

A meeting of the Cranston Zoning Board of Review was called to order in Cranston High School East Auditorium by Chairperson Dean Perdikakis on **Wednesday, December 11, 2024, at 6:30 pm**. Also present were Joy Montanaro, Carlos Zambrano, Ivy Swinski, 1st alternate Anthony Mastantuono, and 2rd alternate Mario Carlino.

The following matters were heard before the Board:

NEW BUSINESS

Ward 5

JACKYS AT 379, LLC (OWN) and LITTLE LEARNERS ACADAMY OF ATWOOD, INC (APP) have applied to the Board for permission to allow increased signage at **379 Atwood Avenue**; A.P.12, lot 2853; area 34,804 s.f; zoned C3. Applicant seeks relief per Section 17.92.010-Variances; Section 17.72.010(4)- Signs. Application filed on 11/26/2024. Attorney John J. Garrahy, Esq.

On a motion made by Mr. Zambrano and seconded by Ms. Swinski, the Board voted unanimously to approve the variance as presented on January 8, 2025.

The Board made their decision based on the following findings of fact:

Findings of Fact:

- The Applicant has requested specific relief in their application, namely:
 - 17.72 - Signs
 - 17.72.010(4) – Maximum Area
 - Signage maximum area per Ordinance: 30 sq. ft.
 - Proposed signage area: 170.4 sq. ft.
 - Relief needed: 140.4 sq. ft.
- The Board finds this application compatible with the general character of the surrounding neighborhood and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The property and the surrounding area are commercial in nature and the request does not propose or encourage incompatible uses that would be disruptive to the surrounding area, as the signage is appropriately scaled for this highway commercial area and would be of comparable size to the signage on neighboring properties.
 - The area of the signage is largely determined by the lengthy name of the location, not by excessive tag lines, oversized logos, or other items that may unnecessarily increase the area of the signage.
- The Board finds that the Application is consistent with the Zoning and Future Land Use Map (FLUM) designation:
 - The FLUM designates the subject property as “*Highway Commercial/Services.*”
 - Per the Comprehensive Plan, the C-3 zoning district is an appropriate zoning classification for a commercial land designation and development.
 - Staff finds that the proposed signage for a commercial business conforms to the FLUM designation.
- The Board finds that the following goals, policies, and action items outlined in the Comprehensive Plan pertaining to commercial (re)development support the approval of this Application:
 - Policy ED-15: Work with regulatory staff to proactively inform and assist developers in regulatory and approval processes and otherwise improve relations with developers, businesses, and property owners.
 - Policy ED-22: Add to the City’s taxable property base by constructing industrial and commercial structures which are properly designed and sited in keeping with environmental, planning and design considerations.
 - Policy ED-24: Ensure that new and expanded commercial development along major arterials exhibits a high standard of design quality and is compatible with existing roadway functions and adjacent residential neighborhoods.

The applicant, through its attorney, put forth a presentation and testimony about the building and the signage. He states that the lettering would not be back lit and fit into the building .

There was no testimony by the public either for or against the project

In this case, the Board voted to accept the staffs finding of fact and applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the

permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 Variance; Sections 17.72.010(4)- Signs.

Ward 5

IMPERIAL APARTMENTS, LLC (OWN/APP) have filed an application for permission to add two new units in a multi-family apartment building, for a total of 15 units on an under-sized lot at **11 Dart Street**, A.P. 12, Lot 1495; area 17,554 sf; zoned A8. Applicant seeks relief per Section 17.92.010-Variances; Sections 17.20.030- Schedule of Uses; 17.20.090 (A)-Specific Requirements; Application filed on 11/26/2024. Attorney Robert D. Murray, Esq.

On a motion made by Mr. Zambrano and seconded by Ms. Swinski, the Board voted unanimously to approve the variance as presented on January 8, 2025 with a condition that the apartment presented remain a one bedroom.

The Board made their decision based on the following findings of fact:

Findings of Fact:

