

(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).

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, June 2, 2014 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:25 P.M. by the Chair.

Present: Councilman Richard D. Santamaria, Jr., Chair
Councilman Mario Aceto, Vice-Chair
Council Majority Leader Paul H. Archetto
Councilwoman Sarah Kales Lee
Council Minority Leader Michael W. Favicchio
Council Vice-President Michael J Farina
Council President John E. Lanni, Jr.

Also Present: Jeffrey Barone, Director of Constituent and Government Affairs
Captain Gerard Carnevale, Police Department
Deputy Chief, Stephen MacIntosh, Fire Department
Evan Kirshenbaum, Assistant City Solicitor
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

II. MINUTES OF THE LAST MEETING:

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

III. CORRESPONDENCE:

IV. OLD BUSINESS:

HOLIDAY SALES LICENSE – NEW

Phantom Fireworks – 10 A.M. – 9 P.M. (tabled 5/5/14 no appearance) 1400 Oaklawn Ave.

No one appeared to speak. This license application will remain tabled.

Mac's Food Store – hours 5AM – Midnight (tabled no appearance) 983 Oaklawn Ave.

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to remove this license application from the table. Motion passed unanimously.

Mac Baban, applicant, appeared to speak. No one appeared to oppose.

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to approve this license application. Motion passed unanimously.

V. **MISCELLANEOUS BUSINESS:**

None.

VI. **PUBLIC HEARINGS (Including Ordinances):**

**CLASS BV FULL ALCOHOLIC BEVERAGE LICENSE - NEW –ABOVE THE CAP
REQUIRES FULL COUNCIL RECOMMENDATION**

Cranston Asian Bistro LLC d/b/a Ajisen Asian Cuisine 1776 Plainfield Pike

Representative K. Joseph Shekarchi appeared to represent applicant.

Mini Chen, applicant, appeared to speak and stated hours of operation to be 11:00 A.M. to 10:00 P.M. Mondays thru Fridays and 11:00 A.M. to 11:00 P.M. Saturdays and Sundays. No one appeared to oppose.

On motion by Council Minority Leader Favicchio, seconded by Council Vice-President Farina, it was voted to approve this license application and refer it to the full City Council. Motion passed unanimously.

AUTO REPAIR LICENSE – NEW

In Town Auto Sales & Service – Hours not listed 11 East Josephine St.

Joelle Silvia, Esq., appeared to represent applicant and stated that repairs will be just for autos sold by the applicant and no repairs will be done on weekends. Hours of operation for the auto repair portion will be 10:00 A.M. to 6:00 P.M. Mondays thru Fridays and none on weekends.

Christopher Petrarca, Esq., appeared to represent Jose Tavares, immediate abutter, who is opposed to the granting of this license. Attorney Petrarca stated that he forwarded, via e-mail, a packet to the Committee and asked if it was received. He presented copies of this packet. He indicated that page two of the packet is a list of the people who are opposed to this business. Some of the concerns are: what type of education does this applicant have; what experience in the business of repairing autos does this applicant have; what type of equipment is applicant going to have; what type of lease does this licensee have. Attorney Petrarca quoted Ch. 17.32.10 of the Code and questioned whether this business meets the criteria as far as the boundary lines and setbacks that would permit them to conduct this type of operation.

Chair asked Solicitor Kirshenbaum if there was any resolution or compromises in the discussions he had with the parties. Solicitor Kirshenbaum stated that the applicant did compromise on the hours of 10:00 A.M. to 6:00 P.M. Mondays thru Fridays. The main objection from the abutters seems to be Sunday operation. This is permitted by State Law for hours of 12 Noon to 6:00 P.M.

Councilman Aceto stated that since this business borders the City of Providence, he asked if notices of this meeting were sent to the City of Providence. City Clerk stated that notices of this hearing were sent to all the abutters listed on the radius map provided by the City Assessor and the City of Providence was sent the same letter as the abutters.

