

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CITY OF PROVIDENCE
COMMITTEE ON ORDINANCES OF THE CITY COUNCIL

PROCEEDINGS AT HEARING IN RE: : JULY 13, 1993
: PUBLIC HEARING
AN ORDINANCE IN AMENDMENT OF CHAPTER :
564 OF THE ORDINANCES OF THE CITY OF :
PROVIDENCE, ENTITLED "THE CITY OF :
PROVIDENCE ZONING ORDINANCE" APPROVED :
OCTOBER 24, 1991, BY AMENDING THE :
PROVIDENCE OFFICIAL ZONING MAP BY :
CHANGING THE ZONING DISTRICT DESIG- :
NATION OF ZONING DISTRICT MAP NUMBER :
32, LOTS 150, 152, 155, 157, 197 :
AND 156; ZONING DISTRICT MAP NUMBER 33 :
LOTS 309, 310, 311, 312, 325, 445, :
AND 446; AND ZONING DISTRICT MAP 35 :
LOTS 1, 2, 3, 4, AND 35 FROM R-3 TO :
C-2 :

BEFORE:

DAVID V. IGLIOZZI, CHAIRMAN
ROBERT M. CLARKIN
JOSEPHINE DIRUZZO
JOSHUA N. FENTON

ALSO PRESENT:

JOHN D'AMICO, DEPUTY CITY SOLICITOR
THOMAS DELLER, DEPUTY DIRECTOR OF PLANNING AND
DEVELOPMENT
BARBARA POIRIER, SECOND DEPUTY CITY CLERK

ALLIED COURT REPORTERS
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CRANSTON, RI 02920
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E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1	Copy of letter from John J. Lombardi, Councilman, Ward 13, dated 7/8/93 (2pp).....	9

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LASER STOCK FORM B

(HEARING COMMENCED AT 7:00 P.M.)

1
2 MR. IGLIOZZI: The next matter involves, I
3 assume as with most, it's An Ordinance in Amendment of
4 Chapter 564 of the Ordinances of the City of
5 Providence, entitled, "The City of Providence Zoning
6 Ordinance" Approved October 24, 1991, by Amending the
7 Providence Official Zoning Map by changing the Zoning
8 District Designation of Zoning District Map Number 32,
9 Lots 150, 152, 155, 157, 197, and 156; Zoning District
10 Map Number 33 Lots 309, 310, 311, 312, 325, 445, and
11 446; and Zoning District Map 35 Lots 1, 2, 3, 4, and 35
12 from R-3 to C-2.

13 Before I call the witnesses at this time, I would
14 introduce a letter that was submitted by Councilman
15 Lombardi. I know he's here in person and he also wants
16 to read this into the record. Perhaps I will
17 reconsider that. At this time, I will call Deputy
18 Director Thomas Deller to introduce the proposed change
19 and then call Councilman Lombardi.

20 MR. DELLER: Thank you, Councilman. This
21 Petition was submitted by the Planning Department on
22 request of the Development Agency. Several parcels
23 along Broadway are restricted by use by redevelopment
24 restrictions. One of the property owners requested the

1 Redevelopment Agency to reconsider those restrictions
2 and to allow some additional uses. The Redevelopment
3 agency, as is its practice, submitted that request to
4 the West Broadway Project Area Committee, who reported
5 back that they had no objection to the change as long
6 as the proposed change would limit the use of the
7 property to residential or professional offices. As a
8 result, the Planning Department carried out a study of
9 land uses along Broadway from Route 10 to approximately
10 DePasquale Avenue.

11 We discovered in that study that the area has a
12 great mixture of land uses from straight residential to
13 straight commercial and anywhere in between. As a
14 result, we recommended that these lots that are before
15 you this evening be changed from R-3 to a C-2 with a
16 use limitation.

17 I should point out that these lots are presently
18 zoned R-3 with a mixed use overlay, which permits
19 office use upon going to the Zoning Board and applying
20 for a special exception. We are proposing that the
21 property be zoned C-2 with a restriction that the
22 property can only be used for residential, medical or
23 dental offices, finance, insurance and real estate
24 services, limited business services, and professional

1 offices. We feel that this zone change is in keeping
2 with the present character of the area and limits the
3 uses in such a way that no uses that are incompatible
4 with the street and no uses that presently are not
5 located on the street could move in. We urge your
6 consideration. Thank you.

7 MR. FENTON: How many buildings are there?

8 MR. DELLER: On rough count, 15. I'm not
9 sure. I'm just guessing off the map.

10 MR. FENTON: They're all residential, right
11 now?

12 MR. DELLER: This is colored for your easy
13 reading enjoyment (indicating). This is a map of land
14 use, as I said, from Route 10 to DePasquale Avenue.
15 The yellow is residential. The blue is professional
16 offices. The red is commercial. Anywhere a lot is
17 shaded two colors, it means that the property has a
18 joint use or a first floor use of professional office
19 or retail and a second floor or third floor use of
20 residential. What we are speaking of are the blocks in
21 these lots here and the blocks from here to here
22 (indicating). So, you can see we have a mixture of
23 existing uses in the area.

24 MR. IGLIOZZI: Tom, just while I have you, as

1 far as the record is concerned, I noticed that we have
2 a list of all the owners within a 200-foot radius
3 within all three items on the agenda.

4 MR. DELLER: Yes.

5 MR. IGLIOZZI: Did you present that to the
6 stenographer for the record?

7 MR. DELLER: It's part of the application
8 that went in to the City Clerk, so it is part of the
9 record.

10 MR. IGLIOZZI: At this time, I will call
11 Councilman Lombardi, in case he has a letter to read
12 into the record. He's from the 13th Ward. I believe
13 he encompasses this area.

14 MR. LOMBARDI: Thank you, Mr. Chairman and
15 Members of the Committee. I thank you for your
16 indulgence. I was running late, and I'm kind of
17 informal this evening, but please forgive my
18 appearance, but it's not the outside it's the inside.
19 I have a good heart.

20 As you see this evening, I have several people
21 here. That would have been much more, but with the
22 weather and the vacation time, and I just want to tell
23 you that for the past two weeks, I have been inundated
24 with calls and letters from various constituents.

1 Quite frankly, a lot of this stuff is relatively new to
2 me. I was not notified, but for some of my
3 constituents in the wake of -- in the line of, I should
4 say -- of them showing me the registered letters and
5 things of that sort. So, this is -- I'm kind of
6 winging this and it's unfortunate that something that's
7 so vital, and something that we fought so hard against
8 last year, that I should be notified.

9 Now, Tom referred to West Broadway Neighborhood
10 Steering Committee, or whatever it is, that sat and
11 listened to this. It kind of amazed me because once
12 again I know nothing of this Committee. I don't know
13 what they met, how they met, what the agenda was, and
14 again quite frankly I wish I had been notified because
15 I think the picture is very clear.

16 Just by way of history -- and I don't mean to bore
17 you -- there was an application made approximately a
18 year ago before the Zoning Board with regards to that
19 particular change from R-3 to C-2. At that time, we
20 literally had a bus load of people come in in
21 opposition and basically right in that area of Tobey
22 Street, Broadway, Broad Street, Meader Street, which it
23 just -- it was several people. We were very clearly
24 succinct at that time, and I thought that the message

1 had been received. However, I guess not. I guess what
2 happens is that it goes around and around the merry-go-
3 round, if one avenue doesn't work they try another one.
4 Here we are again this evening kicking the same
5 football, but the football's been deflated.

6 I would like to read into the record a letter that
7 I put together. It outlines the same concerns that my
8 constituents and myself have with regard to this.
9 We've conferred many, many, many times with reference
10 to this, and just let me read it into the record.
11 Then, a couple of other comments.

12 "Dear Councilman Igliazzi and Members
13 of the Committee, I write this letter in
14 opposition to item number one on the
15 doctrine for July 13, 1993, concerning
16 the Zoning District Map changing from a
17 R-3 to C-2 in the Federal Hill area.

18 "My concerns are as follows: This area
19 of Broadway is residential and in a Historic
20 District of Providence. Consequently, I
21 believe this transfer will raise a great
22 deal of concern within the Federal Hill
23 area. I also believe that the limited
24 off-street parking would cause a vast

1 amount of traffic congestion. This added
2 traffic will cause unnecessary problems
3 for residents who access the Route 10 ramp
4 on Tobey Street. The proposed traffic
5 will lead to a hazardous situation for
6 pedestrians who attend mass at St. Mary's
7 Church, located on Broadway.

8 "The residents of Parenti Villa,
9 located at 25 Tobey Street, will also
10 be affected. This housing unit consists
11 of handicapped and elderly who require
12 special needs. If we take away their
13 sense of security, then we will take away
14 their freedom to live their lives with the
15 safety we have insured.

16 "I also feel this proposal will take
17 away from those who operate nearby
18 businesses. Due to the limited parking,
19 customers will be forced to take their
20 business elsewhere.

21 "In order to be just to local
22 establishments, residents, youth, the
23 elderly and property owners of this pro-
24 posed location, I therefore ask that this

1 proposal be absolutely denied before
2 inherent problems occur. Sincerely,
3 John J. Lombardi, Councilman Ward 13."

4 I submit this for the record.

5 MR. IGLIOZZI: Let's mark that.

6 (CITY'S EXHIBIT NUMBER 1 MARKED)

7 MR. LOMBARDI: In addition, Mr. Chairman,
8 there are several schools located in there. So,
9 there's a lot of traffic. It's a very vital avenue for
10 Olneyville, which encompasses Councilwoman DiRuzzo.
11 So, she knows exactly the kind of concerns I have and
12 I'm sure she has also. I can only say this. That the
13 neighborhood and myself are adamantly opposed to this.
14 I believe at the zoning hearings Senator Orabona was
15 opposed. I don't propose to speak for him this
16 evening, but I am sure that he will be opposed to this.
17 It's just something that -- you know, I listened to Tom
18 and, I'm sure it's nothing to do with him personally,
19 I'd like to have some things verified. I know the
20 neighborhood. For example, use limitations. What
21 guarantees will we have that this will be enforced
22 somewhere down the line? Not necessarily this
23 administration, but what about ten years from now, 20
24 years from now, 50 years from now? I was speaking with

1 Mrs. Deldeo, who is a live-long resident. Her family
2 has been lifelong. That's one of the questions she
3 asked me. She said, I may want to put a for-sale sign
4 on it tomorrow, but I want to be sure of the quality of
5 life in the Federal Hill/West Broadway Area for down
6 the line, generations down the line.

7 That's where her concern is and I'm sure she's
8 going to testify to that this evening.

9 Another thing by definition. What are limited
10 business offices? What is that? Is that a house of
11 ill repute? What is that? We need definitions. I can
12 only tell you that the residents in that area -- no one
13 has sat down with us. No one has said look, these are
14 the kinds of things we want to do here. This is what
15 we're proposing. No one has done that and maybe, maybe
16 had that been done, had someone took the time to sit
17 down with the people in that area -- and I'm not saying
18 with myself, I'm saying with them -- and say look, this
19 is what we want to do and maybe they have something
20 that would benefit the neighborhood, and Lord knows, we
21 needed it in the 13th Ward.

22 The more important question. Who requested this?
23 Is it Johnson and Wales again? Is it a private
24 concern? Is it a public concern? We don't know. No

1 one has taken the time to explain anything to us. Why?
2 It reeks. There's something wrong here. I ask you to
3 consider this. You're going to hear some of the
4 neighbors speak. They're going to make some references
5 to some particulars.

6 I think I've kind of hit the major points, but in
7 your deliberations, I ask that you consider and weigh
8 up everything that you're going to hear this evening.
9 I'm sure you'll be getting letters and calls directly
10 from the people in the 13th Ward who live especially in
11 that area. In your infinite wisdom, I ask you to
12 please don't approve this. Lord knows, my neighborhood
13 needs help. If you approve this, you're sending the
14 wrong message out. Thank you, Mr. Chairman. Thank
15 you, Members of the Committee. I'm sorry. Any
16 questions for me? Thank you.

17 MR. IGLIOZZI: The next witness is John Gary,
18 Esquire, 86 Weybosset Street, Providence.

19 MR. GARY: Mr. Chairman, Members of the
20 Committee, my name is John Gary. I'm an attorney
21 representing the property owner located at 497
22 Broadway, which is one of the properties within the
23 area of tonight's hearing. We believe that the
24 suggested use is consistent with the plan proposed by

1 the Redevelopment Agency. The Redevelopment Agency has
2 suggested this proposal. We believe it makes good
3 planning sense and good economic sense. As the Deputy
4 Director of the Department of Planning indicated, the
5 plan is consistent with the present configuration of
6 Broadway, and with what we believe to be the future
7 proposal for the entire Broadway area. The West
8 Broadway Project Area has supported the proposal as
9 well as the Redevelopment Agency.

10 The Councilman indicated that he had some concerns
11 with respect to definitions, and I believe that the
12 Ordinance is very clear with respect to definitions as
13 to what uses can be permitted within this area. I
14 would urge you to adopt this Ordinance. Thank you.

15 MR. IGLIOZZI: Thank you. The next witness
16 to testify is James Grande, 167 Grove Street.

17 MR. GRANDE: Thank you, Mr. Chairman. I'm
18 here tonight to oppose this, as Mr. Lombardi did. The
19 grounds for that again, like he stated, a year ago we
20 went around and around with the property this gentleman
21 just spoke of, 497 Broadway, that they wanted to change
22 the zoning on that to put -- I believe it was 96 people
23 in a building that could hold, I forget, around 30
24 people. We came out in bus loads as Mr. Lombardi

1 stated. We fought it and we won it.

2 Again, this looks like another way around trying
3 to get this thing changed in different terms and
4 widening the zoning. Trying to incorporate it in with
5 some other business. We don't want it and I don't
6 think it will happen, because we will come out in
7 numbers again if we have to. I live directly behind
8 the property that the gentleman just spoke of. Along
9 with the property next to that, that is able to be
10 accessed by Grove Street. That's 485 Broadway. I'm
11 not sure of the lot number. There's two driveways that
12 could eventually be accessed that we would not want
13 because of children. That's a bus route for children
14 in the morning. The elderly have that walkway to
15 convenience stores around the corner, and it would be a
16 death trap, literally. Changing it to a C-2, again
17 like we stated, seems like the property would become
18 much more valuable for resale.

19 Johnson & Wales again has been taking up most of
20 the city, taking away all our tax dollars. That's one
21 of our biggest problems with them. Nothing would
22 surprise me is if this was changed to a C-2 that it
23 would be sold to Johnson & Wales to do what they
24 primarily wanted to do a year ago. That's speculation,

1 but if it did come to that, again like I said, we'd
2 oppose it. We're here tonight to oppose it, and we ask
3 that you, the Committee, do the same in the best
4 interest of the people in that neighborhood and not to
5 bring the neighborhood down any further than what it
6 is. We want to build it up.

7 MR. IGLIOZZI: The next witness is
8 Esther Casparo, 90 Ring Street. She lives or lived at
9 90 Ring Street.

10 The next witness is Mrs. Deldeo or Mr. Deldeo, of
11 23 Meader Street.

12 MRS. DELDEO: I oppose this because of what I
13 see happening to the neighborhood already and C-2 just
14 opens Pandora's Box as far as I'm concerned. Did
15 anyone hear me? And I greatly oppose it, and I want
16 more explanation and -- I don't understand. Who are --
17 or who is the Broadway Steering Committee? I've never
18 heard of it before. Who sits on it? We've never had
19 any materials from them. They say that they are
20 approving this proposal. Does the group exist?

21 MR. IGLIOZZI: This isn't a question and
22 answer. I don't really know what the Broadway Steering
23 Committee that was mentioned by Councilman Lombardi
24 are. I wouldn't get concerned with that. They have no

1 place here other than to testify. They're not here
2 testifying. Don't worry about that. Your testimony is
3 important. I urge you to put your testimony on the
4 record.