- The Applicant has requested specific relief in their Application, namely:
 - 17.20.030 – Schedule of Uses
 - Multi-family dwellings are not permitted in the A-8 residential zone
 - 17.20.090 - Specific requirements
 - 17.20.090.A
 - Lot area provided: 28,590 sq. ft.
 - Lot area required for 15 units: 59,500 sq. ft.
 - Relief needed: 30,910 sq. ft.
- The Board finds this application is compatible with the general character of the surrounding neighborhood and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The property and the surrounding area are residential in nature and the request does not propose or encourage incompatible uses that would be disruptive to the surrounding area, as no major exterior changes are proposed.
 - The proposed use (multifamily residential) is inconsistent with the Comprehensive Plan, but the use was approved by the Zoning Board in 1971 and has been consistently maintained as such.
 - The subject property is a nonconforming lot size for both the existing and proposed number of dwelling units, though the additional units are contained entirely within the footprint of the existing building and are not a significant change from the original Zoning Board approval from 1971.
 - The proposal can accommodate the additional parking with only minor alterations to the property. The proposed parking arrangement will make the property more compliant with city and ADA parking standards.
- The Future Land Use Map (FLUM) designates the subject property as “*Single-Family Residential 7.26 to 3.64 Units/Acre.*”
 - Per the Comprehensive Plan, the A-8 zoning district is not an appropriate zoning classification for a multifamily residential land designation and development.
 - Staff finds that the proposed density (22.86 units/acre) does not conform to the Future Land Use Map density designation of *Single-Family Residential 7.26 to 3.64 Units/Acre.*
- The Board finds that the following goals, policies, and action items outlined in the Comprehensive Plan pertaining to residential (re)development support the approval of this Application:
 - Goal H-2: Permit a variety of residential development types to achieve multiple community objectives.
 - Goal H-4: Promote housing opportunity for a wide range of household types and income levels.
 - Policy H-6: Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.
- The applicant put forth a presentation and stated that there would be no change to the exterior of the structure
- He also stated that there is ample parking for the Unit and that there will be handicapped parking
- There was no testimony by the public either for or against the project

In this case, the Board voted to accept the staffs finding of fact and applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the

permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 Variance; Sections 17.20.030- Schedule of Uses; 17.20.090 (A)-Specific Requirements

Ward 6

SHANTI HOSPITALITY, LLC (OWN/APP) have applied to the Board for permission to allow increased signage at **101 New London Avenue**; A.P.10, lot 1405; area 87,120 s.f.; zoned C4. Applicant seeks relief per Section 17.92.010-Variations; Section 17.72.010(4)- Signs. Application filed on 11/27/2024. Attorney Robert D. Murray, Esq.

On a motion made by Ms. Swinski and seconded by Mr. Mastantuano, the Board voted unanimously to approve the variance with conditions.as presented on January 8, 2025.

Conditions:

1. Message center to advertise on-site business messages only
2. Change rate of not less than 1 minute from 5am-11pm.
3. Sign to remain static from 11pm-5am
4. Reduce light lumens from dawn to dusk.

The Board made their decision based on the following findings of fact:

Findings of Fact:

- The existing non-conforming freestanding sign has two components, in which there is no record of previous Zoning Board of Review approval. The top portion (56') includes a double-sided "EconoLodge" identification sign with the lower portion including an additional two-sided manual message board (64') for a total area of 120 sf. The applicant proposes to convert the bottom portion manual message board into a digital LED sign while retaining the existing height dimensions of the entire sign itself. The existing signage is pre-existing non-conforming as the sign is 17.9' in height where 15' is allowed in the C-4 Zone. The lower portion proposed to be converted to a LED message board is additionally proposed to be reduced in size from 64 sf. to 42 sf. If approved, the sign's total area will be reduced by 18.5% at 98 sf., where the required maximum allowable area for a freestanding sign is 50 sf. in the C-4 zone.
- The Applicant has requested specific relief in their application, namely:
 - 17.72.010.G. Signs Prohibited Under This Section
 - *"All signs not expressly permitted under this section or exempt from regulation hereunder in accordance with the previous section are prohibited in the city."*
- Electronic LED message signs of any type are not permitted in the zoning code in any zone as per Section 17.72.010.G. [Signs Prohibited Under This Section] of the Zoning Ordinance.
 - Other LED billboards have been approved by the Zoning Board of Review through Use Variances and installed throughout the City of Cranston, but none are found near the proposed site.
 - There are other "animated signs" in the direct nearby area, including one static LED sign facing New London Avenue and Chapel View Boulevard on 2000 Chapel View Boulevard in addition the static LED billboard sign for the Garden City Center, located at 100 Midway Rd, Cranston, St 02920.
- The Future Land Use Map (FLUM) designates the subject property as "*Highway Commercial/Services.*"
 - The Comprehensive Plan is silent on LED signage specifically as an appropriate use.
- The applicant testified that there was a need to replace the current manual sign
- There was one member of the public who expressed concerns about the sign and lighting which led the board to place conditions on the approval

In this case, the Board voted to accept the staffs finding of fact and applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan.

In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 Variance; ; Section 17.72.010(4)- Signs

Ward 4

GILBERT and ANNA MEDEIROS (OWN/APP) have filed an application for permission to re-construct a new garage in the existing location encroaching into the side yard setback at **24 Hagen Avenue**; A.P. 18, lot 1236; area 9,237 s.f; zoned A6. Applicant seeks relief per Section 17.92.010-Variations; Section 17.60.010 (B) Accessory uses. Application filed on 12/6/2024. No Attorney.

An amendment was added to revise the building height to 14'-0" from the 12'-0" stated on the application.

On a motion made by Ms. Swinski and seconded by Mr. Mastantuano, the Board voted 4-1 to approve the variance as presented on January 8, 2025. Mr. Zambrano voted nay on this matter.

The Board made their decision based on the following findings of fact:

Findings of Fact:

- The Board finds, the property owner had a previous non-conforming detached garage (11' x 21') which was falling apart due to fallen tree roots. The property owner has owned the garage since 2020 in which the previous non-conforming garage was existing. To remediate the issue, the applicant has removed said garage and constructed a new existing non-conforming detached garage (18' x 30'). The newly constructed garage increases the lot coverage calculation by 3.4%, for a new percentage of 17.1%, which is in conformity with the required A-6 Zone. The applicant seeks 3.9 ft. side setback relief and .5 ft. of rear setback relief, per section 17.60.010B – Location of Residential Accessory Building.
- The Board finds this project compatible with the character of the surrounding area and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The property and the surrounding area are residential in nature and the request does not propose or encourage incompatible uses that would be disruptive to the surrounding area.
 - Through an informal review of GIS, staff notes of the homes within the 400' radius which have garages, roughly 80% have non-conforming side setbacks for the A-6 zone, per section 17.60.010B – Location of Residential Accessory Building.
- The applicant testified that the placement of the garage was no closer to the side setback than the old garage and the garage was replaced because it was in poor condition
- There was no testimony by the public either for or against the project

In this case, the Board voted to accept the staff's finding of fact and applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 Variance; Section 17.60.010 (B) Accessory uses

Ward 1

THE RUSSO FAMILY IRREVOCABLE TRUST (OWN) and THE BLUE ROOM RI, LLC (APP) have applied to the Board for relief from the requirements of off-street parking at **2197 Broad Street**; A.P. 1, lot 432; area 4,102 sf; zoned C3. . Applicant seeks relief per Section 17.92.010-Variations, Section 17.64.010 – Off-street parking. Application filed 12/11/2024. Attorney Sophie Bellacosa, Esq.

On a motion made by Mr. Zambrano and seconded by Ms. Swinski, the Board voted unanimously to approve the variance as presented on January 8, 2025.

The Board made their decision based on the following findings of fact:

Findings of Fact:

- The Applicant has requested specific relief in their Application, namely:
 - 17.92.010 – Variations

- 17.64.010 – Off-street parking
- The Board finds this project compatible with the character of the surrounding area and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The property and the surrounding area consist of General Business uses and the request does not propose or encourage incompatible uses that would be disruptive to the surrounding area.
- The Future Land Use Map (FLUM) designates the subject property as “*Neighborhood Commercial/Services*”.
 - “*Neighborhood Commercial/Services*” aligns closely with the current zone C-3 which permits a restaurant/bar use.
 - Staff finds that the Application is consistent with the Future Land Use Map designation.
- The Comprehensive Plan outlines goals, policies, and action items pertaining to off-street parking with uses of General Business, which Staff find to support the approval of this Application, specifically:
 - Per the Comprehensive Plan, the C-3 zoning district is an appropriate zoning classification the restaurant/bar with parking off-site.
 - **Economic Development Goal ED-1:** Maintain and increase the quality of job opportunities – in terms of wages, skill requirements, and working conditions – available to Cranston residents.
 - **Policy ED-8:** Maintain and enhance the growth of a diverse array of small, growth-oriented, value-adding business concerns.
 - **Policy ED-21:** Preserve and increase employment opportunities for Cranston residents.
 - **Economic Development Goal ED-2:** Attract capital into the Cranston area and expand the City’s economic base.
 - **Policy ED-26:** Improve and build neighborhood commercial areas at various sites through formulating and implementing revitalization projects.
 - **Land Use Goal LU-6:** Protect and stabilize existing residential neighborhoods.
 - **Policy LU-18:** Preserve the existing density of established neighborhood.
 - **Land Use Goal LU-5:** Ensure that the zoning map is consistent with the future land use map.
 - **Policy LU-12:** Protect and stabilize existing residential neighborhoods by increasing open space, improving roadway conditions, and making the zoning conform to existing uses.

The applicant put forth testimony from its experts in architecture and in Planning concerning the expansion and the parking in the area and the Board accepted said testimony

In this case, the Board voted to accept the staffs finding of fact and applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 Variance; Section 17.64.010- Off-Street Parking.

Ward 3

CPW TRUE STORAGE, LLC and CPW APARTMENTS, LLC (OWN/APP) have filed an application for a variance from the standards relating to construction in a special flood hazard district to convert an existing mill building to apartments and self-storage space at **1381 Cranston Street**, AP 8 Lots 195, 1617 and 2711; area 42.1 +/- acres, zoned M-1. Applicant seeks relief per Section 17.92.010 Variances; Sections 17.16.100 Specific Standards, Section 17.16.120 Variance. Application filed 12/11/2024. Attorney Robert D. Murray, Esq.

On a motion made by Ms. Swinski and seconded by Mr. Mastantuano, the Board voted unanimously to approve the variance as presented on January 8, 2025.

The Board made their decision based on the following findings of fact:

FINDINGS OF FACT

1. The Future Land Use Map (FLUM) designates the subject parcel as a Special Development District.
2. The zoning was changed to M-1 with conditions by Ordinance 2023-6. This ordinance made the following findings and explicitly allowed multi-family residential in addition to industrial uses such as self-storage.

- a. The City of Cranston recognizes that the Cranston Print Works property and structures (the "Print Works") is part of a valuable and historic industrial complex with great potential for reuse and redevelopment, including housing opportunities.
 - b. The City of Cranston finds that it is in the best interest of the city's economic welfare and community interest to support the redevelopment, revitalization and growth of the Print Works property in order so that it can again make a significant contribution to the city's industrial and commercial tax revenue base.
3. The Comprehensive Plan outlines goals, policies, and action items pertaining to this proposal.
 - **Housing Goal 2:** *Permit a variety of residential development types to achieve multiple community objectives.*
 - **Housing Goal 3:** *Achieve a balance between economic development and housing in the City.*
 - **Housing Goal 4:** *Promote housing opportunity for a wide range of household types and income levels.*
 - *Housing Policy H-6: Maintain a varied housing stock, with units of different age, size, and type that are affordable to a wide range of incomes.*
 - *Housing Action H-4: Encourage housing that is mixed into commercial projects.*
 - **ED Goal-2:** *Attract capital into Cranston and expand the City's economic base.*
 - **Historic and Cultural Resources Goal 2:** *Promote development policies which are sensitive to preservation concerns and goals.*
 - **Natural Hazards Goal 1:** *Make Cranston increasingly resilient to the natural hazards with the highest risks and levels of concern: storms, hurricanes, flooding, high winds, and extreme heat.*
 - *Action NH-2: Renew regulations for new development such as flood hazard overlay districts and building codes to ensure they are up to date with the latest best practices.*
 4. "Watercourse" means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.
 5. Portions of Building B and C are shown as within the watercourse on the FEMA Flood Insurance Rate Map (FIRM).
 6. The proposal qualifies as a "substantial improvement" within the regulatory floodway.
 7. The application includes calculations to show that it will not create any increase in base flood elevation (BFE) as required by CFR 44.1.B.part 60. Subpart A § 60.3 (d) (3) The City of Cranston shall "Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway **unless it has been demonstrated through hydrologic and hydraulic analyses** performed in accordance with standard engineering practice that the proposed encroachment would **not result in any increase in flood levels** within the community during the occurrence of the base flood discharge;"
 8. "Lowest floor" means the lowest floor of the lowest enclosed area (including a basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of applicable non-elevation design requirements.
 9. The Cranston Print Works Pond (State ID 172) on the Pocasset River is rated as "High Hazard" by RIDEM because failure or misoperation will result in a probable loss of human life. The applicant testified that the current violation was due to overgrowth in an a portion of the dam which resulted in the inspector not being able to inspect the full dam. The overgrowth was removed and the inspection was being completed within the next 5 days.
 10. The applicant put forth the testimony from the engineer and construction manager. The space in question will not house apartments but only be a storage facilities.
 11. The project has to comply with all FEMA regulations and the floor is being raised 3 feet from its current elevation.
 12. No variance to the Cranston code exempts the applicant with complying with federal and state requirements including the requirement that the first floor of Building B must be dry flood-proofed to the Design Flood Elevation (DFE) or be usable solely for parking of vehicles, building access or storage so as not meet the definition of "lowest floor."
 13. The applicant testified that if the floor had to be raised another 3 feet, the space would no longer be useful. Also, the applicant still had to comply with all structural and building code requirements for structures in a flood zone

In this case, the Board voted to accept the staffs finding of fact and applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 Variance; Sections 17.16.100 Specific Standards, Section 17.16.120 Variance

Stanley Pikul
Secretary, Zoning Boards

The meeting was adjourned at 10:40 PM
