

*(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, April 11, 2024 in the Council Chambers, City Hall, Cranston, Rhode Island.

### **I. CALL MEETING TO ORDER**

The meeting was called to order at 7:15 p.m. by the Chair.

### **II. ROLL CALL**

Present: Councilwoman Nichole Renzulli  
Councilman Robert J. Ferri  
Councilman John P. Donegan  
Councilman Richad D. Campopiano  
Councilman Daniel Wall  
Councilwoman Aniece Germain, Vice-Chair  
Council Vice-President Lammis J. Vargas, Chair  
Council President Jessica M. Marino

Also Present: John Verdecchia, Assistant City Solicitor  
Stephen Angell, City Council Legal Counsel  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

### **III. MINUTES OF THE LAST MEETING:**

- **Approval of minutes of the March 11, 2024 regular meeting**

On motion by Councilman Ferri, seconded by Councilman Donegan, it was voted to dispense with the reading of the minutes of the March 11, 2024 regular meeting and they stand approved as recorded. Motion passed unanimously.

### **IV. COMMITTEE BUSINESS MATTERS CARRIED OVER**

**8-23-03** *Ordinance in Amendment of Title 12, Chapter 08, Section 050 of the City of Cranston Code of Ordinances, 2005, Entitled "Repair of Defective Sidewalks - Generally".*  
Sponsored by Councilwoman Germain. (Cont. from 9/14/2023, 10/12/2023, 11/16/2023, 12/7/2023, 2/15/2024 & 3/14/2024).

Sponsor asked for a continuance to June.

On motion by Councilman Donegan, seconded by Councilman Ferri, it was voted to continue this Ordinance to the June meeting. Motion passed unanimously.

**2-24-02**      ***ORDINANCE in Amendment of the 2010 Comprehensive Plan for the City of Cranston, 2012, As Amended (20 Goddard Drive, Assessor's Plat 13, Lot 39); as requested by Owner/Applicant – 200 Goddard LLC. (Cont. from 3/14/2024).***

On motion by Councilwoman Renzulli, seconded by Councilman Donegan, it was voted to recommend approval of this Ordinance.

**Chair** asked if motions could be withdrawn and asked for motion to take agenda out of order to hold public hearings on docketed matters only.

Motion and second were withdrawn.

On motion by Councilman Ferri, seconded by Councilman Wall, it was voted to take agenda out of order to hear public hearings on docketed matters only. Motion passed unanimously.

**V.      PUBLIC HEARINGS AND PUBLIC COMMENT**

**Robert Murray, Esq.**, appeared to represent the applicant for proposed Ordinance 2-24-02 and 2-24-03. He stated that also present is Richard Baccari, the Principal of 20 Goddard Dr., LLC, petitioner for both Ordinances. He stated that before the Committee is an amendment to the Comprehensive Plan and future land use map and the second Ordinance is a Change of Zone for the property. This property is a 17-acre site designated as Lot 39 on Plat 13, the former Medium Security Prison at the Howard Industrial Park. Several years ago, his client and his late father were awarded the purchase of this property from the State of Rhode Island and they acquired it with the intention that it would be developed for future economic development opportunities in the City. His client has had some development opportunities over the last several years. In 2022, the Planning Commission gave approval to convert this property to a new Industrial Warehouse of approximately 200,000 square feet. Given the economics and market conditions, interest for industrial warehousing right now is very limited. His client would like to amend the Comprehensive Plan to a Special Redevelopment Area and that is a very common occurrence in the City. The Planning Commission reviewed both of these Ordinances and has given a positive recommendation on both. His client is asking the Council to grant him some additional uses under the M-2 that presently the M-2 designation does not allow. This Ordinance before the Committee is very similar to the one that had a brief life in the Fall. At the least, portions of the Ordinance that is related to what he is describing as a big box retail use. Councilwoman Renzulli, Council President Marino and the Mayor had sponsored an Ordinance, it was docketed and then it was withdrawn by the applicant. This Ordinance that is before the Committee this evening is pretty much verbatim to that Ordinance that was previously introduced with a few additional uses. In addition to the big box retail uses, his client is also asking for probably three additional uses. One is identified as motor vehicle and recreational vehicle and watercraft sale and that is a principal use identified today in our Schedule of Uses, basically the sale of automobiles and boats. It is not an allowed use presently in the M-2 Zone. The second use his client is asking to be included beyond the big box and motor vehicle sales is a commercial recreation use and that is also a defined use in our Zoning Code. The last use his client is asking to be added to this property as an allowed use would be a defined use in our Code, Motel/Hotel. There is no tenant in mind right now, but they have interest and to make the interest serious, they need to have the zoning in place. The balance of the Ordinance talks about performance

standards. It is the same language that was in the previous Ordinance that was withdrawn. It gives some discretion in landscaping, parking requirements and signage that would be appropriate for any of these uses on this site. One cautionary note that he would like to make that he made to the Planning Commission is some instances that are not covered by non-disclosure agreements so he can't speak to a particular vendor or retailer or user. He can talk use, but he cannot talk specifics at this time.

**Nick Lima**, Registrar, appeared to speak regarding "Resolution Requesting the United States Postal Service Establish Normal Residential Mail Delivery to the Residents of Fiskeville" and stated that this is a project he has been working on for seven years since he started as Registrar in 2017. The residents of Fiskeville, which is a small neighborhood in the Southwest corner of the City in both Cranston and Scituate, do not receive regular mail delivery from the Postal Service. He read a letter into the record that he forwarded to the Council.

**Kenneth Bicar**, resident of Fiskeville, appeared to speak regarding "Resolution Requesting the United States Postal Service Establish Normal Residential Mail Delivery to the Residents of Fiskeville" and stated that this has been a frustrating deal. He does not get packages at all from the USPS. He has spoken to Senators Reed and Whitehouses's Office with no help. He pays taxes in Cranston just like everyone else and they should get the same thing as other Cranston residents.

**Tessa George**, 7 Hall Lane, Fiskeville, appeared to speak regarding "Resolution Requesting the United States Postal Service Establish Normal Residential Mail Delivery to the Residents of Fiskeville" and stated that she was recently engaged and moved in with her fiancé and is trying to change her license, her address and she can't get her license switched without a physical address and a piece of mail and she can't change her address at the Post Office without her license. They are denied certain services and subscriptions and goods that you can buy, but they won't send to a P.O. Box, they want a physical address. They have their streets plowed and garbage service and recently this year, they do not have school bus coming down the road anymore because one person complained. There are no sidewalks and children now have to walk in the dark to the end of the road for the bus. If the plow can go down and the garbage truck can go down, why can't the School bus go down and why can't a USPS truck go down to give them mail service? The most concerning thing is 911 service. They do not know where to direct the people. Her fiancé had an incident ten years ago and called 911 and it took them 45 minutes for them to get there and when they got there, they stated that they could not find it. That is not acceptable. Most of the home addresses shows up Fiskeville, Cranston with three different Zip Codes so they are trying to figure out and stay safe and because they pay taxes like everyone else, be offered the right of postal service. It is really important that they get on the USPS and try to get some service and most important for the 911 to definitely know where they are.

**Mr. Lima** stated that the reasons these residents can't tell their street address is because as far as the Postal Services is concerned, they do not have one. They do not have a Zip Code assigned. They have a street address assigned by the City and over time, even 911 response figures out where those houses are from experience. If you put some of these addresses in Google maps, you will not find them because Google maps uses Postal Service data.

**Councilman Paplauskas**, 14 Highland St., appeared to speak via Zoom and stated that he agrees with Mr. Lima and these people deserve an address.

**2-24-02**      ***ORDINANCE in Amendment of the 2010 Comprehensive Plan for the City of Cranston, 2012, As Amended (20 Goddard Drive, Assessor’s Plat 13, Lot 39); as requested by Owner/Applicant – 200 Goddard LLC. (Cont. from 3/14/2024).***

On motion by Councilwoman Renzulli, seconded by Councilman Wall, it was voted to recommend approval of this Ordinance.

Under Discussion:

**Councilwoman Renzulli** stated that she thinks that that is very important to move this property to be able to get its highest and best use, which would be for economic development for our City.

**Council President Marino** stated that this Ordinance goes hand in hand with proposed Ordinance 2-24-03 and she has some questions relative to 2-24-03 before she would be inclined to approve 2-24-02. With 2-24-02 she believes that we are only allowed a limited number of amendments to the Comprehensive Plan per calendar year and so if we are going to make the amendment to the Comprehensive Plan for this project or property, we need to make sure we get it right. She would propose perhaps having discussion on the other Ordinance first.

Motion and second to recommend approval of the above Ordinance were withdrawn.

**2-24-03**      ***ORDINANCE in Amendment of Chapter 17 of the Code of the City of Cranston, 2005, Entitled “Zoning” (20 Goddard Drive, Assessor’s Plat 13, Lot 39); as requested by Owner/Applicant 20 Goddard LLC. (Cont. from 3/14/2024).***

On motion by Councilman Ferri, seconded by Councilman Wall, it was voted to recommend approval of this Ordinance.

Under Discussion:

**Council President Marino** indicated to line items #61-81 with e-performance standards. She indicated to the ‘parking’ EA sub-section, and it mentions that “there shall be no minimum parking requirement for these proposed uses” and proceeds from there. Then, you go down to the ‘landscaping’ and it states “there shall be no minimum landscaping requirements for the proposed uses”. That is something that, in her experience, is unprecedented and is reluctant to give just cart blanche ability to not meet any minimum parking or minimum landscaping requirements for a property in the City. She asked if Attorney Murray or the Petitioner would like to address those two concerns. Attorney Murray stated that as to the parking, that language is the language that appeared in the prior Ordinance back in the Fall and it was not altered. Any future development of this site will be required to go through the City Planning Commission as a Major Land Development, it will have to go through the Development Plan Review Committee to meet required and landscaping standards. He believes the rationale for the flexibility on both items is depending on the end user, it is always a push and pull on things like parking. Retailers want more parking, Planners want less parking and more landscaping so this was not intended to somehow not require landscaping and not require a certain number of parking.

**Council President Marino** stated that for her, what she would be comfortable in approving is to strike that first sentence for both parking and landscaping. This would set forth what the Petitioner is looking to accomplish which is that parking requirement and landscaping requirement would just go through the normal approval process. She asked if that would be amenable to the Petitioner. Attorney Murray stated that his client has no objections to that.

**Council Vice-President Vargas** stated that if this goes through as is or with the proposal by Council President Marino, she questioned if we are opening ourselves and giving up so much free will where we, as a Council, may then not have much of a say when a company comes before us, are we going to restrict ourselves when that time comes? Signage was also mentioned and this is also a concern. Attorney Murray stated that if this Ordinance does not pass, the property will remain M-2 Industrial and all the uses that are allowed in an M-2 today will be a permitted use on this property. As far as signage, the signage is geared for the big box retail. End users of this property would be destination users. In signage package and parameters are designed for this property given its proximity to the highway.

**Council Vice-President Vargas** addressed the fueling stations, the full service members only fueling facility and asked Attorney Murray or the Petitioner to elaborate more. She asked Solicitor or Attorney Angell if they can confirm, but she thought there was some sort of an Ordinance or some sort of language in place where there was fueling stations that were coming into the City. Are there any stipulations when someone comes before the Council to request to build a fuel station or a big box store with a gas station? Councilman Donegan stated that from his recollection, he believes it was 2019, that an Ordinance was passed that he believes is 300 feet, but from residential. Attorney Murray stated that right now, fuel uses would not be in the Industrial Zone. Council Vice-President Vargas asked Attorney Angell, if we were to vote on this this evening with the suggested language removal that Council President Marino has provided, not knowing who could potentially be coming into this site or not, are we giving up a lot of our rights, will we have control later on if an applicant comes forward and can we, as a Council, provide restrictions then? Attorney Angell stated that right now you are simply evaluating the Change of Zone, it is a Zone Change. He stated that Attorney Murray is correct. There are structures within the process, the Planning and Zoning process. This applicant would have to go through a Technical Review Committee. Not knowing what would be going there, that is more of a policy question for this group. That is a legal question. Solicitor agreed. He stated that you are trusting the process, you are trusting all the regulatory provisions and requirements in place. That is why we have a Planning Commission. They are the safeguards.

**Council President Marino** addressed Commercial Recreation and stated that she does not believe it is defined in our Code and that concerns her so as a City, before we allow a property to just develop Commercial Recreation, we need to clarify that. She asked for a five minute recess so attorneys can confer. Attorney Murray stated that he believes they have resolved the issue of the definition of a Commercial Recreation use. It is in the Zoning Code Section 17.04.030.

**Council Vice-President Vargas** stated that she still has some concerns and is wondering if, as a Council, it can have an Executive Session and discuss a little further about the language in this Ordinance and what potentially could be coming on this property. She asked if this is doable. Attorney Angell stated that the Zone Change is a public matter, that is not an Executive Session matter, however, it would seem to him that after a brief sidebar discussion, the concern is having a discussion about the Zone Change in the context of prospective use, if he represented the developer, he certainly would not want it closed to the public either, but perhaps they gain a better understanding of what a perspective views what essentially is on the developer's mind for use would certainly be a concept that could be discussed in the Executive Session as a perspective economic advantage to the City and the business opportunity that comes with that. He suggested that given the sensitive nature of developments these days, the Council be amenable to a person to sign a non-disclosure agreement.

**Councilwoman Renzulli** stated that in this Executive Session, we can't really learn more about the project. She asked Attorney Angell if that is correct. Attorney Angell stated that his thought was that the developer and his attorney would be invited into that Executive Session. Councilwoman Renzulli noted that within the memorandum agreement from Planning, a few parts stood out to her. The signage portion where it states this is in conjunction with Ordinance 2-24-02 amendment to the Comprehensive Plan whose staff report has detailed discussion regarding its unique characteristics as a surplus property, former Men's prison that adds complexity and difficulty to successful redevelopment. In short, this proposal, in conjunction with the Comprehensive Plan amendment, enables successful redevelopment of a parcel of land that can provide commercial tax revenue for the City where no such revenue has generated historically. In the findings of facts, it states that this recommendation is a statement on the general consistency of the proposal with the Comprehensive Plan. So, this is in line with the Comprehensive Plan, we are going to have economic development in a complex area where people are not running in to just put in their own Zone Change. She does not know what we are really afraid of based on these things because it is only adding kind of more light uses than already exists.

**Councilman Ferri** stated that he is leaning towards trusting the process and letting the Planning Commission do their job and approving this this evening.

**Councilman Donegan** stated that he agrees with Councilman Ferri, but he agrees with recommended amendments to striking language of minimum parking and minimum landscaping in Section 17 E(a) and E(b). That gives us a better safeguard.

**Councilman Campopiano** stated that he agrees with Councilmen Ferri and Donegan and is in favor of this.

**Councilman Wall** stated that his first reaction was whatever is going to be there is going to be there. Much better than a prison and it is going to be a revenue generator for the City, but that does not discount the fact that there is a weariness, a certain apprehension and that must come from experience that happened in the past. He also is going to trust the process and will be supporting this as well.

**Council President Marino** asked Attorney Murray how far the nearest residential home is from the property. Attorney Murray stated that to the East, you cross over the Pawtuxet River and City of Warwick property, he believes to the South, maybe there are Warwick homes. On the Cranston side, he believes you would have to go all the way down Pontiac Ave. towards Zenith and Mayfield Plat to be the closest on that end going South. If you go North on Pontiac Ave., past Garden City Dr., you have Hersey and all other residential streets. Then maybe to the West, there is Meshanticut Valley Parkway and Condos. He does not think there are any specific clusters of small residential houses near this property that he is aware of.

**Council Vice-President Vargas** stated that she does trust our process, but she does have very much concern because if this were to pass, she just still feels that it is really giving a lot of free will. She is in favor of economic development, our City clearly does need it, but at the very same time, she is just being very mindful. She entertained having an Executive Session one hour prior to the next regular Council meeting if, possible, to have a little bit more in-depth conversation on both Ordinances. Attorney Murray stated that he respects Council Vice-President Vargas's interest and concerns. As to the Executive Session, Attorney Angell is your advisor and whether or not he feels it is an appropriate topic to be considered under Executive Session, he will defer to him, but he would like to address that

process. If you invite him and his client into an Executive Session, he is bound by a non-disclosure agreement. He cannot disclose any potential tenants if he is asked. He does not want anyone to go forward on that idea with an expectation that it is behind closed door and now he can divulge information that he cannot. Attorney Angell clarified that you would be talking concepts because he is certain the developer would have agreements in place with their prospective partner that they cannot violate and disclose. He agreed with Attorney Murray on that point. Direction of a more general discussion, certainly. Council Vice-President Vargas stated that all she is looking for is, is it a hotel, is it a motor recreational vehicle? She is not looking for names.

**Mr. Baccari** stated that there seems to be a little bit of confusion. He does not have any one party, he does not have a deal in place that he is trying to get done. The purpose of all this is so that he can have a wider basket, a bigger net so he can go out and try to find that tenant or that user. Even if we did go into an Executive Session and he agreed to disclose and did not have a confidentiality agreement with a person, he does not have one. It is kind of a moot point because the framework of what this is just to allow him to go out and find users that will be attracted to the site because those uses are allowed.

**Council President Marino** stated that she is thoughtful of the approach and wanting to fully vet this proposed change because it is not typically the way that we conduct business. Typically, we do have knowledge of the property development that is coming into play. This is responsible government and the developer can sell the property tomorrow to someone who is not as a responsible developer. That is something that weighs on the Council's mind because we are giving all of these more positive attributes to this property arguably that increases the value of the property, increases certain uses to a large scale that is going to impact the City and it is a bit of an unknown. She pointed out that while this developer has had the property for three years and the delay has not been because of this Council. she asked that this be made abundantly clear. When there was a proposal for this property back in August for the prior prospective developer, that was pulled by the applicant and not by this Council. Even if this Committee were to pass this this evening, it would still be subject to full Council approval at the end of the month.

Motion and second to recommend approval were withdrawn.

On motion by Council President Marino, seconded by Councilman Wall, it was voted to amend this Ordinance as follows: delete lines #65 & 66 "There shall be no minimum parking requirements for these proposed uses" and also delete lines #75 & 75 "There shall be no minimum landscaping requirements for these proposed uses". Motion passed unanimously.

On motion by Councilwoman Renzulli, seconded by Councilwoman Germain, it was voted to recommend approval of the above Ordinance as amended. Motion passed unanimously.

**2-24-02**      ***ORDINANCE in Amendment of the 2010 Comprehensive Plan for the City of Cranston, 2012, As Amended (20 Goddard Drive, Assessor's Plat 13, Lot 39); as requested by Owner/Applicant – 200 Goddard LLC. (Cont. from 3/14/2024).***

On motion by Councilman Ferri, seconded by Councilwoman Renzulli, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

V. **PUBLIC HEARINGS AND PUBLIC COMMENT**

Held earlier in the meeting.

VI. **NEW MATTERS BEFORE THE COMMITTEE**

***RESOLUTION Requesting the United States Postal Service Establish Normal Residential Mail Delivery to the Residents of Fiskeville. Sponsored by Councilman Ferri, Councilman Campopiano, and Council President Marino.***

On motion by Councilman Wall, seconded by Councilman Campopiano, it was voted to recommend approval of this Resolution.

Under Discussion:

**Council Vice-President Vargas, Councilwomen Renzulli, Germain, Councilmen Donegan and Wall** asked to be added as co-sponsors.

Roll call was taken on above motion and motion passed unanimously.

**3-21-04** ***ORDINANCE In Amendment of Title 10 (Vehicles and Traffic), Chapter 32 of the Code of the City of Cranston, 2005, Entitled "Stopping, Standing and Parking on Specific Streets". Sponsored by Councilman Ferri, Council Vice-President Vargas, and Council President Marino.***

On motion by Councilman Campopiano, seconded by Councilman Wall, it was voted to recommend approval of the above Ordinance. Motion passed unanimously.

VII. **ADJOURNMENT**

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees