

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

ORDINANCE COMMITTEE

Regular meeting of the Ordinance Committee was held on Monday, December 14, 2020 via Zoom webinar.

CALL MEETING TO ORDER:

The meeting reconvened at 6:40 p.m. from the December 10, 2020 meeting.

Present: Councilmember Kenneth J. Hopkins (appeared at 6:48 p.m.)
Councilmember Lammis J. Vargas
Councilmember Aniece Germain
Councilmember Edward J. Brady
Councilmember Christopher G. Paplauskas, Vice-Chair
Council Vice-President Michael W. Favicchio, Chair
Council President Michael J Farina

Also Present: Councilmember Steven A. Stycos
Councilmember John P. Donegan
Daniel Parrillo, Director of Administration
John Verdecchia, Assistant City Solicitor
Evan Kirshenbaum, City Council Legal Counsel
Leanne Zarrella, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

OLD BUSINESS:

7-20-01 *Ordinance in amendment of Chapter 10.32 of Title 10 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles & Traffic" (New Hampshire St. and Southern St.).*

This Ordinance was discussed and voted on at the December 10, 2020 meeting.

7-20-04 *Ordinance in amendment of Ch.17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – New London Ave.). Petition filed by Coastal Partners LLC, Mulligan's Island LLC, and State of Rhode Island. **Cont. from 11/12, 2020***

Chair stated that at the last meeting, Attorney Goins had introduced Ben Caito, who was sworn in by Stenographer, and was asking him questions. He asked Solicitor if Mr. Caito has to be sworn in again. Solicitor stated that he does not, but asked that Mr. Caito and any other witnesses who testified at the last meeting and were sworn in be reminded that they are still under oath.

Amy Goins, Esq., appeared to represent Cranston Neighbors for Smart Development and asked that Mr. Caito restate his testimony and documents he shared on his screen.

Benjamin Caito, Registered Professional Engineer in the State of Rhode Island, appeared to speak and stated that he put together plans that show to scale what the potential impact of the proposed Costco building would be. He also showed a slide of aerial photo projections of the proposed building and stated that this shows a monster building with significant amount of parking in front of it.

Councilmember Hopkins indicated to the information that was presented last week and stated that the angle of decent from the bottom of Costco property base of the building to the peak of the houses, he is concerned about that decent towards the houses that decent towards the houses and questioned where in that is the presentation of any type of activity that is going to keep the water from descending towards those houses. Mr. Caito stated that this is a question that should be deferred to the applicant's engineer.

Attorney Bolton showed a slide showing the scale and views with the proposed berm and views of what it would look like in the Summer and in the Winter. He stated that the important thing to note is there is significant distance between the building and the property lines and the homes that gives this applicant and this developer more than enough opportunity and land to create whatever berm and whatever storm water facilities are necessary to accomplish this. With respect to the drainage issue, should this proposal be approved, we would be required to obtain a permit from D.E.M. Councilmember Hopkins asked whose responsibility it would be to maintain that over the years. Attorney Bolton stated that it would be the developer's responsibility.

Mark Marchisano, Director of Development at Costco Wholesale, addressed the elevation issue.

Chair addressed the berm and asked how tall the trees would have to be on top of it to shield the site line. Mr. Marchisano stated approximately 10-15 feet.

Councilmember Hopkins stated that given the letters of non-support from various State Departments, he asked if the proposed traffic changes on New London Ave. be certain to be achieved. Attorney Bolton stated that, ultimately, it has to be achieved. If they do not achieve a design to the satisfaction of R.I.D.O.T., that that traffic will operate in a safe and efficient manner, they will not issue a physical alternation permit and if they do not issue a physical alteration permit, they do not get one shovel in the ground to build this development. He also stated that they have submitted a traffic study that shows that this traffic works. They had a peer review that did not find any defects with the methodology or conclusion of their traffic study and, ultimately, R.I.D.O.T. will not issue the permit if traffic does not work.

Councilmember Hopkins asked if appropriate agencies have agreed to support the relocation of the cemetery on the site. Attorney Bolton stated that, ultimately, the decision maker is the City Council, per the City Charter and State Statute. He stated that Cranston does have a Historic Cemetery Commission and, in July, Chairman Mierka of that Commission, indicated to Planning Director Pezzullo via e-mail, that his Commission had no objections to the developer relocating the cemetery so long it is relocated on the site. On the evening of the Planning Commission meeting, Mr. Mierka indicated a different position. He can't explain that. Councilmember Hopkins asked what the impact would be to the plan if the City Council says "no" to moving the cemetery. Attorney Bolton stated that they have not even looked at that yet.

Councilmember Donegan asked what the final decision of the Historic Cemetery Commission was and did they take a formal position. Attorney Bolton stated that he is not aware of any. When he looked at the Secretary of State's website to see the minutes of any meetings of that body, which they are required to publish under the Open Meetings Law, this Commission has not legally met since October, 2019. Councilmember Donegan asked if Chairman Mierka's opinion was on behalf of the Historic Cemetery Commission or just as a private citizen. Attorney Bolton referred to an e-mail from July 17th from Chairman Mierka to the Planning Director, which he received a copy, where he indicates that after extensive discussions, the CHCC would agree to respectfully and professionally remove the cemetery out of the way of the proposed building development portion of the Mulligan's Island project. The e-mail continues to state that the CHCC would oppose moving the cemetery to any other location in Cranston or the State. Councilmember Donegan asked if the City Clerk received anything else from CHCC in regards to this because he thought he saw on the City's website to the contrary. Attorney Bolton stated that, as he stated earlier, we have that July e-mail. Contrary to that, Chairman Mierka sent a subsequent e-mail on November 25th to Joshua Berry in the Planning Department indicating that after lengthy discussions and extensive research, the CHCC has voted to oppose moving or changing the status of the cemetery.

Councilmember Germain questioned what has changed to the proposal stated that from August until now and also what is being asked today for the change of zoning. She stated that her question is why, if we have this proposed plan presented to the public in August and there was no mention of rezoning, why now, we have this Ordinance? What happened is her question? Attorney Bolton stated that at the presentation in August, they were seeking a zone change. This proceeding before you has always been from day one, a request for a zone change. Councilmember Germain asked what has changed and what is the difference between the first proposal and now? Attorney Bolton stated that in the original plan, Parcel 4 originally proposed a residential sub-division of 40+ single-family lots and now we moved that from the plan and reduced that with a proposal to gift that parcel of a little over 18 acres to the City as Open Space. Councilmember Germain asked for explanation in terms of major alteration. Attorney Bolton stated that in the Cranston Zoning Ordinance, it states that if you want to change the allowable development of a MPD, it could be a minor alteration, which those can usually be approved by the Planning Commission. Other major alteration requires City Council approval and that is why we are before you. Councilmember Germain stated that if this site is already MPD, she asked what the change is required, C-4 or not? Director Pezzullo stated that the proposed is for a new MPD. This would be the third version of MPD on this site. Councilmember Germain asked for explanation specifically why the Planning Commission has a negative recommendation. Director Pezzullo stated that at the meeting last week, they found issues with consistency with the Comprehensive Plan as well as issue with Site Plan itself and he believes there are members of the Planning Commission on the call who are willing to speak in more detail than he could. Chair asked Solicitor if this is allowed. Solicitor stated that he spoke to Solicitor Marsella today on many of these issues, including this issue. He does not have a problem, but it should be limited to one member speak on their behalf. It can't expand into another Planning Board hearing, otherwise we will run into problems such as Open meetings.

Fred Vincent, 41 Amherst Rd., Vice-Chair of the Planning Commission, appeared to speak and addressed the recommendation of the Planning Commission. He stated that the Commission spent a considerable amount of time hearing this issue. His issue with the recommendation is it does not provide the City Council, in his professional opinion and as a member of the Commission, with enough context to appreciate what their concerns were based on their questions and their discussions. The recommendation from the Planning Staff were pages long and had no recommendation at the end. It was given to the Planning Commission to make a decision. He thinks the City Council deserves a full explanation.

Chair stated that he is concerned with Open Meetings violations. He asked Solicitor's opinion with Mr. Vincent speaking. Mr. Vincent stated that he is a member of the public and should be allowed to speak. Solicitor stated that this is his concern. He understands he is a member of the public, but he is also a member of the Planning Commission. There are ramifications and consequences to his testimony. He can't allow Mr. Vincent to spend time to sort of summarize and rehashing what took place at the Planning Board. He is concerned about Open Meetings Law.

Attorney Kirshenbaum stated that he agrees that Mr. Vincent should be allowed to speak, but without his statements coming from the Planning Commission.

Chair asked Mr. Vincent to wait and speak under the Public Comments portion of the agenda and speak as a member of the public, if he wishes.

Councilmember Stycos stated that he would like to hear what Mr. Vincent has to say and the City Council can decide if that is credible information or not. We should not be shutting down information.

Chair stated that Mr. Vincent originally appeared on behalf of the Planning Commission and he is not sure he is authorized by the Planning Commission to make statements about their decisions. He can speak as a public member. Chair asked Mr. Vincent if he was authorized by the Planning Commission to speak. Mr. Vincent stated that he was not authorized by the Commission. He was responding the Councilmember Germain's request for clarity.

Council President Farina stated that with respect to the berm, he asked Mr. Caito if in his expert opinion, if it is possible with the land math that have to create a berm that would be tall enough to block some of this building. Mr. Caito stated that in the engineering world, everything is possible. It is an extensive earth movement operation to do that. It would take up about 50 feet width. It is possible. Council President Farina asked applicant if this is possible. Mr. Hemenway stated that there is enough land to do that.

Council President Farina addressed Mr. Flynn's testimony from last week and stated that there was a lot of talk about the secondary Mulligan's plan and the 150,000 sq. ft. building that was approved in the second plan and he believes he was Planning Director during that time. He asked Mr. Flynn to address this. Kevin Flynn, appeared to speak and stated that he believes that was the first plan. Council President Farina asked if there were any objections from the Department of Corrections. Mr. Flynn stated that the building, as he recalls, was not in the same location as this building, it was more towards the easterly side of the site. The Department of Corrections was involved in all the discussions about Mulligan's Island through its various permutations. He does not believe the State would have sold the land if they were not cognizance of the plans.

Council President Farina asked how the applicant came to the \$750,000 calculation in revenue for this site. Attorney Bolton stated that early on, he reached out to the Tax Assessor to get some sense of what the assessment would be for this new development and he was quite candid and stated that he would not know until it was built. They looked at comparable, like Wal-Mart, they tried to come up with an assessment value for warehouse and he looked at BJ in Johnston. The estimate of \$725,000 was just based on the Costco and this was a conservative number and they feel extremely comfortable with.

Council President Farina asked Mr. Marchisano if the gas station would be open to the public or would it be just open to members of Costco. Mr. Marchisano stated that it is open only to members. Chair asked how many pumps the gas station would have. Mr. Marchisano stated that it will have eighteen pumps.

Council President Farina asked how many jobs would be created. Mr. Marchisano stated, average 200-250.

Council President Farina asked what the impact and costs would be for infrastructures of this project. Michael DiGiuseppe, applicant for Coastal Partners, appeared to speak and stated that site improvements would include the new intersection, utilities, drainage, water, sewer, electric, asphalt and landscaping. The projected cost for that project without the acquisition cost is approximately \$12 million.

Council President Farina asked how the City would access the gifted land. Attorney Bolton stated that there would be an Easement given across the development for access to that land.

Councilmember Stycos stated that he would like to ask Mr. Vincent questions. Chair stated that this may violate Open Meetings issues. Council President Farina stated that we are going to go through this again on Thursday and he asked the Solicitor if we could place the “Planning Department” on the docket for Thursday’s Council meeting.

Councilmember Stycos questioned how it is a violation of Open Meetings Law for one member of the Planning Commission to come to the City Council to speak.

Councilmember Vargas stated that she agrees with Councilmember Stycos that we should definitely for someone from the Planning Commission if not today, Thursday. As a City Council, we should still be able to question someone from the Planning Commission.

Attorney Kirshenbaum stated that he understands that the City Council has to make a decision on this, however, we have before us an applicant, under law, has a right to present his case as to why applicant feels he is entitled for relief from the City Council and he thinks that the applicant has a right to present his case and then have public comment and if you want to ask questions from someone from the public, you can ask permission of the Chair to ask the question and engage in dialogue, but to interject things and points during the applicant’s case, he does not think it is right. This happened during the Wendy’s application before the City Council and that presentation was cut very short and truncated by the City Council and objections of the City Council Committee. This is the only legal way an applicant can come before the City Council to get a zone change. So, some deference has to be given to that applicant to get a full and fair hearing before people jump on it and he does not think we are really doing that right now.

Councilmember Stycos asked if Parcel 3 is part of this proposal. Attorney Bolton stated that it is part of this proposal and applicant has agreed that it would be limited to retail uses allowed in a C-4 district.

Councilmember Paplauskas addressed the loading dock area and asked what the distance is from the neighborhood. Mr. Marchisano stated that on the prison side and side of the site, there is a 200 feet no structure, and it is listed in the deed. Councilmember Paplauskas asked what the distance is between loading area and nearest residential property line and nearest house. Mr. Hemenway stated that the distance from the actual loading door to the property line is 232 feet. The distance from the loading door to the nearest house is 407 feet.

Chair asked Mr. Flynn what could realistically happen to this property if this proposal does not go through. Mr. Flynn stated that the application is saying two things at once. Right now, the zoning for the site is exactly what you see on the site. That is what the City Council approved. The only exception to that is the second round of plans is what is there now also included a restaurant. They were never able to do that for some reason or another. One of the procedural points that he raised is that asking for a Mixed Use Plan District, they are also asking for whatever we can do under C-4. That is not what a Mixed Planned District is. Mixed Used District is to mix and match use that are otherwise not allowed in a single zoning category. If this Ordinance fails, then the zoning for the site is what you see and then a new proposal would have to be made. Conversely, if this were to pass, the City Council would authorize and vest, you would have passed a Zoning Ordinance that allows a 165,000 sq. ft. building on the spot that it shows, three other commercial locations, which you have virtually no details at all and the idea that we'll figure out all the details afterwards. The problem with that is afterwards the site has already been rezoned for what shows on this plan.

Attorney Bolton stated that we are not asking for an MPD. It is already an MPD. We are asking for a major alteration to the existing MPD. We are not asking for C-4 Zone. We are asking for an MPD and that certain elements and like Parcel 3 would be allowed to have uses, retail uses in C-3 Zone.

The meeting recessed at 9:04 P.M.

The meeting reconvened at 9:11 P.M.

Councilmember Vargas asked if this can be introduced under new business for the next City Council term if this is to fail and also if the State, hypothetically, was to acquire Mulligan's, does it need any local approval? Director Pezzullo stated that he has spoken to Solicitor on this multiple times and it was the understanding that we would not be able to, but then after further research, there is no prohibition of old business being continued to the new City Council. Councilmember Vargas questioned what would happen if this did not pass the City Council on Thursday. Director Pezzullo stated that this would be a question for the Solicitor. Solicitor stated that he believes that if this is denied, it cannot be re-introduced for at least one year, he would have to check into this. If there is a significant change in circumstances, then he does not think that the waiting period would apply. If it does go into January, it is business in progress and it could continue. As to Councilmember Varga's second question, the State supersedes local and municipal authorities. That does not mean that they are exempt from State regulations. in terms of notice or public notice. He does not believe the State is bound by our zoning.

Public Speakers:

Rick & Donna Brown, 171 Hilltop Dr., appeared to oppose to this project. They asked that the Council keep the residents of Cranston in their decision.

Jennifer Bouchard, 60 Hilltop Dr., appeared to oppose to this project and stated that there are so many other vacant spaces in our City that the developer could look into. She questioned what happens when they decide to sell this land. This is a big concern. The residents do not have much faith in them being community members.

Anne Balboni, 22 Laura Circle, appeared to oppose to this proposal.

Anna Barnett, 34 Garden City Dr., appeared to speak in favor of this proposal.

Brendan Casey, 76 Hilltop Dr., appeared to oppose to this proposal and addressed increase of traffic. He also stated that in this past Tuesday's meeting and this evening, we learned that it is not just a gas station. It is arguably amongst the biggest gas station we have in the State as it was described as having eighteen pumping stations. This gas station will most likely have a negative impact on all local gas stations in the area. There is also a Parcel 3 in the development that is being left unplanned for future C-4 commercial use. This Parcel has plans for C-4 highway commercial and the property line of that parcel is only 50 feet away from his property line. AS to the big box store Costco, the main access road for the tractor trailer trucks will be approximately 75 feet from the closest property line, which again, happens to be his. That access road will guide tractor trailer trucks to the loading docks as well as the dumpsters and the compact area. When asked why this access road could not be moved, we learned about something that was never mentioned until this evening. Costco has a tire center, which is planned for the side facing the prison, but moving the access road to the prison side, there would not be enough space for the vehicles having their tires serviced. He also addressed the berm that was shown multiple times behind his address and stated that this berm does not exist on the proposed plans. That berm stops at his neighbor's house, 82 Hilltop. He stressed that what was shown as substantially enough space to block the residents' views, in his opinion, was grossly misleading for some properties including his. There is not enough space to reduce the noise levels.

Matt Celeste, 56 Oakhill Dr., appeared to oppose to this project and stated that as a life-long resident, he asks that the City Council listen to its constituents.

Kate Caito, 97 Hilltop Dr., appeared to oppose to this project and stated that the developer is basically looking to hide behind an MPD so that he can circumvent this entire parcel of being classified as a clear example of spot zoning. The 1992 Comprehensive Plan states that the cornfields were not recommended for major economic development. Mulligan's received their MPD because they had minimal development and an abundance of green space and now we are approaching 2021 with a major economic development. The noise fact sheet that was submitted by Coastal Partners has no company name, has no citation, it has no reference of any kind of where any of this information came from. She also addressed noise of trucks and compressors going on and she stated that she would like to know what leverage we have as citizens and what leverage you have as the City of Cranston against such an economic dominant company.

Rebecca Decesaris, 48 Hilltop Dr., appeared to oppose to this project and stated that the gifted parcel that was sacrificed for the benefit of the neighbors' concerns is not a buffer as it is being portrayed. In reality, this is a land-locked parcel with its only access being the perimeter access road that is 75 feet from Oakhill Terrace. This land has no impact on the buffer to Oakhill. It remains the same. Costco is going to be a destination for shoppers Citywide. She does not see how New London Ave. could have the capability to sustain the added traffic in any form.

Barbara Dewares, 46 Balsam Ct., appeared to speak and stated that she is very much in favor of Costco coming to Cranston. They are good neighborhood participant. They will generate more income to the City then if the prison expands into that area, which it could do and it will offer jobs.

Glen Dececco, 85 Coolspring Dr., appeared to oppose to this project and stated that traffic and noise will devalue properties in the area.

Tony Desimone, 33 Rosehill Dr., appeared to oppose to this project.

Mike English, 24 Garden Hills Parkway, appeared to oppose to this project.

Roberta Friedman, 4 Dean Ridge Dr., appeared to speak and stated that she and her husband are in favor of this project. Costco is an incredible company and are good to their employees. She also stated that the berm can work and the tax revenue is going to be fabulous as well as location.

Robert Gallagher, 9 Laura Circle, appeared to oppose to this project and stated that from the bottom of his street to the floor of Costco will be 60 feet. He questioned how could that possibly be screened from his view? He also stated another concern is the water runoff. There are already water problems on this street. The developer states that there are plans, but he has no approvals. This is putting the cart before the horse.

Lori, Chartier, 82 Hilltop Dr., appeared to oppose to this proposal.

Megan Kaspareh, 132 Hilltop Dr., appeared to oppose to this proposal and asked that everyone consider the numerous reasons how this will negatively impact the quality of the residents' lives.

Joanne Knolls, 82 Laura Circle, appeared to oppose to this proposal and addressed some concerns that have already been stated by prior speakers, such as:

- Parcel 3 and potential for more traffic issues there.
- Open Space or gift that is being mentioned. This is a great idea for more recreation, but who is going to pay for this recreation and what would the access road be to this?
- Concern of whether it is truth or scare tactic about opting for Costco versus what may end up being a buffer between the prisons.

Lynne Cashen, Hilltop Dr., appeared to oppose to this project and questioned why this particular property in Cranston and has to the developer and Costco considered other properties in the City of Cranston? The statement of tax revenue the City would realize, that would happen in any other area in the City of Cranston. It does not have to be this property.

Adam Lupino, 100 Burton St., appeared to speak in favor of this property and stated that with a new Administration and new City Council coming in, the ability to lock in a major development is a win for the City. This project would create hundreds of good paying construction jobs. This project will bring 250 permanent jobs. You have to look at the longer terms effects. We have to do more than Chapel View and Garden City. WE have to put politics aside.

Scott Lord, 105 Hilltop Dr., appeared to speak and addressed the statement that he keeps hearing, which is that the proposed development is good for the City because of the tax revenue it would generate and what it could and he emphasized the word "could". While he appreciates the impact it could potentially have, he feels that the impact this will definitely have, deserves equal focus if not more so. He urged the City Council to vote against this proposal.

Crystal Langevin, 81 Laura Circle, appeared to oppose to this project and stated that as a first responder, she is concerned that everyone is trying to rush everything during a pandemic. She feels no one is really wanting to take a second to really understand the whole process and we are not able to do this process in person, see each other's faces and realize the detrimental effect that it puts on the families in local areas. It is not just going to bring money to the City of Cranston. It is going to bring detrimental loss because a lot of these neighborhoods will be decreased. People will leave and it won't be the same community that it is today. The people deserve better than just saying "well that is what is allowed". We have a lot of areas that can be developed as a big box.

Robyn Ladouceur, 59 Oakhill Dr., appeared to oppose to this project and stated that this evening she learned that the developer is going to add a tire center. It seems like every time she spends four to five hours of her life listening to the developer, she finds out a little bit more about what his plans are because he has kept them secretive. The tire center will not just generate noise, but it will kill the small guy. Tire Warehouse is just down Oaklawn Ave., just as the huge gas station will ruin the lives of all those little gas stations on Oaklawn Av., Reservoir Ave., Pontiac Ave. and Mayfield Ave. We are talking about the jobs Costco is going to bring to the table. What about the ones that are going to kill? Years ago, that property was a cornfield to buffer the prison from the neighbors and then it was pretty much given away to Mr. Friedman in return for Mulligan's Island, which as a development, but it was mostly green, it was a golf course and it was still a buffer and it is lovely. She thinks that our elected officials owe the people who live in that area the chance to have something palatable that they can live with.

Dan Meuse, 60 Hilltop Dr., appeared to oppose to this project and stated that the neighbors have lived in harmony with Mulligan's despite Mulligan's loose interpretation of the restrictions and covenants regarding the uses and noise in the MPD Ordinance that is currently in effect. The spooky world attraction, a series of live music events, that were not in compliance, but to his knowledge, no one filed a complaint with the City because Mulligan's has been a good neighbor, but now Cranston is seeing proposal that seems to disregard the significant work and time that went into the development of this parcel. Approval of this Ordinance is wrong. IF you grant the Ordinance, the MPD is changed.

Brian Malachowski, 70 Hilltop Dr., appeared to oppose to this project and pointed out a few items from the City Planning memo that underscores not only how whole fully short their proposal falls, but how the applicant has routinely refused to address those deficiencies.

Rachel McNally, 113 Hilltop Dr., appeared to oppose to this project and stated that Mr. Friedman wants to retain ownership. He is so desperate to get rid of this land, but he wants to retain ownership of that Parcel 3. Mr. DiGiuseppe stated last week we can ask anything and they will definitely help. There is a list of things that have been asked from not moving the cemetery, to not having the loading dock at the residences, to not providing a detail of C-3, to not providing signage detail. There is a lot that has been asked and has been ignored. Why should the residents believe that things will change once they have their C-4 Zoning? She asked the City Council to please deny this proposal.

Mario Pantano, 35 Ledgewood Dr., appeared to oppose to this project and stated that the traffic on Reservoir Ave. and Oaklawn Ave. is bad now. With this development, it will be impossible to travel down those roads.

Quilcia Moronta, 233 Garden St., appeared to speak in favor of this project and stated that this project will bring great decent jobs into the City and revenue especially in this pandemic.

Gregory Roch, 17 Ledgewood Dr., appeared to oppose to Costco coming to Cranston or anywhere else in Rhode Island. He is not opposed to low-income housing or the prison expanding on this site, however, the low-income housing or the prison makes a lot more sense than a Costco cramming into this site.

Matt Reilly, Councilman-Elect for Ward 6, appeared to speak and stated that in the past months, he has gone door to door and spoken to the residents in Ward 6 and it is an overwhelmingly negative view to this proposal. The neighbors are clearly against this. We, as elected officials, are here to represent their views and speak for them.

Nicole Renzulli, 54 Massachusetts St., Councilwoman-Elect, appeared to speak and stated that after reviewing this proposal in detail and listening to hours of testimonies from the applicant, opposition, City Planning Staff, City Planning Commission and all the public comments thus far, this proposal is not a Mixed Use District at all, never mind an amendment to an existing MPD and for that reason, this should not be approved. She encouraged the City to work with Costco to find a suitable location as a tax revenue and job creation are a welcome to Cranston. Cranston is open for business.

Nicholas and Jennifer Shugrue, 49 Normandy Dr. appeared to speak and stated that his household is opposed to this.

Eileen Sweeney, 27 Western Promenade appeared to speak in favor of this project and stated that not only do we need the tax revenue that Costco would pay to our City, jobs are also needed. She urged the City Council to move this project forward so that Cranston residents can have job opportunities and access to affordable shopping.

Sean and Debbie Sullivan, 42 Hilltop Dr., appeared to oppose to this project. Mr. Sullivan stated that if this development was a good deal, he thinks this developer would have presented a more detailed proposal, he has not. This is a bad deal.

Michael Swiader, 156 Hilltop Dr., appeared to oppose to this project.

Stephen Votta, 21 Rosehill Dr., appeared to oppose to this project and reiterated that he and his wife are adamantly opposed to this.

Michaela Whitcomb, 50 Walden Way, appeared to speak and stated that she grew up at 86 Hilltop Dr., and is speaking on behalf of her parents opposed to this project.

Joe Walsh, Business Manager for IBW Local 99 in Cranston, Rhode Island, and representing 700 women and men electrical craft workers in the State of Rhode Island, many of which live in the City of Cranston, in favor of this project.

Chair asked Attorneys if they had any additional closing remarks.

Attorney Goins reiterated the objection both procedural and as well as substantive of Cranston Neighbors for Smart Development.

Attorney Bolton addressed items brought up during the public hearing portion. He stated that if this Zoning passes, they have to go through a process for major land development. That process would include not only meeting approval from the Planning Commission in reviewing buffers, etc., but also DEM on the drainage and RIDOT on the traffic. As to the remark made about the applicant failing to engage with some of the neighbors, he stated that there were some overtures made directly from him and the applicant and they were told time and time again, month after month, that there was nothing to talk about if Costco was still on the plan, so how can you engage in a productive discussion unless you abandon what you do, we are not talking. He asked that Mark Friedman be given the opportunity to read a letter dated December 13th to the City Council from him and be entered into the record.

Mark Friedman, brother of Michael Friedman, with whom he has owned Mulligan's Island with for the last twenty years in addition to other commercial properties in the City of Cranston, appeared to read the letter into the record.

Michael DiGiuseppe stated that if this is approved, he will agree to have the residents put together an advisory group to work with Costco to address a lot of the concerns from the neighbors.

Councilmember Donegan stated that our City Council Rules state that the meeting has to adjourn by midnight. Chair asked Solicitor what he suggests regarding this. Council President Farina stated that he would like to suspend the Rules and debate this and vote on this this evening.

Council President Farina motioned to suspend Council Rule of midnight curfew. Councilmember Paplauskas seconded the motion for discussion.

Motion and second were withdrawn.

On motion by Council President Farina, seconded by Councilmember Brady, it was voted to forward this to the City Council without a recommendation. Motion passed on a vote of 6-0. The following being recorded as voting "aye": Councilmembers Vargas, Germain, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -6. Councilmember Hopkins was not present for roll call vote.

8-20-04 *Ordinance in amendment of Title 9, of the Code of the City of Cranston, 2005, entitled "Public Peace, Morals and Welfare" (Social Security No. Police Complaint). Sponsored by Councilmember Stycos. AMENDED AND CONT. FROM 11/12/2020.*

This Ordinance was discussed and voted on at the December 10, 2020 meeting.

9-20-05 *Ordinance in amendment of Title 6 of the Code of the City of Cranston, 2005. Entitled "Health and Safety" (Fair Housing Practices) Sponsored by Councilmembers Donegan, Germain, Stycos and Vargas. CONT. FROM 11/12/2020.*

On motion by Councilmember Vargas, seconded by Councilmember Paplauskas, it was voted to refer this Ordinance to the full City Council without a recommendation. Motion passed unanimously.

9-20-06 ***Ordinance in amendment of Title 2 of the Code of the City of Cranston, 2005, entitled “Committees, Commissions and Councils” (Affordable Housing Commission). Sponsored by Councilmember Donegan. Co-sponsored by Councilmembers Germain and Vargas. CONT. FROM 11/12/2020.***

On motion by Councilmember Vargas, seconded by Councilmember Paplauskas, it was voted to refer this Ordinance to the full City Council without a recommendation. Motion passed unanimously.

PUBLIC HEARINGS/NEW BUSINESS:

11-20-01 ***Ordinance in amendment of Title 10.32 of the Code of the City of Cranston, 2005, Entitled “Motor Vehicles and Traffic” (Scaralia & Fox Ridge Drive- 4 way stop) Sponsored by Councilmember Brady.***

On motion by Council President Farina, seconded by Councilmember Paplauskas, it was voted to refer this Ordinance to the full City Council without a recommendation. Motion passed unanimously.

11-20-04 ***Ordinance in amendment of Title 10.32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles & Traffic” (Park Ave. and Grace St. – 4 Way Stop). Sponsored by Councilmember Germain.***

Councilmember Vargas withdrew this Ordinance.

11-20-05 ***Ordinance in amendment of Title 10.32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles & Traffic” (Newell Rd. at Bedford Rd. Stop). Sponsored by Councilmember Germain. Referred to Ordinance Committee December 10, 2020.***

On motion by Council President Farina, seconded by Councilmember Paplauskas, it was voted to refer this Ordinance to the full City Council without a recommendation. Motion passed unanimously.

The meeting adjourned at 12 a.m.

Respectfully submitted,

/s/ Rosalba Zanni
Assistant City Clerk/Clerk of Committees