

MINUTES

August 5, 2014

Chairman Smith called the Planning Commission Meeting to order at 7:07 p.m. in the City Council Chamber. The following Commission members were in attendance:

Michael Smith, Chairman
James Moran
Kenneth Mason
Robert Strom
Frederick Vincent

Also present were:

Peter Lapolla, Planning Director
Stephen Marsella, Esq., Assistant City Solicitor
Jason Pezzullo, Principal Planner
Lynn Furney, Senior Planner
J. Resnick, Clerk

APPROVAL OF MINUTES

Upon motion made by Mr. Vincent and seconded by Mr. Strom, the Commission unanimously voted to approve the minutes of the July 8, 2014, Plan Commission meeting.

SUBDIVISION AND LAND DEVELOPMENTS

Chapel View MPD – Major Land Development Violations of the Approved MPD Ordinance-Enforcement Actions

Sockanossett Crossroad/New London Road
AP 14, Lot 1 and portion of Lot 15

Attorney John Bolton, on behalf of his client, Chapel View Associates, stated that since he and his client received Mr. Lapolla's letter documenting the deviations from the approved plan, they have been in discussions to remedy the situation. Mr. Bolton then asked the Commission to continue the matter to the September 2, 2014, meeting. He further stated that his client will be bringing forth an amendment to the previously approved MPD.

Upon motion made by Mr. Strom and seconded by Mr. Moran, the Commission unanimously voted to *continue* the matter to the September 2, 2014, Plan Commission Meeting.

Ayes: Chairman Smith, Mr. Moran, Mr. Mason, Mr. Strom and Mr. Vincent. Nay: none.

ZONING BOARD OF REVIEW RECOMMENDATIONS

CARL C AND FRANCES S FERRUCCI 1282 ELMWOOD AVENUE CRANSTON RI 02910 AND FORTINI ENTERPRISES LTD 1290 ELMWOOD AVENUE 02910 (OWN) AND FORTINI ENTERPRISES LTD 1290 ELMWOOD AVENUE 02910 (APP)

have filed an application for permission to convert two existing pylon signs to digital LED signs with changeable copy at **1282-1290 Elmwood Avenue**. AP 3, lots 951 & 954, area 23,518+/-SF, zoned B-2. Applicant seeks relief from Section 17.92.010 Variance, 17.72.010 G, (2) Signs.

This application was reviewed for conformance with criteria (3) of R.I.G.L. 45-24-41 (c) "*Standards for Variance*" which reads as follows: "*That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based.*"

Findings of Fact:

1. The proposed digital LED signs will replace the existing internally illuminated price signs on the 2-sided freestanding pylon, that equal 57.8 sq. ft. each. There are two pylon signs on the property, for a total of 115.6 sq. ft. of digital signage.
2. No increase in total signage is proposed for the commercial use, which currently has 538.0 sq. ft. of existing signage, including the 135.9 sq.ft. of car wash signage.
3. Though the zoning for this lot is multi-family residential, the current commercial use is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area of Elmwood Avenue as Neighborhood Commercial.
4. The 1965 Zoning Maps show the property was a commercial use. The property has received 6 Zoning variances since 1968, allowing increased signage, a storage building, car wash, and convenience store.
5. Photographs taken on August 4, 2014 show additional freestanding signs on site, and banners underneath the permanent pylon signs.
6. There are three, 15' high freestanding double sided signs with double lamps that are not included in the total sign calculations submitted in the application. The total area of those 3 signs is 118 sq. ft. Two are located on the corner of Park and Elmwood, and the third at the southerly driveway entrance on Elmwood Avenue.

Recommendation: Based on the fact that the proposed digital LED signs will not be any larger than the area taken up by the existing price signs on the pylons, upon motion made by Mr. Moran and seconded by Mr. Vincent, the Plan Commission unanimously voted to forward a positive recommendation on this application to the Zoning Board.

The Plan Commission instructed the Planning Department to contact the Building Inspections Department and request enforcement on the additional signs and banners on site that were not permitted.

Ayes: Chairman Smith, Mr. Strom, Mr. Moran, Mr. Mason and Mr. Vincent. Nay: none

MARY ELIZABETH TIROCCHI 121 HEATHER STREET CRANSTON RI 02920 (OWN) AND PAUL PORRAZO 195 SWEET BRIAR DRIVE CRANSTON RI 02920 (APP) have filed an application for permission to convert a single family dwelling to a two family dwelling at **121 Heather Street**. AP 7/1, lots 2461, area 11,262+/-SF, zoned B-1. Applicant seeks relief from Section 17.92.010 Variance.

This application was reviewed for conformance with criteria (3) of R.I.G.L. 45-24-41 (c) "*Standards for Variance*" which reads as follows: "*That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based.*"

Findings of Fact:

1. The application states that the single family dwelling was converted to a two family in 1972, without a building permit.
2. The 1965 Zoning Map shows the house as a 1 family.
3. The property has been taxed as a 2 family since at least 1984, where the tax assessor's field card lists it as a two family.
4. The lot area exceeds by 3,262 sq. ft., the 8,000 sq. ft. required for a 2 family in this zone.
5. The existing 2 family residential use is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area of the City as Single/Two Family Residential, less than 10.89 units per acre.
6. The site plan submitted shows an existing front yard setback of 20', where a 25' setback is required in this zone, and frontage is 125', where 60' minimum is required per code.

Recommendation: The application for conversion to a 2 family in this area of the City is consistent with the 2010 Comprehensive Plan Future Land Use Map. Upon motion made by Mr. Vincent and seconded by Mr. Mason, the Plan Commission unanimously voted to forward a positive recommendation to the Zoning Board, as the parcel's square footage and frontage exceeds the minimum lot requirements for a 2-family.

Ayes: Chairman Smith, Mr. Strom, Mr. Moran, Mr. Mason and Mr. Vincent. Nay: none

ADJOURNMENT Upon motion made by Mr. Mason and seconded by Mr. Strom, the Commission unanimously voted to adjourn at 7:40 pm.

NEXT MEETING September 2, 2014, at 7 pm in the City Council Chamber

Respectfully submitted,

Jason M. Pezzullo, AICP
Principal Planner/Administrative Officer

