

(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, August 16, 2012 in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:10 P.M. by the Chair.

Present: Councilman Steven A. Stycos, Vice-Chair
Councilman James E. Donahue
Council President Anthony J. Lupino

Absent: Councilman Paul H. Archetto, Chair
Council Vice-President Emilio L. Navarro
Councilwoman Maria A. Bucci

Also Present: Councilman Richard D. Santamaria, Jr.
Councilman Michael W. Favicchio
Gerald Cordy, Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Mike Igoe, City Controller
Peter LaPolla, City Planner
Stanley Pikul, Building Official
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Councilman Donahue, seconded by Council President Lupino, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded.

CORRESPONDENCE:

OLD BUSINESS:

3-12-1 Ordinance in amendment of Title 10, Chapter 28 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Overnight Parking Permits). (Cont. 4/12/2012, 5/17/2012 & 7/12/2012) [[click here to view](#)]

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to table this Ordinance. Motion passed unanimously.

PUBLIC HEARINGS/NEW BUSINESS:

Public Speakers:

Michelle Neuner, 47 Morgan Ave., Johnston, licensed massage therapist, appeared to speak regarding proposed Ordinance 6-12-5. She stated that she is concerned with line #452 of the Ordinance and asked that the Committee consider changing the definitions from 'massage therapy establishments' and not referring it to a Day Spa, in the Schedule of Uses.

Stan Pikul, Building official, appeared to speak and stated that the request made by Ms. Neuner could be looked at and defining it better. He is not opposed to Ms. Neuner's suggestion.

Susan Read, 41 Hazelwood St., appeared to speak regarding proposed Ordinance 6-12-4 and stated that at the last meeting, it was indicated that there was a typo in the Ordinance on pg. 4, whereby C-3 properties do not allow drive in restaurants and the original Ordinance stated it did. This was to be corrected and it was not.

Fred Joslyn, 23 Gaglione Ct., appeared to speak regarding proposed Ordinance 6-12-3 and indicated to line #162 of the Ordinance regarding "minor changes to the approval may be allowed, by the Building Inspector". He indicated to Section 17.84.90(c) of the current Code, indicated that new or revised Site Plan is not included in this revised Ordinance.

Diana Gordon, 363 Pontiac Ave., appeared to speak regarding proposed Ordinance 6-12-5 regarding halfway houses. She asked that this language be re-drafted to clarify it more.

Sandy Haupt, 130 Shirley Blvd., appeared to speak regarding proposed Ordinance 6-12-5 and stated that she is concerned about proposed language regarding group homes.

Mario Aceto, 152 Locust Glen Dr., appeared to speak and asked that the Council slow down the process and possibly have a few community meetings regarding the Zoning Ordinances because the residents of the City and businesses in the City are not aware of these proposals, even though this is a very important thing the City Council will be voting on, it will affect the whole City.

Richard Tomlins, 400 Farmington Ave., appeared to speak and agreed with Mr. Aceto that this is a very important legislation, which the City Council, as a whole, should be discussing and not be rushed to pass.

Mr. Pikul stated that a lot of the changes being proposed, such as group homes, were mimicked to State Law.

6-12-3 Ordinance in amendment of Chapter 17.84 of the Code of the City of Cranston, 2005, entitled "Zoning" (Site Plan Review). Referred from Special Ordinance Committee meeting 8/2/2012. [[click here to view](#)]

On motion by Councilman Donahue, seconded by Councilman Stycos, it was voted to table this Ordinance. Motion passed unanimously.

6-12-4 Ordinance in amendment of Chapter 17.20.030 of the Code of the City of Cranston, 2005, entitled "Zoning" (Schedule of Uses). Referred from Special Ordinance Committee meeting 8/2/2012. [[click here to view](#)]

On motion by Council President Lupino, seconded by Councilman Donahue, it was voted to recommend approval of this Ordinance.

Council President Lupino indicated that a change was to be made in C-3 for drive in.

On motion by Council President Lupino, seconded by Councilman Donahue, it was voted to amend this Ordinance as follows: C-3 drive in amend from "y" to "n". Motion passed unanimously.

On motion by Council President Lupino, seconded by Councilman Donahue, it was voted to add to the table the following: "y means yes, n means no and s means special permit". Motion passed unanimously.

On motion by Councilman Donahue, seconded by Council President Lupino, it was voted to table this Ordinance. Motion passed unanimously.

6-12-5 Ordinance in amendment of Chapter 17.04.030 of the Code of the City of Cranston, 2005, entitled "Zoning" (Definitions). Referred from Special Ordinance Committee meeting 8/2/2012. [[click here to view](#)]

On motion by Council President Lupino, seconded by Councilman Donahue, it was voted to recommend approval of this Ordinance.

Under Discussion:

Council President Lupino suggested the following amendment: line #1764, add a new category "uses covered elsewhere under the Use Table – refer back to Day Spa" to address massage therapy, as suggested by Ms. Neuner earlier. He would like to see an asterisk or footnote under the categories where another use refers back.

Chair clarified amendment as follows: "uses covered elsewhere under the Use Table – massage therapy – see Day Spa".

Roll call was taken on motion to recommend approval of this Ordinance and motion passed unanimously.

Ms. Neuner stated that the Ordinances that were to be corrected from the last meeting are posted incorrectly on the City's website. They are not corrected.

Council President Lupino stated that what the public is asking for is where is the definition of a major change or minor change.

On motion by Councilman Donahue, seconded by Council President Lupino, it was voted to table this Ordinance. Motion passed unanimously.

6-12-6 Ordinance in amendment of Chapter 17.20.070 of the Code of the City of Cranston, 2005, entitled "Zoning" (Dwelling Structures Limited). Referred from Special Ordinance Committee meeting 8/2/2012. [[click here to view](#)]

On motion by Council President Lupino, seconded by Councilman Donahue, it was voted to recommend approval of this Ordinance.

Under Discussion:

Council President Lupino stated that he has no problem approving this Ordinance with the smaller zoning, but he has a problem with the A-80.

Councilman Donahue stated that he has the same concern as Council President Lupino.

Mr. Pikul stated that any of them could be allowed by Variance.

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to amend the above Ordinance as follows: line #32, strike "religious or".

Under Discussion:

Mr. LaPolla stated that this language is not new, it was in the Code since 1965. The only thing that is being proposed to be changed is the zoning designation.

Roll call was taken on motion to amend the above Ordinance by striking "religious or" from line #32 and motion passed on a vote of 2-1. The following being recorded as voting "aye": Councilman Stycos and Council President Lupino -2. The following being recorded as voting "nay": Councilman Donahue -1.

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to recommend approval of the above Ordinance as amended. Motion passed unanimously.

6-12-7 Ordinance approving the 2010 Comprehensive Plan for the City of Cranston. Referred from Special Ordinance Committee meeting 8/2/2012. [[click here to view](#)]

On motion by Councilman Donahue, seconded by Council President Lupino, it was voted to table the above Ordinance until the other Ordinances are acted on.

Mr. LaPolla stated that the Comprehensive Plan needs to be adopted and it has nothing to do with the Zoning Ordinances.

Motion and second were withdrawn.

On motion by Council President Lupino, seconded by Councilman Donahue, it was voted to recommend approval of the above Ordinance.

Motion and second were withdrawn.

Discussion took place on the staff report of recommendations made by the State, which Mr. LaPolla indicated that he provided to the Clerk's Office, but it does not seem to be part of the Committee's packets this evening or is part of the file.

On motion by Council President Lupino, seconded by Councilman Donahue, it was voted to refer this Ordinance to the full City Council without recommendation. Motion passed unanimously.

The meeting adjourned at 8:05 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rosalba Zanni".

Rosalba Zanni
Assistant City Clerk/Clerk of Committees