



# EAST PROVIDENCE WATERFRONT SPECIAL DEVELOPMENT DISTRICT COMMISSION

## NOTICE OF DECISION

Date: January 16, 2025  
 Project: Metacomet  
 Owner: Marshall Properties, Inc.  
 Applicant: Marshall Properties, Inc.  
 Address: 500 Veterans Memorial Parkway  
 Assessor's: Map 107, Block 15, Parcel 1  
 Zoning: Metacomet Sub-District

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 JAN 16, 2025 10:12 AM  
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As required by Chapter 19, Article 9 of the Revised Ordinances of the City of East Providence, at a duly-noticed public hearing on December 19, 2024, the East Providence Waterfront Special Development District Commission (the "Waterfront Commission") reviewed the above-referenced proposal ("Proposal") for the purpose of determining whether the Proposal is consistent with the purposes, intent and performance standards of the Waterfront District Zoning Regulations.

The development, as originally submitted in December 2023, is proposed to contain 890 residential units, consisting of a mix of multifamily rental units (845 apartment units), 22 duplex units and 24 townhouse units. Approximately 153,000 square feet of commercial space is proposed. The applicant plans to create a town center within the development that will be anchored by an 85,000 square foot grocery store and will be surrounded with neighborhood retail and service uses of varying square footage. This commercial area will be located in the northwest corner of the parcel with frontage on the Veterans Memorial Parkway and Lyon Avenue. Primary and secondary access to the property will be provided exclusively through these three access points. As required under Waterfront District regulation, ten percent (10%) of the proposed housing within the development will be set aside and designated as affordable inclusionary housing. Additional amenities within the development include a proposed promenade for pedestrian traffic, and an outdoor amphitheater. The applicant has already converted a portion of the property's former 18-hole golf layout into a 9-hole public golf course that opened in the summer of 2024, following the Waterfront Commission's approval of Phase 1 of the redevelopment plan. This golf course provides significant open-space acreage within the development and more importantly, is managed as a public golf course facility. As a condition of approval of the development, the applicant will deed a 9.6 acre parcel located in the northeast corner of the property, to the City of East Providence. This parcel would be used by the City for open space, most likely as a passive recreation use.

In April 2024, the applicant submitted a supplemental narrative and plan set, consisting of an amended phasing plan that identifies the golf course as Phase 1. The appurtenant equipment and maintenance building is designated as Phase 1A, with an estimated construction time of Fall/Winter 2024 following the conclusion of the 2024 golf season. The balance of the mixed-use development is designated as Phases 2 and 3. The applicant's supplemental narrative states in pertinent part as follows: "The Applicant respectfully requests at this time that the Commission consider a bifurcated approval for Phase 1 of the Project, the 9-hole public golf course." In May 2024, the DRC voted to recommend to the Commission that Phase 1 be approved, and the Commission granted approval of Phase 1.

BK 13 PG 004

Subsequently, the applicant presented additional evidence supporting its application for the remaining phases of the project: Phase 1A (golf course maintenance shed); Phase 2 (development on the northwest portion of the site adjacent to Veterans Memorial Parkway & Lyon Ave, containing 232 residential units and approximately 153,000 sf of commercial space); and Phase 3 (balance of the site, at the north and eastern portion of the property, containing 658 residential units). The DRC held a public hearing to consider the applicant's request for an advisory opinion to the Waterfront Commission for the balance of the development. The DRC concluded its public hearing of this matter on November 14, 2024, and recommended approval of the proposal, with conditions as outlined in the DRC's memorandum dated December 9, 2024.

Additionally, the Planning Board reviewed the proposal on December 9, 2024. Consistent with staff's recommendation, as outlined in a staff memo from the Department of Planning and Economic Development dated December 5, 2024, the Planning Board voted to find the proposal consistent with the Comprehensive Plan.

The Waterfront Commission held its final public hearing on this matter on December 19, 2024. After reviewing all of the evidence and testimony submitted regarding this project, including written and oral testimony of Metacomet's design professionals and consultants as well as written and oral comments of numerous concerned citizens, including members of Keep Metacomet Green and other East Providence residents, the Waterfront Commission closed the public hearing.

#### **Hearing Panel Recommendation and Requested Deviations**

The applicant requested three (3) deviations from the requirements of the Zoning Ordinance: (1) monument signage on Veterans Memorial Parkway; (2) parking ratios; and (3) fenestration percentage. The Hearing Panel recommended granting the variances for parking ratios and fenestration percentages, but recommended denial of the requested variance for monument signage on Veterans Memorial Parkway, such denial to be without prejudice.

#### **Consistency with the 2003 East Providence Waterfront Plan**

Phases 1A, 2, and 3 of the Metacomet redevelopment are consistent with the Plan because the property was formerly used as a golf course, and the City Council approved the zone change for the property in 2021 based on the proposal to maintain a 9-hole golf course on a portion of the property. The golf course redevelopment is known as Phase 1 and was approved by the Commission in May 2024. The Plan was amended after the zone change was approved and the proposal to redevelop the property as proposed is consistent with the Plan, as amended. The Commission relies upon the Planning Board's finding of consistency with the Comprehensive Plan, as recommended by staff from the Department of Planning and Economic Development.

#### **Decision**

The Waterfront Commission hereby grants approval for Phases 1A, 2, and 3 of the Metacomet redevelopment project, based on findings in the applicant's application and plan set dated December 21, 2023, supplemental plans and submissions, the applicant's testimony, including expert witnesses, comments from City staff and consultants, public comment and the finding that the project is in conformance with the reviewing criteria set forth in Section 19-477 of the East Providence Zoning Ordinance and the purposes of Article IX, "Waterfront Special Development Districts" regulations of the East Providence Zoning Ordinance, subject to the following conditions:

1. Planning Board recommendation on consistency with the Comprehensive Plan [This condition has been satisfied];
2. Hearing Panel approval of the three required variances for monument signage on Veterans Memorial Parkway, parking ratios, and fenestration percentage [This condition has been partially satisfied: The Commission accepts the Hearing Panel's recommendation to approve the variances for parking ratios and fenestration percentage, and denies the requested variance for monument signage on Veterans Memorial Parkway, without prejudice];
3. Updated noise, traffic, and public safety impact studies upon the earlier to occur of completion of Phase 2 or the commencement of Phase 3;
4. That the proposed roundabout on Veterans Memorial Parkway contain a pedestrian walkway allowing access to the East Bay Bike Path, contingent on approvals from all required State agencies;
5. That a construction management plan be developed by the applicant submitted prior to commencement of construction on Phase 2. The applicant shall hold an informational meeting with members of the public to discuss the proposed construction management plan following its submittal to the City Building Department & Fire Department, and the applicant shall provide updates to the Waterfront Commission as requested;
6. That the applicant comply with the directives of the Rhode Island Historical Preservation & Heritage Commission in connection with and in response to the archaeological inspections conducted at the property;
7. All interior roadway construction and underground & aboveground utility infrastructure located both inside and outside project boundaries will be subject to the approval of the East Providence Department of Public Works, Water Department, Engineering Department, and Fire Department, as applicable;
8. The Applicant shall utilize a condominium/homeowner's association agreement satisfactory to the Waterfront Commission that will include but not be limited to the following: maintenance of landscaping, streets, stormwater basins, and utilities; trash removal; public access; and open space;
9. The applicant will identify the pre-qualification services and ongoing certification needed for the provided on-site ten percent (10%) affordable inclusionary housing; and
10. That the applicant will receive final approval and necessary permits/assent from State agencies including the Rhode Island Department of Transportation, the Scenic Roadways commission and the Coastal Resources Management Council, as well as Department of Environmental Management, if applicable.
11. Should the applicant wish to present a revised plan for monument signage on Veterans Memorial Parkway, such revised plan shall be presented to the DRC and Waterfront Commission for review and approval at a duly-noticed public hearing.

Motion Made By: Andrade  
Seconded: Amoroso  
Vote: Aye (6-0) (Andrade; Amoroso; Griffith; Pontarelli; Conley; Fazioli)

Respectfully Submitted,

  
Raymond Lavey, Executive Director

cc: Mayor DaSilva  
EP City Council  
Planning Department  
DPW Director  
City Engineer  
EP Fire Department  
EP Building Official  
Applicant:

- Marshall Properties, Inc., c/o Attorney Joshua Berlinsky, Esq.

