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Maria Medeiros Wall, JD
City Clerk

DEPARTMENT OF RECORDS

Cranston City Hall
869 Park Avenue
Cranston, RI 02910

September 24, 2014

Certified Mail:

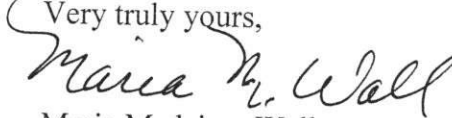
Raul DeLaCruz
First Choice Auto Sales
1586 Broad Street
Cranston, RI 02905

Re: Used Car Dealer & Auto Repair licenses - Zoning Restriction Violation

Dear: Mr. DeLaCruz;

Please be advised that you are hereby summoned to appear before the Committee on Safety Services and Licenses, Cranston City Hall, 869 Park Avenue, in the Council Chambers, located in Cranston, R.I. on Monday, October 6, 2014 at 7 p.m. for revocation of your licenses, and the imposition of fines, for your knowing violation of the zoning restriction placed August 14, 1991 limiting you to eight (8) vehicles on the property. A subsequent zoning decision dated August 8, 2012 increased the vehicles number to twelve (12) subject to a site plan approved by the Traffic Engineer. The site plan you presented was not approved and you have failed to comply and in addition to that failure, have more than twelve (12) cars on the property..

Attached is a copy of the affidavit wherein you acknowledge that a violation would result in the immediate revocation of your license to operate.

Very truly yours,

Maria Medeiros Wall

Cc: Sharon Cavalloro, Zoning Code Compliance Officer
Councilman Steven Stycos, Ward 1

Enclosure (1)

U/Kym/Show Cause/First Choice Auto Sales/Zoning Vio Oct 2014

Telephone (401) 780-3194

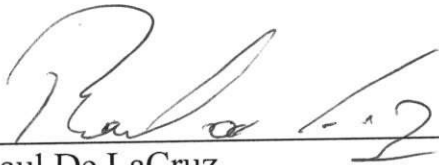
www.cranstonri.com

Fax: (401) 780-3165

AFFIDAVIT

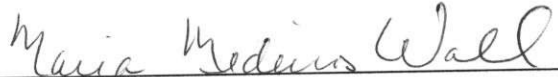
I, Raul DeLaCruz, the owner of First Choice Auto Sales, located at 1586 Broad Street, Cranston, RI do hereby acknowledge that my used car and auto repair license were renewed by the Safety Services & Licenses Committee on May 7, 2012 subject to the expression understanding that I must comply with the zoning restrictions for that location imposed by the Zoning Board of Review in decision dated August 14, 1991, copy attached, which limits the outside storage to a maximum of eight (8) vehicles.

I further understand that a violation of this restriction will result in the immediate revocation of my license to operate at this location and subject me to possible fines and penalties.



Raul De LaCruz

Subscribed and sworn to before me this 17th of May, 2012 in Cranston, RI.



Notary Public

TO: Stan Pikul

LOCATION REPORT: 1586 Broad St. First Choice Auto

DATE 9/26/14

REGARDING: First Choice Auto

On 9/26/14 I went to First Choice Auto at 1586 Broad Street for photos and a car count. There were seventeen cars at the Broad Street location. The manager said 12 were for sale, 5 were for repair. Two of those would be gone today. The building houses an auto sales business, and two garages, one at either end of the building. He also had 14 cars in a lot behind 1574 Broad Street, Plat 2 Lot 644. This is in a C3 zone

James Holt

Minimum Housing Inspector

09/26/2014





Individuals requesting services for the hearing impaired
must notify the Office of the Inspector of Buildings at least 48 hours
in advance at 401-780-6012

OFFICE OF THE ZONING BOARD OF REVIEW

Allan W Fung
Mayor

Stephen W. Rioles
Secretary

Stanley Pikul
Enforcing Officer

Regular meeting on
Second Wednesday

CITY HALL
869 PARK AVENUE
Cranston Rhode Island 02910

Board Members
Chairperson
Joy Montanaro
Christine Cole
Curtis Ponder
Steven Minicucci
David Imondi

Alternate Members
1ST Adam Sepe
2ND Lori Carlino
3RD Sharyn DiFazio
4TH Craig Norcliffe

NOTICE OF DECISION

You are hereby notified that **FIRST CHOICE AUTO SALES 1586 BROAD STREET CRANSTON RI 02905 (OWN) AND RAUL DELACRUZ 3 ZINNIA DRIVE CRANSTON RI 02910 (APP)** have filed an application for permission to increase the number of cars from 8 to 20 at an existing auto sales/auto repair/auto reconditioning business with restricted side and rear yard setbacks at **1586 Broad Street**. AP 2/4, lot 648, area 7240 +/- SF zoned C-3. Applicant seeks relief from Sections; 17.92.010 Variance, 17.20.030 Schedule of Uses, 17.20.120 Schedule of Intensity, 17.32.010 Used Car & Car Rental Business.

This Application was **APPROVED with CONDITION on 8/8/12.**

Condition: Approval for a maximum of 12 cars for resale with the traffic engineers approval of the site plan.

A full written decision is on file in the Office of the Inspector of Buildings 1090, Cranston Street, Cranston RI 02920. If you deem the Zoning Board's decision unfavorable, you may appeal it to the Providence County Superior Court within a period of twenty days.

By Order of the Zoning Board of Review
Stephen W. Rioles Secretary

DECISION: In this case, the Board feels that granting a permit will not prove detrimental to the neighborhood. Applicant met the requirements of the Zoning Code, Sec. 30-49 (m,n,o,p).

Anthony Moretti, Marc Moretti Trust, 59 Bennington Rd., (owners), Marc Moretti, Trustee, 74 Sturbridge Dr., War., (app.) to convert a 3-family dwell. into a 4-family dwell., undersized lot, restricted street frontage front & side setbacks, 944 Cranston St., plat 7, Lot #683, C-5 zone, area 3,200 sq. ft. This application was granted, with restrictions, on motion by Mr. Casinelli, seconded by Mrs. Barrows, in favor, George N. DiMuro, Esq., Mr. Sircar & Mr. Casinelli.

DECISION: In this case, the Board feels that granting a permit will not prove detrimental to the neighborhood. Applicant met the requirements of the Zoning Code, Sec. 30-49 and all applicable sections.

- RESTRICTIONS:
- 1.) Provide four (4) off street parking spaces.
 - 2.) Paint exterior of building.
 - 3.) Remedy any minimum housing violations.
 - 4.) Replace all exterior windows.

Richard J. Macera, John A. Macera & Frank H. Macera (owners), 511 Pippin Orchard Rd., Richard J. Macera, John A. Macera, Frank H. Macera, & Macera Bros., of Cranston, Inc., (app.), 511 Pippin Orchard Rd., Macera Bros., of Cranston, Inc., 511 Pippin Orchard Rd., (lessee), to const. two (2) buildings - one to be used as a transfer station & recycling facility and the other as an office bldg., 2112 Plainfield Pike, Plat 35, Lot #17, M-2 zone, area 850,582.1 sq. ft. This application was granted, with restrictions, on motion by Mr. Sircar, seconded by Mr. Lonardo, in favor George R. DiMuro, Esq., Mrs. Barrows & Mr. Casinelli. Arthur G. Capaldi, Esq.

DECISION: In this case, the Board feels that granting a permit will not prove detrimental to the neighborhood. Applicant met the requirements of the Zoning Code, Sec. 30-49 (m,n,o,p).

- RESTRICTIONS:
- 1.) Subject to Division of Air and Hazardous Materials letter, dated June 12, 1991.
 - 2.) Subject to letter from John Fantozzi, Asst. Director of Public Works, dated April 2, 1991.
 - 3.) Subject to all provisions enclosed in the survey done by Lunar Mapping Ltd., dated March 19, 1990.

Merrill J. Anderson, Jr., 9 Pine St., W. War., RI to operate an automobile reconditioning and limited used car sales with outside storage for 8 vehicles on an undersized lot with restricted front, side & rear setbacks, 1568 Broad St., Plat 2/4, Lot #648, C-3 zone, area 7,240 sq. ft. This application was granted, with a restriction, on motion by Mr. Sircar, seconded by Mrs. Barrows. In favor, Chairman, George N. DiMuro, Esq., Mr. Casinelli & Mr. Lonardo. Edward P. Reidy, Esq.

DECISION: In this case, the Board feels that granting a permit will not prove detrimental to the neighborhood. Applicant met the requirements of the Zoning Code, Sec. 30-49 and all applicable sections.

RESTRICTION: 1.) To conform to all conditions of the Broad St. Project within six (6) months.

Richard Melikian, 8 Gordon St., to leave a 2-fam. dwell. on an undersized lot with restricted front & side setbacks, 8 Gordon St., Plat 7, Lot #1307, & pt. of #1305, B-1 zone, area 4,800 sq. ft. Note: The remaining lot a part of #1305, 1306; will have 6,447 sq. ft. of land. This application was granted on motion by Mr. Casinelli, seconded by Mr. Lonardo, in favor George N. DiMuro, Esq., Mrs. Barrows & Mr. Sircar. John S. DiBona, Esq. There were objectors.

DECISION: In this case, the Board feels that granting a permit will not prove detrimental to the neighborhood. Applicant met the requirements of the Zoning Code, Sec. 30-49.

Salvatore & Joey Buono, 20 Old Oak Ave., to const. a screen house with a restricted left setback, 20 Old Oak Ave., Plat 7/4, Lot #2818, B-1 zone, area 7,650 sq. ft. This application was approved, with restrictions, on motion by Mrs. Barrows, seconded by Mr. Lonardo, in favor Chairman, George N. DiMuro, Esq., Mr. Casinelli, & Mr. Sircar. Joseph Manera, Esq. There were objectors.

DECISION: In this case, the Board feels that granting a permit will not prove detrimental to the neighborhood. Applicant met the requirements of the Zoning Code, Sec. 30-49 and all applicable sections.

RESTRICTIONS: 1.) Total height 8' to ridge.
2.) Move building over 2 ft. from fence.
3.) Remove fence and place on property line.

Jeremiah S. Jeremiah, Jr., & Constance Messoro, 995 Park Ave., to const. a 1-fam. dwell., undersized lot with restricted street frontage at 29 Haddon Hill Rd., Plat 3/1, Lot 1530, A-6 zone, area 4,500 sq. ft. Note: Exist. single fam. dwell., at 31 Haddon Hill Rd., Lot #1529 to remain on an undersized lot with restricted frontage & side setback. This application was tabled for further study on motion by Mr. Doran, seconded by Mr. Casinelli and so voted. Note: George DiMuro, did not sit in on this application. There were objectors. Atty: Armondo Monaco represented the owners.

Michael & Maureen E. Celona, 11 Woodmont Dr., a found. was inadvertently poured with a restricted front setback of 29.96 feet and restricted side setback of 13.76 feet, 29 Briar Brooke Lane, Plat 26/2, Lot #182, A-20 zone, area 20,013 sq. ft. Note: Requirement front 30', side 15'. This application was granted on motion by Mr. Casinelli, seconded by Mr. Doran, in favor Mrs. Barrows, Mr. Lonardo & Mr. Sircar. Note: Chairman, George N. DiMuro did not sit in on this application. Atty: Louis J. Vallone.

DECISION: In this case, the Board feels that granting a permit will not prove detrimental to the neighborhood.