



East Providence Waterfront Special Development District Commission

Meeting Minutes of October 26, 2011

Attendees: William Fazioli, Vice Chairman
Bruce Chick
John Gregory
Jacob Harpootian
Steven Hardcastle
Jonathan Killian
John Pesce
Luis Torrado

Staff: Jeanne Boyle, Executive Director
Roberta Groch, AICP- Planner

Consultants: Glen Fontecchio, Architect

The meeting was called to order at 6:33PM.

1. Vice Chairman's Opening Remarks

Vice Chairman Fazioli briefly discussed the City's financial situation. Ms. Boyle stated that at a recent meeting with Eaton Corporation, the City's finances were raised as an issue of concern.

2. Approval of Minutes

VOTE: A motion was made to approve the minutes of the October 6, 2011 meeting. The motion was seconded and unanimously approved without discussion.

3. Continued Business

A. Tockwotton Home- request for minor modification

Mr. Kevin McKay, Executive Director of the Tockwotton Home, and Ms. Janice Greenwood, Tockwotton project engineer, were present at the meeting. The original proposal that was approved by the Waterfront Commission had all access to the site of the new building via Waterfront Drive. Due to a change in requirements for project financing from the Federal government, however, Tockwotton came back to the Commission for a minor modification to construct an access road from the back of the site, through a separate, 1.8-acre parcel also owned by Tockwotton, onto Teofilo Braga Way, which was approved. Although the Federal financing was not pursued by Tockwotton, the Applicant decided to construct the access road.

The Braga Portuguese Club has been leasing part of the Tockwotton land in this area for parking for several years: the private access road's construction would have disrupted this arrangement. The Club asked Tockwotton if they could redesign the access road to allow for the Club's continued use of the parking. Tockwotton is requesting a minor modification for a redesign of the access road to allow for the Braga Club's parking spaces. The Braga Club will need to negotiate with the future owner of the parcel regarding continued access to the parking spaces.

Part of the record but it's a private transaction: beyond the scope of the Commission. Acknowledge

VOTE: A motion was made to allow Tockwotton Home to modify the design of the previously-

approved access road in consideration of the Teofilo Braga Club's request; the applicant will erect a sign on the parking spaces where the road will be located, stating that, during flood conditions, the spaces cannot be used and that the road can only be used for authorized vehicles only: the motion was seconded and passed unanimously, without discussion.

B. Baer Supply Co., 10 New Road- Phase 2

Ms. Adele Beck, realtor and owner of the building that houses Baer Supply, and Mr. Jay Stuart, project manager of JLN Consulting, were present at the meeting as representatives of Baer Supply.

Mr. Stephen Coutu, the City's Director of Public Works, Mr. Fontecchio, and Ms. Sara Bradford, the Commission's landscape architectural consultant, compared the approved plans to the as-built plans during a site visit: they found current conditions to be substantially in compliance with Commission's requirements. Ms. Boyle said that the improvements that are stated in the memoranda are less like violations and more like items that the Commission did not address during the approval process. The Commission asked about the tanks that were shown outside of the building: Ms. Beck stated that they were pallets and empty glue tanks that were being stored outside due to lack of space in the existing building. She asked that Baer be allowed to store the pallets and tanks outside until the second phase of the building is completed, whereupon they will be stored indoors.

Mr. Gregory stated that he no longer has concerns about the project and requested that addressing the five items that were highlighted in memoranda from Ms. Bradford and Mr. Fontecchio be made part of the Commission's approval. Ms. Boyle agreed and added that she will require payment for all past and present consultant fees as part of signing off on Baer's Certificate of Occupancy.

VOTE: A motion was made to allow Baer Supply to begin construction on Phase 2 of their building subject to the five conditions of the site visit by the Commission's consultants and representatives, including the continued storage of empty tanks outside of the building until Phase 2 is completed and the payment of all consultants prior to the issuance of a Certificate of Occupancy: the motion was seconded and passed unanimously, without discussion.

C. 10 New Road- EDA grant/Eaton Corporation

Ms. Boyle said that the discussion with Eaton Corporation on the lease for 10 New Road was proceeding, albeit slowly. The US Economic Development Administration (EDA) is starting to show some concern and frustration regarding the schedule and the negotiations with Eaton. Eaton has not been responding to requests quickly, which is counter to their aggressive timeframe for occupying the building. Working with a large corporation with headquarters in Ohio is proving to be a challenge. We have two years to spend the grant and complete the project.

Ms. Boyle also talked to the Commission's insurance company about increasing the liability protection for Commissioners: due to the elevated exposure of the Commission because of the Eaton project. The insurer will review the leases that are approved for Eaton and will make a recommendation for the increase.

Eaton has chosen the design-bid-build option, in order to smooth the process of EDA reimbursements. A walk-through the building has already found that the electrical system is not what was represented to Eaton: a major upgrade is required.

4. Staff Reports

A. Executives Director's Report

Ms. Boyle said that the process for hiring an accountant for the Waterfront Commission has begun. When she has received their qualifications she will ask them to appear before the Commission. The City Zoning Board of Appeals (ZBA) voted to uphold the Zoning Officer's cease and desist order for TLA/Pond View. Pond View is expected to appeal the decision. Chevron is starting demolition of the walls that are on the Village on the Waterfront project site: the demolition plan will be distributed to the Commission.

B. General Counsel's Report

Ms. Main was not present at the meeting.

5. Communication and Correspondence

There was no communication or correspondence.

6. Adjournment

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

The meeting was adjourned at 8:08PM.

Respectfully submitted,

JEANNE M. BOYLE
Executive Director

JMB/RG