

CAPITAL CENTER COMMISSION

Meeting Minutes of Wednesday, June 10, 2009

A meeting of the Capital Center Commission was held on Wednesday, June 10, 2009 in the 4th Floor Auditorium of the Department of Planning and Development, 400 Westminster Street, Providence, RI 02903.

1. Roll Call

Call to Order: Chairman Gardner called the meeting to order at 12:05 PM.

Members Present: Leslie Gardner, Barry Fain, Stephen Durkee, Stanley Weiss, Greg Benik, Wilfrid Gates, Christopher Thomas, Duncan Johnson, Glenn Kumekawa.

Members Absent: Merlin DeConti, Councilwoman Josephine DiRuzzo, Rebecca Barnes, Councilman Luis Aponte, Guy Abelson

Staff Present: Robert Azar and Christopher Ise

2. Minutes - Approval of Commission Minutes of May 27, 2009

A motion was made by Mr. Thomas, seconded by Mr. Fain, to approve the minutes of the Capital Center Commission meeting of May 27, 2009. All voted in favor.

3. Staff Report

Mr. Ise announced there was no staff report at this time.

4. Parcel 2: Waterplace - Presentation of proposed sculpture for the plaza

This project was reviewed by the Design Review Committee of the Capital Center Commission (DRC) at the June 2, 2009 meeting.

Developer Nick Iselin introduced sculptor Gillian Christy, who has been commissioned to design a sculpture for the plaza at Waterplace.

Ms. Christy presented a model of the proposed sculpture for the plaza. The stainless steel sculpture, which measures approximately 18' tall by 6' wide by 12' deep, will stand in the center of the plaza on an existing circular base. Ms. Christy noted that the piece will have a pattern of floorboards on one side that will merge into a "staircase" at the top of the sculpture. In response to question by Mr. Fain, Mr. Iselin stated the sculpture would be resistant to graffiti and easy to clean if tagged. There was a brief discussion regarding the method of attachment. Ms. Christy stated that the structure is to be secured to the base with anchor bolts. In response to a question by Mr. Kumekawa, Ms. Christy explained that the base for the sculpture would be composed of granite curbing and pavers.

A motion was made by Mr. Weiss, seconded by Mr. Fain, for the Commission to accept the recommendations from the Capital Center Commission Design Review Committee and approve the proposal as submitted. All voted in favor.

5. Parcel 6: Capital Cove - Review improvements to retaining wall along Canal Street

Ms. Gardner noted that this matter was reviewed by the DRC on June 2, 2009.

Ben LaFrance with Hawk Design presented the landscaping and hardscape plans for the east elevation of the site, along Canal Street. Mr. LaFrance described the concrete finishes

of the walkway, lighting, railing system, and types of vegetation. He noted that there are two existing concrete foundations on the deck over the river. One is at grade along Canal Street and the other at the grade of the Riverwalk. Both foundations will be refaced with concrete block, with one serving as a 'public deck', while the other serving as a 'private deck' for the complex. Mr. LaFrance presented the elevations of the wall along Canal Street. The existing brick facing on this wall will be removed.

In response to a question by Mr. Weiss regarding the timetable for this project, Mr. LaFrance explained that the project is to start as soon as possible and be completed within 60 days.

Mr. Durkee brought up concerns regarding the railing along the river. Mr. LaFrance responded that the railing is needed for safety. He added that there are railings elsewhere along the river.

Mr. Fain inquired about any restrictions imposed for the use of the private deck, noting noise control issues. Mr. LaFrance noted that the developer is working with Johnson and Wales University on policies and procedures for the outdoor space (private deck). Students may not have access to the outdoor space.

Chairman Gardner noted the comments from the DRC meeting, including the issues with the private outdoor space and security.

Mr. Fain had a question regarding the treatment of the edge of the property continuing north to Smith Street. Mr. LaFrance added that there will be evergreen trees planted at the north edge of the building to screen the garage entry. A brief discussion followed regarding parking on the property.

Mr. Durkee questioned who would be parking in the open lot adjacent to the building. Chairman Gardner remarked that it would be for people who work downtown.

Regarding the proposed fence, Mr. Weiss noted that an aluminum fence is not suitable for commercial use and suggested a more durable metal fence. Doug Weeks from Capitol Cove indicated that a steel fence is an option.

Regarding a question by Mr. Fain regarding the maintenance of the property, Robert Roth from Capitol Cove confirmed that Johnson and Wales will be responsible for the maintenance of the building and landscaping. Mr. Roth noted that signage is not proposed at this time. In response to a question by Mr. Weiss, Mr. LaFrance stated that the grounds are to have a sprinkler system.

A motion was made by Mr. Weiss, seconded by Mr. Fain, to approve the landscaping, retaining wall and lighting plan as presented by applicant. All voted in favor.

6. New Business - Discussion of policy regarding ex parte communication

Chairman Gardner stated that in response to a recent court case where a judge has found inappropriate ex parte communication between developers and board members, she Gardner asked for a legal opinion from Rick Pierce, attorney for the Capital Center Commission. She stated that Mr. Pierce consulted with Adrienne Southgate, Deputy City Solicitor, and issued a written opinion.

Chairman Gardner stated that the opinion recommended that once applications are filed, board members should not be communicating with applicants and staff outside of meetings regarding the issue before the board. A public meeting, even consisting of a small number of members, would be an acceptable way to deal with this issue.

Mr. Gates suggested that a subcommittee, designated by the Chair as necessary, could be convened in cases where discussion with applicants would take place outside of formal meetings and would consist of 2 or more commission members and staff. Mr. Durkee made a motion to that effect, which was seconded by Mr. Weiss. All voted in favor.

7. Adjournment

The meeting was adjourned at 12:50 PM.

Christopher Thomas
Secretary/Treasurer