

*(The following is not a verbatim transcript of comments or discussion that occurred during the meeting but rather a summarization intended for general informational purposes. All motions and votes are the official records.)*

## **ORDINANCE COMMITTEE**

Regular meeting of the Ordinance Committee was held on Thursday, October 14, 2010 in the Council Chambers, City Hall, Cranston, Rhode Island.

### **CALL MEETING TO ORDER:**

The meeting was called to order at 7:32 P.M. by the Chair.

Present: Councilman Anthony J. Lupino, Chair  
Councilwoman Michelle Bergin-Andrews  
Councilman Mario Aceto  
Councilman Emilio L. Navarro  
Council President John E. Lanni, Jr.

Absent: Councilman Robert J. Pelletier, Vice-Chair

Also Present: Robin Muksian-Schutt, Director of Administration  
Gerald Cordy, Deputy Director of Administration  
Evan Kirshenbaum, Assistant City Solicitor  
Robert Strom, Director of Finance  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

### **MINUTES OF THE LAST MEETING:**

On motion by Councilman Aceto, seconded by Council President Lanni, 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:**

### **PUBLIC HEARINGS/NEW BUSINESS:**

**9-10-8** Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone-Phenix Ave. and Country Lane).

**Robert Colagiovanni, Esq.**, appeared to represent petitioner.

**Councilman Aceto** stated that if the Comprehensive Plan states property is A-20 and everything around it is A-20, he questioned why this needs to be voted on anyway. Ms. Schutt stated that the current Comprehensive Plan does not state that. Future Comprehensive Plan, once approved by the State, will conform those lots to A-20.

**Chair** read Planning Commission's recommendation. He also read a memo from Councilman Pelletier, who could not attend this meeting due to a prior commitment.

**Councilman Aceto** motioned to move the question. Chair did not recognize Councilman Aceto since other members of the Committee have not spoken yet.

On motion by Councilman Navarro, seconded by Council President Lanni, it was voted to recommend approval of the above Ordinance.

Under Discussion:

**Councilman Navarro** stated that he would like the Administration to address the following issues: why wouldn't the applicant apply for an amendment to the Comprehensive Plan and then put for the Zone Change? He also asked if the Council can change the Zone that is not consistent with the Comprehensive Plan. Ms. Schutt stated that the Council can change the Zone whenever it wants.

**Chair** indicated that Zone changes have been approved in the past that are in conflict with the Comprehensive Plan as long as there are no oppositions.

**Attorney Colagiovanni** stated that the area is predominantly A-20 and is included in the new Comprehensive Plan as A-20.

**Councilman Navarro** asked why the applicant is coming forward now for a change of Zone when this property has been Zoned A-80 for years. Attorney Colagiovanni stated that the reason is it is a lot easier to do it now that the Comprehensive Plan has been amended to make this property A-20 in conformance to surrounding properties. The plan is to sub-divide the property into two lots. There is one home already on this lot and there will be another home built on the back of this lot.

**Councilman Navarro** asked if there will be a fiscal impact on this. Ms. Schutt stated that there will only be one home.

Roll call was taken on motion to recommend approval of the above Ordinance and motion passed unanimously.

**9-10-9** Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Amendment of MPD Plan-Chapel View Blvd.).

**Chair** indicated that the petitioner has asked for a continuance since they cannot attend this meeting.

On motion by Councilwoman Bergin-Andrews, seconded by Councilman Aceto, it was voted to continue this Ordinance. Motion passed unanimously.

The meeting adjourned at 8:00 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees