

Preliminary Draft

**“2003
*East Providence Waterfront Special
Development District Plan*”**

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Table of Contents

CHAPTER 1 PLAN OVERVIEW 1
 Introduction 1
 Organization of the Plan 4
CHAPTER 2 SETTING AND PLANNING CONTEXT 6
 Setting 6
 East Providence Profile 7
 Planning Context 8
CHAPTER 3 PLAN GOALS AND OBJECTIVES 14
 Goal 1. General Land Use Goals 14
 Goal 2. Expand and Enhance Waterfront Public Access and Transportation..... 14
 Goal 3. Economic Development Opportunities..... 15
 Goal 4. Enhance the Attractiveness of the Project Area..... 15
 Goal 5. Protect and enhance the natural waterfront environment..... 16
 Goal 6. Revitalize Existing Commercial Areas 16
 Goal 7. Protect Existing Residential Land Uses..... 17
CHAPTER 4 PROJECT AREA DESCRIPTION 18
 Water-Related Resources..... 21
 Historic and Scenic Resources..... 22
 Infrastructure..... 24
 Environmental Remediation..... 27
 Transportation Roadway Access..... 28
 Veteran’s Memorial Parkway 31
 Project Area Generalized Land Use 33
 The Southern Waterfront Special Development District..... 34
 The Northern Waterfront Special Development District 38
CHAPTER 5 THE VISION..... 50
 Introduction 50
 Conformity with the City’s Comprehensive Plan..... 51
 Design Guidelines for the Waterfront Districts 51
 A. Streets..... 51
 B. Buildings/Architecture 53
 C. Open Space and the Public Area 57
 D. Landscaping 60
 E. Surface Parking..... 61
 F. Water’s Edge 63
 Inclusionary Requirements for New Housing Units within the Project Area..... 65
CHAPTER 6 PROPOSED LAND USES 66
 Land Use Plan 66
 Kettle Point Special Development Sub-District (Map 6 – 1)..... 67
 Veterans Memorial Parkway Special Development Sub-District (Map 6 – 2) 67
 Bold Point Harbor Special Development District (Map 6 – 3) 68
 Crook Point Special Development Sub-District (Map 6 – 4) 72
 Dexter Road Special Development Sub-District (Map 6 - 5) 75
 Phillipsdale Special Development District (Map 6 – 6) 76

<i>Pawtucket Avenue (former Fram Property) Sub-District (Map 6 – 7)</i>	78
Building and Site Maintenance Standards	78
CHAPTER 7 FUNDING	80
Funding Agencies and Programs	81
Funding Methods	84
Private Sector	86
CHAPTER 8 PLAN ADOPTION AND IMPLEMENTATION	87
Implementation Partnership	87
Implementation Activities	87
Waterfront Plan Conformance Review	92
Assessment of Conformance of Existing Structures and Uses	93
Owner Participation in Waterfront Development	94
Business Reentry Preference	94
Conclusion	95
APPENDIX A	96
APPENDIX B	107
APPENDIX C	114

CHAPTER 1 PLAN OVERVIEW

In This Chapter

Introduction

Plan Principles

Organization of the Plan and Identification of Project Area

Introduction

The City of East Providence undertook the drafting of this “*East Providence Waterfront Special Development District Plan*” (“Waterfront District Plan”) to articulate and frame a plan, vision and strategies to transform over 300 acres of the City’s currently underutilized waterfront along the Providence and Seekonk Rivers to a mix of land uses, including: commercial; office; medium and high density residential; entertainment and hospitality; restaurants; marinas; civic, and recreational uses, particularly those oriented towards the water. The City’s waterfront planning efforts have been continuous and on-going since the adoption of the City’s Comprehensive Plan in 1992, and are being consolidated into a comprehensive waterfront development plan.

Currently, the East Providence waterfront is mostly vacant land formerly used for industrial or heavy commercial purposes, such as petroleum and chemical storage, and distribution facilities, and a steel mill site. While these uses were actively operating, they generated revenues and employment opportunities to City residents and the region. However, dramatic changes in the United States economy over the last fifty years, and a shift from industrial economies to a new service economy and information technologies, have left behind unsightly vacant derelict structures and buildings, weed strewn fenced parcels of land, and, in some cases, environmental contamination on the East Providence waterfront.

Due to the large scale of potential redevelopment and the scenic and recreational resources of these waterfront properties, the waterfront along the Providence and Seekonk Rivers holds the single greatest potential for East Providence for attracting new business and jobs, and creating new housing, recreational, civic and cultural opportunities. The Plan allows for the potential building of in excess of over 2 million square feet of office/commercial space, and 2,500 new residential units.

It is the City’s intention to foster a rebirth of its waterfront that will result in a new city with a mix of quality development and land uses that generate year-round activity, with linkages to the surrounding neighborhoods, downtown amenities, labor, access to infrastructure, and the recreational and scenic attributes of a waterfront location.

Much of the acreage along the northern East Providence waterfront looks out across the Seekonk River to mostly wooded and green scenic vistas of Providence. Views from properties in the southern waterfront look across to views of the Seekonk and Providence Rivers, India Point Park, the Upper Narragansett Bay, and DOWNCITY Providence. The

scenic and recreational resources of these waterfront properties hold both city-wide and regional significance. These extraordinary features can provide a unique and competitive environment to attract and retain new residents and businesses.

The current zoning of the majority of this previously developed waterfront land is either industrial or heavy commercial, the least restrictive zoning in the City, and if left in place would continue to perpetuate land uses that do not realize the full social, economic and cultural potential of the land and would pose significant detrimental effects in terms of transforming the waterfront to new residential, retail, office, entertainment and recreational uses. While industrial and heavy commercial uses are recognized as important for the overall economy, they do not need to be located on prime waterfront land and would completely negate the land value and resources of the waterfront location. This Plan recommends prohibiting all industrial and heavy commercial uses along the waterfront, such as auto sales, trash and recycling facilities, junkyards, bulk storage and outdoor storage, warehouse distribution centers, and concrete manufacturing plants.

New zoning is proposed as a means to permit mixed use developments. The Plan will identify the proposed rezoning of several waterfront parcels and will identify proposed permitted uses which will encourage new mixes of activity suited to 21st century lifestyle and work/live/play arrangements. Performance zoning and urban design standards will be proposed to ensure quality development, compatibility of land uses, preservation of scenic views, and public access. With care and attention paid to design details and quality, the design of streets, buildings, open space, parking, and the water's edge will contribute to the value of public and private property and the quality of life for East Providence residents.

Reuse of this waterfront land has a direct bearing on the City's economic future. The potential redevelopment of the East Providence waterfront offers a unique opportunity to significantly expand the local tax base without comparable increase in the demand for City and school services. The positive effects of redevelopment reach far beyond the boundaries of the project area. The proposed new development along the waterfront will bring a distinctive and significant new identity to East Providence, as well as enhancing the economic and social climates of the City and State of Rhode Island.

The redevelopment envisioned for the waterfront entails a number of activities including: road construction and associated public improvements; extension of utilities; undergrounding utilities; acquisition of properties; parcel assembly; rehabilitation of structures; improvement, clearance, sale, lease, or other disposition, or any combination of these, of land, buildings, or other the provision of streets, utilities, recreational areas, and other open spaces consistent with the needs of sound community growth in accordance with the City's Comprehensive Plan; and carrying out plans for a program of voluntary repair and rehabilitation of buildings and other improvements.

Failure to move on key aspects of this Plan would have serious deleterious consequences for the City and State of Rhode Island. Only a very small fraction of the potential long-term economic value of the land would ever be realized, and the larger City would lose a magnificent opportunity to transform its identity, its economy, its neighborhoods'

relationship to the water, and its strategic opportunity to create a new and unique form of urban life. Threats to realizing the full redevelopment potential of East Providence's waterfront include:

- failure to implement the vital transportation access improvements;
- piecemeal, unplanned and uncoordinated development;
- over-reliance on a predominant *single* land use, i.e. all suburban-type office development rather than sustainable *mixed use* developments;
- nonconforming uses and structures that are incompatible with desired developments and uses;
- poor quality building and streetscape design;
- perpetual, unnecessary blighting of the scenic vistas of the rivers and bay; and
- disjointed, uncoordinated, and limited public access to the waterfront.

Implementation of the “*East Providence Waterfront Special Development District Plan*” will be through a partnership effort between the City, the State of Rhode Island, the East Providence Waterfront Special Development District Commission, and the private sector. The City is prepared to implement a successive series of actions that allow for our vision to emerge and evolve over time in implementable steps. As a first step, adoption and implementation of the Plan will necessitate regulatory changes to Chapter 19, Zoning and the City's Comprehensive Plan. Specific proposals will be detailed in a later chapter and will generally include: proposed land uses and associated amendments to Chapter 19, Zoning, rezoning of properties, design review with associated standards, and modification to maximum building height.

Plan Principles

A fundamental goal of the Plan is to ensure that the currently underutilized properties of the waterfront once again become vital economic resources for the State and City and that these revitalized properties remain sustainable over time. The following vision principles are intended to guide the City's decisions when considering the appropriate land uses for the waterfront, and in planning for the economic vitality of the City as a whole.

Expand the Tax Base

Waterfront development should provide positive fiscal impacts to the City while expanding the tax base. Waterfront development should either generate substantial revenue and/or reduce the tax burden on residents.

Generate New Jobs

Implementation of the waterfront development as envisioned by this Plan will generate a substantial number of new employment opportunities, potentially adding 3,000 to 4,000 jobs to the State's economy.

Implement a Mixed-Use Vision and Sustainability

Through land use regulations, promote a *mix* of commercial, office, housing, institutional, civic, and recreational uses that should remain self-sustaining over time.

Create a Regional Destination

Encourage development that will create a “destination” for East Providence residents and that will draw visitors, businesses and investors from beyond East Providence. The waterfront must provide jobs, residences, products and services that command a regional interest so as to ensure a stable market demand.

Expand Opportunities Equally for all Persons

Assist in creating an environment of market-driven redevelopment opportunities that will create new opportunities for higher-wage employment, and for housing, recreational, cultural and waterfront public access opportunities for all persons, especially to those with low to moderate incomes and to minority populations.

Organization of the Plan

This document is the development plan for the “East Providence Waterfront Special Development District Project” in the City of East Providence, County of Providence, State of Rhode Island prepared pursuant to applicable Rhode General and Public Law, and all applicable local codes and ordinances. The Plan illustrates the City’s expectations for land use, building requirements, and densities; provides policy visions, goals and objectives relating to appropriate land uses, quality urban design, improved transportation access, public access and open space; expanded and upgraded public utilities and facilities; and provides a general framework for proceeding with site-specific redevelopment projects.

Implementation of the East Providence Waterfront Special Development District Plan will be through a partnership effort between the City, the State of Rhode Island, the East Providence Special Development District Commission, and the private sector. Rhode Island Public Law, Chapters 344 and 345, authorizes the creation, membership, duties and powers of the East Providence Waterfront Special Development District Commission (EPWSDDC) (“Commission”) is attached at Appendix A. This enabling law sets forth the Commission’s powers, duties, and obligations to implement the development program for the Project Area.

Statutory changes enacted after the adoption of the Final Draft of this Plan, which are applicable to the East Providence Waterfront Special Development District Commission, the Project, or the Plan, shall supersede the requirements of the Plan, whether or not the Plan is formally amended to reflect such changes.

Identification of the Project Area

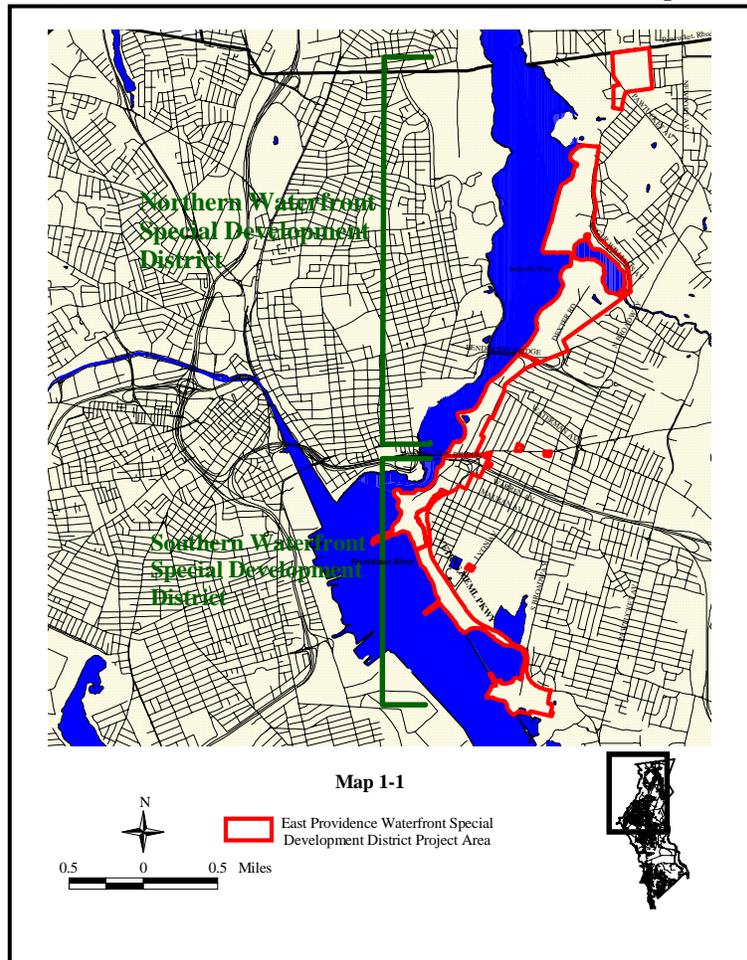
The boundaries of the East Providence Waterfront Special Development District Project Area are generally shown on the Waterfront Special Development District Map # 1 - 1. The Assessor’s map, block, and parcel numbers of those properties included in the Project Area are attached as Appendix B. The boundaries of the district shall be established by an ordinance of the City Council.

Generally, the Project Area is divided into two main geographic areas – those properties north of the Washington Bridge (Interstate 195) are included within the “Northern Waterfront Special Development District”, while those properties located south of the Washington Bridge (Interstate 195) are located within the “Southern Waterfront Special Development District”. Each of these districts contains a number of project sub-areas that will be identified in the Plan.

Portions of Warren Avenue and properties on Taunton Avenue and Lyon Avenue are also included in the Project Area. These properties are included within the Project Area in recognition of their gateway location to the waterfront, or for the purposes of strengthening existing commercial areas and discontinuing nonperforming blighting influences.

This East Providence Waterfront Special Development District Plan is an opportunity for this generation of East

Providence to choose how the land use on the waterfront evolves in our City from this point forward. This is a history-making opportunity to deliberately plan for the appearance and use of our waterfront that must not be missed. Success in this effort will require a blend of patience, perseverance, forcefulness, boldness, and strong community consensus. This is an opportunity that we cannot afford to erode by short-term, uncoordinated, timid actions.



CHAPTER 2 SETTING AND PLANNING CONTEXT

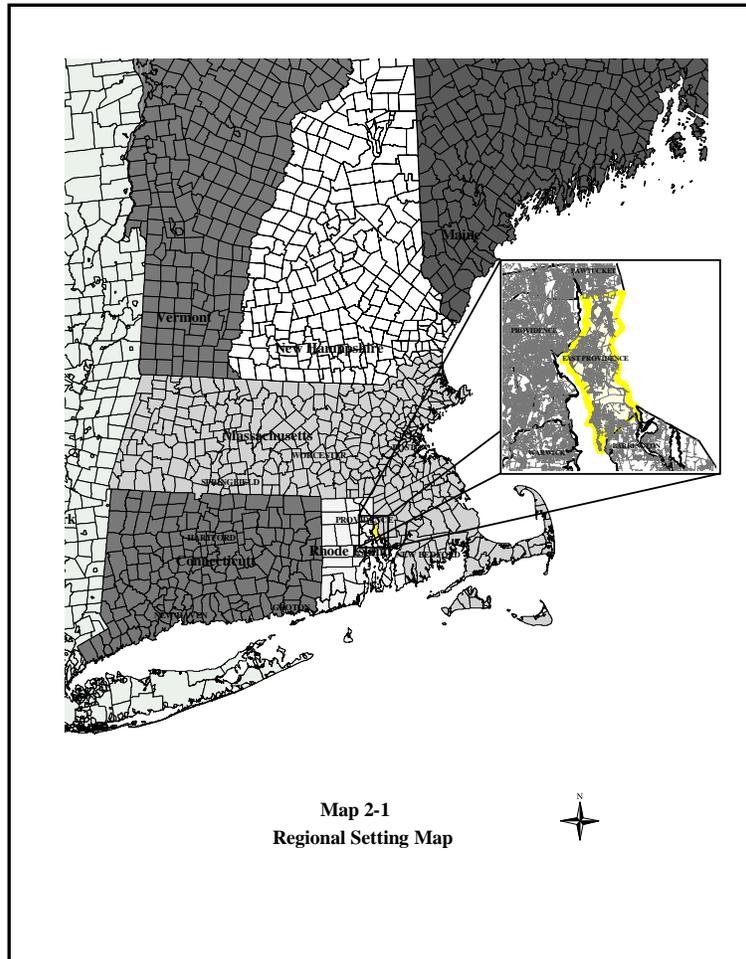
Setting

East Providence is situated at the head of Narragansett Bay on the east side of the Providence and Seekonk Rivers. Located to the north of East Providence is the City of Pawtucket, Rhode Island; to the east is the Town of Seekonk, Massachusetts; to the south is the Town of Barrington, Rhode Island; and to the west is the City of Providence, Rhode Island. The Providence and Seekonk Rivers and the Upper Narragansett Bay serve as the westerly boundary of East Providence.

East Providence is connected to the east coast Interstate - 95 transportation corridor with direct access to interstate highways, high-speed passenger rail and ferry service, and T.F. Green Airport. Map # 2 - 1 illustrates the location of East Providence within the larger New England region.

The City's waterfront location has provided a heritage of water related activities, including boating, sailing, fishing, and swimming, as well as former amusement parks and shore dinner halls. Narragansett Bay, Rhode Island's most prominent geological feature, is the key element to the State's tourism industry and generates approximately \$1.7 billion annually in travel, tourism and recreation related sales (RIEDC).

There are currently two bridges connecting East Providence and Providence – the Washington Bridge, carrying Interstate 195, and the Henderson Bridge. Pawtucket Avenue and Newport Avenue are the principal transportation connections from East Providence to the City of Pawtucket. The principal transportation connection to the Town of Barrington is Route 114, the East Shore Expressway. The principal transportation connections to the Town of Seekonk are Taunton Avenue (Route 44) and Highland Avenue (Route 6).



East Providence Profile

The total population of East Providence has declined slightly from 50,380 persons in 1990 to 48,688 persons in 2000, a decline of 3.4 percent (2000 U.S. Census). This decline in population can be attributed in large part to the high percentage of elderly residents in East Providence and resulting high death rates for the past decade. (East Providence has the second highest percentage of elderly residents of any community in the State of Rhode Island.) Population projections prepared by the U.S. Census Bureau for the period April 1, 2000 to July 1, 2002 show an *estimated* July 1, 2002 population for East Providence of 49,658 persons, a 2 percent population increase.

The City of East Providence is located within the Providence-Fall River-Warwick U.S. Census-designated Metropolitan Statistical Area (MSA), and is the fifth most populous community in the State of Rhode Island behind the cities of Providence - 173,618 persons; Warwick - 85,808 persons; Cranston - 79,269 persons; and Pawtucket - 72,958 persons (2000 U.S. Census). A total of 460,341 persons reside in these five cities in the metropolitan core of Rhode Island.

The 2000 U.S. Census reports 86.5 percent of the East Providence population as being white, with 5.5 percent of the populations being Black or African American. According to the U.S. Census, approximately 4.9 percent of the population of East Providence is of Cape Verdean ancestry.

The Project Area encompasses land along the western boundary of the City. Portions of Census Tracts 101.01, 102, 104, and 105.02 are located within the Project Area. A total of 22,839 persons live in these four census tracts, as follows.

<u>Census Tract</u>	<u>Population (2000)</u>
101.01	3,885
102	6,939
104	7,085
<u>105.02</u>	<u>4,930</u>
Total	22,839 persons

The population density of East Providence is 3,632 persons per square mile of land area (2000). East Providence contains 13.41 square miles of land area, (8,579.27 acres) and 3.21 square miles of water area (2,054.39 acres).

Housing Stock

There are a total of 21,309 housing units in East Providence (2000 U.S. Census). According to the U.S. Census, there are 12,096 owner-occupied housing units (58.9 percent), and 8,434 renter-occupied housing units (41.1 percent) in East Providence (with 779 vacant units, including those of a seasonal, recreational, or occasional use). The

homeowner vacancy rate is 0.7 percent, and the rental vacancy rate is 3.5 percent (2000 U.S. Census).

Private Industry Employment

As of 2001, there were a total of 21,543 persons employed by private industry in East Providence (RIEDC).

Table 2 – 1 East Providence Private Industry Average Annual Employment by Major Sectors (2001)

Average Annual Employment by Major Sectors	Number of Persons	Percentage
Agriculture & Fisheries	68	.32 %
Construction	1,141	5.30 %
Manufacturing	4,234	19.65 %
Transportation, Communications & Utilities	680	3.16 %
Wholesale Trade	2,077	9.64 %
Retail Trade	3,336	15.49 %
Finance, Insurance & Real Estate	2,615	12.14 %
Service Industries	7,392	34.31 %
Total	21,543	100.00 %

Source: Rhode Island Economic Development Corporation

Planning Context

The City’s waterfront planning efforts have been continuous and on-going since the adoption of the City’s Comprehensive Plan in 1992 (State-certified in 1994). Waterfront studies were previously undertaken by the City of East Providence in the 1980’s, notably the “*Waterfront Guide Plan*” (1983) and the “*Strategic Waterfront Plan*” (1987). These plans are formally superseded by the 2003 “*East Providence Waterfront Special Development District Plan*”.

The City sought and received State Enterprise Zone designation in 1995 for approximately the western half of the City (approximately five of City’s ten census tracts). The City subsequently received re-designation of the Enterprise Zone, as well as an expansion of the zone in 2002 to include portions of Forbes Street and certain properties fronting on the East Shore Expressway. Qualified businesses located in the Enterprise Zone are eligible for various State incentives and tax benefits. The waterfront special development districts are located within the Enterprise Zone.

A “waterfront drive” is proposed that will greatly improve north-south travel along the waterfront and link existing City streets to the waterfront. The entire length of the roadway would extend from the Wilkes Barre Pier to the East Providence/Pawtucket

boundary. The costs of constructing such a roadway in its entirety would be approximately \$ 60 million (including rail line improvements). The City of East Providence has been working cooperatively with the Rhode Island Department of Transportation (RIDOT) and their consultants regarding the design and permitting of *segments* of Waterfront Drive. The first segment of this two-lane road to be constructed will be in the Bold Point Harbor area, and will involve the extension of Warren Avenue from its current dead end (just past its intersection with Valley Street) to a new intersection with Waterfront Drive. The Warren Avenue Connector and its associated portion of Waterfront Drive could be under construction by Spring 2005. This project will be described in detail in a later chapter.

In conjunction with the East Providence Chamber of Commerce, the City sponsored an “East Providence Waterfront Revitalization Study” conducted by the University of Rhode Island, Department of Landscape Architecture (Spring 1995). The study visually illustrated the transformation of the waterfront in the vicinity of Bold Point and Watchemoket Square into an attractive and commercially vibrant area. The study was publicly presented by the students at the City Council meeting of May 16, 1995, and was notable for its original visual depictions of the enormous mixed use development potential of the City’s waterfront.

