

## **MINUTES**

**October 6, 2020**

Chairman Smith called the City Plan Commission Meeting to order at 6:35 p.m. via Zoom.

The following Commission members were in attendance: Chairman Smith, Ken Mason, Ann Marie Maccarone, Kathleen Lanphear, Frederick Vincent, Joseph Morales and Robert Coupe.

The following Planning Department members were in attendance: Jason M. Pezzullo, Planning Director, Douglas McLean, Principal Planner, Joshua Berry, Senior Planner, Joanne Resnick, Clerk.

Also attending: Steve Marsella, Assistant City Solicitor.

### **APPROVAL OF MINUTES**

Upon motion made by Mr. Vincent and seconded by Mr. Mason, the Commission unanimously voted (7/0) to approve the minutes of the September 1, 2020, meeting with the modifications as proposed.

### **ORDINANCE RECOMMENDATION**

**Ordinance 7-20-04** Ordinance in amendment of Ch.17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – New London Ave.). Petition filed by Coastal Partners LLC, Mulligan's Island LLC, and State of Rhode Island.

Mr. Pezzullo stated that the applicant has requested a continuance on this matter to the December 1, 2020, Plan Commission Meeting and mentioned the need for a possible second meeting the following week (Dec. 8, 2020) in order to process this application. Mr. Vincent then suggested the second meeting on this matter be held at the regular January meeting due to the holiday season. Attorney Marsella stated that the Commission should be voting on the requested continuance to December 1, 2020, only.

Upon motion made by Mr. Coupe and seconded by Mr. Mason, the Commission voted (5-2 – Ms. Lanphear and Ms. Maccarone voted nay) to continue this matter to the December 1, 2020, Regular Plan Commission Meeting.

### **SUBDIVISION AND LAND DEVELOPMENT REGULATIONS**

#### **Replat of Oaklawn Plat Lots 86, 87, 88 & 89 - FINAL**

Approval of phasing plan  
Minor Subdivision without street extension  
Two (2) additional house lots  
21 Turner Avenue  
AP 18-4, Lots 485, 486, 489, and 490

Mr. Berry presented his staff memorandum to the Commission and stated that the applicant seeks approval to phase the subdivision into two phases and build the first home on Parcel C (Phase 1) before demolition of the home on Parcel A (Phase 2). Mr. Smith asked the age of the home on Parcel A. Mr. Berry stated that the home is close to 100 years old

but is not in the Oaklawn Historic District or the National Register of Historic Places. Mr. Marsella stated that the initial condition of approval required the house had to be removed. He advised that the original language be used in the conditions of approval.

No public comment was offered on this matter.

Upon motion made by Mr. Vincent and seconded by Mr. Coupe, the Commission unanimously voted (7/0) to approve the Final Phasing Plan, subject to the following conditions.

1. The existing residence on Parcel A must be demolished or relocated as to eliminate the encroachment into the side yard setback before the submittal of the Final Plan for Phase 2; and
2. The applicant shall pay the Eastern Cranston Capital Facilities Impact Fee in the amount of \$1,186.92 (\$593.46 per new buildable lot). The applicant shall pay \$593.46 at the time of Final Plan recording of Phase 1 and another \$593.46 at the time of Final Plan recording of Phase 2.

**ZONING BOARD OF REVIEW RECOMMENDATIONS** (Full analysis is found each associated staff report)

**OLD BUSINESS**

**ALBERT BACCARI and VIRGINIA A. BACCARI (OWN/APP)** have filed an application to construct an addition to an existing legal non-conforming auto repair shop with restricted rear yard setbacks at **880 Park Avenue** A.P. 9 lot 169; area 21,014 s.f.; zoned C3. Applicant seeks relief per 17.92.010; Sections 17.92.020- Special Use Permit; 17.88.030 (A) - Extension; 17.20.120 – Schedule of Intensity Regulations. (Request to **CONTINUE** by the applicant)

Upon motion made by Mr. Vincent and seconded by Mr. Mason, the Plan Commission unanimously voted (7/0) to continue this matter to the November 4, 2020, Plan Commission Meeting.

**LOMBARDI FAMILY, LLC(OWN/APP)** Has filed an application to install a Minor Accessory Solar Energy System at **45 Burlingame Road**, A.P. 24, Lot 1; area 177.50 ac; zoned A80. Applicant seeks relief per 17.92.020 Special Use Permit; 17.92.010 Variance; Sections 17.20.030 Schedule of Uses, 17.20.090 (L), Specific Requirements, 17.24.020 Solar Energy Systems. (Request to **CONTINUE** by the applicant)

Upon motion made by Mr. Coupe and seconded by Mr. Mason, the Plan Commission unanimously voted (7/0) to continue this matter to the November 4, 2020, Plan Commission Meeting.

**NEW BUSINESS**

**GORDON A. & DEBORAH A. RILEY (OWN) and DANTE CALISE (APP)** have filed an application to construct a new single family dwelling with restricted frontage and reduced lot size at **0 Appleton Street**, A.P. 7, lot 1943, area 5,000 s.f. zoned A6. Applicant seeks relief per 17.92.010 Variance, Sections 17.20.120 Schedule of Intensity Regulations, 17.88.010 Substandard Lots of Record.

Due to the fact that the application is consistent with the Cranston Comprehensive Plan, and due to the fact that the proposed lot size is consistent with the character of the surrounding neighborhood, upon motion made by Mr. Coupe and seconded by Mr. Mason, the Plan Commission unanimously voted (7/0) to forward a **positive recommendation** to the Zoning Board of Review.

---

**KIMBERLY A. CAPIRCHIO (OWN/APP)** has filed an application to install a 16'x26' in-ground pool in front side yard location on a corner lot at **361 Magnolia Street** A.P. 5, lot 2599, area 6435, zoned A6. Applicant seeks relief per 17.92.010 Variance, Sections 17.20.110 (B), (D) Residential yard exceptions; Sections 17.20.120 Schedule of Intensity Regulations; 17.60.010 Accessory Uses.

Due to the fact that the application is consistent with the Cranston Comprehensive Plan, and due to the fact that the applicant has provided a mitigation element (fence) to reduce visual impacts and maintain the aesthetic character of the neighborhood, upon motion made by Ms. Lanphear and seconded by Mr. Vincent, the Plan Commission unanimously voted (7/0) forward a **positive recommendation** to the Zoning Board of Review. The Plan Commission further recommends that the Zoning Board of Review consider including a

condition as part of its decision that that the existing fence (or equivalent replacement fence of similar height and opacity) be maintained for the life of the swimming pool.

**DEBORAH & JEFFEREY ANDRADE (OWN/APP)** have filed an application to construct an addition to a single family dwelling to be used as an accessory family apartment with restricted rear yard setbacks; exceeding lot coverage at **156 Pippin Orchard Road**, A.P. 33, lot 51, area 21,352 sf., zoned A80. Applicant seeks relief per 17.92.010 Variance, Sections 17.20.120 Schedule of Intensity Regulations.

Considering that the Comprehensive Plan supports housing options for the elderly and supports the interpretation that the zoning should match the dimensions of the existing conditions of the lot, and considering the letters of support from three of the neighbors, upon motion made by Mr. Vincent and seconded by Ms. Maccarone, the City Plan Commission unanimously voted (7/0) to forward a **positive recommendation** on this application to the Zoning Board of Review.

### **PLANNING DIRECTOR'S REPORT**

Natick Avenue Solar - Advisory Committee Meeting #2 – Update - Mr. Pezzullo stated that a second meeting of this committee was held and was very productive.

City Plan Commission Policy Guide – 1<sup>st</sup> draft for November - Mr. Pezzullo stated that this is being worked on internally. The original rough draft has been sent to Chairman Smith. He stated that this will be heard at the November meeting.

Citizens Guide to Development – Status – Mr. Pezzullo stated that the first draft is complete. The City Council recently passed the ordinance to create this document. He stated that this may be ready for the November meeting also, however, several other City departments have to sign off on this as well.

Comprehensive Plan – Special meetings discussion – Mr. Pezzullo stated that public meetings may start up in January once the new City Council is in place. He stated that the new Comprehensive Plan will be a re-write vs. an update. He stated that the last Comprehensive Plan major update/rewrite began in 2004 and was finalized in 2012.

Subdivision Regulation Amendments – Joint City Council / City Plan Commission Site Visits – Mr. Pezzullo stated that Councilman Donegan expressed concern with the lack of regulation regarding Pre-application meetings and joint City Council/Plan Commission meetings. Therefore, the Subdivision and Land Development Regulations may be amended to provide guidance on requirements for such special meetings on projects of scale only.

Zoning Code Amendments – Mr. Pezzullo stated that we will not be putting forward any zoning amendments prior to the end of the year, however, several matters have been “flagged” for further discussion.

Unified Development – Discussion – This has been mentioned before. Mr. Pezzullo reiterated that Unified Development would enable the Plan Commission to grant variances on matters linked to subdivisions (mostly in-fill lots).

Transition Report – Discussion – Mr. Pezzullo stated that most of the above matters will be included in the Transition Report, reiterating the need for additional planning staff for the Department.

Ms. Lanphear asked that her previous request regarding time limits for public comment and how late in the evening a vote would be taken be placed on the agenda in November in order to possibly establish a policy prior to the ordinance regarding the Costco matter being heard. She also stated that she would like information, prior to next months' meeting, regarding what other cities and towns are doing in this regard. Mr. Pezzullo noted that the Plan Commission has time limits to make various recommendations to other boards. As these boards depend on these recommendations, they cannot move forward until planning acts. He further noted that many communities have multiple meetings per month which helps alleviate this issue.

### **ADJOURNMENT**

Upon motion made by Mr. Vincent and seconded by Ms. Lanphear, the Commission unanimously voted to adjourn at 8:25 p.m.

**NEXT REGULAR MEETING** – WEDNESDAY, November 4<sup>th</sup> - 6:30PM Teleconference