

**STATE OF RHODE ISLAND  
 PROVIDENCE, SC**

**SUPERIOR COURT**

-----	:	
JOHN CASALE III	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A.No.: PC-2021-7668
	:	
THE CITY OF CRANSTON, by and through	:	
its Finance Director, ROBERT F. STROM, and	:	
NICOLE RENZULLI, JESSICA MARINO,	:	
ROBERT FERRI, LAMMIS J. VARGAS,	:	
ANIECE GERMAIN, JOHN P. DONEGAN	:	
CHRISTOPHER G. PAPLAUSKAS, and	:	
MATTHEWS REILLY, in their capacities as	:	
Members of the Cranston City Council	:	
	:	
Defendants.	:	
-----	:	

**CONSENT ORDER**

This matter came before the Honorable Associate Justice McBurney for hearing on Plaintiff's Complaint and it is hereby agreed by the parties that it is:

**ADJUDGED, ORDERED AND  
 DECREED:**

1. The Council's denial of Plaintiff's petition to rezone his property located at Plat 35, Lot 2 (the "Property") from A-80 to A -20 is inconsistent with the Comprehensive Plan which expressly calls for the property to rezoned to A-20 upon the request of the landowner;
2. The Plaintiff may submit an application to rezone the Property from A-80 to A-20 without it being barred by the doctrine of administrative finality or res judicata for having been previously denied by the Defendants;
3. If the Plaintiff does submit a petition to change the zone of the Property from A-80 to A- 20 it is recognized by the Defendants that such a change is called for expressly in the Comprehensive Plan but nothing else contained herein shall constrain the Defendants from conducting their normal review of a petition for zone change nor shall this Consent Order otherwise compel the Defendants to approve a petition submitted by the Plaintiff;

4. If the Plaintiff submits his petition, the Council shall otherwise review the petition in its ordinary course pursuant to applicable State law and City ordinances, however, no sponsorship by a City Council member shall be required;

5. This litigation is stayed for a period of 3 months; and

6. Once the petition is acted upon by the Defendants, in conformity herewith, this matter shall be dismissed with prejudice, without fees and costs.

By agreement of the parties:

Plaintiff,  
By his attorney

/s/ Elizabeth McDonough Noonan  
Elizabeth McDonough Noonan (#4226)  
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Providence, Rhode Island 02903  
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Dated: April 10, 2024

Defendants,  
By their attorney,

/s/ Nicholas J. Hemond  
Nicholas J. Hemond (#8782)  
DarrowEverett, LLP  
One Turks Head Place, Suite 1200  
Providence, Rhode Island  
Telephone: (401) 453-1200  
[nhemond@darroweverett.com](mailto:nhemond@darroweverett.com)

Dated: April 10, 2024

ORDERED:

/s/ Joseph J. McBurney  
Associate Justice

ENTERED:

/s/ Victoria Reakes-Higgins  
Deputy Clerk

Clerk  
Dated: April 16, 2024, 2024