



East Providence Waterfront Special Development District Commission

Meeting Minutes of October 6, 2011

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

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

Consultants: Glen Fontecchio, Architect

The meeting was called to order at 6:34PM.

1. Vice Chairman's Opening Remarks

Vice Chairman Fazioli had no remarks.

2. Approval of Minutes

VOTE: A motion was made to approve the minutes of the September 28, 2011 meeting. The motion was seconded and unanimously approved without discussion.

3. Continued Business

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

Ms. Boyle said that the Conditions of Approval for Baer Supply's Phase 1 construction requires that the Design Review Committee (DRC) designate someone to work with Baer and the Commission's architectural consultant, Glen Fontecchio. Ms. Boyle introduced Mr. Jay Stewart, a project manager for JLN Contracting, Baer Supply's consultant for Phase 2. He stated that Baer is anxious to proceed with the project and has already ordered steel. Ms. Boyle stated that items A through G of the Conditions of Approval for Phase 1 must be addressed by Baer Supply before receiving approval for Phase 2.

Construction of the 25,000 sf (166'x150') addition will take approximately four months. The Phase 2 construction requires no meeting or public process by the Waterfront Commission. The building will serve as cold storage for the company.

The members of the DRC chose Mr. Stephen Coutu, the City's Director of Public Works, as their designee. Mr. Fontecchio, Mr. Coutu, and Ms. Sara Bradford, the Commission's landscape architectural consultant, will compare the approved plans to the as-built plans. They were also schedule a site visit to determine whether what has been built is what was approved.

Mr. Pesce asked if the DRC will be kept in the loop during the approval process. Ms. Boyle stated that the City is installing new permit-tracking software: this will make the status of the building permit available to all City departments. It will give real-time tracking information to developers. The problem with the process is when things change in the field and she does not receive the information: this is where there is a disconnect. Mr. Pesce asked if the DRC could be notified when

certain milestones were met: Ms. Boyle stated that the Commission must be careful about inserting a public process into an administrative process. Ms. Boyle said that she might be able to send out an e-mail to Commissioners when plans have changed.

As was the case for the Baer project, the Commission gave Aspen Aerogels permission to construct the later phases of their project without coming before the Commission, which is why their façade was not constructed in the phase that they originally indicated. Ms. Boyle stated that she will not sign off on a building permit for anything that was not approved by the Commission and pointed out that Baer supply has already had to work with Mr. Fontecchio when it was noticed that their façade in Phase 1 was not what was approved: the plans were changed to something that was acceptable to the Commission consultant. Tockwotton Home, for example, has inquired as to when they can request a minor modification for an access change that has arisen in the field during construction.

Mr. Gregory stated that he had concerns about the project; he does not think that the site looks like the approved plans and asked what would be the repercussions for substantial non-conformance. Ms. Boyle replied that she could withhold the Certificate of Occupancy or Baer would have to come back before the Commission for a minor modification of their plans. Ms. Boyle also pointed out that Baer Supply still needs to reimburse the Waterfront Commission for consultant fees from the Phase 1 approval process.

B. 10 New Road- EDA grant/Eaton Corporation

Ms. Boyle updated the Commission on the status of the US Economic Development Administration (EDA) grant to renovate 10 New Road for Eaton Corporation. There will be a draft of the lease by the end of next week. Negotiations with the owners of 10 New Road will occur after the lease with Eaton is completed. A development agreement will be also drafted to spell out responsibilities. There will be two or three contracts that will come before the Commission. A question was raised regarding the Commission's insurance policy and the Commission's new responsibility as a landlord: how much protection does it offer for Commission members? Ms. Boyle said that she would contact the Commission's insurance company and discuss this issue.

Eaton is weighing the pros and cons of the design-build option internally. The EDA engineer is concerned with design-build because of the delay in reimbursement: the EDA must approve everything first before any reimbursements are made. Eaton is paying for the architect and engineer who will oversee the work: they cannot pay for it with grant funds. They will also fully inspect the building. All overages will be covered by Eaton. Eaton wants to occupy the building in one year: this schedule is driven by Eaton and its customers, not by the EDA. The life of the grant is twenty-four months.

4. Staff Reports

A. Executives Director's Report

Ms. Boyle stated that the Tockwotton Home wants to request a minor modification at the next Commission meeting. There has been some movement on the relocation of the power lines from the Providence side of the River and it may affect Tockwotton. The City of East Providence also wants the tap line relocated.

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 8:05PM.

Respectfully submitted,

JEANNE M. BOYLE
Executive Director

JMB/RG