



**EAST PROVIDENCE WATERFRONT
SPECIAL DEVELOPMENT DISTRICT COMMISSION**

**Design Review Committee (DRC) and Hearing Panel
Public Hearing Minutes
April 9, 2013**

DRC John Gregory, DRC Chairman
Members: John Pesce
Stephen Coutu, DPW Director
Jeanne Boyle, Executive Director

Hearing Panel
Members: William J. Fazioli
Bruce Chick

Consultants: Sara Bradford, Landscape architect
Glen Fontecchio, Architect
Brad Leach, Traffic engineer

Chairman Gregory called the hearing to order at 6:38PM.

1. Approval of Meeting Minutes

VOTE: A motion was made to approve the minutes April 27, 2013 DRC meeting: the motion was seconded and was approved unanimously, without discussion.

2. New Business-

A. DRC public hearing- Kettle Point residential development project

The entire Kettle Point team, including its consultants and attorney, were sworn in.

The project team was in attendance, along with representatives of C&B Kettle Point LLC, the proposed project developer. A presentation to the DRC and other City officials in attendance was made by Ms. Christine Engustian, attorney for the project. She described the site location and history. The size of the development will be approximately thirty-one acres and has been inaccessible to the public for years. There is on-going site remediation that is still needed for part of the site after the project is approved by the Commission. The project falls under the jurisdiction of both the Coastal Resources Management Council (CRMC) and the Rhode Island Department of Environmental Management (RIDEM).

Veteran's Memorial Parkway (VMP) was designate by the Rhode Island Department of transportation (RIDOT) as a Scenic Roadway in 1991. Any proposed improvements to the road must be approved by the RIDOT and the Scenic Roadways Board.

The project will have a total of 407 residential units: 276 "garden-style" apartments are in the primary buildings, with 1-2 bedrooms; 62 townhouse condominium units; and a 69-unit condominium complex in the "signature" building that may be rental units, depending on the market. The architecture will be traditional in style in a varied color scheme: some buildings will have porches to contribute to a community feel. No commercial uses are propoed. The signature community building will have a patio and a pool. There will be a scenic overlook across the street from it: on-street public parking will be provided.

The site will have four specific development areas that will be served by public water and public sewer. There will be two access points from VMP. The site exceeds the required number of parking spaces. The site will have approximately twenty-three percent open space. The site was developed in accordance with the East Providence Waterfront District regulations and the design guidelines for the Kettle Point Sub-district.

A fiscal impact study was completed and will be discussed in detail later in the evening. Assessed value \$1 million; at full build-out: \$17 million. The Applicant seeks a tax increment finance (TIF) agreement to assist with financing the project. Without a TIF agreement, the developer would not be able to remediate and develop the site.

In August of 2012 the developer and the team began meeting with the Waterfront Commission staff and its consultants about the proposed development. On February 4, 2013 the Applicant submitted a formal application to the Commission. The DRC held a public workshop on March 27, 2013. The East Providence Planning Board determined the proposed development plan to be consistent with the City's *Comprehensive Plan* on April 8, 2013.

Mr. Donald Powers of Union Studios in Providence, the project architectural firm, gave an overview of the project. The main loop road will be accessed at two points from VMP. The main loop road will be public. There will be a boulevard with a green median going into the site. Parking for larger buildings will be internal to the blocks, leaving the street edge free of driveways and garages; duplex condominiums would be accessed through the interior of the block as well. There are view corridors to the water throughout the development. There are sidewalks and foot trails throughout the development.

Ms. Cathleen Larose of Mountain Ave. asked about the location of the single-family homes: Mr. Powers showed where they will be sited, close to the water.

Mr. Audie Osgood of DiPrete Engineering, a civil engineer with the project engineering firm, said that the ARCO part of the site has been remediated: the Amoco portion will undergo remediation as the project is under construction. The team is working with RIDEM on this issue. Most of the petroleum remaining on the site will be capped by asphalt and used for parking and/or roadways on the site. Utilities for the site are all underground. Stormwater management has been developed to CRMC standards. The team will go back to CRMC for an assent for the whole site once the Commission has approved the project. The team will present the project to the Scenic Roadways Board and the RIDOT for their approval for work along the VMP. RIDEM will look at sewer, waste management, and water quality.

Mr. Osgood discussed some of the major findings of the traffic impact study, which was drafted by RAB Engineers, a traffic engineering firm of RAB and reviewed by Mr. Brad Leach of Gordan Archibald Co., the Commission's traffic consultant. There is a high point and ridge that necessitates the southern access point being sited in its current location on the plans.

Mr. Benito Benros of Mountain Ave. asked how traffic on VMP will be controlled: Mr. Osgood stated that the VMP will not be widened but will be restriped for a center left-turn lane to accommodate traffic in each direction. The Level of Service will not change and no lights will be added. Mr. Gregory said that the developer will address other intersections that will be affected by the increased traffic. Mr. Benros said that there is increased commercial traffic on

VMP, as well as RIPTA buses and dump trucks on Mountain Ave. Sergeant John Andrews of the Police Department stated that he would call RIPTA and check on this. Ms. Boyle suggested that he contact his City Councilperson to discuss this issue and perhaps request a study be undertaken of any other intersections outside the project area. Ms. Cathleen Larose asked about the status of the rotary that was proposed on VMP: Mr. Gregory answered that the rotary was not going to happen.

Sergeant John Andrews stated that children who will live in the development will live too close to City schools to take the bus: they will have to cross VMP if they walk to school. Mr. Paul Bannon of RAB Engineers said that not many children will live in this type of development. Sgt. Andrews said that even one child will have to cross VMP at South Broadway: the bus routes were cut this year to save money and more children will have to get to school some other way. Mr. Osgood said that the fiscal impact statement found that approximately fourteen school age children are projected to live in the development. He suggested that the existing Kettle Point Road be kept as a gravel road for pedestrian access and that children can cross VMP at Interlocken Road. There are no pedestrian improvements proposed as part of the project, due to RIDOT and Scenic Roadway restrictions: it is a highly-regulated road.

Ms. Cathleen Larose asked if there will be Bike Path access through Squantum Woods: Mr. Osgood said that there will be a new path along the edge of the Kettle Point site to the Bike Path.

Mr. Osgood highlighted the additional public parking for the Bike Path in the development. There will be a path as part of the coastal feature that will be open to pedestrians from Squantum Woods to the bike path. John Carter of John Carter Associates, the project landscape architect, added that the point at Kettle Point is unique but without public access: the project will open up the point for public passive recreation. The loop road will also allow public access to the park and bike path. The scale of the development will encourage walking. There will be a private clubhouse for use by the residents. There will be an overlook to Squantum Woods with on-street parking and a footpath down to the Woods. The entrance to the development will be clearly marked by stone towers. Street trees will be added along VMP.

A student impact addendum to the Fiscal Impact presented: the total number of students entering the school system from the development its project to be fourteen (entered into the record as "Applicant's Full Exhibit #1").

The DRC hearing was closed and the Hearing Panel hearing was opened at 7:22P. Mt. Fazioli asked Ms. Engustian to begin the testimony regarding the requested deviations. Ms. Engustian requested that the testimony be entered as part of the record of the DRC: Mr. Fazioli and Mr. Gregory agreed. Mr. Osgood of DiPrete Engineering was called as the first witness. Mr. Osgood described his credentials and his résumé was accepted and entered into the record as Applicant's Full Exhibit #2. The Hearing Panel agreed to certify Mr. Osgood as an expert in civil engineering. His role on the project team and in the development of the Kettle Point plans was explained. Mr. Osgood stated that he had reviewed the requirements and performance standards of the Waterfront District section of the East Providence *Zoning Ordinance*, as well as the Waterfront District's "Kettle Point Sub-District Design Guidelines." He listed the request for four deviations: sidewalks on both sides of the street; parallel parking; pavement width for rear alleys; and size of a standard off-street parking space. Ms. Engustian submitted Kettle Point plan

sheet #14 entitled “Overall grading and utility plan” as Applicant’s Full Exhibit #3, which was accepted and entered into the record.

Mr. Osgood described the need for only one sidewalk on a road in the development and the need for a reduction in size of standard parking spaces. He stated that the Ordinance requires six-foot wide sidewalks on each side of all streets: the proposed plans do not show this on all roads. Road A from VMP has no sidewalks from the northern entrance to the project for approximately three hundred feet; there are also no sidewalks from the southern entrance for approximately three hundred feet into the site. Mr. Osgood said that the reason was because of concerns of pedestrians crossing VMP to the development: it is a safety issue. Sidewalks are not provided leading to VMP in order to discourage pedestrian crossings. Road F is the first road heading the west: it provides access to the bike path. Sidewalks are provided along both sides of Road F: the sidewalk on one side is located approximately 25-30 feet from the road. It might be considered access along the coastal feature rather than a sidewalk for Road F, which is why the team is asking for a deviation request. The team wanted to reduce impervious area so they decided not to double up on sidewalk. A sidewalk is provided along only one side of Roads D and E: there is no reason for pedestrian access from these loops except to access the public parks and there is already a path from Squantum Woods that will provide pedestrian access: again, they decided not to double up on sidewalks at this point. Mr. Osgood stated that he was believed that not providing sidewalks on both sides of streets of the development would not be an adverse impact and that not granting the deviation would be more than a mere inconvenience to the Applicant.

Mr. Osgood addressed the deviation for reduced off-street parking space size. Ms. Engustian submitted Kettle Point plan sheet #11 entitled “Site Plan 2” as Applicant’s Full Exhibit #4, which was accepted and entered into the record. The Zoning Ordinance requires that parking spaces be not less than 180 square feet per off-street space, as either a 9’x20’ space or as a 10’x18’ space: the development plans show the off-street spaces to be 9’x18’, or 162 square feet per space, or an approximately ten percent reduction in size. Mr. Osgood said that the reduction will limit the amount of impervious surface on the site by approximately one-third of an acre. He said that the smaller spaces will not have an impact on vehicular safety and the dimensions shown are used by other municipalities in Rhode Island. Mr. Osgood stated that he was believed that reducing the size of the parking spaces in the development would not be an adverse impact and not granting the deviation would be more than a mere inconvenience to the Applicant. If the parking spaces were full-sized, they would take away from the planned green space in the development and add to impervious surface.

There was a discussion regarding the path near Road F: it is not completely next to the road and can be called a path along the coastal feature. Mr. Osgood said that having only one path reduced stormwater runoff near an estuary. Mr. Brad Leach, the traffic consultant for the Commission, pointed out that at the bottom of Road D there is no connection between the two points to get people across the streets. Mr. Osgood stated that he agrees: they will address this gap. The path along Road F will be a shared-use path of impervious material: it will be primarily for pedestrians, since cyclists will probably continue riding on the road. The material might be some sort of gravel. Mr. Fontecchio reminded the Applicant that the design guidelines require that Road F should feel like a public street.

There was a discussion about providing a sidewalk along both sides of the road. Mr. Leach stated

that he feels that providing sidewalks on both sides of Road A is important, due to the bus stops located on VMP (across from Delway and Interlochen) and people using the bike path: a lack of sidewalks will force pedestrians into the street. The existing shoulders will be removed when left turn lanes are added for access to the development: the situation should be made as safe as possible. If people are given a destination, like the bike path or park, they will go there. Mr. Gregory agreed and proposed providing a sidewalk on at least one side of Road A. People are being invited into the property. This issue might require a waiver from the Planning Board because it is a public road and is a City subdivision standard: Ms. Boyle stated that she will seek an opinion from the Commission's legal counsel. Mr. Coutu of the Department of Public Works agreed that a sidewalk should be added to at least one side of Road A.

Mr. Powers of Union Studios was called as a witness. Mr. Powers described his credentials and his résumé was accepted and entered into the record as Applicant's Full Exhibit #5. The Hearing Panel agreed to certify Mr. Powers as an expert in architecture. His role on the project team and in the development of the Kettle Point plans was explained. Mr. Powers stated that he had reviewed the requirements and performance standards of the Waterfront District section of the East Providence *Zoning Ordinance*, as well as the Waterfront District's "Kettle Point Sub-District Design Guidelines." He described the request for two deviations: parallel parking and pavement width for rear alleys. Ms. Engustian submitted a plan sheet entitled "Parallel Parking Exhibit" as Applicant's Full Exhibit #6, which was accepted and entered into the record.

The ordinance requires parallel parking on both sides of a public street: the plans propose parallel parking on one side only of Road A and of two other streets, Roads D and E. There is public parking for the bike path: it is not expected that people will park on Road A before they reach the public parking area. They are trying to: reduce pervious surfaces by reducing the on-street parking; and keep the road as narrow as possible to slow down traffic.

Ms. Engustian submitted a plan sheet entitled "Alley Dimension Exhibit" as Applicant's Full Exhibit #7, which was accepted and entered into the record. The Ordinance requires a width of twenty-four feet travel lane for rear alleys: the plans propose a travel lane of only sixteen feet at certain points. The twenty-four feet is the width that a car needs to pull out and drive away: this is provided throughout the site where needed. The only points that will be sixteen feet for a low-traffic, low-speed travel lanes like an alley. It will allow for plantings and to minimize impervious surfaces, creating a more welcoming feel. The plans for the placement of garages are not yet developed; the deviation is for the dimension from the back of a garage across the alley. They would address this to ensure that the width is never less than twenty-four feet. The Fire Chief feels that it is adequate for his safety equipment as shown. The sixteen-foot lanes are only in two locations. Mr. Powers stated that he was believed that reducing the width of the alleys in two locations in the development would not be an adverse impact and not granting the deviation would be more than a mere inconvenience to the Applicant.

VOTE: A motion was made to grant the waiver for parallel parking; a reduction in rear alley width except at points that require cars backing out; a reduction in the off-street parking space size; the motions were seconded and approved unanimously without discussion. Present and voting were Mr. Fazioli and Mr. Chick.

Ms. Boyle said, although legal counsel needs to weigh in, the Hearing Panel should vote on the sidewalk waiver, in case it is within the Commission's jurisdiction and not the Planning Board.

VOTE: A motion was made to grant the deviation for the requirement of sidewalks on both sides of all roads in the development, with the following stipulation: a sidewalk must be provided on at least one side of the entire length of Road A (with review by the Commission's legal counsel). The motion was seconded and approved unanimously without discussion. Present and voting were Mr. Fazioli and Mr. Chick.

The Hearing Panel hearing was closed at 9:04PM and turned back over to the DRC; the DRC hearing reconvened at 9:05PM, after a brief break.

The DRC's draft Advisory Recommendation was discussed, with several changes identified. Ms. Boyle stated that the Recommendations do not reflect the discussion about sidewalks on Road A that occurred as part of the Hearing Panel hearing.

Mr. Gregory stated that he felt there is too much parking on the site. Ms. Boyle agreed, especially given the many references to the need to reduce pervious surfaces during the Hearing Panel hearing. She urged the team to look at places where parking could be reduced, particularly some of the pull-in parking. Mr. Bacari said that the excessive parking was needed for financing the project: lenders feel that parking is critical. Ms. Boyle stated that tweaking the parking would be advantageous.

Mr. Gregory expressed his concern with the lack of phasing of the project and when will the public amenities be completed. He also wanted to add a condition to require that the Applicant incorporate the GRA traffic review of the Traffic Impact Report dated March 27, 2013. A condition was added to reflect the Road A sidewalk discussion: the sidewalk waiver was granted except for Road A, which will have a sidewalk on one side of its entire length.

Ms. Bradford said that in general the responses to her comments were adequate except for the intersection with Road B, which needs to be enhanced. She will comment as plans become more detailed. Mr. Fontecchio agreed that he can meet with the team as architectural details are being developed. Mr. Leach stated that the traffic volume numbers had not changed from the first report to the second.

VOTE: A motion was made to approve the Advisory Recommendation to the Waterfront Commission, as amended: the motion was seconded and unanimously approved, without discussion. Present and voting were Mr. Gregory, Ms. Boyle, Mr. Pesce and Mr. Coutu.

VOTE: A motion was made to end the DRC hearing: the motion was seconded and unanimously approved, without discussion. The hearing was adjourned at 9:35PM.

Respectfully submitted,

JEANNE M. BOYLE
Executive Director
JMB/RG