

## **ORDINANCE COMMITTEE**

Regular meeting of the Ordinance Committee was held on Thursday, October 11, 2007 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:50 P.M. by the Chair.

Present: Council Vice-President Paula McFarland, Chair  
Councilman Richard D. Santamaria, Jr.  
Councilman Jeffrey P. Barone  
Council President Aram G. Garabedian

Absent: Councilman John E. Lanni, Jr., Vice-Chair  
Council Member Maria A. Bucci

Also Present: Councilman Anthony J. Lupino  
Aubrey Lombardo, Assistant City Solicitor  
Frank Migliorelli, Deputy Director of Administration  
Anthony Sylvia, Director of Public Works  
Maria Medeiros Wall, City Clerk  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

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

### **CORRESPONDENCE:**

### **OLD BUSINESS:**

**6-07-3 Ordinance in amendment of Title 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Large-Scale Retail Development).** (Tabled 8/16/2007, 9/10/2007).

No action. Chair stated that this Ordinance will be removed from the agenda.

### **PUBLIC HEARINGS:**

**8-07-5 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – 22 Oaklawn Ave.).**

**Council President Garabedian** recused himself from any vote regarding this Ordinance, since the law firm representing this applicant, is also his attorney.

**Chair** asked Solicitor, since Council President Garabedian has recused himself, there are only three members left on this Committee, is this considered a quorum. Solicitor stated, yes.

**John Pariseault, Esq.**, appeared to represent the applicant and stated that the owner of the property does not intend to extend the footprint of the property or place office or retail. He stressed that the use of this property will remain multi-family residential. The reason for the Zone Change is in order to conform with the Zoning Ordinance. His client respectfully disagrees with #2 of the Planning Commission recommendations.

**Joseph Lombardo**, Land Use Planning Consultant, appeared to speak and presented a report he compiled, along with his resume.

Public Speakers:

**Frederick Ferrandi**, 23 Bev Circle, appeared to speak and stated that the applicants are excellent property owners and maintain their property. His only concern is he foresees some type of expansion. If this Ordinance is passed, he would like to see it limited to the existing apartment units and density that it is now.

**Michael DiRaimo**, 10 Meshanticut Valley Parkway, appeared to speak and questioned if there is going to be any retail, since the notice he received called for retail use. City Clerk stated that the application that was filed was incorrectly filed stating that there was going to be retail. After the notices were mailed out, applicant was notified of the error and application was amended. A copy of the letter from Kelly Coates, of Carpionato, stating this was provided to Mr. DiRaimo.

**Anne Marie Stickney**, 27 Bev Circle, appeared to speak and asked if there is any proposal for additional units. Chair stated that there is no proposal for any expansion or addition of units. The developer is trying to bring the property in conformance with the Zoning Code and the Comprehensive Plan. Ms. Stickney stated that her concern is she would be really concerned for any additional units.

**Al Saccoccia**, 199 Salem Ave., appeared to speak and stated that he has heard that the developer is planning to put an entrance way off Salem Ave. He asked if this is true. Mr. Sylvia stated that he does not have any information or request to that fact or knowledge of this. Chair stated that she has asked Kelly Coates, Representing the property owner this same question, and he acknowledged that there is no intention of any new entrances or exits to the property.

**Joseph Finan**, 38 Meshanticut Valley Parkway, appeared to speak and stated that he is not opposed to this Zone Change, but he would be opposed to any expansion and he would request that residents be notified if a proposal for expansion is filed.

**Council President Garabedian** appeared to speak as a member of the public and gave the Committee background information regarding this area and he stated that in 1972, Carpionato filed an application to build these apartments.

**Councilman Lupino** stated that if this Ordinance is passed, then he would ask that the recommendations of the Planning Commission be included in the Ordinance and Mr. Coates' letter be included as an exhibit to the Ordinance so it would make the residents more at ease. He does not know what the legal requirement is, but he would hope that in the future, when an error is made, the residents be re-notified. Councilman Barone indicated that the error was not the City's, it was the applicant's.

**Councilman Barone** motioned to recommend approval of this Ordinance as written with no amendments or addendums. No one seconded this motion.

**Councilman Barone** motion to refer this Ordinance to the full City Council without recommendation. No one seconded this motion.

**Mr. Coates** appeared to speak and apologized for the error made on the application. He stated that he sent a letter to all the residents at the apartments and he also contacted the Providence Journal and the Herald and neither chose to run a story on this. In no way, was it the fault of the City Clerk.

On motion by Councilman Santamaria, seconded by Council Vice-President McFarland, it was voted to recommend approval of this Ordinance with the recommendations of the Planning Commission. Motion passed unanimously.

The meeting adjourned at 8:40 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees