



## EAST PROVIDENCE WATERFRONT DISTRICT COMMISSION

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### Waterfront Commission Hearing Minutes October 19, 2017

*Attendees:* William Fazioli, Acting Chairman  
David Sluter  
Jay Kern  
Paul Moura  
Roy Coulombe  
Peter Willey

*Members absent:* Stephen Hardcastle  
John Pesce  
Luis Torrado

*Ex-Officio:* Michael Walker, Commerce RI

*Staff:* Pamela M. Sherrill, Executive Director

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The meeting was called to order at 6:08 PM.

#### 1. Old Business

- A. **VOTE:** On a motion by Mr. Moura seconded by Mr. Kern the Commission voted 6-0 to approve the minutes of September 21, 2017, as amended.

#### 2. 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 on-site affordable units at Kettle Point apartments.**

Jason Kambitsis for the applicant reiterated his request and reviewed payment due at the building permit stage for Phase I (three buildings under construction so payment now due) and Phase II. A. R. Building Co. has not requested tax stabilization or tax credits. Other A. R. Building Co. projects are located in Cumberland, North Kingstown and North Smithfield. North Kingstown requires 10% affordable with no in-lieu option, other municipalities do not have inclusionary zoning requiring affordable units. First building will be ready for occupancy in early 2018 with Buildings 2 and 3 coming on line every three months. Phase II construction is dependent upon lease experience for the first phase. He confirmed that it is inconvenient to manage a market rate project with an affordable component.

The hearing was opened to public comment. Cynthia Langlykke, Demeter LLC, indicated that they are proceeding with an application for the final round of funding through RI Housing for the proposed Ivy Place development with award anticipated in March or April 2018. Phase I (6 owner-occupied town houses) could be complete by the end of 2018. Phase II including mixed use with 9 condo units could be complete one year later.



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There being no further public comment the acting chair entertained discussion by the commission. Commissioners speaking against the recommendation of the Hearing Panel cited the historic support for affordable housing in the Waterfront District including Ross Commons and Tockwotton (10% affordable units); previous reduction to 5% for apartments/townhouses only at Kettle Point; city support of affordable housing; while Ivy Place is a worthy project it needs to stand alone on its own merits; and it is not a good policy to not have really good affordable rental units at Kettle Point. Commissioners speaking in support of 10% in-lieu funding for affordable units the Hearing Panel’s recognition of the redevelopment of a long vacant Taunton Avenue lot with the Ivy Place affordable housing project; administering affordable housing is a hardship to the developer; and this will not set precedent since one of the benefits of Waterfront zoning is the ability to be flexible.

A motion to close the hearing was made by Mr. Kern, seconded by Mr. Moura, and approved by voice vote.

Mr. Kern made a motion, seconded by Mr. Moura to approve the request to eliminate on-site affordable housing at Kettle Point with 10% in-lieu funding, to be made up front at issuance of a building permit at the beginning of each phase.

Sluter	Ney	Fazioli	Ney
Kern	Aye	Moura	Aye
Willey	Ney	Coulombe	Aye

Motion did not pass.

A second vote to approve the request has held on a motion made by Mr. Kern, seconded by Mr. Moura.

Sluter	Ney	Fazioli	Aye
Kern	Aye	Moura	Aye
Willey	Ney	Coulombe	Aye

Motion passed.

- B. VOTE:** on the recommendation of the Hearing Panel to deny the RX ORGANICS, LLC appeal of the May 24, 2017 decision of Edward Pimentel, Zoning Official for the City of East Providence Department of Public Works and Jeanne Boyle, Executive Director of the East Providence Waterfront Commission, regarding the issuance of a Zoning Certificate in which it was determined that RX Organics, LLC’s proposed use at 127 Valley Street for marijuana cultivation is not an expressly allowed principal land use in accordance with Sections 19-481 and/or 19-98 Schedule of use regulations and is therefore prohibited.

The executive director reported that she received an email from Peter Petrarca, attorney, on October 13 indicating that his client has decided not to pursue any remedy in East



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Providence. They are moving to Warwick. He thanked everyone on the board for their assistance. No vote was taken.

### C. Staff Report

Ms. Sherrill outlined the overall procedure to amend zoning to allow marijuana cultivation in the Waterfront District, as requested at the last meeting. Amending the use tables will require Waterfront Commission hearings as well as City Council approval of the zoning ordinance. General discussion followed about the suitability of this use in various zoning districts, building types, and considerations for cultivation (including safety, electric use and fire concerns). Mr. Walker reminded the commission that uses that are "conditional" require additional hearings, costs and delay that are not business friendly.

Ms. Sherrill reported on a very positive 10/16 meeting regarding a proposed 200-unit 55+ development at the city-owned site at Phillipsdale, a 10/11 meeting regarding a proposal for the Pawsox at 100 Water Street, a 9/28 update with Chevron (and their support and assistance with the Amazon HQ2 proposal), upcoming meetings with Bourne Holdings at Phillipsdale on 10/23, South Quay issues regarding CRMC Type water change on 10/25, and architect's plans for 105 Pawtucket Ave (Fram) on 10/30.

The next meeting is scheduled November 16. Agenda items include the FY 2018 budget, bank signatory approval, and possible presentation by Chevron on their re-envisioning exercise.

Meeting was adjourned at 7:18 PM.

Respectfully submitted,

PAMELA M. SHERRILL, AICP

*Executive Director*

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