

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 – 3rd Floor, Room 309
869 Park Avenue, Cranston, Rhode Island 02910

MINUTES CITY HALL – 3rd FLOOR, COUNCIL CHAMBER 6:30PM – THURSDAY, JUNE 6, 2024

CALL TO ORDER

Chairman Smith called the meeting to order at 6:35 p.m. in the Council Chamber, 869 Park Avenue.

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

The following Planning Department members were in attendance: Jason M. Pezzullo, AICP, Planning Director; Brianna Valcourt, Senior Planner; Jonas Bruggeman, Senior Planner.

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

APPROVAL OF MINUTES

(votes taken on each item)

- 5.7.24 Regular Meeting

Commissioner Lanphear provided proposed track changes to the minutes.

Upon motion by Mr. Coupe, and seconded by Mr. Zidelis, the City Plan Commission voted unanimously (7-0) to accept and approve the regular City Plan Commission meeting minutes of 5.7.24, as amended. Chairman Smith abstained from voting as he was not present for the 5.7.24 meeting.

SUBDIVISION & LAND DEVELOPMENT PROJECTS

- “530 Wellington Avenue Self Storage Facility” PUBLIC HEARING (vote taken)

MASTER PLAN – Major Land Development Project
Redevelopment of 1 industrial lot with existing buildings
Zoning District: M-2 (General Industry)
AP 3, Lot 107
530 Wellington Avenue, Station Street

Atty. Robert Murray of Taft & McSally, on behalf of the applicant, introduced the application and members of the applicant’s team, namely: Michael Jobb – Principal of Canam RI, LLC; Christopher Reynolds, P.E. of the consultant’s team; William Lavery Jr. – Senior Project Manager of Joe Casali Engineering, Inc.

Mr. Lavery provided context of the site and existing conditions. Mr. Lavery presented renderings of the site and the proposed site plan.

Atty. Murray provided the Commission with associated application materials for the record. Mr. Murray stated the applicant seeks to construct various storage lockers of varying sizes within the building.

Mr. Murray stated, following Master Plan approval, the applicant will be submitting applications to RIDEM regarding stormwater and guidance towards a remedial action plan for the existing site. Mr. Lavery stated the applicant also seeks to obtain a soil management plan for appropriate handling of soils on-site. Mr. Lavery also stated the applicant has utilized the ITE manual to inform the most appropriate, accurate use of space for parking and circulation on-site. Mr. Murray provided site photos to the Commission for further context. Mr. Murray also provided an overview of the proposed interior work in the existing building.

Mr. Jobb described the proposal, plan for remediation of the site and the site layout as proposed. Mr. Murray referenced Staff memo and applicable findings.

Chairman Smith invited members of the public to comment on the application.

- Kevin Kernan of Warwick, RI – Voiced opposition to the application.
- John Mancini Esq. (Representative of abutting property owner at 570 Wellington Avenue – Wellington Acquisition LLC) – Voiced concerns regarding site remediation and stormwater management on-site.

Mr. Murray stated that the aforementioned concerns regarding economic value and benefit of the proposal of the project may not be addressed by the Commission as a review of a land development application.

No further discussion ensued by members of the public in-person nor online.

Jonas Bruggemann, Senior Planner presented the Staff memorandum and associated recommendation on the application to the Commission.

No discussion ensued by members of the Commission.

Upon a motion made by Mr. Zidelis, and seconded by Mr. Mancini, the City Plan Commission voted unanimously (8-0) to accept staff recommendation and approve the Major Land Development Project – Master Plan subject to the following conditions:

1. Submission of letters of availability from the Providence Water Supply Board and Veolia Water for water and sewer availability, respectively
2. All outside approvals from relevant state and local agencies shall be provided.

- **“Sharpe Drive Solar”** **PUBLIC HEARING** **(vote taken)**
PRELIMINARY PLAN – Major Land Development Project
Installation of a 0.4-megawatt (ac) ground mounted solar photovoltaic system
Zoning District: M-2 (General Industry)
AP 13, Lot 47
Sharpe Drive, Ross Simons Drive

Atty. Murray, on behalf of the applicant, referenced the travel of the matter thus far, providing context of the application and proposal. Mr. Murray introduced the present members of the applicant’s team, namely Ralph Palumbo – Principal of Revity Energy; and Jenna Shae – Project Manager, DiPrete Engineering.

Ms. Shae provided a brief presentation of the existing conditions of the site and proposed development. Ms. Shae stated since receiving Master Plan approval the applicant has received RIDEM approval after a thorough review of stormwater and project design. Atty. Murray added, in addition to the application the applicant has submitted a decommissioning estimate, stormwater O&M Plan and soil erosion plan reviewed by RIDEM in concert with the wetlands permit obtained.

Chairman Smith invited members of the public to comment on the matter.

- Drake Patten, via Zoom – Inquired about potential effects of recent flooding events on-site.

Jonas Bruggemann, Senior Planner presented the Staff memorandum and associated recommendation to the Commission.

- Commissioner Frias corrected a finding of fact made by Staff regarding an inaccurate factual assertion, to be amended.

Seeing no further discussion by the Commission, Chairman Smith entertained a motion.

Upon motion made by Mr. Zidelis, and seconded by Mr. Mateus, the City Plan Commission voted unanimously (8-0) to accept staff recommendation and approve the Major Land Development Project – Preliminary Plan subject to the following condition:

1. A Final Plan for Development Plan Review shall be approved prior to the approval of the Final Plan approvals for the Major Land Development Plan.

▪ **“Garden Park Replat”** **PUBLIC HEARING** **(vote taken)**

Unified Development Review

PRELIMINARY PLAN – Minor Land Development Project with Zoning Relief

Subdivision of 1 lot into 2 lots and construction of 1 new single-family.

Zoning District: A-6 (Single-Family, 6,000sq.ft.)

AP 11/3, Lot 1177

East View Avenue

Brianna Valcourt, Senior Planner presented the Staff report and associated recommendation.

Atty. Robert Murray, on behalf of the applicant, provided context of the site and the nature of the request. Mr. Murray introduced the owner/applicant, Robert Moli – 13 Penny Lane, Cranston.

Chairman Smith inquired about neighborhood conformity in reference to a principle guideline of the existing Comprehensive Plan in relation to neighborhood character.

Commissioner Frias inquired about the density designation of the existing lot.

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

- Carl Hernandez, 108 Uxbridge St. – Voiced support for the application, sharing concerns regarding construction-associated noise disturbance.

Asst. City Solicitor Marsella provided clarification regarding a finding made in the associated Staff report regarding prior action made by the applicant. No changes in findings are required.

Upon motion made by Mr. Coupe, and seconded by Mr. Exter, the City Plan Commission voted unanimously (8-0) to grant all of the zoning variances sought by the applicant.

Upon motion made by Mr. Coupe, and seconded by Mr. Exter, the City Plan Commission voted unanimously (8-0) to accept and approve the Minor Land Development Project – Preliminary Plan subject to the following conditions:

1. Curb-to-curb pavement restoration shall occur as needed in accordance with and to the satisfaction of the Department of Public Works.
2. Applicant shall install one granite bound on Uxbridge Street prior to recording of the Final Plan.
3. Payment of the Eastern Cranston Capital Facilities Development Impact Fee of \$593.46.

▪ **“Itri Commons”** **PUBLIC HEARING** **(vote taken)**

Unified Development Review

PRELIMINARY PLAN – Minor Land Development Project with Zoning Relief

Merger of lots, mixed-use building conversion to residential, and construction of new building with 6 attached single-family units.

Zoning District: C-2 (Neighborhood business)
AP 12/2, Lots 269, 2822, 2823
1455 Park Avenue

Atty. Robert Murray, on behalf of the applicant, presented the application to the City Plan Commission.

A member of the applicant's team, William Lavery Jr. – Senior Project Manager of Joe Casali Engineering, Inc. provided a brief presentation of existing conditions on-site and the nature of the relief requested.

Ms. Mancini recused herself from the discussion and subsequent vote on the matter due to a conflict of which Ms. Mancini abuts the property directly (14-16 America Street) and did not directly receive notice. Atty. Murray confirmed that the obligation for proper notice was sufficiently fulfilled by the applicant.

Daniel Balkan, 50 Bluebird Lane – President of Balkan Title & Closing provided an overview of the proposal.

Commissioner Frias inquired about the zoning relief hardship standard per State law. Atty. Murray clarified that the applicant seeks dimensional relief as opposed to a use variance in context of the compatibility of the character of the existing, mixed-use neighborhood.

Ms. Valcourt provided the Staff report and associated recommendation. Commissioner Frias inquired about the density calculation performed. Ms. Valcourt explained the density analysis conducted.

Chairman Smith invited members of the public in-person and online to speak on the matter. No discussion by members of the public, in-person nor online ensued.

Commissioner Frias spoke about the discretionary hardship aspect of the application, difficulty finding that the applicant meets a statutory requirement.

Commissioner Lanphear warned that the Commission must take caution against incremental density intensification.

Atty. Marsella suggested that the subsequent motion should be made to approve, or if the Commission seeks to deny the proposal, must state a reason for denial to which the applicant did not meet a specified standard.

- Atty. Murray inquired if there were insufficient votes to support the zoning relief requested, may the Commission potentially approve the MLD. Atty. Marsella stated that the discussion may take place following the vote regarding zoning relief.

Commissioner Lanphear moved to *not* accept the Staff recommendation for the reason that, under RIGL §45-24-41, the granting of the requested variance will impair the intent and purpose of the zoning ordinance, and comprehensive plan upon which the ordinance is based in that the density will be beyond what is prescribed in the comprehensive plan, and in excess of the density of the surrounding area.

Upon motion made by Ms. Lanphear, and seconded by Mr. Frias, the City Plan Commission voted (5-2) to **not accept Staff recommendation** and to **not grant the zoning variances** sought by the applicant. Chairman Smith and Vice Chair Coupe voted nay.

Discussion ensued amongst the Commission regarding the subsequent vote concerning the Minor Land Development Project.

- Atty. Marsella stated it is his belief that the Commission may vote to approve the Minor Land Development without the requested zoning relief, allowing the applicant to construct within the bounds of a by-right development. Mr. Marsella clarified that the Commission may not prejudice the applicant by having a potential smaller development that may impact a potential waiver to be requested at a later date.
- Mr. Murray stated the applicant would not be seeking waivers, presently.

17.92.010- Variances; Sections 17.20.030- Schedule of Uses; 17.20.120- Schedule of Intensity Regulations.

Upon motion made by Mr. Frias, and seconded by Mr. Coupe, the City Plan Commission voted unanimously (8-0) to forward a **negative recommendation** on the Application to the Zoning Board of Review.

VERSATILE INVESTMENT GROUP, LLC (OWN/APP) has filed an application to expand an existing legal, non-conforming multi-family (5 unit) use by converting a detached accessory structure into an additional dwelling unit on an under-sized lot at **389 Laurel Hill Avenue**, A.P. 7, lot 3860; area 22,062 sf.; zoned B1. Applicant seeks relief per 17.92.010- Variances; Sections 17.20.030- Schedule of Uses; 17.20.120- Schedule of Intensity Regulations. 17.20.090 (A) Specific requirements. Application filed 4/6/2024. Robert D. Murray, Esq.

Upon motion made by Mr. Coupe, and seconded by Mr. Mateus, the City Plan Commission voted (7-1) to forward a **positive recommendation** on the Application to the Zoning Board of Review. Ms. Lanphear voted against the application.

CITY PLANNING DIRECTOR'S REPORT

(no votes taken)

- Open positions / ongoing hiring process

Director Pezzullo stated the two vacant positions in the Planning Department, Planner Technician and Assistant Director/Principal Planner are currently being solicited.

- Comprehensive Plan Update Process

Director Pezzullo stated, in collaboration with the consultant, Staff is currently working to obtain a draft of the complete Comprehensive Plan by the end of the month. Mr. Pezzullo clarified to the Commission that the current draft in phase one does not specifically work to change existing goals and policies. Staff has worked to remove previous goals and policies that were considered defunct including outdated/defunct programs and initiatives. Staff has itemized the reasoning(s) for removing specific goals and policies. Mr. Pezzullo suggested the Commission familiar themselves with the draft goals and policies, as posted on the City's website. Mr. Pezzullo further shared the goal of reviewing the draft plan with the Commission at a public hearing in July for subsequent review and approval by the City Council.

- Commissioner Frias inquired about the proposed timeframe for review. Director Pezzullo stated that a proposed meeting date(s) has not been set. The Commission may work to schedule a date for public hearing at a subsequent meeting, potentially considering a joint workshop with the City Council.

ADJOURNMENT

(vote taken)

Next Meeting | Tuesday, July 2, 2024, 6:30PM – **Regular Meeting**
City Hall – 3rd Floor, Council Chamber – 869 Park Avenue

Upon motion made by Mr. Coupe, and seconded by Mr. Mateus, the City Plan Commission voted unanimously (8-0) to adjourn the meeting at 10:30 pm.