

(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 Thursday, February 13, 2025 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER

The meeting was called to order at 6:45 p.m. by the Chair.

II. ROLL CALL

Present: Councilman Richard D. Campopiano
Councilman Christopher E. Buonanno
Councilwoman Bridget R Graziano
Councilwoman Kristen E. Haroian
Council Vice-President Daniel Wall, Vice-Chair
Councilman Andy Andujar, Chair

Also Present: Councilman Frank J. Ritz, Jr.
John Verdecchia, Assistant City Solicitor
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

III. MINUTES OF THE LAST MEETING:

- **Approval of minutes of the January 16, 2025 regular meeting**

On motion by Council Vice-President Wall, seconded by Councilwoman Graziano, it was voted to dispense with the reading of the minutes of the January 16, 2025 regular meeting and they stand approved as recorded. Motion passed unanimously.

IV. COMMITTEE BUSINESS MATTERS CARRIED OVER

None

V. PUBLIC HEARINGS AND PUBLIC COMMENT

Gary DiRaimo, 7 Lace Circle, appeared to oppose proposed Ordinance 1-25-01 and stated that last year there was a parcel that was going for a Zone Change from A80 to A-20 and that was Sage Dr. and a group of neighbors in Alpine Estates were against it and hired an attorney. He referred to a RI State Law regarding Zone Changes. He stated that there are approximately 370 homes in Alpine Estates and they were against that Zone Change, they hired an attorney and ultimately it was defeated. As in the past ten years, this has been going on for these Zone Changes. Last week, this particular Zone Change went before the Planning Commission and that Commission voted 5-0 to forward a negative

recommendation on the Ordinance to the City Council. He read the Planning Commission recommendation. He stated that his property abuts directly behind this particular parcel. When looking at his property, he did research at City Hall and saw that this particular parcel was A-80. He purchased his house with a A-20 Zone knowing that if future development happened in the back of his house, at least he would still retain some privacy, which is the reason why he purchased his house. He made a decision to invest in Alpine Estates based on the Zoning. The developer here invested in the parcel of land as an A-80 Zone. In all fairness, he made an investment based on the Zoning and he highly encouraged this body to reject this Zone Change request.

Danielle Marland, 41 Caraway Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that she and her neighbors have been attending meetings pretty consistently over the past six years and have advocated to reject Zone Change requests for Peppermill Lane, Sage Dr. and now for Caraway Dr. They have long understood that a precedent could be set should the Zoning change for either of those two streets. They knew this was coming down the pike so they have been advocating strongly and they have been here regularly to express their concerns about that. The parcels of land were purchased as A-80 parcels. Rezoning of Caraway would be inconsistent with decisions previously made. The owner purchased that land understanding that they were Zoned A-80. The neighbors have shared legitimate concerns about school capacity in Western Cranston, concerns about traffic internal to the neighborhood but also on Scituate Ave. and Comstock Parkway. There are dangers as it relates to just having one exit and one entrance out of that neighborhood. There are a number of neighbors who are present who have issues with flooded basements and pooling of water in front of their homes. She strongly opposed to the Zone Change.

Mildred Moreira, 25 Caraway Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that Alpine Estates has experienced significant development in its infrastructure capacity in the 36 years she has lived there. Current building trends are changing the area from a rural to a suburban character resulting in a considerable loss of natural habitat, the natural beauty of the rural farmlands, woodlands and wetlands in this area. Originally, the development consisted of approximately 190 homes with streets branching off the one entrance and exit road, Alpine Estates Dr. With development over those 36 years, there is a total of approximately 400 homes still using this one entrance with each home possessing a minimum of two cars leaving and returning from work or school each morning and afternoon with constant deliveries throughout the day and other service providers traveling on Alpine Estates Dr. This possesses a major safety concern. School buses and parents from surrounding neighborhoods dropping off and picking up children at Orchard Farms in the morning and afternoon use Alpine Estates Dr. as a cut-through to approach the school entrance to avoid a traffic jam in the school driveway. This is a major concern for children who are walking since there are no sidewalks in this neighborhood and no Crossing Guard at this very busy intersection. Orchard Farms is currently over capacity as well as some of the classrooms. By allowing this Zone Change, the door opens for other landowners who fall under the zoning regulations of A-80. New schools will be necessary, new land will be needed to be purchased or additions will need to be added onto existing buildings at the taxpayers' dime. She asked that the Committee consider the neighbors' valid concerns and listen to their voices. It is imperative that you reject this Zone Change.

Tricia Rougas, 33 Caraway Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that multiple representatives from the neighborhood as well as previous and current Council representatives have consistently supported maintaining the existing A80 Zoning classification for these parcels over the past six years. There are no compelling reasons to alter the Zoning. The proposed change only benefits the landowner who was aware of the A-80 Zoning Change when the parcel was purchased. Their primary concerns include school capacity, increased traffic within and near the neighborhood, the single

exit and entrance for 400 houses and the issues of flooding and pooling of water due to the topography. Our children deserve to play in a safe and quiet neighborhood with limited traffic. They deserve to attend a school that is not overcrowded or have classrooms that are beyond capacity. She and her husband strongly oppose the request to rezone this parcel to A-20.

Michael Stephens, 25 Pine Ridge Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that he feels there did not seem to be enough research in terms of impact to increased number of lots they were going to do. We should not be granting new Zoning if we can't prove that you know the new Zoning with the additional number of housing is going to be satisfied with the traffic and the schools. He encouraged the Committee not to approve the Zone Change.

Paul Shamirian, 10 Pine Ridge Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that his development of Pine Ridge Dr. was A-80 at the time it was built and it stayed as an A-80. He encouraged the Committee to reject the request to change the Zone from A-80 to A-20. Orchard Farms is at its max according to the Department of Ed. If this parcel were developed as A-80, he would think there would only be approximately five houses, but if it went to A-20, it would be going from 15-20 more houses. There is one egress coming in and out of Alpine Estates onto Scituate Ave. This is a safety concern if there was ever an emergency within the development. He thinks it would be a hazard to add another fifteen house lots. If that passes, there is another development at Sage, there is another one at Peppermill and there are probably others deep in Alpine. He does not think Alpine can stand that many more house lots to be developed.

Tricia Gilmore, 4 Peppermill Lane, appeared to oppose proposed Ordinance 1-25-01 and stated that this area requested to be rezoned is approximately 11 acres. A quick search also shows that Ms. Scaralia also owns 44 additional acres just in Western Cranston, not including this Caraway parcel. Those 44 acres at A80, that is 22 potential homes with what the Petitioner owns. Rezoning those to A-20, that is a lot more houses. When looking at this, owner's impact alone, it is not just this parcel. It is potentially 55 homes just from her quick search that Ms. Scaralia owns. In the note from the Acting Planning Director, it references that the Scaralia proposal talks about these houses being used to build homes for various income levels and affordable housing, which she is not aware if maybe she knows they are going to be sold at a significantly lower value than anything in the surrounding area and if not, then that is an inaccurate statement because it is not going to create diverse income levels, it will create income levels consistent with the area along with the very high taxes that everyone pays unless there is some plan for tax relief for these home buyers. Planning and Ms. Scaralia's legal representatives continue to assert that it should be rezoned to be consistent with abutting areas. There are parcels that are A-80 that abut that and the intent as we know Western Cranston was never to be cookie cutter blocks all identical A-20 Zones and if we continue to expand this A-20 Zone, then the next parcel will abut A-20 then the next parcel will abut A-20 and so on and so forth, so where does it end unless the entire City is going to become A-20 and each of these Petitioners who purchased A-80 land, now want to demand that the City magically turn it into A-20 for them. They want everyone to think that their situation is unique, but it is not, their end goal is all the same, it is profit, they just want more profit. They disguise this as affordable homes. Affordable homes do not begin at \$700-800,000. Alpine cannot afford this extension, as many have stated. She asked that the Committee please do what is best for the Cranston residents and not the greedy developers.

Kristin Narcisi, 22 Caraway Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that and echoed a lot of what her neighbors' have stated. The Terminus at Caraway, this culde-sac and the other culde-sacs in Alpine, Sage, Peppermill, they are Zoned A-80, were purchased at A-80, they abut the properties that are Zoned A-80 keeping them consistent with Pine Ridge, therefore, she believes

they should remain at A-80. She asked that when the Committee votes on this, please consider what the purpose of rezoning is. Who does it benefit? It certainly does not benefit Cranston at large or the existing neighbors in Alpine. The benefit is solely financial to the landowners and these are landowners who will already benefit financially regardless what they chose to build at the current Zoning. This would negatively impact the neighbors with the existing one egress. In and out is a safety concern and traffic issues are also concerns. There is existing flooding issues in their neighborhood when high water tables and she would imagine that would continue to get worse as we start to change the topography of the land. There could be potentially a strain on municipalities and will greatly and negatively impact the already overcrowded schools.

John Marland, 41 Caraway Dr., appeared to oppose proposed Ordinance 1-25-01 and echoed many of the comments made by his neighbors. He and his wife are not opposed to the development at A-80. The residents in this area do not need any more homes above and beyond that. He is concerned with water issues and he supports the Planning Commission's recommendation and asked that this request be denied.

Vanna Nhem, 10 Lace Circle, appeared to oppose proposed Ordinance 1-25-01 and stated that at the Planning Commission meeting, the developer stated that they were trying to build affordable housing. He paid a luxury price for his home because he wanted to move to Alpine to provide a better environment for his daughter to grow up. Hearing the developer say that, sounds deceptive to him. He is not opposed to the property being built. They are trying to build more than what they currently have. He urged the Committee to deny this request.

Susan Bucci, 67 Sage Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that she has attended many of these meetings over the past twenty five years because this issue has been going on that long. She and her husband are strongly opposed to the Zone Change and hopes the Committee will look at this for what it is. It is not affordable housing and hopes the request is denied.

Janice Cataldo, 65 Sage Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that this parcel came to the City Council for a Zone Change many years ago and was denied after testimony from the residents, but at the developer's request, the parcel was added to the Comprehensive Plan with this wording "AP 35 Lot 3, change the land use classification". The residents had no idea. This was slipped into the Comprehensive Plan. The Comprehensive Plan never mentions Caraway and the abutters were never notified. How does one person get behind City Planning, Ordinance and the Council and sneak a change in that they know the residents still do not want? They are not against expansion and they understand the housing issue, but they just ask that landowners build under the rules when they bought their property.

Joe Narcisi, 22 Caraway Dr., appeared to oppose proposed Ordinance 1-25-01 and stated that these issues regarding rezoning in Western Cranston are not new. As he stated in previous meetings, rezoning this property serves no purpose other than making money for the developer. The developer and his team have been unable to provide a single benefit outside of financial gain. The fact that there is no benefit and plenty of reason for pause should be enough to sway your vote, but if it is not, he pointed out the two newer developments that should affect this. First, the newest Comprehensive Plan that was finally revamped a few months ago saw fit to remove this and the other similar properties from the Future Land Use Plan in terms of rezoning. This is not affordable housing. These are luxury homes. Rezoning this property does not make sense and he asked that the Committee consider these factors and side with the community on this issue.

Vin McCrystal, 65 Sage Dr., appeared to oppose proposed Ordinance 1-25-01 and asked that the Committee deny this Zone Change request. The residents have fought long and hard for Sage, Peppermill and now this and they ask for the Council's support.

VI. NEW MATTERS BEFORE THE COMMITTEE

01-25-01 ORDINANCE In Amendment of Chapter 17.84 of the Code of the City of Cranston, 2005, Entitled "Zoning" (Change of Zone – Terminus of Caraway Drive); Petitioner/Property owner: Margaret Scalaria.

Solicitor stated that he was contacted by Director Moretti, who could not be present this evening, but wanted to relay that the Mayor wanted to express his support for the neighbors and oppose this Zone Change application.

On motion by Councilman Campopiano, seconded by Councilman Buonanno, it was voted to deny this Ordinance.

Under Discussion:

Councilman Ritz stated that although he is not on the Committee, this area is in his Ward and he would like to speak about it. He stated that the rezoning of Alpine was a very frequent issue when he was campaigning and still is a constant topic with the residents he speaks to. He knows there is a need for more housing in Cranston, but it cannot come at the cost of changing why Cranston is such a great City to live in. People are worried about the future impact that this would have. The comments we heard this evening are the same comments he has consistently heard from the residents. The impacts on the Schools, traffic issues, entering and exiting the neighborhood, flooding issues and the changing of the landscape. This is further supported by the negative recommendation of the Planning Department. He urged his fellow Council Members to listen to the community and vote "no" on this issue.

Councilman Buonanno stated that he has some questions for the applicant's representatives.

Americo Scungio, Esq., appeared to represent Margaret Scalaria, applicant.

Councilman Buonanno asked Attorney Scungio if it was stated by him, representing the applicant, the applicant themselves or somewhere from their side, that this could be, might be or would be affordable housing. Attorney Scungio stated that that is news to him, that was never a representation made by his client. He also stated that Mr. Pimentel is present and he asked that he be allowed to speak.

Edward Pimentel appeared to speak and stated that he appreciates the neighbors' statements, but he will not allow false allegations. What he said on the record was that 50-70% of the work he has been doing in consulting is housing because we have a housing crisis in affordable housing. He did not connect affordable housing to this development. An affordable housing development has to be certified by RI Housing. That is why we have a thing called the Comprehensive Plan, the Affordable Housing Statute. The City of Cranston is one of a handful of communities that meets the criteria.

Councilman Buonanno stated that that was not what was coming through and what the public understood. He wants to make sure that everyone is on the same page and the residents realize that this is not going to be affordable housing. He questioned how this helps the City and how this has a positive impact on the residents around this particular parcel being requested to be changed to A-20 and how does it benefit the City of Cranston as a whole. Attorney Scungio stated that the argument is more of a legal argument from the applicant standpoint and goes to the heart of the argument being that under the

Comprehensive Plan, for which this application is based upon, which is the Plan prior to September 30th, that this property was designed in that Comprehensive Plan. Councilman Buonanno stated that this does not answer his question. His job as a Council Member is to do what he was elected to do and ask about the well-being of the City of Cranston, the entire City of Cranston.

Councilman Buonanno stated that the average cost per student in the City of Cranston is approximately \$16,000. For two children in each house, that is \$32,000 expended to the City of Cranston. He asked Attorney Scungio if he is contending that each one of these houses will generate more than \$32,000 in taxes. Attorney Scungio stated more than that because you have more residents in the City spending money in the City and leading to the economy. Councilman Buonanno stated that there are more streets to plow, there are more streetlights to put in and there is a lot more of the infrastructure that needs to be done. He thinks that the residents have a cogent and salient argument in the fact that this does not benefit their neighborhood and does not benefit us here budgetarily so who does it benefit?

Council Vice-President Wall stated that Council President Marino could not attend this evening since she had to attend her son's Open House, but asked him to read a statement on her behalf. He stated that Council President Marino's statement indicates that she is not in support of this Zone Change request and that this property should remain A-80 in order to be consistent with the updated Comprehensive Plan. He stated that he shares some of the same points as his colleagues and will vote "no" because it does not go with the updated Comprehensive Plan and neighbors are adamantly against it and also the Planning Commission unanimously voted "no".

Councilwoman Graziano stated that she is severely concerned about the sewer capacity. She has not seen INI infiltration and inflow testing completed for the sewer system. She also does not have information on the existing sewer capacity as it relates to the pollution district. She is concerned about firefighting and water pressure for this new subdivision. She is concerned about wetland resources. She supports the Planning Commission's recommendation.

Councilman Campopiano stated that the water table in that area is a problem and he stands with the residents of Alpine and will be voting against this request.

Chair stated that when it comes to affordable housing and people shoot it down, he feels insulted. He grew up eating the cheese and peanut butter. It is the American dream to live in Alpine Estates. It is a beautiful neighborhood. He understands the applicant why they are asking for A-20 because everyone else is A-20 except for Pine Ridge, but there are also parcels that are pretty big especially on Bluebird Lane. He did call the schools and the school is not over capacity, as a matter of fact, the school is losing kids to the Charter Schools. He asked that everyone keep that in mind, but he is a team player. He hopes this does not discourage the developer from investing in our City, but he is a team player and will be voting "no" following the guidance of Councilman Ritz.

On motion by Councilman Buonanno, seconded by Councilwoman Haroian, it was voted to accept Mr. Pimentel's report into the record . Motion passed unanimously.

Mr. Pimentel stated that he has been before this Ordinance Committee on several occasions with the other properties as well and when we ask how does it benefit the community, his role is to look at what the community's desires are. This community put together a Comprehensive Plan which is a rather elaborate process. It has to be well vetted, it goes through a lot of public hearings and meetings and it culminates in the Future Land Use Map and it was the determination of this community and then

it was really further re-emphasized in you Appendix “A” that these properties should be rezoned to A-20. That is why he is here. If this community had concluded then that this property was not proper A-20, he would not even be here.

Roll call was taken on motion to deny this Ordinance and motion passed unanimously.

VII. COUNCIL COMMUNICATIONS

None

VIII. ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

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