

MINUTES OF JUNE 20, 2005

Present were: Chairman Patrick Rogers, Dr. Isadore Ramos, Jay Gregory, Jay Gowell, Jacob Harpootian Attorney Robin Main, Counsel, Laura McNamara, Lori Capaldi, Jeanne Boyle, and Renee Kincha, (staff).

1. Chairman's Opening Remarks
2. Approval of Minutes
 - A. Minutes of March 21, 2005
 - B. Minutes of April 18, 2005

It was noted that the minutes of March 21 would be forthcoming.

The Commission voted to approve the minutes of April 18th with the revisions noted regarding the repetitive motion regarding the fees. Also, Ms. McNamara did recuse herself from the vote regarding Advertising Adventures. Also a typo on pg. 14 was corrected. "projects are doing" not "of doing". It was noted these corrections would be made and a revised copy put in the official Commission records for this meeting.

3. New Business

- A. Presentation by Sam Reid – Ninigret Partners

Chairman Rogers states that Sam Reid from Ninigret Partners is here tonight and invites him to make his presentation. Mr. Reid explained that he was with Governor Almond's staff for about seven years both in Providence and Washington D.C. He also served President Bush and the Department of Transportation. With that he has experience with freight rails and the P&W. Also he states he has been working with the Economic Development Corporation on the Commission's behalf. He has been communicating with P&W and working very closely with Ms. Boyle. He reported that Providence and Worcester Railroad has come to an agreement regarding the rail line that is currently on the Waterfront. This rail line will be abandoned by P&W allowing Waterfront Drive to proceed.

Regarding the segment of Dexter Road towards the Warren Avenue Connector, Mr. Reid explained that RI DOT continues to promise that it will go out to bid very soon. He states they really focused on the Waterfront Drive – Warren Avenue – Dexter road segment and getting P&W to abandon the freight rail line. He states he prepared a report of these findings for the Waterfront Commission with recommendations that were brought to the Commission at their March meeting. This segment is about \$10 million and that would include the ability to retain the rail. If one did not have the rail, it would be about a \$7 million dollar project. The next question he states would be how much would potentially a freight rail yard cost? He raised this question because as this process started P&W was saying if they abandon this piece maybe what they need is a freight rail yard because we often store trains here or like the idea that we could store

trains there so we might have to have a freight rail yard to keep that capacity and we think the City would want to pay for that in exchange for abandoning this piece. A quid pro quo if you will. We are now at a point where P&W has, with RIDOT submitted formal abandonment documents to the Surface Transportation Board in Washington D.C. that has jurisdiction. Since it is a \$3 million dollar difference the cost for a freight rail yard would cost about one million and a half states P&W. The good news is that P&W has signed the documents abandoning this piece as of three weeks ago without having their freight yard paid for by some other means.

Mr. Reid concluded that that his role at the US Department of Transportation was as liaison with other Federal Agencies. He stated he communicated with a lot of those colleagues about this sort of thing. Also, not just appropriations, but also grants and other programs and ideas that they may have to bring to the Commission. Mr. Reid explained that through the Department of Commerce, which has been very helpful so far is the EDA which brings in dollars in particular to this segment; \$2 million for the construction. EDA is within Commerce and also within Commerce is (NOAAA) which are the National Oceanographic and Atmospheric Administration. They have jurisdiction for the Coastal Zoning Management Act (CZM) which has jurisdiction for the Clean Water Act.

Mr. Reid also stated he found that EPA and NOAA have created a new Memorandum of Understanding that will bring Coastal Zone Management and Clean Water Act together. He noted that Ms. Boyle and he did a conference call with the EPA Region 1 out of Boston asking that they give them some contact names. He informed them of the successes and that so many incredible things are happening with East Providence such as the GeoNova site etc. and asked that EPA help us showcase this entire district nationwide. He suggested that EPA come and show others nationwide what successes have occurred in East Providence. EPA liked that idea and the report that Mr. Reid has sent is a call for a meeting or gathering of numerous federal officials to get more federal monies. This way they get to perform in front of their peers and it can be very successful.

Mr. Reid also informed the Commission that Lori Capaldi from EDC made mention that there is a process called SAMP which is underway. It is about a Special Area of Management Process and plans, under the jurisdiction of CRMC who are going town by town and looking at a series of important issues with the coastal zone who are also very interested. He suggests they be invited into the process. He said that EPA is very interested in coming together and may even pay a little something (possibly 10's of thousands of dollars to help staff) to facilitate such a meeting. Their bosses in Washington are saying we need to work closely together on Clean Water Act and coastal zone issues so this is very important.

At this time, Chairman Rogers asks if the Commission has any questions of Mr. Reid.

Chairman Rogers asks Mr. Reid when the meeting would take place in getting all the stakeholders together and what the Commission can do to participate? Mr. Reid stated no more than a 3-month lead-time is necessary, probably sometime in the fall. We need to identify whom the decision-maker types would be, people that are familiar with the State of Rhode Island, but high-level folks out of Washington who are giving speeches around the country could say this is a project that you should come and look at for its successes and as national model. EPA is calling this as "a national model of

environmentally sensitive development". Mr. Reid states that an invitation like that to these people would be well received. He notes that if the Commission agrees EPA Region 1 has not yet received any requests from the Commission as yet, but that the first step would be to contact EPA Region 1.

Mr. Reid suggests having a small number of partners, in particular RIDOT, State Planning Council and others. Also he suggests that it be a public hearing or smaller technical meeting. Chairman Rogers suggested combining it and having the principal decision-makers first and then have a larger gathering at another time.

Mr. Gregory asks who pays for the expenses of the meeting. Mr. Reid suggested possibly asking the EPA. It would probably cost around \$2,000. Mr. Gregory also asked about traveling expenses. Mr. Reid stated that the Federal officials should be able to pay their own way since they have their own budgets. Mr. Reid suggests that the Commission ask EPA to see what expenses they would pay.

Ms. Boyle informed the Commission that Senator Reed's office is able to put a \$250,000 earmark in the EPA budget for a waterfront storm water analysis. She noted that storm water management is going to be one of the most critical issues for development of the waterfront. That would dovetail very nicely with the meeting that Mr. Reid is suggesting. Chairman Rogers suggests to Ms. Boyle they she continue that suggestion at some point. Mr. Reid states that the stakeholders meetings are absolutely critical to everyone you do and it is important to get everyone in the same room at the same time.

Chairman Rogers and the Commission thanked Mr. Reid and asks that he updates the City on all the things that are going on in Washington and they he appreciates all his good work.

B. Presentation – Advertising Adventures

Mary Sadlier and Steve Rosa and their team are here to present. Mr. Rogers states that to refresh peoples' recollections, the Commission has engaged Advertising Adventures to develop some public relations and other work for the Commission. He noted that everyone on the Commission was invited to participate in some of the group sessions with Advertising Adventures. Not everyone could meet with them, but some of the Commissioners were able to.

At this time, Steve Rosa, President and Creative Officer thanks the Commission for their tremendous vote of confidence in his agency and will do everything possible to never let the Commission down.

Ms. Courtney Guertin introduced herself. Ms. Guertin is Manager of Public Relations at Advertising Adventures.

Mr. Rosa states that the goal today is to take all the wonderful input the Commission has given us and to create a message that everyone can understand. We will create a visual logo and brand identity. Our goal with the logo is to show a momentum of all the hard work that the Commission is doing and to get the word out and identifying the organization. At this time he presents the logos.

Ms. Sadlier states that the brand is really the essence that you are trying to market. It is what you are known as and how people refer you, trust you and use your organization. The brand is one of the most critical elements in developing a strong marketing element.

At this time they started their presentation explained the different types of logos that they came up with.

Mr. Rosa states that they have also looked at other materials from other organizations that are similar in scope to yours.

Ms. Sadlier states that the process that Advertising Adventures uses is always based on research. We do primary research which we did with some of the Commission members and then do the secondary research which is conducting in depth research via internet, collecting other Commission's marketing collateral to pick out which Commissions and organizations are perceived as more credible and maybe more sophisticated.

As part of his presentation, Mr. Rosa explained that in coming up with a brand they noted that the Commission is a very professional group of people. It was obvious that the volunteer commitment is very great with this Commission to building a better East Providence. Everyone on the Commission has a great record of service to the community in business and in government. We have been very impressed with everyone we have met. Everyone is very clear that there are a lot of people that Advertising Adventures has to address here such as property owners, community people, homeowners, businesses etc.

Ms. Sadlier stated that along those lines and one of the key messages that we gathered fostering a sense of rejuvenation to the City. Traditionally East Providence has never had a strong brand identity and this whole waterfront program can really bring a lot of rejuvenation to the City. It is a tremendous resource. Everyone recognizes that it is being wasted and there is a lot that we bring to it. We want to make this a destination for people to come to East Providence because there are a lot of things happening here. We are creating opportunities for people to make this a place where they want to live and work.

Ms. Sadlier stated that they took a peek at Narragansett Bay Commission logo, the DEM logo and obviously the City. She stated that every single one of them has birds which says water with life whereas I believe this project is more about merging water with opportunity and growth and vitality. The logo we developed has more of a business feel to it.

They went through the different logos and noted the colors they used were lots of blues and greens. Ms. Sadlier showed the Commission at this time the first concept. Rhode Island known for the Anchor of Hope. The next was the waves with the waterfront. This adds another element. Another logo shows a road with progress going into the waterfront. Some showed buildings. They stated the Commission should choose a tag line, but if the goals of the Commission change, they can always revise the logo and make it more adaptable.

Ms. Sadlier states that will narrow the choices down to about three and will take them back and refine them

After some more discussion on the different logos, the Commission felt there needs to be more energy in the logos. It needs to be more than just a structure and water on the logo. One of the Commissioners suggested a slogan. At this point they felt the logo to be too bland or too complicated. He said it is very hard to capture the scale of the responsibility that the logo is supposed to portray.

Mr. Gowell suggested a single stylistic representation is not going to adequately tell the story. We might want to explore multiple symbols in the logo like DEM has. To show that we are mixed use, public access, housing etc. Mr. Rosa states he did look at that and sometimes the more you say the less gets processed or heard and that is why we did not want to go too far in that direction until we received feedback from the Commission.

Laura McNamara suggested using Waterfront District as the name since that is what this Commission is specifically charged with.

It was asked if we should differentiate between the district and the Commission? If you are discussing signage to the Waterfront which is the Waterfront District. The Commission is the body that is administering it. He asked if we need to have a logo that would be useable for both applications? Mr. Rosa states that since the District is so large, if it were more contained does the whole district need a name like "Upper Bay" or maybe just have the "Waterfront District" which combines the whole area.

It was suggested that they incorporate as recreation/public access component as well as housing and commerce progress.

Chairman Rogers agreed that some of the pictures resemble RI Housing and appear to be housing oriented. He does like the wave concept and thinks it has some potential there.

Dr. Ramos agreed that you have to indicate the recreation aspect since recreation will be very important within the district. One of the Commissioners said that a lot of times with municipalities there is usually a prominent landmark, some historical element that can be brought in, but here we do not have that.

Mr. Rosa went through some taglines, such as "Waterfront Revitalization" "City Reborn" and "City With Open Shores, Government with Open Doors", "Open Shores, Open Doors" which the Commission liked, but suggested that the word "reborn" be changed to something else.

It was suggested that some of these lines could appear in brochures etc. without them necessarily being the official tagline.

Chairman Rogers thanked Advertising Adventures and asked them what the next step was. Ms. Sadler states that they will take the Commission's feedback on the logo and tagline and will rework a lot of that and communicate by e-mail for a vote on them.

There was no further discussion.

C. Discussion of Development Fees/GeoNova Fee Waiver Request

Chairman Rogers asks that Mr. Everton, Project Manager for GeoNova make his request for the Commission to waive the application fee. Mr. Everton states that he has been involved with the GeoNova project for four years. This is a long process and is a very complicated and very expensive project. The issue of the one percent fee is a very great critical issue, especially at a time when there is no cash flow generated from this project as yet. We have a substantial amount of investment in time and effort in this project. He stated this is a pioneering effort we have undertaken with the City.

Mr. Everton stated the agreement we made with the City predates the Commission and it is a collaborative effort that we have designed a mixed-use project in a way that the City wants us to have it. It is also the forerunner of this Commission. The GeoNova project is the project getting this whole process really going. We are very excited about it. The process is very difficult and we still have a long way to go. We appreciate the Commission's time and patience to listen to our request and consider granting the waiver of the fee. The benefits will be substantial not only to GeoNova as a commercial entity, but it will be very substantial to the City in terms of a fiscal impact and also to the Waterfront Commission. The City received the award last week for the project and asks that the Commission waive the fee.

Mr. Everton explained that he went out and found the site and matched GeoNova with this particular site and then matched GeoNova with the City of East Providence, made a deal with the City to show the benefits to all of a project of this particular nature. It is a commercial project that we are turning a brownfield into a greenfield that has a lot more benefits associated with getting this done. This is going to be a New England Village with 490 units and 75,000 of commercial space, 147 Jobs.

Dr. Ramos states that if Mr. Everton can come up with some type of arrangement, the Commission might look at it, but he does not agree with waiving fees because it would not be fair to the other developers.

Chairman Rogers states that we will discuss it this evening, but it will ultimately be the Commission's decision. He states that the purpose of tonight's meeting is for the applicant, Mr. Everton, to make his case and the Commission to ask questions.

Ms. Capaldi asks what the range is for the one percent. Ms. Boyle responds that the one percent fee does not include the site development costs or the remediation costs or land costs. It is simply whatever the developer's construction costs are associated with the buildings themselves. Mr. Everton states that it is in the hundreds of millions of dollars. It is a very sizable build up.

Ms. Capaldi asks if he has a schedule of the build out of the parcel. Mr. Everton answered not at this time. He states that the fee will hamper the progress of the development because right now everything is cost out. We have acquired the property and remediated the property. It was much more costly than what we thought in the beginning, plus the soft costs, engineering fees, legal, architectural fees. Right now is the worst time to be paying these fees. He noted that the CRMC has backed off their fee schedule for brownfield type of projects. He said the director at CRMC is going to set up something that will be reasonable, then that number will be associated with what it will cost them to do this particular job. He agrees with that, but to have an arbitrary fee based on some percentage on huge projects that are going to develop over many years, that is very difficult.

Mr. Gowell agrees with Dr. Ramos and feels that if the Commission starts waiving fees, we are going to have this discussion for every project that comes along. We certainly can be criticized or treating people differently for different developments inconsistently. Mr. Gowell suggested some sort of phase of the fee because Mr. Everton has indicated that he does not have a construction cost yet or a plan so we really don't know what the fee would be at this point until we have a more defined and mature plan. There may be a way that the fee could be imposed on a scale. If we start to alter the fee, we will have to make a separate deal with every developer and spend too much time on something like that instead of spending time on what we should be spending our time on.

Mr. Gregory shares the same opinion and states he appreciates everything that GeoNova is bringing to us, but I have written down here phased application fees, maybe revisiting the size of this development over time to an outside cap that was not as low as it was before, but something that would give consideration to the larger developers as far as where the fee structure is going. On a \$100 million dollar project, a one percent is a considerable fee structure. He agrees on the suggested phase and even a realistic upper end cap and to where the fees would go. I do not want to get involved with other companies coming in and asking a for waiver of some sort.

Chairman Rogers said we have gotten some good suggestions about this from the Commissioners and others and maybe we should propose that over the next couple of weeks we consider the application and proposal, meet with Dr. Ramos, Mr. Gregory and Mr. Gowell and come up with some sort of response to the proposal. We will revisit the upper end fee at the July meeting.

Mr. Gowell states that he would be opposed to a cap, but there may be a way to have a sliding scale that based on size the percentage reduces over a certain size. We are going to have a lot of up front costs, time and expense that we are going to have to spend when the applications are first submitted. There must be some fee imposed with the application. The phase can come after that. Maybe for each phase a separate fee levied. It will be difficult because if you are going to have some sort of an integrated large development that is getting a competitive advantage by a reduced fee to a smaller development, it is almost that that fee is able to spread over more housing units than a smaller development. The Commission's goals are to be even-handed to everyone not only to GeoNova.

Ms. Boyle suggested that she and Counsel Robin Main also work on some draft scenarios, send those out to the Commission prior to the next meeting so that the Commission can take action on it at the next meeting. There is a time issue on this with Mr. Everton and also there will be more applications coming forth and you want to make sure it is all in place.

It was asked if Mr. Everton was required to pay a fee by a certain date. Ms. Boyle said he is required to pay a fee in order for it to be considered an application that is complete. We expect the developer to assign that estimate as to what the development costs will be similar to what is done with a building application. Maybe the fee should be based on a square foot development.

Chairman Rogers states we do not want our Commission to be giving approvals to people based upon these conceptual ideas. We must make sure these projects are reviewed at the appropriate time and monitored throughout the process.

Ms. Main states that with the level of detail you require in your application, it is well beyond the concept state. Chairman Rogers states that we should work with the scenarios that Ms. Boyle and Ms. Main are going to draft over the next couple of weeks so that we can get out a public notice in advance of the July meeting and get ready to approve the regulation.

Chairman Rogers thanked Mr. Everton.

Continued Business

A. Decorative Lighting for the Waterfront District – Subcommittee Public Meeting Discussion

Chairman Rogers explained that this is not a public meeting itself but just to remind the Commission that in the future we want to have a more formal meeting and making sure that when we are approving decorative lighting on Roger Williams Avenue, that we do not approve it on a site specific this is good for this location, and then winding up having 15 or so other developments each having their own unique interest. We want to be flexible as a Commission, but also promote some sort of consistency, integrity, and quality throughout the Waterfront District.

Ms. Boyle stated that there was discussion about the creation of a subcommittee for the lighting so that we can come back to the full Commission, have a public meeting where you can discuss the different options. She states she contacted Mr. Giordano of Gordon Archibald, Traffic Consultant for the Commission, and asked whether he had someone on staff that had the expertise for the Commission. He said that when they do these types of design projects, they rely on a landscape architect. There are a couple of firms that they use as sub consultants and asked him to contact them to see if they available to provide some design expertise on this topic. It is very specialized and there is a lot that goes into it such as concerns about maintenance, the readiness of the supply and long-term availability over time. Ms. Boyle states she will also contact Barbara Petraca at RIDOT who is a landscape architect who is in charge of a lot of street-scape projects. Ms. Boyle suggests that this Commission set up that sub-committee and reporting back to the full Commission at a public meeting and then a decision made at that point.

The Commission agreed.

Mr. Gregory stated that Steve Coutu offered that the power company offers three forms of lighting. They supply them at no additional charge and we should probably restrict ourselves to what is offered by the power company that they will maintain on an on-going basis vs. trying to come up with an individual concept that may be fine on Roger Williams Avenue, but may not be acceptable for Rossccommons to GeoNova in match.

It was asked that Ms. Boyle summarize the issue.

She stated that we have requirements that the developers provide decorative lighting along the streets and within the development itself. We do not have a specific standard

of decorative lighting that is going to be provided. The Rossccommons development proposed a certain kind of lighting which we thought was appropriate for that location and also we thought would be used district wide so that we would have some continuity throughout the district. Then the whole issue of availability came up. When I have pre-application meetings with the developers, they want direction. They ask us what kind of lighting do we want to use. At this point, Ms. Boyle states she cannot direct them to a standard. We must develop a standard. We cannot have six or seven lights on City streets without having that standard raises a lot of issues such as maintenance since that is always a critical issue. For those public rights of way we need to be able to give direction to the developers.

Ms. Capaldi states that it is also sidewalks too where you can do different types of sidewalks so the elements all tying in with the lighting and sidewalks all falls under the jurisdiction of landscape architect. Ms. Boyle suggests that we go through Gordon Archibald since they have used Sara Bradford who has done a lot of projects in the City and Wil Gates, of Gates Leighton for some. He will contact them. It is worthwhile to draw upon their expertise because this is an issue that we could spend a tremendous time researching.

Dr. Ramos asked if the public lights should be taken care of by the electric company. Because that will be a major cost and will maintain it. Ms. Boyle states that it is on-going and explained that the City has had a couple of subdivisions where the developers within the City right-of-way have chosen their brand of decorative lighting which is not accepted by the electric company and therefore the on-going maintenance responsibility is theirs. We required them to post an escrow fee for any issues such as maintenance. The other approach is to go through the electric company which maintains the "Freedom Green" lights. The problem is that you are very limited to what kind of lighting you can select. We are in the process right now of doing a streetscape project on Warren Avenue. We are going with the electric company lights on that. She said the Electric Company does everything they can to discourage communities from going with their decorative lights.

She suggests that the Commissions set up a district-wide fee for the cost of maintaining these lights if it is not the standard of the Electric Company. Chairman Rogers states that the lights Down City at Kennedy Plaza are beautiful cast iron, but the costs of these lights are astronomical. Chairman Rogers agreed with Ms. Boyle to have a subcommittee to review the light situation. Ms. Capaldi suggested someone taking a look at consistency with stonewall design and sidewalks and also signage which may become another issue.

Ms. Boyle asks if you pick a particular light brand, are we steering business to one particular company or do we go out for a bid. She defers to the attorneys on that issue. This is the first step of visual infrastructure and it is critical that the Commission spend a lot of time because it will impact the look and appearance of the Waterfront District for many years.

Ms. Capaldi states that the specifications can actually specify exactly what brand of light you are going to use. DOT does that and can build to a set specification.

Motion – Create a Subcommittee for Lighting and Landscaping through Gordon Archibald Assoc.

On a motion by Gowell, seconded by Mr. Dr. Ramos, the Commission voted unanimously to create a subcommittee for the lighting and landscaping through Gordon Archibald Assoc.

B. Stake holder's Meeting Discussion

Chairman Rogers states that Mr. Reid's presentation earlier summarizes what we will need to do. He suggests a tour by boat in either September or October so that the Commission members who have not formally taken a tour of the waterfront can. Ms. Boyle states that she can put together a list of who the invitees will be and look at some dates to bring forward to the Commission. Also, she suggested that the City did the Duck Boat tours which is a very effective way of doing it because you can go in and out of the water. We could enter through Collier Point in Providence for this tour. It would be set up for September for the tour followed by an October public hearing. The Congressional Delegation and State representatives and senators and also CRMC, RIDOT, EDC, City Council. We might need two boats and then have something in the Council Chambers. Also, Dr. Ramos suggested inviting others from Washington and do a series of meetings. Ms. Capaldi suggested October after the congressional budget is approved. Ms. Boyle suggested putting together of list of the first tour boat and then a second list of who we would invite from the other organizations for the second boat and then who we would invite to a larger meeting. Ms. Boyle suggests that it is important to have the general public meeting. Advertising Adventures could do a video based on the duck boat tour and make that a presentation at the general stakeholders' meeting.

Ms. Boyle suggested that Advertising Adventures start getting word out to the press of what the Commission is doing. Maybe invite the TV stations to go out on the duck boat tour. Also maybe hold the stakeholders meeting at the Squantum Club. Chairman Rogers agreed.

5. Reports of Commission's Subcommittee

A. Design Review Commission

Chairman Gregory of the DRC reported that the next two apparent applications; GeoNova and FRA . He states we need an environmental specialist on our committee and asks that Terry Gray become a member of the DRC because has so much expertise in this area of environmental concerns.

Mr. Rogers asks Counsel Main if there would be a problem with having a nonvoting member on a subcommittee and whether that is permissible or what that person's role might be. Ms. Main states it is fine. You can have four other individuals on the DRC; one will be a professional engaged in an area that you determine is important and I believe that is very clear with Terry Gray. It specifically says that non-board members of the Design Review Committee are referred to as advisory members and Mr. Gray will fall under the "advisory member" category. He will not be elevated to any voting status by being on the DRC, but in that advisory role it would be acceptable. There were no objections to this.

Motion

On a motion by Mr. Gowell, seconded by Mr. Ramos Commission unanimously voted to appoint Terry Gray as a non-voting advisory member to the Design Review Committee.

Mr. Gregory thanks the Commission for the appointment.

B. Hearing Panel

Mr. Gowell did not have anything to report from the Hearing Panel at this time.

6. Miscellaneous Other Business

A. Warren Avenue Connector

Ms. Boyle reported that the CRMC held a public hearing on the Warren Avenue Connector. This is the first piece of Waterfront Drive that goes from Warren Avenue directly down along the waterfront south of the Rt. 195 bridge and all the way to Bold Point Park. She noted that there was a piece of property donated to the City by the Providence & Worcester Railroad. It will connect to the right-of-way where the old P&W property which has been donated to the State as well and continue to the edge of Bold Point Park. It will terminate at a cul-de-sac at that point, which will be a better connection to Bold Point Park itself. She showed the Commission the entire rail line that will be abandoned. The CRMC gave it an approval with certain conditions which the City has agreed to. One of the conditions is that Pier Road south of the East Providence Yacht Club be abandoned, rip up the pavement and use this as a public access and greenway and also for a utility corridor. The City has agreed to do that. The other CRMC condition is associated with the Tockwotton Home. One of the reasons that Tockwotton has not yet been before the Commission is that the issues associated with Waterfront Drive are very close to the waters edge at that point and the RIDOT will be required to put in an revetment riprap all along the edge of that. The City has agreed to this and DOT is going to do the design and construction as well. RIDOT is going out to bid in early fall with construction actually starting on the project by the end of this year.

Ms. Boyle said that one of the questions was whether Waterfront Drive needed to go before the Waterfront Commission for a permit. Waterfront Drive has been around for about 30 years. Prior to that it was called the East Providence Industrial Highway. The DOT donated this right of way. Because of the design taking place over so many years, because the project has taken so long, it would be my position and Ms. Main's that this project is essentially grandfathered. I do not think RIDOT needs to come before the Waterfront Commission for actual approval to commence construction. The funding is in place. It will be paid 100 percent by the RIDOT. It is an 80%, 20% federal highway and state funding.

One of the issues is that only thing DOT is building will be the road and what is associated with just the road itself. Decorative lighting and some of the other landscaping may have to be paid for separately. They do not do utilities either. The utilities are considered a betterment that will be paid for by the City and by the developers. Some of the expenses will be picked up by Tockwotton and and the City.

Someone asked about storm water management. Ms. Boyle replied that that will be part of the road construction. All utilities will be done separately. Ms. Boyle stated that she has had discussions with the City Manager about providing funding for at least the

electrical lighting and we do have funding set aside in a City bond issue. The gas company will have to put in gas. Tockwotton will be running their own water service, but when we go further down, it will be the responsibility of the City. By abandoning Pier Road it makes way for a utility corridor.

Ms. Boyle stated that one of the grants we received through the Community Development Program from the Economic Development Corporation was to have an assessment done of all the utility needs of the waterfront district. That will identify the infrastructure needs and estimated costs. She will meet tomorrow regarding the CDM results of that study with Mr. Coutu. We will be using Tax Increment Financing for a portion of that and are looking into different financing methods for that infrastructure.

Mr. Gowell stated that once this road gets built anyone who is near it will have their property go up astronomically. The time to establish the tax increment financing district is before it gets built and to do the valuation. Ms. Main states that we have had discussions on this.

Ms. Boyle states that the first project that she had Planning Intern, Renee Kinchla working on was to go through all the values in 2002. Mr. Gowell asked, do we do the district as a whole or by sub district? Ms. Boyle states the value for the whole district has been established and whether or not you do it as a whole or parcel it out, there may be some portions of the district that have greater costs. Ms Kincha reported that in 2002 there was \$1 million of tax revenue for the entire district.

Mr. Gowell states we need to establish a redevelopment district and have the base if there are going to be sub-districts. How would that impact the tax increment financing? We might want to put in a tax increment financing bond for just the Bold Point Harbor District. Ms. Main states that one thing to keep in mind of breaking it down too much is how you will really market those bonds and whether you will have enough value there to bring it to the market. Mr. Gowell stated that the bonds are going to be in an amount equal to the cost of the infrastructure and improvements and they will be serviced by the development benefited. I don't see how bringing in water through this sub-district would benefit GeoNova. It's not going to enhance the GeoNova site. When you look at the tax increment financing you are looking at what is the increase in value as a direct result of the infrastructure that you are putting in. It does by sub-district make sense and the bond sizes will be smaller.

Ms. Boyle stated that they had a meeting with Director McMahon who suggested even going bigger than this district – to look at the possibility of a regional pool of tax increment financing. Each community would take down from the tax increment financing bond what was actually associated with the particular projects. We may need a water tower, pump stations etc. There will be larger infrastructure costs. The waterline will probably be a relatively low one, but there will probably be some significant numbers and they will be associated with infrastructure that has district-wide merits.

Ms. Boyle states that so far it will be the responsibility of the City and the Waterfront Commission to find a way to finance that utility whether it is through the Transportation Program, bonds, or assessments.

Chairman Rogers states that at a subsequent meeting we will get whatever experts we need to give a presentation as to what some of the options we should be considering. We need to give this a lot of attention sooner than later.

Mr. Gowell states that he is concerned that if this road gets built and we have not put a district in place, and have not established it properly, the increase in value may not go to infrastructure improvements, but to the general treasury (the increased taxes) of the City of East Providence. It would not be reinvested back into the district.

Dr. Ramos asks if they have the authority to tax beyond the City. Ms. Boyle answered yes. We do have the authority to do special assessments. Mr. Harpootian states that that's what we have Counsel Main for. These are avenues for her to be exploring. Chairman Rogers interjected and stated that Ms. Main and Ms. Boyle will be back before the Board in July to answer these questions. We will encourage City Manager Fazioli to be here as well. Ms. Boyle states that this is his area of expertise with his public financing background.

Chairman Rogers at this time, welcomes Renee Kinchla. She stated she is at her second year at Cornell in Regional Planning. She is originally from Worcester and states it is very nice to be here. Mr. Rogers thanks her for coming, appreciates her good work and looks forward to working with her this summer.

7. Staff Report

A. Counsel's Report

Ms. Main states that at the next meeting in determining the fee structure and looking at those issues it is important that we make sure we have a quorum to conduct that business and settle on those issues. Also, the Ethics Commission statements are due and reminds the Commission of this.

Mr. Rogers asks Ms. Boyle about the July 18 meeting. She states she is concerned about the GeoNova application and the Commission needs to push the meeting forward, possibly July 12. The Commission agreed. She states it is absolutely essential they we have at least seven members.

The Chair asks that Ms. Boyle and Ms. Main get us information and options as soon as possible in advance of the meeting to review by email and discuss some of these options. Ms. Main states we can try to get the information to them by July 4. It can be a draft.

Mr. Harpootian asked if GeoNova would be grandfathered in since they were here before the Commission was established. Chairman Rogers states that would be up to the Commission and said that there are only so many parcels like GeoNova out there in East Providence and the Commission has a significant amount of work that we need to do in evaluating that project like every other. He felt it would be unwise to give anyone grandfather rights because of the amount of time and effort that is needed. Mr. Harpootian asked Counsel Main if there would be any repercussions and Dr. Ramos stated he thought they might be. Every developer will expect it.

Dr. Ramos states that in the past, GeoNova was not the easiest project to deal with. We had problems and they were not very conscious as to what East Providence was all about. He states he wants to be fair, but does not want to see GeoNova get a fee waiver because they were the first project on the waterfront. The Commission agreed.

Mr. Rogers suggested a sliding scale or different formulas and thought we should publish what our current rates are to get this on record for developers. Ms. Boyle answered that she and Ms. Main have discussed this and felt if the next meeting was July 14t that would be enough time. They thought it would suffice to have just a workable draft available for the public since the Commission has the ability to amend the draft at any time. This way the developers can get a sense as to where the Commission is headed. Ms. Boyle said they would come up with a couple of scenarios, get feedback from the Commission, settle on one scenario, and have that available.

It was agreed the next meeting would be July 14, 2005, 6:30 p.m., Room 306

B. Executive Director's Report

1. EDA Funding

Ms. Boyle reported that the City has requested \$2 million in funding for the next piece of Waterfront Drive which is from Rt. 195 north to Dexter Road. Tyron Beach from the EDA in Philadelphia came down and we toured the waterfront. He is very interested in providing funding and said the \$2 million may be available by the first quarter of 2006. We suggested that we use the \$2 million dollars towards the funding of the infrastructure improvements associated with that piece of Waterfront Drive for the remainder of the roadway there is actually an earmark for \$4 million dollars from the Congressional Delegation towards the construction. We have also been in contact with the RIDOT for funding for the remainder.

2. 2005-2007 State Transportation Improvement Program (TIP)

Ms. Boyle reported that the City submitted several requests and were very successful in this round of the TIP. She explained the process. Projects are submitted Statewide to the State's Transportation Advisory Committee (TAC). One of the projects the City submitted was the full reconstruction of Roger Williams Avenue. This application that we submitted was the number one rank application within their sub district. That project has been included in this draft TIP program to be put into the "Study and Development" category of the TIP. The RIDOT will bring it to a 30 percent design stage using their own consultants. It then goes back to the TAC to see if they will proceed with construction or not. Dr. Ramos asked why this is being studied again. Ms. Boyle answered that the studies that were done previously were more conceptual. Bringing it to 30 percent design is very close to designing for construction. At the 30 percent design you find out what will be done about the done about the drainage and what kinds of permits will be required; it is very detailed engineering concept and more than just a study.

Ms. Boyle reported that the other project we submitted was through the State's RIDOT. We did not submit it ourselves. This is for the larger interchange program which was also included within the "Study and Development" category of the TIP. Another project that was submitted for East Providence, but not by the City of East Providence is the Providence and Worcester Wye Track. Providing this wye track in the northern section

Dexter Road, there are two separate rail tracks that come together; the east branch and the main branch. Instead of having to back all the way down into the Dexter Road area, the wye branch connector gives P&W the ability to go to make that connection. This is critical to the whole abandonment of the rail line south of that. That project is programmed in the TIP for construction not just for Study and Development.

Ms. Boyle reported that another project is the North Broadway re-surfacing which is not directly within the Waterfront District. This is the entryway of the Phillipsdale section of the Waterfront District. The City requested resurfacing of that roadway segment and that was referred to the resurfacing program. The DOT will review the project. If it cannot be cured by resurfacing, then they have to revisit whether or not it is to be treated as a reconstruction. She noted that this is the draft TIP and theoretically things could change. Generally speaking they do not, but there are still a couple of steps that have to be followed. It will go to the State Planning Council for a vote and the Federal Highway Administration has to finalize it sometime in the fall.

3. I-195 Environmental Assessment

Ms. Boyle reported that it is in the TIP under the "Study and Development" column. It was put through by the RIDOT. We are working with Gordon Archibald for that project. The public hearing on this will be in September. The goal is to have the environmental assessment completed within a year. We do not have a design yet, but at that public hearing the consultant will be putting forth different alternatives and that will identify the properties affected.

4. Urban Coastal Greenways

Ms. Boyle reported that this is a CRMC sub-committee that she has been participating in for the last few months. Currently the CRMC regulations require a 200-foot setback from any coastal feature which means no construction can take place within that. For a lot of the developments that we have along the East Providence waterfront it would make them unbuildable. What they are looking at is a development friendly approach shrinking that setback requirement down significantly provided that the developer is able to address storm water quality issues. The CRMC invited the people from FRE to actually present their project to the sub-committee and work with them. They will be providing a 50-foot setback within a 25-foot buffer and 25 foot setback. This has been a tremendous development from the CRMC and very positive for us.

5. GeoNova Project Brownfields Award to the City

Ms. Boyle stated that the New England Environmental Business Council which is made up of over 100 environmental professionals throughout New England selected the City of East Providence GeoNova project as the "Brownfield Project of the Year". We attended the awards dinner in Norton Massachusetts. The City of Boston also received an award for their Green Building initiative. Ms. Boyle said another award handed out was the de-commissioning of a nuclear power plant in Maine. Ms. Main stated it was a very competitive selection process for this Brownsfields project and was very great kudos to this area and the City for achieving that.

In regard to the affordable housing fees, Ms. Boyle reported that the regulations provide for either building the 10 percent affordable units within the development itself, or with

the Commission's permission, doing a contribution to an in-lieu program instead. Within the regulations it does not specifically spell out the mechanism by which this program would work. Ms. Boyle states that she has Renee doing some research on programs that have been done in other parts of the country and it is a little problematic. Her memo does lay out a lot of the approaches that have been taken in some other communities. The in-lieu program is difficult to put together, but it is something that we will have to address soon because a developer may wish to take advantage of the in-lieu option vs. building the affordable units and we need to have a system in place. The fee is not set as yet. There will have to be a whole structure which will be very challenging. Ms. Boyle states she will provide more information to the Commission at subsequent meetings.

8. Communications

The Commission approved the communications A. through F. as listed on the June 20, 2005 agenda and made them part of the Commission's record.

Chairman Rogers asks Ms. Main and Ms. Boyle to reach out to Commission member Luis Torrado since he has had some conflicts for the last couple of meetings and to please let him know the need for him to make every effort to attend the Commission's upcoming meeting.

Mr. Rogers also asked Ms. Boyle to send a letter stating the need for the Commission to have full constitution of members. If the current nominations are not to their satisfaction, that is their decision. He suggests that this entire Commission sign that letter. The Governor's appoints are four years, and the Council appointments are two, three and four years. Chairman Rogers states he will circulate the letter for signature.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Jeanne M. Boyle
Interim Executive Director

JMB/SAC

