

MEETING MINUTES

CAPITAL CENTER COMMISSION

Thursday, May 24, 2007

12:00 Noon

First Floor Conference Room

30 Exchange Terrace

Providence, RI

1. Roll Call

Chairman Gardner called the meeting to order at 12:00 Noon. Members present included, Leslie A. Gardner, Phillip Stone; Merlin DeConti, Wilfrid L. Gates, Jr., Stan Weiss, Guy Abelson, Greg Benik Barry Preston, Barry Fain (arrived 12:30 PM), Christopher Thomas, Duncan Johnson, Robert Reichley and Steve Durkee.

Staff present included Deborah Melino-Wender, Executive Director.

Others present included Lee Burneson, TPG; Bill Perritt, Sage Hospitality; Randy Collins, Gates, Leighton and Associates, Inc.; John Freeman, Flemings; Duncan Pendlebury, Jung/Brannen; Barbara Petraca and Ed Parker, RIDOT; Charles Meyers, Metropark; Larry Mouradjian, RIDEM; and Michael Hogan, RI House Policy Office.

2. Minutes

2.1 Approval of Commission Minutes of April 12, 2007

The motion was duly made, seconded and unanimously passed to approve the minutes of the Capital Center Commission Meeting of April 12, 2007.

2.2 Acceptance of Design Review Committee Minutes of April 3, 2007, April 24, 2007 and May 1, 2007

The motion was duly made, seconded and unanimously passed to accept the minutes of the Design Review Committee meetings of April 3, 2007, April 24, 2007 and May 1, 2007.”

3. Report of the Executive Director

The Executive Director informed the Commission of the Blue Cross plans for Parcel 2 and updated the Commission on Parcel 6 and the activities at Providence Place Mall.

4. Parcel 1: Request for Extension of Approval of Temporary Signage

Chairman Gardner explained that on May 13, 1999, the Capital Center Commission granted temporary approval for the pylon sign at the corner of Memorial Boulevard and Exchange

Street. This approval has been extended six times, with the most recent extension expiring on May 13, 2007. She noted that the developer is seeking a one-year extension to this approval.

The motion was duly made, seconded and unanimously passed to extend the approval for the temporary pylon sign for one year through May 13, 2008.

5. Parcel 14: Masonic Temple: Request for Modification of Landscaping

Presenter: Bill Perritt; Randy Collins

Mr. DeConti and Mr. Gates recused themselves from discussion and action on this item.

Mr. Perritt explained that as a result of water infiltration from the planting beds along Francis Street and Avenue of the Arts, Sage Hospitality has installed waterproof membranes, which has reduced the depth of the planting area in these locations. This reduced planting bed has necessitated changes to the planting program. Mr. Collins presented the revised planting plans which include a reduction in the size of the boxwoods along Francis Street and Avenue of the Arts, but to increase the quantity in order to ensure the hedge appearance. At the planting area to the west of the main entrance on Avenue of the Arts, the tree would be replaced by three summer flowering Hummingbird Summersweet shrubs.

Chairman Gardner noted that the DRC reviewed this at its meeting of May 1st and is recommending approval.

The motion was duly made, seconded and unanimously passed to approve the proposed changes in the approved planting plan to include three Hummingbird Summersweet shrubs in the planting bed west of the main entrance on Avenue of the Arts and to approve the reduced size of the boxwoods, with an increase in the number of shrubs to be planted in order to ensure the hedge appearance as originally approved.

6. Parcel 11:

Westin Hotel Expansion: Request for Modification of Garage Entrance

Presenter: Duncan Pendlebury

Mr. Gates recused himself from discussion and action on this project.

Mr. Pendlebury explained that the previously approved bifold door has some operational issues and that the team is now proposing a fully glazed overhead door. He stated that it will be the same color as the storefront and completely transparent. He presented the plans to the Commission and explained that the mullions will offset from the aluminum panels.

Chairman Gardner explained that this item came before the DRC at its meeting on May 8th and that the DRC is recommending approval with the proviso that mullions either line up to match the lovers or that they be lined up in the center, or offset on the center, subject to review by the Executive Director.

The motion was duly made, seconded and unanimously passed to approve the alternate overhead door, as presented and explained, with the mullion alignment to be to be offset on the center, with this revision to be reviewed and approved by the Executive Director.

Flemings: Request for Modifications

Presenter: John Freeman

- **Courtyard: Clarification of Glazing East of Entrance**
- **Courtyard: Entrance Modifications**
- **Courtyard: Request for Approval of Logo Etching in Pavement**
- **Patio along Francis Street: Request for Approval of Heaters and Fans**

Mr. Freeman explained that Flemings has refined its plans for its entrance on the courtyard of the Westin Hotel. It is looking to change the area east of the entrance from spandrel glass to precast and it has refined the entrance area to include a new awing and wood paneled entrance. Additionally, in the vestibule area at the entrance, Flemings would like to modify the pavement area to include its logo. Flemings also wishes to include heaters and fans in the patio area along Francis Street to extend the seasonal use of this area. Mr. Freeman presented the plans for these changes to the Commission members.

Chairman Gardner noted that Fleming appeared before the DRC on January 23, 2007 and on May 1, 2007 and that the DRC is recommending approval of the changes. Ms Gardner pointed out that in the renderings, there did not appear to be horizontal lines in the precast area; that it only looks like vertical lines. Mr. Pendlebury explained that these could not be lined up, so the vertical lines were eliminated. Chairman Gardner expressed concern that this was not explained to the DRC. A discussion ensued as to whether this area should be transparent glass with louvers or spandrel glass (it was noted that there are bathrooms behind this area).

The motion was duly made, seconded and unanimously passed to approve the Flemings, the entrance, awning and logo in the pavement at the entrance, and the heaters and fans on the patio, as presented and to have the issue of transparent or translucent glass in the area east of the entrance to go to the Executive Director for a final decision.

7. Station Park: Request for Approval of Phase 1 Landscape Plan

Presenter: Ed Parker

Chairman Gardner explained that representatives from Capital Center, the State, the City and adjacent property owners have been working diligently on a plan to improve Station Par and that the money is coming from a portion of an enhancement granted through RIDOT. She noted that at this time it was the consensus of the group to develop an interim plan to “clean up and “green” the site. The work is expected to begin in late summer. She noted that the DRC reviewed the project at its May 1st meeting and is recommending approval.

Mr. Parker presented the Phase 1 plan for Station Park. He noted that Phase 1A will include the northerly 2.33 acres and include turf reconstruction, site irrigation, one year maintenance and establishment of turf, site regarding and drainage improvements and a new stone dust path between Fidelity and the Mall. Phase 1B will be included as an Addendum to the

Contract and will include the southerly 2 acres. This will add an additional \$200,000 to the cost of the project for a total cost of \$540,000. Mr. Parker explained that the advertisement is expected to begin in early June, with construction to start in late summer.

The motion was duly made and seconded to approve the Phase 1 Plan for Station Park, as presented. The motion passed 12 -1. Those voting in favor of the motion were Leslie A. Gardner, Phillip Stone; Merlin DeConti, Wilfrid L. Gates, Jr., Stan Weiss, Guy Abelson, Greg Benik Barry Preston, Barry Fain, Christopher Thomas, Duncan Johnson, and Robert Reichley. Mr. Durkee voted in opposition.

8. Legal Consultant Contract

Chairman Gardner explained that the legal services contract with Richard Peirce. Roberts, Carroll, Feldstein & Peirce Inc. expires on June 14, 2007. The Commission has engaged the services of Mr. Peirce since 1991. The contract was for the amount of \$20,000. During this fiscal year, the Commission spent \$5638.40, of which \$1,262.10 was reimbursable.

The motion was duly made, seconded and unanimously passed to authorize the Executive Director to execute a one year \$20,000 legal services contract with the firm of Roberts, Carroll, Feldstein and Peirce, Inc. terminating on June 14, 2008, under the same terms and conditions to remain as set forth in the previous year's contract.

Chairman Gardner, with the Commission's consent then proceed to:

10. Membership

Chairman Gardner informed the Commission, that unfortunately, Barry Preston will be leaving the Commission after a long and successful membership dating back to June 1993. She noted that the Mayor's new appointment is Jennifer Cookke who will join the Commission at the next meeting. Chairman Gardner and the Commission thanked Mr. Preston for his long and dedicated service to the Commission and presented him with a Resolution of Appreciation which is included as part of these minutes.

The motion was duly made, seconded and unanimously passed to adopt the Resolution of Appreciation for Barry Preston and to thank him for his dedication and service to the Commission.

9. FY '08 Budget

The Executive Director reviewed the results of this fiscal year and the proposed budget with the Commission. She noted the sources of funding for the Commission include a \$50,000 grant from the City of Providence, a \$47,500 grant from the State (which had been reduced from \$50,000 last year, and a legislative grant in the amount of \$2,500 which is sponsored by Senator Walaska to make up for the reduction in the original State grant. Chairman Gardner noted that as part of the legislative grant application, the Commission needs to approve this grant request in the amount of \$2,500.

The motion was duly made, seconded and unanimously passed to approve the request for a Special Senate Legislative Grant in the amount of \$2,500.

Action on the budget was deferred until the performance review of the Executive Director.

11. Executive Session

Pursuant to Par (1) Section 42-56-5 of the General Laws of the State of RI, if required)

12.1 Personnel

At 1: 15 PM, Mr. Reichley made the motion, which was seconded by Mr. Weiss to go into Executive Session pursuant to Par (1) Section 42-56-5 of the General Laws of the State of RI Personnel to review the performance of the Executive Director. Those voting in favor of the motion were Leslie A. Gardner, Phillip Stone; Merlin DeConti, Wilfrid L. Gates, Jr., Stan Weiss, Guy Abelson, Greg Benik Barry Preston, Barry Fain Christopher Thomas, Duncan Johnson, Robert Reichley and Steve Durkee.

At 1: 35 PM, Mr. Gates made the motion, which was seconded by Mr. Thomas to go into open session. Those voting in favor of the motion were Leslie A. Gardner, Phillip Stone; Merlin DeConti, Wilfrid L. Gates, Jr., Stan Weiss, Guy Abelson, Greg Benik Barry Preston, Barry Fain, Christopher Thomas, Duncan Johnson, Robert Reichley and Steve Durkee. No one voted in opposition.

The motion was duly made, seconded and unanimously passed to adopt the 2007-08 budget in the amount of \$166,996 as presented.

12. New Business

There was no new business.

12. Adjournment

The meeting was adjourned at 1:40 PM.

Robert Reichley
Secretary