The City subsequently commissioned two waterfront vision studies in 2000 and 2001, which were prepared by the New York City firm North American Realty Advisory Services in cooperation with the Central Rhode Island Development Corporation (CRIDCO). These vision studies depicted the design concept and scale of a potential redevelopment scheme for the waterfront, and were also instrumental in identifying the economic development potential of the City’s waterfront.

The East Providence City Council has authorized the submission of numerous grant applications prepared by the Department of Planning to State and Federal agencies for funding of certain aspects of waterfront planning and redevelopment, including applications to the Transportation Enhancements Program (through the RIDOT); U.S. Department of Commerce, Economic Development Administration (EDA); U.S. Housing and Urban Development (HUD); and the Environmental Protection Agency (EPA). The City has also utilized the Section 108 Loan Guarantee Program of HUD for the proposed Ocean State Steel remediation and redevelopment by GeoNova for a mixed-use development entitled “East Pointe”. These projects will be discussed in detail in a later chapter.

The City issued a Request for Proposals for a “Waterfront Access Improvement Study” in 2002, and subsequently hired the engineering and planning firm Vanasse Hangen & Brustlin (VHB) to assist in developing recommendations for improving waterfront transportation access, particularly relating to the interstate ramping system in relation to waterfront ingress and egress. VHB prepared a conceptual plan in consultation with City staff and RIDOT, and presented this plan for public review and comment at a public workshop held in City Hall on October 16, 2002. The conceptual plan prepared by VHB was formally endorsed by the East Providence City Council in February 2003. As of the Summer of 2003, the City has committed the funding for the preparation of an

environmental assessment for this project. The City is working jointly with the RIDOT in consultation with the Federal Highway Administration (FHWA) for the administration of the study. The conceptual plan will be discussed in detail in a later chapter.

The Honorable Governor Donald Carcieri and other distinguished guests attended a presentation of the City's on-going waterfront planning efforts and vision on April 29, 2003. The Governor strongly endorsed the City's vision for the waterfront, and pledged the assistance of his administration in implementing the vision.

The East Providence General Assembly delegation was instrumental in efforts to submit and advance enabling legislation to create the "East Providence Waterfront Special Development District Commission".

The City of East Providence is also conducting on-going planning and implementation efforts relating to commercial corridor revitalization for Taunton Avenue and Warren Avenue. Each of these corridors was selected to receive RIDOT transportation enhancement grants for streetscape improvements, which should be implemented in 2003-2004.

The City of East Providence is also coordinating its planning efforts with neighboring communities, particularly the City of Pawtucket. East Providence and Pawtucket have coordinated planning efforts related to the transportation network, riverfront planning, greenways, and bike paths.

The Downtown Business Association of East Providence (DBA), a 501 (c)(3) non-profit corporation was formed in 2001 as a non-profit group of business and property owners along Taunton Avenue working towards the revitalization of this commercial corridor. The RIDOT completed a resurfacing of Taunton Avenue in 2002 which also included new sidewalks, decorative brick-like crosswalks, the addition of trees, and the landscaping of traffic islands. The firm of Gates, Leighton & Associates was hired by the City to prepare a streetscape improvement design plan for Taunton Avenue in 2003.

Geographic Information System (GIS) Parcel Data Base Project

In order to consolidate various land use planning data into one source and assist in waterfront planning efforts, the City of East Providence is developing a parcel based GIS database using ArcIMS software. The base layer data will be in the form of ArcView shapefiles that will be capable of displaying the dimensions of parcels, property lines, building footprints, zoning, right(s)-of-way, easements, street address, parcel acreage, public utilities, railways, topography, and high resolution orthophotography.

Steep slopes, underground utilities, above-ground power lines, wetlands, easements, and flood plains will be mapped in order to assist in the assessment of the extent of constraints to development these conditions impose. The identification of the existing constraints to development along with the parcel based data will greatly assist City officials, developers, and the East Providence Waterfront Special Development District

Commission in creating scenarios for the placement of roadways, assembly of parcels, public access points, and suitable areas for parks and green spaces.

The ArcIMS software will allow users with varying levels of GIS experience to create custom views, maps, and queries, as well as maintain a link to the existing City tax assessment database. The linkage to the City's tax assessment database will provide additional data such as assessed value, ownership, mailing address, deed reference, and parcel identification.

The ArcView shapefiles will be compatible with existing shapefiles provided by the Rhode Island Geographical Information System (RIGIS) that maintains an extensive inventory of data that includes 2000 U.S. Census data, FEMA flood data, CRMC/RIDEM coastal water classifications, NRCS soil classifications, and wetland delineation.

State of Rhode Island Planning Context

The State of Rhode Island, Department of Administration, Statewide Planning Program, is responsible for preparing the "State Guide Plan", which consists of numerous plan elements. The State Guide Plan Overview was consulted in the preparation of this Plan. The "*East Providence Waterfront Special Development District Plan*" is consistent with the State Guide Plan.

The Governor's Growth Planning Council adopted a report in 2002 entitled "*Growth Centers: Recommendations for Encouraging Growth and Investment in Economically and Environmentally Sound Locations in Rhode Island*", which supports the designation of "growth centers" within communities to identify where they want development and growth to occur. Growth centers already have a core of commercial development, community services, residential development, and natural and built landmarks that provide a sense of place, and further provide infrastructure and public services to support future growth. The East Providence Waterfront Special Development District is such a growth center.

The City of East Providence will need to work with the Coastal Resources Management Council (CRMC) on the relationship of this "*East Providence Waterfront Special Development District Plan*" with the CRMC's Special Area Management Plan for the East Providence waterfront.

State and Federal Projects that Complement the Proposed East Providence Waterfront Special Development District Project

Providence River Dredging Project

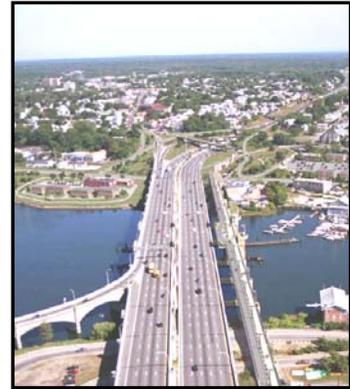
The U.S. Army Corps of Engineers "*Providence River and Harbor Maintenance Dredging Project*" began in April 2003. The project involves dredging of a 7-mile stretch of the Providence River to return the Federal navigation channel to a depth of 40 feet and a width of 600 feet (U.S. Army Corps of Engineers). The ACOE has estimated that more than 6 million cubic yards of material will be dredged, with disposal planned

Preliminary Draft "2003 East Providence Waterfront Special Development District Plan"

through a number of methods, including: use as fill or cover material; offshore disposal site in Rhode Island Sound; and placement in Confined Aquatic Disposal (CAD) cells.

Reconstruction of Washington Bridge No. 200 – Carrying Eastbound Interstate 195

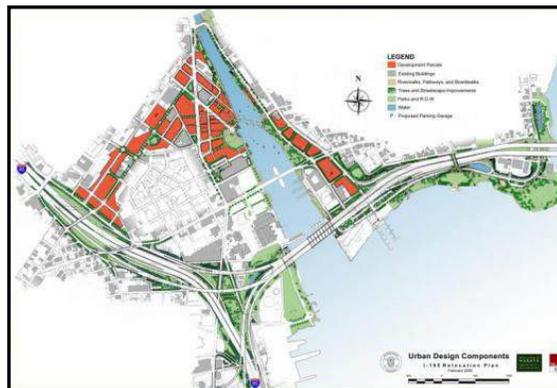
The Rhode Island Department of Transportation is in the process of aggressively planning for the reconstruction of the bridge carrying the *eastbound* lanes of Interstate 195 lanes. This historic bridge, known as the Washington Bridge No. 200, was constructed in 1928-1930 and originally carried both eastbound and westbound traffic. Approximately 90,000 vehicles per day travel this span over the Seekonk River into East Providence. The main core of the bridge is approximately 1,800 feet long (1/3 of a mile) and 74 feet wide, with four travel lanes and one auxiliary lane. Total project cost is estimated at \$85 million. The project is expected to be completed by 2007.



RIDOT is proposing an innovative solution to the bridge replacement that also provides for the creation of a recreational amenity. RIDOT will be realigning and reconstructing Washington Bridge No. 200 within the existing vacant area between the two bridges, and will retain a portion of the existing historic Washington Bridge No. 200 and convert it into a separate bicycle and pedestrian bridge (see Figure # 2 -). This pedestrian/bicycle bridge will be approximately 24 feet in width and will be improved with landscaping and amenities. Bicyclists utilizing this bike and pedestrian bridge will exit the bridge and enter East Providence at Warren Avenue near its intersection with First Street. RIDOT will maintain this bicycle route, with a slight realignment to reduce a steep grade. The realignment of the new Washington Bridge 200 necessitates the relocation of the existing Exit 4 off-ramp (Riverside/Taunton Avenue exit). RIDOT began construction on a new Exit 4 off-ramp in 2003 and construction is expected to be completed in June 2004.

Relocation of Interstate – 195 (New Interchange with Interstate – 95)

The RIDOT is overseeing the relocation of a portion of Interstate – 195 from the India Point Park Pedestrian overpass westerly to a new interchange with Interstate – 95 in the vicinity of Rhode Island Hospital. The new alignment will be located to the south of its current alignment and south of the Providence Hurricane Barrier, and will involve the construction of a new Providence River Bridge crossing. The India Point Park Pedestrian Bridge will be reconstructed to a width of fifty (50) feet. At the completion of the new alignment, the existing Providence River Bridge and



the existing I-195 lanes between India Point Park and the current I-95 interchange will be demolished. The project cost is estimated at \$400 million dollars, and construction is expected to take 10 years.

CHAPTER 3 PLAN GOALS AND OBJECTIVES

Implementation of the “*East Providence Waterfront Special Development District Plan*” shall be consistent with the policies, goals and objectives of the East Providence Comprehensive Plan, and with the following goals and objectives.

Goal 1. General Land Use Goals

1. Reclaim brownfields and encourage redevelopment and reuse.
2. Foster a mix of commercial, residential and recreational uses along the waterfront, giving priority to public access and recreation, and water-related activities along the water’s edge.
3. Maintain scenic viewshed corridors by placing lower-scale buildings at the water’s edge and adjacent to established residential neighborhoods and its viewsheds.
4. Alleviate physical and economic blighting conditions within the Project Area.
5. Mitigate conditions that contribute to soil and groundwater contamination.
6. Beautify and enhance the Project Area.
7. Improve transportation and traffic circulation throughout the Project Area through the construction of a new roadway (Waterfront Drive); a new roundabout, improved intersections, and new ramps from Interstate 195; bicycle routes, and new bus transit routes.
8. Create safe and convenient pedestrian and bicycle circulation.
9. Assist private property owners in rehabilitating their existing commercial buildings.
10. Preserve and create civic and cultural facilities and amenities as a catalyst for area revitalization.
11. Update and expand public infrastructure and associated facilities including improvements to water, sewer, and storm drainage systems.
12. Maintain and expand public access, recreational opportunities, and open space.
13. Expand and improve the City’s supply of affordable housing through a program of inclusionary zoning.

Goal 2. Expand and Enhance Waterfront Public Access and Transportation Opportunities

1. Create year-round public access to the waterfront via integrated multimodal and intermodal circulation routes to the waterfront.
2. Continue operation of a public boat ramp in the Bold Point area.
3. Preserve and enhance visual access to the waterfront, the Bold Point Harbor and the Providence and Seekonk Rivers.
4. To the maximum extent practicable, establish unrestricted pedestrian access to the water, including a continuous public esplanade or boardwalk near the water’s edge, such as those in Fall River and New Bedford.
5. Work with private property owners to increase public access opportunities
6. Establish public spaces for waterfront community gatherings and celebrations (e.g. the Marina and The Point at East Pointe).

7. Support appropriate water-dependent uses such as commuter ferries and sightseeing boats in areas that are well-suited to their continued operation.
8. Promote use of the waterways for commercial and recreational boating and water-dependent transportation centers.
9. Develop transportation connections to other areas of East Providence and the greater Providence metropolitan area, including by pedestrian and bikeway trails.
10. Enhance public and private transit access options, both land and water-based, in the project area(s).
11. Include provisions for universal accessibility.
12. Where continuous pedestrian access is not possible along the water, extend public corridors perpendicular to the water, with public overlooks and access points at the water's edge.

Goal 3. Enhance Waterfront Special Development District Economic Development Opportunities

1. Encourage new businesses and activities to locate on the East Providence waterfront to form a stimulating and inviting mix of waterfront uses.
2. Create a destination point within East Providence and for the greater Providence metropolitan area.
3. Encourage opportunities in and around the waterfront for both large- and small-scale development efforts.
4. Encourage a mix of uses to create year-round activity, as well as evening and weekend activities along the waterfront.
5. Encourage uses for which there is an immediate and long-term development interest.
6. Attract special niches of the market, such as sports-related or themed uses, e.g. tap into the popularity of golf by creating a "hall of fame" type destination point on the waterfront.
7. Develop strong partnerships with national and local telecommunications companies to aid the deployment and development of cutting-edge telecommunications technologies.

Goal 4. Enhance the Attractiveness of the Project Area

1. Limit large surface parking lots through the use of structured parking facilities.
2. Encourage activities and institutional uses that increase appreciation for the City's culture, history and its waterfront heritage.
3. Create a strong sense of place, with gateways and public spaces, and streetscapes clearly defined.
4. Create a sequence of experiences and views in the landscape that lead to destination points.
5. Enhance entryways to neighborhoods at definable intersections.
6. Encourage distinctive architectural treatment at major intersections to accentuate community gateways.
7. Balance the needs of automobiles, pedestrians and bicyclists with wide sidewalks, and continuous bicycle and pedestrian routes

8. Provide public amenities such as benches, planters, lighting, street name and traffic sign posts, trash receptacles, public rest rooms, bicycle racks, public telephones and information kiosks that are functionally and aesthetically integrated into the streetscape and open space network for pedestrian comfort, convenience and safety.
9. Provide public art for aesthetics and reflection.
10. Place utilities underground when physically, legally and economically possible to eliminate visual clutter and provide a more aesthetic streetscape.
11. Place overhead wires underground where practicable and feasible, particularly for waterfront locations.
12. Telecommunication equipment such as satellite dishes, small transformer stations, antennae, and towers can have a significant visual impact on the area, as well as obstruction of waterfront and skyline views. Careful consideration must be given to siting and design of telecommunication equipment.

Goal 5. Protect and enhance the natural waterfront environment

1. Prevent and, where possible, eliminate inappropriate uses and practices from the water's edge.
2. Mitigate conditions that contribute to soil and groundwater contamination.
3. Protect select natural areas from development and preserve some natural areas for habitat.
4. Protect and improve the water quality of the river's and bay through use of best management practices in developments, and incorporate sustainability in developments through use of design elements such as "green roofs".
5. Continue to pursue the installation of fish ladders along the Ten Mile River dams in order to restore the fish run between the Seekonk River and Turner Reservoir/Central Pond.
6. Through hazard mitigation planning, minimize loss of life, property and natural resources caused by flooding and erosion.
7. Protect, preserve and enhance resources that are agreed to be significant to the historical, archeological and cultural legacy of East Providence.

Goal 6. Revitalize Existing Commercial Areas

1. Seek the assistance of the Rhode Economic Development Corporation, the East Providence Chamber of Commerce, the Downtown Business Association of East Providence, and any other appropriate agencies to offer business retention, expansion and attraction programs to revitalize existing commercial zones in the Project Area.
2. Improve and enhance the appearance and function of the commercial corridors in the Project Area.
3. Continue the City's 2 + 2 Façade Improvement Program for rehabilitation of commercial buildings and improved appearance of facades.
4. Develop a plan for reuse of the Bomes (Hollywood) Theatre on Taunton Avenue, including opportunities for residential and ground floor retail uses.

5. Continue to assess the availability of off-street parking in the commercial corridors in the Project Area.
6. Improve vehicular and pedestrian access to commercial areas and enhance gateway entrances.

Goal 7. Protect Existing Residential Land Uses on Roger Williams Avenue and the Veteran’s Memorial Parkway

1. Protect the existing residential land use along Roger Williams Avenue and the Veteran’s Memorial Parkway from commercial encroachment and from conversion to commercial land uses.
2. Prohibit use of eminent domain to acquire existing residential properties along Roger Williams Avenue or the Veteran’s Memorial Parkway.
3. Continue to provide home rehabilitation programs where possible.
4. Improve the public open space and infrastructure that serve the Project Area’s residents.
5. Design transportation improvements and/or modifications with the objective of providing efficient and safer access to major thoroughfares and reducing vehicular traffic short-cuts through residential neighborhoods.
6. Consider measures to mitigate against gentrification of existing residential areas.

CHAPTER 4 PROJECT AREA DESCRIPTION, EXISTING CONDITIONS AND ISSUES

The East Providence Waterfront Special Development District is located along the Providence and Seekonk Rivers, and extends along a portion of the City's western boundary generally from Kettle Point to the City's northern boundary with the City of Pawtucket.

The boundaries of the East Providence Waterfront Special Development District Project Area are generally shown on the Waterfront Special Development District Map, Exhibit 1- 1. The Assessor's map, block, and parcel numbers of those properties included in the Project Area are attached as Appendix B. The boundaries of the district shall be established by an ordinance of the City Council.

Generally, the Project Area is divided into two main geographic areas – those properties north of Interstate 195 are included within the “Northern Waterfront Special Development District”, while those properties located south of Interstate 195 are located within the “Southern Waterfront Special Development District”. Each of these districts contains a number of project sub-areas that will be identified in the Plan.

Portions of Warren Avenue and properties on Taunton Avenue and Lyon Avenue are also included in the Project Area. These properties are included within the Project Area in recognition of their gateway location to the waterfront, or for the purposes of strengthening existing commercial areas and discontinuing nonperforming blighting influences.

Seekonk River

The Seekonk River is the tidal extension of the Blackstone River and stretches from the falls at Main Street, Pawtucket, to Bold Point. It is a Federally regulated channel and navigable waterway. The Ten Mile River, via Omega Pond, also contributes to the flow of the Seekonk River. There are man-made discharges to the Seekonk, including municipal storm sewer pipes and the Narragansett Bay Commission's Bucklin Point wastewater treatment facility. The river is shallow with a man-made channel of 16 feet (MSL) and a width of 250 feet.

Providence River

The Providence River originates at the confluence of the Woonasquatucket and Moshassuck Rivers in Providence. The river is fed by the Seekonk River and is entirely tidal. The U.S. Army Corps of Engineers “*Providence River and Harbor Maintenance Dredging Project*” began in April 2003. The project involves dredging of a 7-mile stretch of the Providence River to return the Federal navigation channel to a depth of 40 feet (MSL) and a width of 600 feet.

The banks of the Providence River have been altered over time by commercial and industrial development, and portions of the river are bulkheaded and landfilled. The filling of the Providence & Worcester Railroad South Quay has been the most significant filling operation in recent years.

There are numerous man-made discharge points to the Providence River. The primary contributors are the Narragansett Bay Commission's Fields Point Water Pollution Control Facility and Providence and the City of East Providence's Bucklin Point Water Pollution Control Facility in Riverside.

Floodplain, Coastal and Wetlands

The 100-year floodplain (elevation 18 MHW) extends into the Project Area, generally impacting those properties at lower elevations and immediately adjacent to the rivers. The lowest elevations in the Project Area are generally in the vicinity of the City's Bold Point Park and Pier Road at elevations in the range of 8 to 9 feet (MHW). Historic flooding records for East Providence show some of the highest flood levels on record occurred during the hurricanes of 1938 and 1954. In 1954, Hurricane Carol's tidal flood reached 17.6 feet in the Providence metropolitan area. For development sites and roads in the floodplain, final grading and elevations will need to mitigate potential flood impacts during storm events.

The Coastal Resources Management Commission (CRMC), the Rhode Island Department of Environmental (RIDEM), and the Army Corps of Engineers (ACOE) maintain regulatory jurisdiction over the coastal area and wetlands. The Corps of Engineers regulates construction and other work in navigable waterways under Section 10 of the Rivers and Harbors Act of 1899 and the discharge of dredged or fill material into "waters of the United States" under Section 404 of the Clean Waters Act. Proposed roadway construction and site remediation and development activities will require review and approval from CRMC, RIDEM and/or CRMC.

Topography

There are some areas of considerable slope, notably the steep grade between the Veteran's Memorial Parkway (from the Fort Hill Overlook to Watchemoket Cove) and those properties fronting along the waterfront off Pier Road. There are a number of prominences along the shore, including the rocky Kettle Point, Crook Point and Walker Point.

Soils

The waterfront consists primarily of parcels previously developed and utilized for a variety of industrial and heavy commercial uses. Soils have been altered over time by construction, and in some cases by site remediation activities. Some areas of fill exist, most notably the 40 acre parcel created by the Providence & Worcester Railroad at South Quay. The suitability of soils for construction may be an issue requiring further study.

Railroad Lines

There are two Providence and Worcester Railroad (P & W) freight rail lines in East Providence. The East Providence Secondary Track (acquired by RIDOT in 1982 for the Waterfront Drive project) runs along the East Providence waterfront from the P & W South Quay property to the City of Pawtucket. Existing at-grade crossings are located at Mauran Avenue, Bourne Avenue and Pawtucket Avenue. P & W has agreed to abandon the rail lines south of Interstate 195 (the Washington Bridge). The proposed Waterfront Drive is planned for construction within this former rail corridor.

The East Junction Secondary Track, owned and operated by P & W, extends from Crook Point through Rumford to the Narragansett Industrial Park and serves some industrial users. The rail line traverses the Ten Mile River Greenway, a bicycle trail which extends from the Kimberly Ann Rock Field in East Providence north to Slater Park in Pawtucket. P & W has made improvements and modification to this line in the vicinity of Dexter Road and King Phillip Road.

Narragansett Electric E-183 Overhead Transmission Line

A major electric transmission line, the E-183 115kV overhead power line owned by the Narragansett Electric Company, is located within the project area. The transmission line extends from the Manchester Street Power Station in Providence to the Brayton Point Power Station in Somerset, Massachusetts. The power line crosses the Seekonk River from India Point Park in Providence into Bold Point in East Providence. From Bold Point the transmission line extends up the embankment to the Veteran's Memorial Parkway, and another segment (the Phillipsdale Tap Line) extends northerly from Pier Road to Phillipsdale.

The Energy Facilities Siting Board is currently conducting hearings on the proposed relocation of approximately 6,200 linear feet of this power line. This project includes the replacement of the 180-foot steel lattice tower located in East Providence on the east bank of the Seekonk River at Bold Point with a 110-foot steel pole davit structure. The land use impacts associated with the replacement and lowering of this pole must be addressed. High tension wires are an impediment to redevelopment of the waterfront. The City of East Providence has intervened in the Energy Facilities Siting Board review process to ensure that any land use impacts relating to the waterfront vision are satisfactorily addressed.

Visual Appearance

The physical character of much of the East Providence waterfront and project area has undergone changes over the past two hundred years with the introduction of many manmade features, with many of these suffering from years of abandonment and neglect. Vacant derelict buildings; rotting piers, pilings, discarded boats and barges along the waterfront; discarded vehicles and miscellaneous machinery; and overgrown weed-strewn properties are some examples of the overall poor visual image of portions of the waterfront and project area.

The first impression for prospective homeowners, consumers, and entrepreneurs of these areas can be disconcerting. Areas of abandonment and neglect can be the grounds for further disinvestment and continuing negative economic impacts.

Water-Related Resources

The intent of this Plan is to allow for water-enhanced uses and recreation and/or tourist-related water-dependent uses only. *No new heavy commercial and/or industrial uses shall be permitted along the shoreline.* Expansion of water-related uses and activities would include: a hotel with associated marina; floating restaurants; sightseeing boat tours (e.g. the Blackstone Valley Explorer); and commuter ferries and associated ticket terminals. Existing water-dependent uses are generally as described below.

Bold Point/Pier Road Area

Existing water-dependent uses in the Bold Point Park/Pier Road area include a yacht club and marina (East Providence Yacht Club), a marina (at the former Oyster House Restaurant), a petroleum off-loading facility, and the City's boat ramp at Bold Point Park. This area is utilized by boaters and for recreational fishing.

Existing water-enhanced uses in this vicinity include two City recreation/open space parks – Bold Point Park, which is also used for passive recreation unrelated to boating, and the John L. Lewis Waterfront Park at the foot of Mauran Avenue (between the East Providence Yacht Club and the former Oyster House Restaurant). Additionally, a bar/restaurant with an outside deck is currently operating out of a portion of the former Oyster House Restaurant.

The Pier Road corridor is currently used as a repository for what appear to be abandoned and derelict items including boats, vehicles, old machinery, etc., which creates an extremely unattractive and blighting condition. Allowing such conditions to continue would have detrimental effects on implementing the waterfront vision of new residential, retail, office, entertainment and recreational uses along the waterfront.

Bucklin Point

The Narragansett Bay Commission Bucklin Point Water Pollution Control Facility is a functioning water-dependent use in the Northern Waterfront Special Development District.

Historic and Scenic Resources

Scenic Resources

The views towards the Providence and Seekonk Rivers and the Upper Narragansett Bay are a scenic resource that should be preserved and enhanced for the enjoyment of the general public for generations to come. The following is an overview of some of the major scenic resources associated with the waterfront.

Fort Hill Overlook and Views of Providence River and Upper Narragansett Bay

Fort Hill is the site of earthworks formed in 1775 as part of a defense network for Narragansett Bay during the Revolutionary War with a stone marker placed nearby noting its significance by the East Providence Bicentennial Committee in 1975 (Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976). There is a wonderful view of the Providence River and the skyline of the City of Providence from the Fort Hill overlook off the Veteran's Memorial Parkway. There is a paved parking area at this location, and the Easy Bay Bicycle Path passes through the site. The view from this overlook of the Providence River and the City of Providence should be preserved through height limitations for development occurring below this overlook.

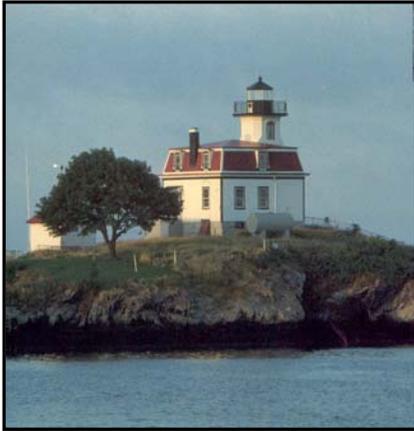
Veteran's Memorial Parkway

The Parkway is a significant example of the "Parkway Movement" of the early twentieth century, and is notable for its association with the Greater Metropolitan Park Plan for Providence and for its design by the nationally prominent Frederick Law Olmstead landscape architecture firm, which also designed New York's Central Park. The Parkway was constructed between 1910 and 1920. The Veteran's Memorial Parkway was designated as a Scenic Roadway by the Rhode Island Scenic Roadways Board in 1991. The Parkway has been determined to be eligible for listing in the National Register of Historic Places. The Parkway is discussed in greater detail later within this chapter of the Plan.

Washington Bridge No. 200 (Carrying the Eastbound lanes of Interstate 195)

This historic bridge, known as the Washington Bridge No. 200, was constructed in 1928-1930 and originally carried both eastbound and westbound traffic. The view of the bridge from below on the East Providence waterfront, particularly when viewed from the City's John L. Lewis Waterfront Park, is impressive. As noted earlier in this Plan, portions of this bridge will be adapted for reuse as a bike and pedestrian bridge carrying walkers and cyclists into East Providence at Warren Avenue (at First Street). There will be an overlook located on the bridge, so the East Providence waterfront in the vicinity of Bold Point will be highly visible from this bike/pedestrian bridge.

Pomham Rocks Lighthouse



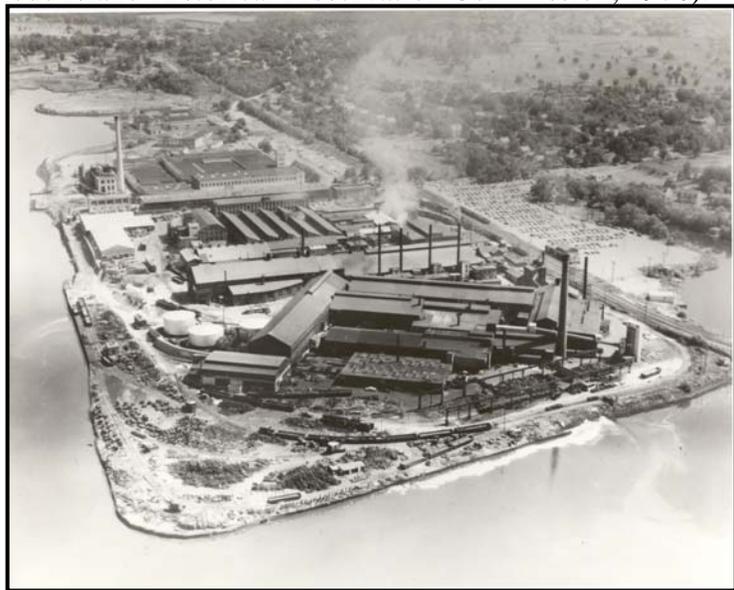
Pomham Rocks Lighthouse, circa 1871, located on a small island north of Sabin Point, consists of a 1-1/2 story Victorian building with mansard roof and a 40-foot light tower; light established in 1871 as part of an ongoing program to improve navigation aids in Narragansett Bay; taken over by the Coast Guard in 1939, and deactivated in 1974. (Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976). The property is now owned by the Exxon/Mobil Oil Corporation. While the Pomham Lighthouse is not located within the Project Area, views towards the lighthouse from within the Project Area should be preserved and enhanced.

Historic Resources

The Statewide Historic Preservation Report for East Providence, prepared by the Rhode Island Historical Preservation Commission (1976), identifies a number of properties located within the Project Area as being of historic significance. The Statewide Historic Preservation Report should be consulted for details about these structures. The current condition and importance of these structures would need to be assessed by an individual and/or agency with historic expertise. The following is a general listing of the historic resources within the Project Area (as identified by the Historic Preservation Report):

274 North Brow Street – Philip Monroe house: circa 1870's, 2-1/2 story Victorian dwelling with mansard roof and Italianate details; among the largest houses in the old Watchemoket District and unusually large for its immediate neighborhood (Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976).

293 Bourne Avenue – Formerly Washburn Wire Company; a large industrial complex with most of its buildings erected during one or more of the following periods: 1893, 1900-1902, 1926-1928, and 1930-1936 (Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976).



1 Noyes Avenue - Glenlyon Bleachery, 1899, 1- and 2-story brick building with flat roofs and a prominent 5-story tower. Built as a bleaching

and finishing plat by Frederick C. Sayles of Pawtucket and controlled by the Sayles Corporation, one of the major textile operations in the region in the 19th and early 20th century. (Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976). Formerly used as a distribution center for Almacs Inc.

7 Noyes Avenue - 1871 with later alterations; 2-story building with low gable roof and 2-story front tower (Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976).

Roger Williams Avenue – Numerous buildings/residences with most constructed as company housing associated with the nearby mills and industrial development; Roger Williams Spring: 17th century site, stone monument 1936, plaque 1975; commemorates traditional site of Roger William’s first settlement in 1636 (see Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976 for complete listing of properties).

39 Warren Avenue – Industrial Trust Company Bank, 1920; 1-story brick building with flat roof; chaste academic design with Federal details; located in the former Watchemoket Square area (Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976). This structure is currently utilized as an entertainment use (comedy club).

Infrastructure

The Project Area is serviced with electric, telephone, cable, natural gas, and water and sewer service. The main providers of electric, telephone, cable and natural gas services in the Project Area are: the Narragansett Electric Company, the New England Gas Company, Verizon Communications, and Cox Communications. Water and sanitary sewer services are discussed below.

