

MINUTES

July 10, 2018

Chairman Smith called the City Plan Commission Meeting to order at 7:05 p.m. in the City Council Chambers.

The following Commission members were in attendance:

Michael Smith, Chairman
Ken Mason, P.E.
Robert Strom
Lynne Harrington
Fred Vincent
Gene Nadeau
Kathleen Lanphear

Also present were:

Jason M. Pezzullo, AICP, Planning Director
Stephen Marsella, Esq, Assistant City Solicitor
Joshua Berry, Senior Planner
J. Resnick, Clerk

APPROVAL OF MINUTES

Upon motion made by Ms. Harrington and seconded by Mr. Vincent, the Plan Commission unanimously voted (7/0) to approve the minutes of the June 5, 2018, Plan Commission Meeting with the amendments requested by Ms. Harrington.

ORDINANCE RECOMMENDATIONS

Ordinance 06-18-06 – In Amendment of Chapter 17 of the Code of the City of Cranston, 2005, Entitled “Zoning” (950 Phenix Avenue – Signage / Billboard)

Upon motion made by Mr. Vincent and seconded by Ms. Lanphear, the Commission unanimously voted (7/0) to continue this matter to the August 7, 2018, Plan Commission meeting.

SUBDIVISIONS AND LAND DEVELOPMENT

Re-Plat of Oak Plat Lots 122, 123, 124 & 125

Preliminary Plan - Minor Subdivision without street extension
41 Maplewood Avenue
AP 8/4, Lots 122, 123, 124 & 125

Attorney Robert Murray explained the proposal proposing to subdivide the site into two nonconforming B-1 zoned lots. Currently, the owner's four lots are being occupied by one single family home with accessory structures (detached garage and pool). He stated that 60 ft. of frontage is required (both lots have 50 ft. of frontage). He stated that the project will require Zoning Board of Review variance approval.

Senior Planner, Joshua Berry, reiterated Mr. Murray's comments, stating that the four lots are merged for zoning purposes per City Code Section 17.88.010 *Substandard Lots of Record*. The total lot width fronting on Maplewood Avenue measures 100 feet; the application proposes to split the lot at the midway point (50 feet) to create two lots that are nonconforming in terms of minimum lot width (60' is required - 50' proposed for both Parcel A and B respectively) and area (6,000 sq. ft. is required – 5,353 sq. ft. is proposed for Parcel A, and 4,470 sq. ft. is proposed for Parcel B). As the widths for the two proposed parcels are equal, the difference in area is due to the difference in lot depth, 107' for Parcel A and 89' for Parcel B. He stated that the existing pool will be removed. The proposed density is consistent with the Comprehensive Plan.

Mr. Vincent asked whether the applicant had considered a duplex rather than two single family homes. Mr. Murray stated that the homeowner "wishes to establish a new residence".

There was no public comment on this matter, therefore, the Commission moved to a vote. Upon motion made by Mr. Strom and seconded by Mr. Nadeau, the Commission unanimously voted (7/0) to adopt the Findings of Fact denoted below and approve this Minor Subdivision application, with waiver for lot design standards and subject to the following conditions.

Findings of Fact

Positive Findings:

1. An orderly, thorough and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100' radius have been notified via first class mail and the meeting agenda has been properly posted. Advertisement for this minor subdivision is not required under Section V.C.2.h of the City of Cranston Subdivision Regulations since no street extension is proposed.
2. The proposed subdivision and its resulting density of approximately 8.87 residential units per acre is consistent with the City of Cranston Comprehensive Plan's Future Land Use Map which designates the subject parcel as "Single/Two Family Residential – less than 10.89 units per acre."
3. The City of Cranston Comprehensive Plans Land Use Element recognizes that many existing lots are undersized, and supports development of these lots, stating, "The City grants variances routinely when properties are 5,000 square feet. . . The City needs to address this issue and consider changing regulations to reflect the higher density in these areas. . ." Parcel A is above 5,000 sq. ft., and Parcel B is only substandard to this threshold because of the reduction in the rear yard. Therefore, the proposal is consistent with the policy direction in the Comprehensive Plan.
4. The proposed subdivision will be well integrated with the surrounding neighborhoods and will reflect its existing characteristics. The applicant provided analysis of lot sizes within a 400 foot radius of the property, which states the average single family lot size is 5,750 sq. ft., and that the density of the area is 4,560 sq. ft. per unit.
5. There will be no significant negative environmental impacts from the proposed subdivision as shown on the Preliminary Plan.
6. The proposed subdivision will not render the existing improvements on proposed Parcel A to exceed the maximum lot coverage in B-1 (35%). Staff roughly calculates the lot coverage of existing conditions on proposed Parcel A to be (primary dwelling 1,066 sq. ft. + detached garage 528 sq. ft.) 1,594 sq. ft. or 30%.
7. 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.
8. The property in question has adequate permanent physical access on Maplewood Avenue, improved public roadways located within the City of Cranston.
9. The proposed subdivision would not have a negative impact on safe and adequate local circulation of pedestrian and vehicular through traffic.

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

Negative Findings:

1. The proposed lots do not conform to the B-1 zoning requirements for lot width/frontage. Both proposed parcels are ten (10) feet short (20% short) of the required sixty (60) foot minimum. 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.
2. The proposed lots do not conform to the B-1 zoning requirements for lot area. Both proposed parcels are ten (10) feet short (20% short) of the required six thousand (6,000) square foot minimum. 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 Applicant shall submit Municipal Lien Certificates for lots A/P 284, Lots 1719 & 1720 demonstrating no outstanding taxes due to the City of Cranston.
2. Applicant shall receive variance approvals for the substandard lot area and width from the Cranston Zoning Board of Review prior to filing the Final Plan Application with the Cranston Planning Department.
3. Parcel A must continue its existing use as a single family residence.
4. Parcel B must be developed and utilized as a single family residence.
5. Payment of Eastern Cranston Capital Facilities impact fee in the amount of \$593.46 must be submitted at the time of final plat recording.

ZONING BOARD OF REVIEW RECOMMENDATIONS

FORTY SOCKANOSSET, LLC (OWN) AND POYANT SIGNS, INC. (APP) have filed an application to allow increased signage to a site previously granted signage relief at **40 Sockanosset Crossroad**, A/P 10, lot 40 142,006 sq.ft. area, zoned C4. Applicant seeks relief per 17.92.010 Variance; Section 17.72.010(5).

FINDINGS OF FACT:

1. On 9/10/2008, the Zoning Board of Review granted relief to allow 300 square feet of signage at 40 Sockanosset Cross Road, excluding the anchor tenant Pawtucket Credit Union, with the condition that the wall signs be reduced from 3 feet x 18 feet to 2.5 feet x 15 feet for the 8 units.
2. The applicant originally proposed the sign dimensions of 4' x 40' - 8 ½". Hearing staff's concerns regarding the size of the proposal, the applicant has revised the proposal to 36" (3 feet) with a length of 30' - 7 ½".
3. On the Sockanosset Crossroad façade, there are 5 additional commercial units within the building. The tallest letter for the wall signs for those 5 existing businesses is 30" (*SUBWAY*), while signage height was permitted up to 4 feet when letters are stacked and words were measured individually (Piezoni's Pizza).
4. According to the analysis provided by Poyant, (the applicant's sign company,) the existing wall signage for two businesses exceed the allowed 30 sq. ft. Cardi's Furniture Mattresses has a 1.9" high x 40' sign, totaling 67.63 sq. ft. Piezoni's Pizza has a 4' x 13.5 foot sign, totaling 31.50 sq. ft.
5. The current sign for Town Fair Tire has a height of 20.4" and length of 17'- 6" (29.75 sq. ft.) The proposed letter height is 36" (3 feet) with a length of 30'- 7 ½". This equates to a proposed area of 91.88 sq. ft.
6. The current total square footage of signage on site (excluding the Pawtucket Credit Union) is 209.41 sq. ft. including the applicant's initially installed (but now removed) 29.70 sq. ft sign. The request for 91.88 sq. ft. of signage for Town Fair Tire puts the total proposed signage at 271.59 sq. ft. - maintaining compliance with the 300 sq. ft. maximum established by the 2008 ZBR approval.

7. The elevation submitted by the applicant shows the proposed wall sign is larger and slightly higher than the existing signage of neighboring tenants, and is accentuated by already completed architectural modifications that surround and frame the sign location. All of the 5 other wall signs on this front façade are contained within the sign band located over each business.
8. As seen in the initially approved elevation, the approval did not anticipate multiple tenant spaces being occupied by a single tenant.
9. The Comprehensive Plan states in the Land Use Plan section, under Eastern Commercial Development, recommends that the City “Strengthen controls on high impact uses, and the application of signage, parking and landscaping regulations should be increased.”
10. The Future Land Use Map of the Comprehensive Plan assigns a Land Use Classification **[LUC]** of Highway Commercial/Services for this site. The use is consistent with the LUC.

ANALYSIS:

The applicant states the grounds for the relief for increased signage for Town Fair Tires is that customers report the store is difficult to find. On 7/2/2018, staff inquired as to why this particular tenant may be having this issue when other tenants in the same building may not be; the applicant’s legal representation articulated that Sockanosset Cross Road slopes downward as one travels westbound, which reduces visibility as the retaining wall and plantings obstruct a clear view of the tenant space. Staff has conducted a site visit to investigate this claim, and can verify that there is a reduction in visibility of the storefront, but that the slope does not hinder the visibility of the sign. There are modifications to the façade of the building to frame the location of the sign. Staff would have preferred that the sign be located within the same band and therefore at the same height of the other tenant’s signs, but this is not within the scope of the request.

However, more importantly, the application has been reduced from previously submitted versions to be considerably consistent with the 2008 Zoning Board of Review approval. Town Fair Tire occupies two (2) tenant spaces in the building, and subsequently the applicant believes that the extra space should beget additional signage. The previous ZBR approval did not account for a single tenant to occupy multiple spaces, and subsequently placed limitations on the maximum sign area for the building (300 sq. ft.) as well as for the height of each sign (2.5’). The tenant proposes to comply with the total allowed square footage of signage for the building, but seeks relief from the height maximum so that the sign can be of appropriate scale for the size of the tenant space. The applicant’s request is only 6 inches above the allotted letter height. Therefore, the proposal does not vary significantly from the initial approval.

Although staff does not find the request to be unreasonable, it recommends caution and close consideration of the implications of approving the request. As neighboring tenants may be affected by the outcome, the Commission should take careful consideration to the grounds for approval, and consider how it would approach other applications should they feel entitled to the same relief. The westernmost tenant space is currently vacant. When it becomes occupied, will the tenant be satisfied with a 28.5 sq. ft. sign to stay under the 300 sq. ft. allotted for the building, or will they Board be asked for signage relief for a third time? What is the vision for this significant corridor? How does signage effect the experience of traversing the corridor both as a shopper or passer-by?

RECOMMENDATION:

Considering that the previous ZBR approval in 2008 did not take the amalgamation of tenant spaces into account, and given the general consistency of the proposal to the previous approval, upon motion made by Mr. Vincent and seconded by Mr. Mason, the Plan Commission unanimously voted (7/0) to forward a **favorable recommendation** on this application to the Zoning Board of Review.

ANDREW KEANG & KONG KEANG (OWN/APP) have filed an application to raze an existing structure and construct a new residence above first story business with restricted lot frontage, reduced front yard setback and restricted parking at 620 Reservoir Avenue, A/P 6, lot 2198, 5955 sq. ft. area, zoned C4. Applicant seeks relief per 17.92.010 Variance; Section 17.20.030 Schedule of Uses, Section 17.20.10 Schedule of Intensity, Section 17.64.010 (F), (I) 16, 18. Off Street Parking.

FINDINGS OF FACT:

1. This application was brought before the Planning Commission at the June 5th public hearing. Upon motion made by Ms. Lanphear and seconded by Ms. Bittner, the Plan Commission unanimously voted (7/0) to continue this matter to the July 10, 2018, Plan Commission Meeting at the applicant's request so that the applicant can work with Planning Department staff on their application.
2. The applicant is seeking authorization to demolish an existing nonconforming building and construct a two- story building on a 4945 ± SF lot to be utilized as a retail (jewelry store). The original application proposed a second story dwelling unit, but the application has been amended to remove the dwelling unit and the associated use variance.
3. The minimum lot size is 12,000 sq. ft. in C4 zoning. The site is 4,945 sq. ft. (59%) short of the requirement.
4. City Code requires 8 parking spaces, yet only 3 are proposed. However, it is understood that the second floor is not retail floor area. The City Code does not have a provision to exclude this area from the required parking minimums, but it is known to staff that the 1,225 sq. ft. of the second floor will not generate more parking demand. Therefore, if the second floor were excluded from the parking calculation, the required parking would be reduced to four (4) spaces.
5. The topography on site is such that the existing structure is above the street, with the only exposed portions to the first floor being the entrance on High School Avenue.
6. The site plan labels the parking spaces as 9'x18', but the spaces are drawn as 8' widths.
7. City Code Section 17.64.010(f) requires that commercial developments shall be so arranged that vehicles will leave and enter the street with a forward motion. The proposed development does improve this current nonconforming aspect by approximately fifteen (15) feet, but the proposal is still not compliant with the requirement.
8. City Code Section 17.20.120 requires a 40' front building setback on Reservoir Ave, the applicant is requesting to allow a 22.9' encroachment. City Code Section 17.20.120 requires a 40' front building setback from High School Ave, the applicant is requesting a 33.2' encroachment. The new building is being proposed in the same footprint/foundation as the existing nonconforming building with the exception of the demolition of the rear where parking is now proposed.
9. The width of the lot ranges from 36' - 54' roughly, so the setbacks effectively eliminate the entire buildable area on the lot due the 40' setback on High School Ave.
10. The Future Land Use Map of the Comprehensive Plan assigns a Land Use Classification [**LUC**] of Highway Commercial/Services for this site. The substandard size of the site does not allow for a use that could accommodate "citywide and regional markets" as this LUC was intended.
11. The Comprehensive Plan's Land Use Element recommends that the City "encourage neighborhood and village re-development." In this case, the existing nonconforming residential unit would be eliminated, while still remaining consistent with the scale and character of the surrounding area.
12. The Comprehensive Plan's Economic Development Element recommends that the City support developers who seek to "improve outdated nonconforming uses." The Plan elaborates, "Such investments are often more costly than new construction on vacant land; the costs of updating properties to come into compliance with current regulations adds further to the costs of development. Such redevelopment investments should be encouraged. In encouraging these investments, City policies and ordinances should offer some form of relief."
13. There is no direct pedestrian access from Reservoir Ave to the retail/first level, only to the upper level, which is restricted to public access.

14. The Building Official for the City of Cranston corresponded in writing on 6/28/2018, to the applicant's attorney, that the revised floorplans lack certain information, and that the final plans must be fully compliant with the building and zoning code.

ANALYSIS:

The undersized lot area (4,945 sq. ft. where 12,000 sq. ft. is required) necessitates that the applicant seek relief. There is no remaining buildable area on the lot once the forty (40) foot front setback in C-4 is applied to the frontage on Reservoir Ave and High School Ave. The topography and size of the lot do not allow for the required number of off-street parking spaces to be provided. The applicant is not proposing to increase or enhance any existing nonconformity, but would construct the new building on the same foundation/footprint of the existing building, and proposes to remove a portion of the building in the northeast corner of the lot which will allow for a reduction of the nonconforming ingress/egress of the off-street parking. Most importantly, the proposal would eliminate a nonconforming use of a residence above first story business, which is supported by the Comprehensive Plan policies, and is consistent with the Comprehensive Plan LUC.

RECOMMENDATION:

Considering the substandard land area, and due to consistency with the Comprehensive Plan's LUC and recommendation to encourage development that eliminates nonconforming uses, upon motion made by Mr. Nadeau and seconded by Mr. Strom the Plan Commission voted (6/1 – Ms. Harrington voted nay) to forward a **favorable recommendation** on this application to the Zoning Board of Review.

ROSE COPPOLA (OWN) & RALPH CAPPOLA (APP) have filed an application to allow an existing above ground pool to remain with restricted setbacks and to construct a deck resulting in excessive lot coverage at **50 Frances Drive**, A/P 37, lot 304 8861 sq.ft. area, zoned A8. Applicant seeks relief per Section 17.92.010 Variance, Section 17.60.010 (D) Accessory Uses; Section 17.20.120 Schedule of Intensity Regulations.

FINDINGS OF FACT:

1. Upon motion made by Mr. Vincent and seconded by Mr. Strom, the Plan Commission unanimously voted (7/0) to continue this matter to the July 10, 2018, Plan Commission Meeting. The reason for the continuance was to allow the applicant time to resubmit a complete application.
2. The applicant is seeking authorization to construct a 28' x 14' deck (392 sq. ft.) at the rear of a single family dwelling in a Residential A-8 [Single-family] zoning district on a lot with an area of 8,861 sq. ft.
3. A single family dwelling is a use allowed by right in A-8 zoning [Section 17.20.030 Schedule of Use of the City Code].
4. The Future Land Use Map of the Comprehensive Plan assigns a Land Use Classification **[LUC]** of Single Family Residential 7.26 to 3.64 Units per Acre for Assessor's Plat 37 Lot 304. The Land Use Element states that A-8 zoning classification is consistent with said LUC designation. Therefore, both the use and zoning designation is consistent with the Comprehensive Plan.
5. Existing improvements on Assessor's Plat 37 Lot 304 do not conform to all the standards set by Section 17.20.120 Schedule of Intensity Regulation. In an A-8 zone the required minimum side yard setback is 10'. The exiting dwelling has a setback of 7' along its western side. The proposed deck will not alter or enhance this nonconforming condition.
6. City Code Section 17.60.010 allows for accessory uses such as decks to be up to 5' from the rear property line in A-8 zoning, therefore, the proposed location of the deck is compliant with the rear setback.

7. The Zoning Board of Review's agenda indicates that the applicant is seeking from the lot coverage requirement set by Section 17.20.120 Schedule of Intensity Regulations. The amount of the request is unknown, as the existing and proposed lot coverage calculations are not provided in the application or site plan. In an A-8 zone, the lot coverage requirement is 30%. For Assessor's Plat 37 Lot 304, the maximum lot coverage is 2,658 SF. The site currently has a 2,138 sq. ft. residence. The proposed deck is 392 sq. ft. Although not provided in the application, staff calculates that the pool area is roughly 314 sq. ft. Therefore, staff calculates the total proposed lot coverage to be 2,844 sq. ft., 186 sq. ft. or 6.5% above the permitted maximum.
8. The application, as submitted, does not articulate what relief being sought from the Zoning Ordinance and does not provide justification for said relief.
9. The plans submitted in support of the application show an existing above ground pool located on the eastern side line [0.34' setback]. No permit was obtained for the pool. Section 17.60.010.B of the City Code requires an accessory structure, the pool, to be setback 5' from a side lot line.
10. The pool does not have an enclosure and is not to code. Construction of a compliant pool enclosure may not be possible due to the proximity to the side property line.
11. There is an existing fence on the abutting properties to the rear (north) and side (east) of the property, which, although on neighboring properties, appears to act as the rear and side property boundary.
12. In December, 2017, a building permit was issued for Assessor's Plat 37 Lot 304 to enclose an 18' x 28' deck.
13. The Comprehensive Plan Housing Element states, ". . . the regulatory environment and city programs should support the existing neighborhoods in terms of maintaining their character."

ANALYSIS:

The owner did not obtain a permit before constructing the pool. The permitting process would have required the owner to meet the minimum setbacks and provide a pool enclosure. Staff is concerned that an approval for the above ground pool would be perceived as to set a precedent that pools can be less than a half of a foot from a property line, and that erecting a pool without a permit or pool enclosure are actions without consequence.

It is important to note that if the variances are not granted, that the denial would not impede the construction of the deck, only the continuance of the pool. The removal of the pool would mean that the existing lot coverage will be reduced by approximately 314 sq. ft., which would eliminate the need for relief from the lot coverage maximum. Alternatively, if the variance to allow the existing above ground pool to remain is granted, the reduction of the deck footprint by 186 sq. ft. would eliminate the need for relief from the lot coverage maximum. Lot coverage and building setbacks are employed to maintain the character of existing neighborhoods, therefore the request is not consistent with the policy guidance of the Comprehensive Plan to maintain the character of existing neighborhoods.

RECOMMENDATION:

Considering the inconsistency with the Comprehensive Plan's Housing Element and that alternatives exist which would not require relief, the Plan Commission, upon motion made by Ms. Lanphear and seconded by Mr. Mason, unanimously voted (7/0) to forward a **negative recommendation** on this application to the Zoning Board of Review.

MOKHTAR KATTAN AND KANTZ CORPORATION(OWN) AND KANTZ CORPORATION (APP) have filed an application to expand a non-conforming use in an existing fuel station and minimart convenience store at **644 Oaklawn Avenue** A/P 16, Lot 822 14,200 sq. ft. Zoned A8. Relief sought is to allow a coffee and donut shop without drive through to occupy one half the existing space, a walk-in cooler to the back of the building within the rear yard setback, and additional signage is also proposed on the site. Applicant seeks relief per 17.92.010 Variance; Sections 17.20.120 Schedule of Intensity, Section 17.88.040 Change of Use, Section 17.88.050 Structural Alterations.

Upon motion made by Mr. Strom and seconded by Mr. Vincent, the Plan Commission unanimously voted (7/0) to continue this matter to the August 7, 2018, Plan Commission meeting; at the applicant's request.

ANTHONY CATTANI, TRUSTEE OF THE CATTANI FAMILY TRUST (OWN) AND ANTHONY CATTANI (APP) have filed an application to construct a garage addition to an existing dwelling and exceeding allowable lot coverage at **121 Warren Avenue** A/P 18, Lot 1535, 8,000 sq.ft. area, zoned A8. Applicant seeks relief per Section 17.92.010 Variance, Section 17.60.010 (D) Accessory Uses; Section 17.20.120 Schedule of Intensity Regulations. Application filed 5/4/18.

FINDINGS OF FACT:

1. The applicant is seeking authorization to construct a 309.28 sq. ft. bedroom addition and a 608 sq. ft. attached garage addition onto a single family dwelling in a Residential A-8 [Single-family] zoning district on a lot with an area of 8,000 sq. ft.
2. The site plan states that the proposed bedroom addition is 19' by 16' for a total of 304 sq. ft. However, the floor plan indicates the dimensions are 19'4" by 16', which equates to 309.28 sq. ft. As the floor plan has a higher level of detail in regard to the dimension, staff uses its figure over the site plan to determine the area.
3. A single family dwelling is a use allowed by right in A-8 zoning [Section 17.20.030 Schedule of Use of the City Code].
4. The Future Land Use Map of the Comprehensive Plan assigns a Land Use Classification [**LUC**] of Single Family Residential 7.26 to 3.64 Units per Acre for Assessor's Plat 37 Lot 304. The Land Use Element states that A-8 zoning classification is consistent with said LUC designation. Therefore, both the use and zoning designation is consistent with the Comprehensive Plan.
5. City Code Section 17.60.010 allows for accessory uses such as attached garages to be up to 5' from the rear property line in A-8 zoning, therefore, the proposed location of the garage addition requires relief to encroach 2.9' into the minimum setback.
6. The existing dwelling (1,648 sq. ft.) and shed (120 sq. ft.) constitute 22.1% lot coverage. With the proposed 304 sq. ft. bedroom addition and 608 sq. ft. garage addition, the proposed lot coverage is 33.5%, which is 3.5% or 280 sq. ft. above the maximum allowed in A-8 zoning.
7. The existing residence has a one-car, attached garage. The proposal would provide space for two more cars, stacked, with 128 sq. ft. of storage area.
8. The existing driveway would require modification to provide ingress/egress to the garage as it is less than 2.5' from the property line.
9. The Comprehensive Plan Housing Element states, ". . . the regulatory environment and city programs should support the existing neighborhoods in terms of maintaining their character."
10. The plans submitted in support of the application show an existing shed located in the northwestern corner of the lot, 2' from the side property line and 2.5' from the rear property line. Section 17.60.010.H Accessory Uses of the City Code requires a shed that is up to 120 sq. ft. to be setback 3' from a side lot line. Relief for the shed was not included in the application.

ANALYSIS:

The homes in the surrounding area do not have double-wide front loading garages. In fact, many do not even have garages. Starting at Loring Street and heading south to the point where Warren Ave dead ends, there are twenty-three (23) houses that face Warren Ave, of which eleven (11) do not have garages, zero (0) have attached multiple car garages, and only three (3) have multiple car garage space through combination of attached and detached garages. Additionally, there does not appear to be any significant encroachments into the side setbacks within the same search area. The request to reduce the side setback to 2.1' is more than staff is comfortable with, as the typical minimum width of a door is 32

inches, one would hardly be able to walk beside the new garage without traversing on the abutting property.

When evaluating this variance application, staff looks to criteria (3) of R.I.G.L. 45-24-41 (c) "*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.*" Lot coverage and building setbacks are employed to maintain the character of existing neighborhoods. Therefore, the request is not consistent with the criteria in State Law, nor with the policy guidance of the Comprehensive Plan to maintain the character of existing neighborhoods.

RECOMMENDATION:

Due to inconsistency with the surrounding neighborhood, the request is in conflict with the Comprehensive Plan Housing Element. Upon motion made by Mr. Vincent and seconded by Mr. Nadeau, the Plan Commission unanimously voted (7/0) to forward a **negative recommendation** on this application to the Zoning Board of Review.

PLANNING DIRECTORS REPORT – Zoning Ordinance amendments / Comprehensive Plan / Committees

Mr. Pezzullo announced that the Plan Department's new Principal Planner, Douglas McLean, will be starting on July 23 and will be at the next Plan Commission Meeting.

Mr. Pezzullo asked the Commission for their thoughts on the creation of Plan Commission sub-committees to address various matters such as revision of the zoning ordinance, etc. Mr. Vincent expressed concern with signage and updating the sign ordinance. He stated that "we will do surgical zoning amendments" that will be brought forward after the election. He stated that the Zoning Board of Review Chairman has asked for guidance on signage. Chairman Smith asked the commissioners for their ideas. Mr. Vincent mentioned the traffic policy and asked that the policy be analyzed by Plan Department staff, "especially prior to the Carpionato proposals on Sockanossett Crossroad". Tiger grants have been received for new ramps on Route 37 to service the Carpionato property. Mr. Mason mentioned that the proposed ramps probably would not help traffic on Pontiac Avenue much. Ms. Harrington mentioned several times that she would like to be a part of the Energy Siting Committee. Mr. Pezzullo stated that the State is currently working on regulations regarding solar farm siting that "we will have to adopt".

Chairman Smith mentioned professional training for Plan Commission members. Mr. Pezzullo stated that the training consists of 1-2 hours of on-line videos regarding such topics as flooding, climate change, etc. He stated that participation/completion of this training is on the honor system.

ADJOURNMENT

Upon motion made by Mr. Strom and seconded by Mr. Vincent, the Commission unanimously voted to adjourn at 8:30 p.m.

NEXT REGULAR MEETING August 7, 2018 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, MPA, MCP, AICP
Planning Director / Administrative Officer