

*(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


**-MARCH 28, 2013-**

A Special meeting of the City Council was held on Thursday, March 28, 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: Councilwoman Lee, Councilmen Stycos, Botts, Archetto (appeared at 7:20 P.M.), Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

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



**CRANSTON  
CITY COUNCIL  
SPECIAL MEETING**

Thursday, March 28, 2013 @ 7:00 p.m.  
Cranston City Hall  
City Council Chambers – 3rd fl  
869 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).**

This meeting is a continuation of the public hearing. A subsequent meeting date will be announced for consideration of passage of the proposed ordinance.

All supporting documents and maps are available on the City's website [cranstonri.com](http://cranstonri.com)

John E. Lanni, Jr., Council President

Individuals requesting interpreter services for the hearing impaired must notify the City Clerk at 461-1000 x-3194, 72 hours prior to meeting.

3/21/13

**-MARCH 28, 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

**Thursday, March 28, 2013 @ 7 p.m.**  
Cranston City Hall  
Council Chambers  
869 Park Ave.,  
Cranston, RI. 02910

**Re: Public Hearing regarding Proposed Ordinance 1-13-01 in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Phenix Lodge).** [\[click Ordinance Map and Narrative\]](#)  
[\[click VHB Traffic Report\]](#)  
[\[click Fuss Oneill Review of Traffic Report and VHB Response\]](#)  
[\[click JDL Enterprises Planning Report\]](#)  
[\[click Planning Recommendation Feb2013\]](#) [\[click Planning MPD Decision May2012\]](#)  
[\[click Planning Staff MPD Memo Apr2012\]](#)  
[\[click Planning Staff Memo Feb2013\]](#)

This meeting is a continuation for the public hearing. 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 19<sup>th</sup> day of March, 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."

**-MARCH 28, 2013-**

**CERTIFICATION**

I hereby certify that a true copy of the attached Call of a second special information public hearing of the City Council to be held on Thursday, March 28, 2013 at 7:00 P.M. in the Cranston City Hall, Council Chambers, 869 Park Ave., Cranston, R.I. was delivered via electronic mail on the 19<sup>th</sup> day of March, 2013 to the addresses listed below.

Council President John E. Lanni, Jr.  
111 Woodview Dr.  
Cranston, RI 02920  
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

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

**-MARCH 28, 2013-**

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

**Council President Lanni** asked developer's representative to address questions that were asked at the last meeting.

**Michael Voccola**, Corporate Vice-President of Procaccianti Group, appeared to speak and addressed the following questions or statements from the February 20<sup>th</sup> meeting:

- "This development will kill my quality of life - the quality of life will be adversely and dramatically effected if the expansion of commercial and industrial uses continues to grow." Mr. Voccola stated that already, there is a firing range, a large scale gravel operation with daily blasting, heavy truck and equipment storage, 100' communications antenna, two Ice Rinks, an Animal Shelter and the Department of Public Works and the Salt Storage Barn. The only thing between all of that and the single family homes to the South of Route 37 is the Lodges.
- "We are being steam rolled by TPG's fueled by arrogance and greed." Mr. Voccola stated that he is not going to respond to this statement.
- "It's too big." Mr. Voccola stated that, indeed 192 units is a relatively small development. The level of services and the caliber of the amenities can only be provided with a reasonable number of residences. A lesser number would not allow or justify the investment needed to provide these upscale amenities.
- "This land is Zoned for cultural education and public safety facility. It is not in compliance with the Comprehensive Plan." Mr. Voccola stated that there is no such zoning classification for this property. The Planning Commission has twice unanimously recommended the Lodges as compliant with the Comprehensive Plan in accordance with the Future Land Use Plan.
- "Who designated the appropriate level of commercial space?" Mr. Voccola stated that the site configuration and in particular, the wetlands designations effectively made two building envelopes. The smaller area along Natick and Phenix Ave. and the larger area behind that. The small area is targeted for home town entrepreneurial geared retail, the larger area for the residential use.
- "Who determines if a drive thru is a good idea?" Mr. Voccola stated that the Zoning Board makes this decision. The developer envisions a tenant as a bank with a drive thru. They specifically took out restaurants.
- "Lower Income?" Mr. Voccola stated that the developer does not plan for a lower income. This is an upscale development, which would command higher rents.
- "The new tax revenue will not move will not move the needle on the tax rate." Mr. Voccola stated that over \$500,000 in new annual net revenue to the City of Cranston will make a significant contribution to the City's operating costs.
- "Did the developer consider all the day kindergarten in the school population?" Mr. Voccola stated that the school population figures were obtained directly from the School Department and its Administration as a total.
- "What happened to the long deceleration lane leading into the development?" Mr. Voccola stated that during the preparation of the traffic study and the installation of a deceleration right turn lane was considered, however, based on analysis and discussion with the City's Traffic Engineer, Public Safety Manager at the time, Dave Ferguson, and with a peer reviewer, Derek Hugg of Fuss & O'Neill, it was determined that adding a right turn on Phenix Ave. southbound would be more beneficial to the public and the operation of the intersection.
- "The developer indicates this exceeds the Open Space requirement?" Mr. Voccola stated that no such representation was ever made.

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- “This is going to kill water pressure in the area.” Mr. Voccola stated that there is no capacity or flow issues identified in the preliminary discussions with Providence Water Supply Board.
- “Who is paying for all the proposed traffic improvements?” Mr. Voccola stated that TPG has been clear from the onset that they will be funding all the offsite traffic improvements proposed for Phenix, Natick and Wilbur Ave., 100%.
- “Why should the City’s land and the Ice Rink be burdened with providing emergency access?” Mr. Voccola stated that it will not be. The proposal is for emergency access between the properties at the specific request of the Cranston Fire Department as it will benefit both properties.
- “Will the Lodges allow school buses within the development?” Mr. Voccola stated that TPG will not restrict access of school buses should they be needed, but the School Department makes that determination as to where school bus stops are located.
- “Concern of accessibility of emergency vehicles”. Mr. Voccola stated that based on analysis, emergency response times are not projected to be impacted by the Lodges.
- “There is no way the developer will get \$2,000 per month for rent”. Mr. Voccola stated that they are confident that they can and the developer is ready to put \$30 million on the table to prove it.
- “Where would road widening occur and where will restriping occur?” Mr. Voccola stated that consistent with the presentation from the very beginning, roadway widening will take place on Phenix Ave. as it approaches intersection with Natick. Intersection widening will also occur at the same intersection on the northwestern and southwestern corners. Intersection work will also take place at Natick Ave. and Wilbur Ave. with the removal of the traffic island. Restriping will take place the entire length of Natick from Phenix to Wilbur on both the north and south bound lanes.
- “Concern of lack of a Traffic Engineer”. Mr. Voccola stated that during the application process, the Traffic Engineer of the City retired, however, TPG did meet with him during one of the very first meetings with City officials. As a result of his retirement, the City required TPG to fund, but not select, another traffic engineering firm to act on behalf of the City in reviewing the work prepared by VHP for the Lodges.
- “What are the existing length and the proposed length of the right turn lane coming down Phenix?” Mr. Voccola stated that the existing length of the right turn on Phenix Ave. eastbound approach to the traffic signal at Natick Ave. is currently 100’ and will be increased to 200’.
- “There are more wetlands on the site then are shown on the plan?” Mr. Voccola stated that this is wrong. The wetlands delineation shown on the submitted plan was reviewed and approved by the RI Department of Environmental Management. The Lodges was specifically designed within the buildable envelope constrained by the wetlands including the set backs.

**Councilman Aceto** stated that at the last meeting, he referred to a letter dated February 20, 2013 that was submitted by Richard Nadeau, elderly resident, who could not attend the meeting due to his age. He asked that this letter be read into the record. Council President Lanni asked City Clerk to read the letter into the record.

**Public Speakers:**

**Gary Malloy** appeared to speak in favor.

**Theresa Demers**, 29 Phenix Ridge Dr., appeared to oppose to this proposal.

**Craig Bilodeau**, 3 Ridgevale Court, appeared to oppose to this proposal.

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**Angela Morrison**, 24 Greenwood St., appeared to speak as a resident of the City and also as a representing the members of the Hospitality Workers Union Local 217, who many who live in the City. She also is opposed to this project.

**Kim Bittner**, 30 Phenix Ridge Dr., appeared to oppose to this project and urged the City Council not to approve this Zone Change.

**Resident of 178 Whipple Ave.**, appeared to oppose to this project.

**Roseangel Sicard**, 267 Smith St., member of Local 217, appeared to oppose to this project.

**School Committee Member Trent Colford, Sr.**, 38 Kimberly Lane North, appeared to speak and addressed the issue of bussing for students who live in apartment complexes and the costs for the City.

**Ted Isabella**, 40 Hillcrest Dr., appeared to oppose to this project.

**Ed Lannon**, 485 Wilbur Ave., appeared to oppose to this project.

**Aram Garabedian**, 173 Belvedere Dr., Trustee of the property owner, appeared to speak.

**Councilman Stycos** asked what powers the City Council has to amend this Ordinance to bar drive thru and to set a height limit that is consistent with the Comprehensive Plan. Attorney DiBona stated that everything the developer asks for is set in the Ordinance as exhibits. Solicitor Marsella stated that the City Council can essentially amend this request.

**Councilman Stycos** asked what the proposed height is of the buildings. Attorney DiBona stated, 60'6".

**Councilman Stycos** stated that he spoke to Luis Apante, Council Member from Providence to discuss the issue going on at the Renaissance, which is owned by The Procaccianti Group. Councilman Apante related to him that The Procaccianti Group is treating their employees poorly and is not forthcoming with the way they deal with City officials.

**Councilman Botts** stated that the Renaissance is a hotel and what Mr. Aponte stated to Councilman Stycos is a one sided story and to bring that into a discussion with this development, he does not see how this can be compared.

**Councilman Archetto** asked what the Mayor's position is on this project. Mr. Cordy stated that the Mayor has maintained the same position from the beginning of this proposal and his position this is the best he has seen proposed in this area in a long time, but he does have a concern with traffic and sewer tie ins and these would have to be worked out.

**Councilman Santamaria** stated that he still has doubts of the Sherman Ave. Pumping Station that it would be able to handle more units. He needs to have some reassurance that it will be able to handle more units.

**Peter Alviti, Jr.**, Civil Engineer, Hudson Place Associates, appeared to speak and stated that he studied the sewer capacity for this project in a one mile radius. He stated that Veolia hired Stantech to conduct their own independent study from the areas he looked at and which one they would prefer and which one would be able to handle more capacity. They determined that Sherman Ave. Station was the most appropriate for adequate capacity exists. All the construction of the tie-in would be at the expense of the developer. The developer and the tenants would pay sewer fees to the City and maintain all the infrastructure that the developer would put in place.

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**Councilwoman Lee** asked if this development would bring the Sherman Ave. Station up to capacity. Mr. Alviti stated, no, they would not even be approaching capacity. There would be capacity left for future developments.

**Council Vice-President Farina** asked if increase in children in apartment complexes is a trend due to people losing their homes and renting apartments. **Joseph Lombardo**, Certified Land Use Planner from JDL Enterprise, appeared to speak and stated that it could be due to people losing their homes.

**Councilman Aceto** addressed the traffic study and stated that a previous study showed 18,000 vehicles and this study shows 11,000. He questioned why the huge difference. **Robert J. Clinton**, Transportation Engineer, VHP Engineering, appeared to speak and stated that he analyzed the peak hours. He also analyzed data from RI D.O.T.

**David Taglianetti**, VHP Engineering, appeared to speak and stated that he is not sure where the numbers from a previous study came from. He also indicated that the former City Traffic Engineer also reviewed this study. Councilman Aceto if the traffic study has been validated by D.O.T. Mr. Clinton stated that they have had preliminary conversations with D.O.T., but no permits will be issued prior to the approval from this Council.

**Council Vice-President Farina** stated that by restriping the roads, it will not improve traffic problems. Mr. Taglianetti stated that the developer will make roadway improvements. They are not going to make traffic go away, but they can make it better.

**Councilman Aceto** questioned if by narrowing the roads and keeping speed limit the same would cause accidents. Mr. Taglianetti stated that the lane widths being proposed would be within industry standards.

**Michelle Calise**, 14 Katelan Ct., appeared to speak and questioned where the emergency exits would be from the development. Mr. Taglianetti stated that life safety vehicles will access the site at Phenix and Natick. The developer would request from the City a second exit at the Ice Rink and Animal Shelter with a locked gate to be used in case the main exit is locked. Ms. Calise stated that she is opposed to this proposal.

**Former Council President Anthony Lupino**, 15 Black Oak Ct., appeared to speak and stated that this project is causing fears to the residents, such as traffic, school costs and sewers. When he saw this proposal, he felt it was a good proposal, but he would rather see a nursing home or rehab center or some sort of sports complex at this location. A residential facility, the number is too large. He encouraged the City Council to deny the proposal as presented, unless the fears can be documented and addressed. 192 units and retail is way too much for this site.

**Former Council President Aram Garabedian**, 173 Belvedere Dr., Trustee of the property owner, appeared to speak and stated that as to the traffic problem, he asked the City Council to review the Western Cranston Impact Fees. There may be money there that can be used to address this problem.

**Greg Weiss**, 28 Katelan Ct., appeared to oppose to this project.

**Vincent Cullen**, 12 Ionia St., appeared to oppose to this project.

**Jessica Marino**, 799 Natick Ave., appeared to speak and stated that this project, as proposed, is not acceptable and will not provide financial gain to the City.

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**Ted Zarrella**, 40 Hillcrest Dr., appeared to speak and asked if any studies have been done to make sure buildings are safe if built on this property, since it is a large wetlands area. Mr. Voccola stated, yes, studies have been done.

**Kim Bittner**, 20 Phenix Ridge Dr., appeared to oppose to this project.

On motion by Councilman Favicchio, seconded by Councilman Santamaria, it was voted to adjourn this meeting. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

The meeting adjourned at 10:20 P.M.



Maria Medeiros Wall, JD  
City Clerk



Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)



*Submitted by Councilman Aceto  
Spec Council meeting 2/20/13  
Re: 1-13-01 M. A. Fall*

February 20, 2013

Richard N. Nadeau  
122 Natick Avenue  
Cranston, RI 02921  
942-4136

To the Cranston City Council

My name is Richard Nadeau. I reside with my wife, Alice, at the corner of Natick Avenue and Herod Street in Oaklawn Village. I am 92-years of age and unfortunately unable to attend this public hearing. Please read my letter and file it with the record of this meeting.

I have resided in this neighborhood over 90-years, with the exception of my time away serving our country during World War II. The vehicle traffic on Natick Avenue has grown most substantially over the past 15-20 years. During commuting hours each day this has resulted in cars stacked-up in front of our home waiting to access Route 37 East, as well as cars stacked-up going South on Natick Avenue toward the traffic signal at Wilbur Avenue. Most days it is almost impossible for my wife to drive our car out of the driveway. I am concerned that if I ever need to call a Rescue EMT, assistance will not be able to get to us in time.

When I proudly served in WW II to protect our country against those who wanted to take away our basic rights, I never could've imagined that 70-years later I would have to defend our home from some young developer who would come into our neighborhood and try to change things for his personal gain at our expense.

As a 90-year resident of Oaklawn Village on Natick Avenue, there is absolutely no doubt in my mind that adding 192-apartments and 4-stores on the corner of Phenix Avenue and Natick Avenue will cripple this area with many, many more cars on the road.

Tonight you'll probably hear from a gaggle of experts who will try to convince you that this project will not seriously add to the traffic problems on Natick Avenue. I've lived here 90-years, I don't need a traffic expert to tell me what I see out my front window everyday at 8:30 in the morning and 4:30 in the afternoon each day.

Please deny the request for a zone change at the DelBonis gravel pit.

Respectfully yours,

*Richard N. Nadeau*  
Richard N. Nadeau

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*Submitted by Councilman Stycos  
3/28/2013 Special Council  
Public Hearing - Sherris Lodge  
(m)*

Information for Mr. Stycos

Springfield Apartments	100 Elena Street	29 students	-
Chateau Apartments	30 Oaklawn Avenue	7 students	
Riverbend Apartments	115 Dyer Avenue	115 students	
Independence Place	75 Independence	22 students	-
Royal Apartments	75 Oaklawn Avenue	2 students	
Willowbrook Apartmetns	825 Pontiac Avenue	34 students	
Pocasset Village	941 Dyer Avenue	6 students	
	<b>Total</b>	<b>215 students</b>	

Steve,

If you need any more information, please don't hesitate to contact Mr. Dillon at 270-8039. He will be happy to help you with any of this information.

He also wanted you to know that in the beginning, when Independence Place opened, they were told there would not be many students. We started with 1 student and now we have 22. FYT

Gail Leone

## APARTMENT COMPLEX INFO from Sal Saccocio/Tax Assessor

## High end:

Independence Place -196 units

84 1 bedroom units

112 2 bedroom units

Springfield Apartments – 216 units

108 1 bedroom/.1 bathroom

108 2 bedroom/ 2 bathroom

## Little lower

Chateau -232 units

8 efficiency

119 1 bedroom

105 2 bedroom

## Middle

Willowbrook Apartments -252 units

131 1 bedroom

121 2 bedroom