

MINUTES

January 6, 2015

Chairman Smith called the Planning Commission Meeting to order at 7:05 p.m. in the City Council Chamber. The following Commission members were in attendance:

Michael Smith, Chairman
James Moran
Kenneth Mason
Robert Strom
Lynne Harrington
Mark Motte

Also present were:

Peter Lapolla, Planning Director
Stephen Marsella, Esq., Assistant City Solicitor
J. Resnick, Clerk

APPROVAL OF MINUTES

Upon motion made by Mr. Strom and seconded by Mr. Motte, the Commission unanimously voted to approve the minutes of the December 2, 2014, Plan Commission Meeting. Chairman Smith noted that the November, 2014, minutes still need to be approved.

SUBDIVISION AND LAND DEVELOPMENTS

Chapel View MPD – Final Plan
Major Land Development without street extension
Failure to Comply with Conditions of Approval
Sockanossett Crossroad / New London Avenue
AP 14, Lot 1 and portion of Lot 15

Mr. Lapolla stated that the Commission should be aware the Department has received the traffic management study as required by the October 15, 2014 amendment. He asked that as the Commission considers the applicants' request to extend the time by which they must start work on the landscaped islands, the following condition should be considered:

The applicant shall post with the Department of Planning a cash bond [cash or check] in the sum of \$20,000, payable to the City of Cranston. If work on restoring the landscape islands in the parking fields at the front of Buildings 1000 and 2000 and at the front of Buildings 3000 and 4000 as shown on the amended site plan is not started by March 16, 2015 and completed by April 15, 2015, the \$20,000 cash bond shall be forfeited to the City of Cranston and amendment Number 9; as issued by the City Plan Commission on October 15, 2014, shall no longer be valid. Said cash bond shall be submitted to the Department no later than January 12, 2015.

Mr. Strom expressed concern that the applicant had no representation at the meeting and suggested a one month extension of time before any action is taken on this matter. Attorney Marsella concurred.

Upon motion made by Mr. Moran and seconded by Mr. Strom, the Commission unanimously voted to postpone any action on this matter to the February 3, 2015, Plan Commission Meeting.

Ayes: Smith, Moran, Mason, Motte, Strom and Harrington. Nay: none.

Faith Presbyterian Church Minor Subdivision

Master / Preliminary Plan – Major Subdivision without street extension
Hope Road / Sanctuary Drive
AP 28, Lot 64

Mr. Lapolla explained that The Faith Presbyterian Church proposes to subdivide its property into two (2) lots. The parcel of land is located at 489 Hope Road, Cranston, RI is located in an A-80 Residential District and is designated as Lot 64 on Cranston Assessor's Plat 28. The proposed subdivision will create two (2) parcels, both meeting the minimum area requirements of 80,000 square feet for the A-80 Zoning District.

Parcel A will contain 2.72 +/- acres of land and will continue to house the main church building. Parcel B, the second parcel, will contain 2.28 acres +/- with the existing barn that will remain. Parcel B will be landlocked, therefore, access to this second parcel will be through a dedicated permanent easement across Parcel A which will be established and recorded at the time of the recording of the final subdivision plan. The newly created lot will not be a buildable lot for future construction.

Attorney Robert Murray reiterated Mr. Lapollas comments, further stating that the church may sell or lease the newly created parcel, but the barn will not be removed and the land will not be developed. Mr. Mason stated that "there is already a building on it". Mr. Murray emphasized that "we are not creating a lot for future residential use. There is no heat or sewer connection to the barn". Mr. Moran then suggested a restriction on converting the barn to residential.

Diane Izzo, representing the abutters, and Mr. Chris Izzo expressed concern with the subdivision line going through the septic system. Mr. Izzo also stated that "the barn is deteriorating, with gaps in the roof". He questioned how the property will be maintained. Attorney Marsella informed Mr. Izzo that these are questions the Plan Commission cannot answer. Attorney Murray responded, stating that an easement will be prepared for maintenance of the leach field.

Larry Weir, 541 Hope Road, asked who would be interested in buying this property and what the new owner could do with the property. Attorney Marsella stated that the approval of the subdivision would not create additional rights.

Ms. Debbie Weir, stated that "it is ludicrous to market the property". She asked that the rural character of that part of Hope Road be considered.

There being no further comment, the Commission moved to a vote. Upon motion made by Mr. Motte and seconded by Mr. Moran, the Commission unanimously voted to adopt the Findings of Fact denoted below and *approve* this Master/Preliminary Plan, with waiver for frontage, subject to the following conditions:

Findings of Fact

Positive Findings

1. An orderly, thorough and expeditious technical review of this Master / Preliminary Plan has been conducted. Property owners within the 100' radius have been notified via certified and return receipt requested mail and the meeting agenda has been properly posted. Advertisement for this major subdivision was published in the 12/17/14 edition of the Cranston Herald.
2. The proposed subdivision and its resulting density of approximately .4 residential units per acre is consistent with the City of Cranston Comprehensive Plan's Future Land Use Map which designates the subject parcel as "Residential" allowing less than one residential units per acre".
3. There will be no significant negative environmental impacts from the proposed subdivision as shown on the Master/Preliminary Plan.
4. The proposed subdivision does not propose any new construction and will integrate with the surrounding neighborhoods and reflect its existing characteristics.
5. The proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. Parcel B is deemed non-buildable until all performance standards are met in the future.

6. The property in question has permanent physical access on Hope Road and Sanctuary Drive, improved public roadways located within the City of Cranston.
7. 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.
8. Significant cultural, historic or natural features that contribute to the attractiveness of the community have been identified on site.
9. There are no proposed public utilities or additional infrastructure associated with this subdivision.

Negative Finding

10. The proposal does not conform to the A-80 zoning classification for frontage. However, the proposal will not alter the general character of the surrounding area or impair the general intent or purpose of the Cranston Zoning Code.

Conditions of approval

1. The existing barn on Parcel B shall not be utilized as a residential use until all necessary approvals have been granted by the City.
2. Submit draft easement documentation as part of the final plan application for review and approval by the City Solicitors office prior to recording.
3. Record Plan shall denote Parcel B as NON-BUILDABLE in boldface type to avoid any confusion as to the future utilization of the property.

Ayes: Smith, Moran, Mason, Motte, Strom and Harrington. Nay: none.

PERFORMANCE GUARANTEES

Gold Meadow Farm – PHASE IV – Bond Reduction Request

Upon motion made by Mr. Strom and seconded by Ms. Harrington, the Commission unanimously voted to reduce existing North American Specialty Insurance Company Letter of Credit 2177978, in the amount of \$190,000, by \$130,000; leaving a new balance of \$60,000, in accordance with the Public Works Engineering Department recommendation.

Ayes: Smith, Moran, Mason, Motte, Strom and Harrington. Nay: none.

2015-2020 CAPITAL BUDGET AND IMPROVEMENT PROGRAM

Mr. Lapolla stated that the departments have the forms they need to complete. Plan Department staff will meet with the Mayor and Mr. Strom to determine what they are willing to bond for. Mr. Strom stated that he considers these departmental requests their "wish list", further stating that this is the first step in the process.

ZONING BOARD OF REVIEW RECOMMENDATIONS

CUMBERLAND FARMS INC 100 CROSSING BLVD FRAMINGHAM MA 01702 (OWN) AND CAROLYN A PARKER CONSULTING 3 LORION AVENUE WORCESTER MA 01606 (APP) have filed an application for permission to modify an existing LED fuel price sign and modify fuel dispenser price signs at **921 Cranston Street**. AP 7, lot 633, area 8416+/- SF, zoned C-5. Applicant seeks relief from Section 17.92.010 Variance, 17.72.010 (G) Prohibited 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. In January, 2012, the applicant was granted a variance to remove two existing canopy fuel price signs and replace with same size, electronic, static only, fuel price signs.
2. This application will modify the LED text, but maintain the same area (15 sq. ft.) as the existing canopy LED signs.

3. The existing gas station and convenience store use for the property is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area of Cranston Street for Highway Commercial/Services. The proposed signs are not inconsistent with the Comprehensive Plan.
4. The proposed 2'-6" x 6'-0" L.E.D. alternating "Smart Pay" and "non-member" price signs will replace two existing static LED price signs of the same size that are currently located on the front and right sides of the canopy over the fuel pumps.
5. The existing manual, pump topper price signs will be replaced with the same size (2 sq. ft.) new LED pump toppers with "Smart Pay"/ "non-member" prices that alternate.
6. The proposed signs on the canopy with alternating content will alter the general character of the surrounding area, as no price signs with changeable text exist at the 3 other gas stations that are within 450' on Cranston St.

Recommendation: Upon motion made by Mr. Mason and seconded by Mr. Motte, the Commission unanimously voted to make no specific recommendation on this application.

Ayes: Smith, Moran, Motte, Mason, Strom and Harrington. Nay: none.

KNIGHTSVILLE PLAN

Mr. Lapolla stated that this plan is an outgrowth of RI Housing. The area has been studied by Horsley Whitten to see if there is something we can do to preserve the business district. This plan will be introduced to the City Council in February. According to Mr. Lapolla, this plan is more form based zoning. He asked that any comments the Commission may have be forwarded to him within the next few weeks.

Ms. Harrington asked if the Knightsville property owners have been receptive to the plan. Mr. Lapolla stated that initially they were. Ms. Harrington asked if the Rolfe Square and the Pawtuxet Districts will be considered. Mr. Lapolla stated that "we should do this form-based and use it as a model. The goal is to do all three but one at a time".

Mr. Strom asked if grant or CDBG funds are available. Mr. Lapolla stated that "if the City approves, he will seek street-scape funds". Mr. Strom stressed CDBG funds be used for job creation.

PLANNING DIRECTORS REPORT - 2015 Work Program

Mr. Lapolla stated that he has been waiting for the new City Council members to be in place. He suggested inviting both the Mayor's office and the City Council to discuss "what we should be doing as a Plan Department and Commission". Mr. Motte suggested that the first meeting should just be the Plan Commission members only. All concurred and agreed to meet on January 20, 2015, at 5 p.m.

ADJOURNMENT

Upon motion made by Mr. Motte and seconded by Mr. Moran, the Commission unanimously voted to adjourn at 8:35 pm.

NEXT MEETING February 3rd, 2015 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, AICP
Principal Planner/Administrative Officer