

City of Cranston

Zoning Board of Review

September 9, 2020

Chairman of the Board

Matthew Gendron

Members

Chris Buonanno (Vice Chairman)

Paula McFarland

Tom Barbeiri

Joy Montenaro

Craig Norclife (1st Alternate)

Josh Catone (2nd Alternate)

Vacant (3rd Alternate)

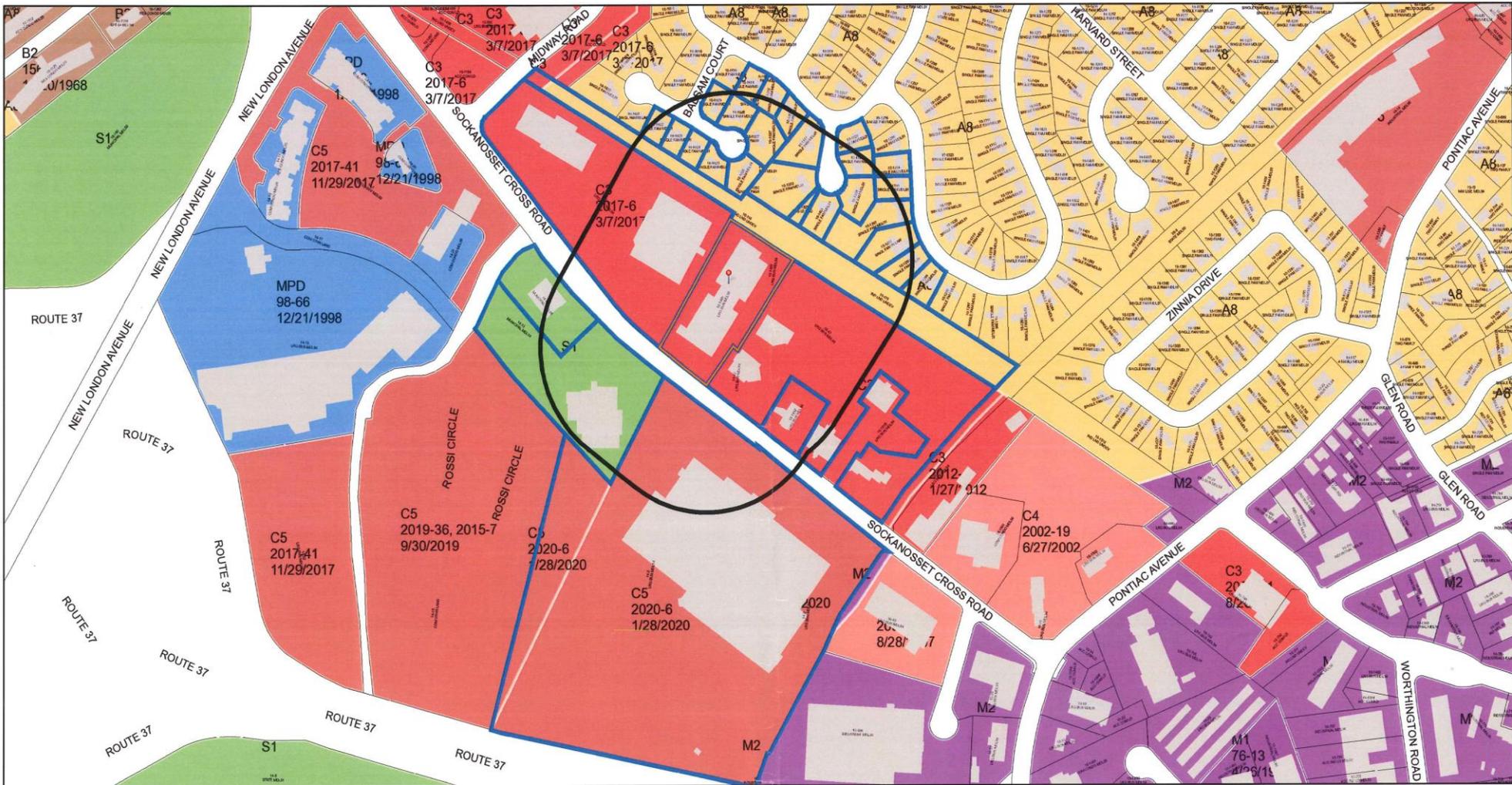
Vacant (4th Alternate)

MARCIA B. SMITH and MARVIN M. SMITH (OWN) and WINES AND MORE OF RI, INC. (APP) have filed an application to install a new digital and animated sign at **125 Sockanosset Crossroad**, A.P. 10, Lot 1489; area 2.32 ac ; zoned C3. Applicant seeks relief per 17.92.010; Section 17.72.010 Signs. Application filed 6/10/2020. Louis DeSimone, Esq.

DIMENSIONAL VARIANCE REQUEST:

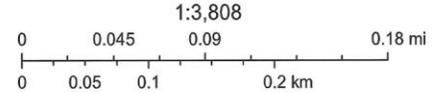
1. To allow an animated sign to replace the changeable copy portion of an existing free standing sign where LED/digital/animated signs are not allowed in any zone. [17.72.010 - Signs]

125 Sockanosett Cross Rd 400' Plat 10 Lot 1489



6/2/2020, 11:31:23 AM

- | | | | | | | | | | |
|--|-------------------|---------------|---------------------------|--|-----|--|----|--|-------|
| | Parcel Outlines | | Buildings | | A20 | | C1 | | M2 |
| | Plat Boundaries | | Zoning Dimensions | | A12 | | C2 | | EI |
| | Parcel ID Labels | | Historic Overlay District | | A8 | | C3 | | MPD |
| | Streets Names | Zoning | | | A6 | | C4 | | S1 |
| | Cranston Boundary | none | | | B1 | | C5 | | Other |
| | Parcels | A80 | | | B2 | | M1 | | |



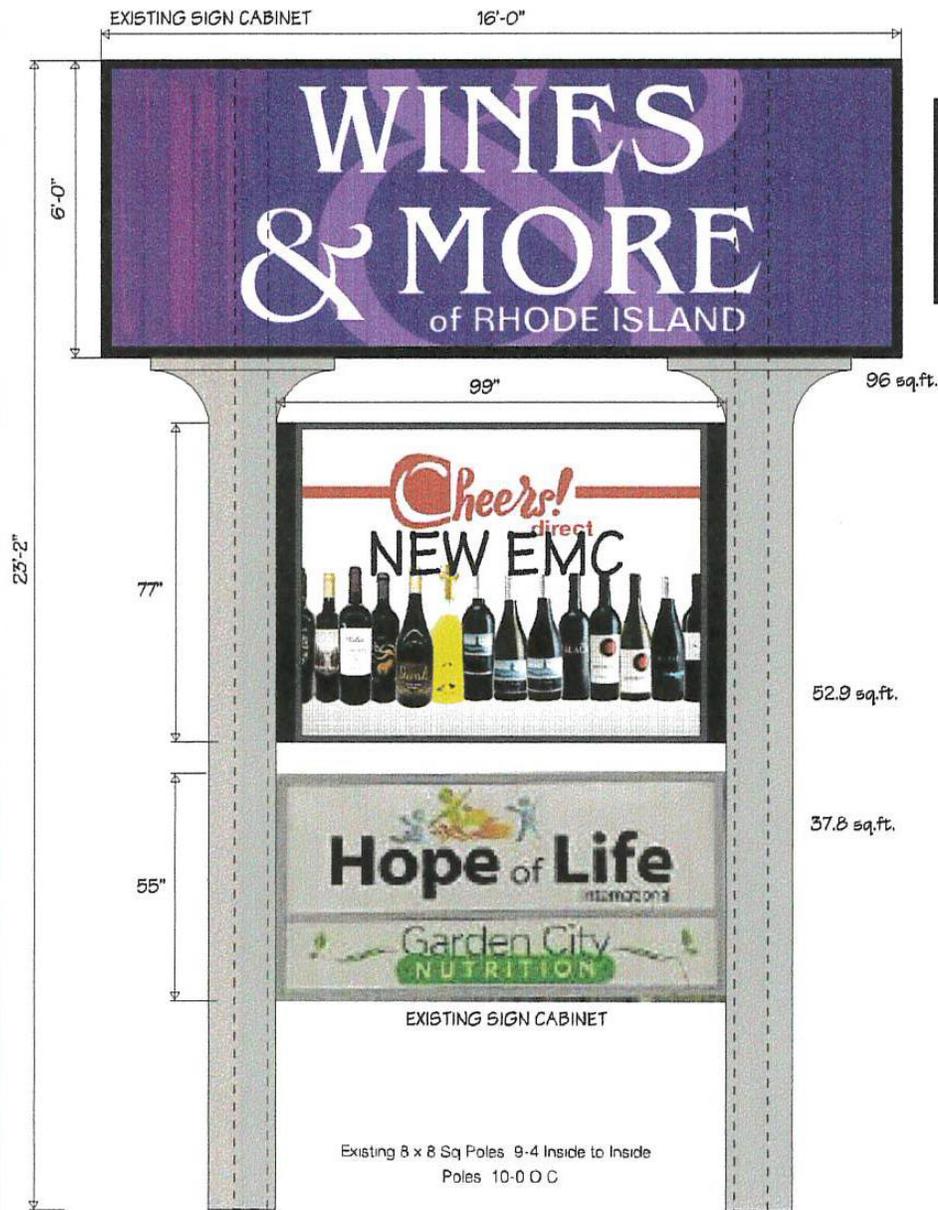
City of Cranston

NEIGHBORHOOD AERIAL

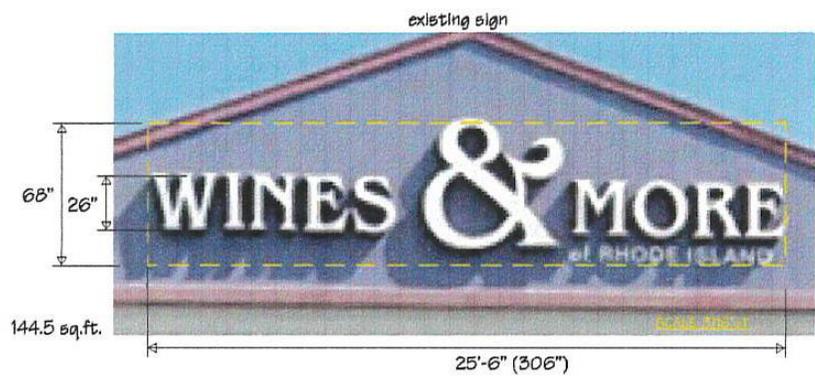
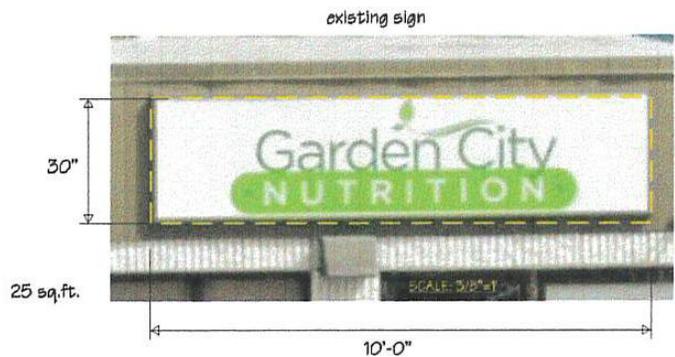
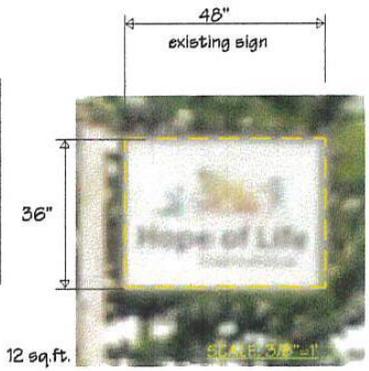
(subject parcel marked in orange, 400 foot radius marked in black)







PYLON SIGNAGE:	BUILDING SIGNAGE:
WINES & MORE: 96 sq.ft.	WINES & MORE: 144.5 sq.ft.
EMC: 52.9 sq.ft.	GARDEN CITY: 25 sq.ft.
HOPE OF LIFE: 37.8 sq.ft.	HOPE OF LIFE: 12 sq.ft.
TOTAL: 186.7 sq.ft	TOTAL: 181.5 sq.ft.



SCALE: 3/8"=1'

NATIONAL SIGN CORPORATION
www.nationalsign.com

CONNECTICUT
780 Four Rod Rd.,
Berlin, CT 06037
Ph: (860) 829-9060

MASSACHUSETTS
21 Larsen Way
North Attleboro, Ma
Ph: (508) 809-4638

CLIENT / PROJECT LOCATION:
WINES & MORE
of RHODE ISLAND

ADDRESS:
125 Sockanosset Cross Road
Cranston, RI

FILE LOCATION:
pflwine&spirits retail/cranston/sockanosset

DRAWING NO:
66073-02

DRAWING DATE:
06/08/20

PROJECT MANAGER:
RH

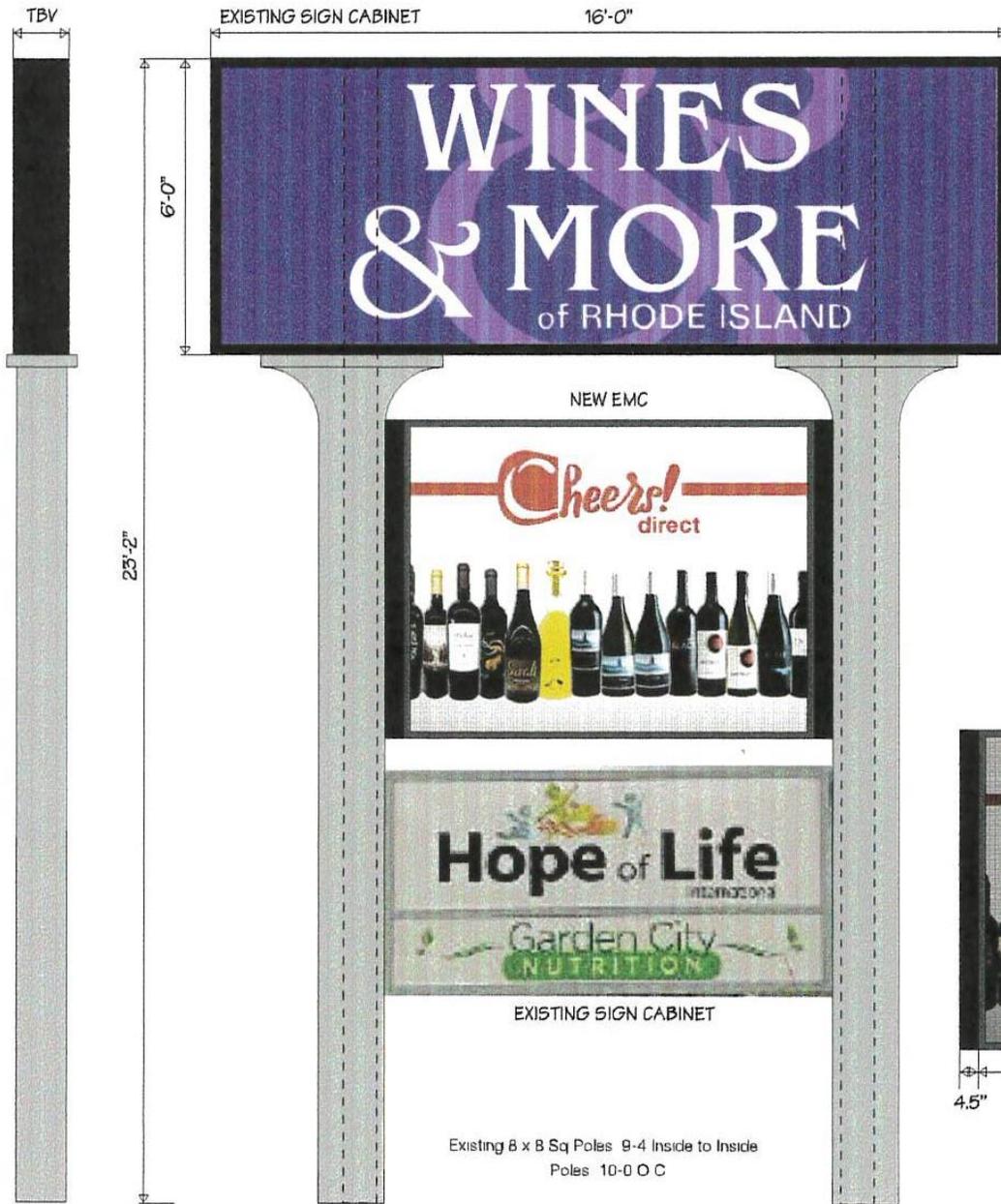
DRAWN BY:
DDD

REVISIONS/NOTES:

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 900 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

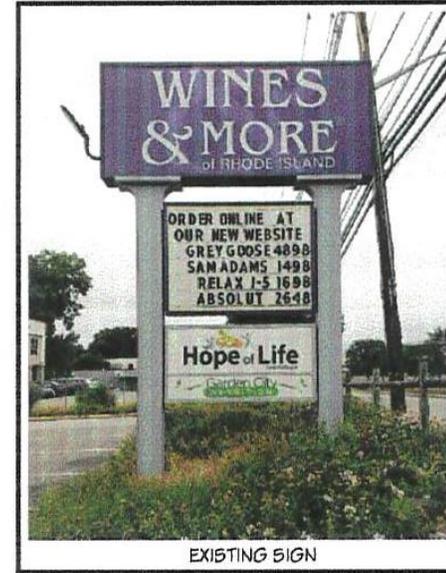


This Drawing Is Property Of National Sign Corporation And All Rights To Its Use For Reproduction Are Reserved By National Sign Corp.

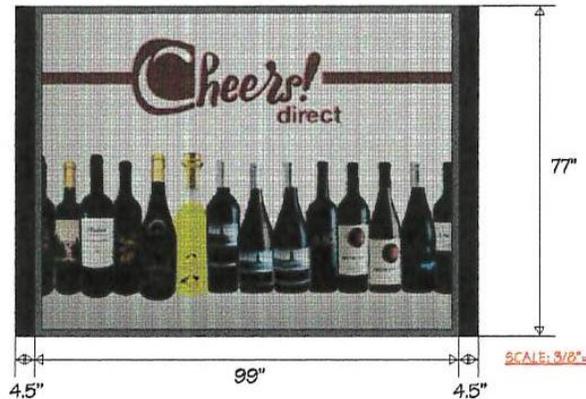


Existing 8 x 8 Sq Poles 9-4 Inside to Inside
Poles 10-0 O.C

SCALE: 3/8"=1'



EXISTING SIGN



- (Qty: 2) New 8'-3" x W6'-5"H, 10mm, full color, face vent EMCs secured to existing 8" x 8" square steel poles in field with 2" x 2" x 3/16" steel angle runners
- 2" x 2" x 3/16" x 5"L steel angle clips mechanically fastened to 8" steel poles in field as required
- Existing reader board to be replaced
* exact same size as existing
- Primary electrical connection by others

Staff Analysis

- The proposal does not increase the height or area of existing signage on the site, which the ZBR granted relief for in 2009.
- There are at least 3 other examples of animated signs on Sockanosset Crossroad alone, so relief would not be out of character with the area.
- Regarding animation and timing of images on the message board, the applicant clarified that *“the petitioner is requesting that a variance be granted to permit the digital sign to change every twenty (20) seconds to delineate products and items for sale at the establishment.”*
 - Regarding brightness of the sign, the applicant has corresponded that *“the electronic message centers have automatic dimming capabilities and Watchfire Electronic message centers are equipped with a photocell that detects ambient light and adjusts brightness levels accordingly.”*
- Staff holds that if the City chooses to allow changeable copy signs, that allowing them to be upgraded to animated signs (with restrictions) would be reasonable.
- Relief, if granted, would not undermine the intent of zoning or the Comprehensive Plan.

Plan Commission Recommendation:

Due to the findings that the proposal is consistent with the Comprehensive Plan and the character of the commercial area, and due to the assertion that this business should be allowed to have an animated sign in place of its changeable copy sign (with restrictions), upon motion made by Ms. Maccarone and seconded by Mr. Coupe the Plan Commission voted (7/1 - Ms. Lanphear voted nay) to forward a ***POSITIVE RECOMMENDATION*** on this application to the Zoning Board of Review, with restrictions to the sign's luminescence, animation, and frame change timing, and to limit the advertising to on premises content only.

SINTRA SEVEN, LLC. (OWN/APP) has filed an application to sub-divide an existing
parcel of land

leaving an existing dwelling with restricted area, lot width and frontage at

90 Clarence Street,

A.P. 5, lot 99; area 5,000 sf. zoned B1. Applicant seeks relief per 17.92.010 Variance;

Section 17.20.120

schedule of Intensity Regulations.

Application filed 7/28/2020. John S. DiBona, Esq.

SINTRA SEVEN, LLC. (OWN/APP) has filed an application to sub-divide an existing
parcel of land and

construct a new single family dwelling with restricted area, lot width and frontage at

0 Clarence Street,

A.P. 5, lot 99; area 5,000 sf. zoned B1. Applicant seeks relief per 17.92.010 Variance;

Section 17.20.120

schedule of Intensity Regulations.

Application filed 7/28/2020. John S. DiBona, Esq.

DIMENSIONAL VARIANCE REQUESTS:

1. To allow a subdivision that will create two (2) lots that are substandard in size, whereas they each lot will contain 5,000 ft² while 6,000 ft² is required. [Section 17.20.120 – Schedule of Intensity]

2. To allow a subdivision that will create one (1) lot with substandard frontage, whereas the lot will have 50' of frontage while 60' is required. [Section 17.20.120 – Schedule of Intensity]

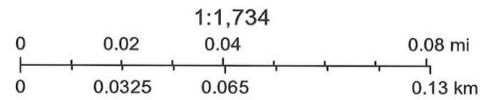
NOTE: this matter has been broken into 2 separate applications to be heard by the Zoning Board of Review, 1 for each of the 2 proposed substandard lots. The staff analysis and recommendation herein is being presented in combined fashion and should be considered equally applicable to the 2 separate ZBR applications.

90 Clarence St 400' Radius Plat 5 Lot 99



7/10/2020, 1:27:53 PM

- Parcel Outlines
- Plat Boundaries
- Parcel ID Labels
- Streets Names
- Cranston Boundary
- Parcels
- Buildings
- Zoning Dimensions
- Historic Overlay District
- Zoning**
- none
- A80
- A20
- A12
- A8
- A6
- B1
- B2
- C1
- C2
- C3
- C4
- C5
- M2
- EI
- MPD
- S1
- Other



City of Cranston
City of Providence, Department of Planning and Development



REFERENCES:

CITY OF CRANSTON, CLERK'S OFFICE
 PLAT CARD 68 ENTITLED
 "PARTITION PLAT IN EQUITY SUIT No. 2434"
 DEED BOOK 5081, PAGE 71
 CITY OF CRANSTON, DEPT. OF PUBLIC WORKS
 SEWER & UTILITY AS-BUILT,
 WELLINGTON PART 1, SHEET 9

S.M.H.
 RIM = 45.71
 INV = 37.72

STA.
 0+00
 10+98

CLARENCE ST.

Y STUB
 0+57

8" SEWER
 S=-.026

S.M.H. STA. 1+00
 RIM = 47.90
 INV = 40.32

6" WATER
 4" GAS

B-1 ZONING REQUIREMENTS:(Single Family)

AREA 6,000 S.F. MIN.
 FRONTAGE 60' MIN.
 FRONT SETBACK 25' MIN.
 REAR SETBACK 20' MIN.
 SIDE SETBACK 8' MIN.
 BLDG. HEIGHT 35' MAX.
 LOT COVERAGE 35% MAX.

LOT COVERAGE CALCS.:

TOTAL LOT AREA = 5,000 S. F.
 PROPOSED DWELLING 968 S.F.
 PROPOSED DECK 96 S.F.
 PROPOSED PORCH 52 S.F.
 TOTAL AREA 1,116 S.F.
 1,116 S.F./5,000 S.F.= 22.3%

FEMA INFO:

ALL LOTS ARE LOCATED WITHIN A DESIGNATION
 "X" (AREAS OF MINIMAL FLOODING) ZONE
 PER F.I.R.M. 44007C0312H, 10/02/2015.

CERTIFICATION:

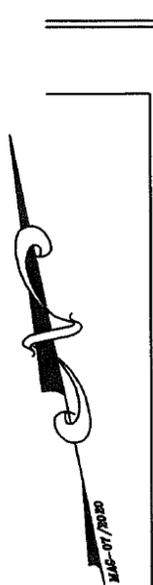
This Survey has been conducted and the Plan prepared pursuant to Section 9 of the Rules and Regulations adopted by the Rhode Island Board of Registration for Professional Land Surveyors.

LIMITED CONTENT BOUNDARY SURVEY & SITE FEATURES – CLASS I

The Purpose and the Conduct of the Survey and for the Preparation of the Plan is as Follows:

To Demonstrate the Location and Dimensions of Existing Site Features, Proposed Dwelling and Prepare Minor Subdivision at 90 Clarence St., City of Cranston, A. P. 5/1, Lot 99.

By: Walter P. Skorupski Date: _____
 Registered Professional Land Surveyor
 LS A378-COA



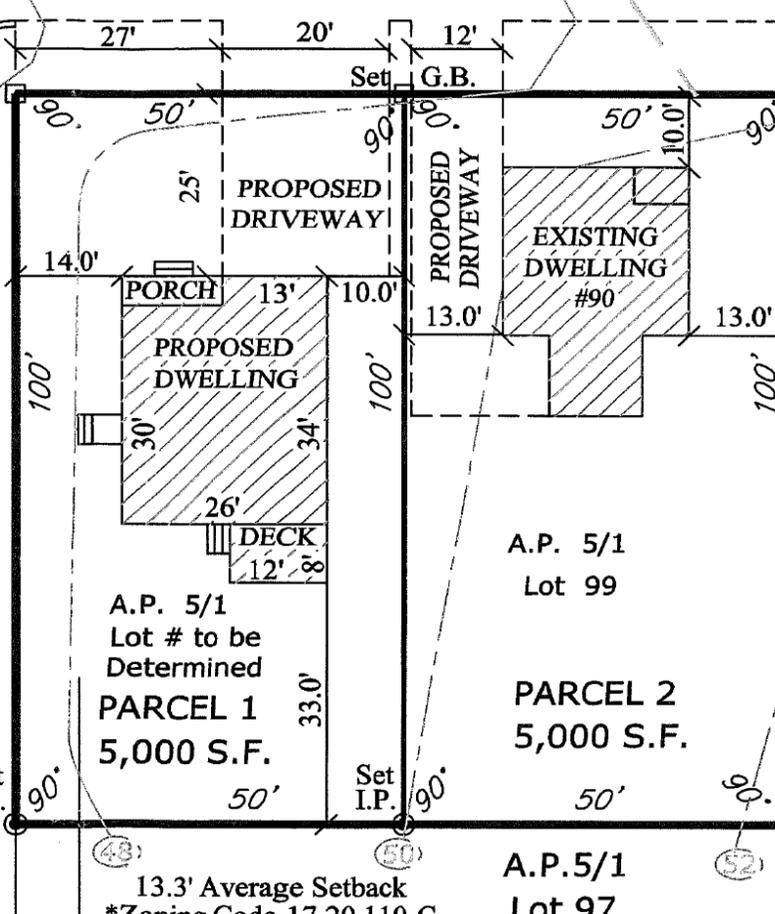
Granite Curb

8" SEWER
 S=.006

Y STUB
 10+22.6
MAGNOLIA ST.

6" WATER

Granite Curb



Zoning Code 17.20.110-C "Required Front Yards in Developed Blocks".		
A.P. LOT#	ADDRESS	FRONT SETBACK
	MAGNOLIA STREET	
5/1, 106	206 Magnolia St.	10.0'
5/1, 97	232 Magnolia St.	9.0'
5/1, 95	234 Magnolia St.	22.5'
5/1, 94	238 Magnolia St.	15.0'
	CLARENCE STREET	
5/1, 105	95 Clarence St.	10.0'
	AVERAGE SETBACK	13.3'

A.P. 5/1 Lot 100
 N/F Woodbine Condominiums Assoc.
 Deed Book 5818, Page 295

A.P. 5/1 Lot 99
 PARCEL 2
 5,000 S.F.

A.P. 5/1 Lot 96
 N/F Normandin Irrevocable Trust
 Deed Book 415, Page 23

N/F Paul C. & Faith M. Kramer
 Deed Book 4409, Page 52

Owner:
 SINTRA SEVEN
 161 CASSANDRA LANE
 NORTH KINGSTOWN, R.I. 02852
 July, 2020

SURVEY & PROPOSED SITE PLAN
 CITY OF CRANSTON
 CLARENCE STREET
 ASSESSOR'S PLAT 5/1. LOT 99

STAFF ANALYSIS:

Staff has no concerns with the application and the resulting density on the site. This application provides an opportunity for infill development in Eastern Cranston in a manner that fits with the surrounding neighborhood.

Plan Commission Recommendation:

Due to the fact that the application is consistent with the Cranston Comprehensive Plan, and due to the fact that the proposed lot size and frontage is consistent with the character of the surrounding neighborhood, staff recommends the Plan Commission forward a *positive recommendation* on this application to the Zoning Board of Review.

NOTE: The overall application to the Zoning Board of Review has been broken into 2 separate applications, representing 1 application for each of the proposed 2 substandard lots. As such, this recommendation is intended to be replicated for each of the 2 separate applications.

Exhibit A

Walter P. Skorupski
7 Wessex St
Cranston, R.I., 02910
(401)-946-1459
skorupskin@aol.com

August 22, 2020

Doug McClean
City of Cranston, Principal Planner
869 Park Ave.
Cranston, R.I. 02910

Dear Mr. McClean,

As suggested per our recent telephone conversation, I have prepared the following analysis to accompany the Sintra Seven Minor Subdivision application. Please contact me if you have any questions or comments regarding this report.

SINTRA SEVEN SUBDIVISION, NEIGHBORHOOD ANALYSIS

The following analysis has been compiled to review existing lot sizes within the 400 ft. radius of the subject application located at 90 Clarence Street, A.P. 5/1, lot 99.

Please note that the Zoning designation is A-6, similar to the subject properties.

TOTAL # OF LOTS = 101

LOTS LESS THAN 5,000 S.F. = 1

LOTS EQUAL TO 5,000 S.F. = 79

LOTS GREATER THAN 5,000 S.F. = 21

AVERAGE SIZE OF ALL LOTS = 5,594 S.F.

The two (2) proposed lots to be established through the minor subdivision and re-platting each will total 5,000 S.F. and are of identical area and frontage to 79 of the 101 subject lots.

Respectively submitted:



Walter P. Skorupski, R.I.P.L.S

**RICHARD CARDELLO (OWN) AND BARBARA GAGLIONE
(APP)** have filed an application to
leave an existing single family dwelling and create a new lot with a
restricted side yard setback at
21 Turner Street A.P. 18, Lot 489 and 490, total area 8,000 sq.ft.
Zoned A6. Applicant seeks relief per
Sections 17.92.010 Variance; Section 17.20.120 Schedule of Intensity
Regulations. Application filed
8/04/2020. Christopher D'Ovidio, Esq.

Dimensional Variance Request:

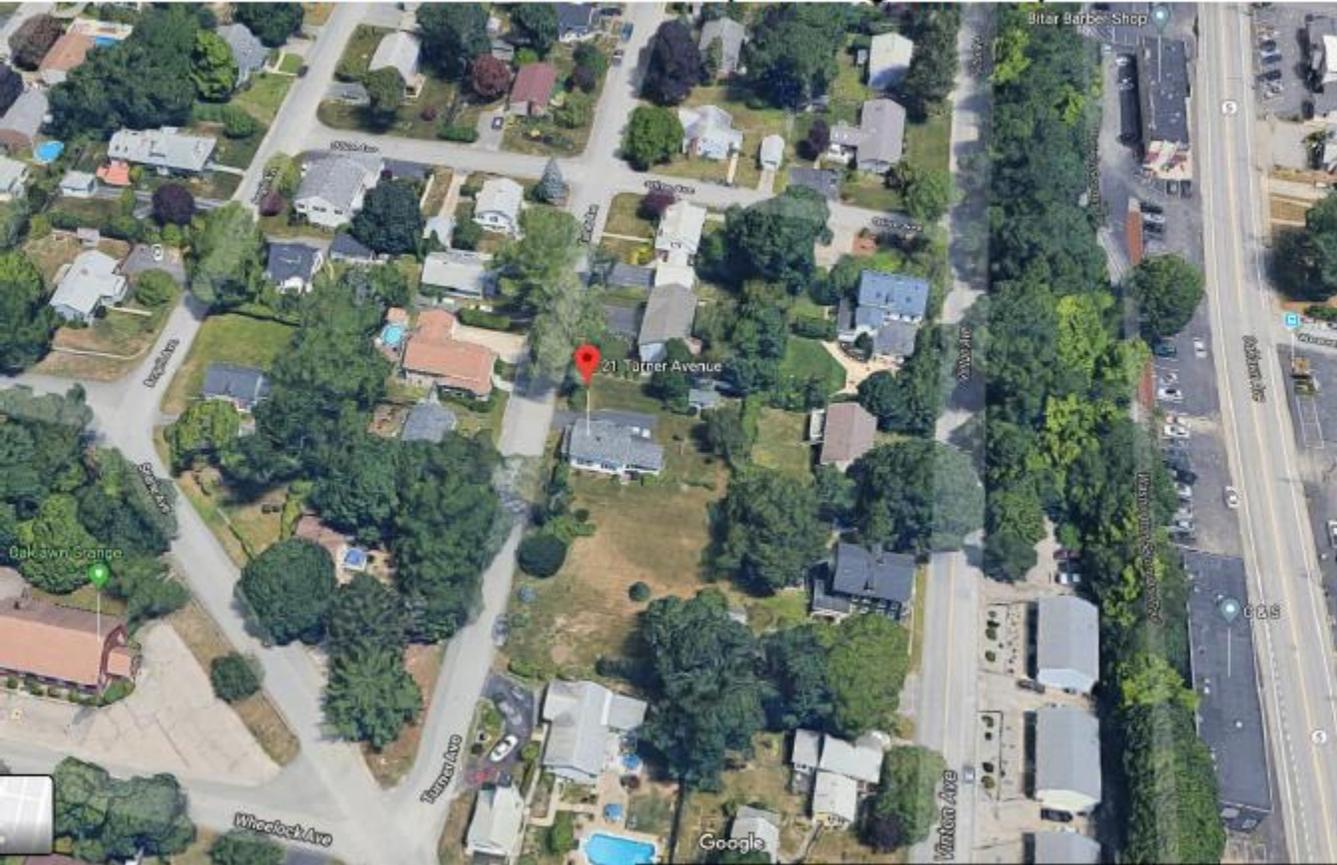
1. To allow an existing single-family residence to encroach 3.7' into the required 8' side yard setback from a lot line proposed as part of a concurrent by-right subdivision proposal.

How can the City entertain this proposal when a variance request was denied at this site this past December?

There was a Preliminary Plan application to subdivide the same parcels which was granted approval by the Plan Commission on December 3rd, 2019, conditioned to the ZBR granting relief for lot area and frontage. The ZBR did NOT grant said relief, and therefore the subdivision could not move forward.

City Code Section 17.116.030 *Limitations on Successive Petitions* prevents applicants from submitting the same application within two years of a denial. **Staff believes that this application is NOT in violation with the limitation of successive petitions.**

3-D AERIAL VIEW (Facing North)



AERIAL CLOSE UP



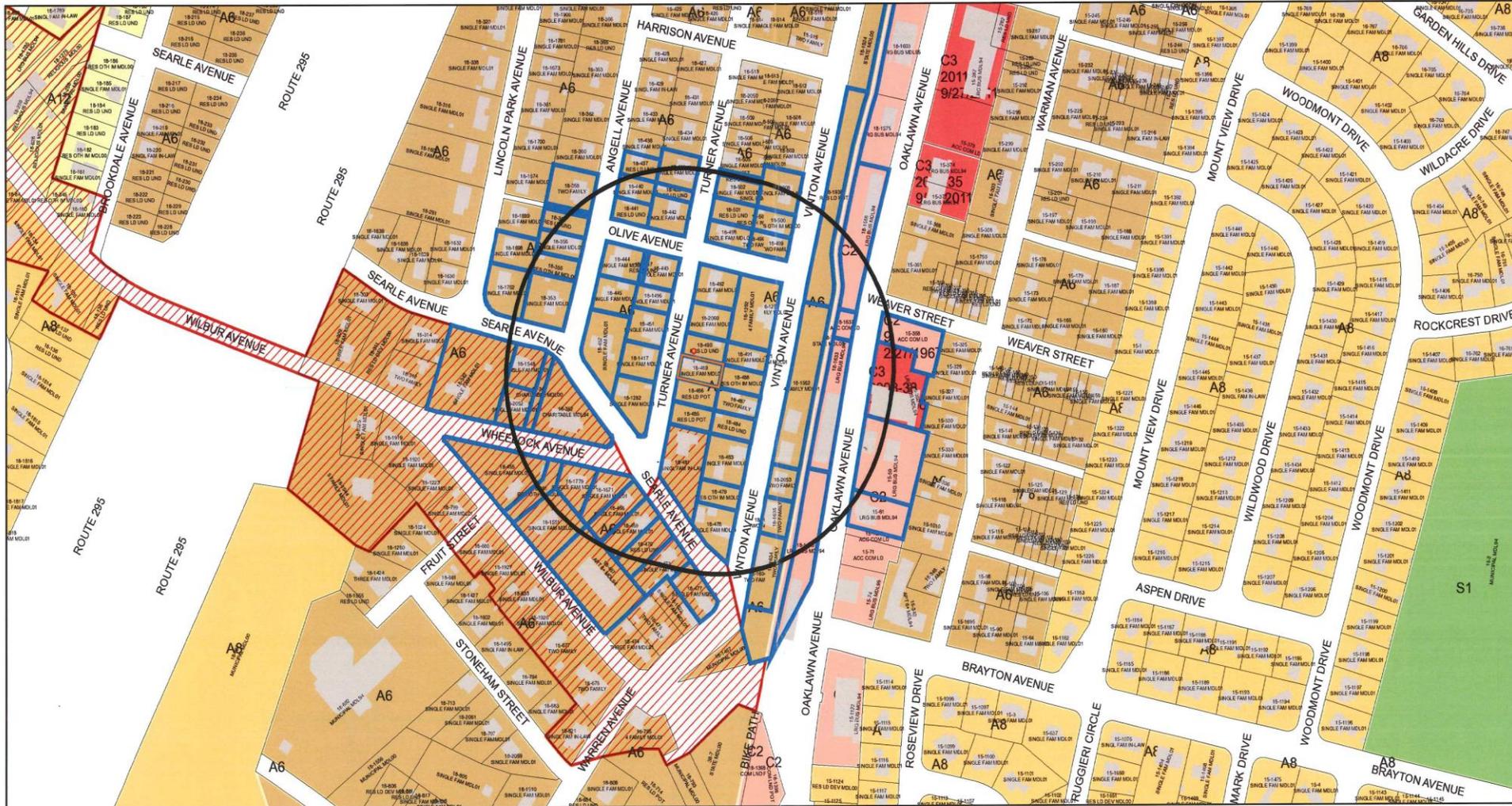
STREET VIEW (from facing SE)



STREET VIEW (Facing North)



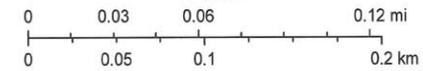
21 Turner Ave 400" Plat 18 Lot 489



3/11/2020 9:56:49 AM

- | | | | | | | | |
|--|-------------------|--|------|--|----|--|-------|
| | Parcel Outlines | | A20 | | C1 | | M2 |
| | Plat Boundaries | | A12 | | C2 | | EI |
| | Parcel ID Labels | | A8 | | C3 | | MPD |
| | Streets Names | | A6 | | C4 | | S1 |
| | Cranston Boundary | | B1 | | C5 | | Other |
| | Parcels | | A80 | | B2 | | M1 |
| | Zoning | | none | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

1:2,659



City of Cranston

Web User

A.P. 18-4 / LOT 1292
N/F
STEVEN A. & MARILYN MUNOZ-GELFUSO
ZONE A-6

A.P. 18-4 / LOT 491
N/F
ATTILIO CARDONA
& MARIA CONTI
ZONE A-6

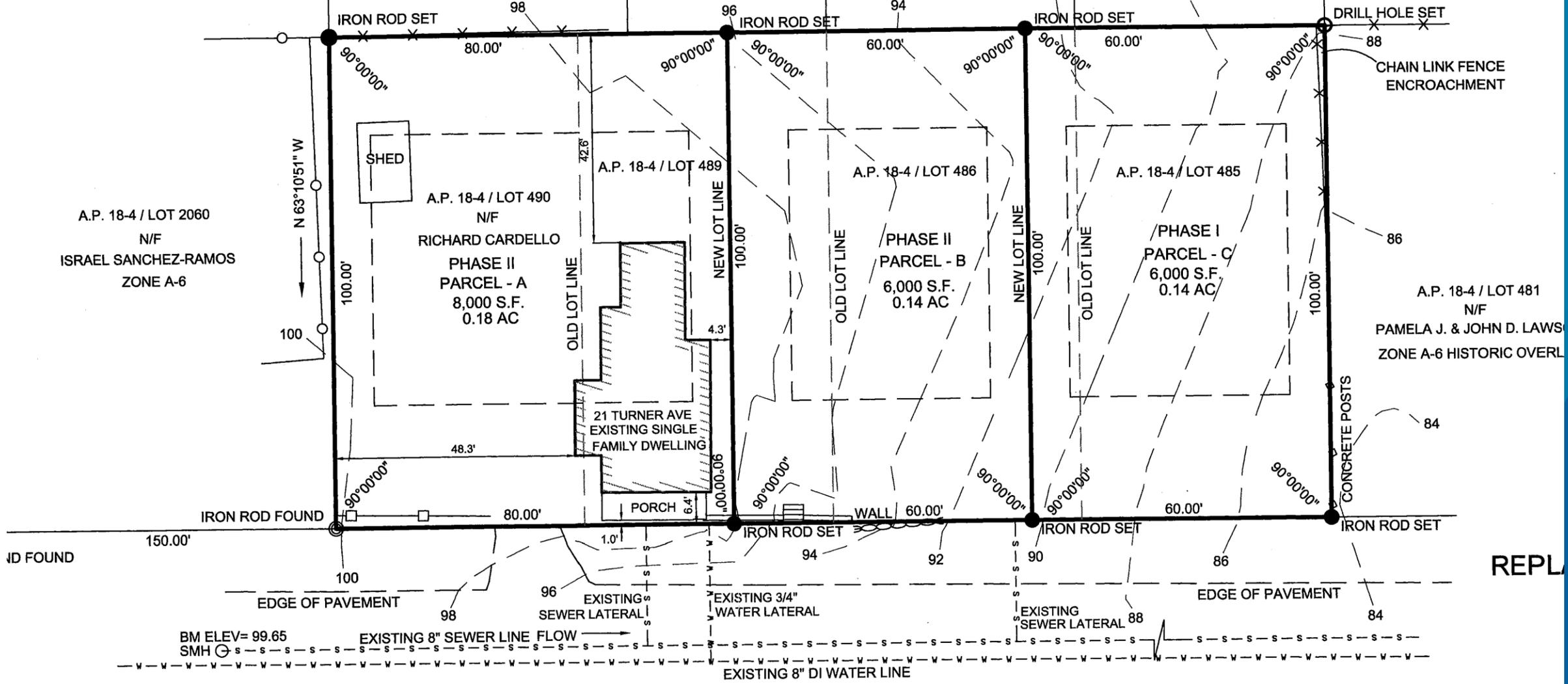
A.P. 18-4 / LOT 488
N/F
ATTILIO CARDONA
& MARIA CONTI
ZONE A-6

A.P. 18-4 / LOT 487
N/F
ATTILIO CARDONA
& MARIA CONTI
ZONE A-6

A.P. 18-4 / LOT 484
N/F
ANDREW J. &
MARY LOU HALL
ZONE A-6

A.P. 18-4 / LOT 483
N/F
VIRGINIA M. HALL
ZONE A-6

A.P. 18-4 / LOT 2060
N/F
ISRAEL SANCHEZ-RAMOS
ZONE A-6



TURNER AVENUE

(50' PUBLIC)

REPL

STAFF ANALYSIS:

The subdivision has been redesigned from its previous version so that all of the lots now comply with A-6 zoning requirements, therefore, the subdivision of the lots is considered a “by-right” application. The zoning request is the minimum relief necessary to preserve the existing residence. In addition, the applicant has proposed to offset the proposed side yard encroachment on Parcel A by imposing a 12’ side yard setback (4’ more than the 8’ required by zoning) on the adjacent side yard of Parcel B. This would prevent any impacts of houses being located closer together than the required setback would allow.

The denial of the variance will not result in the denial of the subdivision, rather, it would result in the existing residence being demolished and rebuilt (or relocated) as to not encroach into a required setback. The question before the City then becomes, does the City prefer the existing residence be demolished and rebuilt (or lifted and relocated) so that it does not encroach 3.7’ into the side setback, one that would be offset by the proposed increased side setback on the adjacent property? Staff believes that denial of the request outcome would:

- Amount to more than a mere inconvenience to the applicant;
 - Unnecessarily displace the current tenant,
 - Add unnecessarily disruption to the neighborhood,
 - Be wasteful in terms of resources & materials,
- Not further the goals or policies of the Comprehensive Plan, and
- Would **not** assuage the concerns of the abutters (at least as expressed during the previous application).

Plan Commission Recommendation

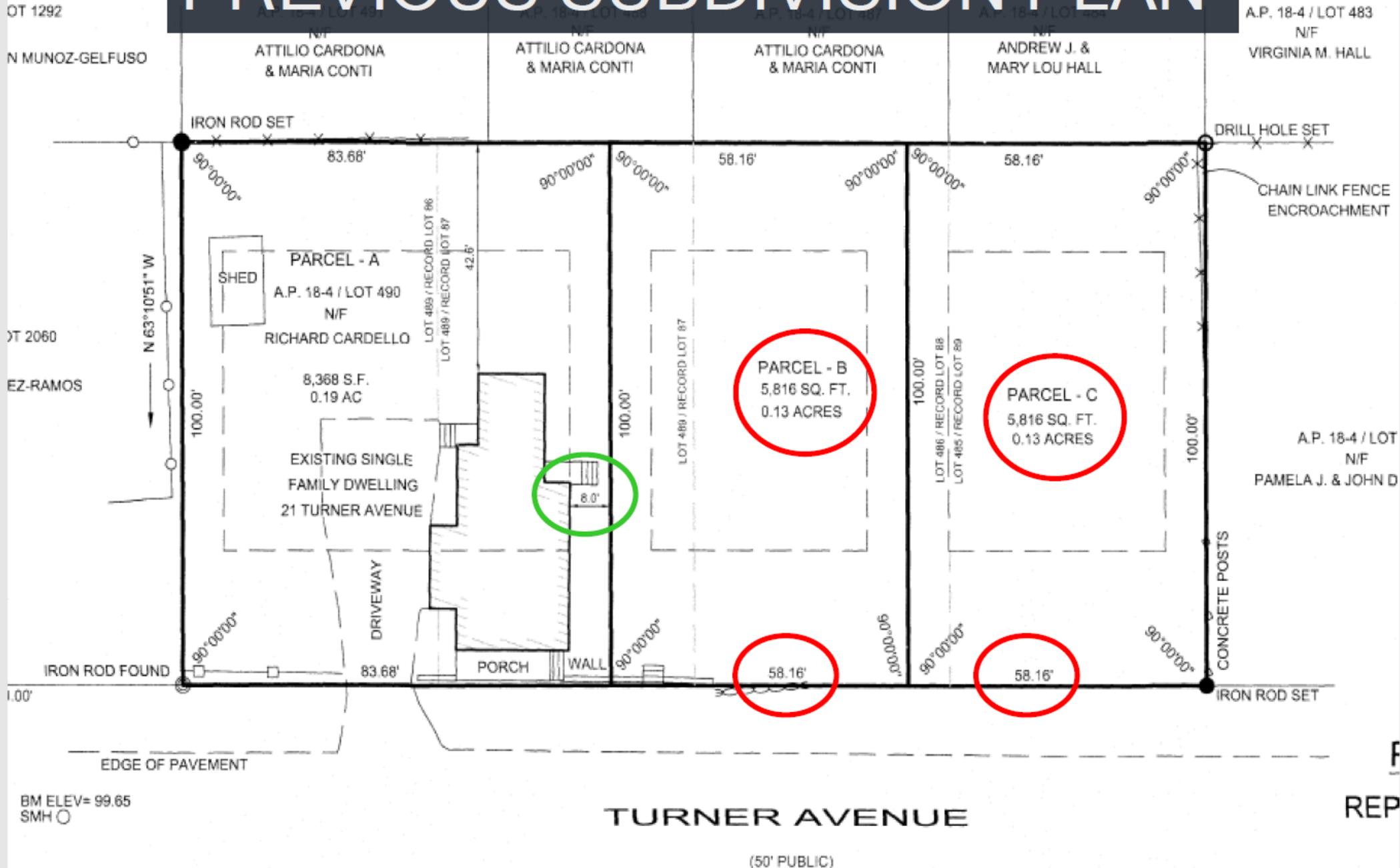
Considering that the increased setback on Parcel B would offset any negative impact, that the relief requested is the minimum relief necessary, that denial would not reduce the number of proposed homes

City Planning Department

and would amount to more than an inconvenience, that the proposal is consistent with the Comprehensive Plan in terms of density and housing policy, upon motion made by Mr. Vincent and seconded by Mr. Morales, the City Plan Commission unanimously voted (8/0) to forward a ***POSITIVE RECOMMENDATION*** on this application to the Zoning Board of Review.

PREVIOUS SUBDIVISION PLAN

Exhibit A



SUBDIVISION PLAN

Exhibit B

