



# EAST PROVIDENCE WATERFRONT DISTRICT COMMISSION

## Meeting Minutes July 28, 2015

*Attendees:* William Fazioli, Vice Chairman  
Steven Hardcastle, Treasurer  
Paul Moura, Secretary  
Jay Kern  
John Pesce  
Luis Torrado  
Peter Willey

*Ex-officio:* Michael Walker, Commerce RI

*Staff:* Jeanne Boyle, Executive Director  
Roberta Groch, AICP- Planner  
John Pariseault, Legal Counsel

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The meeting was called to order at 6:01PM.

### 1. Approval of Meeting Minutes

VOTE: A motion was made to approve the meeting minutes of April 22, 2015: the motion was seconded and approved without discussion.

### 2. Staff Reports

#### A. Legal Counsel

Mr. Pariseault had nothing to report.

#### B. Executive Director

Ms. Boyle discussed a potential 80,000-square foot office building that is being proposed for the P&W land adjacent to the South Quay, north of Village on the Waterfront. She told the Commission that Ms. Groch will be sending them a draft of the Waterfront chapter of the City's *Comprehensive Plan* update for their review and comments.

### 3. Financial Matters

#### A. FY2014 Audit results

Mr. Greg Parisi, an accountant with Baxter Dansereau & Associates LLP, presented the results of the FY2014 financial audit.

VOTE: A motion was made to accept the FY2014 audit: the motion was seconded and approved without discussion.

#### B. FY2015 budget

Ms. Groch presented the final numbers of the Commission's FY15 budget versus the FY15 budget.

**C. FY2016 budget**

VOTE: A motion was made to approve the proposed FY16 Waterfront Commission budget: the motion was seconded and approved without discussion.

**4. Old Business**

**A. Request for change to approved affordable housing mix**

Development project: Village on the Waterfront  
Owner/Applicant: Chevron Land & Development Co./Providence Realty Investment  
481 Veteran's Memorial Parkway  
Assessor's Map 17, Block 1, Parcel 1  
Assessor's Map 18, Block 1, Parcel 1  
Assessor's Map 18, Block 2, Parcel 2  
Sub-district: Veterans Memorial Parkway

Ms. Christine Engustian, legal counsel for the Owner and Applicant, asked that the Commission approve her client's request to change the approved affordable housing mix for the previously-approved development project. To modify the required ten percent affordable on-site units in the following manner: five percent of the total unit count as affordable on-site may be rental units only; the remaining five percent affordable units will be provided by some flexible combination of off-site affordable units and payment of a fee-in-lieu.

VOTE: A motion was made to approve the proposed modifications to the affordable housing mix for the previously-approved Village on the Waterfront development project: the motion was seconded and approved without discussion.

**B. Request for minor modification to approved bike path plan**

Development project: Village on the Waterfront  
Owner/Applicant: Chevron Land & Development Co.  
(Same address as above)

Mr. Kevin Demers of DiPrete Engineering explained that neither the RI Department of Environmental Management nor the RI Department of Transportation wanted to take on the cost of maintaining the public bike path through the development. This would have necessitated the VOTW homeowner's association to pay for its maintenance, which the developers felt was too large a burden. To address these maintenance concerns, the portion of bike path north of the development area has been incorporated into Waterfront Drive, to be consistent with the existing pavement configuration of Waterfront Drive from Tockwotten on the Waterfront. A switchback ramp is provided at the north end of the development to allow public access to the path to the west of Waterfront Drive, and therefore the formerly proposed crosswalk and access steps from between Buildings 8 and 9 have been removed. The remaining separate access path has been reclassified as a "Public Pedestrian Access", with stationing, striping and signage removed. The path will remain the same width (10') and take the same route within the development limits south to the East Bay Bike Path tie-in.

VOTE: A motion was made to approve the proposed plan modifications to the bike path for the

previously-approved Village on the Waterfront development project: the motion was seconded and approved without discussion.

**C. Request for phasing of payment of remaining Waterfront Commission fees**

Development project: Kettle Point  
Owner: BP Corporation  
Applicant: Kettle Point LLC  
Address: Veterans Memorial Parkway and Kettle Point Ave.  
Assessor's Map 108, Block 2, Parcels 1 and 2  
Assessor's Map 109, Block 1, Parcels 1, 2 and 3  
Assessor's Map 209, Block 3, Parcels 1 and 4  
Sub-district: Kettle Point

Mr. Richard Baccari, the CEO of Kettle Point LLC asked to have their remaining fees that they owe phased to match construction phasing: Phase 1 will include 10-20 condominiums and 120 apartments. He stated that they hopes to have a groundbreaking ceremony at the end of August.

Mr. Pesce abstained from the vote.

VOTE: A motion was made to approve the request for phasing of the Waterfront Commission fee for the previously-approved Kettle Point development project: the motion was seconded and approved without discussion.

**D. Request for addition of commercial uses in approved project**

Development project: Kettle Point  
(same address as above)

Mr. Richard Baccari of Kettle Point LLC explained that his team would like the option of adding a commercial component to the development. His team is still unsure as to how much commercial square footage they want but they would like the option of having commercial uses: he thinks that it might be between 25,000-30,000 sf. They are discussing the connection of two of the two-unit buildings to put retail on the first floor and office uses on the second and third floors. There was a discussion about the potential traffic and parking impacts.

Mr. Pesce abstained from the vote.

VOTE: A motion was made to approve the request for the addition of commercial uses at the previously-approved Kettle Point development project with the following conditions: if the commercial use is less than 30,000 sf, staff shall review and approve the plans; if the commercial use is over 30,000 sf then the modification shall be brought before the Commission for review and approval. The motion was seconded and approved without discussion.

**E. RI Transparency Act policies**

Ms. Groch explained the various required components of the RI Transparency Act (S2585) for

quasi-public organizations, including the creation of a Transparency Act Handbook. Mr. Fazioli also appointed Mr. Hardcastle, Mr. Moura and Mr. Kern as members of the Executive Compensation Committee.

VOTE: A motion was made to adopt the required policies of the RI Transparency Act S2585 and approve the components of the Waterfront Commission's Transparency Handbook: the motion was seconded and approved without discussion.

## **5. New Business**

### **A. Appointment of DRC Chairman**

Because the City Council did not reappoint Mr. Gregory to the Waterfront Commission at the end of his term, the position of Chairman of the Design Review Committee is vacant.

VOTE: A motion was made to appoint Mr. Torrado as the new Chairperson of the Design Review Committee: the motion was seconded and approved without discussion.

### **B. Application for a referral for a use variance application**

Owner/Applicant: Bourne Holdings LLC

Address: 310 Bourne Ave.

Assessor's Map 203, Block 1, Parcel 3.0

Sub-district: Phillipsdale

Ms. Boyle recused herself and left the meeting.

Mr. Dylan Conly, attorney for the Owner/Applicant, Bourne Holdings LLC, gave a short presentation regarding the application for a zoning determination from the Waterfront Commission for the Applicant. A tenant of the Applicant, Goulin Trucking, previously applied to the City and the Waterfront Commission for a Certificate of Zoning without the knowledge of the Owner. The determination was for the recycling of mattresses: both the City Zoning official and the Executive Director of the Waterfront Commission deemed the use to be prohibited. The tenant had thirty days in which to appeal the decision and did not. Mr. Conley stated that the Owner/Applicant is seeking an unnamed use determination.

Mr. Pariseault stated that he and Mr. Conley spoke before the meeting and requested that the Commission's forty-day period to issue a decision be waived due to the complexities of the application and process. He also stated that, due to a potential conflict of interest, an Interim Director would need to be appointed to make a decision on this matter.

VOTE: A motion was made to refer the application to an Interim Executive Director for a decision: the motion was seconded. There was no discussion. The motion was passed on a vote of six AYE to one NAY (6-1). Mr. Torrado voted against the motion.

## **6. Adjournment**

VOTE: A motion was made to adjourn the meeting: the motion was seconded and passed unanimously, without discussion.

The meeting was adjourned at 8:18PM.

Respectfully submitted,

JEANNE M. BOYLE  
*Executive Director*

JMB/RG

DRAFT