

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

ORDINANCE COMMITTEE

Regular meeting of the Ordinance Committee was held on Thursday, February 16, 2012 in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 8:40 P.M. by the Chair.

Present: Councilman Paul H. Archetto, Chair
Councilman Steven A. Stycos, Vice-Chair
Councilman James E. Donahue

Absent: Councilman Emilio L. Navarro

Also Present: Councilman Richard D. Santamaria, Jr.
Councilman Michael W. Favicchio
Gerald Cordy, Director of Administration
Mark Capuano, Deputy Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Patrick Quinlan, City Council Legal Counsel
Carlos Lopez, Director of Constituent and Government Affairs
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Councilman Donahue, seconded by Councilman Stycos, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

CORRESPONDENCE:

OLD BUSINESS:

PUBLIC HEARINGS/NEW BUSINESS:

William Marocco, 135 Westfield Dr., appeared to speak regarding Wal-Mart on Plainfield Pike and stated that there are still issues not resolved, such as:

- Lights shining on his home
- On 12/7/2011 a truck delivery was made at 4 A.M. and he spoke to the Manager at the Dollar Store
- On 1/24/2012 Wal-Mart delivery was made in the A.M.
- On 2/3/2012 a Wal-Mart delivery was made in the A.M.
- On 2/13/2012, two trucks made delivery at 5:15 A.M. and at 4:00 A.M.
- Debris being thrown in the woods. He has been taking care of this himself
- Trailer park – overnight parking in the lot

Diana Gordon, 363 Pontiac Ave., appeared to speak and stated that she was at Wal-Mart one night and lighting was very bad.

Michelle Ferera, resident of Johnston, appeared to speak and asked questions regarding the Zone Change on Fletcher Ave. and indicated that she has well water. She asked what will go at this site if this is re-zoned and how will this affect her well.

Resolution urging the Municipal Court to vigorously enforce existing Minimum Housing Laws and impose penalties for violations. [\[click here to view\]](#)

No one appeared to speak in favor or to oppose.

On motion by Councilman Donahue, seconded by Councilman Stycos, it was voted to recommend approval of this Resolution. Motion passed unanimously.

1-12-6 Ordinance in amendment of Chapter 16 of the Code of the City of Cranston, 2010, entitled “Zoning” (Fletcher Ave. – Zone Change). [\[click here to view\]](#)

John DiBona, Esq., appeared to represent applicant and stated that if this Zone Change is approved, the property will be used for Industrial purposes, as it has been since the time his client has owned the property, approximately forty years. What is there now will remain there. His client is not seeking any expansion. This is not something his client initiated, it is to comply with the Comprehensive Plan.

Councilman Santamaria asked what could possibly go at this site if the applicant were to sell the property in the future. Attorney DiBona stated that this is not a vacant piece of property. This is not Open Space. This property has been used as Industrial for many years.

Councilman Stycos asked if the Administration has any comment on this application. Mr. Lopez stated that the Administration agrees with the City Planner.

On motion by Councilman Donahue, seconded by Councilman Stycos, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

1-12-7 Ordinance in amendment of Title 15 of the Code of the City of Cranston, 2010, entitled “Building and Construction” (Overnight Camping Ban for Retail Properties). Referred from Safety Services & Licenses Committee 2/6/2012. [\[click here to view\]](#)

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

Under Discussion:

Councilman Santamaria asked that this Ordinance be amended to delete the first sentence in line 80.

On motion by Councilman Stycos, seconded by Councilman Archetto, it was voted to amend this Ordinance by deleting the first sentence in line 80.

Under Discussion:

Mr. Lopez stated that the Administration’s concern is who is going to enforce the overnight ban. The Administration has worked with the management company (Paolino Properties) to place signs regarding the overnight parking ban. If it comes to the enforcement, the management company has contracted with a towing company to tow trucks that are in violation of the overnight parking ban. The Administration wants the Ordinance to be clear that the responsibility falls upon the owner of the property or the property management company, because we cannot have the City Police taken away from the neighborhoods to patrol this parking lot.

On motion by Councilman Stycos, seconded by Councilman Archetto, it was voted to amend this Ordinance as follows:

- Line 60, after the word “establishment”, add “**or owner**”
- Line 63, at end of the paragraph, add “**and causing the violator to be towed**”.

Motion passed unanimously.

On motion by Councilman Stycos, seconded by Councilman Archetto, it was voted to recommend approval of this Ordinance as amended. Motion passed unanimously.

The meeting adjourned at 9:55 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees