

Kenneth J. Hopkins
Mayor

Michael E. Smith
President

Jason M. Pezzullo, AICP
Planning Director



Thomas Barbieri
Richard Bernardo
Robert Coupe
David Exter
Steven Frias
Kathleen Lanphear
Lisa Mancini
Thomas Zidelis

CITY PLAN COMMISSION

Cranston City Hall
869 Park Avenue, Cranston, RI 02910

Draft Meeting Minutes

Tuesday, March 7th, 2023 – 6:30PM

3rd Floor - City Council Chamber, 869 Park Avenue, Cranston RI

CALL TO ORDER

Chairman Smith called the meeting to order at 6:36 p.m. in the Council Chamber, 869 Park Avenue.

The following Commissioners were in attendance for the meeting: Chairman Michael Smith, Richard Bernardo, Thomas Barbieri, Robert Coupe, David Exter, Steven Frias, Kathleen Lanphear, Lisa Mancini, and Thomas Zidelis. No Commissioners were absent.

The following Planning Department members were in attendance: Jason M. Pezzullo, AICP, Planning Director; Douglas McLean, AICP, Principal Planner; Gregory Guertin, Senior Planner; Alexander Berardo, Planning Technician; and Amelia Lavallee, Planning Department Intern.

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

APPROVAL OF MINUTES

(votes taken)

Upon motion by Mr. Bernardo, and seconded by Mr. Zidelis, the City Plan Commission voted unanimously (9-0) to **approve** the regular City Plan Commission meeting minutes of 2/7/23 as submitted.

Upon motion by Mr. Zidelis, and seconded by Mr. Bernardo, the City Plan Commission voted 8-0 (Mr. Coupe abstained) to **approve** the special Joint Site Walk meeting minutes of 2/18/23 as submitted.

ITEMS FOR CONTINUANCE

- **1-23-04** Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, Entitled "Zoning" (Change of Zone – 1381 Cranston St. and 767 Dyer Ave. – **Cranston Print Works Project**). **M-1 zone with conditions to allow multi-family development**

Upon motion made by Mr. Coupe, and seconded by Mr. Bernardo, the City Plan Commission voted unanimously (9-0) to continue the discussion to the April 4th regular City Plan Commission meeting at 5:30pm in the City Council Chamber.

- **"Cranston Print Works"** **Public Informational Meeting** (vote taken)
MASTER PLAN – Major Land Development
Redevelop the former mill complex into a maximum 150 multi-family apartments and self-storage units.

Current Zone M-1 (M-1 with special conditions is proposed (**Ord. 1-23-04**))

AP 8, Lots 195, 1617, and 2711

1381 Cranston Street

*** Request to **continue** this application at the request of the applicant to the April 4th 2023 regular agenda ***

Upon motion made by Mr. Bernardo, and seconded by Ms. Mancini, the City Plan Commission voted unanimously (9-0) to continue the discussion to the April 4th regular City Plan Commission meeting at 5:30pm in the City Council Chamber.

- **GARFIELD AVE FOODS, LLC. (OWN) and LAMAR CENTRAL OUTDOOR, LLC (APP)** have filed an application for special permit to modify an existing double-sided billboard to an electronic double-sided billboard at 110 Garfield Avenue, A.P. 7, lots 2561-62, 2593-97, and 3768, area 29,091 s.f. zoned M2. Applicant seeks relief per Sections 17.92.010 Variance; 17.72.010 (7) Signs. 17.92.020 Special Permit; 17.20.120 Schedule of Intensity Regulations.
(This item will be continued to the April 4th 2023 Regular Agenda)

Upon motion made by Ms. Lanphear, and seconded by Mr. Coupe, the City Plan Commission voted unanimously (9-0) to continue the discussion to the April 4th regular City Plan Commission meeting at 5:30pm in the City Council Chamber.

FY 23-28 CAPITAL BUDGET AND IMPROVEMENT PROGRAM

(vote taken)

- Final Draft presentation and discussion with department heads

Chairman Smith invited each of the heads of the City departments to come to the podium to briefly summarize their departmental capital budget requests and respond to any questions the commissioners might have.

Ed Collins, Director of Facilities for Cranston Public Schools, spoke first. He said his proposal constituted a continuation of the five-year plan funded by a bond voters approved in 2020. He noted that Phases 2 and 3 of the Eden Park Elementary School project are shown in the budget request, but the School Department intends to hold Phase 3 due to cost issues and to request the RI Department of Education extend the existing 2025 deadline on the project. This would leave \$14 million for Eden Park in the budget proposal, with the rest of the funds going to the Gladstone Elementary School project. Mr. Collins reminded the Commission that the School Department anticipates being reimbursed by RIDE at a rate of between 69-74% on these school projects.

Mr. Frias asked whether the reallocation of funds Mr. Collins was describing meant that the \$10 million and \$2 million requested for FY 23-24 and 24-25 (respectively) should be eliminated. Mr. Collins said he was effectively asking that the \$10 million shown in the FY 23-24 column be changed to \$7 million, with both the remaining \$3 million previously included in Eden Park's FY 23-24 column and the \$2 million listed in Eden Park's FY 24-25 column being added to the \$20 million currently shown in the Gladstone line item's FY 24-25 column. Mr. Frias asked if the overall purpose of the reallocation of funds was for the School Department to solve the cost issues it's encountered recently; Mr. Collins said yes.

Mr. Zidelis noted that the bonding authority that funds the School Department's ongoing facilities work was \$130 million (the total \$147 million being reduced by grants received). Chairman Smith then asked if the requested appropriations shown in the current 5-year proposal would exhaust the current bonding capacity, which Mr. Collins confirmed, adding that future projects will have to be funded in successive, future five-year cycles.

Rich Bernardo, in his capacity as Director of Public Works, then presented his budget. Capital requests included funding for ongoing maintenance, such as the City's paving program, sidewalk repairs, and sinkhole fixes related to corrugated pipes, as well as for some individual projects, like Phase II of the Administration's Knightsville project (upgrades to the Cranston St and Phenix Ave roadways), signalization upgrades at the intersections of Cranston/Phenix and Dyer/Budlong, and developing a

potential engineering study and associated 10-year plan for the 7 City-owned bridges. Mr. Bernardo further noted that the City has paid off its bonding for the Veolia Water public-private partnership, which means that sanitary-sewer projects such as slip-lining can now be funded as normal capital projects and will not require bonding. Finally, he said the Administration still views the proposed police shooting range as a priority, although the requested funds are a placeholder in anticipation of a clearer estimate coming from future engineering studies, and the Highway Department's two generators for its Phenix Ave facility need to be replaced.

Mr. Frias asked what the average life cycle of a DPW vehicle was and if he knew what the debt turn was, explaining that ideally, the debt cycle should match the life of the asset. Mr. Bernardo said he relies on Mr. Zidelis to help with that level of strategizing but noted the average life cycle was previously 15 years, but DPW wants to move toward 10 years. Mr. Zidelis said that debt was historically issued in 20-year cycles, but he hopes to match it to the vehicle life cycle in the future. Mr. Frias asked if Mr. Bernardo would speak to the line item entitled "City Hall Parking Lot Solar Cover" and whether it represented a net saving for the City. Mr. Bernardo said the City has a bond for solar projects and is contemplating a solar canopy project for the parking lot behind City Hall, adding that it would result in net savings for the City.

Lastly Mr. Frias asked if other police shooting ranges in the state were typically enclosed. Mr. Bernardo said it seems to be the case around 50% of the time; Warwick's range is not enclosed, but Cranston's is exceptional in its usage. Chairman Smith asked if the plan would be to improve or to relocate the facility; Mr. Bernardo said both options would be examined in the eventual feasibility study.

Mr. Coupe asked for more information on the line item entitled "Ice Rink Rehabilitation." Mr. Bernardo said the \$500,000 request is meant to make improvements to keep the building safe until long-term plans are developed.

Next, James Warren, Fire Chief, said his department was requesting \$550,000 for a training complex, noting that the location would be the biggest issue to resolve. Mr. Frias asked whether the request represents a true need for the department; Chief Warren said it was a request and would be preferable to the current situation in which the department must drive to a facility outside the City for training.

Mr. Frias asked why a funding request for the Western Cranston fire station was included again in the FY 27-28 column and whether the \$15 million requested for replacement of the Department's headquarters was needed. To the latter question, Chief Warren said the building is outdated and can no longer satisfy their needs.

Chairman Smith asked why Fire didn't request new equipment as they usually do; Chief Warren said they currently have grants and other funding that would cover the costs.

Chairman Smith noted that the IT Department did not have a Capital Budget request.

He then asked for a representative of the Recreation Department to speak to their request, but none were present for the meeting. Mr. Bernardo said he could speak to the Budlong Pool project to a limited extent if needed. Mr. Frias asked how many people used the pool and for how many months out of the year it was open. Mr. Bernardo said he did not know those statistics and could only speak to the details of the new proposal, which would consist of 1) rehabbing the existing buildings to conform with contemporary RIDOH standards for showers and restrooms; reducing the pool to one-third of its current size; and creating new splash pads and pickleball courts. Mr. Frias asked why the City didn't explore using the pool at Park View Middle School or the YMCA instead, but Mr. Bernardo said those ideas have received pushback and there is a desire to reopen the Budlong Pool as quickly as possible. Mr. Barbieri added that the YMCA has time limits for different parties' usage.

Mr. Coupe asked Mr. Bernardo if the \$4 million requested for the project represented the cost for the Administration's full concept; Mr. Bernardo said it would likely be built in phases but the project has not yet been engineered, and Mr. Zidelis noted that the City would probably also look for grant funding to bridge whatever gap might remain. Councilwoman Renzulli, who was in attendance for the meeting, asked whether the Mayor or Council could put the line item back in the budget if the Commission voted to remove it. Director Pezzullo said the Mayor could only subtract items from the budget, but the Council

could add items back in if it chooses. Mr. Frias said he interpreted the Charter differently and thought the matter could be open for interpretation.

Chairman Smith noted the Cranston Public Library's budget proposal only has a current-year request, with no out-year requests to consider.

Regarding Open Space, Chairman Smith asked if there was bonding authority available for open space acquisition, to which Mr. Zidelis said there was not.

Having made their way through all departments' requests, the Commission then prepared to vote on the requests. Mr. Frias asked to vote on each request separately, as was done the prior year, because he wanted to vote against specific line items in individual departments' requests.

SCHOOLS

Upon motion made by Mr. Frias, and seconded by Mr. Coupe, the City Plan Commission voted unanimously (9-0) to amend the School Department budget request as follows:

- Increase the Gladstone line item's budget for FY 23-24 to \$33,382,047
- Reduce the Eden Park line item's budget for FY 23-24 to \$7,000,000
- Increase the Gladstone line item's budget for FY 24-25 to \$22,000,000
- Reduce the Eden Park line item's budget for FY 24-25 to \$0

Upon motion made by Mr. Zidelis, and seconded by Mr. Bernardo, the City Plan Commission voted unanimously (9-0) to approve the School Department Capital Budget request as amended.

PUBLIC WORKS

Upon motion made by Mr. Frias, and seconded by Mr. Exter, the City Plan Commission voted 5-4 (Mr. Barbieri, Mr. Coupe, Mr. Smith, and Mr. Zidelis voted no) to amend the Public Works Department budget request as follows:

- Eliminate the "Police Shooting Range (Engineering Req.);" line item

Upon motion made by Mr. Zidelis, and seconded by Mr. Bernardo, the City Plan Commission voted unanimously (9-0) to approve the Public Works Department budget request as amended.

FIRE

Upon motion made by Mr. Frias, and seconded by Mr. Coupe, the City Plan Commission voted unanimously (9-0) to amend the Fire Department budget request as follows:

- Eliminate the "Western Cranston Fire Station" line item

Upon motion made by Mr. Bernardo, and seconded by Mr. Barbieri, the City Plan Commission voted unanimously (9-0) to approve the Fire Department budget request as amended.

IT

Upon motion made by Mr. Frias, and seconded by Ms. Mancini, the City Plan Commission voted unanimously (9-0) to approve the IT Department budget request.

RECREATION

Upon motion made by Mr. Bernardo, and seconded by Mr. Barbieri, the City Plan Commission voted 8-1 (Mr. Frias voted no) to approve the Recreation Department budget request as submitted.

LIBRARY

Upon motion made by Mr. Zidelis, and seconded by Mr. Bernardo, the City Plan Commission voted unanimously (9-0) to approve the Library Department budget request as submitted.

OPEN SPACE

Upon motion made by Mr. Zidelis, and seconded by Mr. Bernardo, the City Plan Commission voted unanimously (9-0) to approve the Open Space budget request.

SUBDIVISION AND LAND DEVELOPMENTS

- **“Residences at Oaklawn Avenue”** **Public Informational Meeting** (vote taken)
 MASTER PLAN – Major Land Development
 Develop 12-unit multifamily apartment building of which 2 (two) will be deed restricted as affordable
 Current Zone A-8 (B-2 with special conditions is proposed (**Ord.1-23-02**))
 AP 17, Lot 670
 Oaklawn Avenue
- **1-23-01** Ordinance in amendment of the 2010 Comprehensive Plan for the City of Cranston (Oaklawn Ave.) – **“Single-Family Residential 7.26 To 3.64 Unit Per Acre” to “Multi-Family.”**
- **1-23-02** Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Change of Zone – Oaklawn Ave. Plat 17 Lot 670). **A-8 to B-2 with conditions**

Principal Planner Doug McLean gave the staff presentation. He said the proposal for a multifamily apartment building involved three separate requests: two ordinances (one to rezone the parcel from A-8 to B-2 with conditions; the other to amend the parcel’s Future Land Use Map designation) and one Master Plan – Major Land Development application.

Mr. McLean shared various maps and images to establish the context. He noted the subject parcel is currently vacant. A multifamily apartment complex abuts on its northern side, while to the south are single-family dwellings and a historic cemetery.

He then shared the site plan, which showed the location of the proposed 12-unit building. Mr. McLean noted that the applicant agreed to deed-restrict two of those units as affordable as Planning Staff requested they consider. He also noted the proposed parking arrangements – 8 interior and 4 exterior spaces, all ground-level – conforms to the City’s standards.

Mr. McLean observed that the applicant had provided expert reports for Comp Plan consistency, traffic, fiscal impacts, and cemetery documentation. (He said the City Council already approved ground disturbances within 25 feet of the cemetery for the proposal.)

For the Planning Analysis, Mr. McLean noted that the subject property is unique in that it is currently zoned A-8, but its surroundings are not typical for a single-family neighborhood, bordered by a bike path to the west, a multifamily apartment building to the north, a historic cemetery and a single-family house to the south, and a large retaining wall across Oaklawn Avenue to the east. The B-2 zone allows multifamily by-right, so the conditions would amount to enabling the increased density to support the applicant’s request. He said Staff made positive findings and recommended approval on the two ordinances as well as the Master Plan application.

Chairman Smith then invited the applicant to address the Commission.

Atty. Tom Moses, representing the Carpiionato Group (which owns the entity listed as the applicant), then introduced the applicant team, which consisted of Dave Taglianetti, Steve Garofalo, Joseph Lombardo, and Sam Hemenway.

Mr. Taglianetti offered a brief recap of the proposal. He said that 8 of the 12 units would be 2-bedroom, with the remaining 4 being 1-bedroom. (Both affordable units would be 1-bedroom units.) The proposal as currently designed can meet the setback, height, lot coverage, and landscaping requirements. He further

noted the project was projected to generate only about 8 round-trips in peak-hour traffic on Oaklawn Avenue, and although industry standards suggest the project could generate one school-aged child resident, the lack of amenities geared toward children (such as on-site playgrounds) will likely filter out families. The Carpiolato Group, through the individual entity it set up as owner of this property, would develop, construct, own, and maintain the building.

Mr. Taglianetti also said the applicant team had spoken with the residents of the abutting single-family home, who expressed concerns related to drainage, but noted that a drainage study would occur during the Preliminary Plan phase. In the interim, the applicant has shown concepts for surface and subsurface runoff detention systems on the site plan to demonstrate there is sufficient space to handle runoff. Mr. Coupe asked how much runoff currently exists, how much would exist under the applicant's proposal, and whether their study would consider runoff from surrounding properties. Mr. Taglianetti reiterated that RIDOT and RIDEM would require a drainage study if the project receives Master Plan approval and advances to the Preliminary Plan stage, and that study would require the applicant to demonstrate that the proposal will result in no net increase in runoff. He added that the mitigation proposed by the study would factor in surrounding properties as well as increases in paved area on-site.

Mr. Lombardo then spoke to the report he prepared on Comp Plan consistency. He highlighted that the zone change to B-2 with conditions would cap the site's density at 12 units and noted the Fiscal Impact Statement showed the project's impacts would be positive. He also argued that the proposal would fit in with the adjacent multifamily building; wouldn't generate much traffic at the scale proposed; and represents a good opportunity to create new housing in a manner that is appropriate for the location.

Mr. Frias voiced skepticism over the findings of the Fiscal Impact Statement. He asked if revenue projections were based on commercial tax rates because the affordable units weren't listed at their own tax rate. Mr. Lombardo said the assessment would be based on the project's value, as opposed to an income-based approach of the sort Mr. Frias was describing, and the valuation rate they used is an average of one- and two-bedroom units.

Mr. Frias also questioned whether anticipating only one child living at the facility, given the project offered eight two-bedroom units, was reasonable. Ms. Mancini also observed anecdotally that of the roughly 30 rental units she owns, she suspects children live in around a third of the two-bedroom units. Mr. Lombardo pointed to the data and citations of studies in his report confirming that the industry standards assume 5 or 6 children per 100 units of two-bedroom housing, and that the rates do not substantially increase until the units reach 3 bedrooms. He said occupants of two-bedroom units tend to be single individuals who want to dedicate the additional room to a home office, exercise equipment, or hosting guests, and reiterated Mr. Taglianetti's earlier statement that people with children would generally not want to live at this property because of the lack of outdoor recreation amenities, which are usually important factors for that market. Mr. Frias said he believed the project would generate more school-aged children than the Fiscal Impact Statement assumes.

Mr. Frias then asked why the proposal did not represent a "spot zoning" situation, qualifying his question by noting he believed the area had a mixed residential character. Mr. Lombardo said the mixed character from a Land Use perspective was one reason this proposal wouldn't be viewed as spot zoning, but also explained the classic "spot zone" would appear on a zoning map as an isolated island of one zone surrounded by a different zone. In this case, the applicant proposes a rezoning to B-2, which is the zone of the property directly abutting to the north.

Mr. Garofalo then stepped forward to respond to traffic-related questions. Mr. Frias asked whether the industry standard referenced in the traffic study was based on the number of units an apartment had or on another factor. Mr. Garofalo said it was an average of all kinds of apartments, so a higher number of units provided on a given site would generally correspond to increased density, which in turn is negatively correlated with automobile traffic. When asked by Mr. Frias if it would make a difference to base assumptions on number of units instead, Mr. Garofalo said he didn't think so, as many apartment complexes offered a mix of units of differing bedroom counts and should ultimately reflect an average regardless. Mr. Frias said he suspected the traffic analysis may prove to underestimate the actual traffic generated by the project, but he doubted it would be underestimated significantly enough to make a noticeable difference on Oaklawn Avenue.

Chairman Smith then opened the matter for public comment.

- Christina Genalthy, who said she was not yet a Cranston resident, asked a series of questions about discrepancies in the size of the parcel as listed in GIS and on the applicant's site plan, who conducted the survey, how the proposal would affect surrounding property values, and who was the "true" property owner.
- Meredith Zenowich, of 2348 Cranston St (on the opposite side of the bike path from the subject parcel), expressed concerns about the project's drainage impacts, trash management, and asked whether there would be any landscaping or plantings to mitigate the possibility that residents on the top floor of the proposed building could look down into her yard. Mr. Taglianetti said the applicant would be open to discussing screening options and will provide on-site dumpsters as well as maintenance through their own property management company. Ms. Zenowich also asked if the driveway around the building was one-way, which Mr. Taglianetti confirmed.
- David Diresto, of 463 Oaklawn Ave (the single-family abutter to the south), asked about the applicant's plans for the location and screening of dumpsters, ensuring rats are kept under control, and drainage/runoff management. Mr. Taglianetti repeated that the applicant has a property management company whose job is to ensure trash is taken frequently (which would prevent problems with rats) and that RIDEM standards are such that the proposal could not be approved unless it can demonstrate no net runoff impacts. He also noted that he'd previously spoken with Mr. Diresto and is still willing to build a solid opaque fence enclosure around the dumpster and to landscape the area as well.

Upon motion made by Mr. Coupe, and seconded by Ms. Mancini, the City Plan Commission voted unanimously (9-0) to close public comment.

Mr. Frias asked Mr. McLean if he could speak to the unit density of the parcel that would result from the proposal. Mr. McLean said he estimated it would be somewhere around 15 or 16 units per acre, adding he didn't have a precise figure because the rezone incorporates conditions that will accommodate that density if the ordinance and master plan applications are approved.

Upon motion made by Mr. Bernardo, and seconded by Mr. Coupe, the City Plan Commission voted unanimously (9-0) to forward a **positive** recommendation on Ordinance #1-23-01 to the City Council.

Upon motion made by Mr. Bernardo, and seconded by Mr. Mancini, the City Plan Commission voted unanimously (9-0) to forward a **positive** recommendation on Ordinance #1-23-02 to the City Council.

Upon motion made by Mr. Coupe, and seconded by Mr. Bernardo, the City Plan Commission voted unanimously (9-0) to **approve** the Major Land Development – Master Plan application.

- **ORDINANCE RECOMMENDATIONS** (votes taken on all items)
 - **1-23-03** Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – 2110 Plainfield Pike; Plat 35 Lot 9). **A-80 to M-2**

Planning Technician Alex Berardo gave the staff presentation. He said the proposal to rezone the subject parcel from A-80 to M-2 was explicitly called for on p.15 of the Comprehensive Plan's Appendix A and the industrial land use is reflected in the parcel's existing Future Land Use Map designation, shared several maps and graphics as well as the Findings of Fact, and said the Staff recommendation was to forward a positive recommendation on the proposal.

Atty. Stephen Litwin, representing the applicant, Teamwork LLC, noted the rezone is being sought in connection with a proposal to construct a new facility for Milton CAT. He offered to answer questions and noted other members of the applicant team were on-hand to answer questions as well.

Chairman Smith asked for public comment, but there was none. Upon motion made by Ms. Lanphear, and seconded by Mr. Exter, the City Plan Commission voted unanimously (9-0) to close public comment. He then asked if any Commissioners had questions, but none did.

Upon motion made by Mr. Bernardo, and seconded by Mr. Mancini, the City Plan Commission voted unanimously (9-0) to forward a **positive** recommendation on Ordinance #1-23-03 to the City Council.

ZONING BOARD OF REVIEW – RECOMMENDATIONS

(votes taken for all items)

- **DANIEL SWEET (OWN) and GIAN VENTILATO (APP)** have filed an application to convert an existing legal non-conforming accessory structure on a lot previously merged by zoning into a new single-family dwelling with reduced width, frontage, side, and rear setbacks at 0 Queen Street, A.P. 8, lots 624, 2788, and 2790; total area 4,124 s.f.; zoned B2. Applicant seeks relief per 17.92.010- Variances; 17.20.120- Schedule of Intensity Regulations; 17.88.010 (B) Substandard lots of record.

Due to the findings that the application is generally consistent with the Comprehensive Plan's Housing Goal 4, Economic Development Goal 4, and Land Use Principle 4, upon motion made by Mr. Exter, and seconded by Ms. Lanphear, the City Plan Commission voted unanimously (9-0) to forward a **positive recommendation** to the Zoning Board of Review.

- **GIANTA, LLC (OWN) and ARMANDO PEREZ (APP)** have applied for permission to convert an existing Business, Professional Office into a Religious Place of Worship and to construct an addition with reduced front yard setback at 565 Dyer Avenue, A.P. 8, lots 2766 and 2804; area 6,400 s.f.; zoned C5. Applicant seeks relief per 17.92.010- Variances, Section 17.20.120- Schedule of Intensity Regulations, Section 17.92.020 Special Permit.

Due to the finding that the application is consistent with the Cranston Comprehensive Plan and is compatible with the surrounding neighborhood, upon motion made by Mr. Bernardo, and seconded by Ms. Mancini, the City Plan Commission voted unanimously (9-0) to forward a **positive recommendation** to the Zoning Board of Review.

- **ALPHONSE CARDI III (OWN/APP)** has filed an application to sub-divide two parcels of land, leaving an existing single-family dwelling with reduced required lot size, front(s) and side yard setbacks at 51 Cleveland Avenue, Parcel A, A.P. 8, lot 768, area 4,756 s.f. zoned C2. Applicant seeks relief per 17.92.010- Variances; Section 17.20.120- Schedule of Intensity Regulations.

Due to the finding that the application is generally consistent with the Comprehensive Plan and that it does not alter the character of the neighborhood, upon motion made by Mr. Coupe, and seconded by Mr. Exter, the City Plan Commission voted unanimously (9-0) to forward a **positive recommendation** to the Zoning Board of Review.

- **ALPHONSE CARDI III (OWN/APP)** has filed an application to sub-divide two parcels of land, leaving an existing mixed-use building with reduced required lot size, front(s) and side yard setbacks at 1303 Cranston Street, Parcel B, A.P. 8, lot 767, area 4,844 s.f. zoned C2. Applicant seeks relief per 17.92.010- Variances; Section 17.20.120- Schedule of Intensity Regulations.

Due to the finding that the application is generally consistent with the Comprehensive Plan and that it does not alter the character of the neighborhood, upon motion made by Mr. Mancini, and seconded by Mr. Bernardo, the City Plan Commission voted unanimously (9-0) to forward a **positive recommendation** to the Zoning Board of Review.

- **“Eden Crest Plat - Minor Subdivision”** **Public Informational Meeting** (vote taken)
PRELIMINARY PLAN – Minor Subdivision w/o street extension
Replat the existing six record lots to create one new single-family house with waivers

Zoned A-8

AP 10, Lots 223, 224, 225, 226, 316, 317

189 Kearney Street

- **HASSAN HASABA (OWN/APP)** has applied for permission to subdivide a lot, leaving an existing single-family dwelling with reduced side and rear setbacks at 189 Kearney Street, Parcel B, A.P. 10, lots 316 and 317, area 8,091 s.f., zoned A8. Applicant seeks relief per 17.92.010- Variances; Section 17.20.120- Schedule of Intensity Regulations.
- **HASSAN HASABA (OWN/APP)** has applied for permission to subdivide a lot, and to build a new single-family dwelling on an under-sized lot at 0 Capuano Avenue, Parcel A, A.P. 10, lots 223, 224, 225, and 226, area 7,869 s.f., zoned A8. Applicant seeks relief per 17.92.010- Variances; Section 17.20.120- Schedule of Intensity Regulations.

Atty. Robert Murray, representing the applicant, Hassan Hasaba, presented the minor subdivision proposal. He said the existing house on Kearney Street ("Parcel A" on the subdivision plan) would remain on its own single-family lot of 8,091 ft². Its existing backyard, which has frontage on Capuano Avenue, would be subdivided ("Parcel B") as a separate lot of 7,869 ft². Atty. Murray said the existing improvements on Proposed Parcel B include a fence, a shed, an in-ground pool, and the remnants of a bocce court, all of which would be removed to clear the lot for single-family house construction. Atty. Murray said variance applications have been submitted in conjunction with the Minor Subdivision application, primarily for relief for encroaching into setbacks, but also for the fact that Parcel B would be slightly undersized for the A-8 zone. Finally, Atty. Murray said a sidewalk waiver request and the \$120 pre-application fee were both submitted the day before the hearing, so references to those outstanding matters in the Conditions of Approval as discussed in the Staff Memo are no longer applicable.

Chairman Smith then asked for public comments to be made. The following individuals stepped forward:

- Matthew Reilly, of 27 Dell Wood Rd (and City Councilor for Ward 6), said the proposal was too dense for the neighborhood and there was not enough space for an additional house.
- Roberta Simone, of 190 Capuano Avenue, questioned the character of the applicant and said the neighborhood should not have houses developed as investment properties. She also asked why the proposed house was not centered on the lot and suggested it could indicate an intention to build another one on that parcel in the future.
- Sharon Girard, of 199 Kearney Street, also questioned the character of the applicant and speculated about how much space would stand between her house and the proposed new house if relief for setback encroachment were granted.
- Angelo Simone, of 199 Kearney Street, identified himself as the previous owner of the subject parcel and said he sold it with the intention that it would welcome a family. He argued that he had participated in good faith with the City on an administrative subdivision (in a separate process) and that his process made his property more conforming, so he questioned why the City would in this case "un-conform" a presently-conforming property.
- Anthony Simone, of 190 Capuano Avenue, said there was an outdoor fireplace in the rear of the existing house, which would be located in the 4-foot setback area if the proposed lot line were drawn to create the subdivision, and suggested the choice to locate the proposed house off-center was evidence of the applicant's intention to build another house in that location.
- Nicole Renzulli, a City-wide Councilor, asked how large the proposed house would be and whether granting the requested setback relief would put the property and its surroundings at greater fire risk. Director Pezzullo responded to say that the Commission's purview does not extend to house design.
- Sam Garabedian, of 129 Plantation Drive, said the proposed lot would be "stamp-sized" and building a house on it would not be conducive to the neighborhood.

Upon motion made by Mr. Bernardo, and seconded by Ms. Mancini, the City Plan Commission voted unanimously (9-0) to close public comment.

Atty. Murray then responded to some of the concerns raised by the public. He said the proposed house's dimensions would be 26' by 50', which is consistent with other houses in the neighborhood. He noted there is no requirement that the house be precisely centered on the lot and that the applicant wants to offset the house to gain a larger yard on one side than two smaller side yards – not that there are plans to further develop that side of the lot in the future. Atty. Murray then argued that some of the members of the Simone family who spoke against the project on grounds of inconsistency with the neighborhood were themselves responsible for non-conforming uses in the neighborhood (one house accommodating two dwelling units; another formerly hosting a beauty parlor). He suggested their opposition may be a case of seller's remorse and asked the Commission to leave granular questions of dimensional relief to the Zoning Board.

Mr. Hasaba then addressed the Commission. He said he previously lived at 967 Pontiac Avenue and now lives in the house on the subject property with his three children. He described himself as a US citizen originally from Syria and said he wants to subdivide and build another house so his elderly parents can live nearby. He didn't realize before he purchased the property that he would need relief, so he was requesting it now.

Director Pezzullo presented the Findings of Fact contained in the Staff Memo. He said the density that would result from the subdivision conforms the range prescribed in the Future Land Use Map for that zone (as Proposed Parcel B is only 79 ft² short of the minimum area standard) and that the only real complexity to the proposal is the variance requests. He said the offsetting of the proposed house to one side would maximize the distance between the proposed house and the other houses nearby, and in any case the nearest house to the proposed one is also owned by Mr. Hasaba. Director Pezzullo then said the Department of Public Works supported the sidewalk waiver request but asked for concrete curbing.

Finally, Director Pezzullo said Staff made positive findings on all required Findings of Fact and recommended approval of the subdivision application and forwarding positive recommendations on the associated variance applications to the Zoning Board of Review.

Chairman Smith said the matter would require three separate votes and asked that the Commission first take up the Minor Subdivision application.

Mr. Frias voiced opposition to the proposal on the grounds that he didn't believe the applicant had met the burden of proof for why he needed the requested dimensional variances. Ms. Lanphear said she was most concerned by the request for relief of 75% from the dimensional standard for a rear setback and felt the ask was too substantial. Mr. Coupe said he felt off-put by the neighbors' stance that investment properties don't belong in their neighborhood and observed that other houses in the neighborhood are similarly non-conforming along some of their setbacks, and on that issue, the property most impacted by the proposed house would be the house already owned by the applicant.

Upon motion made by Mr. Coupe, and seconded by Mr. Barbieri, the City Plan Commission voted 7-2 (Mr. Frias and Ms. Lanphear voted No) to approve the Minor Subdivision – Preliminary Plan application.

Due to the finding that the application is consistent with the Cranston Comprehensive Plan and is compatible with the surrounding neighborhood, upon motion made by Mr. Coupe, and seconded by Mr. Barbieri, the City Plan Commission voted 7-2 (Mr. Frias and Ms. Lanphear voted No) to forward a **positive recommendation** to the Zoning Board of Review.

Due to the finding that the application is consistent with the Cranston Comprehensive Plan and is compatible with the surrounding neighborhood, upon motion made by Ms. Mancini, and seconded by Mr. Bernardo, the City Plan Commission voted 7-2 (Mr. Frias and Ms. Lanphear voted No) to forward a **positive recommendation** to the Zoning Board of Review.

PLANNING DIRECTOR'S REPORT

(no votes taken)

Director Pezzullo reminded the Commissioners that a Special Meeting would be held for a continuation of the hearing on the Natick Avenue Solar project on March 20th at 5:30 p.m.

UPCOMING MEETINGS / ADJOURNMENT

(vote taken)

- Monday, March 20th, 2023, 5:30 PM – **Special City Plan Commission Meeting** to continue the Natick Solar Master Plan REMAND – City Hall Council Chambers, 869 Park Avenue
- Tuesday, April 4th, 2023, 6:30PM – **Regular City Plan Commission Meeting** – City Hall Council Chambers, 869 Park Avenue

Upon motion made by Mr. Bernardo, and seconded by Mr. Exter, the City Plan Commission voted unanimously (9-0) to adjourn the meeting at 10:35 p.m.