

Kenneth J. Hopkins
Mayor

Michael E. Smith
President

Jason M. Pezzullo, AICP
Planning Director



Richard Bernardo, P.E.
Michael Igoe
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

SPECIAL JOINT PUBLIC WORKSHOP OF THE CRANSTON CITY COUNCIL & CITY PLAN COMMISSION

Tuesday, August 2nd, 2022 – 6:30 P.M.
3rd Floor - City Council Chamber, 869 Park Avenue, Cranston RI

Independence Way/Plainfield Pike

▪ **CALL TO ORDER**

City Council President Chris Paplauskas called the joint City Council—City Plan Commission Meeting to order at 6:33 p.m. in the Council Chamber, 869 Park Avenue.

City Plan Commission Chairman Mike Smith called the joint City Council—City Plan Commission Meeting to order at 6:33 p.m. in the Council Chamber, 869 Park Avenue.

The following Council members were in attendance for the meeting: President Chris Paplauskas, John Donegan, Richard Campopiano, Robert Ferri, Jessica Marino, Matthew Reilly, and Nicole Renzulli. Councilors Aniece Germain and Lammis Vargas were absent.

The following City Plan Commissioners were in attendance: Chairman Mike Smith, Richard Bernardo, Robert Coupe, James Donahue, Steven Frias, Michael Igoe, Kathleen Lanphear, Ann Marie Maccarone, and Frank Ritz. All Commissioners were present.

The following Planning Department members were in attendance: Jason M. Pezzullo, AICP, Planning Director; Douglas McLean, AICP, Principal Planner; and Alexander Berardo, Planning Technician.

▪ **PRESENTATION**

The applicant team, comprised of Atty. Robert Murray; Jason Kambitsis, President of AR Building Co, applicant; and Brandon Carr, registered P.E. with DiPrete Engineering, introduced the project to the City officials and members of the public in attendance.

Atty. Murray said the purpose of the Special Workshop would be to cover the same ground as the Council and Plan Commission would cover in a Site Visit, which was impractical in this case as the site is a wooded lot abutting I-295 with limited access from Independence Way. He said the approval process for this proposal would follow a similar path to the 661 Park Project: a rezoning (currently C-2 and C-4), a Comp Plan

amendment (to update the FLUM accordingly), and then the Major Land Development process with oversight from the Development Plan Review Committee. He thanked Planning Staff for helping the applicant team define the approval path this project would need to take, and then invited Mr. Kambitsis to speak to the proposal itself.

Mr. Kambitsis said his company, AR Building Co., is a 50-year-old, Pittsburgh-based firm that counts over 9,000 residential units across 10 states in its portfolio. He described the company as “vertically-integrated” in that it is responsible for the purchasing, building, and management of all the sites on which it establishes housing. He reviewed a few comparable projects the company has recently built in North Kingstown, Cumberland, East Providence, and New London, CT, and went on to explain that the company wants to expand its presence in the Providence-area market. He shared the site plan and the surrounding context as well as the company’s stylistic preferences, which include heavy use of brick for exteriors and outfitting each unit with decks, washers and dryers, etc. Finally, Mr. Kambitsis said that AR Building’s proposal for the Independence Way site is to construct two four-story buildings, which will hold a total of 180 residential units. He invited Mr. Carr to address the project design and site plan.

Mr. Carr began by noting that access to the parcel would be via easement across the property between the subject site and Independence Way (neither the owner nor applicant currently owns this parcel). He described the topography of the subject site as being generally flat, with two large hills, wetland areas at the edges, and a 40- or 50-foot drop-off at the edge of the parcel that abuts the highway. Given the presence of wetlands and ledge, the development will be concentrated in the middle of the site on a compact footprint as two, four-story, 90-unit residential buildings. Mr. Carr said the units will be a mix of studio, one-bedroom, and two-bedroom units, the precise breakdown of which will be determined later, and shared elevations of a similar building the applicant opened in Warwick to give a sense of what it would look like once built. The current proposal is to provide parking spaces at a ratio of around 1.15-1.20 spaces per bedroom.

Mr. Carr added that the applicant has spoken with utility companies and has preliminary correspondence in-hand showing that sewer, water, and electrical capacity are all available. Similarly, the applicant had a traffic report conducted that showed the light at the intersection of Plainfield Pike and Independence Way could handle the anticipated traffic impacts that would result from this proposal as it currently exists. Finally, Mr. Carr said that the applicant will need to work with RIDEM due to the presence of wetlands.

Atty. Murray reminded the Councilors and Commissioners present for the meeting that he distributed printed copies of the presentation slides to each of them. He noted that the applicant was committed to designating 15% of the units as affordable housing, recognizing the benefits to the City as a whole of doing their part to provide a percentage of new affordable units. Finally, Atty. Murray said consultants were in attendance to answer specific questions as they might arise.

President Paplauskas asked for comments from the City Council.

Ms. Marino asked if AR Building Co employs any “green building” techniques in the construction of its buildings. Mr. Kambitsis said their buildings are energy-efficient by design and tend to have very low energy costs. He said the proposal for Independence Way, which will be dense and compact, will follow in this tradition and that AR Building is considering the inclusion of rooftop solar panels and electric vehicle charging stations.

Chairman Smith asked for comments from the Plan Commission.

Mr. Frias thanked the applicant for its pledge to contribute new affordable housing units and for providing a fiscal impact statement. He suggested the fiscal impact statement be reviewed and potentially revised with more up-to-date numbers, as the numbers for FY23 do not quite match those of FY22. He also asked the applicant to research the anticipated impact the project might have on the school system, and particularly asked they be prepared to defend their current estimate of 4 children across 60 two-bedroom units. Finally, he asked that the applicant have its traffic expert prepare to explain why only 70 peak-hour trips are anticipated for a 180-unit development.

President Paplauskas opened the meeting for public comment. Seeing none, he then closed public comment.

▪ **ADJOURNMENT / RECESS**

Council President Chris Paplauskas then asked for a motion to adjourn the meeting. Upon motion made by Councilor Ferri, and seconded by Councilor Marino, the City Council voted unanimously to adjourn the meeting at 6:56 p.m.

Plan Commission Chairman Mike Smith called the City Plan Commission into recess for a 10-minute period before proceeding with the other items on the Commission's regular monthly meeting agenda.

CRANSTON CITY PLAN COMMISSION

Tuesday, August 2nd, 2022 – 6:30PM

(Regular meeting followed the Special Joint Workshop)

3rd Floor - City Council Chamber, 869 Park Avenue, Cranston RI

CALL TO ORDER

Chairman Michael Smith called the meeting back to order at 7:06 p.m. in the Council Chamber, 869 Park Ave, following a 10-minute recess.

All Commissioners and Staff who were present for the Joint Special Meeting which immediately preceded the regular monthly Plan Commission meeting remained in attendance.

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

APPROVAL OF MINUTES

- 7/12/22 Regular City Plan Commission Meeting (vote taken)

Chairman Smith asked if the Commissioners wished to suggest any edits to the draft minutes. Mr. Frias offered the following proposed edits:

- Adding Assistant City Solicitor David Igliozi's name to the list of those in attendance under the "Call to Order" section
- Moving the section entitled "Extension of Time" to the first page, following the "Approval of Minutes" section, to reflect the order in which the Commission chose to take the agenda items
- Deleting the bulleted list under the subheading of "Notes" on p.9-10, which was left in by mistake
- Reattributing the quote surrounding whether standards set by Master Plan Approval or an Ordinance Change would rule from Solicitor Marsella to Solicitor Igliozi on p.7

Solicitor Marsella also asked that the updated minutes state at the beginning of the item entitled "661 Park Project" reflect the fact that he recused himself for that discussion.

Upon motion by Mr. Frias, and seconded by Ms. Lanphear, the City Plan Commission unanimously voted (9-0) to accept Mr. Frias' recommended edits to the regular City Plan Commission meeting minutes of 7/12/22.

Upon motion by Mr. Donahue, and seconded by Mr. Ritz, the City Plan Commission unanimously voted (9-0) to accept the regular City Plan Commission meeting minutes of 7/12/22 as amended.

EXTENSION OF TIME

(vote taken)

- Champlain Heights (152 Unit Multi-Family) – Preliminary Plan one-year extension

Chairman Smith exercised his prerogative to take this item out of order.

Director Pezzullo said this was a "housekeeping matter" of granting a one-year extension to the applicant's Preliminary Plan for the Champlain Heights project, which was requested due to various delays caused by supply chain issues, COVID, changes in the applicant's corporate structure, and other factors. He reminded the Commission that the item was set to be voted on last month, but due to an error in the agenda (it did not explicitly say "vote taken" for the item), it was continued to this month.

Chairman Smith invited both the Commissioners and the public to comment, but neither body did.

Upon motion made by Mr. Coupe, and seconded by Mr. Bernardo, the City Plan Commission unanimously voted (9-0) to grant a one-year extension on the Preliminary Plan approval.

SUBDIVISIONS AND MAJOR LAND DEVELOPMENTS

- **“Natick Avenue Solar” ***** **PUBLIC INFORMATIONAL** (vote taken)
 MASTER PLAN - Major Land Development
 30 Acre / 8MW Solar Farm on 64-acre site
 Natick Avenue
 AP 22, Lots 108 and 119

*****PREVIOUS MASTER PLAN APPROVAL VACATED AND REMANDED BACK TO THE CITY PLAN COMMISSION FOR FURTHER PROCEEDINGS *****

Atty. Murray, representing the applicant, Revity Energy LLC, said that the matter had returned before the Commission because of Superior Court Judge Vogel's decision to remand the case. He noted that the project consultants were present, but said that a few hours before the meeting, Atty. Patrick Dougherty, representing the neighborhood opposition group, called to inform him of relevant case law that might impact the format of the hearing. He asked the Commission to consider continuing the matter for another month as a result and offered for the applicant to take on the expense of the additional mailing of notice.

Atty. Dougherty said that it came to his attention that a 1968 Rhode Island Supreme Court case established a jurisdictional precedent that a remand must be heard by the Planning Commissioners present for the original hearing. He said the Court held it acceptable to allow sitting Commissioners to hear a remand who did not serve at the time of the original hearing in certain situations, such as when a decision has not been vacated. As a majority of the Commission's current members did not serve when the Master Plan application came before the Commission in 2019, Atty. Dougherty felt the alternative would be to re-hear the matter entirely.

Atty. Murray said he felt it was worthwhile to pause and consider the case law on this question regardless of whether he personally agreed entirely with Atty. Dougherty's perspective. He also said that he wouldn't press to move forward on a continuance to a date that did not work for Atty. Dougherty and Solicitor Marsella.

Solicitor Marsella said the Commission is required to make a decision within a certain time frame after the Certificate of Completeness is issued. He asked Atty. Murray if the applicant would accept the granting of a continuance that did not also include an extension of time. Atty. Murray countered that Judge Vogel didn't impose any time limit within which the remand needed to be heard. He also said that the applicant wants the process to commence as soon as possible anyway.

Mr. Coupe asked Director Pezzullo whether he felt it would be best for the Commission to take up the remand during its next regular monthly meeting or during a standalone Special Meeting, and especially in the case of the latter, how soon such a meeting could be scheduled. Director Pezzullo said he didn't see why it had to be taken up in its own Special Meeting, but Mr. Frias and Ms. Maccarone both said they would prefer to see a Special Meeting be scheduled sooner rather than later, as the large crowd in attendance and prepared to speak would be better accommodated on a night dedicated to the matter.

Chairman Smith said the Commission typically grants one-month extensions, and since there doesn't appear to be a legally-imposed time limit for hearing the remand, there's no need to rush a Special Meeting to be scheduled for the soonest possible date. Solicitor Marsella added that it would be difficult to schedule a Special Meeting on a short turnaround, assuming the Commission would try to arrange for an August date. He also said that it's better practice to continue a matter like this to a date certain – in this

case, the regular monthly Plan Commission meeting on September 6th – and in the meantime Director Pezzullo could coordinate with the Commissioners to find a date in September that all are available to attend a Special Meeting.

The conversation then turned to a quick review of the booking calendar for the Council Chamber. Director Pezzullo said there were only a few open dates in September – the 21st and the 27th -29th. Mr. Ritz asked about using alternative venues, but Solicitor Marsella said there are no good backup choices. The Hall Library was a decent option until accessibility issues precluded it from consideration, and the layout of Cranston East High School's auditorium is not conducive to the Commission's meetings.

Mr. Coupe moved to continue the matter to September 6th with the understanding that Director Pezzullo would attempt to arrange another date on which a Special Meeting could be held. Mr. Donahue seconded the motion, but before the Commission voted on it, Atty. Dougherty said he was not available for the 6th, 21st, or 22nd, which then reopened the scheduling discussion. Director Pezzullo said the Council Chamber was available on the 8th, but Open Meetings Act standards would not allow such a quick turnaround if the Commission were to vote on it two days before. Atty. Murray asked if the Commission would decide and vote in that moment to hold the meeting on the 8th so that notice could be sent out with sufficient time; he then said he didn't mind if the date had to be floating for the time being, so long as he knew when the final date would be so he had sufficient time to provide notice.

Upon motion made by Mr. Frias, and seconded by Mr. Ritz, the City Plan Commission unanimously voted (9-0) to continue the matter to a Special Meeting of the City Plan Commission to be determined by Staff in concurrence with the parties involved, and that proper notice be provided for the abutters and the public.

- **“West Gate Estates (Equestrian Estates II)” PUBLIC HEARING** (vote taken)
 PRELIMINARY PLAN – Minor Subdivision with street extension (private)
 Four new additional conforming single-family house lots
 Zoned A-80
 Laten Knight Road, AP 28, Lot 11

Planning Technician Alex Berardo gave the staff presentation. He said the applicants sought to subdivide a 15.85-acre parcel into five conforming A-80 lots and upgrade an existing driveway into a private road to create the necessary frontage. He displayed several maps and satellite images to establish the site context before showing the site plan for the proposed subdivision. He noted the existing house would be set off on its own, roughly 8-acre parcel at the end of the proposed private road, with four new A-80 lots being carved out of what is currently a field to the southwest of the road, closer to its intersection with Laten Knight Road. The houses would be served by private wells and a private sewer connection.

Mr. Berardo added that the proposal was by-right and no waivers were requested in conjunction with the application. He said Staff has no concerns with the resulting density (approx. 0.32 units/acre), which would fall within the range prescribed by the FLUM (less than 1.00 unit/acre). However, he did note that the building marked “Barn” on the site plan was previously found to be an illegal dwelling unit, and Staff is unaware if this condition still exists. He said Staff recommended as a condition of approval that, prior to Final Plan recording, the applicant will need to obtain either a Zoning Certificate (confirming that the barn is no longer being used for residential purposes) or a Use Variance (to legalize the unauthorized dwelling unit).

Regarding environmental considerations, Mr. Berardo reported that the parcel was located in FEMA Flood Zone X and noted the small wetland areas at the northern and southern corners of the parcel as shown on the site plan. He also said the site fell within a RIDEM-designated Natural Heritage Area, but upon further discussion with RIDEM, it was ascertained that the parcel itself was included not because it hosts any rare or endangered species on its own land, but because it was adjacent to a large, City-owned tract of forest in which one species of interest can be found. RIDEM confirmed to Staff that the stormwater, wetland, and septic rules it designed to protect Natural Heritage Areas will not apply to development on the subject parcel.

Following this, Mr. Berardo said that several Agency comments were received for the proposal. Environmental Engineer and Veolia Water liaison Ed Tally said a low-pressure force main system is available to service the proposed subdivision, but a final design consistent with Annex A has not been completed at this time. Aside from completing that design, Mr. Tally also said the City will need to review the system's operation and maintenance provisions prior to Final Plan recording. DPW Director (and Commissioner) Richard Bernardo asked for clarification regarding the applicant's plans for stormwater drainage and advised that a homeowner's association would need to assume responsibility for the maintenance and upkeep of the private sewer connection and sewer line, as these will be located on private property, and that the HOA documents will need to be reviewed and approved by his office and the Solicitor's office prior to Final Plan recording. City Engineer Nick Capezza said that DPW would defer to the Fire Department's judgment as to the necessary width of the turnaround at the end of the cul-de-sac to accommodate emergency vehicles. For its part, the Fire Department said that a 35-foot-wide turnaround would be sufficient. The Fire Department also stated that a fire prevention cistern would need to be installed on site and would have to be privately owned and maintained by the future HOA.

Ultimately, Mr. Berardo said that Staff recommended approval on the Preliminary Plan application, subject to several conditions the applicant would need to meet prior to Final Plan recording. These included the submittal of water and sewer approval letters, a Municipal Lien Certificate, and draft HOA documents; the modification of the site plan to reflect the location of the fire prevention cistern and rain gardens for runoff on each of the lots; and payment of the Western Cranston impact fees for the four new units being created.

David Russo, registered P.E. with DiPrete Engineering, then addressed the Commission on behalf of the applicants. He said the proposal before the Commission represented a "lighter touch" approach to subdivision than previous proposals for this site had taken. He said Veolia Water specified that they want the applicant to connect the sewer line at the existing stubs under Laten Knight Rd. He also asked if the condition regarding rain gardens could be modified to more generalized language so the applicant would have more options for addressing stormwater runoff, as drainage will be addressed on a lot-per-lot basis.

Chairman Smith then invited the Commissioners to ask questions.

Ms. Lanphear asked Mr. Russo if there was currently an illegal unit in the barn, and if so, would the Commission's act of approving the Preliminary Plan condone the unit in the interim before the land was subdivided. Mr. Russo said the language of the condition was written in such a way that protects the Commission while also acknowledging the history of illegal use. Solicitor Marsella reminded the Commission that the Building Department's Minimum Housing division could inspect the property any time it chooses if the City needed to enforce its regulations.

Mr. Frias asked for confirmation that the proposal was consistent with the present A-80 zoning and the Future Land Use Map's prescribed density, which Mr. Berardo affirmed.

Mr. Bernardo requested that Condition 6 not only be updated according to Mr. Russo's request to allow more flexibility with stormwater runoff installations, but also to include language specifying that the runoff mitigation measures result in net zero runoff increase per lot. Mr. Russo said he was operating under the assumption that RIDEM's runoff guidance standards for single-family homes would suffice, which Mr. Bernardo accepted. He then asked that a phrase stating that DPW would review the final building permit plans according to whether they meet RIDEM's single-family guidance standards.

Mr. Bernardo also requested adding a new condition that would state that if the applicant needs a Street Opening Permit to make its sewer connection, it will be required to repave the section of Laten Knight Rd that its work disturbs using an infrared patch. (The extent of repaving will depend on the extent of disturbance: if the pavement disturbance extends beyond the centerline of the road, the applicant will be responsible for a curb-to-curb repaving. Otherwise, it need only repave up to the centerline.)

Chairman Smith asked if any members of the public wished to speak to the proposal. The only one to speak was Al Pesce, 230 Beechwood Drive, who expressed concern about whether his own well might

run dry with the digging of new wells to service the proposed lots. He asked if the applicant would consider extending the water line from Laten Knight Rd.

In response, Mr. Russo said the water line was located between 1,600-1,700 feet away. Ms. Lanphear asked if the applicant was sure there was sufficient well water available for the subdivision and whether test pits had been dug. Mr. Russo said no test pits had been dug, nor had any study been conducted, because the subdivision was far smaller than the size of a subdivision that normally requires those types of review.

Seeing no other members of the public who wished to speak to the proposal, Chairman Smith asked for a motion to close public comment. Upon motion made by Mr. Coupe, and seconded by Mr. Bernardo, the Plan Commission voted unanimously (9-0) to close public comment.

Finally, upon motion made by Mr. Donahue, and seconded by Mr. Frias, the City Place Commission voted 8 to 1 (Ms. Lanphear voted No) to approve the Preliminary Plan – Minor Subdivision as amended.

- **“1573 Cranston Street Subdivision”** **PUBLIC INFORMATIONAL** (vote taken)
 PRELIMINARY PLAN – Minor Subdivision w/o street extension
 One additional conforming lot to accommodate either a single or two-family dwelling
 Zoned B-1 (single / two-family)
 1573 Cranston Street, AP 8, Lot 276

Principal Planner Doug McLean gave the staff presentation. He said the proposal amounted to a straightforward subdivision, splitting a 15,000 ft² site into two lots. One of the lots would host an existing single-family house, while the other lot (which currently hosts a detached garage that will be demolished) would be buildable by-right for a single- or two-family home. Mr. McLean noted that the proposal is not linked to any development proposals at this point.

Mr. McLean reviewed the proposal through several graphics, showing that the Zoning map has the parcel in a B-1 zone while the Future Land Use Map designates the site as Neighborhood Commercial Services, a land use category that does accommodate the sort of residential use the subdivision would enable. Turning to agency comments, he reported that the City’s Department of Public Works asked that the applicant demonstrate an effort to achieve net-zero runoff as a result of the development, and that the applicant was amenable to that condition. He then said that Planning Staff supports the applicant’s request for a waiver from having to provide sidewalks or curbing, as there is no existing sidewalk network to which they would connect.

Finally, Mr. McLean shared the Staff Recommendation, which was to adopt the Findings of Fact and approve the subdivision plan, granting waivers for the sidewalk/curbing requirement, subject to the DPW’s requested condition that the applicant show effort to reach no net runoff for Proposed Lot A, where the new dwelling could be built.

Dave Russo, P.E., of DiPrete Engineering, then briefly addressed the Commission. He reviewed the basic points that Mr. McLean already covered in his presentation and offered to answer any questions the Commissioners might have.

Chairman Smith then opened the matter to public comment.

The only member of the public to speak was Daniel Hall, of 16 Batchellar Avenue (the lot abutting the subject parcel on its western side). He said he was concerned that his property values would decrease if the applicant elected to build a two-family house on the proposed new lot neighboring his, and wondered what the impacts might be if the applicant also sought variances for any future development of the parcel. He said he hoped the applicant could install a fence or provide some other form of screening.

Seeing no other members of the public who wished to speak to the proposal, Chairman Smith asked for a motion to close public comment. Upon motion made by Mr. Coupe, and seconded by Mr. Igoe, the Plan Commission voted unanimously (9-0) to close the public comment period.

Referencing Mr. Hall's comment, Mr. McLean said that Staff does not recommend buffer treatments in cases like this, when the subject parcel and its abutter(s) are all residential uses, but he suggested Mr. Hall could contact the applicant directly to request the erection of a fence as a courtesy. He also said that any potential variance request would initiate a new public process with additional opportunities to comment.

Chairman Smith then invited the Commissioners to pose their questions.

Mr. Frias asked for confirmation that two-family houses could be built by-right in a B-1 zone, to which Mr. McLean said they could. He also asked why the Staff Memo cited policies referencing housing strategies for Eastern Cranston when he believed the property would fall within Cranston West High School's range. Mr. McLean said the Comp Plan generally considers I-295 to be the line of demarcation between Eastern and Western Cranston. He added that the references to Eastern Cranston in the Staff Memo were not meant to make a statement as to the Department's position on where the dividing line is, but rather was a by-product of relevant housing policies and goals having initially been written with Eastern Cranston in mind.

Ms. Lanphear asked what the applicant will be expected to do with regard to the condition that they "demonstrate an effort" to achieve net-zero runoff. Mr. McLean said the language came from DPW, which did not want to prescribe any particular treatment, but rather wanted to encourage the applicant to give attention to the stormwater mitigation aspect of development. He added that the condition did not amount to a regulatory requirement, but the Final Plan would include a note to that effect as part of the Record Plan. Ms. Lanphear asked whether the effort would be judged by the applicant providing a report; Solicitor Marsella said the applicant would have to demonstrate no net runoff if/when they pull a permit to build a new house on Proposed Lot A. Mr. Bernardo agreed and noted that since there is no development proposal at this time, DPW does not know what the footprint of the potential future house would be, so there is a chance it may not even be necessary to demonstrate the effort. He wanted the note included on the Final Plan in case it does turn out to be necessary.

Upon motion made by Mr. Donahue, and seconded by Mr. Coupe, the City Plan Commission voted unanimously (9-0) to adopt the findings of fact and approve the Preliminary Plan – Minor Subdivision with the condition that a note be added to the Record Plan indicating that the applicant will demonstrate an effort to achieve net-zero runoff in any future development of Proposed Lot A.

- **"1489 Pippin Orchard Road"** **PUBLIC INFORMATIONAL** (no vote taken)
 PRE-APPLICATION – Minor Subdivision
 Residential Planned District (RPD Cluster)
 Potential for three (3) additional single-family housing units with open space
 Zoned A-80
 Pippin Orchard Road, AP 21, Lots 31 & 45

Chris Duhamel, registered P.E. with DiPrete Engineering, presented the pre-application site development concept to the Commission. He said Lot 31 was a landlocked 20-acre parcel off Pippin Orchard Road, accessed by an easement running across an abutting, but separate, record lot. He noted that this lot hosts an existing single-family home. Lot 45 is a 5-acre lot with direct frontage on Pippin Orchard Rd that also abuts Lot 31. He shared several graphics, showing the wetland delineation, the location of a 250-ft electrical easement running in a north-south axis along the boundary of Lot 31, the Zoning map, and others.

Mr. Duhamel said the applicant is proposing to do an administrative subdivision of Lot 31, continuing to access the existing house via the 20-foot easement, and leaving the remaining land to be combined with Lot 45. This new parcel would be subdivided under the Residential Planned District (RPD) requirements,

which is sometimes also called a cluster development. To explain why the applicant sought to use the RPD tool, he compared the lot yield that would result from the normal subdivision process with the RPD cluster subdivision's yield.

He began his explanation by reviewing that yield plans are calculated by dividing the net upland area of a given site (total area minus those portions of a site covered by wetlands, easements, etc) by the minimum by-right buildable area prescribed by the site's zoning district. In this case, the yield plan calculation for a normal subdivision results in 3.85 A-80 lots, so because all lots must meet the minimum A-80 standards, it would be possible to create three buildable lots from this portion of the subject parcel, assuming a cul-de-sac were laid to create the necessary frontage for the lots.

Mr. Duhamel then said that the RPD subdivision standards would allow for a reduction in lot size from 80,000 ft² to 20,000 ft² and a reduction in frontage from 200 feet to 125 feet, along with a minimum requirement for a portion of the land to be set aside as open space. The RPD standards also limit applicants to the same maximum number of by-right buildable lots that they could achieve through the normal subdivision process, but Mr. Duhamel said the applicant would only propose two buildable lots instead of three. The proposal would result in two new buildable lots, each with about 40,000 ft² of area and 150 feet of frontage, and would leave the remaining 89% of the land as permanently-deeded open space. He asked the Commission for its initial thoughts and input.

Mr. Frias asked what development they would be proposing for the new lots; Mr. Duhamel said two single-family homes, both of which would conform to A-80 standards. Mr. Frias then asked why the applicant sought to go the RPD route as opposed to the normal subdivision process when the latter would give them an additional buildable lot. Mr. Duhamel said that aside from the general benefit of preserving a larger amount of open space, the RPD option allows the applicant to avoid having to request variances for the roadway as well as frontage; reduces costs of building a new cul-de-sac, drainage, and stormwater management system; and expedites (in comparative terms) the subdivision of the portion of the lot with the existing house.

Ms. Lanphear asked if she heard correctly that the Open Space portion of the subject parcel would be deed-restricted; Mr. Duhamel said yes. Mr. Bernardo added that under the RPD option, DPW does not have to accept the cul-de-sac as a new roadway and take on the maintenance burden that such an action would entail.

Chairman Smith opened the matter to public comment, but no members of the public stepped forward. Upon motion made by Mr. Coupe, and seconded by Mr. Donahue, the Plan Commission voted unanimously (9-0) to close the public comment period.

As the matter was only an informational, pre-application discussion, no vote was needed. Mr. Duhamel thanked the Commission for its time and input.

ZONING BOARD OF REVIEW - RECOMMENDATIONS

(votes taken for all ZBR items)

- **WILLIAM and OLGA DELOMBA** (OWN/APP) have applied to construct a new detached garage with a home office and recreational room within the required front corner yard setback at 1979 Cranston Street, A.P. 11, lot 638; area 5,409 s.f, zoned A6. Applicants seek relief per Section 17.92.010- Variances; Sections 17.20.120- Schedule of Intensity Regulations, 17.60.010- Residential Accessory Structure Setbacks.

Due to the findings that the application is consistent with the Comprehensive Plan and does not alter the character of the neighborhood, upon motion made by Mr. Coupe, and seconded by Mr. Bernardo, the City Plan Commission voted 8-1 (Ms. Lanphear voted No) to forward a **positive recommendation** on the application to the Zoning Board of Review.

- **DONNA C. VARONE (OWN) and ANTHONY CARL and MARK HARRINGTON (APP)** have filed an application to create a new under-sized lot from substandard lots previously merged by zoning. The applicants also request relief to leave an existing legal non-conforming two family which encroaches on the front and side corner yard setbacks at 147 Southern Street, A.P. 8, lots 2300-2305; new lot area 4,800 sq.ft; zoned B1. Applicants seek relief per Section 17.92.010- Variances; Sections 17.20.120- Schedule of Intensity Regulations, 17.88.010- Substandard lots of record.

Due to the findings that the application is generally consistent with the Comprehensive Plan and that it does not alter the character of the neighborhood, upon motion made by Mr. Donahue, and seconded by Mr. Bernardo, the City Plan Commission voted 6-3 (Mr. Frias, Ms. Lanphear, and Ms. Maccarone voted No) to forward a **positive recommendation** on the application to the Zoning Board of Review.

- **DONNA C. VARONE (OWN) and ANTHONY CARL and MARK HARRINGTON (APP)** have filed an application to create a new substandard lot to construct a new single family dwelling with reduced area at 0 Connecticut Street, A.P. 8, lots 2300-2303; new lot area 4,800 sq.ft; zoned B1. Applicants seek relief per Section 17.92.010- Variances; Sections 17.20.120- Schedule of Intensity Regulations, 17.88.010- Substandard lots of record.

Due to the findings that the application is generally consistent with the Comprehensive Plan and that it does not alter the character of the neighborhood, upon motion made by Mr. Coupe, and seconded by Mr. Donahue, the City Plan Commission voted 6-3 (Mr. Frias, Ms. Lanphear, and Ms. Maccarone voted No) to forward a **positive recommendation** on the application to the Zoning Board of Review.

- **ANTHONY M. CAPRIO (OWN/APP)** has filed an application to separate three sub-standard lots previously merged by zoning leaving an existing legal non-conforming four family house on a substandard lot which encroaches on the front, front corner yard, and side yard setbacks at 1627 Cranston Street, A.P. 8, lot 364, area 6,584 sq.ft. zoned B1. Applicants seek relief per Section 17.92.010- Variances; Sections 17.20.120- Schedule of Intensity Regulations, 17.88.010- Substandard lots of record.

Due to the findings that the application is generally consistent with the Comprehensive Plan and that it does not alter the character of the neighborhood, upon motion made by Mr. Bernardo, and seconded by Mr. Donahue, the City Plan Commission unanimously voted (9-0) to forward a **positive recommendation** on the application to the Zoning Board of Review.

- **ANTHONY M. CAPRIO (OWN/APP)** has filed an application to separate three sub-standard lots previously merged by zoning and to construct a new two-family house on a substandard lot at 0 Mathewson Street, A.P. 8, lot 362 and 363, area 7,289 sq.ft. zoned B1. Applicants seek relief per Section 17.92.010- Variances; Sections 17.20.030- Schedule of Uses; 17.20.120- Schedule of Intensity Regulations, 17.88.010- Substandard lots of record.

Due to the findings that the application is generally consistent with the Comprehensive Plan and that it does not alter the character of the neighborhood, upon motion made by Mr. Coupe, and seconded by Mr. Bernardo, the City Plan Commission voted 7-2 (Mr. Frias and Ms. Lanphear voted No) to forward a **positive recommendation** on the application to the Zoning Board of Review.

- **ARMI, LLC (OWN) AND THE GIVING TREE ACADEMY OF RI, INC. (APP)** have filed an application to construct a new 50'x64' building to expand an existing commercial day care use at 1355 Scituate Avenue, A.P. 36, lot 34; 60,984 sq.ft., zoned A80/M2. Applicant seeks relief per section 17.92.010 Variances, Sections 17.20.010 Schedule of Uses; 17.20.120 Schedule of Intensity Regulations.

Due to the finding that the application is generally consistent with the Comprehensive Plan's Land Use Principle 4, upon motion made by Mr. Igoe, and seconded by Mr. Donahue, the City Plan Commission

voted 7-2 (Mr. Frias and Ms. Lanphear voted No) to forward a **positive recommendation** on the application to the Zoning Board of Review.

PLANNING DIRECTOR'S REPORT

(no votes taken)

- Comprehensive Plan Update – Grant / Budget / RFP Process

Director Pezzullo said former director Peter Lapolla, on behalf of the Department, has been working on the grant process for the Comp Plan rewrite by contacting other communities who have recently undertaken Comp Plan updates to see if they will share grant application and budget documents.

Mr. Frias asked how the RFP process works and whether the Commission is involved in it. Director Pezzullo said that Staff issues the RFP itself, but he could put the document before the Commission in advance if that is the Commission's pleasure. He said he now believes the Department will have to go through BOCAP for this process. Mr. Frias said he hasn't seen a Comp Plan update before and is interested to see the process.

Regarding the Hazard Mitigation Plan, Director Pezzullo said it is just about complete and the full draft might come before the Commission during the September meeting. He also wondered if the Commission had any interest in reopening its review of the Policy Guide, and suggested that it could be addressed during the September meeting if the Natick Ave Solar remand isn't also heard that same evening. Finally, in reference to the discussion surrounding the Giving Tree variance application, Director Pezzullo reminded the Commission that the Department's practice on use variance recommendations is to leave the door open for the Commissioners to make up their own minds on a case-by-case basis. He said the standard for making a positive recommendation on a use variance is difficult to meet, so Staff rarely make a positive recommendation outright, even in situations where Staff generally likes the proposal.

ADJOURNMENT / NEXT REGULAR MEETING

(vote taken)

- Tuesday, September 6th, 2022 — City Hall Council Chambers, 869 Park Avenue

Upon motion made by Mr. Bernardo, and seconded by Mr. Igoe, the City Plan Commission unanimously voted to adjourn the meeting at 10:05 p.m.