



EAST PROVIDENCE WATERFRONT DISTRICT COMMISSION

Design Review Committee Hearing Minutes July 12, 2018

Attendees: Luis Torrado, Chair
Tim Conley
Diane Feather, Acting Planning Director
Steve Coutu, DPW Director

Members absent: David Sluter

Staff: Pamela M. Sherrill, Executive Director

Legal Counsel: Rhiannon Campbell, Hinckley, Allen & Snyder

The hearing was called to order at 6:10 PM in City Council chambers. The meeting room was moved from Conference Room A to accommodate attendees. Signage was provided from Room 306 where the hearing was legally noticed and Conference Room A per the amended agenda, to council chambers.

1. **Chairman's Opening Remarks.** William Fazioli provided an overview of the Design Review Committee (DRC), Hearing Panel (HP) and Waterfront Commission hearing process. The DRC will make a recommendation to the HP and the Waterfront Commission on the overall project including recommendations on conditions of approval. The HP will review the request for apartments as a conditional use and will consider deviations from parking requirements for the building at 105R Pawtucket Ave. The Waterfront Commission as a whole will act on the recommendations of both the DRC and the HP.

2. New Business

A. VOTE: Public hearing to consider a request for an advisory opinion to the Waterfront Commission for Euston Gardens, the rehabilitation of the former FRAM and Allied Signal office buildings as 104 residential units.

Address: 105 and 105-R Pawtucket Avenue

Owner and applicant: Euston LLC

Assessor's Map 302, Block 1, Parcels 31 & 32

Zoning – Pawtucket Avenue Sub-District

Attorney Amy Goins, attorney for the applicant, introduced the development team: Aurora Leigh, project manager for First National Development/Euston LLC; Mark Rapp, architect; Joseph Lombardo, professional planner; and Herman Heraldo, BETA Group traffic engineer.

Ms. Leigh indicated that Euston LLC purchased the vacant FRAM and Allied Signal buildings several years ago with the intent to convert the former office buildings to residential use by fully gutting the buildings, replacing curtain walls and roofs, and providing all new services including individual heating/air conditioning/ventilation for



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each unit, with energy efficient reconstruction to meet current building codes. A total of 104 residential rental units are proposed with 48 in the front building (former FRAM) and 56 in the rear building (former Allied Signal), including 42 2-bedroom units, 62 1-bedroom units and 2 studios. The pet-friendly apartment complex will be gated and offer a doggie park, bike racks, laundry facilities, and parking. The back building will be fully fenced as well as gated to avoid conflicts with industrial neighbors. Ms. Leigh asked for administrative approval of either an aluminum black picket or black vinyl coated chain link fence. She acknowledged complications regarding water service to the rear building. An existing easement through the rear parcel will be relocated to the existing traveled driveway on the periphery of the parcel. No utilities to adjacent parcels are located in the proposed relocated right of way. Access to two adjacent parcels and four parcels to the west including 16 firms with mixed industrial uses, is provided through the rear parcel. The small building at the south end of the rear building will be gutted, cleaned out, and boarded up. Ms. Leigh indicated that the site plans erroneously identify proposed future use as a laundry and that any future use will be subject to Waterfront Commission approval. Current ideas for future use include storage for tenants or a maintenance office.

Ms. Leigh stated that Waterman Engineering was designing a water line on the St. Mary's cemetery side that is not being presented tonight and it would be separate from the private water line that currently serves all industrial uses west of the rail line. Ms. Leigh stated that they will be conducting hydraulic tests for pressure and capacity on water lines serving both buildings. She stated it will be determined if the existing line is large enough to handle the number of units. Ms. Leigh noted that they have applied for power with the National Grid.

Mr. Rapp indicated that existing site access and domestic/high pressure fire water lines from Pawtucket Avenue to parcels west of the rail line is via deeded easements on Gorham Lane, a privately-owned parcel. In response to concerns raised by neighbors and the DPW, the applicant has hired an engineering firm to design separate domestic and fire protection water lines to serve the rear building. Existing sewer lines from both the front and rear parcels will be used. A final report will be issued regarding size and conditions to determine adequacy of the sewer service for a change in use to 104 residential units. It is anticipated that the existing water line to the front building will be used. The applicant has applied to National Grid for electric service; both buildings are served with a high pressure natural gas line.

Ms. Feather questioned Mr. Rapp if they were aware that the private right-of-way is a parcel of land with a City of East Providence Map, Block and Parcel number and the property is assessed at a value and a tax amount determined. Mr. Rapp acknowledged in the affirmative. The applicant team stated that discussions had begun with Mr. Charles Dunn, the owner. Ms. Feather asked if they were just started and the applicant team answered in the affirmative.



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Ms. Goins has conducted a title review of the easement via Gorham Lane and recognizes that this is an outstanding item of approval and is working toward resolution. She indicated that they have approached the State Properties Commission regarding cross track access and have requested a deviation from required parking for the rear building (64 spaces are provided for 56 units) in the event cross track access is prohibited. Trucks and other vehicles currently cross the tracks freely from the front to rear parcels, providing a second means of access to the industrial uses west of the tracks. According to people in the audience the active rail line is used daily. Ms. Goins indicated that an abutter has requested that trees at the south end of the right of way on the rear parcel be cut but this is not in accordance with the orders of conditions to protect existing trees.

Mr. Torrado spoke of the architectural significance of the former FRAM building, designed by The Architects Collaborative in the 1950s, as an example of the International Style that is a defining design of our lifetime. Mr. Rapp explained the floor plans including townhouse construction of six units at the former FRAM garage and creation of a 20' wide and two-story courtyard approximately 22 to 24' high in the Allied Signal building. Ms. Leigh explained that this courtyard is similar to their Pawtucket mill adaptive reuse development where courtyard units rent as well as exterior units. Buildings are slab on grade. Elevators will not be provided. Access to ground floor levels is at grade for all entrances with the exception of the south entrance on the rear building.

Mr. Heraldo, BETA Group traffic engineer, described findings of the traffic study. He indicated that an increase of 50 to 70 vehicles per hour will not adversely affect traffic operations at the signalized intersection on Pawtucket Avenue or on Campbell Avenue and adjacent neighborhood streets. Traffic counts were not conducted on Gorham Lane.

Mr. Lombardo, professional planner, described his fiscal impact study including a projection of 175 residents with approximately three school-age children. Rents \$1200 to \$1300/month will attract young professionals earning \$60,000 to \$70,000 annually. Euston Gardens will not offer amenities that typically attract families with school aged children. He estimates that tax revenue will basically be a wash with the cost of municipal services including schools. He concluded that the apartments will meet a housing need in the community and represents a beneficial reuse of two vacant blighted buildings. Ms. Leigh confirmed the rental range but indicated that rents will be subject to market demand.

Ms. Feather asked what the treatment would be of the surface of the main (front) parking lot. Ms. Leigh replied that the vegetation in the broken areas of the asphalt would be removed and the lot would be paved over and striped. Ms. Feather noted the poor condition of the lot and the unevenness of the lot.

Mr. Torrado opened the floor to public comment.



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- James Reddy, counsel for Charles Dunn, owner (Double Five LLC) of the Gorham Lane right of way, offered the following: 1. Be aware of industrial traffic in the vicinity of the rear parcel. 2. No portion of Gorham Lane has ever been accepted by the City; it is not a public right of way. 3. His client is not opposed to the proposed development but is concerned about child safety and has requested that the perimeter fence be extended to the corner of the building. He is concerned that residents will park on the driveway/common access and that this will limit truck movements. 4. He is concerned about traffic impacts with a potential commercial laundry in the small building (Ms. Leigh confirmed that the building was erroneously labeled as a laundry on the plans). 5. His client has requested that the trees on the south end of the roadway be cleared to facilitate truck movements. 6. He reminded the commission that relocation of the easement will require write-offs by owners of all parcels served by the easement. 7. He requested that the city take over Gorham Lane as a public right of way with a private 6" water line. Mr. Dunn clarified that the National Packaging building is 36' from the former Allied building and that is a pinch point in the roadway/driveway.
- Lisa Avidesian, 34 Nevada Road, made the following points: 1. The Campbell Avenue exit at Orange Street is on a blind corner. 2. Traffic backup at the signal will block egress from Nevada and Orange Avenues and requested that strategies such as dead-ending or one-way be considered to limit neighborhood cut-throughs. Road condition on Campbell is atrocious. Mr. Coutu urged her to work with her councilman in this regard. 3. She is concerned about rodents and mold. 4. She is concerned about the location of the dumpster adjacent to the dog park entrance, close to the street.
- Russel Demulnere, resident of Nevada Avenue since 1976, concurred with traffic issues raised by Ms. Avidesian and is concerned with the safety of children in the neighborhood.
- Marilyn Jeffrey questioned how the number of parking spaces can be reduced from 2 spaces per unit. She was informed that that is a comment to be addressed before the Hearing Panel.
- Aldi Demery, Campbell Avenue, described springs and wetlands at the south end of the property which drain into a stream which flows to the sewage treatment plant. He is concerned about wildlife impacts.
- Angelo Dasilveira indicated that his parcels are located to the rear of the industrial area accessed by Gorham Lane and the right of way through the Euston's rear parcel and include 55,000 sf of buildings. 1. He supports redevelopment of the eyesore buildings but is concerned about traffic and emergency access to the rear parcels and requests that two accesses be maintained. 2. He is concerned about sharing the 6" water service with the development and requests the city take over the water line and update it. 3. He requested a neighbor-friendly meeting where residents and property owners could see project plans.
- Councilman Robert Britto, Ward 1, said he is excited for the redevelopment but realizes that there are issues that should be addressed prior to construction. Easement issues should have been resolved long before. He will be addressing rodent issues at the Council level.



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Ms. Goins asked for conditional approval for financing to start environmental remediation and indicated that her client concurs that no building permit be issued until all conditions are met. She indicated that consent is required to relocate the right of way but not for a change in use. Regarding wetland issues, most work will not require permits but will agree to and accept all wetland permit requirements.

Ms. Leigh indicated that interior demolition permits have been pulled and is committed to rodent control on a weekly basis. Sprays have been used to kill mold spores. She indicated they are committed to construction of two separate water lines to the rear building for domestic and fire suppression. Trash and dumpster locations will be fully enclosed and are not visible from the streets but she agrees to discuss with neighbors.

Mr. Herald indicated that the owners agree to clear vegetation of the south exit on Campbell Avenue. He anticipates that few new residents will seek alternative routes since not all residents will come or go at the same time the way FRAM workers did in the past. He will look at traffic generated by the various businesses using Gorham Lane.

DRC comments included the following: The buildings have been vacant for so many years and have been problems for City departments and neighbors, but the hearing is premature since water plans have not been provided and this is too serious for conditional approval. There are also concerns with access to the rear parcel. The applicant has worked with staff for months but by testimony tonight it has been proven that the applicant has demonstrated that the DRC does not have findings of fact to go forward tonight. There was a failure to approach abutters, resolve easement and waterline issues and conduct hydraulic testing prior to the hearing. The DRC has not seen an engineered plan for waterline replacement or other civil engineering input.

Ms. Feather noted a letter from Ms. Leigh on Euston LLC Letterhead to Pamela Sherrill regarding the "Draft Conditions, 105 and 105R Pawtucket Avenue", dated June 10, 2018, which she believed should be dated July 10, 2018 which included the response to the draft conditions. Ms. Feather noted the conditions are alphabetized as A. through Y., with A. having a Yes reply, B. Having a Yes reply, C. having a Yes, see attached reply, D. having a See attached reply, E. having a Yes reply, and F. having a Done reply. She noted that conditions G. through Y have an OK reply, except for T. which indicates "we are requesting a parking variance for 105 R to remove the necessity of crossing the railroad", but no extent of the variance is identified. Ms. Feather noted that an "OK" is a non-specific answer and substantive conditions received OK answers. In an attached memorandum to that same letter dated June 10, 2018 from Stephen Coutu, Director of Public Works to Pamela Sherrill regarding wastewater requiring that the sewer lines should be televised, inspected and cleaned as needed, that Ms. Leigh's response was they were in the process of identifying and assessing conditions (there have been problems with the tv) and other necessary equipment. In that same memorandum regarding water, and that extensive renovation and required fire alarm system and drinking water



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for the building residents, fire flow tests to ensure adequate flow and pressure will be needed. Ms. Leigh's response was "Yes, will be completed and submitted to Fire Department and Building Department at full review." Ms. Feather noted that draft civil engineered plans had not been received; dye, video camera tests for sewer and water utilities (which had previously been requested) were not complete, and what she sees as a threshold question as to private agreements and easements between Double 5 LLC (owner of the private right-of-way) and Euston LLC, had not been submitted. She noted that this should have been resolved before the proposed plans were advanced.

Ms. Feather noted that through the applicant team's testimony this evening, through lack of written detailed and professionally quantifiable responses to conditions, that this proposal is not ready to have a hearing before the Hearing Panel that evening. She noted that Section 19-477 (e) states: "The DRC shall evaluate each application for conformance with the regulations and reviewing criteria and make recommendations to the Hearing Panel and/or the East Providence Waterfront special development district commission for their action." Ms. Feather moved that the proposal submission was not ready for a recommendation to the Hearing Panel for their hearing. The motion was seconded by Mr. Conley and the DRC voted 4-0 that it is premature to make a recommendation to the Hearing Panel and the Waterfront Commission:

Mr. Coutu - Aye

Mr. Conley - Aye

Ms. Feather - Aye

Mr. Torrado - Aye

- B. VOTE:** On a motion by Mr. Coutu, seconded by Mr. Torrado, the Design Review Committee voted 4-0 to approve the minutes of April 3, 2017 meeting. *Taken out of order*

- C. VOTE:** On a motion by Ms. Feather, seconded by Mr. Conley, the Design Review Committee voted 4-0 to adjourn.

Respectfully submitted,

LUIS TORRADO
Chairman
LT/PS