Wilfredo Hernandez, applicant, appeared to speak and stated that as to the hours of operation, people work Monday thru Friday and Saturday and Sunday would be his busiest days. He is just trying to run a business.

George Gregorian, 75 Lindsey St., appeared to speak and stated that the residents on Niantic Ave. on the Providence side were not notified of this hearing, but the Cranston side were notified. He stated that he questioned the City Clerk and was told that the notice was sent to the City of Providence. He asked who in Providence and was told the City of Providence, but he could not be provided with a name or department of who the notice was sent to. He stated that the people would like the traffic on Niantic Ave. to be low on weekends since they have to put up with a lot of traffic during the week. They will be test driving cars up and down the street and he questioned what type of element of people this business will bring in.

Solicitor Kirshenbaum pointed out that the applicant is limited to eleven vehicles.

Attorney Petrarca quoted Section 17.12.00.400 of the Code, which requires notices to be sent by certified mail. Notices of this hearing were not sent certified mail. City Clerk stated that she believes this has to do with Zoning Board of Review matters. This type of license, notification does not require certified mail.

Jose Tavares, immediate abutter, appeared to oppose to the granting of this license and stated that he pays a lot of money to the City in taxes. He asked that the Committee at least consider the hours for weekends.

On motion by Council Minority Leader Favicchio, seconded by Council Vice-President Farina, it was voted to approve the Auto Repair License application with hours of operation to be 10:00 A.M. to 6:00 P.M. Mondays thru Fridays and no weekends.

Under Discussion:

Council President Lanni stated that the applicant is limited to eleven vehicles. Eleven vehicles do not generate much traffic. The hours stated are reasonable. He also stated that as to the concern of the applicant's education, the applicant has a college education. His own father had a six grade education and he operated a car lot.

Council Minority Leader Favicchio agreed that he does not see much traffic being generated with eleven vehicles.

Roll call was taken on motion to approve the Auto Repair License application and motion passed on a vote of 6-1. The following being recorded as voting "aye": Councilmen Santamaria, Aceto, Councilwoman Lee, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -6. The following being recorded as voting "nay": Council Majority Leader Archetto - 1.

TRANSFER OF CLASS A RETAIL ALCOHOLIC BEVERAGE LICENSE - NEW
FROM: HEALEY'S LIQUORS INC. 995 Pontiac Ave.

TO: DAR PROPERTIES LLC
D/B/A Liquid Assets Fine Wine & Spirits 995 Pontiac Ave.

Greg Toutelo appeared to represent the transferee.

David Radivonyk, applicant, appeared to speak. No one appeared to oppose.

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to approve this license transfer application. Motion passed unanimously.

ALL NIGHT LICENSE – NEW
Colbea ENT LLC d/b/a Shell # 59 1036 Reservoir Ave.

City Clerk indicated that this application is for 24/7 operation.

David Cibelli appeared to speak in favor.

Chair asked what was at this location before. Mr. Cibelli stated that this is the same operation, just a different owner. Chair asked if prior owner was open all night. Mr. Cibelli stated, no. Chair asked what the reason is for the 24 hours. Mr. Cibelli stated that it is the nature of the business. Most of the gas stations are open all night.

Councilman Aceto stated that he believes there is State Statute, which allows gas stations to be open all night. Solicitor Kirshenbaum stated that he researched Ch. 31, Ch. 37 and finds that Councilman Aceto is correct.

Gail DeRobbio, 12 Intervale Rd., appeared to speak and stated that since the new owners have taken over, they have made improvements and she has no objections to them opening 24/7.

Ed St. Michel, 16 Shortway Rd., appeared to oppose and stated that he lives two doors down from this business and he does not see the need for 24/7. His concerns are noise, litter and late night crime. A 24/7 license would just cause damage to the residents.

Elizabeth Norberg, Warwick, appeared to speak on behalf of her mother, Mary Reed Walsh of 12 Shortway Rd., who is opposed to the granting of this license. Ms. Norberg stated that she lived in this home for 24 years and every business that was at this location was never allowed to be open 24/7.

Jean St. Michel, 16 Shortway Rd., appeared to oppose and stated that two of her neighbors who live at 20 Shortway Rd. and 19 Shortway Rd. are also opposed to the granting of this license.

John Brenn, Intervale Rd., appeared to oppose to the granting of this license and stated that he is concerned that if this is approved, there will be a cascading effect with other businesses up and down Reservoir Ave., who will be asking for a 24/7 license. If this license is approved, this will be a gathering place for trouble.

Paul Baligian, 53 Henderson St., appeared to oppose to the granting of this license and stated that he lives near the Wendy's on Reservoir Ave., which will be open until 2:00 A.M. He is concerned about the precedent being taken by granting All Night Licenses.

Mr. Cibelli stated that as to the congregating in the parking lot, if the store were open all night, this would not happen because the Police would be called.

Council Vice-President Farina stated that there is a Shell gas station on Pontiac Ave., which is open 24 hours, less than a mile away. He agrees that this would be causing a cascading effect with other businesses on Reservoir Ave. Council President Lanni agreed.

Chair asked applicant what the hours of operation will be. Mr. Cibelli stated 6:00 A.M. to Midnight, but the license he has goes to 1:00 A.M.

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to deny this license application. Motion passed on a vote 4-3. The following being recorded as voting "aye": Councilman Santamaria, Councilwoman Lee, Council Vice-President Farina and Council President Lanni -4. The following being recorded as voting "nay": Councilman Aceto, Council Majority Leader Archetto and Council Minority Leader Favicchio -3.

Councilman Aceto asked if applicant has appeal option to the City Council. Chair stated, yes.

VII. ORDINANCES:

None.

VIII. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW (RATIFY THE ACTION)

Almusawer ENT Inc. d/b/a Mac's Food Store 5A.M. – Midnight

983 Oaklawn Ave.

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to approve this license application. Motion passed unanimously.

PARADE LICENSE – NEW
St. Mark's Church – event 6/22

9 Garden Court

Peter Prizette appeared to speak. No one appeared to oppose.

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to approve this license application. Motion passed unanimously.

MASSAGE THERAPY LICENSE – NEW
Harmony Massage

481 Pontiac Ave.

Leslie Luke appeared to speak. No one appeared to oppose.

On motion by Council Vice-President Farina, seconded by Councilwoman Lee, it was voted to approve this license application. Motion passed unanimously.

Love Reiki

845 Oaklawn Ave.

Sheila Gabrielson appeared to speak and stated hours of operation to be 9:00 A.M. to 9:00 P.M. No one appeared to oppose.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve this license application. Motion passed unanimously.

HOLIDAY SALES LICENSE – NEW
Liquid Assets Fine Wine & Spirits – Hour's 7AM – 11PM

995 Pontiac Ave.

City Clerk stated she would like to research whether this license is required per State Law. She asked for a continuance.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to continue this license application. Motion passed unanimously.

Sephora # 436

142 Hillside Road

No one appeared to speak.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to table this license application. Motion passed unanimously.

PUBLIC ENTERTAINMENT CLASS II – NEW
St. George's Church – event 9/13 and 9/14

1493 Cranston St.

Anthony Simon and the Pastor of the Church appeared to speak. No one appeared to oppose.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve this license application. Motion passed unanimously.

VICTUALLING LICENSE – NEW
St. George’s Church

1493 Cranston St.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve this license application. Motion passed unanimously.

El Comando Meat Market

341 Webster Ave.

Ascend Deschamps appeared to speak and stated hours of operation to be 9:00 A.M. to 9:00 P.M. Monday thru Sunday. No one appeared to oppose.

On motion by Council Minority Leader Favicchio, seconded by Council Vice-President Farina, it was voted to approve this license application. Motion passed unanimously.

19 HOUR CLASS F LIQUOR LICENSE – NEW
St. George’s Church – event 9/13 and 9/14

1493 Cranston St.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve this license application. Motion passed unanimously.

SEPTAGE HAULERS LICENSE – NEW
RI Septic Services

315 Nooseneck Hill

City Clerk stated that this is company is established in the City. They are just adding a new truck.

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to approve this license application. Motion passed unanimously.

IX. TRAFFIC ENGINEER:

None.

X. POLICE DEPRATMENT:

None.

XI. FIRE DEPARTMENT:

Cumberland Farms – Gasoline & Diesel Tanks

659 Reservoir Ave.

Deputy Chief MacIntosh appeared to speak.

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to approve this license application. Motion passed unanimously.

XII. LICENSE RENEWALS:

PRIVATE DETECTIVE LICENSE – RENEWAL

Lawrence Pezza - #450

336 Comstock Pkwy.

Thomas Luongo - #467

114 Hazelton St.

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to approve the above-listed license renewal applications. Motion passed unanimously.

FLOWER VENDOR LICENSE – RENEWAL (RATIFY THE ACTION)

Lucille Kelly – for mother’s day

1322 Cranston St.

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to approve this license renewal application. Motion passed unanimously.

AUTO REPAIR LICENSE – RENEWALS

Precision Collision

350 Wellington Ave.

Brosco Motors

1769 Cranston St.

Dyer Avenue Motors

454 Dyer Ave.

Zink’s Auto Sales & Service

173 Niantic Ave.

Zink’s Auto Sales & Service

550 Atwood Ave.

Pontiac Service Center

734 Pontiac Ave.

Pawtuxet Sunoco

2175 Broad St.

AutoPaint RI

47 Stamp Farm Rd.

Columbus Service

248 Montgomery Ave.

Conti’s Service

226 Warwick Ave.

Ideal Auto Body

1398 Park Ave.

Midas

525 Reservoir Ave.

Precision Collision

350 Wellington Ave.

Airport Auto Radiator

598 Atwood Ave.

American Performance Petroleum

964 Cranston St.

Cranston Collision

30 Walnut Grove Ave.

New England Detroit Diesel

1 Southern Ind Drive.

Stamas Auto

1045 Cranston St.

Central Truck Service

131 Fletcher Ave.

Woodward’s Auto Spring Shop

8 + 9 Cutting Ave.

Anderson Automotive

1528 Elmwood Ave.

Tyler Truck Service

86 Calder St.

Josy’s Auto Repair

164 Fletcher Ave.

Vang Auto

790 Park Ave.

Arlington Auto Body

1211 Cranston St.

Ultra Motor Car

446 Dyer Ave.

Cranston Auto Ignition

52 Park Ave.

Car Lot

441 Dyer Ave.

Auto Sport Sales & Collision

640 Atwood Ave.

MAACO

1452 Park Ave.

Passport Automotive Group

85 Budlong Rd.

Passport Autobody Inc.

55 Budlong Rd.

AUTO REPAIR LICENSE – RENEWALS (Cont.)

| | |
|---------------------------------|----------------------|
| <i>PD Autobody</i> | 598B Atwood Ave. |
| <i>East Side Collision</i> | 2050 Plainfield Pike |
| <i>BMC</i> | 905 Cranston St. |
| <i>Sam's</i> | 936 Cranston St. |
| <i>Elmwood Auto Service</i> | 71 Glen Rd. |
| <i>Dino's Service Station</i> | 265 Station St. |
| <i>Distinctive Auto Body</i> | 164 Fountain St. |
| <i>Miranda's Auto Repair</i> | 75 Russe St. |
| <i>Montan Auto Repair</i> | 125 Niantic Ave. |
| <i>Phoenix Truck & Auto</i> | 225 Macklin St. |
| <i>S & K Autobody</i> | 1006 Cranston St. |
| <i>Perry Bros</i> | 460 Atwood Ave. |
| <i>Interstate Auto Repair</i> | 1163 Cranston St. |
| <i>CB Truck tire Service</i> | 140 Farmington Ave. |
| <i>JD Byrider</i> | 615 Reservoir Ave. |
| <i>Miracle Auto</i> | 580 Reservoir Ave. |
| <i>Edgewood Service</i> | 1647 Broad St. |
| <i>D & M Tyre</i> | 50 Liberia St. |
| <i>Accu Auto Service</i> | 1570 Elmwood Ave. |
| <i>Calder Street Auto</i> | 121 Calder St. |
| <i>Chestnut Hill Auto</i> | 21 Calef St. |
| <i>Clarks's Auto Sales</i> | 364 Wellington Ave. |
| <i>Jiffy Lube # 673</i> | 1440 Park Ave. |
| <i>Harold Crook's Garage</i> | 20 Gansett Ave. |

On motion by Councilman Aceto, seconded by Councilwoman Lee, it was voted to approve all the above-listed license renewal applications as a block. Motion passed unanimously.

On motion by Council Minority Leader Favicchio, seconded by Councilwoman Lee, it was voted to approve all the above-listed license renewal applications. Motion passed unanimously.

FIREWORKS LICENSE – RENEWALS

| | |
|------------------------|----------------------|
| <i>K Mart - #9447</i> | 296 Garfield Ave. |
| <i>Shaw's</i> | 8 Chapel View |
| <i>Stop & Shop</i> | 200 Atwood Ave. |
| <i>Stop & Shop</i> | 204 Garfield Ave. |
| <i>Stop & Shop</i> | 275 Warwick Ave. |
| <i>Walgreen's</i> | 1010 Park Ave. |
| <i>Walgreen's</i> | 1763 Broad St. |
| <i>Walgreen's</i> | 1279 Oaklawn Ave. |
| <i>Walmart</i> | 1776 Plainfield Pike |
| <i>Dollar Tree</i> | 1776 Plainfield Pike |

FIREWORKS LICENSE – RENEWALS (Cont.)

Dollar Tree

1400 Oaklawn Ave.

Dollar Tree

252 Garfield Ave.

On motion by Council Minority Leader Favicchio, seconded by Councilman Aceto, it was voted to approve all the above-listed license renewal applications as a block. Motion passed unanimously.

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to approve all the above-listed license renewal applications. Motion passed unanimously.

ROAD RACE LICENSE – RENEWAL

Gaspee Days Committee – June 14

P O BOX 1772 – Warwick

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to approve this license renewal application. Motion passed unanimously.

TEMPORARY STRUCTURE LICENSE – RENEWAL (RATIFY THE ACTION)

Sonya's –Yearly event memorial day weekend

766 Oaklawn Ave.

On motion by Council Minority Leader Favicchio, seconded by Council Vice-President Farina, it was voted to approve this license renewal application. Motion passed unanimously.

HAUNTED HOUSE LICENSE – RENEWAL

Rejoice in Hope Youth Center

804 Dyer Avenue

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve this license renewal application. Motion passed unanimously.

PARADE LICENSE – RENEWAL

Gaspee Days Committee – June 14

P O BOX 1772 - Warwick

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to approve this license renewal application. Motion passed unanimously.

AMUSEMENT MACHINE – RENEWALS

The Frosted Mug

594 Reservoir Ave.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve this license renewal application. Motion passed unanimously.

VICTUALLING LICENSE - RENEWALS

Scramblers

1045 Reservoir Ave.

Café on Midway

200 Midway Rd.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve the above-listed license renewal applications. Motion passed unanimously.

HOLIDAY SALES LICENSE – RENEWAL

*Chico's
BMC*

64 Hillside Rd.
905 Cranston St.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve the above-listed license renewal applications. Motion passed unanimously.

XIII. MONTHLY SCHEDULES:

RHODES ON THE PAWTUXET:

Schedule of events for May through Sept 2014 actual number of attendees up to April

[\[click to view\]](#)

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve the above list of events. Motion passed unanimously.

PARK THEATRE:

Schedule of Events for 2014 submitted in APRIL

No action needed.

GUAYACAN LOUNGE:

Schedule of Events for June and July 2014 [\[click to view\]](#)

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve the above list of events. Motion passed unanimously.

The meeting adjourned at 8:45 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees