

Hon. Kenneth J. Hopkins  
Mayor

Michael E. Smith  
President

Jason M. Pezzullo, MCP, MPA, AICP  
City Planning Director



Robert Coupe  
Vice-President

Thomas Barbieri  
David Exter  
Steven Frias  
Kathleen Lanphear  
Lisa Mancini

Justin Mateus P.E.  
Public Works Director

Thomas Zidelis  
Finance Director

## CITY PLAN COMMISSION

City Hall – 3<sup>rd</sup> Floor, Room 309  
869 Park Avenue, Cranston, Rhode Island 02910

### MINUTES CITY HALL – 3<sup>rd</sup> FLOOR, COUNCIL CHAMBER 6:30PM – TUESDAY, AUGUST 6, 2024

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#### CALL TO ORDER

Chairman Smith called the meeting to order at 6:42 p.m. in the Council Chamber, 869 Park Avenue.

The following Commissioners were in attendance for the meeting: Chairman Michael Smith, Robert Coupe, Thomas Barbieri, Kathleen Lanphear, Steven Frias, Justin Mateus, Thomas Zidelis, and Lisa Mancini. Commissioner Exter was absent.

The following Planning Department members were in attendance: Jason M. Pezzullo, AICP, Planning Director; Beth Ashman, AICP, Asst. Planning Director, and Brianna Valcourt, Senior Planner.

Also in attendance: Stephen Marsella, Assistant City Solicitor.

#### APPROVAL OF MINUTES

(vote taken)

- July 2, 2024 Regular Meeting
- July 23, 2024 Special Meeting

#### APPOINTMENT OF ADMINISTRATIVE OFFICER

(vote taken)

- Assistant Director / Principal Planner – Beth Ashman AICP

Upon motion made by Vice Chair Coupe, and seconded by Commissioner Barbieri, the City Plan Commission voted unanimously (8-0) to appoint Ms. Ashman as administrative officer.

#### SUBDIVISION & LAND DEVELOPMENT PROJECTS

- “Pavilion Ave Replat”

PUBLIC HEARING (CONT.)

(vote taken)

*Unified Development Review*

PRELIMINARY PLAN – Minor Subdivision/Land Development Project with Zoning Relief

Replat of 4 record lots into two lots and construction two (2) two-family dwellings.

Zoning District: B-1 (Single and Two-Family)

AP 7/4, Lots 3363, 3366, 3644, & 3814

Pavilion Avenue

Director Pezzullo provided detail travel of the application/proposal thus far.

Dylan Connelly, Esq. on behalf of the applicant, provided context of the request and site conditions. Atty. Connelly clarified the since rectified issue of public notice.

The Commission briefly discussed whether the matter is subject to the doctrine of administrative finality related to the timeframe and regulations instituted at the time of review.

Upon motion made by Vice Chair Coupe, and seconded by Ms. Mancini, the City Plan Commission voted unanimously (8-0) that the doctrine of administrative finality is not applicable to this matter.

The owner/applicant, Adaberto Espina testified before the commission, providing information regarding actions taken by the previous owner relative to concerns voiced by the abutting property owners at a previous meeting.

Chairman Smith invited members of the public in-person and online to comment on the matter.

- Lori Grover, 3 Pavilion Avenue – Voiced concerns regarding maintenance of the property in its current state.
- Judith Fortes, 30 Pavilion Avenue – Voiced opposition to the proposal.
- Kevin Grover, 3 Pavilion Avenue – Voiced opposition to the proposal.
- (Inaudible name), 44 Pavilion Avenue – Shared concerns about automobile storage on-site.
- (Inaudible name) Pavilion Avenue – Shared concerns about noise nuisances and lack of maintenance.

Atty. Connelly responded to the concerns raised by the abutting property owners and neighbors – specifically in regards to lawn maintenance, structural integrity of the existing fence on-site, drainage, and the retaining wall on-site. Mr. Connelly stated that the applicant seeks to comply with applicable code regulations and restrictions for residential development.

The Commission discussed the concerns previously raised and the method of enforcement required for compliance by the owner/applicant. Commissioner Frias proposed the following conditions:

1. Maintain grass at residential grass level required by City standards.
2. Construct suitable fencing along the property in stable condition.
3. Remove existing debris and storage on-site.
4. Providing screening on all sides of property.
5. Potential removal of existing retaining wall provided no net run off assessment.

Commissioner Lanphear provided further changes to language of conditions.

Vice Chair Coupe moves to amend the original motion regarding development conditions to include the following;

1. To maintain the grass at a residential level prior to final plan submission.
2. To clean all debris materials from the property prior to submission of final plan, including an affidavit.
3. To allow professional installation of a new or repaired fence on-site.
4. To provide an adequate green screen on all sides of the property, with a professional landscape architect to submit plans to an administrative officer.
5. Maintain that the property will provide zero net run off – may include removal of existing retaining wall.
  - a. Prior to final plan approval, the applicant must submit an affidavit by a professional landscape architect/professional engineer confirming that the development will not result in a net increase in runoff.

Upon motion made by Vice Chair Coupe, and seconded by Mr. Barbieri, the City Plan Commission voted unanimously (8-0) to approve the minor subdivision request with conditions denoted in the approval(s) from the 2.7.24 and 8.6.24 City Plan Commission meetings.

▪ **“McDonald’s”** **PUBLIC HEARING** **(vote taken)**

*Unified Development Review*

PRELIMINARY PLAN – Minor Land Development Project with Zoning Relief

Demolition and reconstruction of a 4,500± sq. ft. double drive-thru restaurant with associated parking and landscaping.  
Zoning District: B-1 / C-5 (Single- & Two-Family Residential / Heavy Business, Industry)  
AP 7/1, Lots 632, 3669, 3514, & 3488  
923 Cranston Street & Webster Avenue

Eric Dubrule, P.E. of Bohler Engineering presented the application, providing background and context of the site.

Upon motion made by Commissioner Lanphear, and seconded by Commissioner Mateus, the City Plan Commission voted unanimously (8-0) to accept Mr. Dubrule as an expert in the field of civil engineering.

No public comment in-person, nor online was recorded.

Director Pezzullo provided background of the application thus far and details of prior review by the Development Review Committee.

Upon motion made by Mr. Zidelis, and seconded by Mr. Barbieri, the City Plan Commission voted (7-1) to accept staff recommendation of request for variance(s). Commissioner Lanphear voted nay.

Upon motion made by Mr. Zidelis, and seconded by Ms. Mancini, the City Plan Commission voted (7-1) to accept staff recommendation conditions and **approve** the Minor Land Development Project – Preliminary Plan submittal subject to the conditions denoted below. Commissioner Lanphear voted nay.

1. Submission of letters of availability from the Providence Water Supply Board and Veolia Water for water and sewer availability, respectively.
2. Submission of Municipal Lien Certificate.
3. Curb-to-curb pavement restoration shall occur as needed in accordance with and to the satisfaction of the Department of Public Works.

▪ **“Replat of Lots 86, 87 & 88 Pirce Plat” PUBLIC HEARING (vote taken)**

*Unified Development Review*

PRELIMINARY PLAN – Minor Subdivision with Zoning Relief

Replat of three (3) 4,000 sq. ft. lots in to two (2) 6,000 sq. ft. lots for single family dwellings with street extension.

Zoning District: A-8 (Single-Family Residential, 8,000 sq. ft.)

AP 12, Lots 1796, 1797 & 1798

Macera Drive

Ms. Valcourt provided the staff memorandum, analysis, and associated recommendation for the Commission.

Atty. Robert Murray, on behalf of the applicant, explained to the commission that the applicant seeks to withdraw a request for dimensional setback relief, requesting consideration for relief of land area and minimum frontage requirements only. The applicant stated that existing dimensional setback requirements may be met without relief granted through the commission.

Mr. Murray, referencing the conditions of approval associated with the request, clarified that water and sewer connectivity is available on-site and proper documentation verifying this will be provided.

Director Pezzullo provided clarification on a specific condition of approval related to a roadway bond issue, to be set by DPW. Asst. City Solicitor, Stephen Marsella, Esq., stated staff may administratively work with DPW to set the amount of the performance guarantee prior to recording Final Plan.

No public comment occurred, in-person nor online.

Upon motion made by Mr. Zidelis, and seconded by Mr. Coupe, the City Plan Commission voted unanimously (8-0) to accept staff recommendation of request for variance(s).

Upon motion made by Mr. Coupe, and seconded by Mr. Zidelis, the City Plan Commission voted unanimously (8-0) accept staff recommendation conditions and **approve** the Minor Land Subdivision with Street Extension – Preliminary Plan submittal subject to specified conditions.

▪ **“12 Walter Street”** **PUBLIC INFORMATIONAL** **(vote taken)**

PRE-APPLICATION – Major Land Development Project  
Construction of 4 commercial self-storage buildings totaling 125,100± sq. ft. with associated parking and landscaping.  
Zoning District: M-2 (General Industry)  
AP 6/4, Lots 1250  
12 Walter Street

Director Pezzullo stated the proposal includes a plan for a second phase of the project that may result in an issue regarding ownership of a right-of-way on-site.

As the applicant was not present for the hearing, the Commission agreed to continue the matter to a subsequent meeting.

As this was a Pre-Application discussion, no vote was taken.

Upon motion made by Commissioner Mateus, and seconded by Vice Chair Coupe, the City Plan Commission voted unanimously (8-0) to continue the matter to the 9.3.24 meeting of the City Plan Commission.

***The minutes for the following item documented on a separate meeting log (8.6.24 City Plan Commission \*Special Meeting\*).***

**COMPREHENSIVE PLAN UPDATE - WORKSHOP** **(no vote taken)**

- Chapter 1: Introduction
- Chapter 2: Demographic and Community Profile
- Chapter 3: Implementation Plan
- Chapter 4: Natural Resources
- Chapter 5: Housing
- Chapter 6: Economic Development
- Chapter 7: Historic and Cultural Preservation
- Chapter 8: Services and Facilities
- Chapter 9: Energy
- Chapter 10: Open Space and Recreation
- Chapter 11: Transportation
- Chapter 12: Natural Hazards and Climate Change
- Chapter 13: Land Use

**CITY PLANNING DIRECTOR’S REPORT** **(no votes taken)**

- Comprehensive Plan Update Process

Director Pezzullo stated Staff had received feedback on all elements by the Commission thus far, to be further reviewed within the department.

Commissioner Frias requested specific materials be made available to the Commission at least one (1) week prior to the meeting date. Commissioner Frias also noted minor changes to be discussed offline.

- Hiring process

Director Pezzullo shared that the department has hired two new staff persons, Asst. Director and Planner Technician.

**ADJOURNMENT**

**(vote taken)**

Upon motion made by Vice Chair Coupe, and seconded by Commissioner Mateus, the City Plan Commission voted unanimously (8-0) to adjourn the meeting at 9:37 p.m.