

MINUTES

May 7, 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
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
Stephen Marsella, Esq., Assistant City Solicitor
Douglas McLean, AICP, Principal Planner
Joshua Berry, AICP, Senior Planner
J. Resnick, Clerk

APPROVAL OF MINUTES

Upon motion made by Mr. Spirito and seconded by Mr. Vincent, the Commission unanimously voted to approve the minutes of the April 2, 2019, Plan Commission Meeting.

ORDINANCE RECOMMENDATIONS

Ordinance 02-19-06 – MPD Amendment – 950 Phenix Avenue (CubeSmart) – 50' pylon signage, Clarification / addition of *Commercial Condominium* to the schedule of uses (Continued from the April 2nd Agenda)

Upon motion made by Mr. DiStefano and seconded by Ms. Lanphear, the Commission unanimously voted to continue this matter to the June 4, 2019, Plan Commission Meeting, at the applicant's request.

Ordinance 04-19-03 – In amendment of Chapter 17 of the Code of the City of Cranston, 2005, Entitled "Zoning" – **Change of Zone** - 0 Sage Drive. Rezone from **A-80** to **A-20**. Located on AP35, Lot 2, beginning at the terminus of Sage Drive.

Mr. Berry, Senior Planner, presented his staff report and stated that the owner/applicant, John Casale III, is requesting a zone change for the property located at the terminus of Sage Drive, AP 35, Lot 2 (located at the southwestern end of Sage Drive) from A-80 (Single Family Residential on 80,000 ft² lots) to A-20 (Single Family Residential on 20,000 ft² lots). The property is currently undeveloped. The proposal is intended for future development of the property for single family residences. The rezone request is consistent with the surrounding land uses. The project site abuts fully developed A-20 single-family lots to the east (Alpine Estates). The abutting land to the south, west and north are zoned A-80, however, the undeveloped land directly to the north, AP 35 Lot 3, is part of the same recommendation of the subject

property to be A-20 by the Comprehensive Plan. Orchard Farms Elementary School directly abuts the subject property to the south. The land to the west of the property is currently undeveloped, containing large areas of wetlands.

Attorney K. Joseph Shekarchi, representing the applicant, John Casale, stated that the Casale family has owned the property for over twenty years. He states that his clients proposal is for eight new single-family homes where, under the current zoning (A-80) only four single-family homes could be constructed. He stated that the Casale's are asking for the same density as the Alpine Estates neighborhood. He further stated that the Comprehensive Plan – Future Land Use Map calls for A-20 zoning for this parcel.

Mr. Ed Pimental, AICP, Planning Consultant for Mr. Casale, provided an analysis of the proposed zone change. He stated that the Future Land Use Map (FLUM) specially calls for A-20 zoning on this lot, Alpine Estates is zoned A-20, and the property owner is asking for A-20 consistent with the Comprehensive Plan. He stated that he analyzed 191 lots in Alpine Estates and the proposal conforms to the surrounding area, the Comprehensive Plan, the Comprehensive Plan Appendix as well as the Future Land Use Map.

Mr. David Provencil, P.E., one of the original Alpine Estates engineers, provided a sketch rendering which depicted a cul-de-sac expansion of Sage Drive with eight A-20 lots, consistent with the surrounding neighborhood. He stated that the western end of the property has wetlands (determined by a Class I survey). He stated that all drainage flow to the western portion of the lot into the wetlands. He stated that Sage Drive would be extended and the property would be developed commensurate with Alpine Estates.

Mr. Ken Mason, Public Works Director, stated that public water and sewer is available. Mr. Shekarchi stated that the project has not yet been fully engineered and approximately 2.2 schoolchildren per home is to be expected. He noted that the natural buffer would remain between northern area of the school building and these house lots. He also stated that additional plantings would probably be installed for enhanced screening.

Ms. Janice Cataldo, Sage Drive, stated that traffic and egress is a concern, with many people taking a shortcut through the school property. She also stated that Mr. Scaralia's parcel (Caraway Drive) would probably be rezoned as well.

Mr. Vin McCrystal, a 20 year resident of Sage Drive expressed concern about the proposed rezone and 2012 Comprehensive Plan update which designated this parcel from A-80 to A-20.

Ms. Karen Casale, Alpine Estates Drive, spoke in favor of the zone change proposal.

Ms. Kristen Narcisi, 22 Caraway Drive, expressed concern with construction and safety, overcrowded school, changing topography and flooded basements, as well as the strain on municipal services for the four additional homes.

Mr. Joseph Narcisi, 22 Caraway Drive, expressed concern with environmental issues, property value and overall quality of life.

Mr. John Marland, 41 Caraway Drive, stated that he is opposed to the proposal and expressed concern with wetlands.

Ms. Julia Gibbons, Sage Drive, expressed opposition to the proposal as well as school over-population, and wind turbine construction in Johnston.

Mr. Arthur Ferreira, Caraway Drive, expressed concern with this re-zone proposal as it relates to the Comprehensive Plan.

Mr. John Weitzner expressed concern with traffic and the wind turbines in Johnston.

Mr. Scott Baum, 4 year resident of Alpine Estates, stated that he doesn't want new neighbors. He expressed concern with class size and public safety.

Mr. Abbas Rupanala, 10 Thyme Drive, stated that this zone change will set a precedent.

Ms. Sheryl Carbone, 4 Thyme Drive, a 30 year resident, stated that she has known that four homes could be behind her. She expressed concern with buffering and that there is no buffer between her property and the school. She also expressed concern with wildlife displacement.

Mr. Anthony Manfredi, Thyme Drive, expressed concern with traffic.

Mr. Frank Gibbons expressed concern with school overcrowding, future development and traffic.

Attorney Shekarchi stated that the Comprehensive Plan was revised in 2010. He asked the Plan Commission to only consider the rezone application. He also stated that any approval by the City Council could be conditioned to allow eight new single-family house lots only.

Mr. Pezzullo stated that the Comprehensive Plan was adopted in 2012, and it was a big departure from the former Plan. He stated that 35 thousand lots were analyzed in the creation of the Future Land Use Map. While we were working on this plan, the property owner asked for this change to be included in the FLUM. Staff agreed because there was no compelling reason for this parcel to remain A-80. He stated that "these requests were brought to the City Council, who also agreed". He stated the Comprehensive Plan revision was a seven year process and that multiple public hearings were held prior to its approval. He also stated that he had not seen the applicants proposed sketch prior to this meeting.

Mr. Berry then presented his findings and analysis from his staff memo:

Considering that A-80 and A-20 are the zoning designations found in the area, why should the City be compelled to change the designation from A-80 to A-20? In addition to the state law and Charter requirements that ordinance amendments to be consistent with the Comprehensive Plan, the answer is that A-20 zoning better fits the existing development pattern of the area. It is not insignificant that the access to the site is from Sage Drive, where A-20 single-family homes abut to the east. The subject site, although currently undeveloped, is not conserved open space, and there is nothing prohibiting the development of the land. The development pattern which would result from application of A-80 zoning regulations, or any zoning with higher or lower density than A-20, would be inconsistent and out of character with the existing development pattern on Sage Drive and the entire neighborhood to the east of the site.

The Comprehensive Plan recognizes that neighborhoods are still being formed in Western Cranston and recommends growth management while protecting existing neighborhoods (Land Use Element p. 21). Staff does not see A-20 development as being a threat to A-20 development, but may actually reaffirm it. This assertion is consistent with the Comprehensive Plan's Land Use Element's Land Principle 4, stabilizing existing residential neighborhoods by supporting existing development patterns (p. 34). The growth management strategies that may be employed will come into play when/if a development plan is proposed, not at the rezoning phase.

The Comprehensive Plan Housing Element cites several considerations associated with housing development in Western Cranston, "Preservation of existing undeveloped land, historic and cultural resources, infrastructure capacity, and traffic are western Cranston's largest concerns as a result of this high growth trend" (p. 64). The City does not have a mechanism currently available to preserve this land (staff fully supports pursuing one – but this is a separate discussion). There are no cultural or historic resources identified at the subject site. The anticipated development that may result from the rezoning, if approved, would not overly burden the City's infrastructural capacity (verification of the availability of public sewer and water utilities is required for all minor and major subdivisions, not at the time of rezoning). Lastly, the anticipated development that may result from the rezoning, if approved, is not anticipated to have a significant impact on traffic to the point where staff would object to approval of the rezoning request. For these reasons, the proposal does not trigger the main concerns for housing development in Western Cranston.

Comprehensive Plan Consistency

The proposal is consistent with multiple aspects of the Comprehensive Plan, including the Housing Element, Land Use Element, Implementation Program, and goals and policies. Additionally, the subject property is explicitly listed in Appendix A with the recommendation to be rezoned from A-80 to A-20 in order to realize consistency with the Future Land Use Map.

Findings Under §17.04.010 City Code

Sec. 17.120.030 requires that the City Plan Commission as part of its recommendation to the City Council "Include a demonstration of recognition and consideration of each of the applicable purposes of zoning as presented in Section 17.04.010 of this title." Section 17.04.010 set forth the General Purpose for Title 17 (Zoning Ordinance) of the City Code. To the extent that the proposed rezone and any subsequent residential development on this site will be required to comply with all aspects of the Zoning Ordinance, including Development Plan Review, and will be required to comply with City of Cranston Subdivision and Land Development Regulations, staff finds that the proposed rezone will adequately address the appropriate purposes detailed in §17.04.010.

Recommendation

Based on consistency with the Comprehensive Plan, surrounding land uses and existing development pattern, staff recommends that the Plan Commission forward a positive recommendation on Ordinance #04-19-03 to the City Council.

Upon motion made by Mr. DiStefano and seconded by Mr. Mason, the Commission unanimously voted (9/0) to close public comments. Upon motion made by Mr. Mason and seconded by Mr. Vincent, the Commission voted (6/3 – Mr. Strom, Mr. Morales and Mr. DiStefano voted nay) to recommend **conditional approval** of the proposed change of zone with the stipulation that only eight single-family homes will be allowed on the Sage Drive extension.

SUBDIVISIONS AND LAND DEVELOPMENTS

Pelli Plat RPD

Pre-Application – Residential Planned District (RPD)
Major subdivision with street creation
Fifteen (15) single-family units and one (1) duplex structure
1365 & 1385 New London Avenue / Terminus of Briarwood Road
AP 18, Lots 1023 & 1026

Mr. McLean explained that the proposed RPD has been submitted by Mr. Jeffery J. Campopiano, P.E., 16 West Main Street, Wickford, RI 02852. The property has frontage and access along New London Avenue and Briarwood Road. The property is zoned **A-8** requiring a 8,000 square foot minimum lot size with 80' of frontage for single-family dwellings. Under the RPD regulations, an applicant can cluster the lots down to a minimum of 4,000 square feet and the remainder of the land being set aside a permanent open space.

The applicant proposes to subdivide the existing 5.8 acres of land into 15 (fifteen) single-family house lots, 1 (one) two-family unit, 3 (three) open space parcels, and 1 (one) drainage/utility lot. All of the proposed building lots and residential uses conform to the area and frontage requirements of the Cranston Subdivision and Land Development regulations as well as the Cranston Zoning Code, Residential Planned District (RPD) requirements, and will be serviced by public water and public sewer.

Mr. Campopiano reiterated Mr. McLean's comments, further stating that sewers have existed since 1974. He also stated that he wishes to conserve woodlands and is not proposing a large detention pond. There are no wetlands.

As this was a Pre-Application, there was no vote taken by the Commission. The next time the Commission will see this application will be for Master Plan consideration.

Helen Estates - Phase II

REINSTATEMENT – Preliminary Plan (Phase II)

Major Subdivision with street extension

7 additional single-family house lots

Echo Lane, AP 27/3, Lots 102, 177 and 180

Mr. Pezzullo stated that the subdivision was approved in 2007. The road and detention basin was completed in 2007 and have been approved by Public Works. Phase II consists of the seven house lots. He stated that all the required Findings of Fact for a reinstatement are positive. If approved, the applicant can then move to Final Plan Application.

Attorney John DiBona reiterated Mr. Pezzullo's comments, further stating that the bond amount has been reduced to \$35,000 with a 2% administrative fee of \$2,540. He confirmed that the Final Plan will be handled administratively.

Upon motion made by Mr. DiStefano and seconded by Mr. Mason, the Commission unanimously voted (9/0) to adopt the required Findings of Fact (listed below) and approve the reinstatement of the above referenced Preliminary Plan with all applicable conditions, per Section VIII.B.1. of the Subdivision and Land Development regulations, and to reduce the bond amount to \$35,000 with a 2% percent administrative fee of \$2,540 to be provided at the time of Final Plan recording. The Final Plan will be handled administratively.

Findings of Fact

Section VIII. B. 1. of the Subdivision and Land Development regulations proscribe the procedure for the reinstatement of subdivision applications. The regulations are as follows:

1. *In the event that an applicant fails to submit proper materials for a subdivision or land development prior to a deadline established by these regulations, thereby rendering a previously granted approval invalid, the application may be reinstated by the Planning Commission under the following conditions:*
 - a. *The subdivision is consistent with the Comprehensive Plan, and with the prior approval including all conditions attached thereto;*
The subdivision is consistent with the Comprehensive Plan and the Future Land Use Map.
 - b. *The Subdivision and Land development regulations are substantially the same as they were at the time of the original approval;*
The Subdivision and Land Development Regulations are substantially the same as they were at the time of the original approval.
 - c. *The zoning of the subdivision parcel is substantially the same as it was at the time of the original approval;*
The zoning of the parcel is A-20 and is the same as it was at the time of the original approval.
 - d. *Physical conditions on the subdivision parcel are substantially the same as they were at the time of the original approval; and*

Physical conditions on this land are substantially the same as they were at the time of the original approval. In addition, the applicant has built the required public infrastructure consistent with local and state regulations.

- e. *Any applicable state or federal regulations are substantially the same as they were at the time of the original approval.*

The public roadway and detention basin was built in accordance with the building standards and regulations at the time of approval. Since the improvements have been built and inspected under the supervision of the City's Department of Public Works / Engineering Division prior to the amendment of RIDEM stormwater standards, the original approval is still in conformance with state regulations and prior approvals.

2. *Where conditions "a" through "e" above can be met, or where one or more conditions are waived by the Planning Commission, the application may be reinstated at the same point in review, thereby allowing the applicant to move to the next stage of approval. If any of the above conditions cannot be met, the applicant shall return to the point in review for which the expired approval was granted.*

Lantern Hill Estates

REINSTATEMENT and Re-Phasing– Preliminary Plan

Major Subdivision with street extension

Laten Knight Road

AP 30/4, Lot 250

Mr. Pezzullo stated that the Preliminary Plan was approved in 2014.

Attorney Murray stated that in 2003 Phase I was 12 lots and Phase II was 14 lots. He stated that sub-drains have been installed and all drainage is now complete. The road is paved to the first eight lots. At this time the applicant is requesting re-phasing to three phases. Phase I will have eight lots; Phase II will have ten lots and Phase 3 will have eight lots. The applicant will post the original bond and a second bond (\$985,000). Phase 1 bond will be \$523,000 with a 2% administrative fee of \$10,460. Phase II bond will be \$985,000 with a 2% administrative fee of \$19,700. The bond amounts will remain as was originally proposed.

Ms. Jan Ragno, Hope Road, asked if the children would go to Orchard Farm Elementary School. Mr. Pezzullo stated that the Plan Department/Commission do not have jurisdiction over where children will attend school.

Findings of Fact

Section VIII. B. 1. of the Subdivision and Land Development regulations proscribe the procedure for the reinstatement of subdivision applications. The regulations are as follows:

1 In the event that an applicant fails to submit proper materials for a subdivision or land development prior to a deadline established by these regulations, thereby rendering a previously granted approval invalid, the application may be reinstated by the Planning Commission under the following conditions:

- f. *The subdivision is consistent with the Comprehensive Plan, and with the prior approval including all conditions attached thereto;*

The subdivision is consistent with the Comprehensive Plan and the Future Land Use Map.

- g. *The Subdivision and Land development regulations are substantially the same as they were at the time of the original approval;*
The Subdivision and Land Development Regulations are substantially the same as they were at the time of the original approval.
- h. *The zoning of the subdivision parcel is substantially the same as it was at the time of the original approval;*
The zoning of the parcel is A-80 and is the same as it was at the time of the original approval.
- i. *Physical conditions on the subdivision parcel are substantially the same as they were at the time of the original approval; and*
Physical conditions on this land are substantially the same as they were at the time of the original approval. In addition, the applicant has built the required drainage utility structures consistent with local and state regulations.
- j. *Any applicable state or federal regulations are substantially the same as they were at the time of the original approval.*
The public roadway and detention basin design is in accordance with the building standards and regulations at the time of approval. The Preliminary Plan approval is in conformance with state regulations and prior approvals.

2 *Where conditions “a” through “e” above can be met, or where one or more conditions are waived by the Planning Commission, the application may be reinstated at the same point in review, thereby allowing the applicant to move to the next stage of approval. If any of the above conditions cannot be met, the applicant shall return to the point in review for which the expired approval was granted.*

Upon motion made by Mr. DiStefano and seconded by Mr. Strom, the Commission unanimously voted (9/0) to adopt the above referenced Findings of Fact and reinstate the Preliminary Plan. Upon motion made by Mr. Vincent and seconded by Mr. DiStefano, the Commission unanimously voted to approve the proposed re-phasing plan as follows: Phase 1 – 8 lots, Phase 2 – 10 lots and Phase 3 – 8 lots.

ZONING BOARD OF REVIEW RECOMMENDATIONS

EXPO REATY, LLC. (OWN/APP) has filed an application to construct a new single family dwelling with restricted frontage and reduced lot size at 0 Boxwood Street, A.P. 5, lot 1405, area 4,250 s.f. zone A6. Applicant seeks relief per 17.92.010 Variance, Sections 17.20.120 Schedule of Intensity Regulations, 17.88.010 Substandard Lots of Record.

EXPO REATY, LLC. (OWN/APP) has filed an application to construct a new single family dwelling with restricted frontage and reduced lot size at 0 Beech Avenue, A.P. 5, lot 1426, area 4,250 s.f. zone A6. Applicant seeks relief per 17.92.010 Variance, Sections 17.20.120 Schedule of Intensity Regulations, 17.88.010 Substandard Lots of Record.

EXPO REATY, LLC. (OWN/APP) has filed an application to leave an existing legal nonconforming dwelling and remove a garage structure to comply with side setback requirements at 76 Boxwood Street, A.P. 5, lot 1664 area 4,250 s.f. zone A6. Applicant seeks relief per 17.92.010 Variance, Sections 17.20.120 Schedule of Intensity Regulations, 17.88.010 Substandard Lots of Record.

VARIANCE REQUEST:

Requested Relief:

1. To allow 3 existing lots of record to be “unmerged” for zoning purposes. [17.88.010 Substandard Lots of Record]
2. To allow an existing dwelling to remain on parcel AP 5, lot 1664, with relief needed for lot area, frontage, and front and side yard setbacks. [17.20.120 Schedule of Intensity]
3. To allow for the development of 2 vacant lots on parcels A.P. 5, lot 1405 and A.P. 5, lot 1426, with relief needed for lot area and frontage.

LOT	Area (ft ²)	Area Deviation from 6,000 ft ² Requirement (ft ²)	Frontage (ft) on Boxwood Ave	Frontage (ft) on Beech Ave	Frontage Deviation from 60 ft. Requirement (ft)	Is a building in setback? (existing or proposed)
Existing 3 Lots Combined	12,750	+6,750	100	50	+40 (on Boxwood)	YES
A.P. 5, lot 1664	4,250	-1,750	50	0	-10	YES
A.P. 5, lot 1405	4,250	-1,750	50	0	-10	NO
A.P. 5, lot 1426	4,250	-1,750	0	50	-10	NO

FINDINGS OF FACT:

1. Currently, the owner has 3 contiguous substandard lots at this location that are considered merged into 1 lot for zoning purposes per City Code Section 17.88.010 *Substandard Lots of Record*. The total area of the 4 combined lots measures 12,750 sq. ft.
2. The applicant is proposing to “unmerge” the 3 lots in order to treat them as separate, developable lots.
3. In order to “unmerge” the 3 lots, relief is also needed for lot area and frontage in order to consider all 3 lots developable.
4. All 3 lots have identical dimensions of 4,250 ft² of area with 50 feet of frontage and would require identical relief from the A-6 zoning standards of 6,000 ft² of area and 60 feet of frontage.
5. There is 1 existing dwelling situated on parcel AP 5, lot 1664 that is currently within the front and side setbacks. The dwelling is 20 feet from the front setback where 25 feet is required and 5 feet from the southerly side setback where 8 feet is required.
6. The requested setback relief is for existing conditions only and the act of unmerging the lots does not make the existing setbacks further non-conforming (i.e.: the southern side of parcel AP 5, lot 1664 which requires side setback relief is not effected by the proposed “unmerger” of lots).
7. The applicant proposed to rehabilitate the existing dwelling on parcel AP 5, lot 1664 as part of this project, resulting in improved architecture and code compliant upgrades.
8. Two (2) existing accessory structures on lots A.P. 5, lot 1405 and A.P. 5, lot 1426 are being removed as part of the proposed project. This alleviates any additional setback relief.
9. All proposed dwellings will have sufficient driveway space to meet the off-street parking requirements.
10. The surrounding neighborhood is zoned A-6 and primarily developed as single-family housing.
11. The applicant has provided a planning report that has reviewed the residential blocks surrounding the subject parcels with a total of 121 lots assessed as part of the analysis. The report concludes that over 70% of the parcels in the surrounding neighborhood do not comply with the minimum lots area requirement for the A-6 zone. Additionally, 41.3% of the lots in the surrounding neighborhood

are either smaller or similar in size to the subject parcels. With regard to frontage, 67% percent of surrounding lots do not meet the 60 ft minimum frontage for the A-6 zone. 63% are similar in frontage to the subject parcels. The report also notes that 96.7% of the surrounding neighborhood is developed indicating that this is a dense area. Overall staff finds that the report provides good evidence that if the variance application is allowed, the dimensional characteristics of the resulting lots will be consistent with the majority of the surrounding area.

12. The planning report provided by the applicant also cites sections of the Cranston Comprehensive Plan that provide support for development of substandard lots where it fits with the character of the surrounding neighborhood. Staff finds that the report provides good analysis of the City's Comprehensive Plan
13. Staff have conducted an analysis of the merits of the application and finds that the proposed application is consistent with the City of Cranston Comprehensive Plan. The Land Use Plan 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 limiting the purpose and effectiveness of the existing minimum size requirements. The City needs to address this issue and consider changing regulations to reflect the higher density in these areas, which are essentially built out and have an older housing stock." The proposed parcels are 4,250 sq. ft. in area which is consistent with the lot sizes of the existing housing stock within the surrounding neighborhood of the subject property. Therefore, the proposal is consistent with the policy direction in the Comprehensive Plan.
14. The Comprehensive Plan encourages the development of infill lots in Eastern Cranston in order to mitigate the demand for development in Western Cranston.

PLANNING DEPARTMENT ANALYSIS:

The applicant has proposed to unmerge 3 contiguous lots with substandard lot area and frontage. This would result in the development of 2 additional single family dwellings on currently vacant and an upgrade to an existing dwelling on a 3rd lot. All lots would have identical dimensions of 4,250 ft² of area and 50 feet of frontage. The exiting setback requirements in an A-6 zone would allow for a building envelope sufficient for a single family house on the currently vacant lots. The setback relief needed is for existing conditions only for the current structure that would remain on a non-conforming lot of record.

The lots in the surrounding neighborhood were established prior to the effective date of the Zoning Map, the majority of which are below the minimum lot size in an A-6 zone. The applicant has provided a planning analysis of lot sizes in the surrounding neighborhood which states that 41.3% of the lots in the surrounding neighborhood are either smaller or similar in size to the subject parcels. With regard to frontage, 63% percent of surrounding lots are similar in frontage to the subject parcels. The proposal is consistent with the surrounding single family neighborhood in land use. Finding #13, that the Comprehensive Plan supports the development of undersized lots, is clear policy direction relevant to this proposal. Furthermore, the proposal is consistent with the Comprehensive Plan Housing Element in that development of infill lots are encouraged in Eastern Cranston.

RECOMMENDATIONS:

It should be noted that the Plan Commission, after due discussion at its May 7, 2019 meeting, did not recommend approval on 2 of the 3 applications listed below. The Plan Commission's rationale for denying the 2 applications was:

- 1) there are several lots on Boxwood Avenue across the street from the subject parcels that have a larger lot area and frontage which establishes a lower density for the character of that specific street as compared to the rest of the neighborhood, and**
- 2) the existing attached garage that straddles the lot line between lot #1405 and #1664 provides a precedent that these 2 lots have historically been used as a single parcel.**

Upon motion made by Mr. Vincent and seconded by Ms. Lanphear, the Commission voted (7/2 – Mr. Smith and Mr. Spirito voted to accept the staff recommendation of approval) to **deny** the Planning Department staff's recommendation on the variance request for AP 5, Lot 1405.

Upon motion made by Mr. Spirito and seconded by Mr. Mason, the Commission voted (8/1 – Ms. Lanphear voted not to accept the staff recommendation of approval) to forward a **positive recommendation** on the

variance request for AP 5, Lot 1426.

Upon motion made by Mr. Vincent and seconded by Ms. Lanphear, the Commission voted (7/2 – Mr. Smith and Mr. Spirito voted to accept the staff recommendation of approval) to **deny** the Planning Department staff's recommendation on the variance request for AP 5, Lot 1664.

SOLAR FARM ORDINANCE – Update / Discussion – May 13th Special Workshop

Mr. Pezzullo reminded everyone of the May 13 Workshop. He stated that the ordinance will be presented in June. He stated that in August the Commission will need to act on the ordinance when it comes to them for a formal recommendation. The Commission emphasized the importance of this being a productive meeting.

Ms. Jan Ragno, 1439 Hope Road, expressed concern that the Commission was “going into this with a closed mind”. She asked what the residents can bring, i.e., experts, photos, etc. She stated that she has offered to help on this matter and there has been no response”. (Note: no e-mail or other form of contact has been received by the Planning Department regarding this concern from Mrs. Ragno).

PLANNING DIRECTOR'S REPORT – Associate Planner / Code Compliance Officer

Mr. Pezzullo stated that the new planner position will be advertised this month.

ADJOURNMENT Upon motion made by Ms. Maccarone and seconded by Ms. Lanphear, the Commission unanimously voted to adjourn at 9:50 p.m.

NEXT REGULAR MEETING June 4, 2019, 6:30, City Hall Council Chamber