

(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, March 12, 2015, in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:00 P.M. by the Chair.

Present: Council Majority Leader Archetto, Chair
Councilman Steven A. Stycos
Councilman Michael J Farina
Councilman Donald Botts, Jr.
Council President John E. Lanni, Jr.

Absent: Councilman Mario Aceto, Vice-Chair

Also Present: Council Vice-President Richard D. Santamaria, Jr.
Council Minority Leader Michael W. Favicchio
Robert Coupe, Director of Administration/Acting Personnel Director
Evan Kirshenbaum, Assistant City Solicitor
Anthony Moretti, City Council Internal Auditor
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committee
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

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

CORRESPONDENCE/COMMUNICATIONS

OLD BUSINESS:

1-15-03 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled "Traffic Regulations for Specific Streets" (Crosswalk on Pontiac Ave. at Hersey Rd.). Councilman Botts. [\[click to view\]](#) (Continued as Amended 2/12/2015).

On motion by Councilman Farina, seconded by Councilman Botts, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilman Botts asked if there is a Traffic Engineer's Report. Solicitor Kirshenbaum stated that it has not been provided yet.

Motion and second were withdrawn.

On motion by Council President Lanni, seconded by Council Majority Leader Archetto, it was voted to continue this Ordinance. Motion passed unanimously.

PUBLIC HEARINGS/NEW BUSINESS:

Public Speakers:

John Bolton, Esq., appeared to represent applicant for Ordinance 1-15-02 and stated that he sent a request approximately a week or two ago asking for a continuance on this Ordinance.

Peter Lapolla, City Planner, appeared to represent the Planning Commission and asked that the Committee refer to the Planning Commission recommendation for Ordinance 2-15-01 and he is present to answer any questions the Committee may have.

Karen Browning, Esq., appeared to represent applicant for Ordinance 2-15-01.

1-15-01 Ordinance in amendment of Ch. 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – 950 Phenix Ave.). Petition filed by DelBonis Sand & Gravel Co and Bluedog Capital Partners. [\[click to view\]](#) [\[click to view request for cont.\]](#)

1-15-02 Ordinance in amendment of Ch. 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – 145 Warwick Ave. & 161 Park Ave.). Petition filed Park Ave. Associates & Cumberland Farms, Inc. [\[click to view\]](#) [\[click to view request for cont.\]](#)

Solicitor Kirshenbaum stated that for this Ordinance and Ordinance 1-15-02, both applicants have requested a continuance and they both have to go back to the Planning Commission before they discussion is held by the City Council and the Council has to take the Planning Commission recommendation into consideration. He recommended continuance of both Ordinance to the April meeting and notice be posted for that date.

On motion by Councilman Farina, seconded by Council Majority Leader Archetto, it was voted to continue the above two Ordinances to next month's meeting.

On motion by Councilman Stycos, seconded by Council Majority Leader Archetto, it was voted to continue the above two Ordinances on condition that they be re-advertised so public is aware of the date of the next hearing. Motion passed unanimously.

2-15-01 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Zone Change - New London Avenue.) Petition filed by Crown Holdings II, LLC. [\[click to view\]](#) [\[click to view Planning Commission Recommendation\]](#)

On motion by Councilman Farina, seconded by Council Majority Leader Archetto, it was voted to recommend approval of this Ordinance.

Under Discussion:

Karen Browning, Esq., appeared to represent the applicant and stated that the Planning Commission gave a positive recommendation. She also presented a traffic report prepared by Joseph Lombardo.

Kelly Coates, Senior Vice-President of Crown Holdings, LLC, appeared to speak and presented a handout. He stated that this project will generate approximately \$730,000 in new taxes. Currently, this property generates no taxes.

Attorney Browning stated that she recommends that the Overview be adopted and attached and recorded with the Ordinance.

Councilman Stycos questioned why the Planning Commission is recommending such a broad list of uses for this property. Mr. Lapolla stated that this was looked at when considering it and the Commission allowed for flexibility to develop the Zoning District that the market calls for.

Councilman Farina asked that, for the Council meeting, Mr. Lapolla provide a list of what is allowed or not allowed in a C-5.

Council Vice-President Santamaria asked if this property is on the same property as the historic cemetery that we had problems with in the past. Mr. Coates stated, no, the property has no cemetery, no wetlands and no cultural items of value. Much of the property has been re-graded.

Council Minority Leader Favicchio asked Mr. Coates if he is still pursuing the other property on New London Ave. for traffic flow. Mr. Coates stated, yes, they are still pursuing the property at the corner. They have a second follow-up meeting with the Department of Administration later this month.

Councilman Stycos stated that the last time this developer was before the City Council they promised to plant a number of trees and they have not lived up to that commitment. Mr. Coates stated that they have never been late with any of their commitments there. They are thrilled to participate in helping the community. He agrees that they have not filled their commitment in a timely manner as to that project.

On motion by Council President Lanni, seconded by Councilman Farina, it was voted to move the question. Motion failed on a vote of 1-4. The following being recorded as voting "aye": Council President Lanni -1. The following being recorded as voting "nay": Council Majority Leader Archetto, Councilman Farina, Stycos and Botts -4.

Council Vice-President Santamaria asked if the trees will be planted. Mr. Coates stated that the last of the remaining trees will be planted as soon as the weather breaks.

Council Minority Leader Favicchio asked where those remaining trees will be planted. Councilman Stycos stated that the three remaining trees will be planted at the new playground at Orchard Farms Elementary School. Mr. Coates stated that they will be happy to plant the three trees there and if they require more, they will do that also.

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

2-15-02 Ordinance in amendment of Title 15, Ch. 04 of the Code of the City of Cranston, 2005, entitled "Building Code" (Tent Permit Over 500 sq. ft. fee). Sponsored by Councilman Botts. [\[click to view\]](#)

On motion by Councilman Farina, seconded by Councilman Botts, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilman Botts stated that this Ordinance is due to a constituent having a Christmas party and had a tent. The constituent had to pay \$150 to the tent company, which included permit fee and he not only had to pay for this fee, but no one from the Inspector's Office went out to inspect the tent. He stated that if it is not going to be inspected, then zero out the fee in the Ordinance.

Council Vice-President Santamaria stated that when no inspections are done and people are charged, this is a concern.

Solicitor Kirshenbaum stated that perhaps the tent company collected the fee and never called the City to have an inspection done. That is a possibility.

Council President Lanni stated that inspecting tents and having permits for the tents is a safety measure. The \$150 is a reasonable fee.

Councilman Stycos asked what the Administration's opinion regarding this. Solicitor Kirshenbaum stated that the Administration would have to speak to the Fire Chief regarding his opinion. If Councilman Botts can provide the invoice from the constituent, he can research this and maybe this can be discussed more at the next Safety Services meeting.

Roll call was taken on motion to recommend approval of this Ordinance and motion failed on a vote of 2-3. The following being recorded as voting "aye": Councilmen Farina and Botts -2. The following being recorded as voting "nay": Council Majority Leader Archetto, Councilman Stycos and Council President Lanni -3.

Resolution Authorizing the Appointment of a Committee to Develop a Redistricting Plan for the Six Wards of the City of Cranston. Sponsored by Councilman Stycos. [\[click to view\]](#)

Councilman Stycos, Sponsor of this Resolution, asked that this Resolution be withdrawn.

The meeting adjourned at 7:05 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees