

Kenneth J. Hopkins
Mayor

Beth Ashman, MCP, AICP
Planning Director

Steven Frias
President

Robert Coupe
Vice-President



Thomas Barbieri
David Exter
Kathleen Lanphear
Lisa Mancini
Nicole Renzulli

Frank Corrao
Public Works Director

Thomas Zidelis
Finance Director

CITY PLAN COMMISSION

City Hall – 3rd Floor, Room 309
869 Park Avenue – Cranston, RI 02910

MINUTES

CRANSTON EAST HIGH SCHOOL AUDITORIUM 6:30PM – TUESDAY, MAY 6, 2025

CALL TO ORDER

Commission President Frias called the meeting to order at 6:33 p.m. in the Main Auditorium, Cranston High School East.

The following Commissioners were in attendance for the meeting: Commission President Steven Frias, Commission Vice-President Robert Coupe, David Exter, Nicole Renzulli, Thomas Barbieri, Kathleen Lanphear, Lisa Mancini, and Ex-officio members Thomas Zidelis, Finance Director and Frank Corrao were present.

The following members of the City Planning Department were in attendance: Beth Ashman, ACIP, Director of the Planning Department; Jonas Bruggemann, Senior Planner; and Grace Brownell, Planner Technician.

APPROVAL OF MINUTES

- April 1, 2025 Regular Meeting

Upon a motion made by Commissioner Lanphear and seconded by Commissioner Mancini, the City Plan Commission voted unanimously (8-1) to approve the minutes as distributed. Commissioners Zidelis and Corrao abstained. David Exter was absent.

DISCUSSION OF ORDINANCE PROPOSALS

- Discuss Zoning Ordinance proposals prepared by Planning Department in regard to definitions, administrative processes, notice requirements, the sliding scale requirement for Substandard Lots of Record, and the establishment of fees for Unified Development Review. Public Hearings will be held on June 3, 2025.

Ms. Ashman stated what is presented to the Commission tonight is mostly clean up items, and there will be other items such as the ADU ordinance and inclusionary zoning which will be addressed in the future. She stated many of the proposed changes in front of the Commission tonight mirror changes from the previous Subdivision and Land Development Regulations as well as State Law changes.

Asst. City Solicitor stated it was his recommendation to wait to hold public hearings for specific topics in which the state will be releasing state law changes.

Commission Plan President Frias stated the question in hand is whether the Commission determines to hold the public hearings in June or following when state law changes are released. Mr. Frias stated one proposed change is establishing fees for the Unified Development Review. He further requested clarification from Ms. Ashman that the proposed change in regard to Special Flood Hazard District Variances would have a positive impact on resident's property insurance.

In response, Ms. Ashman provided positive confirmation.

Individuals requesting interpreter services for the hearing impaired must contact the Dept. of City Planning at (401) 780-3136 seventy-two (72) hours prior to the meeting.

Plan Commission President Frias invited the Commission to engage in comment:

- Commission Lanphear stated she agrees with going forward with some changes in June, specifically in regard to notice and mailing. Ms. Lanphear further inquired as to whether the Commission agreed to require the Certificate of Mailing in addition to the affidavit, as such would be additional means of assurance for providing proof of mailing.

In response, Ms. Ashman asserted the Certificate of Mailing would be an additional cost. Ms. Ashman further stated the state requirement is First Class Mail, and the City has added the requirement of providing an affidavit.

Ms. Lanphear stated even if the Commission were to require Certificate of Mailing, the current cost would be reduced by about 75%.

Ms. Ashman stated the added cost could be a potential barrier to the City implementing the proposed zone changes included within the Comprehensive Plan.

Plan Commission President Frias invited the Commission to state whether they should require the Certificate of Mailing or not:

- Commissioner Renzulli inquired what is typically done in other towns. She stated if there are financial constraints in place, she would be in favor of supporting the requirement of First-Class Mail and a signed affidavit.

Asst. City Solicitor, Mr. Marsella stated it is half in half. He stated it is his opinion as a practitioner that an affidavit would be sufficient.

Plan Commission President Frias invited the public to engage in comment:

- Atty. Robert Murray of Taft & McSally LLP, 21 Garden City Dr., Cranston RI, 02920 stated it is his opinion that the affidavit is sufficient in place of Certificate of Mailing. Mr. Murray stated in regard to the proposed changes for manufactured homes, the proposed definitions are not in align with state law. Mr. Murray further stated he believes it is a mistake to substitute the Building Appeal Board for the Zoning Board under the proposed Flood Hazard District changes. He stated in regard to the proposed changes for DPR appeals, under the state enabling act, there is a DPR committee separate from the Technical Review Committee. Mr. Murray stated he is not in support of the proposed introduction of DPR filing fees, as the Plan Commission already charges applicants' substantial fees. Unlike the Zoning Board of Review, applicants applying in front of Plan Commission pays all fees involved in the application.

Ms. Ashman to coordinate with City Solicitor Marsella on the proposed ordinance changes regarding DPR appeals.

Plan Commission President Frias invited the Commission to comment on whether the public hearing should be held in June or following the release of state law changes:

- Commissioner Zidelis inquired as to whether changes made in June could be potentially reversed by the then released state law changes. Mr. Zidelis stated he would be in favor of doing one session of public hearings but will leave it to the wisdom of the remaining Commission.

Asst. City solicitor Marsella stated most of the proposed changes should not be changed.

- Commissioner Vice-Chair Coupe inquired as to whether there might be additional changes needed following July 1, 2025.

Mr. Marsella provided positive confirmation.

- Commissioner Corrao inquired as to whether Mr. Murray holds any strong opinions on the two proposed changes.

Mr. Murray provided the suggestion to hold one public hearing session. He further requested future clarification on the intention of how the fees will be UDR fees will be applied.

Individuals requesting interpreter services for the hearing impaired must contact the Dept. of City Planning at (401) 780-3136 seventy-two (72) hours prior to the meeting.

- Commissioner Renzulli expressed preference to holding the ordinance public hearings following future changes to state law.

Plan Commission President Frias stated the Plan Commission will hold the ordinance public hearings following future changes to state law.

DISCUSSION OF COMPREHENSIVE PLAN PHASE II SURVEY

- Discuss Comprehensive Plan Phase II Survey to be published for the public.

Ms. Ashman stated the intention is to promote and provide the survey to the public throughout the course of several months, to receive broad participation. She stated the Commission get submit all comments by Friday May 16, 2025.

Plan Commission President Frias asserted this is not a scientifically statistically represented type of poll, as this is more self-selected. Such should be taken in account when reviewing the results.

- Commissioner Zidelis inquired what survey means are being proposed.

Ms. Ashman asserted it will be a web-based survey on the consultant's platform. It will be promoted as broadly as possible. The goal is to intercept the public who does not typically attend planning meeting.

- Vice-President Coupe inquired what happens to the responses.

Ms. Ashman stated the plan is to present the results to the Commission for their consideration.

- Commissioner Mancini inquired with Commissioner Barbieri as to whether there would be an option to place the survey in the School Newsletter.

Commissioner Barbieri provided staff directions on how to imbed items into the Schools Newsletter.

- Commissioner Renzulli stated there is a lack of tiered questions. Ms. Renzulli asserted it is her opinion there is loading phrasing in some of the questions. She stated how we ask questions matters. She further inquired as to whether there is a way to prevent results from being skewed, since it is not a scientific study.

ZONING BOARD OF REVIEW – PLAN COMMISSION RECOMMENDATIONS

ERICA L. CROSSMAN (OWN/APP) has filed an application requesting permission to construct an un-enclosed porch into the required front yard beyond the allowed extension of ten feet at 110 Pond Street, A.P. 6, lot 2156, area 5,827 sf; zoned B1. Applicant seeks relief per 17.92.010- Variance; Sections 17.20.110(B)- Residential yard exceptions. Application filed on 4/8/2025. No Attorney.

Planner Technician, Grace Brownell presented a summary of the staff memorandum and her positive recommendation.

Applicant Erica Crossman was present. Ms. Crossman stated she had purchased the home in July of 2024, and previous owners of the residence modified the stairs to be out of line with City code. She asserted the stairs had to be removed to put the door in place. The porch is not extending further into the front yard setbacks, but it is being widened to extend to the driveway. She stated the primary reason for the variance request is for safety reasons.

Due to the findings that the requests for dimensional relief are consistent with the goals and purposes of the Comprehensive Plan; and due to the findings that the requests would be compatible with the character of the surrounding area; upon motion made by Commissioner Renzulli, and seconded by Commissioner Barbieri, the City Plan Commission unanimously voted (9-0) to accept the Staff

Individuals requesting interpreter services for the hearing impaired must contact the Dept. of City Planning at (401) 780-3136 seventy-two (72) hours prior to the meeting.

Recommendation and forward a positive recommendation on this Application to the Zoning Board of Review.

ROBIN A. LETTERLE (OWN) and GREGORY J. DiZOGGIO (APP) have filed an application to request the conditions of a previously granted decision be modified at 97 Amanda Street, A.P. 18, lot 1501; area 8,000 sf; zoned A8. Applicants seek relief per Section 17.92.010- Variances; Section 17.92.030- Special Conditions. Application filed 1/9/2025. David A. Ursillo, Esq.

Senior Planner, Jonas Bruggemann presented a summary of the staff memorandum and his negative recommendation. Mr. Bruggemann stated the request is to modify the Zoning Board of Review Approval granted in 2022 to permit side and front yard setback relief for a garage addition built without benefit of a permit. The applicant seeks to strike the condition that requires all applicable approvals from the Rhode Island Department of Environmental Management. Mr. Bruggemann stated that the potential harm the request to remove such condition would bring to the surrounding area. He further discussed the proposal's inconsistency with the floodplain management requirements of the City in addition to its inconsistency with the Comprehensive Plan.

Asst. City Solicitor Stephen Marsella stated he does not see the legal validity this is in front of the Commission/ZBR at this time, as removing such condition would still make the project in violation with RI DEM.

Plan Commission President Frias invited the Commission to engage in comment:

- Commissioner Lanphear stated having worked with RI DEM for over twenty years, she knows the Commission does not have authority even if the condition were removed, to waive state law in which RI DEM has authority.

Due to the findings that the requests for dimensional relief are not consistent with the goals and purposes of the Comprehensive Plan; and due to the findings that the requests would be incompatible with the character of the surrounding area; upon motion made by Commissioner Lanphear, and 2nd by Commissioner Exter, the City Plan Commission voted (9-0) to accept the Staff Recommendation and forward a negative recommendation on this Application to the Zoning Board of Review

Ward 4

TILCON, CO. (OWN) and CULLION CONCRETE CORP. (APP) have filed an application to request the conditions of a previously granted decision be modified to construct a permanent industrial use structure at 830 Phenix Avenue, A.P. 17, lots 194, 1933; A.P.20, lot 2124; area 18.94 ac; zoned A12. Applicant seeks relief per 17.92.010- Variance; Sections 17.20.030- Schedule of uses; 17.88.030- Extension. Application filed on 3/24/2025. Robert D. Murray, Esq.

Planner Technician, Grace Brownell presented a summary of the staff memorandum and her positive recommendation on the application.

Representative Atty. Robert Murray of Taft & McSally LLP, 21 Garden City Dr., Cranston RI, 02920 was present on behalf of the applicant to present the extension request. Mr. Murray stated in 2021, the ZBR/ DPR approved a variance for the temporary 40,000 sq. ft. structure which has since been removed with the conclusion of the combined sewer overflow project in Pawtucket. Tilcon, CO has an interest in placing a smaller permanent structure for storage purposes.

Asst. City Solicitor Stephen Marsella requested Mr. Murray to speak on the letter submitted by Atty. John Mancini in regards to this property.

Mr. Murray stated he reserve the right to raise such arguments in the future.

Plan Commission President Frias requested clarification that the use being proposed is consistent with the uses which have been used in the past. Mr. Frias further inquired as to whether the Applicant is not

Individuals requesting interpreter services for the hearing impaired must contact the Dept. of City Planning at (401) 780-3136 seventy-two (72) hours prior to the meeting.

applying for a Rezone.

In response, Mr. Murray stated the proposed use is consistent with previous uses on the property. He stated it should not have been zoned A-12. Mr. Murray stated the Rezone would also involve amending the Future Land Use Map.

Due to the findings that the requests for dimensional relief are consistent with the goals and purposes of the Comprehensive Plan; and due to the findings that the requests would be compatible with the character of the surrounding area; upon motion made by Commissioner Corrao, and seconded by Commissioner Zidelis, the City Plan Commission unanimously voted (9-0) to accept the Staff Recommendation and forward a **positive recommendation** on this Application to the Zoning Board of Review.

CARL C. FERRUCCI FRANCES S FERRUCCI TRUSTEES (OWN) and FORTINI ENTERPRISES, LTD (APP) have applied to the Board to install a new electronic message center on two existing free-standing signs at 1282 & 1290 Elmwood Avenue, A.P. 3, lots 951 and 954; area 23,518 sf; zoned B2. Applicant seeks relief per Section 17.92.010-Variances; Sections 17.72.010 - Signs. Application filed on 3/31/2025. Edward R. McCormick, III, Esq.

Senior Planner, Jonas Bruggemann presented a summary of his staff memorandum and his negative recommendation.

Plan Commission President Frias inquired the difference between LED and a digital sign.

Mr. Bruggemann stated it is a difference in technology, both of them permits motion or static components. The City does not have regulations in place for use.

Plan Commission President Frias invited the Commission to engage in comment:

- Commissioner Lanphear noted the Applicant has not provided specifications nor their intention in regard to the proposed LED sign. Ms. Lanphear stated she is in support of adopting staff's recommendation due to these reasons in addition to the Zoning Ordinance 17.72.010, which states signs not expressly permitted under this section are prohibited in the city.
- Commissioner Corrao stated during his time on the ZBR, the Board typically always places conditions on LED sign applications. He stated he would be in support of sending a positive recommendation and leaving it at the discretion of the ZBR to place appropriate conditions.
- Commissioner Renzulli inquired how would be responsible for creating regulations for the use of LED signs in the City. She stated the City should continue trying to amend the Sign Ordinance.
- Vice-President Coupe stated he too previously had seen various sign ordinances in front of City Council which did not meet a resolution. He stated he believes the Commission does an adequate job of assessing what is reasonable and passing their recommendation to the ZBR.

Plan Commission President stated when addressing LED sign variance applications, he typically does not approve applications which do not already have existing LED signs in the surrounding area. Mr. Frias further stated he typically weighs discussion with the applicant into the final decision.

Asst. City Solicitor stated it would be the responsibility of the Planning Department and the Building official to draft something. Revised sign ordinances have been in front of the City Council several times during his time working with the city, in which no resolution was ever able to be made at the legislative level.

Due to the findings that the requests for dimensional relief are not consistent with the goals and purposes of the Comprehensive Plan; and due to the findings that the requests would not be compatible with the character of the surrounding area; upon motion made by Commissioner Renzulli, and seconded by Commissioner Zidelis, the City Plan Commission voted (7-2) to accept the Staff Recommendation and forward a negative recommendation on this Application to the Zoning Board of Review. Commissioner Corrao and Commissioner Coupe, Naye.

Individuals requesting interpreter services for the hearing impaired must contact the Dept. of City Planning at (401) 780-3136 seventy-two (72) hours prior to the meeting.

JANINE M. ATAMIAN, TRUSTEE (OWN/APP) has filed an application to request permission to leave an existing two-family dwelling on two under-sized lots and to separate a third lot for development at 53 Sherwood Street, A.P. 8, lots 1772, 1783; area 6,3142 sf; zoned B1. Applicant seeks relief per 17.92.010- Variance; Sections 17.20.120- Schedule of Intensity, 17.20.090 (A)- Specific Requirements. Application filed on 4/4/2025. Robert D. Murray, Esq.

JANINE M. ATAMIAN, TRUSTEE (OWN/APP) has applied to the Board for permission to construct a new single-family dwelling on lot with reduced frontage at 0 Sherwood Street, A.P. 8, lot 1784; area 6,000 sf; zoned B1. Applicant seeks relief per 17.92.010- Variance; Sections 17.20.120- Schedule of Intensity, 17.20.090 (A)- Specific Requirements. Application filed on 4/4/2025. Robert D. Murray, Esq.

Planner Technician Grace Brownell presented a summary of both staff memorandums and her positive recommendation on the two applications.

Representative Atty. Robert Murray of Taft & McSally LLP, 21 Garden City Dr., Cranston RI, 02920 was present on behalf of the applicant to present the extension request.

Mr. Murray stated it was determined the subject lots are lot merged. He stated the dimensional relief being sought is for frontage. At the request of Plan Commission President Frias, Mr. Murray provided clarification that density that would result from proposed construction of the single-family home would be within the FLUM designation of the property, whereas the density of existing two-family home would be out of compliance. He stated in looking at the vacant lot where the single-family home is proposed, the Applicant can meet the requirements for a dimensional variance. The denial of such variance would result is more than a mere inconvenience as a majority of the lots within the surrounding area have non-conforming frontage.

Plan Commission President Frias inquired how the proposed driveway easement will operate. Mr. Frias further inquired how many vehicles the easement will accommodate for.

Mr. Murray stated it will be a deeded easement which will run with the land in perpetuity, and both properties get the benefit and burden of it. Mr. Murray stated the easement is a means to reach access to the rear parking spaces.

Asst. City Solicitor noted shared driveways are very common in Providence.

Plan Commission President Frias invited the Commission to engage in comment:

- Commissioner Lanphear inquired if the driveway is wide accommodate for more than one vehicle at a time. Ms. Lanphear further inquired as to whether there are other existing shared driveways within the surrounding neighborhood, in which Mr. Murray responded. She stated she will not be voting in favor of the two applications due to inconsistency with FLUM designation in addition to the need for the shared easement in which only one vehicle can pass through at a time.

Plan Commission President Frias stated he agrees with Commissioner Lanphear that the two-family structure does not meet the FLUM designation and exceeds the density of the neighborhood. However, a great deal of evidence has been presented which indicates the lot sizes proposed here are not only compatible but are larger than a significant majority of the lots in this area. He stated he feels uncomfortable with denying an application when there is clear evidence in this area, there are lots as smaller or smaller than what is proposed. He asserted there is a lot of demand for housing, and trying to find places for it in a City is difficult while trying to retain the quality of life of existing neighborhoods.

- Vice-President Coupe requested clarification that only the proposed density of the existing two-family dwelling is out of compliance with the FLUM designation.

Ms. Brownell provided positive confirmation.

Individuals requesting interpreter services for the hearing impaired must contact the Dept. of City Planning at (401) 780-3136 seventy-two (72) hours prior to the meeting.

- Commissioner Renzulli stated the density increase of the two-family dwelling would be more technical than practical, because there is no actual change in intensity of use.
- Commissioner Mancini inquired about the proposed separate of space between the two homes.

In response, Mr. Murray asserted the driveway is for a singular vehicle to access the rear parking lot.

0 Sherwood Street:

Due to the findings that the requests for dimensional relief are consistent with the goals and purposes of the Comprehensive Plan; and due to the findings that the requests would be compatible with the character of the surrounding area; upon motion made by Commissioner Corrao, and seconded by Commissioner Renzulli, the City Plan Commission voted (6-3) to accept the Staff Recommendation and forward a positive recommendation on this Application to the Zoning Board of Review. Commissioners Lanphear, Barbieri, and Mancini; naye.

53 Sherwood Street:

Due to the findings that the requests for dimensional relief are consistent with the goals and purposes of the Comprehensive Plan; and due to the findings that the requests would be compatible with the character of the surrounding area; upon motion made by Commissioner Corrao, and seconded by Commissioner Renzulli, the City Plan Commission voted (6-3) to accept the Staff Recommendation and forward a positive recommendation on this Application to the Zoning Board of Review. Commissioners Lanphear, Barbieri, and Mancini; naye.

AARON F NADICH (OWN/APP) has filed an application to convert an existing single-family dwelling into a two-family dwelling on an under-sized lot at 120 Phenix Avenue, A.P. 12, lot 132; area 4200sf; zoned B1. Applicant seeks relief per 17.92.010- Variance; Sections 17.20.120- Schedule of Intensity; 17.20.090 (A)- Specific Requirements. Application filed on 4/7/2025. No Attorney.

Senior Planner, Jonas Bruggemann presented a summary of his staff memorandum and his positive recommendation on the application.

Plan Commission President Frias stated the proposal would double the density of the neighborhood and the FLUM. This lot is smaller than a majority of the lots in the surrounding area. Thus, Mr. Frias stated he is making a negative recommendation on the application.

Due to the findings that the requests for dimensional relief are largely inconsistent with the goals and purposes of the Comprehensive Plan; and due to the findings that the requests would not be compatible with the character of the surrounding area; upon motion made by Commissioner Coupe, and seconded by Commissioner Exter, the City Plan Commission unanimously voted (9-0) to accept the Staff Recommendation and forward a negative recommendation on this Application to the Zoning Board of Review.

GILS REAL ESTATE INVESTMENT LLC (OWN) and GILMAR AGUILAR (APP) has applied to the Board for permission to change an existing non-conforming industrial use building to a Health, Fitness (Martial Arts) use in a residential zone at 14 Oneida Street, A.P. 7, lots 3134, 3159; area 9,862 sf; zoned B1. Applicant seeks relief per 17.92.010- Variance; Sections 17.20.030- Schedule of uses; 17.88.040- Change of Use. Application filed on 4/8/2025.

Senior Planner, Jonas Bruggemann presented a summary of his staff memorandum and his positive recommendation on the application.

Plan Commission President Frias received positive confirmation from staff in regard to the findings that although zoned B-1, the subject property has historically been used for industrial or commercial purposes in the past. He stated due to these findings, he is in support of the application.

Due to the findings that the requests for dimensional relief are consistent with the goals and purposes of the Comprehensive Plan; and due to the findings that the requests would be compatible with the character of the surrounding area; upon motion made by Commissioner Corrao, and seconded by

Individuals requesting interpreter services for the hearing impaired must contact the Dept. of City Planning at (401) 780-3136 seventy-two (72) hours prior to the meeting.

Commissioner Mancini, the City Plan Commission unanimously voted (9-0) to accept the Staff Recommendation and forward a positive recommendation on this Application to the Zoning Board of Review with the following recommended condition:

1. Illuminated signs shall be switched off outside of business hours

PLANNING DIRECTOR'S REPORT

- Community Forestry Technical Assistance Project

Ms. Ashman stated the Project will on-going the next several months.

- Progress report on Comprehensive Plan Process

Ms. Ashman stated the Planning Department held their first successful outreach workshop for Phase II and intends to continue holding listening sessions and workshops throughout the city.

ADJOURNMENT

Upon a motion made by Commissioner Renzulli seconded by Commissioner Corrao, the Commission voted unanimously (7-0) to adjourn at 8:54 p.m.

Next Meetings |

Tuesday, May 6, 2025, 6:30PM – **Regular Meeting** Cranston Central Library, 140 Sockanosset Cross Rd.

Individuals requesting interpreter services for the hearing impaired must contact the Dept. of City Planning at (401) 780-3136 seventy-two (72) hours prior to the meeting.