

*(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).*

## REGULAR MEETING – CITY COUNCIL

**-MARCH 23, 2015-**

Regular meeting of the City Council was held on Monday, March 23, 2015 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:10 P.M. by the Council President.

Roll call showed the following members present: Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

Also Present: Robert Coupe, Director of Administration; Carlos Lopez, Chief of Staff; Evan Kirshenbaum, Assistant, City Solicitor; Robert Strom, Finance Director; Anthony Moretti, City Council Internal Auditor; Patrick Quinlan, City Council Legal Counsel.

On motion by Councilman 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 on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

### I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATION

**EAGLE SCOUT CITATIONS – TROOP 6 : RAYMOND C. BAUMAN; ALPHONSE BLAISE CARDI IV; JOSEPH D. GOULD; COLLIN P. SULLIVAN; CHRISTIAN J. VINCENT**

Councilman Botts presented Citations.

### II. PUBLIC HEARINGS

(limited to docketed matters)

**Dave Sazinski**, Preston Dr., appeared to speak regarding the automated trash system and stated that this system has worked well in eliminating the rats problem. He stated that the extra bag program is a very poor idea. It circumvents the whole system for the automated pickup.

**Kevin Lynch**, 34 Hemlock Dr., appeared to speak and stated that he is a former member of the Cranston Police Department, Cranston resident, husband of an educator in Cranston. He appeared to speak regarding the Advice and Consent of the appointment of Captain Robert Quirk as Major and stated that it is important to support this appointment. Captain Quirk is a Cranston resident, husband, Cranston School graduate, coach and mentor to many Police Officers, including himself. He also stated that Captain Quirk is currently the most senior member of the Cranston Police Department with 29 impressive years. This evening, the City Council has an opportunity to complete the triangle and give Colonel Winquist two highly competent Majors.

**III. RESOLUTIONS**

None.

**IV. REPORT OF COMMITTEES**

**PUBLIC WORKS COMMITTEE  
(Councilman Mario Aceto, Chair)**

**10-14-08 ORDINANCE IN AMENDMENT OF TITLE 8 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'GARBAGE, RUBBISH, ETC.' (Trash Amnesty Dates)**

On motion by Council Majority Leader Archetto, seconded by Councilman Paplauskas, it was voted to adopt the above Ordinance.

Under Discussion:

**Councilman Stycos** stated that there should be language in the Ordinance as to appropriations. It should be either the Administration or the City Council or just the Administration because he would not like to see the City Council be responsible.

On motion by Council Minority Leader Favicchio, seconded by Councilman Botts, it was voted to amend this Ordinance as follows: line #16, add another bullet to state: "Subject to appropriation by both the Administration and City Council". Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

On motion by Councilman Farina, seconded by Council Majority Leader Archetto, it was voted to adopt the above Ordinance as amended. Motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilmen Farina, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. The following being recorded as voting "nay": Councilman Stycos -1.

**FINANCE COMMITTEE  
(Councilman Steven A. Stycos, Chair)**

**2-15-03 ORDINANCE RATIFYING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CRANSTON AND THE INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS, LOCAL 301**

On motion by Councilman Farina, seconded by Council Minority Leader Favicchio, it was voted to adopt the above Ordinance.

Under Discussion:

**Councilman Botts** stated that he will not be voting in favor of this Ordinance. It has nothing to do with Major Patalano, but to him, he feels that this is setting a precedent, although, he understands the circumstances. He also wished Major Patalano well, but he feels like precedent is being set.

**Councilman Stycos** stated that he will be voting in favor of this Ordinance, although, he has the same concerns as Councilman Botts, but we need to get over this and move on.

**Council Majority Leader Archetto** stated that he does not feel we are setting a precedent. We are trying to fix something that was wrong. We need to move forward and let the Police Department continue to do their work.

**Council Minority Leader Favicchio** stated that there is language in the agreement stating that it is not setting a precedent and there is sufficient language in the Ordinance for him to be comfortable with it.

**Solicitor Kirshenbaum** stated that the agreement terminates with Major Patalano. If, in the future, there is someone else looking for this type of agreement, they would have to negotiate that.

**Councilman Botts** asked if this agreement could be used in the future by someone else as an example. Solicitor Kirshenbaum stated that it could, but this agreement is specifically for Major Patalano. Councilman Botts stated that he understands that this is specifically for Major Patalano, but if Major Patalano leaves and someone else comes along, he questioned if they could try to get a similar deal.

Roll call was taken on motion to adopt this Ordinance and motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilmen Farina, Stycos, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. The following being recorded as voting "nay": Councilman Botts -1.

**ADVICE AND CONSENT OF MAYOR'S APPOINTMENT OF CAPTAIN ROBERT QUIRK AS MAJOR OF THE CRANSTON POLICE DEPARTMENT**

On motion by Councilman Aceto, seconded by Councilman Botts, it was voted to approve the Advice and Consent of the Mayor's appointment of Captain Robert Quirk as Major of the Cranston Police Department. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**3-15-1S ORDINANCE AMENDING TITLE 2, CH. 16.010 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'POLICE DEPARTMENT – COMPOSITION'**

Discussion took place and the following changes in the Ordinance were approved: Line 38, change "union" to "IBPO"; line 42, change "These" to "The" and "positions" to "position" and "are" to "is"; line 47, change "this" to "the"; line 51 after "effect", add "upon its final adoption".

On motion by Council Majority Leader Archetto, seconded by Councilman Farina, the above Ordinance was adopted on a vote of 8-1. The following being recorded as voting "aye": Councilmen Farina, Stycos, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. The following being recorded as voting "nay": Councilman Botts -1.

**RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS**

On motion by Councilman Farina, seconded by Councilman Aceto, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**TAX INTEREST WAIVER APPROVALS**

On motion by Councilman Farina, seconded by Councilman Aceto, it was voted to approve the above list of Tax Interest Waiver Approvals. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**-MARCH 23, 2015-****TAX INTEREST WAIVER DENIALS**

On motion by Councilman Farina, seconded by Councilman Aceto, it was voted to approve the above list of Tax Interest Waiver Denials. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**ORDINANCE COMMITTEE**  
(Councilman Paul H. Archetto, Chair)

**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 Botts, seconded by Councilman Farina, it was voted to adopt the above Ordinance.

Under Discussion:

**Councilman Farina** stated that since this parcel sits on three state lanes and one City lane, he questioned who would be the governing body for traffic updates. Solicitor Kirshenbaum stated that he would have to see the opinion of the City Traffic Engineer.

**Council Minority Leader Favicchio** asked representatives from Crown Holdings to address this.

**Kelly Coates**, Vice-President of Crown Holdings, appeared to speak and stated that Power Road is a State Road. He also stated that Councilman Farina's suggestion is very acceptable to him.

**City Clerk** indicated that at the Committee meeting, the applicant and the Planning Director both suggested that conditions in the Narrative be included as conditions and recorded in the land evidence as part of the Ordinance.

**Thomas Moses, Esq.**, appeared to represent Crown Holdings and stated that the Narrative that was originally attached to the Ordinance and was somehow dropped, should be included in the Ordinance.

**Mr. Quinlan** suggested that the Ordinance be amended in line #29, after "conditions", add "set out as Exhibit B".

On motion by Councilman Farina, seconded by Councilman Aceto, it was voted to amend this Ordinance as follows: after line #37, add: "All traffic improvements made in relation to these parcels would comply with regulations set forth by RIDOT". Motion passed on a vote of 7-1. The following being recorded as voting "aye": Councilmen Farina, Botts, Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -7. The following being recorded as voting "nay": Councilman Stycos -1. Council Majority Leader Archetto was not present for roll call vote.

On motion by Councilman Farina, seconded by Council Vice-President Santamaria, it was voted to amend this Ordinance as follows: line #29, after "conditions", add "set out as Exhibit B". Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. Council Majority Leader Archetto was not present for roll call vote.

Roll call was taken on motion to adopt the above Ordinance as amended and motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. Council Majority Leader Archetto was not present for roll call vote.

**CLAIMS COMMITTEE**  
(Councilman Michael W. Favicchio, Chair)

**REPORT OF SETTLED CLAIMS (Informational purposes only): Matthew Schaffran \$223.24 vehicle damage; Lawrence E. Caron, Jr. \$1,714.77 vehicle damage.**

No action needed.

**V. PUBLIC HEARINGS**  
(open to any matters)

None.

**VI. ELECTION OF CITY OFFICIALS**

**BOARD OF CONTRACT & PURCHASE:**

**MARK PEROTTI, member re-appointment term ending January 2, 2017**

**Council Vice-President Santamaria** asked if a Council member could serve on this Board. It could be a non-voting member as a liaison.

**Councilman Aceto** stated that if the Council did not re-appoint these members this evening, he questioned if they could serve on this Board month to month until an appointment or re-appointment is made.

**City Clerk** indicated that, per the Charter, a member can serve up to 90 days without getting re-appointed. After 90 days, that member cannot serve if they are not re-appointed.

**Solicitor Kirshenbaum** stated that having a Council member on this board would pose a question of separation of powers.

**Councilman Aceto** asked how this Board operates. Solicitor Kirshenbaum stated that it operates under the Charter and Ordinance.

**Council President Lanni** asked if BOCAP receives any recommendations on which contract is most acceptable. Solicitor Kirshenbaum stated that, in general, it depends on what type of bid it is. Council President Lanni asked if the Administration gave BOCAP a recommendation to accept Waste Management. Mr. Strom stated that his understanding is the bids were open and went to an evaluation committee made up of the Public Works Director, Purchasing Agent and one other person and it came back to BOCAP to award the bid. In some cases, it would go to the department the bid deals with for their recommendation.

On motion by Councilman Farina, seconded by Councilman Botts, it was voted to re-appoint **Mark Perotti** as a member of the Board of Contract and Purchase. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**COLLEEN CRUDELE, member re-appointment term ending January 2, 2017**

On motion by Councilman Aceto, seconded by Councilman Stycos, it was voted to re-appoint **Colleen Crudele** as a member of the Board of Contract and Purchase. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilman Farina, Stycos, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. The following being recorded as voting "nay": Councilman Botts -1.

***RICHARD TOMLINS, member re-appointment term ending January 2, 2017***

On motion by Council Majority Leader Archetto, seconded by Council President Lanni, it was voted to re-appoint ***Richard Tomlins*** as a member of the Board of Contract and Purchase. Motion passed on a vote of 6-3. The following being recorded as voting "aye": Councilmen Farina, Stycos, Council Majority Leader Archetto, Councilman Paplauskas, Council Minority Leader Favicchio and Council President Lanni -6. The following being recorded as voting "nay": Councilmen Botts, Aceto and Council Vice-President Santamaria -3.

**BOARD OF CANVASSERS:**

***EDMOND J. LEMOI, member re-appointment term ending March 23, 2021***

On motion by Councilman Aceto, seconded by Councilman Farina, it was voted to re-appoint ***Edmond J. Lemoi*** as a member of the Board of Canvassers. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**VII. REPORT OF CITY OFFICERS**

**STANDING MONTHLY REPORT OF CITED PROPERTIES IN THE CITY**  
(Councilman Botts) [[click to view](#)]

No discussion.

**VIII. EXECUTIVE COMMUNICATIONS**

**REPORT ON HIRING OF SPECIAL COUNSEL, CONSULTANTS, ETC.,  
PURSUANT TO CHARTER SECTION 15.05.**

**Solicitor Kirshenbaum** stated that the City has hired L. Robert Smith relating to flooding on Twin Birch Dr. and he will be attending the next Claims Committee Executive Session meeting on April 6<sup>th</sup> to report his findings and engineering opinion.

**REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR CAPTAIN KENNETH ROULEAU, CRANSTON FIRE DEPARTMENT**

**Mr. Coupe** appeared to speak.

On motion by Council Majority Leader Archetto, seconded by Councilman Farina, it was voted to approve the above request. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR LT. MICHAEL ADAMO, CRANSTON FIRE DEPARTMENT**

**Mr. Coupe** appeared to speak.

On motion by Councilman Farina, seconded by Councilman Aceto, it was voted to approve the above request. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**CONSERVATION COMMISSION: ADVICE AND CONSENT OF DELORES DIMEO CARROLL AS A MEMBER TERM ENDING 6/25/2017 [un-expired terms of Barry Fontaine]**

On motion by Council Minority Leader Favicchio, seconded by Councilman Paplauskas, it was voted to approve the above Advice and Consent of the Mayor. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

**CLAIMS SETTLED BY SOLICITOR: Passport Auto Body for Kathleen Melillo \$3,708.22 vehicle damage; Hongmei Wu \$2,988.41 vehicle damage.**

No discussion.

**IX. COUNCIL PRESIDENT COMMUNICATIONS**

**APPOINTMENT OF SARAH KALES LEE AS A MEMBER OF THE FLOOD COMMITTEE**

**Council President Lanni** announced the above appointment.

**Council President Lanni** stated that on behalf of the City Council, he wishes Mayor Fung the sincerest happiness on his engagement and wishes the very best in his marriage.

**X. COUNCIL MEMBER COMMUNICATIONS**

**COUNCILMAN STYCOS:**

- *Use of Tax Letter to promote recycling and other city programs (Cont. 2/23/2015)*

**Councilman Stycos** reminded the Administration to take advantage of that opportunity when the bills go out to include information regarding recycling and other city programs.

- *Budget Hearings*

**Councilman Stycos** stated that a budget hearing schedule has been drafted and there are a few changes and the final schedule will be forwarded to the City Council. He asked that if any Council member has any questions, they be forwarded to Mr. Strom in advance of the hearings. He also stated that his main questions are: differentials and how Community Development money has been spent in the most recent year.

**COUNCIL VICE-PRESIDENT SANTAMARIA:**

- *Status of power box on traffic light at Walnut Grove Ave. and Atwood Ave. (Cont. 2/23/2015)*

**Council Vice-President Santamaria** stated that he believes the box has arrived. He asked if this is correct. Mr. Coupe stated that the Traffic Engineer received an update from RIDOT on March 20 stating that the flash mode should be up and running next week.

- *Schedule of Street Sweeping*

**Council Vice-President Santamaria** asked if there is a schedule available. Mr. Coupe stated that the plan is to start April 6<sup>th</sup> subject to the weather and he believes they will start on the East side of the City this year.

**Councilman Stycos** asked if the hills behind Stillhouse Cove could be done first. Mr. Coupe stated that whether they start on the West side or the East side of the City, those hills will be done first.

- *Street Paving List*

**Council Vice-President Santamaria** asked if the Council can be provided with a list of the street paving. Mr. Lopez stated that the Administration will follow the same procedure as last year.

- *List of Building and Sign Permits from LAMAR and RIPTA*

**Council Vice-President Santamaria** stated that Council President Lanni had requested a list from LAMAR and RIPTA of building and sign permits that were or were not taken out. He asked if the Administration has this information. Mr. Coupe stated that that is work in progress and more time is needed. Council Vice-President Santamaria asked that this be kept on the Docket.

**COUNCIL MINORITY LEADER FAVICCHIO:**

- *Automated Message*

**Council Minority Leader Favicchio** suggested that a message be recorded on the City's automated attendant informing people when they call regarding recycling. He asked if the Mayor would be willing to do that. He also suggested that the Grant Writer work on trying to get grants to repair the streets in the City from the bad winter. Council Vice-President Santamaria stated that he will speak to the Grant Writer to see if there are any Grant money available to that.

**Council Majority Leader Archetto** congratulated Mayor Fung on his engagement.

## **XI. OLD BUSINESS**

None.

## **XII. INTRODUCTION OF NEW BUSINESS\***

\*(for informational purposes. All new business is referred to Committee for public hearing)

**3-15-01 ORDINANCE IN AMENDMENT OF TITLE 5 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'BUSINESS LICENSES AND REGULATIONS' (Massage Body Works License). Councilman Botts.**  
[[click to view](#)]

**3-15-02 ORDINANCE IN AMENDMENT OF TITLE 10, CH. 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Lakeview Rd. – One Way Traffic Between 2:00 – 3:00 P.M. Mon.-Fri.). Councilman Paplauskas.** [[click to view](#)]

**3-15-03 ORDINANCE IN AMENDMENT OF TITLE 12 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'STREETS, SIDEWALKS AND PUBLIC PLACES' (Sidewalk Reconstruction Cost Share Program II). Councilman Stycos.** [[click to view](#)]

**3-15-04 ORDINANCE IN AMENDMENT OF TITLE 2, CH. 24, SECTION 090 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'CONNECTION OF FIRE ALARMS TO MUNICIPAL SYSTEMS'.  
Councilman Favicchio. [\[click to view\]](#)**

**Claims:**

- **Property damage claim of Kathy Paolo for alleged incident on December 4, 2014**
- **Property damage claim of Tondalay M. Brown for alleged incident on December 15, 2014**
- **Property damage claim of Nancy A. Moretti for alleged incident on January 27, 2015**
- **Property damage claim of Bethanie Parenteau for alleged incident on February 9, 2015**
- **Property damage claim of John E. Plouffe for alleged incident on February 9, 2015**
- **Property damage claim of Michael L. Thaler for alleged incident on February 9, 2015**
- **Property damage claim of Lesley Smith for alleged incident on February 11, 2015**
- **Property damage claim of Hongmei Wu for alleged incident on February 12, 2015**
- **Property damage claim of Michaella Ruggieri for alleged incident on February 12, 2015**
- **Property damage claim of Richard E. Hunsinger for alleged incident on February 14, 2015**
- **Property damage claim of Matthew & Ann Bastardi for alleged incident on February 15, 2015**
- **Property damage claim of Andrew & Stacy Levin for alleged incident on February 14-15, 2015**
- **Property damage claim of Janine Giordano for alleged incident on February 15, 2015**
- **Property damage claim of Gregory S. Long for alleged incident on February 16, 2015**
- **Property damage claim of Sandra Tutalo for alleged incident on February 16, 2015**
- **Property damage claim of Lindsay Ann Raposa for alleged incident on February 22, 2015**
- **Property damage claim of Siran Krikorian for alleged incident on February 23, 2015**
- **Property damage claim of Susan & Joseph Zalomski for alleged incident on February 23, 2015**
- **Property damage claim of Alexander B. Terry for alleged incident on February 24, 2015**
- **Property damage claim of Corey Capirchio for alleged incident on February 25, 2015**
- **Property damage claim of Thomas Dobbing for alleged incident on February 26, 2015**
- **Property damage claim of Deborah J. Connolly for alleged incident on February 26, 2015**
- **Property damage claim of Julia & Frank Palazzo for alleged incident on February 28, 2015**
- **Property damage claim of Altagracia Cabreja for alleged incident on February 28, 2015**
- **Property damage claim of William Emby for alleged incident on March 2, 2015**
- **Property damage claim of Howard Wolfe for alleged incident on March 3, 2015**

- **Property damage claim of Vivian Mendonsa for alleged incident on March 4, and March 6, 2015**
- **Property damage claim of David Robbins for alleged incident on March 4, 2015**
- **Property damage claim of Ania Cardarelli for alleged incident on March 4, 2015**
- **Property damage claim of Kristin Sheridan for alleged incident on March 4, 2015**
- **Property damage claim of Aaron Brunero for alleged incident on March 4, 2015**
- **Property damage claim of Marc Morley for alleged incident on March 5, 2015**
- **Property damage claim of Ralph Petronio for alleged incident on March 5, 2015**
- **Property damage claim of William & Maria Wallace for alleged incident on March 5, 2015**
- **Property damage claim of Donald Colapietro for alleged incident on March 5, 2015**
- **Property damage claim of Demo's Auto Sales, LLC for alleged incident on March 5, 2015**
- **Property damage claim of Tara Williams for alleged incident on March 5, 2015**
- **Property damage claim of Kara Salk for alleged incident on March 6, 2015**
- **Property damage claim of Anthony J. Zinanni for alleged incident on March 6, 2015**
- **Property damage claim of Karen Maltais for alleged incident on March 6, 2015**
- **Property damage claim of Douglas Sherman for alleged incident on March 6, 2015**
- **Property damage claim of Steven Charves for alleged incident on March 6, 2015**
- **Property damage claim of John M. Dunne, Jr. for alleged incident on March 6, 2015**
- **Property damage claim of Stuart Swanson for alleged incident on March 6, 2015**
- **Property damage claim of Edward DiPrete, Jr., for alleged incident on March 6, 2015**
- **Property damage claim of Anthony A. Lucca for alleged incident on March 7, 2015**
- **Property damage claim of Carl F. Chiulli for alleged incident on March 7, 2015**
- **Property damage claim of Michael Aaronson for alleged incident on March 7, 2015**
- **Property damage claim of Brian Kenny for alleged incident on March 7, 2015**
- **Property damage claim of John A. MacDonald for alleged incident on March 8, 2015**
- **Property damage claim of Marissa Plante for alleged incident on March 8, 2015**
- **Property damage claim of Kelly Gauthier for alleged incident on March 8, 2015**
- **Property damage claim of Maria Zaharakos for alleged incident on March 9, 2015**
- **Property damage claim of Richard Carmone for alleged incident on March 9, 2015**
- **Property damage claim of Adrienne Jones for alleged incident on March 10, 2015**
- **Property damage claim of Michael A. Traficante for alleged incident on March 11, 2015**

- **Property damage claim of Joseph Marocco for alleged incident on March 11, 2015**
- **Personal injury claim of Molly Anderson for alleged incident January 15, 2015**
- **Personal injury claim of Lexie Gluchacki for alleged incident on February 22, 2015**

On motion by Councilman Aceto, seconded by Councilman Paplauskas, it was voted to refer the above new business to the respective Committees. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

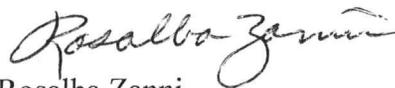
**XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK**

No discussion.

The meeting adjourned at 8:40 P.M.



Maria Medeiros Wall, JD  
City Clerk



Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)

[Type text]

10-14-08

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 8, OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "GARBAGE, RUBBISH, ETC"  
(Trash Amnesty Dates)

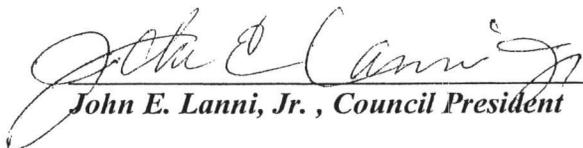
No. 2015-8

*\*As amended in Committee 3/9/20145*

\*\*Amended by City Council 3/23/2015

**Passed:**

March 23, 2015

  
John E. Lanni, Jr., Council President

**Approved:** April 3, 2015 pursuant to Charter Sec. 3.14

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**Allan W. Fung, Mayor**

*It is ordained by the City Council of the City of Cranston as follows:*

**SECTION 1.** ~~\*Chapter 8.12~~ **\*Chapter 8.12.121** Entitled "Garbage, Rubbish, etc." is hereby amended by adding the following new ~~\*sections .131~~ **"Trash Pick-up Amnesty Dates: \*paragraph"**

~~Residents of the City may dispose of large bulky waste materials, including mattresses, white goods and other household items that do not fit into the automated trash refuse and recycling containers provided by the City at no additional cost to the resident on their normal trash pick up date as designated by the Department of Public Works, subject to the restrictions of this Chapter during the following weeks:~~

~~Memorial Day; July 4<sup>th</sup>; Thanksgiving and Christmas.~~

~~If the holiday falls on a weekend, the proceeding week shall be the designated amnesty week.~~

[Type text]

10-14-08

**The Department of Public Works shall pick up bulky waste during the months of March and September, free of charge, subject to the following guidelines:**

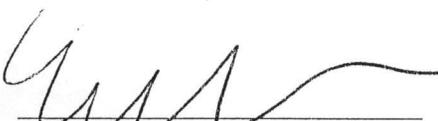
- **Each residential property shall be eligible for one pick up in the month of March and one pick up in the month of September.**
- **Pick ups will be limited to three items per event.**
- **Bulky waste does not include mattresses, construction debris, TV's or electronic goods, white goods or any household trash/garbage that would fit into the City provided 65 gallon cart.**
- **Bulky waste pick up during this time period will require the property owner to call and make an appointment with the disposal contractor employed by the City.**

\*\* ◦ Subject to appropriation by Administration and City Council.

**SECTION 2.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

  
 Christopher Rawson, Solicitor      3/23/15  
 Date

\_\_\_\_\_  
Christopher Rawson, Solicitor      Date

Sponsored by Councilmen Santamaria, Councilman Aceto, Councilman Archetto and Council Vice President Farina

Referred to Public Works November 10, 2014

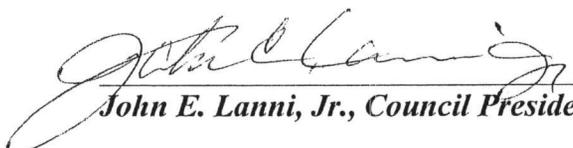
2-15-03

CITY OF CRANSTON

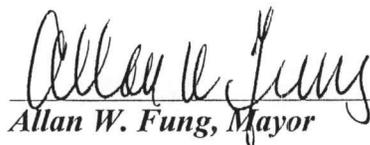
**ORDINANCE OF THE CITY COUNCIL**  
RATIFYING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CRANSTON, AND THE INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS, LOCAL 301.

No. 2015-5

Passed:  
March 23, 2015

  
John E. Lanni, Jr., Council President

Approved: April 2, 2015

  
Allan W. Fung, Mayor

*It is ordained by the City Council of the City of Cranston as follows:*

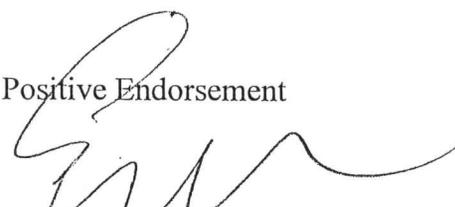
**Section 1.** The City of Cranston has through its officials, negotiated a Final Memorandum of Understanding with the IBPO, Local 301 related to the promotion of Todd Patalano to the rank of Major.

**Section 2.** The Memorandum of Understanding, copy of which is attached hereto, and made a part hereof, is hereby ratified, confirmed and approved by this City Council.

**Section 3.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

  
Christopher M. Rawson, Solicitor Date 3/23/15

Christopher M. Rawson, Solicitor Date

Sponsored by: Administration

Referred to March 23, 2015 City Council

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding ("Agreement") is entered into as of this 10<sup>th</sup> day of February, 2015 by and between the City of Cranston ("City") and the International Brotherhood of Police Officers, Local 301 ("Union").

WHEREAS, Todd Patalano is a nominee for promotion to the rank of Major, and is willing to accept promotion to the rank of Major contingent upon a right to revert to a suitable bargaining unit position in the unlikely event that the position or rank of Major were to be eliminated or defunded, or, if he were to be laid off for any economic, operational, or other non-disciplinary reasons; and

NOW THEREFORE, in consideration of the mutual covenants contained herein, the adequacy of which is hereby specifically acknowledged, and intending to be bound hereby, the City and Union agree as follows.

(1) Patalano is to be promoted to the rank of Major subject to the requisite advice and consent of the City Council, and the ensuing vacancy created by the promotion of Patalano shall be immediately filled by the promotion of those CPD officers on existing promotional lists established under the CBA.

(2) The City and Union hereby establish the bargaining unit position of Captain 1<sup>st</sup> Class, which position shall be accreted by agreement of the City and Union into the bargaining unit certified by the Rhode island State Labor Relations Board in Case No. EE-3652. It is expressly understood and agreed that the position of Captain 1<sup>st</sup> Class shall: (a) remain vacant as a contingency position, only to be filled in the unlikely event that the position or rank of Major held by Patalano is eliminated or defunded, or if Patalano was to be laid off for any economic, operational, or other non-disciplinary reasons; (b) not impede or trump any seniority assignment rights of then -existing incumbents in the position of Captain; and (c) be eliminated upon the death, resignation, retirement, or termination of Patalano. Nothing in this Agreement shall

(7)

prevent Patalano from being terminated for just cause or other requirements specified in the City of Cranston Ordinances governing continued employment due to age, health, etc.

(3) The provisions set forth in Paragraph (2) of this Agreement shall be deemed a part of the existing CBA.

(4) The Union and City agree that this Agreement shall not constitute a past practice or precedent with respect to any comparable or analogous claims or grievances, whether now existing, pending arbitration or to be filed at any time in the future.

(5) The Union and Patalano acknowledge and agree that they have not relied upon any representations or statements, written or oral, not set forth in this Agreement.

(6) This Agreement is executed in duplicate originals by the City and Union through their duly authorized officials, and assented to by Patalano, who has been appropriately advised by the Union and his individual legal counsel.

Witness:

[Handwritten Signature]

CITY OF CRANSTON

By: Allan W. Fung 2-11-15 (AWF)  
Allan W. Fung, Mayor

I.B.P.O. Local 301

Witness:

Michael J. Wingerust

By: Robert Santagata 2-11-15 (RS)  
Robert Santagata, President

Witness:

CONSENTED TO AS  
TO FORM AND SUBSTANCE

Michael J. Wingerust

Todd Patalano 2-11-15 (TP)  
Todd Patalano

3-15-1S

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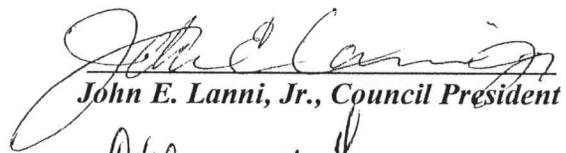
THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 2.16 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "POLICE DEPARTMENT"

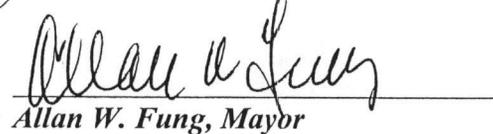
No. 2015-6

\*Amended by City Council 3/23/2015

**Passed:**  
March 23, 2015

  
John E. Lanni, Jr., Council President

**Approved:** April 2, 2015

  
Allan W. Fung, Mayor

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1.** Title 2. Chapter 2.16.010 entitled POLICE DEPARTMENT- Composition, is hereby amended to read as follows:

- A. The police department of the city shall consist of sworn officers.
- B. The sworn members of the police department shall be as follows: one chief of police who shall hold the rank of colonel, two majors, six captains, one captain first class, eight lieutenants, nineteen (19) sergeants, and one hundred seventeen (117) police officers.
- C. A police department patrol officer who is permanently assigned as a police department prosecution officer shall be known as an inspector of police while serving in this capacity.
- D. In the event of a transfer of a police department patrol officer from the position of inspector of police, police department prosecution officer to another permanent patrol officer position within the police department, such police department patrol officer will no longer be known as an inspector of police but this title will be assumed by his or her replacement.
- E. <sup>(FBPO)</sup> The Captain first class position is created as a vacant placeholder pursuant to a negotiated memorandum of understanding with the union for the exclusive use and benefit of one individual promoted to Major in February 2015. Said position is to be filled by that person only and under the limiting specific circumstance of that particular appointment losing his current major position as a result of the major's position being defunded or eliminated by the council. These positions are not to be filled by anyone other than the individual (named in the aforementioned memorandum of understanding) appointed to the position of major in February 2015.

3-15-1S

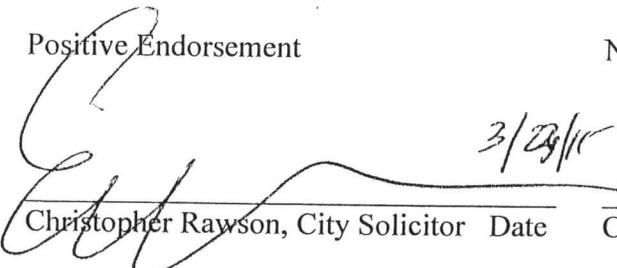
45  
 46 F. Once aforementioned major reaches retirement eligibility said Captain First class  
 47 position shall be abolished without any need for further ordinance by this Council.  
 48

*The*

51 Section 2. This Ordinance shall take effect on its final adoption

54 Positive Endorsement

Negative Endorsement (attach reasons)

56  
57  3/23/15

59 Christopher Rawson, City Solicitor Date Christopher Rawson, City Solicitor Date

62 Sponsored by: Council President Lanni

65 Referred to Special Finance Committee 3/23/2015

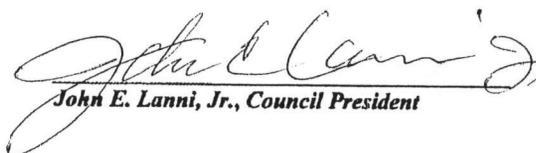
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THE CITY OF CRANSTON  
**RESOLUTION OF THE CITY COUNCIL**  
AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS AS RECOMMENDED  
BY CITY ASSESSOR

No. 2015-7

*Passed:*

March 23, 2015



*John E. Lanni, Jr., Council President*

**Resolved, That**

The request of the City Assessor for the following abatements for manifest errors and reasons therein stated be granted and that a certified copy of this Resolution be for the respective amounts a sufficient voucher for the City Treasurer.

(See attached list of Abatements)

ALLAN FUNG  
MAYOR



DIVISION OF ASSESSMENT  
869 PARK AVE  
CRANSTON, RI 02910

SALVATORE SACCOCCIO JR.  
CITY ASSESSOR

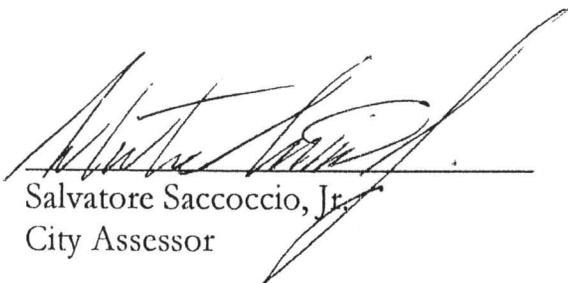
DAVID COLE  
DEPUTY ASSESSOR

## MEMO

DATE: March 3, 2015  
TO: His Honor the Mayor and the Honorable City Council  
FROM: City Assessor  
RE: Motor Vehicle Abatements

The following assessments are recommended for abatement in the amounts and for the reasons hereinafter set forth:

<u>Assessment Date</u>	<u>Value</u>	<u>Tax</u>
December 31, 2009	11,790	500.37
December 31, 2012	8,750	371.34
December 31, 2013	<u>22,796</u>	<u>967.48</u>
Totals:	43,336	1,839.19

  
Salvatore Saccoccio, Jr.  
City Assessor

City of Cranston  
2010 Motor Vehicle  
Abatement List

1	45003620	0000108764		00000000	0000000000	00000000	0000000000
	Vehicle 2003	MERZ	ZJ 327	Vehicle 0000	ID	Vehicle 0000	ID
	ID WDBPJ75J03A036886						
	OMALLEY JOHN P						
	41 MOON AVE						
	Cranston RI 02920						

Original :	Value	Tax	Original :	Value	Tax	Original :	Value	Tax
STOLEN/SOLD/JUNK/TOT	12,163	541.92						
Adjusted Tax:		500.37	Adjusted Tax:			Adjusted Tax:		
		41.55						

-----  
For Tax Year: 2010

Original :	Value	Tax	
	12163	541.92	
Adjusted Tax :		500.37	on 1 Accounts
		41.55	

City of Cranston  
2013 Motor Vehicle  
Abatement List

1	31014070	0000005357	2	32012820	0000011600		00000000	0000000000	
	Vehicle 2005	DODG	RY 725	Vehicle 2011	DUCA	014710	Vehicle 0000	ID	
	ID 1D4GP25R25B186040			ID ZDM1RANNOBB035802					
	APPOLONIA CARMINE J			BERTRAND ERIC					
	435 OAKLAWN AVE # 105			70 SELMA ST					
	Cranston RI 02920			Cranston RI 02920					
	inal :	Value	Tax	Original :	Value	Tax	Original :	Value	Tax
	OPTION OMITTED	3,598	229.74	STOLEN/SOLD/JUNK/TOTA	8625	1647.28			
	Adjusted Tax:		127.32	Adjusted Tax:		244.02	Adjusted Tax:		
			102.42			1403.26			

For Tax Year: 2013

Original	:	Value	Tax	
		12223	1877.02	
Adjusted Tax	:		371.34	on 2 Accounts
			1505.68	

City of Cranston  
2014 Motor Vehicle  
Abatement List

1	31001350	0000000425	2	33010650	0000023375	3	38003210	0000064669	
	Vehicle 2010	FORD	UY 335	Vehicle 2007	CHEV	584135	Vehicle 1998	PONT	461795
	ID 1FMCU0D70AKA45191			ID 2G1WB58KX79374793			ID 2G2FS32K3W2217722		
	ABRAMS ROSEMARY H			CARLOZZI PATRICK A			HANRAHAN JOSEPH B		
	125 SPECK AVE			48 CHESTNUT HILL AVE			8 CHANDLER DRIVE		
	Cranston RI 02910			Cranston RI 02920			Cranston RI 02816		
	Original :	Value	Tax	Original :	Value	Tax	Original :	Value	Tax
	STOLEN/SOLD/JUNK/TOT	14,700	602.65	EXEMPTION OMITTED	4851	203.89	OUT OF COMMUNITY	633	16.38
	Adjusted Tax:		553.14	Adjusted Tax:		127.32	Adjusted Tax:		16.38
			49.51			76.57			
4	39000310	0000072349	5	43037550	0000100000	6	53008910	0000156414	
	Vehicle 2002	FORD	000284	Vehicle 2008	MERC	927758	Vehicle 2011	HM	057024
	ID 1FTYR10D62TA36178			ID 4M2EU48838UJ03195			ID WINEMILLERM35963		
	IACOBUCCI PHILIP W			MONSON MICHELE			WINEMILLER MICHAEL W		
	117 3RD AVE			75 INDEPENDENCE WAY #10-312			27 CARRIAGE RD		
	Cranston RI 02910			Cranston RI 02921			Cranston RI 02920		
	Original :	Value	Tax	Original :	Value	Tax	Original :	Value	Tax
	EXEMPTION OMITTED	2,573	87.98	EXEMPTION OMITTED	12650	515.65	WRONG MODEL	1467	149.56
	Adjusted Tax:		87.98	Adjusted Tax:		127.32	Adjusted Tax:		55.34
						388.33			94.22

For Tax Year: 2014

Original	:	Value	Tax	
		36874	1576.11	
Adjusted Tax	:		967.48	on 6 Accounts
			608.63	

Mar-15 Waiver of Interest Applications

Page 1

Recommend To Approve:

<u>NAME</u>	<u>ADDRESS</u>	<u>TAX AMT</u>	<u>INTEREST</u>	<u>REASON</u>
Brimer, Alba	780 Reservoir Ave # 198	\$1,349.72	\$145.19	death
Cattani, Armand	121 Warren Ave	1,473.88	\$ 103.17	hardship
Ciacci, Christopher	165 Holland St # 17	642.63	\$105.22	lostcheck
Corvase, Donna	57 Clear View Dr	2,461.68	\$393.87	lostcheck
Fresilli, Maria	556 Dyer Ave	2,387.58	\$191.00	illness
Hogan, Charles	9 Lexington Ave	1,814.14	\$154.53	hardship
Iaciofano, John	25 Mathewson St	1,182.29	\$189.16	death
McLean, Harry	101 South Comstock Pkwy	1921.87	\$140.60	death
Napolitano, Renato	252 Macklin St	2,517.59	\$201.41	illness
Pate, Anthony	100 Valerie St	3,761.77	\$526.65	hardship
Peleni, Beatrice	118 Third Ave	1,994.87	\$159.39	illness
Reo, Roseann	107 Rhode Island St	890.62	\$124.68	death
Sheridan, Matthew	32 Marion Ave	2,960.95	\$381.72	hardship
Stone, Edward	139 Belvedere Dr	1,272.18	\$203.55	hardship
Sullivan, Edward	161 Curtis St	1,038.44	\$140.91	death
Swallow, Helen	30 Hardy St	857.02	\$68.56	death
Victurine, Ernest	94 Sunvale Rd	1,260.35	\$201.69	illness

**Recommend to Deny**

770 Reservoir Ave LLC	779 Reservoir Ave	2,990.04	\$418.60	business
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201504030033440 Bk:LR5038 Pg:157  
RECORDED Cranston,RI 1/20  
04/03/2015 10:21:25 AM ZONE CHG OF

2-15-01

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**

IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED 'ZONING'

(CHANGE OF ZONE – New London Ave. - Power Road – Crown Holdings, II, LLC)

\*As amended by City Council  
3/23/2015

No. 2015-7

**Passed:**  
March 23, 2015

John E. Lanni, Jr., Council President

**Approved:**  
April 2, 2015

Allan W. Fung, Mayor

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1.** That the Zoning Map accompanying and made a part of Chapter 17 of the Code of the City of Cranston, Rhode Island, 2005, entitled, "Zoning", as adopted January 24, 1966, as amended, is hereby further amended as follows:

By deleting from a S-1 District, a portion of Lot 1 on Zoning Plat 14, located on the Easterly side of Power Road.

And by adding thereto the following:

C-5 with conditions <sup>\*set out as Exhibit "B" Narrative Overview dated 1/22/15</sup> a portion of Lot 1 on Zoning Plat 14, located on the Easterly side of Power Road.. (See Metes and Bounds description attached hereto as Exhibit "A" and made a part hereof).

\*All traffic improvements made in relation to these parcels will comply with regulations set forth by RIDOT.

**Section 2.** This ordinance shall take effect upon its final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

3/23/15  
Christopher Rawson, City Solicitor Date

Christopher Rawson, City Solicitor Date

Referred to: Ordinance Committee, March 12, 2015

Petition filed by Crown Holdings, II, LLC



201504030033440 Bk:LR5038 Pg:158  
 RECORDED Cranston, RI 2/20  
 04/03/2015 10:21:25 AM ZONE CHG OF

2-15-01

Exhibit "A"

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That certain tract or parcel of land with all buildings and improvements thereon situated on the southerly side of Sockanosset Cross Road in the City of Cranston, County of Providence, State of Rhode Island is herein bounded and described;

Beginning at a point on the southerly Highway line of Sockanosset Cross Road, said point being opposite station 11+37.98 right sixty eight and 15/100 (68.15') feet, as shown on State Highway Plat 2587-A;

Thence proceeding along the arc of a curve in a counter clockwise direction with a radius of four hundred eighteen and 00/100 (418.00') feet and a delta angle of 24°29'31" a distance of one hundred seventy eight and 68/100 (178.68') feet to a point, opposite station 2+07.55 left forty and 49/100 (49.49') feet as shown on State Highway Plat 2733;

Thence proceeding south 27°45'57" west a distance of thirty two and 33/100 (32.33') feet to a point opposite station 2+42.48 left forty and 01/100 (40.01') as shown on said Plat 2733;

Thence proceeding south 25°14'43" west a distance of one hundred nine and 41/100 (109.41') feet to a point opposite station 3+51.87 left forty and 03/100 (40.03') feet as shown on said Plat 2733, said point being the point and place of beginning of the herein described parcel;

Thence proceeding south 39°12'51" east a distance of two hundred sixty two and 69/100 (262.69') feet to a point;

Thence proceeding south 43°58'23" east a distance of two hundred twenty seven and 33/100 (227.33') feet to a point, the last five (5) courses bounded westerly and northerly by land now or formerly of the City of Cranston;

Thence proceeding south 17°51'39" west a distance of eight hundred ninety eight and 51/100 (898.51') feet to a point, on the northerly Freeway Line of Route 37, said point being north 74°34'37" west a distance of eight hundred seventy three and 00/100 (873.00') feet from a Rhode Island Highway Bound Found at Station 181+83±, left one hundred fifty more or less (150'±) feet, bounded easterly by land now or formerly of One Hundred Sockanosset, L.I.C.;

Thence proceeding north 74°34'37" west along said Freeway Line a distance of four hundred four and 17/100 (404.17') feet to a point, said point being opposite station 16+80.30 left thirty and 000/100 (30.00') feet as shown on State Highway Plat 2733;



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RECORDED Cranston,RI 3/20  
04/03/2015 10:21:25 AM ZONE CHG OF

2-15-01

- 95  
96  
97 Thence proceeding north  $02^{\circ}47'28''$  west along said highway line a distance of five hundred eighty  
98 six and  $27/100$  (586.27') feet to a point, said point being opposite station 10+90.53 left thirty and  
99  $00/100$  (30.00') feet as shown on said Plat 2733;  
100  
101 Thence proceeding north  $03^{\circ}54'05''$  east along said highway line a distance of one hundred eighty  
102 nine and  $12/100$  (189.12') feet to a point, said point being opposite station 9+01.40 left thirty and  
103  $00/100$  (30.00') feet as shown on said Plat 2733;  
104  
105 Thence proceeding north  $00^{\circ}17'49''$  east along said highway line a distance of sixty three and  
106  $20/100$  (63.20') feet to a point, said point being opposite station 8+33.91 left twenty six and  $35/100$   
107 (26.35') feet to a point as shown on said Plat 2733;  
108  
109 Thence proceeding south  $89^{\circ}42'11''$  east along said highway line a distance of forty and  $00/100$   
110 (40.00') feet to a point, said point being opposite station 8+19.50 left sixty four and  $97/100$  (64.97')  
111 feet as shown on said Plat 2733;  
112  
113 Thence proceeding north  $00^{\circ}17'49''$  east along said highway line a distance of fifty and  $00/100$   
114 (50.00') feet to a point, said point being opposite station 7+55.38 left forty and  $67/100$  (40.67') feet  
115 as shown on said Plat 2733;  
116  
117 Thence proceeding along an arc in a clock wise direction along said highway line with a radius of  
118 twenty five and  $00/100$  (25.00') feet and a delta angle of  $90^{\circ}00'00''$  a distance of thirty nine and  
119  $27/100$  (39.27') to a point at the end of said curve, said point being opposite station 7+09.03 left  
120 thirty nine and  $35/100$  (39.35') feet as shown on said Plat 2733;  
121  
122 Thence proceeding south  $89^{\circ}42'11''$  east along said highway line a distance of one hundred nine  
123 and  $22/100$  (109.22') feet to a point, said point being opposite station 5+80.42 left sixty five and  
124  $17/100$  (65.17') feet as shown on said Plat 2733;  
125  
126 Thence proceeding along an arc in a counter clock wise direction along said highway line with a  
127 radius of one hundred and  $00/100$  (100.00') feet and a delta angle of  $65^{\circ}01'54''$  a distance of one  
128 hundred thirteen and  $50/100$  (113.50') feet to a point at the end of said curve, said point being  
129 opposite station 5+06.58 left fifty one and  $36/100$  (51.36') feet as shown on said Plat 2733;  
130  
131 Thence proceeding north  $25^{\circ}15'55''$  east along said highway line a distance of ninety one and  
132  $43/100$  (91.43') feet to a point, said point being opposite station 4+25.13 left twenty five and  $84/100$   
133 (25.84') feet as shown on said Plat 2733;  
134  
135 Thence proceeding north  $39^{\circ}25'51''$  east along said highway line a distance of eighty one and  
136  $94/100$  (81.94') feet to a point and place of beginning;  
137  
138 Said parcel contains  $568.825_{\pm}$  square feet or  $13.06_{\pm}$  acres more or less.  
'39  
.40 Said Parcel is subject to easements of record.  
141

Allan W. Fung  
Mayor

Peter S. Lapolla  
Planning Director



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CRANSTON  
CITY CLERK

**CITY PLAN COMMISSION**  
Cranston City Hall  
869 Park Avenue, Cranston, RI 02910

Michael Smith  
Chairman

James Moran  
Vice Chairman

Ken Mason, P.E.  
Mark Motte  
Gene Nadeau  
Robert Strom  
Frederick Vincent  
Lynne Harrington  
Kimberly Bittner

March 5, 2015

Council President Lanni  
Cranston City Hall  
869 Park Avenue  
Cranston, RI 02910

**RE: Ordinance #2-15-01** In Amendment of Chapter 17 of the Code of the City of Cranston, 2005, Entitled "Zoning" (Zone Change – New London Avenue) Petition by Crown Holdings II, LLC

Dear Council President Lanni:

On March 3, 2015, the above referenced ordinance was reviewed by the City Plan Commission for the purpose of providing the Council with an advisory recommendation, as required by Section 45-24-52 of the Rhode Island General Laws and Section 17.120.030 of the Cranston Zoning Code.

Ordinance 2-15-01 proposes to change the zoning classification for a parcel of land identified as Assessors Plat 14 Lot 15 located off of Power Road [A Portion of Lot 1 on Zoning Plat 14] from S-1 Open Space to C-5 Heavy Business, Industry with conditions. The site consists of 13.06 acres and was formerly used by the State of Rhode Island as a correctional facility [The Training School]. The property is located within the Sockanosset Cross Road commercial corridor that currently houses Garden City, Chapel View and Citizen's Bank. It is bounded by Route 37 to the south, The Chapel View MPD to the west, Citizen's Bank to the east, and a City Fire Station and Library to the north. The Site is currently owned by the State and Crown Holdings, II, LLC has entered into a purchase and sales agreement to acquire the site conditioned upon a rezoning by the City of Cranston

The Commission would note that the ordinance, as proposed, was drafted through a joint effort of the Planning Department and Crown Holdings. It is designed to give Crown Holdings the flexibility to maximize the development of the site and allow the City sufficient safe guards to ensure that any impacts from development are mitigated. The controlling document for the zone change is entitled "The Fountains at Chapel View Planned Unit Development." The document sets out the conditions by which the site may be developed. In brief:

- Section 3.A. lists the uses that are allowed within the zone.
- Section 3.C. requires that any major Land Development comply with the City Plan Commission's policy for traffic.
- Section 3.D requires that all state permits be acquired prior to an application for Preliminary Plan Approval under the City's Subdivision and Land Development Regulations. Section 3.D. also requires that any traffic improvements that may be required as part of a Major Land Development approval be substantially completed prior to the issuance of any occupancy permit.
- Section 4.A. requires that any development comply with the applicable parking and loading standards set by zoning.
- Section 4.B. sets the dimensional and density standards by which the site may be developed. Section 4.B. allows the site to have 0' front, side and rear yard setbacks and allow a building height of 100' [subject to approval of the fire department.
- Section 4.C. requires that any development comply with Chapter 17.72 of the City Code with the exception that one 450 SF sign, not to exceed 50' in height, is allow along Rt. 37.



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#### Findings

Cranston Comprehensive Plan 2010, the Future Land Use Plan of the 2010 Compressive Plan designates the site as Highway Commercial and Services [Land Use Classification]. The Land Use Element of the Comprehensive Plan indicates that for Highway Commercial and Services appropriate zoning would be C-3, C-4 and C-5. Therefore the proposed rezone to C-5 will be consistent with the Comprehensive Plan.

Findings Under §17.04.010 City Code. Sec. 17.20.30 requires that the City Plan Commission, as part of its recommendation to the City Council, "Include a demonstration of recognition and consideration of each of the applicable purposes of zoning as presented in Section 17.04.010 of this title." Section 17.04.010 set forth the General Purpose for Title 17 of the City Code. The Commission would note that to the extent that any development of this site will be required to comply with Title 17, included Development Plan Review, and will be required to comply with City of Cranston Subdivision and Land Development Regulations. The Commission finds that the proposed rezone will adequately address the appropriate purposes detailed in §17.04.010.

#### Recommendation

The Commission finds the proposed zone change to C-5 Heavy Commercial, Industrial consistent with the 2010 Comprehensive Plan. Therefore, upon motion made by Mr. Motte and seconded by Mr. Moran, the Commission unanimously voted to forward a positive recommendation and endorsement of the proposed zone change conditioned on the document entitled "The Fountains at Chapel View Planned Unit Development" being adopted as part of the ordinance to the City's Ordinance Committee and to the full City Council.

Votes: 9/0

Respectfully submitted,

Peter Lapolla  
Director

EXHIBIT "B"



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**THE FOUNTAINS AT CHAPEL VIEW**  
**PLANNED UNIT DEVELOPMENT**  
In Accordance With the Cranston Zoning Ordinance  
and City of Cranston – Subdivision Regulations

January 22, 2015

**NARRATIVE OVERVIEW**

To Accompany Application for Zone Change  
to a Modified C-5 Heavy Business Industry  
for a Portion of Lot 1 on Zoning Plat 14, Assessors Plat 14, Lot 15  
at Power Road, Cranston, Rhode Island

Applicant:  
Crown Holdings II, LLC  
1414 Atwood Avenue  
Johnston, Rhode Island 02919

THE FOUNTAINS AT CHAPEL VIEW – Narrative Overview – January, 2015

**SECTION 1 – INTRODUCTION**

The Fountains at Chapel View (the “Project”) is intended as a Major Land Development consisting of commercial retail, office and multi-family residential.

The Project is situated on Power Road in the southern part of the City of Cranston. The site is bordered to the north by the City of Cranston Library and the Cranston Fire Station, to the west by Power Road, to the east by Assessor’s Plat 14 Lot 2, and to the south by Rhode Island Route 37.

The site is part of what is commonly known as the former Training School which served as the campus for the juvenile correctional facility. Four former Training School buildings located on surrounding abutting property have already been renovated and re-occupied by the Applicant as a Mixed-Use Planned Development (MPD) development known as Chapel View. The current Chapel View Development includes commercial retail, office and other services, residential and restaurant. The Fountains at Chapel View will be located immediately behind the Chapel View development on Power Road.

The Project site contains approximately 13.06 acres which is currently owned by the State of Rhode Island. It is zoned S-1, Open Space. The Applicant has entered into a Purchase and Sale Agreement with the State of Rhode Island to purchase the property. The Applicant now seeks a change of zoning to C-5 Heavy Business Industry with modification to allow the development and has prepared this Narrative Overview to be submitted to accompany the application for a Major Land Development and the zoning change in accordance with the requirements set forth in the City of Cranston Zoning Ordinance and the City of Cranston – Subdivision Regulations.

Section III J(2)d of the City of Cranston – Subdivision Regulations provides that a narrative text be provided for major plats: Including an explanation of site suitability for proposed development.

**SECTION 2 –PROJECT OVERVIEW/ SITE SUITABILITY**

The Project is designed to take advantage of, and further enhance the abutting Chapel View development. As with Chapel View, the Project seeks to facilitate a more economic arrangement of buildings, traffic and pedestrian circulation, utilities and landscaping within a unified parcel. The site will be developed as a combination of planned uses including mixed-use office, commercial, retail, and multi-family residential development.

The location, surrounded by a major shopping center, offices, apartment complexes and municipal and State facilities, is well suited for the proposed mixed use Major Land Development. The commercial, office, retail, and residential components envisioned for the Project are consistent with the retail nature of the surrounding land uses. In this context, the Project is in character with the surrounding land uses.

The site was already improved with public sewer and water service therefore this Project should not present an additional burden to these systems.



**THE FOUNTAINS AT CHAPEL VIEW – Narrative Overview – January, 2015**

With respect to the Project's impact on police and fire services, the Project should not have a substantial impact as there is already an existing fire station abutting the site. There is also no substantial burden on the police services anticipated given the historical record of comparable neighboring developments.

The Project represents a substantial benefit to the community and create employment opportunities. It will generate new tax revenue for the City of Cranston, integrate and enhance surrounding land uses, and provide circulation and transportation improvements that will not only mitigate the additional traffic generated but also address existing traffic problems along Power Road, Sockanosset Cross Road and Route 2.

Demolition and environmental clean-up of old prison-like buildings alone represents a significant public benefit. Such buildings had been vacant for several years and without this development would, in all likelihood would have remained vacant for some time. New buildings proposed for the development will enhance the site itself and the abutting Chapel View property.



THE FOUNTAINS AT CHAPEL VIEW – Narrative Overview – January, 2015

SECTION 3 – NARRATIVE OVERVIEW

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A. LAND USE ALLOCATION

LAND USE CHART

The Applicant seeks a zone change to C-5 Heavy Business Industry with modifications. The following uses shall be allowed at the Fountains at Chapel View [Any use not listed below shall be deemed not allowed.]

<b>RESIDENTIAL</b>	<b>C-5</b>
Multi-family Dwelling	Y
Residence Above First Story Business Use	Y
<b>INSTITUTIONAL</b>	
Assisted Living Facility	Y
Higher Education Institution	Y
Hospital	Y
Municipal Services Other Than Those Listed Elsewhere	Y
Nursing Home	Y
Religious Worship [Place of]	S
State Agency	Y
<b>BUSINESS</b>	
Adult Day Care	Y
Animal Grooming Services	Y
Antiques, Second Hand Shop, Consignment Shop	Y
Artisan's Workshop [Studio]	Y
Bakery, Retail	Y
Bank, Financial Institution	Y
Banquet Facility	Y
Barber Shop, Beauty Salon	Y
Book, Stationary, Gift Shop	Y
Brew Pub	Y
Business, Professional Office	Y
Business/Trade School	Y
Commercial Day Care	Y
Communication Service & Broadcast Studio	Y
Convenience Store	Y
Day Spa	Y
Drug Store	Y
Florist Shop	Y
Fuel Station Full Service *Accessory only	S
Garden Center *Accessory only	Y
Hardware Store	Y
Health, Fitness Club	Y
Home Improvement Center	Y

THE FOUNTAINS AT CHAPEL VIEW – Narrative Overview – January, 2015

Home Improvement Center	Y
Loft Space (Live/Work]	Y
Medical or Dental Clinic	Y
Medication/Diagnostic Laboratory	Y
Motel, Hotel	Y
Motor Vehicle Repair & Service Establishment* Accessory only	Y
Music & Dance Studio	Y
Night Club	Y
Outdoor Retail *Accessory Only	Y
Personal Service Establishment	Y
Print Shop	Y
Restaurant without drive-in facility	Y
Retail Laundromat & Dry-cleaning Establishment	Y
Retail Sale Large Scale	Y
Retail Sale Small Scale	Y
Supermarket	Y
Tavern/Pub/Neighborhood Bar	Y
Theater, Movie Cinema	Y
Urgent Care Facility	Y
Veterinarian Hospital or Clinic	Y
Wholesale Sales	Y
<b>INDUSTRIAL</b>	
Arts & Crafts Manufacturing	Y
Brewery or Distillery	Y
Data Processing Facility	Y
Research/Development Facility	Y
Telecommunications Antenna	Y

**B. STATEMENT OF NECESSARY SERVICES**

The site is currently served by public sewer and water. All other utilities also serve this site.

**C. TRAFFIC**

As part of any application for Major Land Development, the applicant shall comply with the City Plan Commission policy for traffic (see attached)

**THE FOUNTAINS AT CHAPEL VIEW – Narrative Overview – January, 2015**

**D. TIMING AND PROJECT COMPLETION**

Prior to the submission of any application for Preliminary Plan Approval for a Major Land Development, the applicant shall provide proof of the issuance of all required State and Federal permits as required by RIGL Sec. 45-23-41(a) and the City of Cranston Subdivision and Land Development Regulations Section IIIJ.3d.

No Certificates of Occupancy will be issued unless and until all exterior, structural, landscaping and non-tenant related improvements have been substantially completed or a bond posted in lieu thereof.

No buildings shall receive a temporary or permanent Certificates of Occupancy until the substantial completion (as determined by the City Plan Commission and/or Rhode Island Department of Transportation) of the Traffic Improvements that may be required as a condition of approval on a Major Land Development.

**E. PROJECT ASPECTS AND CITY BENEFITS**

**i. Enhancement of Surrounding Area**

Most of the surrounding land area has already been developed by the Applicant or its affiliates. Accordingly, the Project will only increase the value and economic viability of these properties to the Applicant and the City of Cranston.

**ii. Demolition and Environmental Work**

The Applicant has completed the demolition of the former Training School buildings, underground tunnels and remediated significant environmental concerns, including asbestos. Replacing the “prison like facility” buildings with the Project’s building design will improve the character of the area.

THE FOUNTAINS AT CHAPEL VIEW – Narrative Overview – January, 2015

**SECTION 4 –DEVELOPMENT STANDARDS**

**A. Parking & Loading**

Parking and loading requirements for the Project will be consistent with applicable zoning.

**B. Section 17.20.120 Schedule of Intensity Regulations City Code of Ordinances.**

The following schedule of intensity regulations shall apply to the Fountains at Chapel View.

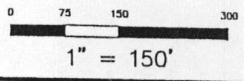
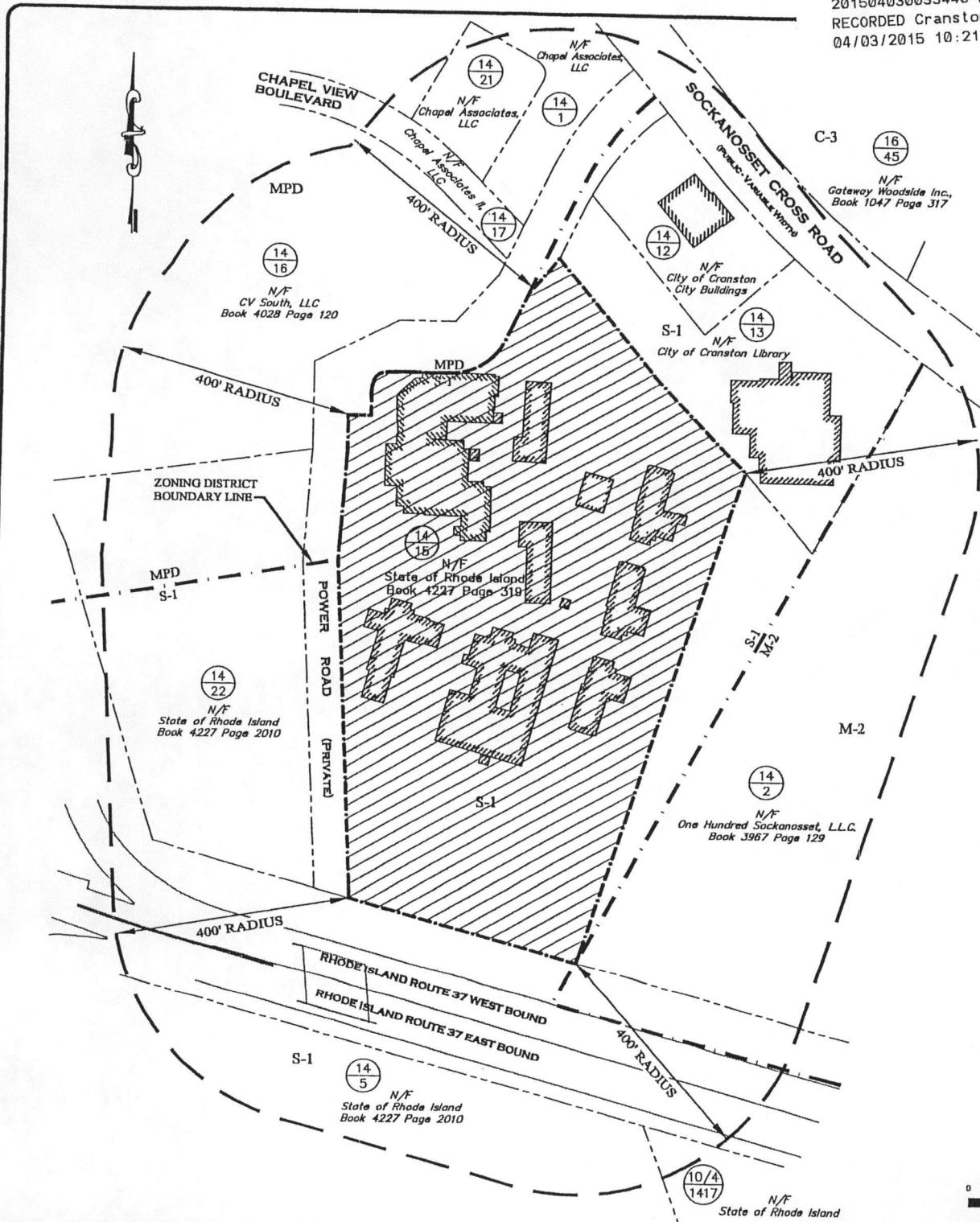
District	Minimum Lot Area (sq. ft.)	Minimum Lot Width and Frontage (ft.)	Minimum Yards (ft.) Front	Minimum Yards (ft.) Rear	Minimum Yards (ft.) Side	Maximum Lot Coverage	Maximum Building Height
C-5	10,0000	80	0	0	0	60%	100.00 ft*

\*Subject to Fire Department Approval

**C. Signage**

The Fountains at Chapel View shall conform to Chapter 17.72 Signs of the City Code of Ordinances with the exception that the site shall be allowed one pylon sign of 450 Square Feet in area per side not to exceed 50 feet in height which shall be located along Rt 37 and provided that signs are allowed on all exterior faces of the building.

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**GROFALO**  
 GAROFALO & ASSOCIATES, INC.  
 CIVIL & STRUCTURAL ENGINEERS/SURVEYORS  
 LAND PLANNERS/ENVIRONMENTAL SCIENTISTS  
 85 CORLISS STREET, P.O. BOX 8145  
 PROVIDENCE, RHODE ISLAND 02940  
 401-273-8000

ZONING PLAT  
 FOR  
 A.P. 14 LOT 15  
 SHOWING 400' RADIUS  
 SITUATED ON  
 POWER ROAD  
 CRANSTON, RHODE ISLAND  
 PREPARED FOR  
 CARLIANATO PROPERTIES, INC.

JOB NO. 5811	DRAWN BY TSH
DWG. NO. 5811-2015.dwg	CHECKED SBS
SCALE 1"=150'	APPROVED SBS
SHEET	DATE: JULY 31, 2013

**FIG. 1**

## CITY PLAN COMMISSION POLICY FOR TRAFFIC

### PURPOSE

The purpose of this policy is to manage traffic impacts created by subdivisions and land development/redevelopment projects so as to:

1. provide for the orderly movement of traffic, reduce the potential for accidents, allow adequate emergency response, and maintain adequate and safe streets;
2. discourage the use of neighborhood streets as shortcuts by promoting the use of arterial and collector streets;
3. encourage the use of traffic engineering design standards appropriate for residential and commercial neighborhoods;
4. encourage private sector participation in managing traffic;
5. create and maintain safe and convenient pedestrian access and bike paths;
6. encourage the use of public transit, carpools and vanpools;
7. promote clean air by encouraging/providing alternative modes of transportation and reducing vehicle delays and resultant exhaust emissions.

### DEFINITIONS

For the purposes of this policy the following terms shall have the following meanings:

**ADEQUATE CAPACITY:** Level of Service (LOS) D or better on every major approach at signalized junctions or roundabouts for Arterial and Collector Streets For unsignalized junctions [two/four way Stop] a LOS C or better for to main roadway left turning traffic..

For residential and subcollector streets adequate capacity shall be defined as operations not resulting in excessive minor approach queuing {10+ vehicles} and resultant delays that would potentially have an adverse effect on intersection safety.

**AVERAGE DAILY TRAFFIC (ADT):** The number of vehicles passing a point on a street during a 24 hour period on a typical day.

**CAPACITY OF AN INTERSECTION:** The maximum number of vehicles which can reasonably be expected to be processed through an intersection or street segment during a one hour peak time period.

**DESIGN YEAR:** The fifth year after a development is scheduled to be completed.

**EXCEPTIONAL PEAK PERIOD:** An exceptional hourly, daily or seasonal period of trip generation (i.e., the December holiday).

**IMPACTED STREET:** A street or intersection receiving 50 or more peak hour trips from a development.

**LEVEL OF SERVICE (LOS):** A measure of the operating conditions of an intersection or street segment ranked on a scale from LOS A (optimum) to LOS F (failing) as defined in the Highway Capacity Manual latest edition by the Transportation Research Board.

**PASS-BY TRIPS:** The number of trips captured by a land use from existing traffic on an adjacent street.

**PEAK HOUR:** The four consecutive 15 minute periods of heaviest volume of traffic on a street or from a development.



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**PEAK PERIOD, MORNING:** Generally, 7 A.M. to 9 A.M.

**PEAK PERIOD, EVENING:** Generally, 3 P.M. to 6 P.M.

**PEAK PERIOD, SATURDAY:** Generally, noon to 4 P.M.

**SIGNAL PHASE:** That part of a traffic signal's time cycle allocated to a traffic movement or a combination of movements (including exclusive pedestrian movements) receiving the right- of-way simultaneously.

**STREET:**

**ARTERIAL:** An interregional street with an ADT of more than 5,000 conveying traffic between centers.

**COLLECTOR:** A street carrying large volumes of traffic [maximum ADT of 5,000] between arterial streets and residential and subcollector streets and having limited direct access to lots.

**SUBCOLLECTOR:** A street with a maximum ADT of 1,000-2,000 which provides access to lots and carries residential traffic to collector and arterial streets.

**RESIDENTIAL:** A street with low traffic volume (maximum ADT of 1,000) which provides frontage for access to lots and carries traffic with destination or origin on the street itself.

**STUDY AREA:** An area which encompasses all impacted streets.

**TRIP:** A single or one-directional vehicle movement.

**TRIP ASSIGNMENT:** Assignment of development generated and through trips to municipal streets and a development's driveways.

**TRIP RATE:** The number of trips per unit of independent variable (e.g., trips per dwelling unit, employee or square footage).

**APPLICABILITY**

This policy shall apply to every application for a Major Land Development or Subdivision [**DEVELOPMENT**].

**TRAFFIC STUDY**

- A. A traffic study, prepared by a firm or individual registered with the State Board of Registration for Professional Engineers, to provide Professional Engineering services in the State of Rhode Island or other appropriate professional specializing in traffic planning, shall be submitted with each application for a Development in which the proposed activity under review will generate 50 or more new trips during the peak hour of the development. If no streets are impacted by a development, the City Plan Commission [**COMMISSION**] may determine that a traffic study is not required.

The applicant, at his discretion, may consult with the Commission or its designee prior to the submission of an application for Development in order to identify the intersections to be studied and the appropriate elements to include in the study.

- B. Trip rates shall be based on Institute of Transportation Engineers Trip Generation, latest edition (ITE) or data from similar developments in similar settings in Rhode Island.
1. If ITE is used, the land use code, number of studies, weighted average trip rate, trip generation



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equation, standard deviation and coefficient for each land use used shall be provided. Use of the weighted average trip rate or trip generation equation to predict trips for each land use shall be based on the procedures set forth in ITE.

2. If local trip rates are used, the methodology used and the applicability of the data shall be provided.
  3. If data is available from ITE and local sources, the applicant may demonstrate why the ITE data is not accurate and should not be used. The Commission shall determine which data source will be used.
- C. All traffic counts including turning movements shall have been taken within 12 months of the date of submission and shall be adjusted for seasonal variation with an explanation as to how the adjustment was made.
- D. Projections of ADT's, turning movements and capacity analyses shall be adjusted for (where appropriate):
1. background traffic with an explanation as to how said adjustment was made;
  2. truck traffic and buses;
  3. vacant space in existing buildings in the study area;
  4. trips generated by the proposed development based on full occupancy; and
  5. trips generated by developments in the study area that are under review or approved by a municipal or state agency.
- E. If an exceptional peak period is likely to occur, the Commission may require analysis of traffic for said period.
- F. Trips from an existing land use that are being replaced by a new land use may be subtracted as follows:
1. If trip generation and distribution for the new land use have the same characteristics as the land use being replaced, trips generated by the new land use may be reduced by an amount not to exceed the trips generated by the land use being replaced.
  2. If trip generation and distribution for the new land use do not have the same characteristics as the land use being replaced, trips generated by the existing land use may be subtracted from the street system.
- G. Where a project accesses or impacts a state highway, evidence of consultation with RIDOT shall be provided with the master plan submission. If offsite mitigation is required on state highway a copy of the Physical Alteration Permit as issued by RIDOT shall be provided with the preliminary plan submission.
- H. The traffic study shall have the following elements (when applicable):
1. Executive summary with:
    - a. scope of work to include location of the project, locus map and site plan, description of type and intensity of existing and proposed development and description of study area;
    - b. schedule for project development;
    - c. summary of existing and future traffic conditions including deficiencies in the street system;
    - d. summary of traffic impacts and proposed mitigation;
    - e. listing of all permits required by the project and a summary of the status of permitting process for each required permit.
  2. Review of traffic studies undertaken within the study area in the prior 5 years on file with the State or in the municipalities within the study area.
  3. Description of roadway characteristics for all impacted streets to include:
    - a. inventory of land uses within 500 feet of the development and description of land uses on each impacted street;
    - b. identification of all curb cuts and driveways within 500 feet of the development;



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- c. physical characteristics including number of travel lanes; widths of right-of-way, travel lanes, sidewalks and shoulders; conditions of pavement, sidewalk and curbing; and roadway geometry and grades;
  - d. inventory of traffic control devices including regulatory parking and warning signs, traffic signal permits, control units and description of signal phasing;
  - e. sight distances and obstructions to sight lines;
  - f. location and type of street lighting;
  - g. actual design [85<sup>th</sup> percentile] and posted traffic speeds;
  - h. number, type and location of accidents by year for the most recent three years;
  - i. description of transit system serving the study area including mode, frequency, schedule, routes, stop location and patronage;
  - j. time and peak volume of parking for the development;
  - k. location of pedestrian and bicycle routes;
  - l. location of churches, schools, parks and similar public or civic uses within the study area.
4. Description of traffic improvements to be completed in the study area prior to the design year with a schedule of implementation and identification of the parties responsible for implementing the improvements.
  5. ADT's on all impacted streets with daily volumes in excess of 5,000 vehicles per day for the current year and the no-build and build conditions of the design year (no-build and build conditions). Current ADT's shall be counted for a 48-hour period on a typical weekday.
  6. Existing site generated trips with a trip assignment.
  7. Identification of the peak hours (AM, PM, and Saturday) of the development and for adjacent streets with an explanation as to how the peak hours were selected.
  8. Development generated trips for the peak hours of the development and for adjacent streets and a trip assignment with an explanation as to how the assignment was made. If projected trips are adjusted for pass-by or diverted trips, an explanation as to how the adjustment was made shall be provided. Adjustment for pass-by trips shall be limited to 25% of site generated trips and 5% of the volume the traffic on the street serving the site.
  9. Peak hour(s) turning movement counts on all impacted streets for the current year and the no-build and build conditions.
  10. Peak hour(s) capacity analysis for the current year and the no-build and build conditions on all impacted streets. Said analysis shall be based on the Highway Capacity Manual Transportation Research Board, latest edition and shall include a queue analysis and critical volumes by signal phase or turning movement for each intersection studied.
  11. Peak hour(s) gap analysis for unsignalized impacted streets and site driveways which experience excessive delay, queuing or are approaching capacity.
  12. Measures to mitigate traffic impacts to include:
    - a. The process through which the mitigation will be authorized, financed, designed and implemented.
    - b. Peak hour(s) capacity analysis on all impacted streets and intersections based on the mitigation proposed.
    - c. Review of potential impact to utilities, wetlands, archaeological/historical sites, etc.
    - d. Implementation schedule. If the development or the mitigation is phased, the study shall show how the mitigation will be implemented and function for each phase.
    - e. If site design and geometric changes are proposed, said changes shall be based on current engineering standards for turn pockets, transition tapers, lane widths, sight distance, multiple lane configuration, and right-of-way widths. A description of said changes shall include:
      1. scaled plan(s) (1"=40' preferred) showing:
        - a. existing and proposed layout lines, building footprint(s), parking lot areas and driveways;
        - b. the relationship of the site layout to existing rights-of-way with sight distances;



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- c. proposed geometric changes and widening (driveways, storage lanes, acceleration and deceleration lanes, turning lanes, etc.
2. A traffic management plan to maintain traffic flow on impacted street(s) and allow access to abutting properties by vehicles, pedestrians, and handicap persons during construction.
3. Measures to mitigate traffic generated noise and dust pollution.
- f. If traffic signalization is proposed, a signal warrant analysis based on Manual on Uniform Traffic Control Devices (FHWA, latest edition).
- g. Program to monitor the effects of the mitigation for period of up to three years after implementation.
- h. If signalization of an unsignalized intersection is proposed as mitigation, the applicant shall also provide alternative mitigation designs for the intersection including analysis of a roundabout per RIDOT policies.

#### TRAFFIC CAPACITY

- A. Prior to granting a Development approval, the Commission shall determine if there will be adequate capacity on all impacted streets for the build condition.
  1. If adequate capacity is projected on any impacted street for the no-build condition and a development causes a decrease in LOS, the Commission may require implementation of mitigative measures to restore the LOS to the no-build condition.
  2. If any impacted street does not have adequate capacity for the build condition, the Commission shall take one of the following measures:
    - a. The Commission shall require the implementation of mitigative measures to achieve adequate capacity.
    - b. If the Commission determines that the Development is not the cause for an impacted street having inadequate capacity and that the cost for mitigation is excessive given the size and nature of the Development, the Commission shall require the implementation of mitigative measures to insure that there is no increase in delay and shall require a cash contribution of \$500 for each new vehicle trip added to the impacted street. Said contribution shall to be deposited into a dedicated account whose use shall be restrict to implementing mitigation on said street.
    - c. The Commission shall deny the application if the mitigative measures to achieve adequate capacity can not be implemented.
- B. The Commission may condition its approval on:
  1. Completion of mitigation prior to issuing any occupancy permit.
  2. Posting surety to guarantee implementation of mitigation.
  3. Implementing measures to reduce trips generated by a development including use of:
    - a. employer subsidized passes for public transit,
    - b. carpools and vanpools,
    - c. flex time or staggered work hours,
    - d. preferential parking for high occupancy vehicles,
    - e. restricting access to or egress from off street parking areas during peak hours,
    - f. measures to promote pedestrian access,
    - g. measures to encourage bicycle commuting such as secured bike racks and locker and shower facilities.
  4. The submission of periodic reports on the effectiveness of the trip reduction programs as part of the monitoring required under Section H.12.g. above.
  5. Reducing of the size or intensity of the project.
  6. Phasing the development of the project.
  7. Obtaining all other permits where applicable.



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**COMPLIANCE**

If the Commission determines that its conditions on traffic are not being met, the Commission shall require the applicant to bring the development into compliance.

**WAIVER OF THE REGULATIONS**

If the Commission finds that any section or provision of this policy does not apply, it may be waived by vote of the Commission.

**SEPARATION**

Should any section or provision of this policy be declared to be invalid, said section or provision shall not invalidate any other section or provision of this policy.



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THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**

IN AMENDMENT OF TITLE 5 OF THE CODE OF THE CITY OF CRANSTON, 2005,  
ENTITLED "BUSINESS LICENSES AND REGULATIONS"  
(Massage Bodyworks License)

No.

*Passed:*

\_\_\_\_\_  
*John E. Lanni, Jr., Council President*

*Approved:*

\_\_\_\_\_  
*Allan W. Fung, Mayor*

*It is ordained by the City Council of the City of Cranston as follows:*

Section 1. Title 5 entitled Business Licenses and Regulations is hereby amended by adding thereto the following Chapter:

Chapter 5.26 - Licensing for Body Works Establishments

5.26.010 – License Required

- a) Body Works Personnel License – All personnel must obtain a Body Works Personnel License issued by the Licensing Agency before performing or offering to perform any Body Works Services for hire, compensation, or reward; before being compensated for any services or work in any Establishment; and before conducting any type of business for reward, hire or compensation with any Establishment.
- b) Body Works Establishment License – All persons, corporations or other entities who own, operate, conduct or manage a location used to provide Body Works Services or that holds themselves out as being engaged in the practice of Body Works Services at any location in the City of Cranston must obtain a Body Works Establishment license for that location from the Licensing Agency before offering, engaging in, providing or allowing Body Works Services for hire, reward or compensation in that location.

5.26.020 – Authority to promulgate rules

The City Council for the City of Cranston and the Licensing Agency is hereby authorized to formulate rules and regulations governing Body Work Personnel and Body Work Establishments and to establish fees for the issuance of licenses thereunder.

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5.26.030 – License required and fee; non-transferability

- a) Body Works Personnel License – The fee to obtain a Body Works Personnel License and any renewal thereof shall be \$60.00. Said license is not transferable.
- b) Body Works Establishment License – The fee to obtain a Body Works Establishment License and any renewal thereof shall be \$100.00. Said license is not transferable.

5.26-040 – Expiration date of license

Body Works Personnel Licenses and Body Works Establishment Licenses shall automatically expire on the first day of July of each year. Applications for renewal must be submitted at least thirty (30) days prior to expiration date.

5.26.050 – Definitions

- a) *Applicant* shall mean any person who applies for a license as required by this chapter. In the event the applicant is a non-natural person (e.g. a corporation), the term applicant shall also include a natural person legally authorized to act on behalf of the applicant and the person submitting the application to the Licensing Agency pursuant to this chapter.
- b) *Approved* shall mean approved by the Licensing Agency in accordance with acceptable standards.
- c) *City* shall mean the City of Cranston.
- d) *Licensing Agency* shall mean the Safety Services and Licensing Committee of the Cranston City Council.
- e) *Body Rubs and Body Stimulations* shall mean the manipulation or conditioning of part or parts of the body by any means not regulated by Chapter 23-20.8 of the Rhode Island General Laws.
- f) *Body Works and Body Works Services* shall encompass Body Rubs, Body Stimulations, Spa Services and Spa Treatments.
- g) *Body Works Establishment License and Establishment License* shall mean the license required by 5.26.010(b) of this Title.
- h) *Body Works Personnel License and Personnel License* shall mean the license required by 5.26.010(a) of this Title.
- i) *Establishment* shall mean the office, place of business, premise or location where Body Works are offered or provided for hire, reward or compensation.

- 93 j) *Personnel* shall mean any person who performs Body Works Services for hire,  
 94 compensation or reward or any person who is employed by or otherwise compensated by  
 95 any Establishment as defined herein or any person who is permitted by an Establishment  
 96 to conduct any type of business or reward, hire or compensation within said  
 97 Establishment.  
 98
- 99 k) *City Inspector* shall mean but is not limited to agents of the Licensing Agency,  
 100 employees of the Cranston Police Department and employees of any fire protection  
 101 district or jurisdiction.  
 102
- 103 l) *Spa Services and Spa Treatments* shall mean any service or treatment not regulated by  
 104 Chapter 23-20.8 of the Rhode Island General Laws provided to treat the skin or body for  
 105 remedial, hygienic, relaxation, or other purposes including but not limited to, vapor, pool,  
 106 baths, saunas, dry saunas, towel treatment, showers, body scrubs, and body showers.  
 107
- 108 m) *Specified Anatomical Areas* shall mean human genitals, pubic regions, buttocks or female  
 109 breasts below a point immediately above the top of the areola.  
 110
- 111 n) *Supervisor* shall mean the person or persons designated by an Establishment to ensure  
 112 compliance with this chapter.  
 113

#### 114 5.26.060 – Exceptions and Exclusions

- 115
- 116 a) Persons excepted: Physicians, nurses, physical therapists, school athletic trainers,  
 117 chiropractors, massage therapists, barbers, hair dressers, manicurists, and  
 118 estheticians duly licensed by the State of Rhode Island are exempt from the license  
 119 requirements of 5.26.010(a) of this chapter.  
 120
- 121 b) Establishment exceptions: Hospitals, nursing and convalescent homes and other similar  
 122 licensed institutions where massage and baths may be given are exempt from the license  
 123 requirements of 5.26.010(b) of this chapter. Also, any facility conducting services of a  
 124 hospital, nursing and convalescent home, or other similar institutions as determined by  
 125 the Licensing Agency, but due to some limiting factor is not subject to licensing, shall be  
 126 similarly exempt from the license requirements of 5.26.010(b) of this chapter.  
 127

#### 128 5.26.070 – Display of Licenses

- 129
- 130 a) Body Works Personnel License – Every licensee shall carry his or her original Personnel  
 131 License at all times when on the premises of an Establishment during the hours of  
 132 operation. Additionally, every licensee shall display his or her original Personnel License  
 133 in a conspicuous manner whenever practicing or providing Body Works for hire, reward  
 134 or compensation.  
 135
- 136 b) Body Works Establishment License – The Body Works Establishment License shall be  
 137 conspicuously displayed in a public area of the Body Works Establishment at all times.  
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5.26.080 – Advertisement

- a) No person, firm, partnership or corporation shall advertise any Body Works Services unless such services are to be performed by a licensed Body Works and said advertisement includes the Body Works Personnel license number of the person or persons offering to provide the Body Works Services.
- b) No person, firm, partnership or corporation shall advertise any Body Works Establishment unless the advertisement includes the Body Works Establishment license number.

5.26.090 – Required Records

Each Body Works Establishment shall maintain records on the premises of all Personnel. Said records shall be subject to inspection upon request of any City Inspector. The records shall include the following:

- a) Each Personnel's full legal name, date of birth, home address and telephone number, employment position, date first employed and, if applicable, date terminated.
- b) Each Personnel's Body Works Personnel License number and the expiration date of said license.
- c) All current Personnel records or records of all Personnel associated with the Establishment for the previous one year.

5.26.100 – Supervisor

Each Body Works Establishment shall designate at least one Supervisor who is responsible for the Body Work Establishment's compliance with this chapter. Said Supervisor shall agree to be on the premises of any Body Works Establishment whenever the Establishment is open to the public and shall agree to be responsible for cooperating with inspections or investigations conducted by the Licensing Agency, its agents, or any other person or persons authorized to inspect the Establishment pursuant to this chapter or any other applicable section or chapter of the Cranston Code of Ordinances or the Rhode Island General Laws. Upon the request of any authorized City Inspector, the Supervisor shall immediately provide Personnel Records that are required by this Chapter to be maintained on the premise.

5.26.110 – Requirements for Body Works Personnel Licensure

Before performing or offering to perform Body Works Services for hire, compensation or reward or conducting any type of business for hire, compensation or reward within any Establishment, all Personnel shall submit an Application to the Licensing Agency that includes the following information:

- 187 a) The full legal name and any other names used by the applicant.  
 188  
 189 b) The current residential address and telephone number of the applicant, and the two  
 190 previous residential addresses and business addresses, if any.  
 191  
 192 c) The applicant's height, weight, eye color, and hair color.  
 193  
 194 d) Written proof to the satisfaction of the Licensing Agency that the applicant is at least 18  
 195 years of age.  
 196  
 197 e) The applicant's business, occupation, or employment history for the five years  
 198 immediately preceding the date of the application.  
 199  
 200 f) The Body Works Personnel or similar license history of the applicant; including whether  
 201 such person, in previously operating in this city or another city, county or state under a  
 202 license or permit; has had such license or permit revoked or suspended; the reasons and  
 203 dates for any revocation or suspension.  
 204  
 205 g) All criminal convictions, except minor traffic violations.  
 206  
 207 h) The name(s) of the Establishment at which the applicant plans to be employed or whether  
 208 the applicant intends to provide Body Works Services off-site. If the applicant intends to  
 209 work at multiple businesses, he or she shall designate a primary address for receiving all  
 210 correspondence related to his or her permit renewal.  
 211  
 212 i) Such other identification and information as may be required by the Licensing Agency to  
 213 verify the truth of the matters specified in this section, or any additional information  
 214 required to show that the applicant has met the minimum qualifications to be licensed  
 215 pursuant to this chapter.  
 216  
 217 j) An application is deemed complete and validly filed when the Licensing Agency has  
 218 received all information required by this Code, the results of the Department of Justice  
 219 criminal background check, and any fees associated with the application.  
 220

221 5.26.120 – Requirements for Body Works Establishment licensure

222  
 223 Before conducting any type of business for reward, hire or compensation within any  
 224 Establishment, all persons, firms, corporations, or other entities who own, operate or conduct  
 225 said Establishment shall first submit applications to the Licensing Agency that includes the  
 226 following information:

- 227  
 228 a) The full legal name and any other names used by the application. If the application is:  
 229  
 230 i. An individual, the individual shall state his/her full legal name;  
 231

- 232           ii. A partnership, the name of the partnership shall be set forth exactly as shown in  
 233           its partnership agreement, and the information required by this section shall be  
 234           furnished for the responsible person;  
 235
- 236           iii. A corporation, the name of the corporation shall be set forth exactly as shown in  
 237           its articles of incorporation and the information required by this section shall be  
 238           furnished for the responsible person.  
 239
- 240       b) The current residential address and the telephone number of the applicant, and the two  
 241       previous residential addresses and business addresses, if any.  
 242
- 243       c) Written proof to the satisfaction of the Licensing Agency that the applicant is at least 18  
 244       years of age.  
 245
- 246       d) The applicant's occupation or employment history for the five years immediately  
 47       preceding the date of the application.  
 248
- 249       e) If the applicant intends to practice Body Works at the proposed Establishment, a copy of  
 250       his or her Body Works Personnel license.  
 251
- 252       f) The Body Works Establishment or similar business license history of the applicant;  
 253       including whether such person, in previously operating in this city or another city, county  
 254       or state under a license or permit, has had such license or permit revoked or suspended;  
 255       the reasons and dates for any such revocation or suspension.  
 256
- 257       g) All criminal convictions, except minor traffic violations.  
 258
- 259       h) A statement of how many Personnel the applicant intends to employ at the Establishment.  
 260
- 261       i) The full name, address, telephone number of every Personnel who will be associated with  
 262       the proposed Establishment and a copy of every proposed Personnel's Body Works  
 263       Personnel license.  
 264
- 265       j) The full name, address, telephone number of each Personnel who will be designated as  
 266       the Supervisor for the proposed Establishment and a copy of each proposed Supervisor's  
 267       Body Works Personnel license.  
 268
- 269       k) A statement as to whether the applicant intends to provide Body Works Services off-site.  
 270
- 271       l) Information demonstrating that the proposed Establishment is consistent with the  
 272       applicable land use designation and City zoning code.  
 273
- 274       m) Written proof that the proposed Establishment is compliant with all applicable health,  
 275       safety, building, fire safety and sanitary standards under the Cranston Code of Ordinances  
 276       and the Rhode Island General Laws.  
 277

- 278 n) Where a building permit is necessary as a prerequisite to occupancy of a building, the  
 279 Body Works Establishment license application is not completed and validly filed until  
 280 proof of submittal of the building permit application is provided.  
 281
- 282 o) Such other identification and information as may be required by the Licensing Agency to  
 283 verify the truth of the matter specified in this section, or any additional information  
 284 required to show that the applicant has met the minimum qualifications to be licensed  
 285 pursuant to this chapter.  
 286
- 287 p) An application is deemed complete and validly filed when the Licensing Agency has  
 288 received all information required by this code, the results of the Department of Justice  
 289 criminal background check, and any fees associated with the application.  
 290

291 5.26.130 – Employee and Independent Contractor Restrictions  
 292

293 It is a violation of this chapter for any person, partnership, corporation, Establishment, Owner or  
 294 other entity to employ any person not holding a Personnel License for the purpose of providing  
 295 Body Works; to employ any person not holding a Personnel License to work in an Establishment  
 296 in any capacity; or to allow any person not holding a Personnel License to work in an  
 297 Establishment in any capacity; or to allow any person not holding a Personnel License to provide  
 298 or offer to provide Body Works Services or otherwise conduct business in the Establishment.  
 299

300 5.26.140 – Sanitation and Decency Code  
 301

- 302 a) All Personnel who are engaged in the practice of Body Works shall wear garments  
 303 which cover the entire body, exclusive of the head, neck, arms, legs, hands and feet. All  
 304 Personnel must be fully covered from a point not more than four inches above the center  
 305 of the kneecap to the base of the neck, excluding the arms. Such garments shall not be  
 306 transparent and must be maintained in cleaning and sanitary condition.  
 307
- 308 b) It is unlawful for any Personnel to directly or indirectly touch or offer to touch a  
 309 customer's Specified Anatomical Areas.  
 310
- 311 c) All Customer's Specified Anatomical Areas must be fully draped at all times while any  
 312 Personnel is in the same cubicle or room.  
 313
- 314 d) No instruments or devices designed or used for direct application to the skin shall be  
 315 applied directly to the skin unless sterilized. The part of the body being treated shall be  
 316 covered with a clean towel or else the instrument shall be covered in a similar manner.  
 317
- 318 e) Cleaning of hands: All Personnel shall thoroughly cleanse his or her hands by washing  
 319 with soap and hot water immediately before providing Body Works Services.  
 320
- 321 f) Working hours: No Establishment shall offer or provide Body Works Services between  
 322 the hours of 10:00 p.m. and 8:00 a.m.  
 323

- 324 g) Designation of name: No licensed person shall operate under any name or conduct his or  
 325 her business under any designation not specified in his or her license.  
 326
- 327 h) It is a violation of this chapter for any person, partnership, corporation, Establishment,  
 328 Owner or any other entity to conduct, cause to be conducted or allow to be conducted  
 329 any activity prohibited by Title 11, Chapters 11-1, et seq. of the Rhode Island General  
 330 Laws in any Establishment.  
 331
- 332 i) Change of address: Every licensee shall notify the Licensing Agency not longer than ten  
 333 (10) days after any change of address, home or business, or name. Any new license or  
 334 amendment to an existing license required because of the foregoing shall be issued with  
 335 a set fee charge at the discretion of the Licensing Agency.  
 336
- 337 j) Inspections: City Investigators may at any time with or without prior notice inspect an  
 338 Establishment and investigate the manner of the operation of the Establishment to insure  
 339 that it is operating in compliance with this chapter.  
 340
- 341 k) Devices which can be utilized as an early warning system to alert Personnel,  
 342 Supervisors, Owners, or any other persons to the presence of law enforcement or local  
 343 authorities on the premises are prohibited in Establishments. Such prohibited devices  
 344 include, but are not limited to, light or music dimmers, electronic detection devices,  
 345 external or internal video equipment and alarm systems other than those used for fire  
 346 alarms.  
 347
- 348 l) Invalidation: If any section, paragraph, sentence, clause or phrase of these rules and  
 349 regulations shall be decided invalid for any reason whatsoever, such decisions shall not  
 350 affect the remaining portions of these regulations which shall remain in full force and  
 351 effect, and to this end the provisions of these regulations are hereby declared severable.  
 352

#### 353 5.26.150 – Facilities

354  
 355 Every Establishment shall meet the following standards:

- 356
- 357 a) It shall be connected to the public sewerage system, or an approved private sanitary  
 358 sewage system in the event public sewerage is not available.  
 359
- 360 b) It shall be well lighted, well ventilated and properly heated when seasonally indicated.  
 361
- 362 c) No room used by Personnel or an Establishment to provide Body Works may be used as a  
 363 residence or sleeping quarters.  
 364
- 365 d) There shall be an adequate supply of hot and cold running water at all times.  
 366
- 367 e) There shall be approved toilet and washing facilities within the premises, readily  
 368 available to the patrons and affording sufficient privacy.  
 369
- 370 f) Adequate dressing rooms, toilets and washing facilities shall be provided.

- 371  
372 g) All rooms and furniture and equipment therein shall be kept clean at all times.  
373  
374 h) There shall be installed a heat and smoke detecting system approved by the fire marshal  
375 of the fire department of Cranston.  
376  
377 i) There shall be adequate facilities for the cleaning and sterilizing to prevent infectious  
378 organisms.  
379  
380 j) All rooms shall be arranged so as to afford adequate fire protection and shall have  
381 satisfactory means of egress in case of fire as approved by the building inspector and fire  
382 marshal.  
383  
384 k) All equipment, instruments, devices, robes, sheets, blankets, pillow cases, wearing  
385 apparel, towels and other materials which may come in direct contact with the body shall  
386 be properly cleaned and sterilized.  
387

388 5.26.160 – Enforcement  
389

- 390 a) Revocation of License – Every license issued under the provisions of this chapter shall be  
391 subject to suspension or revocation by the Licensing Agency for the breach by the holder  
392 thereof of any provision of this chapter, any rules and regulations pertaining thereto  
393 which have been established by the Licensing Agency, or for any violation of any other  
394 provisions of this Code of Ordinances, of the Rhode Island General Laws, or of any other  
395 applicable municipal, state, or federal rule or regulation. Revocation shall be in addition  
396 to any other penalty which may be imposed as a result of a violation.  
397  
398 b) Separate offense for each day – Any person, firm, corporation, or other entity who  
399 violates any provision of this chapter shall be guilty of a separate offense for each and  
400 every day during any portion of which any such entity commits, continues, permits or  
401 causes a violation thereof.  
402  
403 c) Public Nuisance – Any use or condition caused or permitted to exist in violation of any of  
404 the provisions in this chapter shall be and is hereby declared a public nuisance and shall,  
405 at the discretion of the City, be a cause of action pursuant to Section 10-1-1, et seq. of the  
406 Rhode Island General Laws.  
407  
408 d) Criminal Penalties – In addition to any applicable provisions of this chapter or of the  
409 Rhode Island General Laws, any violation of this chapter may be prosecuted as a  
410 misdemeanor and punishable as follows: upon a first conviction, by a fine not exceeding  
411 \$100.00; upon the second conviction within one year of a prior conviction, by a fine not  
412 exceeding \$200.00 and by imprisonment not exceeding 30 consecutive days; and upon  
413 any subsequent conviction within one year of two prior convictions, by a fine not  
414 exceeding \$500.00 and by imprisonment not exceeding one year.  
415

3-15-01

416 e) Civil Injunctions – The violation of any provision of this chapter shall be and is hereby  
417 declared to be contrary to the public interest and shall, at the discretion of the City, create  
418 cause for injunctive relief.  
419

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423 Section 2. This Ordinance shall take effect on its final adoption.  
424

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429  
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Positive Endorsement

Negative Endorsement (attach reasons)

31 \_\_\_\_\_ Date \_\_\_\_\_ Date  
432 Christopher Rawson, City Solicitor Christopher Rawson, City Solicitor

433 Sponsored by: Councilman Botts  
434

435  
436 Referred to Safety Services & Licenses April 6, 2014  
437

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3-15-02

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THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**

IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "MOTOR VEHICLES AND TRAFFIC" (Lakeview Road- One way traffic between 2:00 - 3:00 pm Mon - Fri)

No.

Passed:

\_\_\_\_\_  
John E. Lanni, Jr. Council President

Approved:

\_\_\_\_\_  
Allan W. Fung, Mayor

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1.** Chapter 10.12, Section .270 entitled "One-way traffic on certain streets between certain hours" is hereby amended by adding the following:

**10.12.270 One-way traffic on certain streets between certain hours**

E. On days when Cranston High School West is in session, traffic shall move in the following specified directions upon the following streets:

1. [~~Between the hours of 8:00 a.m. and 9:30 a.m.: Lake View Road, easterly~~ ]
2. [~~Between the hours of 2:00 p.m. and 3:30 p.m.: Lake View Road, westerly~~]
3. Between the hours of 8:00 a.m. and 9:30 a.m: Lake View Road, [~~northerly~~] southerly
4. Between the hours of 2:00 p.m. and [~~3:30~~] 3:00 p.m.: Lake View Road, northerly
5. Between the hours of 2:00 p.m. and 3:00 p.m.: Wine Street, northerly

**Section 2.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

\_\_\_\_\_  
Christopher Rawson, City Solicitor Date

\_\_\_\_\_  
Christopher Rawson, City Solicitor Date

Sponsored by: Councilman Paplauskas

Referred to Ordinance Committee April 16, 2015

3-15-03

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 12 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "STREETS, SIDEWALKS AND PUBLIC PLACES"  
(Sidewalk Reconstruction Cost Share Program II)

No.

Passed:

John E. Lanni, Jr., Council President

Approved:

Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

Section 1. Title 12 , Chapter 12.08 entitled SIDEWALK, CURB AND DRIVEWAY CONSTRUCTION, is hereby amended as follows:

**12.080.080 Cost Share Program for Sidewalk Reconstruction.**

A. A cost share program is hereby established pursuant to which homeowners in the City will be eligible, subject to availability of capital and general operating funds, to have their sidewalks repaired under a cost sharing program subject to the following procedures, restrictions, and conditions. Priority shall be given to ~~[routes to schools and sidewalks heavily used by pedestrians.]~~ Sidewalks within 3/4 mile of an elementary school and sidewalks on the following streets:

- Broad Street
- Narragansett Boulevard
- Park Avenue
- Pontiac Avenue
- Warwick Avenue

B. This cost share program shall be limited to residential units of four units or less.

C. No commercial properties shall be eligible for participation in this cost share program.

D This cost share program will only be for the replacement of existing sidewalks in the City. No new sidewalks shall be eligible for approval under this program. The existing sidewalks that are eligible for this program shall only be for sidewalks running parallel to the roadway in the public right-of-way. Sidewalks running from the front door of the property are not eligible under this program.

49 E. The property owner will be responsible for the entire cost of the sidewalk  
50 with the city reimbursing the property owner on a set unit based fee per square  
51 foot subject to fiscal limitations.  
52

53 The reimbursement rates will be \$3/square foot for concrete sidewalks and  
54 \$2/square foot for asphalt sidewalks. Property owners who are determined to be  
55 low income by the Comprehensive Community Action Program shall be eligible  
56 for a reimbursement rate of \$4/square foot for concrete sidewalks and \$3/square  
57 foot for asphalt sidewalks. In no case shall reimbursement exceed the cost of  
58 construction.  
59

60 F. The property owner shall be responsible for hiring a contractor who is  
61 licensed by the State of Rhode Island Contractors Registration and Licensing  
62 Board. The contractor shall also be required to show proof of liability insurance  
63 as well as proof of workers compensation insurance.  
64

65 G. The contractor selected by the property owner to perform the sidewalk repairs  
66 shall be required to obtain a Right of Way Permit from the Cranston Department  
67 of Public Works. All fees for this Right-of-Way Permit shall be waived under  
68 this program. The contractor shall be required to provide proof of registration  
69 with the Rhode Island Contractors Registration and Licensing Board and shall be  
70 required to provide proof of the required insurances. This proof of registration  
71 with the Rhode Island Contractors Registration and Licensing Board and proof  
72 of the required insurances shall be presented to the Department of Public Works  
73 during the application process for the Cost Share Program for Sidewalk  
74 Reconstruction. The Right of Way Permit shall be issued with a requirement that  
75 the contractor install the replacement sidewalk in accordance with the  
76 specifications of the City of Cranston. Sidewalks replaced under this program  
77 shall be replaced to match the materials of the existing sidewalk.  
78

79 H. Upon completion of the sidewalk reconstruction work, the property owner  
80 shall submit to the Department of Public Works a Completion Statement and  
81 Request for Reimbursement on the forms provided by the Department of Public  
82 Works. A city staff member shall visit the site of the reconstructed sidewalk to  
83 inspect the work for conformance to the City specifications and shall verify the  
84 total square feet of sidewalk replaced. Upon approval by the Department of  
85 Public Works that the sidewalk conforms with the conditions of this program as  
86 well as to the City of Cranston sidewalk specifications, the Department of Public  
87 Works shall submit a payment application to the Director of Finance for direct  
88 payment to the property owner.  
89

90 I. The reimbursement rates to be paid to the owner under the Cost Share  
91 Program for Sidewalk Reconstruction shall be set by the Cranston City Council  
92 at different rates for concrete sidewalks and asphalt sidewalks based upon the  
93 recommendations of the Director of the Department of Public Works and the  
94 Finance Director.  
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3-15-03

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Section 2. This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

\_\_\_\_\_  
Christopher Rawson, City Solicitor    Date

\_\_\_\_\_  
Christopher Rawson, City Solicitor    Date

Sponsored by: Councilman Stycos

Referred to Public Works April 6, 2015

3-15-04

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 2, CHAPTER 24, SECTION 090 OF THE CODE OF THE CITY OF CRANSTON ENTITLED "CONNECTION OF FIRE ALARMS TO MUNICIPAL SYSTEMS"

No.

Passed:

John E. Lanni, Jr., Council President

Approved:

Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

Section 1. Title 2 Chapter 24, Section 090 entitled "Connection of Fire Alarms to Municipal Systems" is hereby amended by deleting the following:

- (B. Purchase an approved local energy master fire alarm box.
C. Pay a connection fee of two hundred fifty dollars (\$250.00) plus an additional fifty cents (\$.50) a foot in locations where the building is located more than one hundred (100) feet from the existing municipal circuit.

and substituting thereto the following:

- B. Purchase an approved radio fire alarm box; and install per direction of the superintendent of fire alarm. Any and all existing connected systems must be transferred from wired connections to radio boxes by June 30, 2016.
C. Pay a connection fee of two hundred fifty dollars (\$250.00). This fee is to cover programming and acceptance testing to connect the private system at a location to be approved by the superintendent of fire alarm.

Section 2. The above fee shall be paid to the City (Treasurer) of Cranston prior to connections and will cover all expenses incurred by the City in making said installations.

Section 3. This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

Christopher M. Rawson, Solicitor

Christopher M. Rawson, Solicitor

Sponsored by: Councilman Michael W Favicchio
Referred to Finance Committee April 16, 2015

Town Copy

# nationalgrid

## PETITION OF THE NATIONAL GRID FOR JOINT OR IDENTICAL POLE LOCATION

TO THE HONORABLE \_\_ TOWN COUNCIL \_\_\_\_\_

OF \_\_\_\_\_ ASHBROOK DRIVE \_\_\_\_\_ RHODE ISLAND  
THE NATIONAL GRID

Respectfully asks permission to locate and maintain poles, wires and fixtures, including the necessary sustain and protecting fixtures to be owned and used in common by you petitioner along and across the following public ways:

ASHBROOK DRIVE PROPOSE NEW JO POLE LOCATION

Therefore your petitioners pray that they be granted joint of identical location for existing poles and permission to erect and maintain poles and wires together with such sustaining and protecting fixtures as the may find necessary, said poles erected or to erected substantially in accordance with the plan filed herewith marked: 17834906

Your petitioner agrees to reserve or provide space for one cross arm at a suitable point on each of said poles for the fire, police, telephone signal wires belonging to the municipality and used by it exclusively for municipal purposes.

THE NATIONAL GRID

BY: Christopher Montalto  
Christopher Montalto, Engineering *CB*

THE VERIZON

BY: Daryl Costner  
ORDER

The foregoing petition been read, it was voted that the consent at the

\_\_\_\_\_

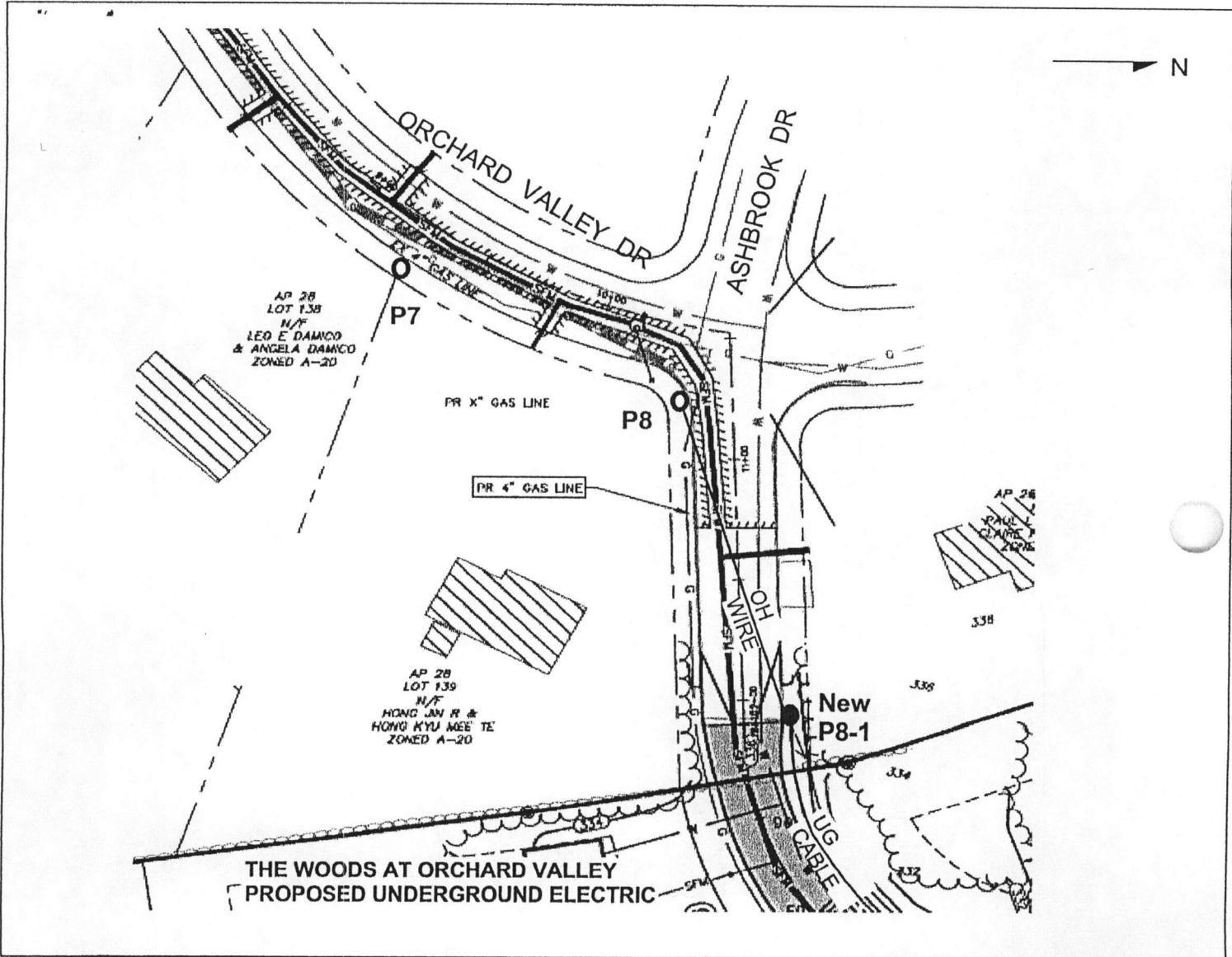
For the use of public ways named for the purposes stated in said petition be and it hereby is granted-----  
work to be done subject to the supervision of

\_\_\_\_\_

A true copy of the vote at the \_\_\_\_\_

Adopted \_\_\_\_\_ and recorded in Records Book# \_\_\_\_\_ Page# \_\_\_\_\_

\_\_\_\_\_  
CLERK



**THE NARRAGANSETT ELECTRIC COMPANY**  
 PLAN TO ACCOMPANY PETITION DATED 02/26/2015

TO THE CITY OF CRANSTON for Pole, Anchor & UG Cable

LOCATION ON: ASHBROOK DRIVE

DATE OF PLAN 02/26/2015 PLAN #

Description of Work: Install New P8-1 and anchor on Ashbrook Dr, approximately 140' east of existing P8 Ashbrook Dr. as shown on sketch. This work is necessary to provide underground electric service to the new development 'The Woods at Orchard Valley'.

DATE OF EXISTING GRANT MAP #

- SYMBOL KEY
- Existing Pole Location
  - Proposed New Pole & Anchor Location

*Town Copy*

RECEIVED  
15 FEB 19 AM 11:00  
CRANSTON  
CITY CLERK

# nationalgrid

## PETITION OF THE NATIONAL GRID FOR JOINT OR IDENTICAL POLE LOCATION

TO THE HONORABLE \_\_\_\_\_ TOWN COUNCIL \_\_\_\_\_  
OF \_\_\_\_\_ CRANSTON \_\_\_\_\_ RHODE ISLAND  
THE NATIONAL GRID

Respectfully asks permission to locate and maintain poles, wires and fixtures, including the necessary sustain and protecting fixtures to be owned and used in common by you petitioner along and across the following public ways:

ROBERTS AVENUE PROPOSE NEW JO POLE LOCATION

Therefore your petitioners pray that they be granted joint of identical location for existing poles and permission to erect and maintain poles and wires together with such sustaining and protecting fixtures as the may find necessary, said poles erected or to erected substantially in accordance with the plan filed herewith marked: 18737455

Your petitioner agrees to reserve or provide space for one cross arm at a suitable point on each of said poles for the fire, police, telephone signal wires belonging to the municipality and used by it exclusively for municipal purposes.

THE NATIONAL GRID

BY: *Christopher Montalto*  
Christopher Montalto, Engineering *JB*

THE VERIZON

BY: *Daryl Crossman*  
ORDER

The foregoing petition been read, it was voted that the consent at the

\_\_\_\_\_

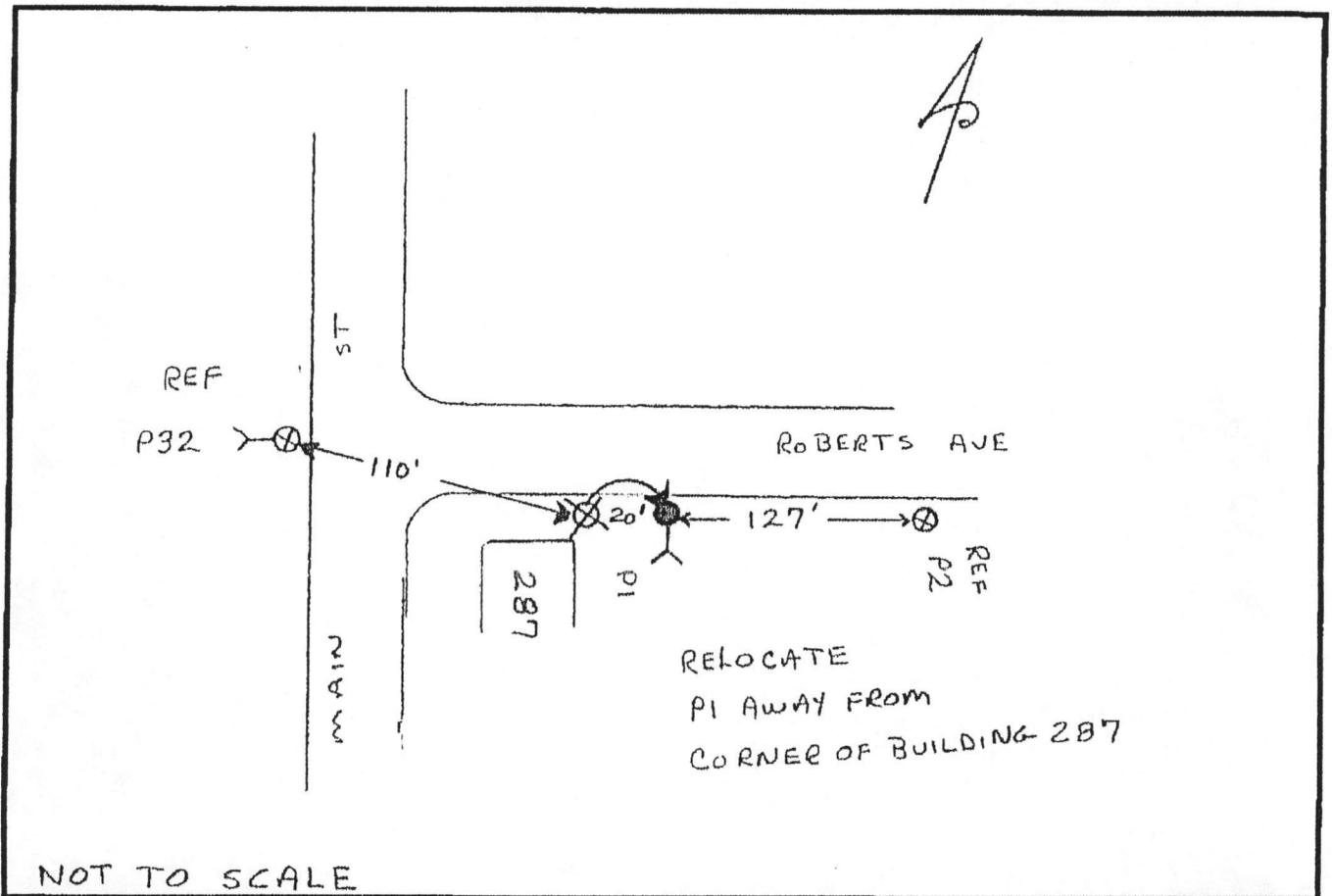
For the use of public ways named for the purposes stated in said petition be and it hereby is granted-----  
work to be done subject to the supervision of

\_\_\_\_\_

A true copy of the vote at the \_\_\_\_\_

Adopted \_\_\_\_\_ and recorded in Records Book# \_\_\_\_\_ Page#

\_\_\_\_\_  
CLERK



NATIONAL GRID  
AND  
VERIZON

PLAN TO ACCOMPANY PETITION DATED 10/16/2014

TO THE CITY OF CRANSTON

FOR

JOINT POLE LOCATION ON ROBERTS AVE

DATE OF PLAN \_\_\_\_\_

PLAN # \_\_\_\_\_

DESCRIPTION OF WORK: RELOCATE P1 20' EAST OF EXIST P1 AND ADD ANCHOR WITH AN 8' LEAD

MAP # \_\_\_\_\_

DATE OF EXISTING GRANT \_\_\_\_\_

KEY TO SYMBOLS:

- ⊙ NEW POLE LOCATION
- ⊗ EXISTING POLE LOCATION FOR REFERENCE
- Y PROPOSED ANCHOR LOCATION
- ⊗ EXISTING POLE TO BE REMOVED / RELOCATED

WR 18737455