

MINUTES

August 6, 2019

Chairman Smith called the City Plan Commission Meeting to order at 6:35 p.m. in the City Council Chamber.

The following Commission members were in attendance:

Michael Smith, Chairman	Kathleen Lanphear (arrived 6:40)
Fred Vincent	Ann Marie Maccarone
Ken Mason, P.E.	Robert DiStefano
Robert Strom	Joseph Morales
	Steven Spirito

Also present were:

Jason M. Pezzullo, AICP, Planning Director
Douglas McLean, AICP, Principal Planner
Joshua Berry, AICP, Senior Planner
Drew Pflaumer, Associate Planner
Stephen Marsella, Esq., Assistant City Solicitor
J. Resnick, Clerk

APPROVAL OF MINUTES

Upon motion made by Mr. DiStefano and seconded by Mr. Mason, the Plan Commission unanimously voted (8/0) to approve the minutes of the June 26, 2019, Special Plan Commission Meeting.

Upon motion made by Mr. DiStefano and seconded by Mr. Mason, the Plan Commission unanimously voted (8/0) to approve the minutes of the July 18, 2019, Special Plan Commission Meeting.

Upon motion made by Mr. DiStefano and seconded by Mr. Mason, the Plan Commission unanimously voted (8/0) to approve the minutes of the July 9, 2019, Plan Commission Meeting.

Atwood Village Condominiums

Preliminary Plan - Major Land Development
12 units (6 duplex) with private street extension
Terminus of Burton Street
AP 12, Lots 938-946, 947-953, 996-1002, & former Burton St. ROW

Mr. McLean stated that the property owner is Testa & Carlino Developers LLC, 45 Traymore Ave, Cranston RI and the applicant is Urban Building Company, LLC 132 Shun Pike, Johnston, RI 02919. The property is located between Berry and Burton Streets, just north of the Stop & Shop Plaza located at the corner of Atwood and Phenix Avenues. The subject property includes A.P. 12/4, lots 938 – 953, and 996 – 1002 as well as the unimproved portion of Burton Street. The combined area of the subject property is 102,977.1 square feet or 2.36 acres. The property is zoned B-2 (Single-family, two-family and multi-family dwellings). He stated that an Administrative Subdivision will be done to “merge” the existing lots.

The applicant is proposing 12 total units in 6 single-level duplex buildings with a projected site density of 5.08 units per acre. The proposed project is allowed by-right per the City Zoning Code and is consistent with the Comprehensive Plan Future Land Use Map, which designates the subject parcel as "Residential Less Than 10.39 Units Per Acre." This application received Master Plan approval by the Plan Commission on September 11, 2018 and the Development Plan Review Committee provided its Preliminary Plan approval on July 17, 2019. Enhanced landscaping is proposed along portions of Burton Street, which has already been abandoned.

Roadway access is proposed to be provided via the existing Burton Street public right-of-way. The development is to be served by public water, sewer and gas through extension of the existing utilities located in Burton Street. Storm water drainage is proposed to be handled through the installation of a closed drainage system for conveyance, initial underground infiltration system for water quality, detention pond for storage, and outlet into the State System within Atwood Avenue.

Attorney John DiBona stated that the project has received Preliminary Plan DPR approval. He also stated that two easements (City and State) are proposed for maintenance of the proposed drainage system.

Joseph Casale, RPE, provided a powerpoint presentation that outlined the proposal. He stated that the Preliminary Plan is "similar to what was proposed at Master Plan". The property comprises 2.36 acres in a B-2 zone. He reiterated that an Administrative Subdivision will be done "to create one large lot". He stated that the roadway width will be 26 ft. and 178 ft. long and will be a "private roadway". He reiterated Mr. McLean's statement that the project will be serviced by public water and gravity sewer that exists on Burton Street. He stated that there is a steep slope. Drainage will go into an underground infiltration system to an above ground detention basin, which is designed for 100 year flood, and to a drain into the State system. City and State maintenance easements will be shown on the Final Plan. He stated that the proposed drainage system will be maintained by the HOA. The two neighboring residential properties have been appropriately buffered as was approved by the DPR Committee.

No public comment was offered on this matter.

Upon motion made by Mr. Spirito and seconded by Mr. DiStefano, the Plan Commission unanimously voted (9/0) to adopt the Findings of Fact denoted below and *approve* this Preliminary Plan, with waivers for roadway width and sidewalk provision, subject to the following conditions.