5 The next witness, it looks like Charles Mayer,
6 35 Meader Street.

7 MR. MAYER: Good evening, Mr. Chairman, and
8 Councilwoman DiRuzzo, and Mr. Clarkin. I'm a new
9 resident/home owner on Meader Street for about a year
10 now. I've lived in the area for 42 years. On any
11 given day, you can stand anywhere from Broadway to
12 Westminster Street and count the amount of school buses
13 and children that go by. Any more commercial use in
14 this area is going to make it worse. I'm visually
15 impaired, and there isn't a day that goes by where I
16 can't cross a 20-foot street without almost getting
17 killed. You have to be in my shoes to know what it's
18 like. To have anymore traffic, anymore than it is --
19 it's already congested with traffic with more
20 businesses -- who would want to change it to C-2? If
21 you look around now, there's enough businesses.
22 They're all mom and pop businesses, all those small
23 businesses. You ain't going to have anything big in
24 that area. There's no parking for anything big. I'm

1 opposed to the change. It's somebody that knows what
2 they're doing to line their pockets for resale. What
3 we need in that neighborhood is more people to move
4 into the houses, fix up the houses that are busted down
5 in the local areas. Forget about the businesses. Let
6 the businesses move into the downtown. Downtown needs
7 the business.

8 MR. IGLIOZZI: Thank you. The next witness
9 is James Priscaro, at 34 Spencer Street.

10 MR. PRISCARO: At this time, I am opposed to
11 the zoning change to C-2. The reasons being it is
12 primarily a residential area. There's a lot of good
13 families in the area. Broadway, basically, is a
14 business district. Broadway is basically a business
15 district for offices and I think they should be
16 restricted to that. At this time, C-2 is too general
17 of a classification for the residential area. That's
18 it.

19 MR. IGLIOZZI: Your last name?

20 MR. PRISCARO: It's P-R-I-S-C-A-R-O,
21 Priscaro, 34 Spencer Street.

22 MR. IGLIOZZI: Thank you. The next witness
23 looks like Charles Trant, Jr., 168 Grove Street.

24 MR. TRANT: Charles Trant, T-R-A-N-T, Jr.

1 I'm totally opposed to this change from R-3 to C-2 for
2 the reasons being that everybody else has stated. The
3 problem is we've had problems with some of the C-2
4 people who live in that area now that they're trying to
5 switch over to commercial. We don't need commercial in
6 there. The simple reason being the church in that
7 area, the schools, the elderly that live in that area.
8 We just totally don't need more commercial property.
9 That's totally it.

10 MR. IGLIOZZI: Thank you. That exhausts all
11 witnesses who have signed up. Are there any witnesses
12 who have not testified who wish to do so with regard to
13 this matter?

14 This hearing done also, this matter will remain
15 open for the next ten days for submission by anyone who
16 wishes to do so. Do I have any comments by either
17 colleague?

18 MS. DiRUZZO: Except use on Federal Hill,
19 Broadway, I just want to be placed on the record with
20 regard to the Broadway question as being able to
21 identify with the traffic hazards and congestion to
22 that particular area, especially around the area of
23 Tobey and Almy Street. Last year, I witnessed in
24 traffic when we were leaving the city on the way

1 home -- and I always take Broadway -- a child crossing
2 the street coming home from school being hit by a car.
3 Believe it or not, most of the people aren't aware of
4 it. That's how heavily travelled that Broadway area is
5 and I do share the concern of these people and
6 Councilman Lombardi, with regards to more congestion in
7 that area. I would urge the Planning and Development to
8 look at it a lot more closely, certainly, when they
9 make these decisions to include the neighborhood, so
10 that the neighborhood will know why.

11 MR. IGLIOZZI: One final comment for all
12 those who are present. Some of your names are very
13 difficult to make out. If you could go to the
14 stenographer to give her the proper spelling. Hearing
15 that, at this time the public hearing will come to a
16 close for all at this time.

17 (HEARING CONCLUDED AT 7:15 P.M.)
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C E R T I F I C A T E

I, JULIA A. PULEO, hereby certify that the foregoing is a true and accurate transcription of my stenographic notes in the above Hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of August, 1993.

Julia A. Puleo, Notary Public / Certified Court Reporter

JULIA A. PULEO, NOTARY PUBLIC/CERTIFIED COURT REPORTER

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