

(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).

SPECIAL MEETING – CITY COUNCIL

-FEBRUARY 20, 2013-

A Special meeting of the City Council was held on Wednesday, February 20, 2013 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:00 P.M. by the Council President.

Roll call showed the following members present: Councilmen Stycos, Botts, Archetto, Aceto, Santamaria (appeared at 8:55 P.M.), Favicchio, Council Vice-President Farina and Council President Lanni -8.

Absent: Councilwoman Lee -1.

Also Present: Gerald Cordy, Director of Administration; Steven Marsella, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel.

-FEBRUARY 20, 2013-

The City Clerk read the following:

**CALL OF SPECIAL MEETING
OF THE CITY COUNCIL**

In Accordance with Section 3.07 of the Home Rule Charter and Section 2.04.060 of the City Code, I hereby call a special meeting of the City Council will be held on

Wednesday, February 20, 2013 @ 7:00 p.m.
Cranston High School East Auditorium
899 Park Ave.,
Cranston, RI. 02910

Re: Proposed Ordinance 1-13-01 in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Phenix Lodge).

[\[click here to view Ordinance\]](#) [\[click here to view VHB Traffic Report\]](#)

[\[click here to view Fuss Oneill Review of Traffic Report and Planning Response\]](#)

[\[click here to view JDL Enterprises Planning Report\]](#)

[\[click here to view Planning Commission Docs\]](#) [\[click here to view Planning Commission Docs\]](#)

[\[click here to view Planning Commission Docs\]](#)

The meeting is for public hearing purposes only and the proposed zone change will not be acted upon that evening. A subsequent meeting date will be announced for consideration of passage.

And we hereby request the City Clerk to notify all Council members of the Call of the special meeting.

Executed at Cranston, Rhode Island, this 11th day of February, 2013.

/s/ Council President John E. Lanni, Jr.

Individuals requesting interpreter services for the hearing-impaired must notify the Office of the City Clerk at 461-1000 Ext. 3197 seventy-two (72) hours in advance of the hearing date."

-FEBRUARY 20, 2013-**CERTIFICATION**

I hereby certify that a true copy of the attached Call of a special information public hearing of the City Council to be held on Wednesday, February 20, 2013 at 7:00 P.M. in the Cranston High School East Auditorium, 899 Park Ave., Cranston, R.I. was delivered via electronic mail on the 11th day of February, 2013 to the addresses listed below.

Council President John E. Lanni, Jr.
111 Woodview Dr.
Cranston, RI 02920 0
John.lanni@yahoo.com

Councilman Richard D. Santamaria, Jr.
20 Burr St.
Cranston, RI 02920
Ritaj10@yahoo.com

Councilman Paul Archetto
359 Princess Ave.
Cranston, RI 02920
Parchetto@ccri.edu

Councilman Michael W. Favicchio
152 Belvedere Dr.
Cranston, RI 02920
mike@favilaw.com

Councilman Steven A. Stycos
37 Ferncrest Ave.
Cranston, RI 02905
steven@stycos.com

Councilwoman Sarah Kales Lee
131 Shaw Ave.
Cranston, RI 02905
Sklee02905@gmail.com

Councilman Donald Botts, Jr.
65 Tennyson Rd.
Cranston, RI 02910
Donald.botts@gmail.com

Mario Aceto
152 Locust Glen Avenue
Cranston, RI 02921
Macetoward4@gmail.com

Council Vice-President Michael J Farina
15 Berry Circle
Cranston, RI 02921
dukefarina@cs.com

/s/ Rosalba Zanni

-FEBRUARY 20, 2013-

1-13-01 ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Phenix Lodge).

Councilman Aceto indicated that Councilman Santamaria is at a Flood Commission meeting and will be attending this meeting later.

Council President Lanni stated that Councilwoman Lee is on vacation and will not be able to attend this meeting.

Council President Lanni stated that this Zone Change request will not be considered for passage this evening. The purpose of this meeting is to hold a public hearing regarding this Zone Change request.

John DiBona, Esq., appeared to represent the applicant and stated that this proposal is for 192 upscale residential apartments; 7,200 sq. ft. building, which will house office, retail and commercial uses. He submitted a new Exhibit "C" to replace the one submitted with the initial application. City Clerk clarified that the revised Exhibit "C" is part of the City Council's packets this evening.

Attorney DiBona stated that this MPD request has already been through the first process. On May 24, 2012, this went before the Planning Commission, which granted approval. If this Zone Change is approved, this issue will go back to the Planning Commission for the main stages for major land development. Development and Plan Review Committee would review this and the public would have notice of that meeting.

Attorney DiBona introduced the following experts, who will give testimony:

- Michael Voccola, Corporate Vice-President of Procaccianti Group
- Joseph Lombardo, Planner from JDL Enterprise
- Duncan Pendelberry, Architect
- David Tagnianetti, VHP Engineering
- Peter Alviti, Hudson Place Associates
- Robert Clinton, Traffic Engineer - VHP Engineering
- Thomas Sweeney, Sweeney & Associates

Michael Voccola, Corporate Vice-President of Procaccianti Group, appeared to speak and stated that the vision for this property is for an upscale resort style residential, retail and commercial community. The Procaccianti Group has been very active in reaching out to the residents and work with them trying to address their concerns. This project will have a minimal effect on City services. The Lodges will light its own streets, plow its own streets and pickup its own trash.

Mr. Voccola addressed various misconceptions:

- There is a misconception that the Lodges will become low income and affordable housing. They do not plan for low income housing of any degree.
- There is a misconception that this does not comply with the Comprehensive Plan. To date, there is a positive recommendation from the Planning staff and two positive recommendations from the Planning Commission. Half the site will remain undeveloped and the Lodge will have an average 12-13 units per acre.
- The misconception that the Lodge would devalue the neighborhood. This is not true.
- The misconception that the Lodges would make a bad situation worse in regards to traffic. The Lodges would have a minimal impact and traffic reconfiguration will be done at the developer's expense. This proposal will bring in \$750,000 in taxes to the City.

Joseph Lombardo, Certified Land Use Planner from JDL Enterprise, appeared to speak and addressed the Planning Report and Fiscal Impact Study.

Attorney DiBona submitted Mr. Lombardo's resume for the record.

Mr. Lombardo stated that projected Real Estate tax revenue would be approximately \$635,000 and \$116,000 for Motor Vehicles. Cost of services would be minimal for Police, emergency services, library services and recreation. There would be a great savings to the City for such items as trash removal, snow removal, street lighting, road and drainage facilities maintenance and utility maintenance. As to the neighboring schools' capacity to accommodate the children from this complex, he has checked with the School Department and there is capacity at Oaklawn Elementary, Western Hills Middle School and Cranston High School West. This type of project, from a fiscal impact, will be positive asset for the community.

Councilman Aceto asked if the numbers are based on the assumption that all units are full all the time. Mr. Lombardo stated that a well run facility will be pretty much full all the time. Mr. Lombardo addressed the planning report, which he conducted and his conclusion in this report.

Duncan Pendlebury, Architect, appeared to speak and gave an overview of the architecture of the proposed project.

David Taglianetti, VHP Engineering, appeared to speak and addressed site design of the project. He also addressed the wetlands in the area and stated that there are four wetlands areas, floodplain and an area susceptible to flooding. He stated that the only wetlands impact associated with the project is the existing culvert crossing that would have to be improved. He indicated that this project is very consistent with the Zoning requirement. This project provides for 407 parking spaces. There is a main entrance and exit to and from the development at Phenix Ave. and Natick Ave. There is a second entrance and exit a little further North on Phenix Ave. and an emergency gated entrance in the back, from the City property. Proposal is for infiltration basins adjacent to the wetlands. As to the landscaping, this plan includes over 55% of the site to be landscaped or open space. Site lighting plan will be designed to eliminate any lighting spillage to existing property lines. There will be code and dark site compliant with City requirements.

Councilman Aceto asked if any approvals have been obtained from DEM. Mr. Taglianetti stated that there have been preliminary meetings with DEM regarding this proposal, but no permits have been obtained yet.

Councilman Aceto asked if there has been an environmental site assessment done on this property. Mr. Voccola stated that an environmental site assessment was conducted by prior owner in Phase I and this concluded that there was no requirement for any further investigation.

Peter Alviti, Jr., Civil Engineer, Hudson Place Associates, appeared to speak and presented his resume. He stated that there are several available sewer routes from this development and there is available capacity at the Sherman Ave. Pumping Station. One route would be to go down Phenix Ave. to Wilbur Ave. to Cranston St. to Sherman Ave. The other route would be crossing State property to Route 295, which probably would be the best and most efficient route and shorter distance. The developer has met with DOT and if the developer decides to go with the route crossing State property at Route 295 and they made it clear that the developer would have to meet State and Federal Highway Code to do this. They also met with Providence Water and they also have stated to the developer that they have certain requirements, but do not see any objections to crossing the State property.

Councilman Aceto asked how many agencies would be involved, as to permits. Mr. Alviti stated, DOT, DEM and City Departments.

Councilman Aceto asked what happens if the Sherman Ave. Pump Station goes down, as it has in the past during floods. Mr. Alviti stated that Lodges will have an emergency generator for itself.

-FEBRUARY 20, 2013-

Councilman Aceto asked Mr. Alviti, if the sewer line goes another route, would it have capacity for other residences to tie in. Mr. Alviti stated that the plan is for a four inch force main, which would probably have that type of capacity.

Thomas Sweeney, Sweeney & Associates, appeared to speak and stated that this proposal is highest and best use of the property. He does not foresee any high traffic for retail. This proposal will have a positive impact in the community. As to the commercial, the retail operation will likely service the development and wouldn't have an adverse impact on surrounding neighborhood.

Robert J. Clinton, Transportation Engineer, VHP Engineering, addressed traffic study for the proposed project. He stated that analysis was done at the intersections of Phenix and Natick, Phenix and Wilbur and Phenix and Route 37. The developer is proposing geometric improvements at Phenix and Natick intersection. At Phenix and Route 37 intersection, the developer is proposing to better delineate left turn lane. At the Wilbur and Phenix intersection, the developer is proposing to modify southbound approach. There is also a proposal for optimization of signal times. This proposal would not have an adverse effect with the proposed mitigations.

The meeting recessed at 9:30 P.M.

The meeting reconvened at 9:35 P.M.

Public Speakers:

David Nadeau, 110 Natick Ave., appeared to oppose to this development and stated that traffic will only get worse with this development. There are accidents on a weekly/monthly basis in the area.

Donald D'Angelo, 602 Phenix Ave., appeared to speak and stated that he has not heard any mentioning of widening or construction of roads to address traffic. There is a lot more work that needs to be done on the traffic side and the construction of it too. He asked that this project not be approved as it is presented this evening.

Vincent Cullen, 12 Ionia St., appeared to speak and asked that this proposal not be approved as it stands today. If it is modified, it may be feasible. Traffic is horrendous and this will be more of a problem if this project is approved.

Councilman Aceto presented a letter from Mr. Richard Nadeau of 122 Natick Ave., who is opposed to this project and not able to attend this meeting due to his age.

Sherry Izzi, 12 Midland Dr., appeared to speak and presented a petition of residents who are opposed to this project.

Fred Joslyn, 23 Gaglione Ct., appeared to oppose to this project. He stated that his concerns are the scale of the project and its relationship with the community in the area. He presented accident data at the four intersections in the area for period January, 2011 to January 2013 and traffic report from firm that did traffic study in 2008 for previous developer. Mr. Joslyn stated that this project is too large for the area and it does not belong there.

School Committee Member Trent Colford, 38 Kimberly Lane North, appeared to speak and stated that the traffic is a huge problem in the area currently. The developer has not made the case for the homeowners as to how it will affect their property value.

Aram Garabedian, 173 Belvedere Dr., appeared to speak and stated that he is the Trustee of the property owner. He asked that the City Council look over the evidence and review the Planning Commission recommendation in making their decision.

Anthony Lupino, 15 Black Oak Ct., former Council President, appeared to speak and stated that this is a valuable piece of property and something needs to be done with it. What needs to be addressed is:

- Who designates what level of commercial development is going to be there;
- The statement made by Mr. Voccola whereby they do not plan for lower income;
- Mr. Lombardo stated that “no cost to the City for utilities”. What does this do to the future maintenance to the City?
- The projected revenue stated by Mr. Voccola, what does this do to the tax rate?
- The School pupil projection. This did not take into consideration All Day Kindergarten, which will be happening soon.
- Open Space - the plan provides for Open Space, but what is true amount of Open Space?
- As to sewers, does this require agreement with Veolia?
- Sewer impact for the future?
- Who will pay for improvements to address traffic?
- Who is the City’s Traffic expert, since the person Acting at this time does not have the qualifications?

Craig Colletto, 3 Quail Ridge Ct., appeared to speak and stated that his main concern is traffic. He urged the City Council to consider the extreme negative impact this project will have in the area.

Michelle Calise, 14 Katelan Ct., appeared to speak and stated that she has a child who requires medical attention and she quite often has to call 911 and her main concern is with egresses in and out of the development. She asked if the school buses will be allowed to enter the development to pick up children who live in the development or will they have to be picked up on Phenix Ave? School Committee Member Colford stated that he will obtain this information from the School Transportation Department.

David Izzi, 12 Midland Dr., appeared to oppose to this development.

Douglas Jones, 178 Lippitt Ave., appeared to oppose to this development.

Kim Bittner, 20 Phenix Ridge Dr., appeared to speak and stated that 192 units at \$2,000 per month is ridiculously high. She indicated that she knows people who cannot afford \$2,000 per month for a mortgage. She agrees that something needs to be done with this property, but not at the expense of the community.

Representative Nicholas Mattiello, 55 Pasture View Lane, appeared to speak and stated that 192 units in this area scares him and his constituents. The traffic in the area effects the quality of life. He believes the owner should be able to develop this property, but there should be a compromise between the developer and the City.

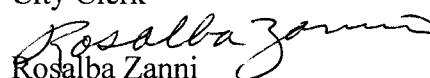
Teresa Demers, 29 Phenix Ridge Dr., appeared to oppose to this development and asked that answers to the questions asked this evening be made available at the next meeting.

On motion by Council Vice-President Farina, seconded by Councilman Favicchio, it was voted to adjourn this meeting. Motion passed unanimously.

The meeting adjourned at 10:40 P.M.



Maria Medeiros Wall, JD
City Clerk



Rosalba Zanni
Assistant City Clerk/Clerk of Committees