

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, Kenneth Filarski, Ivy Swinski, 1st alternate Anthony Mastantuono, and 2rd alternate Mario Carlino. Carlos Zambrano was not present for this meeting.

The following matters were heard before the Board:

OLD BUSINESS

Ward 2

COBBLE HILL DEVELOPMENT, LLC (OWN/APP) has filed an application for permission to construct a new single-family dwelling with reduced frontage and lot width at **0 Hemlock Avenue**. AP 5, Lots 697, 698 & 2087; area 8,524 SF; zoned A-6. Applicant seeks relief per Section 17.92.010-Variances; Section 17.20.120 Schedule of Intensity. Application filed on 10/1/2024. Attorney John E. Shekarchi, Esq.

On a motion made by Mr. Filarski 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

- 1.The Applicant has requested specific relief in their application:
 - 17.20.120- Variances; 17.20.120 Schedule of Intensity
 - Frontage/Width in A-6
 - Required: 60 ft.
 - Proposed 50 ft.
 - Relief Requested: 10 ft.
1. The applicant submitted a neighborhood analysis as part of the application to compare the subject parcel's size and density with that of other neighboring parcels. In total, 59 individual parcels were reviewed in which 36-lots or 61% were smaller than the Property. In doing their own analysis, Staff notes the that an informal review of the surroundings via GIS suggests that roughly 52% of the residential parcels within the usual 400-foot radius have non-conforming frontage.
2. The Future Land Use Map (FLUM) designates the subject parcel as Single-Family Residential 7.26 to 3.64 units per acre.
 - Per the Comprehensive Plan, A-6 is an appropriate zoning classification for single-family residential land designation.
 - The density that would result from the proposal is, 5.10 units per acre which is within the FLUM's prescribed density.
3. The Comprehensive Plan outlines goals, policies, and action items pertaining to Residential Land Use.
 - 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-7: Review zoning in existing residential neighborhoods to ensure the zoning matches, as closely as possible, what has already been built. Revise in terms of dimensions and unit types unless constraints or specific needs determine otherwise.

The applicant put forth testimony from its experts about the compliance with the comprehensive plan who also testified about all aspects of the zoning variance.

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 17.20.120- Schedule of Intensity Regulations.

NEW BUSINESS

Ward 3

DR. JOYCE MARTIN (OWN/APP) has applied to the Board for permission to convert an existing mixed-use building into a Rooming, boarding house at **1040 Cranston Street**; A.P. 7, lots 754,755, and 756; area 14,254 sf; zoned C5. Applicant seeks relief per Section 17.92.010-Variations; Sections 17.20.030- Schedule of Uses. Application filed on 12/10/2024. Attorney John O. Mancini, Esq.

On a motion made by Mr. Carlino and seconded by Mr. Mastantuano, the Board voted unanimously to **continue this application** to the March 12, 2025, meeting.

Ward 6

STORAGE FIVE CRANSTON, LLC (OWN) and G3 40 SHARPE DRIVE, LLC (APP) have filed an application for permission to sub-divide an existing lot, creating a parcel of land to be utilized for the commercial vehicle storage at **0 and 40 Sharpe Drive**, A.P. 13, Lot(s) 5, 45, 50 & 67; area 9.277 ac; zoned M2. Applicant seeks relief per Section 17.92.010-Variations; Section 17.20.030- Schedule of Uses; Application filed on 12/30/2024. 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 February 12, 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:
 - 17.20.030 – Schedule of Uses
 - Motor vehicle storage is not permitted in any district
- The Board found 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 and industrial in nature and the request does not propose or encourage incompatible uses that would be disruptive to the surrounding area.
 - The part of the property designated as Lots 5 and 67, and the portion of 50 (all listed as Parcel B on the Site Plan) already feature a significant amount of pavement for parking for the now largely defunct Swarovski manufacturing building which has been approved to be converted to self-storage, a use that requires very little parking and produces few vehicle trips. Motor vehicle storage in that area would be aligned with the area's existing use as a parking lot.
- The Future Land Use Map (FLUM) designates the subject property as "*Industrial*."
 - The Comprehensive Plan is silent on the specific use of motor vehicle storage.
 - Motor vehicle storage is considered an industrial use in the Zoning Ordinance and thereby is compatible with the FLUM designation of "*Industrial*".
- The Board found the following goals, policies, and action items outlined in the Comprehensive Plan pertaining to residential (re)development support the approval of this Application:
 - Goal ED-2: Attract capital into the Cranston area and expand the City's economic base.
 - Policy ED-21: Preserve and increase employment opportunities for Cranston residents.

- Policy LU-11: Prevent the intrusion of commercial land retail activities into industrial zones, particularly those that might lead to strip commercial development. However, mixed-use commercial office and industrial parks and auxiliary commercial activities that serve the needs of an industrial park should not be discouraged.

The Board heard testimony from the applicant who testified to the necessary standards for granting of a variance.

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 all other necessary standards. 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

Ward 5

BLUE MOON PROPERTIES, LLC and STEVEN E. PRATT and PAMELA AVARISTA PRATT (OWN) and CINETS, INC. dba BLUE MOON PUB (APP) have applied to the Board for permission to construct an addition with reduced side and rear setbacks and restricted parking at **42 Phenix Avenue**; A.P.11, lot(s) 2839 and 3557; area 10,251 sf; zoned C5. Applicant seeks relief per Section 17.92.010-Variations; Section 17.20.120-Schedule of Intensity; 17.64.010- Off-Street Parking. Application filed on 12/15/2024. 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 February 12, 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:
 - 17.20.120 – Schedule of Intensity Regulations
 - Side set back in C-5
 - Required: 8ft
 - Proposed: 2ft
 - Relief needed: 6ft
 - Rear Set back in C-5:
 - Required: 20ft
 - Proposed: 4.8ft
 - Relief needed: 15.2ft
 - 17.64.010 – Off-Street Parking
 - 17.64.010.I.12 - Eating and Drinking Establishments (1 parking space per 3 seats for patron use)
 - Required: 24 parking spaces (for 72 proposed seats)
 - Proposed: 11 parking spaces
 - Relief needed: 13 parking spaces
- The Board found 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 neighborhood level commercial and residential in nature. The proposal would not be a significant change of use from the existing use.
 - The proposal would be a significant investment into the property and formalize many temporary elements on the site.
 - Neighboring residential uses may be impacted by noise and other nuisances due to the outdoor dining and use of the stage for public events.
 - Noise levels are not predicted to increase as the use on the property is to remain the same. Noise complaints have been rare in the last two years according to the Cranston Police Department.
 - Staff do not have enough information to make a conclusive statement on the parking demand for the existing conditions or the proposal
 - Cranston Police have no reports of complaints regarding parking on this property

- Businesses in the immediate area have adequate levels of off-street parking
- On-street parking is available along Phenix Avenue
- Applicant must demonstrate that request does not create nuisances
- The Board that the Application is consistent with the Zoning and Future Land Use Map (FLUM) designation:
 - The FLUM designates the subject property as “*Neighborhood Commercial/Services*.”
 - Per the Comprehensive Plan, the C-5 zoning district is not an appropriate zoning classification for a neighborhood commercial land designation and development.
 - The use of restaurant/tavern/pub with outdoor dining is an appropriate use for “*Neighborhood Commercial/Services*”.
- The Board 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-13: Encourage redevelopment opportunities at locations near Garden City Center, Rolfe Square, Knightsville, and along Interstate 295.
 - Policy ED-14: Promote the development or redevelopment of neighborhood commercial centers to service local market areas to reduce cross- town traffic. New neighborhood village center developments should be focused at Phenix Avenue and Natick Avenue, and Scituate Avenue and Pippin Orchard Road. Redevelopment of neighborhood centers should continue to occur at Pawtuxet Village, Knightsville, and Rolfe Square.
 - 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.

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 17.20.120- Schedule of Intensity Regulations; Section 17.64.010- Off-Street Parking.

Ward 2

COBBLE HILL DEVELOPMENT, LLC (OWN/APP) has filed an application for permission to leave an existing single-family dwelling with reduced side yard setbacks, frontage and to allow an existing accessory structure to remain with reduced side yard setbacks at **27 Hemlock Avenue**. AP 5, Lots 6, 2088 & 2089, 2090, & 2091; area 19,319 SF; zoned A-6. Applicant seeks relief per Section 17.92.010-Variations; Section 17.20.120 Schedule of Intensity. Application filed on 1/8/2025. Attorney John E. Shekarchi, Esq.

On a motion made by Ms. Swinski and seconded by Mr. Filarski, the Board voted unanimously to approve the variance as presented on February 12, 2025.

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

FINDINGS OF FACT

- The applicant seeks relief, that if granted will establish zoning conformance for the existing home and accessory garage structure:
- 17.20.120- Variations; 17.20.120 Schedule of Intensity

Frontage/Width requirements:

- *Required: 60 ft.*
- *Proposed: 50 ft.*
- *Relief Requested: 10 ft.*

Front Setback requirements:

- *Required: 25 ft.*
- *Proposed: 7.4 ft. (pre-existing non-conforming)*
- *Relief Requested: 17.60 ft.*

Side Setback requirements:

- *Required: 8 ft.*
- *Proposed: 6.2 ft. (pre-existing non-conforming)*
- *Relief Requested: 1.80 ft.*

*Relief from 17.60.010 Accessory Uses**Side setback requirements:*

- *Required: 5 ft.*
- *Proposed: 1.1 ft.*
- *Relief Requested: 3.9 ft.*

- The Future Land Use Map (FLUM) designates the subject parcel as Single-Family Residential 7.26 to 3.64 units per acre.
 - Per the Comprehensive Plan, A-6 is an appropriate zoning classification for single-family residential land designation.
 - The existing density within the subject property is 2.25 units per acre which is within the FLUM's prescribed density.
 - The Comprehensive Plan outlines goals, policies, and action items pertaining to Residential Land Use.
 - 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-7: Review zoning in existing residential neighborhoods to ensure the zoning matches, as closely as possible, what has already been built. Revise in terms of dimensions and unit types unless constraints or specific needs determine otherwise.

In this case, the Board voted to accept the staff's finding of fact and applying the facts and testimony 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 17.20.120- Schedule of Intensity Regulations.

Stanley Pikul
Secretary, Zoning Boards

The meeting was adjourned at 9:40 PM
