



EAST PROVIDENCE WATERFRONT DISTRICT COMMISSION

Waterfront Commission Hearing Minutes September 21, 2017

Attendees: William Fazioli, Acting Chairman
David Sluter
Jay Kern
Paul Moura
John Pesce
Luis Torrado

Members absent: Stephen Hardcastle
Roy Coulombe
Peter Willey

Ex-Officio: Michael Walker, Commerce RI
Diane Feather, Acting Planning Director

Staff: Pamela M. Sherrill, Executive Director

Others: David Bachrach, Community Development Coordinator

The meeting was called to order at 6:00 PM.

1. **Acting Chairman's opening remarks** - Mr. Fazioli welcomed everyone to the meeting and summarized the success of Live Nation's Waterfront Productions at Bold Point Park.
2. **Old Business**
 - A. **VOTE:** On a motion by Mr. Moura seconded by Mr. Kern the Commission voted 6-0 to approve the minutes of June 15, 2017.
3. **New Business**
 - A. **VOTE: on the recommendation of the Hearing Panel to reduce the number of on-site affordable housing units in apartment buildings from 5% with 5% in-lieu payment to 10% in lieu with no no-site affordable units at Kettle Point apartments.**

Ms. Sherrill provided an overview of affordable housing vs low/moderate income housing, a brief history of the Waterfront Commission's reduction to 5% on site with 5% in-lieu for apartments only in 2015, and the importance of welcoming all income levels to the waterfront in the 2003 Waterfront Plan.

Jason Kambitsis for the applicant reiterated his request and outlined potential uses for the affordable housing funds. In response to questions by commissioners he indicated that A. R. Builders anticipates holding their portfolio long term and that it is cleaner from the paperwork perspective to not deal with annual certification of low/moderate income residents.

Commissioners expressed the following:



EAST PROVIDENCE WATERFRONT DISTRICT COMMISSION

- It is part of the social contract to provide affordable housing on site, to open up the waterfront to all income levels. Applicant has not demonstrated hardship.
- It is better to be assured of affordable units during the construction process at Kettle Point than to put funding into projects that may or may not move forward expeditiously. Waterfront Commission, not the City, requires affordable housing.
- The owner/applicant could receive financial gain of approximately \$1.6 million additional in rent revenue over the 40 year period (not including rent increases, inflation) and therefore in-lieu represents a significant benefit to the applicant.
- There is a need to provide quality affordable rental housing in the city.
- Allocation of funding to Demeter LLC's Ivy Place affordable housing project would improve Taunton Ave's image, provide a gateway, and encourage home ownership for low/moderate income residents.

The acting chair opened the public hearing for comment.

- Alain Noisest, representing Demeter LLC, indicated that the Ivy Place project on Taunton Ave includes 14 affordable/deed restricted condo units and two retail/office spaces, and represents a significant investment in the heart of the city. RI Housing funding and oversight assures quality construction and sound finances. The project (similar to most affordable housing projects) does not work without gap financing provided by in-lieu fees in addition to city CDBG and state HOME support anticipated in January 2018. The project could move forward on construction of six Phase I townhomes (mid 2018) and Phase II with the \$488,000 allocated to the project from A. R. Building Co's 5% in lieu contribution at the 6/15/17 Waterfront Commission meeting (\$276,250 anticipated at Certificate of Occupancy for Phase I, under construction, and \$212,500 for Phase II planned later). It was confirmed that in-lieu funding is considered a subsidy and not a loan.
- John Dorsey, representing the Special Master for the East Pointe project, indicated that gap funding provided through in-lieu contributions would help them attract developers with interest in affordable housing on part of the site.
- David Bachrach, Community Development Coordinator for the City of East Providence Planning Department, provided testimony in support of keeping affordable housing on the waterfront, citing that Kettle Point affordable housing units would not require state and city funding as most affordable housing projects would and therefore would be a more efficient use of limited public resources to help the city meet the 10% affordable housing goal. He apologized to commission members for his impression that the Hearing Panel had little discussion of the motion to approve the applicant's request for 10% in-lieu funding with no on-site units.
- Diane Feather, acting Planning Director, reiterated the need for quality rental units in the city.

Mr. Moura confirmed with staff that the recommendation of the Hearing Panel to approve the requested deviation was subject to hearing any concerns from the mayor,



EAST PROVIDENCE WATERFRONT DISTRICT COMMISSION

city council, and city manager at tonight's meeting. The City had been noticed as an abutter and the legal department had felt it was best to put it on the docket for City Council input. Mr. Bachrach submitted a 9/21/17 letter from the City Clerk indicating the East Providence City Council voted in support of having affordable housing built within the Waterfront Special Development District.

Hearing no further public comment, a motion to close the hearing was made by Mr. Moura and seconded by Mr. Kern.

Mr. Moura made a motion to table the vote, seconded by Mr. Kern.

Fazioli	NEY	Torrado	NEY
Moura	AYE	Kern	AYE
Pesce	AYE	Sluter	NEY

Motion did not pass.

Mr. Sluter make a motion to deny the Hearing Panel recommendation to provide 10% in-lieu funding with no onsite affordable housing units, seconded by Mr. Torrado.

Fazioli	AYE	Torrado	AYE
Moura	NEY	Kern	NEY
Pesce	NEY	Sluter	AYE

Motion did not pass.

Following a five-minute recess, the commission reconvened at 7:57.

Motion was made by Mr. Torrado and seconded by Mr. Moura to table the vote, pending legal counsel on posting and notice requirements to either September 28, 7 pm or October 12, 6 PM, and on requirements for those not present at the commission hearing to vote. Vote unanimous.

Staff report was suspended. Meeting was adjourned at 8:05 PM.

Respectfully submitted,

PAMELA M. SHERRILL, AICP, *Executive Director*