BK 13 PG 007



EAST PROVIDENCE WATERFRONT SPECIAL  
DEVELOPMENT DISTRICT COMMISSION

MEMORANDUM

To: Waterfront Commission  
Hearing Panel  
Planning Board  
From: Design Review Committee  
Date: December 9, 2024  
RE: Advisory Recommendation to the Waterfront Commission - Metacomet Mixed-Use  
Redevelopment – Phases 1A, 2 and 3

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DEC 17 2024 11:27 AM  
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Project: Metacomet  
Owner: Marshall Properties, Inc.  
Applicant: Marshall Properties, Inc.  
Address: 500 Veterans Memorial Parkway  
Assessor's: Map 107, Block 15, Parcel 1  
Zoning: Metacomet Sub-District

The development, as originally submitted in December 2023, is proposed to contain 890 residential units, consisting of a mix of multifamily rental units (845 apartment units), 22 duplex units and 24 townhouse units. Approximately 163,000 square feet of commercial space is proposed. The applicant plans to create a town center within the development that will be anchored by an 85,000 square foot grocery store and will be surrounded with neighborhood retail and service uses of varying square footage. This commercial area will be located in the northwest corner of the parcel with frontage on the Veterans Memorial Parkway and Lyon Avenue. Primary and secondary access to the property will be provided exclusively through these three access points. As required under Waterfront District regulation, ten percent (10%) of the proposed housing within the development will be set aside and designated as affordable inclusionary housing. Additional amenities within the development include a proposed promenade for pedestrian traffic, and an outdoor amphitheater. The applicant also is in the process of converting a portion of the property's former 18-hole golf layout into a 9-hole public golf course that will, according to the developer, be ready to open in the summer of 2024. This golf course will provide significant open-space acreage within the development and more importantly, will be managed as a public golf course facility. As a condition of approval of the development, the applicant will deed a 9.6 acre parcel located in the northeast corner of the property, to the City of East Providence. This parcel would be used by the City for open space, most likely as a passive recreation use.

In April 2024, the applicant submitted a supplemental narrative and plan set, consisting of an amended phasing plan that identifies the golf course as Phase 1. The appurtenant equipment and maintenance building is designated as Phase 1A, with an estimated construction time of Fall/Winter 2024 following the conclusion of the 2024 golf season. The balance of the mixed-use development is designated as Phases 2 and 3. The applicant's supplemental narrative states in pertinent part as follows: "The Applicant respectfully requests at this time that the Commission consider a bifurcated approval for Phase 1 of the Project, the 9-hole public golf course." In May 2024, the DRC voted to recommend to the Commission that Phase 1 be approved, and the Commission granted approval of Phase 1.

*BK 13 PG 194 (REF BK'S PG)*

*BK 13 PG 008*

Subsequently, the applicant presented additional evidence supporting its application for the remaining phases of the project: Phase 1A (golf course maintenance shed); Phase 2 (development on the northwest portion of the site adjacent to Veterans Memorial Parkway & Lyon Ave, containing 232 residential units and approximately 153,000 sf of commercial space); and Phase 3 (balance of the site, at the north and eastern portion of the property, containing 658 residential units). The DRC held a public hearing to consider the applicant's request for an advisory opinion to the Waterfront Commission for the balance of the development. The DRC concluded its public hearing of this matter on November 14, 2024.

#### Consistency with the 2003 East Providence Waterfront Plan

Phases 1A, 2, and 3 of the Metacomet redevelopment is consistent with the Plan because the property was formerly used as a golf course, and the City Council approved the zone change for the property in 2021 based on the proposal to maintain a 9-hole golf course on a portion of the property. The golf course redevelopment is known as Phase 1 and was approved by the Commission in May 2024. The Plan was amended after the zone change was approved and the proposal to redevelop the property as proposed is consistent with the Plan, as amended.

#### Recommendation

The Design Review Committee recommends a positive advisory opinion to the Waterfront Commission to approve Phases 1A, 2, and 3 of the Metacomet redevelopment, based on findings in the applicant's application and plan set dated December 21, 2023, supplemental plans and submissions, applicant's testimony, including expert witnesses, comments from City staff and consultants, public comment and the finding that the project is in conformance with the reviewing criteria set forth in Section 19-477 of the East Providence Zoning Ordinance and the purposes of Article IX, "Waterfront Special Development Districts" regulations of the East Providence Zoning Ordinance, subject to the following conditions:

1. Planning Board recommendation on consistency with the Comprehensive Plan;
2. Hearing Panel approval of the three required variances for monument signage on Veterans Memorial Parkway, parking ratios, and fenestration percentage;
3. Updated noise, traffic, and public safety impact studies upon the earlier to occur of completion of Phase 2 or the commencement of Phase 3;
4. That the proposed roundabout on Veterans Memorial Parkway contain a pedestrian walkway allowing access to the East Bay Bike Path, contingent on approvals from all required State agencies;
5. That a construction management plan be developed by the applicant submitted prior to commencement of construction on Phase 2. The applicant shall hold an informational meeting with members of the public to discuss the proposed construction management plan following its submittal to the City Building Department & Fire Department;
6. That the applicant comply with the directives of the Rhode Island Historical Preservation & Heritage Commission in connection with and in response to the archaeological inspections conducted at the property;
7. All interior roadway construction and underground & aboveground utility infrastructure located both inside and outside project boundaries will be subject to the approval of the East Providence

BK 12 PG 195 (REF BK 2 PG)

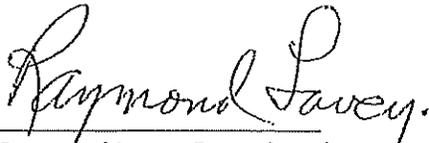
BK 13 PG 009

Department of Public Works, Water Department, Engineering Department, and Fire Department, as applicable;

8. The Applicant shall utilize a condominium/homeowner's association agreement satisfactory to the Waterfront Commission that will include but not be limited to the following: maintenance of landscaping, streets, stormwater basins, and utilities; trash removal; public access; and open space;
9. The applicant will identify the pre-qualification services and ongoing certification needed for the provided on-site ten percent (10%) affordable housing; and
10. That the applicant will receive final approval and necessary permits/assent from State agencies including the Rhode Island Department of Transportation, the Scenic Roadways commission and the Coastal Resources Management Council.

Motion Made By: Daniel Borges  
Seconded: Jacques Afonso  
Vote: Aye (7-0: Members Keith Brynes, Glen Fontecchio, Sara Bradford, Chair Steve Amoroso, Jacques Afonso, Daniel Borges, CT Narayanan)

Respectfully Submitted,

  
Raymond Lavey, Executive Director

cc: Mayor DaSilva  
EP City Council  
Planning Department  
DPW Director  
City Engineer  
EP Fire Department  
EP Building Official  
Applicant:

- Joshua Berlinsky, Esq., Marshall Properties, Inc.

BK 12 PG 196 (REFBK & PG)

BK 13 PG 010



# City of East Providence

## Department of Planning and Economic Development

ROBERTO L. DASILVA  
MAYOR

KEITH A. BRYNES, AICP  
DIRECTOR OF PLANNING AND  
ECONOMIC DEVELOPMENT

### Memorandum

Date: December 11, 2024

**To:** East Providence Waterfront District Commission

**From:** East Providence Department of Planning

**Re:** Planning Board Advisory Recommendation to the Waterfront Commission on Consistency of the Metacommet Mixed-Use Waterfront District Development Proposal at 500 Veteran's Memorial Parkway with the 2010-2015 Comprehensive Plan and Subdivision and Land Development Review Regulations

The East Providence Planning Board deliberated the above referenced item at its December 9<sup>th</sup> Planning Board meeting, hearing testimony and reviewing presentations and data submitted by the applicants and their professional staff along with testimony and the application review memorandum and support materials from the Department of Planning, and further comments from members of the public in attendance who testified at the meeting. After hearing all parties, and after further discussion by Board members in attendance, the Planning Board unanimously voted in favor of supporting an advisory recommendation to the East Providence Waterfront District Commission that the development, as proposed and presented to the Planning Board, is consistent with the East Providence 2010-2015 Comprehensive Plan and the East Providence Subdivision and Land Development Review Regulations.

Attachments – Planning Department's December 5, 2024 Memorandum to the Planning Board,  
with attachments

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BK 12 PG 197 (REF BK 7 PG)  
BK 13 PG 011