Findings of Fact

An orderly, thorough and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100' radius have been notified first class mail prior to the public meeting, and the meeting agenda has been properly posted.

Staff has reviewed this Preliminary Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as the City of Cranston's Subdivision and Land Development Regulations and finds as follows:

RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, "The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies."

1. The proposed subdivision is consistent with the City of Cranston Comprehensive Plan policies and Future Land Use Map (FLUM). The proposed resulting density of approximately 5.08 units per acre is consistent with the FLUM's designation of the subject parcel as "Residential Less Than 10.39 Units Per Acre."

2. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.

RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, “The proposed development is in compliance with the standards and provisions of the municipality’s zoning ordinance.”

3. The proposed use of residential duplexes and the dimensions of the lot and proposed improvements comply with all of the requirements of B-2 zoning.
4. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.

RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, “There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.”

5. There is proposed clearing of vegetation and grading in order to accommodate the proposed improvements, however, no significant environmental impact is anticipated. Furthermore, the project will be subject to all local, state and federal requirements relating to environmental conditions on the site both during and after construction.
6. The Rhode Island November 2018 Natural Heritage map shows that there are no known rare species located on the site.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, “The subdivision, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.”

7. The proposed development will not result in the creation of individual lots with such physical constraints to development that those lots according to pertinent regulations and building standards would be impracticable.
8. The design and location of building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, “All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.”

9. The properties in question will have adequate permanent physical access on Burton Street, a public roadway located within the City of Cranston.
10. The proposed subdivision provides for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off and for a suitable building site.

Conditions of approval

1. Final Development Plan Review (DPR) Committee Plan application shall be approved prior to the consideration of a Final Major Land Development Plan application.
2. Physical Alteration Permit to be granted by the Rhode Island Department of Transportation prior to Final Plan submittal.
3. Provision of fully engineered water system design plans at Preliminary Plan submittal;
4. Veolia Water approval of sewer engineering stating that the plans conform to Annex A - Design of Sewers - prior to Final Plan submittal with the Planning Department.

5. Obtain final design approval from the Providence Water Supply Board prior to Final Plan submittal with the Planning Department.
6. The applicant shall submit a plan documenting the merger of the existing lots into 1 lot that meets administrative subdivision standards prior to the Final Plan approval.
7. The applicant shall submit documentation relating easements for the utility connections on public rights of way, including local and state rights of way, as part of the Final Plan submittal.
8. Provision of draft condominium declaration/incorporation and homeowners association documents at Final Plan submittal.
9. Provide a performance guarantee in the amount of \$50,000 subject to a separate 2% administrative fee of \$1,000.

Champlin Hills (Major Amendment) – (Extension Request)

Master Plan – Major Land Development w/o street extension
Major Amendment #1 to Final Recorded Plan (Champlin Hills)
Adult Day Care / Medical Clinic
Scituate Avenue
AP 24/2, Lots 2112, 2116 & 2117

Upon motion made by Mr. DiStefano and seconded by Mr. Mason, the Plan Commission unanimously voted (9/0) to extend the existing Master Plan approval for one year, at the applicant's request.

The Fountains at Chapel View – (Extension Request)

Master Plan – Major Land Development w/o street extension
233,000 sq.ft. of commercial space – 3 phases
Sockanossett Cross Road
AP 14, Lot 15 & portions of AP 14, Lots 2 and 22

Upon motion made by Mr. Vincent and seconded by Mr. DiStefano, the Plan Commission unanimously voted (9/0) to extend the existing Master Plan approval for one year, at the applicant's request.

PLANNING DIRECTOR'S REPORT

Mr. Pezzullo informed the Commission that the Whiting Street Subdivision appeal is currently being heard by the Platting Board. He also informed them that the Natick Avenue Solar Farm Subdivision matter has been appealed to Superior Court. In regard to the next few months, the "Cube Smart", 950 Phenix Avenue matter will be heard in October. The Chase Bank Comprehensive Plan Amendment and Zone Change will be heard in September. He also stated that "there is an attorney working on our Code", but that matter will not be addressed in the near future.

Chairman Smith mentioned the APA Continuing Professional Education "sign" workshop will be held later this month at the Foxwoods Casino for any Commission members interested in attending.

Mr. Vincent requested an RFP for a landscape architect be done.

ADJOURNMENT Upon motion made by Mr. DiStefano and seconded by Mr. Strom, the Commission unanimously voted to adjourn at 7:15 p.m.

NEXT REGULAR MEETING September 10th, 2019 - 6:30 p.m., City Hall Council Chamber