

Kenneth J. Hopkins
Mayor

Michael E. Smith
President

Jason M. Pezzullo, AICP
Planning Director



Ken Mason, P.E.
Robert Strom
Kathleen Lanphear
Frank Ritz
Ann Marie Maccarone
James Donahue
Robert Coupe
Steven Frias

CITY PLAN COMMISSION
Cranston City Hall
869 Park Avenue, Cranston, RI 02910

MINUTES

Tuesday, March 1st, 2022 – 6:00PM

William Hall Library – Auditorium
1825 Broad Street

CALL TO ORDER

Chairman Michael Smith called the City Plan Commission Meeting to order at 6:02 p.m. in the Hall Library Auditorium, 1825 Broad Street.

Chairman Smith reminded the Commission that the Hall Library closes at 8:00pm sharp, so any items on the agenda that cannot be heard before 8:00pm will have to be taken up during another meeting next Tuesday on Zoom.

The following Commissioners were in attendance for the meeting: Chairman Michael Smith, Ken Mason, Robert Strom, Robert Coupe, Kathleen Lanphear, Steven Frias, and Frank Ritz. James Donahue and Ann Marie Maccarone were absent.

The following Planning Department members were in attendance: Jason M. Pezzullo, Planning Director; Doug McLean, Principal Planner; Joshua Berry, Senior Planner; and Alexander Berardo, Planning Technician.

Also attending: Steve Marsella, Esq., Assistant City Solicitor.

APPROVAL OF MINUTES

- 2/1/22 Regular Meeting (vote taken)
- 2/19/22 Special Joint Site Walk (Legion Bowl) (vote taken)

Comm. Frias said he had emailed an edit to the Zoning Board of Review section of the February meeting minutes to Planning Director Jason Pezzullo prior to the meeting to replace the following language (included with strikethrough):

~~Comm. Frias said he was not inclined to vote according to the staff recommendation primarily because of its inconsistency with the FLUM, but also because it was proposed in a developed neighborhood and because the public had not commented on it. He said he would have felt more comfortable considering a positive recommendation if abutters affirmed their support for the project and thought they might do so at the Zoning Board meeting.~~

Comm. Frias then read his modification aloud, which is as follows:

“Comm. Frias said he would not vote in favor of the staff recommendation because it was not only inconsistent with the current zoning of the neighborhood but also with the FLUM. He also noted that the public had not commented on it. He said if the abutters appeared at the Zoning Board meeting in support of the variance then the Zoning Board could vote in favor of the variance.”

Upon motion by Comm. Frias, and seconded by Comm. Strom, the City Plan Commission voted unanimously (7-0) to **approve** the regular City Plan Commission meeting minutes of 2/1/22 as amended by Comm. Frias.

Subsequently, upon motion by Comm. Lanphear, and seconded by Comm. Ritz, the City Plan Commission voted unanimously (7-0) to **approve** the meeting minutes for the Special Joint Site Walk (Legion Bowl) of 2/19/22.

CAPITAL BUDGET AND IMPROVEMENT PROGRAM

- Final Draft Presentation (vote taken)
- *(Approved as amended – budget attached to minutes at the end of document)*

Chairman Smith invited Director Pezzullo and Comm. Strom, in his capacity as Finance Director for the City, to introduce the item. Director Pezzullo said a few tweaks were made to line items in the Recreation and Library departments, and these edits are shown in an updated document sent to all department heads today. Comm. Strom reminded the other commissioners that after the Commission votes on the budget, it goes before Finance, then the Administration, and finally to the City Council for a vote.

Comm. Frias expressed his concern that voting on this matter tonight could bring Open Meetings Act-related issues because the agenda didn't indicate which projects were being discussed and there was no link to the proposed budget posted to the City's website by the previous Friday. Director Pezzullo said the individual departments' budget requests have been posted to the City's Planning webpage for several weeks and that the budget before the Commission tonight is just a composite of all the individual requests.

Chairman Smith then invited each of the heads of the City departments to come to the podium and respond to any questions the commissioners might have as they reviewed their budget requests.

Mr. Ed Collins, Facilities Director for Cranston Public Schools, spoke first. He said that Eden Park Elementary School is remodeling its cafeteria, gymnasium, and lower wing. A construction manager has been hired but construction work has not begun. Gladstone School will be knocked down because the building is outdated. Mr. Collins said that the project was subject to a master plan evaluation, which was subsequently submitted to RIDE for reimbursement of somewhere between 50-75% of the project cost. He noted that each of Cranston's 26 buildings was subject to that review.

Continuing his remarks, Mr. Collins said Cranston West needs sprinkler upgrades, a new secure entrance, replacement of a heating system, and some other minor work. Park View Middle School needs sprinklers, ADA compliance work, and other work. Finally, he said that Fast-Track is a \$14 million safety net used to cover emergency projects.

Comm. Frias asked Mr. Collins to speak to the necessity of undertaking the projects this year. Mr. Collins said the City has five years to complete its projects once it signs its funding agreements with RIDE. He said the City will aim for the maximum 74% reimbursement from RIDE. It will receive a baseline reimbursement of 54% but is eligible for additional increments of reimbursement if it meets certain standards. Mr. Collins says he knows the City will meet three bonus standards and will attempt to meet the others as well.

Chairman Smith asked whether the state's reimbursement for School Department expenditures would pass through the City and when they would be disbursed. Mr. Collins said the funding does go to the city and it is disbursed at the conclusion of the project. Comm. Strom said that disbursements are usually made in June for the following year and added that School Housing Aid is a revenue source for the City that offsets a lot of interest on bonds for the City's school projects.

Comm. Strom then asked whether the School Department's budget for the projects had been impacted by supply chain issues. Mr. Collins said the department will be able to handle its five major projects without issue, but he noted the cost increases for building materials has made completing the projects more difficult than it should be.

Comm. Ken Mason, as Director of Public Works, then spoke to his department's budget. He said the Highway Maintenance division has a long-term replacement program that replaces trucks and work vehicles on an ongoing basis, and that the vehicles up for replacement date to 2002 and 2006. Comm. Mason added that he and Comm. Strom agreed to defer the \$270,000 purchase of a 10-wheel dump truck to the 2023-24 fiscal year since it wouldn't be acquired until next year anyway. The Engineering division sought funding for routine sidewalk, paving, and curbing work as well as the replacement of deteriorating drainage infrastructure. Traffic calming projects include the installation of pedestrian signaling, speed bumps, and other signage. For the Public Buildings division, Comm. Mason said outdoor shooting range has become antiquated and noisy, so the Police Department wants to demolish the existing building and replace it with a state-of-the-art indoor shooting range, a project which could ultimately cost \$3-4 million.

Lastly, Comm. Mason said the Sanitary Sewers division is not funded through municipal bonds like the other divisions are. He said the City has to file an annual report with the EPA that denotes which areas of the City's collection system need maintenance or replacement. He added that most of these projects involve the slip-lining of deteriorating concrete pipes, which greatly extends their useful lives.

Comm. Frias asked what the useful life of the vehicles is and whether the bonding that the City requests for vehicle replacement is matched to the estimated useful life span. Comm. Mason says the City tends to replace vehicles every 15 years and that replacement is not always necessitated by age; for example, plow trucks sometimes deteriorate sooner because of damage from sand or salt. Comm. Strom added that these requests are incorporated into a 20- or 25-year bond. Comm. Frias also asked for the average useful life of roadways; Comm. Mason said typically it would be 30-35 years. Comm. Frias felt the life of the bond should be matched to that of the vehicles; Comm. Strom said it has worked out that way in some cases naturally.

Comm. Smith asked if a market existed for used City maintenance equipment taken offline; Comm. Mason said the City has successfully traded in old equipment a few times, usually for about \$10,000 per vehicle. Comm. Smith also asked why the department only asked for \$4 million for paving and why \$500,000 for sidewalks this year but nothing budgeted for next year. Comm. Mason said both are related to the Knightsville revitalization project; \$1.5 million is already dedicated for Knightsville paving, and the matter of whether the city or property owners are responsible for sidewalk maintenance has not yet been settled.

Comm. Coupe asked where the City would draw the \$3-4 million in funding if it decided to build the new shooting range and expressed concern about spending \$250,000 on a feasibility study if the City isn't reasonably sure it will have the funds – or even the intention – of proceeding to construction. Comm. Mason said ARPA funds and sewer funds could potentially serve as sources of revenue, but this project

would be one of many that the Administration and City Council would consider for ARPA funds. He also predicted if funding didn't get approved for the construction during this budget year, the City probably wouldn't bother undertaking the study.

Mr. James Warren, Chief of the Fire Department, said his department's major requests consisted of technology updates, the purchase of a bucket truck, and the construction of a building in which to store the new bucket truck (probably to be located either near the shooting range or the ice rink). He noted that he and Comm. Strom agreed to defer the replacement of a fire engine to the following fiscal year's budget request.

Comm. Frias asked for Mr. Warren's assessment of the necessity of the budget items. Mr. Warren said that the bucket truck and the new fire engine are both about 20 years old, which is approaching the end of their useful lives, and the department doesn't have sufficient storage space as it is. The headquarters replacement would move the department out of a century-old building with no elevators and only one women's restroom. As for the Western Cranston fire station, Mr. Warren said it was added to the budget at a time when people assumed the rate of development in that part of the City would soon merit the station, but so far it has not reached that point.

Comm. Frias said he didn't believe the Western Cranston fire station and the headquarters replacement were necessary based on what he heard and based on the fact that he'd seen those items listed on the City's capital budget every year for about a decade. Comm. Mason vouched for the headquarters project, saying that his DPW staff helped maintain the building and had seen the facility firsthand.

Comm. Strom said the IT Department had no capital budget requests and that most of their improvements are funded through their operating budget.

Mr. Ray Tessaglia, Director of Parks and Recreation, reviewed his department's requests. He said the tennis courts at Park View and Cranston West schools need resurfacing work and that the track at Cranston West needs substantial work in order to remain within regulations and to host competitions. The department wants to install lighting and turf at the Fay baseball field to extend the field's useable hours later into the evening and to reduce maintenance costs over the long term. Cranston Stadium similarly needs turf installation because dirt from the infield is regularly washed away during storms and puddles are left behind. An ADA-accessible ramp is needed at Cranston West because there are currently no means for handicapped individuals to access the tennis court and baseball field. Mr. Tessaglia said that Councilwoman Germain asked if the basketball court on Doric Street could be renovated since it has a large crack in it, which sealing did not fix. Parks & Rec also would like to install turf infields at all three fields at Cranston West and expand to the outfield at a later date. Finally, Mr. Tessaglia said the City would like a stockpile of woodchips and mulch to use as needed on playgrounds.

Comm. Frias asked whether the department's proposals were received by January 15th; Director Pezzullo said they were not. Comm. Frias then expressed his discomfort with the situation because the City charter had a clear submission deadline, and he prefers not to stray from the charter. Director Pezzullo noted that he and Mr. Tessaglia had been working with Comm. Strom and the Administration to make adjustments and gather input up until they were submitted, so the delay was not due to negligence.

Comm. Coupe asked if the little leagues would fund any portion of the renovations to the baseball fields; Mr. Tessaglia said he thought it was a good idea and would contact the leagues to ask.

Chairman Smith expressed support for investing in the City's recreational assets but asked why the woodchips would be considered a capital expense and not operating, if they are regularly added to playgrounds. Mr. Tessaglia said he could justify it as either capital or operating but thought it was slightly more accurate to consider woodchips to be a capital expense. Comm. Strom said the City already paid for woodchips once this year through the operating budget and felt it should be drawn from the operating budget for consistency.

For the Library department, Director Pezzullo said Library Director Edward Garcia was in Arizona, so he would run through the Library requests on his behalf. Director Pezzullo said the Central Library parking lot was eliminated because it was a double-counting from a previous approval, and the remaining request was for improvements to the library's Auburn branch. When asked by Comm. Frias, Director Pezzullo said he was not prepared to relay Mr. Garcia's assessment of the necessity of his project.

Comm. Frias asked about the Open Space line item. Director Pezzullo said the City puts \$500,000 into the fund each year, but very little of it has been used and the City doesn't go to bond for it often. Comm. Frias expressed confusion; Comm. Lanphear compared it to pre-approval for a mortgage, and Comm. Coupe explained that it is important to have the funds on-hand to acquire key open space parcels as soon as they become available or else they could be purchased by another party while the City waits for funding approval in the following year's budget process.

Chairman Smith asked for a motion to approve the changes made to the budget. Comm. Frias said he preferred to approve the budget section-by-section. Comm. Strom said he didn't object to that style of approval, so the Commission proceeded to approval for individual sections.

Upon motion made by Comm. Strom, and seconded by Comm. Coupe, the City Plan Commission voted unanimously (7-0) to **approve** the School Department budget.

Upon motion made by Comm. Coupe, and seconded by Comm. Ritz, the City Plan Commission voted unanimously (7-0) to **approve** the Public Works Department budget as amended.

Upon motion made by Comm. Frias, and seconded by Comm. Strom, the City Plan Commission voted unanimously (7-0) to remove the line item requesting \$6.3 million in funding for the Western Cranston fire station from the capital budget, although Solicitor Marsella noted that the vote constituted a recommendation and the Fire Department could always add the out-year item onto its budget request the following year. Upon subsequent motion by Comm. Strom, and seconded by Comm. Coupe, the City Plan Commission voted 6 to 1 (with Comm. Frias voting against) to **approve** the Fire Department budget as amended.

Upon motion made by Comm. Frias, and seconded by Comm. Ritz, the City Plan Commission voted 5 to 2 (with Comms. Mason and Strom voting against) to **approve** the IT Department budget.

Upon motion made by Comm. Strom, and seconded by Comm. Mason, the City Plan Commission voted unanimously to remove the line item requesting funding for woodchips from the capital budget. Upon subsequent motion by Comm. Strom, and seconded by Comm. Mason, the City Plan Commission voted unanimously (7-0) to **approve** the Recreation Department budget as amended.

Upon motion made by Comm. Frias, and seconded by Comm. Lanphear, the City Plan Commission voted unanimously (7-0) to **approve** the Library Department budget.

Finally, upon motion made by Comm. Mason, and seconded by Comm. Lanphear, the City Plan Commission voted unanimously (7-0) to **approve** the Open Space budget.

SUBDIVISION AND LAND DEVELOPMENT

NOVEMBER 2, 2021 APPLICATION REMANDED BY PLATTING BOARD OF REVIEW ON 2/9/22

"Cosmo Plat -Replat of 'Garden Park No. 3' Lots 75-78"

(vote taken)

PUBLIC INFORMATIONAL MEETING

Preliminary Plan - Minor subdivision without street extension
Creation of one conforming A-6 lot for single-family residential

Zoned A-6
175 Vallette Street – AP 11, Lot 1599

Chairman Smith invited City Solicitor Steve Marsella to introduce the review and discussion of the Cosmo Plat application. Solicitor Marsella said the application came before the Commission late last year, prior to a few current commissioners' joining of the CPC. At that time, the Commission voted 3-2 to approve the subdivision, but since 5 votes in favor were needed, the motion failed. The Zoning Board, in their capacity as the Platting Board of Review, remanded the matter back to the City Plan Commission because the two commissioners who voted against the project did not provide legal reasons for their negative votes and because there were a few procedural errors. The matter is now before the City Plan Commission for a full hearing, which will give the applicants as well as the public another opportunity to make their cases.

Comm. Lanphear asked for the nature of the procedural errors. Solicitor Marsella told her that the application was a minor subdivision, whereas Comm. Lanphear thought it was an administrative subdivision. He said that a new lot could not be created through an administrative subdivision, and by extension an administrative officer is not authorized to act on this application on behalf of the Commission.

Atty. John Shekarchi, representing the applicant, said he was willing to forego the review of the staff report in the interest of time, provided that the report was already in the record from the previous meeting and that it hadn't been altered since that time. Senior Planner Joshua Berry confirmed the staff memo was in the record and had not been changed, so it was not reviewed a second time.

Atty. Shekarchi said that the applicant, Cosmo Properties LLC, is proposing a by-right, one-lot subdivision of an existing 14,332 ft² lot in an A-6 zone. The subdivision would create a new conforming lot of 6,030 ft² that meets all requirements for an A-6 zone, including sufficient frontage and requiring no street extension. The applicant intends to construct an owner-occupied single-family home on the new lot, contrary to neighbors' concerns that it would be a rental property. The other lot on which the existing single-family home will sit would also remain fully compliant with zoning even after the subdivision. Atty. Shekarchi added that the applicant is comfortable with all three staff conditions for approval and offered to include construction of sidewalks if the Commission decided not to waive the requirement.

Atty. Shekarchi then introduced Mr. Ed Pimentel, AICP, as a planning expert. Mr. Pimentel distributed printed copies of his report to the commissioners but stated that he'd sent his report to the commissioners and planning staff via email in advance. He said he reviewed the project against the City's zoning code but could find no conflicts – both parcels would meet all criteria of the A-6 zone by-right, and it is consistent with the density prescribed by the FLUM. Then he combed through the City's subdivision regulations to confirm the project was in full compliance, and again he found that it was. He suggested the applicant offer to construct sidewalks out of an abundance of caution to remain absolutely fully compliant with the subdivision regulations, even though the Commission generally waives the requirement on its own for projects like this.

Mr. Pimentel further testified that he found the project consistent with elements of the Comprehensive Plan that supported infill development. He looked into the proposal's infrastructure impacts and found that all necessary infrastructure already exists in the neighborhood – only a driveway will have to be built. And as far as consistency with the neighborhood, Mr. Pimentel noted that some 20% of the lots in the neighborhood do not comply with the zoning, whereas both lots to be created from the subdivision will. In conclusion, he said that he could find no grounds on which the project should be denied.

Chairman Smith invited the commissioners to pose questions. Comm. Frias asked if Planning Staff agreed with the applicants' contentions as Mr. Pimentel expressed them; Solicitor Marsella said that Staff did agree, and their comments could be found on p.8-9 of Mr. Pimentel's report.

Atty. Shekarchi then introduced Mr. Daniel Campbell, a registered P.E. with Level Design Group, as an engineering expert, and submitted his report as Exhibit 2 (labeling Mr. Pimentel's report as Exhibit 1 even though it was submitted prior to the meeting). Mr. Campbell said he reviewed sight distances and turning

radii to consider how the orientation of the lot might impact traffic in the neighborhood. He said that both sight distances and turning radii were adequate and recommended that the driveway be placed on the western side of the parcel to further reduce the risk of any traffic issues arising. Atty. Shekarchi noted the applicant is happy to relocate the driveway as suggested.

Mr. Campbell continued by noting that the new lot will have adequate access to and frontage on a street, will not create obstructions or cause overcrowding. He said the site will be accessible to emergency vehicles and adequate sight distances are maintained for adjacent streets. Concerning drainage, he also said the house will have net zero runoff and noted that houses of this nature do not need any additional drainage infrastructure. He concluded that the project is fully compliant and poses neither safety concerns nor negative impacts to the neighborhood.

Atty. Shekarchi concluded by reminding the Commission that the applicant is proposing a by-right subdivision that meets all City rules and standards and hoped the Commission would reconsider the application.

Chairman Smith then invited the public to comment.

Linda Tagliaferri said she has lived in the neighborhood since 1959 and said the streets are narrow and were designed for smaller cars in a different era. She said cars coming around the bend in Vallette St swerve, which makes it unsafe for pedestrians, such as the elderly or children in the neighborhood. She acknowledged that the subdivision would create a buildable lot, but she said accidents have happened near that bend in the road and hopes above all else the neighborhood stays safe.

Lisa Catanni echoed Ms. Tagliaferri's comments about the safety impacts given the bend in the street and said that ambulances had to go around to approach the former owner's house when he had a heart attack because it was too narrow to get through normally. She said it's difficult to round the bend when a car is parked on the opposite side of the road and felt the addition of another house would impact traffic and safety. She also reminded those in attendance that the former owner bought the property because he didn't want it built upon, and the neighborhood liked the lot unbuilt.

Chairman Smith then opened the matter for commissioners to comment or pose questions.

Comm. Frias said that he understood the position of the public commenters but their concerns boil down to street dimensions and safety, and the applicant brought in expert witnesses who prepared reports showing that the project was fully compliant with the City's Comprehensive Plan and zoning code, and the project would not have the negative impacts that the public feared. He said there were large vehicles driving those same neighborhood streets in the 1950s and said in the absence of an expert witness of their own, he would have to vote in favor of the application.

Comm. Mason said he knows as head of DPW that Vallette St is 24 feet wide, which has been the standard for all subdivisions for the past 8 or 9 years, so it does meet contemporary City standards. Chairman Smith asked Comm. Mason if he thought the road could be striped to define the lanes of travel as drivers round the bend; Comm. Mason said it would have to be requested, usually by the Councilor responsible for that ward.

Comm. Lanphear said she had originally been one of the two commissioners to vote against the project, but tonight she agreed with Comm. Frias' statement that the project appeared to be fully compliant with all City regulations. She said she agreed with the neighbors' sense that incremental changes do alter the character of a neighborhood and encouraged them to get involved with the update of the City's Comprehensive Plan when public meetings are held. In the meantime, she had to balance the neighbors' concerns with the expert testimony provided, and would come down in favor of the project.

Upon motion by motion by Comm. Coupe, and seconded by Comm. Mason, the City Plan Commission voted unanimously (7-0) to **approve** the subdivision, subject to Staff's three conditions and waiving the sidewalk requirement.

ADJOURNMENT / NEXT MEETING

(vote taken)

Because the 8:00pm deadline was reached, Chairman Smith asked for a motion to conclude the agenda items to a meeting on Tuesday, March 8th, 6:30pm, via Zoom teleconference.

Upon motion made by Comm. Coupe, and seconded by Comm. Lanphear, the City Plan Commission voted unanimously to adjourn the meeting at 8:01 p.m.