

MINUTES

March 7, 2017

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

Michael Smith, Chairman
Kenneth Mason, P.E.
Lynne Harrington
Gene Nadeau
Fred Vincent
Robert Strom
Kimberly Bittner

Also present were:

Peter Lapolla, Planning Director
Stephen Marsella, Esq. Assistant City Solicitor
Jason M. Pezzullo, AICP, Principal Planner
J. Resnick, Clerk

APPROVAL OF MINUTES

Upon motion made by Mr. Strom and seconded by Mr. Mason, the Commission unanimously voted (7/0) to approve the minutes of the February 7, 2017, Plan Commission Meeting.

2017-2022 CAPITAL BUDGET AND IMPROVEMENT PROGRAM

Department Directors Requests and Final Draft Presentation

School Department representative, Ed Collins, stated that five schools will need fire alarm system upgrades to bring them up to Code. Mr. Strom stated that 5 million dollars will be bonded for schools. Mr. Collins then enumerated the projects completed last year, on time and on budget.

Ken Mason, Public Works Director, stated that two bonds were passed last November for paving and equipment. One million was bonded for public buildings upgrades. At this time four million dollars is requested for paving. One hundred thousand dollars is requested for replacement of stop signs. \$125,000 is requested for Spectacle Pond clean up/engineering. Funds are also requested for Senior Center HVAC (\$160,000) and the police training complex sewer, water and paving work requires about \$140,000, as well as \$500,000 for City Hall restroom renovations. Mr. Strom commented that the administration is supportive of four million dollars for paving and will bond approximately five million dollars for this. One million is budgeted for the 2020-2021 Hamilton Building Relocation as the lease for the four departments housed there is set to expire in 2020.

Fire Chief William McKenna and Assistant Chief Bernard Patenaude were present to answer questions on their requests. The Fire Department is seeking to replace Engine 2 as it is from 2008 and it will take approximately three years for the construction of a new engine. Eight hundred and fifty thousand dollars is requested to upgrade radio and computer systems as a radio tower is needed in the Fiskeville area. Current copper wire must be replaced with fiber optic cable as required by Verizon. One million dollars to replace Ladder One, which is 16 years old, will need to be replaced and will be 20-21 years old by the time it is retired. The chief went on to explain that the City has been upgraded to a Class 2 rating, which is a distinction held by few cities. It is tied to response time and favorably affects insurance rates for city residents.

Recreation Director, Anthony Liberatore, stated that he has budgeted to replace Rhodes and Edgewood Highlands schools playgrounds and also to replace turf at the stadium. He stated that the turf has an 8-10 year life span. He stated that three million, six hundred thousand dollars revenue has been generated by events held at the stadium.

Mr. Ed Garcia, Library Director, stated that he is requesting \$530,000 for four buildings. The Auburn Branch lighting and computer furniture need to be replaced. The Central Library needs repair to two restrooms, the teen area, phase 2 of the roof and the administrative offices. The Knightsville Branch needs repairs to the steps and brick repointing. The Oaklawn Library needs basement repair and front door replacement. Mr. Garcia stated that some impact fees will be used for these projects.

Mr. Pezzullo, Principal Planner, stated that he has consistently put ½ million dollars in the budget for Open Space, and it has been approved but not bonded. Some of these funds have been used for acquisition of flood plain parcels.

Upon motion made by Mr. Vincent and seconded by Mr. Mason, the Commission unanimously voted (7/0) to approve the Capital Budget and Improvement Program as presented.

SUBDIVISION AND LAND DEVELOPMENT

Pandora Storage Mixed-Use Development
Mixed-Use Planned District / Final Overall Development/
Major Land Development – Preliminary / Final Plan
Natick/Phenix Avenue
AP 19/1, Lot 3

Attorney John Mancini gave a history of the project. He stated that the 6,000 sq. ft. retail building will be visible from Phenix Avenue. The project will contain an automobile storage facility (14 spaces capable of housing 28 vehicles stacked), and “flex space” for commercial storage. He stated that the project has all State approvals, the culvert is in place and the septic will be on-site. The project has received DPR approval. Attorney Mancini closed by stating that the sign proposal remains as proposed in the 2015 MPD.

Mr. Dave Taglianetti, civil engineer, VHB, reiterated Mr. Mancini’s comments. He stated that the project has received a PAP, the landscape plan has been updated per Steve Pilz’, Conservation Commission, recommendations. Traffic concerns have been addressed and approved by Steve Mulcahy. He stated that the project will be accessed by the existing Phenix Avenue curbcut. The proposed road will provide the least disturbance of existing wetlands. The existing culvert has been upgraded.

Mr. Taglianetti stated that the proposed monument sign is 8 ft. tall by 12 ft. wide. The proposed day care facility, Building 3A, was reduced in size to 3,800 sq. ft. in 2016 during the MPD amendment. He reviewed the landscape and stormwater plans, and peak stormwater rates will be matched.

Traffic and off-site improvements plans were reviewed. The existing traffic signal will be modified (signal timing). The proposal is to lengthen the northbound left turn lane and left lane southbound as well. Commissioner Gene Nadeau asked if Phenix Avenue will be widened at the site entrance as he thinks that “this is impossible” and will not work. Mr. Taglianetti responded, stating “no”. He stated that the proposal is for “the wide striped yellow lines will be shifted”. He stated that the proposal has been reviewed by RIDOT and the City staff, to their satisfaction. Commissioner Kimberly Bittner expressed concern with day care traffic and asked for further explanation. Mr. Taglianetti stated that “one lane is thru and right and the left lane will have a ‘pocket’”. Ms. Bittner then asked about a traffic study. Mr. Taglianetti stated that the majority of the development is storage. He stated that the retail will not affect a.m. travel. He stated that twenty vehicle trips in the a.m. peak is expected for the daycare.

Ms. Melissa Larson, Luna Design, stated that the developer is using materials that are in line with what cube smart requires. She distributed photos of the proposal. She stated that the retail building will have four rental units; no drive-thru is proposed. In response to Ms. Bittner’s asking if the storage buildings would be seen from Phenix Avenue, Ms. Larson stated that the buildings will be 350 ft. from Phenix Avenue with an intervening wetland. They will be visible.

Mr. Douglas Doe, 178 Lippitt Avenue, expressed concern with the proposed parking in front of the retail building. He referenced Comprehensive Plan smart growth.

There being no further comments, the Commission moved to a vote. Upon motion made by Mr. Mason and seconded by Mr. Strom, the Commission unanimously voted (7/0) to adopt the Findings of Fact denoted below and

approve this Preliminary/Final Plan with a minor modification to the day care structure (3,800 sq.ft.); subject to the following conditions.

Findings of Fact

Positive Findings

1. An orderly, thorough and expeditious technical review of this Preliminary has been conducted. Property owners within a 100' radius have been notified via certified and return receipt requested mail on 2/22/17 and the meeting agenda has been properly posted. Advertisement for this Preliminary Plan was published in the 2/22/17 edition of the Cranston Herald.
2. The proposed Preliminary Plan MPD and its resulting land uses are consistent with the City of Cranston Comprehensive Plan's Future Land Use Map which designates the subject parcel as "Special Redevelopment Area".
3. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.
4. There will be no significant negative environmental impacts from the proposal as shown on the Preliminary Plan. All required environmental permits have been received from the RIDEM.
5. The proposed Preliminary Plan promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhoods and will reflect its existing characteristics.
6. The proposed Preliminary Plan 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.
7. The property in question has adequate permanent physical access on Phenix Avenue, an improved public roadway located within the City of Cranston.
8. The proposed Preliminary Plan provides for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off and for suitable building sites. The applicant has received the required Physical Alteration Permit from the RIDOT and the entrance to the site will be a controlled four-way signaled intersection.
9. Significant cultural, historic or natural features that contribute to the attractiveness of the community have been identified on site.
10. The design and location of streets, building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

Condition of approval

Prior to Final Plat recording, the applicant shall receive Final Approval from the Development Plan Review Committee verifying that any outstanding details have been fully addressed.

Ridgewood Gardens

Preliminary Plan

Major subdivision – RPD w/o street extension

10 unit (5 duplexes) condominium complex & one single-family house lot

Wilbur Avenue, Conley Avenue

AP 21-3, Lot 16

Attorney Mark Gertzoff introduced project engineer, Steven Cabral, Crossman Engineering. Mr. Cabral stated that the design now presented is "identical" to the Master Plan proposal. The 6.3 acre site will contain one single family house lot fronting on Wilbur Avenue and ten townhouses. He reviewed the drainage plan. He stated that the project has received RIDEM and Veolia Water approvals. The sanitary sewer is collected and transferred to the Veolia force main via a pump station. The condominiums will be accessed from Conley Avenue due to the topography of the site.

Mr. Douglas Doe, 178 Lippitt Avenue, expressed concern with the Conley Avenue access as well as the number of trees to be removed and the planting list.

Mr. Antonio Shavone, neighboring property owner, stated that he would like a 20-30 ft. buffer. He expressed concern with traffic in the area. Mr. Cabral stated that 50 ft. of "woods" will be maintained. Mr. Shavone was satisfied with that.

Mr. Mike Soscia, 24 Lantern Lane, expressed concern that Lantern Lane is used as a cut thru as well as concern with traffic at the Phenix Avenue/Wilbur Avenue/ Hope Road intersection. He mentioned the pending construction of an 80 lot subdivision (Camden Woods) and the traffic that would create. He stated that he would like to see a traffic study done for that area.

Commissioner Nadeau asked if the City has funds allocated to address that intersection. Mr. Ken Mason, Public Works Director, stated that the traffic study has been done for Camden Woods. Commissioner Harrington then asked if the City "can have a conservation easement". Mr. Pezzullo confirmed that the project is an RPD, which already provides for provision of conservation land. Mr. Pezzullo further stated that the project has all required approvals at this time.

There being no further comments on this matter, the Commission moved to a vote. Upon motion made by Mr. Vincent and seconded by Mr. Mason, the Commission unanimously voted (7/0) to adopt the Findings of Fact denoted below and approve your Preliminary Subdivision application; 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 certified and return receipt requested class mail on 2/22/17 and the meeting agenda has been properly posted. Advertisement for this major subdivision was published in the 2/22/17 edition of the Cranston Herald.
2. The proposed residential subdivision and its resulting density of approximately 2 units per acre conforms to the Comprehensive Plan – Future Land Use designation of "Residential 3.63 to 1 units per acre".
3. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code as the lots are proposed consistent with the A-20 zoning district and the RPD Ordinance.
4. There will be no significant negative environmental impacts from the proposed subdivision as shown on the Preliminary Plan. The applicant has received all the required environmental permits from the RIDEM.
5. The proposed subdivision promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhood and will reflect its existing characteristics.
6. 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.
7. The development will have direct physical access to Wilbur Avenue and Connelly Avenue, improved public streets within the City.
8. 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.
9. Significant cultural, historic or natural features that contribute to the attractiveness of the community have been identified on site. The RPD preserves nearly half of the site as permanent open space.
10. The design and location of streets, building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

Conditions of approval

Applicant shall:

1. Submit *draft* condominium association documents and any utility easement documents at the time of Final Plan application.
2. Submit *draft* open space / conservation easement declaration and maintenance documents at the time of Final Plan application.
3. Provide a performance guarantee in the amount of \$57,000 with a separate 2% administrative fee of \$1,140 at the time of Final Plat Recording.
4. Payment of Western Cranston Capital Facilities Impact fees in the amount of \$15,284.50 (\$1,389.50 x 11) at the time of Final Plat Recording.

ORDINANCE RECOMMENDATIONS

Ordinance #01-17-11 Comprehensive Plan Amendment (Relating to Renewable Energy and Solar Power Generation)

Attorney John Bolton, on behalf of Res America, stated that the ordinance is proposed as a general application to the City. On 11/23/15 the City Council adopted zoning amendments to allow solar arrays in A-80, M1, M2 and S1. He stated that

at that time the Council and Plan Commission found the ordinances to be consistent with the Comprehensive Plan as it existed at that time. He stated that currently two appeals are pending in the RI Superior Court claiming that the ordinances passed were not consistent with the Comprehensive Plan. He stated that, at this time, he is seeking this amendment to make it clearer that solar projects are consistent with the Comprehensive Plan. He further stated that in adopting this amendment it sends a message that the City is in favor of these types of facilities.

Commissioner Vincent then stated that he felt there was inadequate time for review of the staff memorandum that was provided at the meeting. Commissioner Bittner, as well as several other Commissioners, agreed. Ms. Bittner stated that she had not been provided with the ordinance. Mr. Lapolla responded, stating that the ordinance was sent to the Commissioners either last Friday or Monday. He further stated that the ordinance can also be found on the City Council agenda on the City website. Attorney Bolton expressed his displeasure with the situation.

Ms. Harrington expressed concern with this amendment as it relates to land banking. She also expressed concern with the Commission meeting the Comprehensive Plan, Section 4, requirement.

Ms. Ann Marie Bruin, 126 Ocean Avenue, stated that the Commission was fully aware that there was a project in the pipeline at the time the solar projects were approved. She expressed concern with existing court cases as well as the 2012 amendment to the Comprehensive Plan to preserve land. She feels the City should develop a comprehensive energy plan that takes into account the existing Comprehensive Plan. Mr. Lapolla responded, stating that the Comprehensive Plan does not reference the preservation of any particular parcel. He stated that at the time of the passage of the zoning amendments the City was aware that it needed to start to include alternative energy. This will actually be a required element in the future Comprehensive Plan. Attorney Bolton objected to her statement that there had been a project in the pipeline. He stated the Hope Solar project had been made public.

Upon motion made by Ms. Bittner and seconded by Mr. Vincent, the Commission voted (5/2 – Mr. Mason and Mr. Strom voted nay) to table this matter until the April 4, 2017, meeting.

ZONING BOARD OF REVIEW RECOMMENDATION

P & S MANAGEMENT LLC 1280 PARK AVENUE CRANSTON RI 02920 (OWN/APP) has filed an application for permission to build a second 1500+/- SF storage building at **1280 Park Avenue**. AP 11/1, lot 136, area 61,679+/-SF, zoned C-1 & A-6. Applicant seeks relief per Section 17.92.010 Variance, 17.20.030 Schedule of Uses.

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 2010 Comprehensive Plan Future Land Use Map designates this area of the City, and lot, as Neighborhood Commercial Services. The medical office building located on the front of the lot is consistent with the Comp Plan.
2. The application is for an additional accessory storage building for the office building on the lot.
3. The revised October 2, 2015 FEMA Flood Maps shows that this lot is not within the 100 year flood plain.
4. The plan submitted shows that the proposed 60' x 25' building is separated into 2 separate storage units, each with a separate door and a 12' x 12' overhead garage door on each unit.
5. A zoning variance for the first storage building (also 60' x 25') was granted in June 2014.
6. Access to the rear area of the lot (where both the existing storage building and the proposed building are located) is through an unnamed right of way from Park Avenue, that runs along the westerly lot line.
7. The proposed side yard setback is 8 ft. from the easterly lot line.

Recommendation: The proposed building to be used for a garage/storage is an accessory use for the medical building, and therefore, is consistent with the 2010 Comp Plan Future Land Use Map that designates this area of Park Avenue as Neighborhood Commercial. Upon motion made by Ms. Bittner and seconded by Mr. Strom, the Plan Commission voted (6/1 - Ms. Harrington voted nay) to forward a positive recommendation on this application to the Zoning Board.

PLANNING DIRECTORS REPORT

Subdivision Regulations Amendments – Online posting of application materials / Traffic policy

In response to last months' discussion on placing submission materials on the City website, Mr. Lapolla referenced placing these materials on the City's Document Management System. The DMS will be referenced on notices to abutters and advertisements. Mr. Lapolla stated that this policy, as well as the existing traffic policy and policy on documents received on the night of the meeting, should be incorporated into the subdivision regulations. Assistant City Solicitor, Steve Marsella, stated that this can be done as an addendum to the regulations.

ADJOURNMENT

Upon motion made by Ms. Harrington and seconded by Ms. Bittner, the Commission unanimously voted to adjourn at 10:15 p.m.

NEXT MEETING April 4, 2017 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, MCP, MPA, AICP
Principal Planner / Administrative Officer