been vetted, would represent an additional cost, and would not be the only aesthetic improvement along the road, it was best not to pursue it. Neither Mr. Pikul nor Mr. Capezza had any concerns with the plan; Mr. Paulino voiced his support.

Upon motion made by Mr. Pikul and seconded by Mr. Capezza, the Development Plan Review Committee unanimously voted to approve the Preliminary Plan, subject to Conditions 3, 4, 5, 9, 10, 11, 12, and 14 as contained in the DPR Preliminary Plan Decision Letter for Macera's Restaurant dated November 1, 2018.

4. "Trolley Barn Plaza" *

Preliminary Plan (vote taken)

Location: 777 Cranston Street, AP 7, Lot 1

Zoning District: C-5 (Heavy business, industry)

Owner/Applicant: Brewery Parkade, Inc., and Charles Montague Realty, LLC and Charlotte Montague Realty, LLC, as Tenants-in-Common

Proposal: The applicant is proposing a multi-use commercial project including a carwash, gas station/mini-mart, fast food restaurant and a 35,000 ft² AutoZone with both retail and warehousing/distribution components. The carwash, mini-mart and restaurant all have drive-thru features.

Atty. Nicholas Goodier, joined by Dana Nisbet of DiPrete Engineering and Herman Peralta of Beta Group, briefly summarized the second round of comments to the landscaping plan submitted by peer reviewer Sarah Bradford of Bradford & Associates (who was also present for the meeting) by noting that they primarily concerned plant selection. He felt confident the applicant team could turn her few proposed design modifications in time for next week's City Plan Commission meeting.

Ms. Bradford then expanded on the results of her peer review. She said the tree buffer along Cranston St seemed good but felt there was space for additional tree plantings between the Building 4 parking lot and the street. She was less supportive of the buffer of arbor vitae trees along the western edge of the property, next to the old railroad right-of-way. She said that area would present relatively tough growing conditions and felt there should be greater compatibility with the existing, natural/native vegetation on that side. She recommended varying that buffer with blueberry, winterberry, upright flowering trees, and other non-evergreen plantings. She pointed to the infiltration basin as another area for opportunity and recommended "planting islands" of trees be added within the basin. Ms. Bradford also recommended a panel-style dumpster enclosure instead of the proposed chain-link style, as it would give better screening.

Finally, Ms. Bradford shared a few other small comments. She said the irrigation and maintenance plan for the plantings needed to be made known. She observed that a shrub layer is missing throughout site and felt adding more shrubs would make the site more attractive. She recommended connecting the sidewalk that

leads from Building 4 to Building 1 with the rest of the sidewalk network (it currently ends at the Building 1 parking lot) and suggested adding landscaping islands at regular intervals to break up the longest continuous rows of parking spaces.

Mr. Berry and Ms. Bradford agreed that no waivers needed to be conditioned, but they did feel it was appropriate to add a condition that approval of the project be tied to the Plan Commission's approval of the landscape plan. Ms. Bradford did wonder if a condition might be added to set a timeframe within which dead plants had to be replaced. Mr. Pikul wondered if a condition requiring tenants to provide and maintain trash receptacles ought to be included too.

Atty. Goodier reiterated that he agreed with the recommendations and thought they could be implemented before next week's meeting. He then invited Steve van Wormer of CMG Environmental, who worked on the site remediation concerns, to speak to the environmental situation. Mr. van Wormer reviewed the prior uses hosted on the site and said the contaminants that were found were typical of those uses. He said an Environmental Land Use Restriction was placed on the site to forbid residential uses once the site is developed and to require an annual review of conditions on the site. He said maintaining good air quality through dust control (through frequent spraying of water during construction) is the main focus. Mr. van Wormer added that the goal is to keep all soil on-site, which should be feasible given the low topography and even distribution of contaminants. He said that any soil that had to be taken out would be properly disposed of but reiterated that a 1-foot clean soil cap would be added to the site under landscaped areas, and a 4- to 6-inch cap under paved areas. Mr. Pikul asked for a copy of the Remedial Action Plan letter.

Atty. Goodier then invited Paul Bannon of Beta Group to speak to the traffic situation and summarize the letter from Fuss & O'Neill, who conducted the traffic study peer review. Mr. Capezza asked for confirmation that the right-turn in and out access point would not present traffic issues, which Mr. Bannon confirmed. Mr. Bannon said he considered that intersection a sort of pressure reliever for the other, signaled intersection with Cranston Street, but he offered to review it again and see if its design could be made more restrictive.

Mr. Berry said Steve Mulcahy, who was not present for the meeting, told him the revisions made to the site plan satisfied his traffic concerns. He also noted Ed Tally in the City's Department of Public Works said he was willing to provide conditional approval for sewers. The Committee members recommended a few small changes to the plan, such as 1) closing the existing curb cut in the southeast corner of the property, 2) adding bike racks, and 3) adding a crosswalk in front of Building 4's patio running across the drive-thru lane. They disagreed with Fuss & O'Neill's suggestion to connect the sidewalk along Building 2 (the car wash) because pedestrians without cars would have no need to walk to a car wash. They also felt that Points 3, 4, and 5 in Fuss & O'Neill's letter concerning their peer review recommendations were not applicable.

Chairman Pezzullo opened the matter to public comment. Seeing no members of the public interested in speaking, he opened the matter to Committee members for discussion.

Mr. Woyciechowski asked if the bike path had been integrated, but Atty. Goodier said it only shows up in the site plan. Mr. Woyciechowski asked about the possibility of driving fire trucks down it to be able to reach the far, rear corner of the lot in case of a bus fire. Atty. Goodier suggested instead that a Fire Department connection could be added to the rear side of Building 1, which would enable firefighters with a hose to reach the rear corner without having to drive on the bike path.

Upon motion made by Mr. Pikul and seconded by Mr. Capezza, the Development Plan Review Committee unanimously voted to approve the Preliminary Plan, subject to the condition that the City Plan Commission adopts the landscape plan.

5. "RIPTA Broad City Line Stop Electric Bus-In Line Charging Station"

Preliminary Plan (vote taken)

Location: Broad Street and Montgomery Avenue – AP 2, Lots 1581, 3373 & 4020

Zoning District: C-3 General Business

Owner/applicant: RI Public Transit Authority (RIPTA)

Proposal: RIPTA is seeking to redevelop three separate areas: (i) an asphalt paved area for RIPTA's use of turn-around and electric charging for new transit vehicles, (ii) an asphalt paved parking lot to be utilized by the adjacent God's Family Church, and (iii) a gravel surfaced parking lot on the western extent of the project.

Bob Johnson, project manager, along with Brett Neilan of GMZ and Maribeth Pacillo of RIPTA, reviewed the site plan with the Committee and noted that plans hadn't really changed since the application went before the DPRC in March. Mr. Johnson said the applicant team had coordinated with Mr. Tally on sewer and stormwater matters and have a Remedial Action Plan letter. Mr. Johnson noted some soil would likely be excavated for utility excavation, probably to be sent to the Rhode Island Resource Recovery facility.

Mr. Berry reported the comments sent to him by Mr. Mulcahy and Mr. Tally, neither of whom was present. Mr. Mulcahy said the ADA-accessible space doesn't meet the dimensional standards (not large enough to accommodate a van) and noted that no concrete sidewalks were being provided on Montgomery Avenue. Mr. Tally said he was fine to provide conditional approval. Mr. Neilan said he would confirm the ADA space would be designed to be van accessible.

Mr. Capezza asked whether the gravel overflow parking area was truly necessary for the church's use, both by standard parking calculations and by the actual size of the church's congregation. Mr. Neilan said the lot will be raised and partially serves as a cap for contaminated soils. Chairman Pezzullo asked about the site's prior use; Mr. Neilan and Mr. Johnson said satellite photographs show it has been a parking area since the 1940s or 50s.

Mr. Pikul noted the curb cut is too wide for Commercial and Industrial uses, but Director Pezzullo said the proposed use is more like a utility and felt Institutional was the closest fit for a category of uses. Mr. Pikul said he felt the question of interpretation could be handled internally and then asked for the percentage of landscaped area on the site, which was 23%, not including the gravel parking area.

Mr. Pikul asked for a summary of the structures to be located on the site. Mr. Neilan said there would be a restroom and maintenance facility for RIPTA employees' access only. Mr. Woyciechowski asked what kind of maintenance would be done in the building; the applicant team said it would house servers, electrical equipment, security systems, a generator, a boiler for the heating system and snowmelt system. Mr. Neilan said there would also be charging units and a transformer outside, but not a dumpster, as the site is only for charging – not cleaning – of electric buses. As for screening, RIPTA wanted to provide a 7-foot fence around the site perimeter, as there are existing trees that would complicate adding more screening. Mr. Johnson asked if the fence along Montgomery would require a variance, but Mr. Pikul said it would be a building permit. Chairman Pezzullo said he didn't think the site needed to be screened from the historic cemetery to the south.

Seeing that no members of the public wished to comment, Chairman Pezzullo asked for a summary of conditions, which included:

- Receiving City Council approval for disturbances within 25 feet of the cemetery
- Adding a concrete sidewalk on Montgomery Avenue
- Seeking landscaping waivers as needed

Upon motion made by Mr. Capezza and seconded by Mr. Pikul, the Development Plan Review Committee unanimously voted to approve the Preliminary Plan, subject to the conditions denoted above.

6. "Comstock Crossings" *

Pre-Application (no vote taken)

Location: 0 Comstock Parkway, AP 36, Lots 51, 52 and 53

Zoning District: M-2 (General Industrial)

Owner: Julian J. DeMarco Jr., and his successors as Trustee of the Julian J. DeMarco Jr., 1998 Declaration of Trust, and Dennis Demarco (lot 51)

Julian J. DeMarco Jr., and Regina DeMarco, as joint tenants in common with Dennis DeMarco and Roberta DeMarco and joint tenants (Lot 52)
Julian J. DeMarco Jr., and his successors as Trustee of the Julian J. DeMarco Jr., 1998 Declaration of Trust, as tenants in common with Dennis Demarco and Roberta DeMarco and joint tenants (Lot 53)

Applicant: Elizabeth Paul, 21 Stephanie Drive, Foster, RI 02825

Proposal: The applicant is proposing to construct three (3) new buildings on the currently vacant site. The buildings will be host to the following uses: a restaurant with drive thru, retail, and self-storage. The site will also be improved with associated parking and landscaping amenities.

Attys. Brian LaPlante and Justin Bonnick presented the proposal on behalf of the applicant. They said the subject site, located at AP 36, Lots 51-53, would host three buildings. Two of the buildings would be commercial in use and located on the Comstock Parkway side of the site, with a drive-thru running alongside the rear to serve the applicants' business, Latte Love (currently located across the street), which would relocate to the northernmost of the two commercial buildings. The other building would house various commercial tenants. A second building, to be located at the rear of the property, would be used for warehousing/storage. They added that Pare Engineering conducted a traffic review and found the proposal would not generate significant traffic impacts, even taking into consideration the future traffic on Comstock, including the large industrial site being developed a little further south down Comstock Parkway.

Chairman Pezzullo said the lots that comprise the subject parcel, as well as a few others on the corner of Comstock Parkway and Plainfield Pike, are currently zoned M-2. He added that the project requires a Comp Plan amendment and a zone change to be redesignated as C-5. Mr. Mclean said he had worked with Mr. Mulcahy to review the traffic study and they agreed it was well-vetted and the proposal will work.

The Committee felt it was too early to comment much on the proposal at this stage. Mr. McLean asked Mr. Pikul if he felt the shared roofline between the two commercial buildings made them one building, because the interpretation would potentially impact the drive-thru arrangement. (A drive-thru can only be attached to a single building.) Mr. Pikul did not think that dimensional relief would be required in this instance and suggested the Committee look at the location and number of dumpsters on-site at the next stage of review.

Upon motion made by Mr. Capezza and seconded by Mr. Pikul, the Development Plan Review Committee unanimously voted to adjourn the meeting at 11:37 a.m.