Sanitary Sewer

Waste water treatment in the East Providence Waterfront Special Development District is provided by two separate waste water treatment facilities. For properties located south of the Henderson Bridge, waste water collection and treatment is provided by the City of East Providence at the Pomham Terrace Water Pollution Control Facility located in Riverside. For properties located north of the Henderson



Bridge, waste water collection and treatment is provided by the Narragansett Bay Commission’s (NBC) Bucklin Point Water Pollution Control Facility located in Rumford. The engineering aspects of each particular development site and each

proposed use will need to be assessed in terms of capacity and pre-treatment issues relating to waste water. The treatment facilities maintain authority over all direct connections to the sewer system.

In 2002 the average daily flow through the City's Pomham Terrace Water Pollution Control Facility was 5.91 million gallons per day. The design capacity of the facility is approximately 12 million gallons per day. The following is a generalized description of the sanitary sewer lines located in the Project Area. Precise size, location and condition of utilities will need to be assessed as specific developments are proposed.

A 24 inch sanitary sewer interceptor (the Fort Hill interceptor) is located in the Bold Point area south of the Washington Bridge. This interceptor line is a "cross country line", i.e. it is not located within a road right-of-way and crosses private property. This line is located near to the ground surface and at a minimal pitch. Additional fill for development could be placed over this line, however, the access manholes would have to be raised in relation to the new finished grade. The issue of capacity related to the flat pitch of the pipe would need to be addressed during conceptual site-specific development review. Re-routing of sewer lines or installation of new lines may be required.

A sewer pump station is located at the southeast corner of the intersection of Pier Road and Mauran Avenue. This pump station adequately services the limited scale of development currently present in this area of Pier Road, Water Street and Mauran Avenue. Redevelopment would likely necessitate improvements to this pump station to handle additional capacity. An 8-inch sanitary sewer line is located in Water Street. A 24-inch sewer pipe is located in First Street (between Warren Avenue and Mauran Avenue). With the eventual construction of Waterfront Drive south of Interstate 195, vehicular traffic may be removed from Pier Road and Water Street and these rights-of-way maintained for utility and/or a bikeway corridors.

A 21-inch interceptor sewer pipe is located in Valley Street (north of the Washington Bridge). Sanitary sewer service for redevelopment of properties along the waterfront north of the Washington Bridge, such as at Crook Point, could potentially be tied in to the Valley Street line (an easement(s) would be required from Valley Street to Waterfront Drive). Such an arrangement would be dependent upon resolution of grade and capacity issues. Alternatively, placing a sanitary sewer line in Waterfront Drive to service the waterfront development in this location should be explored.

An 18-inch sanitary sewer line is located in Bourne Avenue. A major sanitary sewer line runs from Bourne Avenue north to the Narragansett Bay Commission's Bucklin Point treatment facility. This sewer line runs along the rail corridor for part of its route, then veers off to the western edge of Noyes Avenue and then travels cross-country and enters the Bucklin Point facility.

Water Supply

The City of East Providence provides potable water City-wide. The City purchases water wholesale from the Providence Water Supply Board (PWSB) for supply to City

customers. The water is provided to the East Providence Water Supply System through a 42-inch water main located in Cranston and a twin 30-inch crossing of the Providence River to a 42-inch main in East Providence.

In 1999, the average day demand for water in the City of East Providence was 5.28 million gallons per day (MGD), with the maximum day demand of 8.85 MGD, and the minimum average day demand 3.87 MGD. The water needs of proposed land uses will need to be assessed in relation to overall system capacity and in relation to the distribution system.

The following is a generalized description of the water lines located in the Project Area. Actual size, location and condition of utilities will need to be assessed as developments take place. Warren Avenue is serviced by an 8-inch line, connecting to a 12-inch line in Valley Street. Mauran Avenue is serviced by a 6-inch line and a 12-inch line (west of First Street). First Street is serviced by a 12-inch line. A 12-inch water line is located in Pier Road and extends to Tangent Street (paper street). An 8-inch water line is located in Water Street. A 6-inch water line extends from Veteran's Memorial Parkway (the Fort Hill overlook) down to Tangent Street. Development of property along Veteran's Memorial Parkway in the vicinity of Lyon Avenue would require extension of a water line from Lyon Avenue or Fifth Street.

Bourne Avenue and Noyes Avenue both contain 12-inch water lines. There is also a 16-inch line in Bourne Avenue. A 6-inch line also is also located in the northerly portion of Noyes Avenue.

The adequacy of water for fire protection purposes in the Waterfront Special Development District(s) will need to be assessed in relation to the proposed land uses and structures, including an assessment of the location and number of facilities (stations) and apparatus, hydrants and water supply. Funds may be needed for capital improvements necessary to ensure adequate fire protection and for ensuring that the City's water supply will be sufficient and reliable in a fire emergency.

Stormwater Drainage

Stormwater runoff is collected through a series of catch basins and closed piping, with eventual release of the runoff to an outfall pipe discharging to a surface water body. These pipes are separate from the sanitary sewer pipes, i.e. the City does not have combined stormwater and sanitary sewer collection pipes. The City and the State of Rhode Island have stormwater collection systems within the Project Area (State roads have State-owned structures and pipes).

Individual developments in the Project Area will be required to design stormwater management systems. Dependent upon the specific site and whether there is an opportunity for connection to the piped storm drainage system, developments may need to retain some stormwater on-site in retention or detention basins or underground infiltration galleys. Environmental regulations also require that developments address water quality issues and provide some treatment of runoff to reduce sediment and

pollutants. For new roads in the Project Area, a permit must be obtained from RIDEM regarding the water quality aspects of the road drainage.

There are a number of major storm drain outfalls into the Providence River, Seekonk River, and Omega Pond. The size of these outfalls varies. A 24-inch brick storm drain is located in Mauran Avenue with twin 12-inch outfalls at the terminus of Mauran Avenue. There is an outfall just north of the former Oyster House Restaurant (Water Street). There are several outfalls from Massasoit Avenue into the property located on the west side of the street in the area between the terminus of Waterman Avenue and the Henderson Bridge. There are five outfalls into Omega Pond from Roger Williams Avenue. There is an outfall into Omega Pond from the terminus of Dexter Road. A 48-inch outfall is located near the terminus of Bourne Avenue.

The Environmental Protection Agency (EPA) delegates enforcement of the National Pollutant Discharge Elimination System (NPDES) Program (the so-called “Phase II Stormwater Regulations”) to the Rhode Island Department of Environmental Management (RIDEM). As of the date of this Plan, the City is in the process of preparing a stormwater management plan for submission to RIDEM, Office of Water Resources. The implementation portion of this stormwater plan should address any necessary additional *City-related* stormwater facilities that may be needed in the future for the Project Area. Private developers will be required to obtain a stormwater discharge permit from RIDEM, Office of Water Resources, for construction sites of greater than one acre (prior to March 2003, sites disturbing more than five acres were required to obtain the permit).

The East Providence Waterfront Special Development District will require utility re-routing, extensions, and possible system upgrades, e.g. enlargement of a sewer pump station, in order to accommodate the placement of roads, assembly of parcels, and the proposed type and density of land uses.

The City shall require that a developer include within its proposal the extension of utilities or the payment of any impact fees which may be needed to off-set the costs of the City expanding existing sewer and water infrastructure.

Environmental Remediation

Various properties along the East Providence waterfront targeted for redevelopment have a history of being used for industrial or heavy commercial operations and may contain contaminants in soils and/or groundwater that require remediation prior to their redevelopment. Numerous clean-up options exist with the selection of the best option a process requiring specialized expertise. This process, which includes the determination of the nature and extent of the contamination, is performed under oversight of the Rhode Island Department of Environmental Management (RIDEM).

Generally speaking, these contaminants include metals (such as lead, chromium, arsenic and cadmium); fuels (such as gasoline, kerosene, diesel oil and heating oil); chlorinated solvents often used as degreasers; and heavy organics such as lubricating oils, PCB's,

coal tar, creosote, pesticides and herbicides. In both soils and groundwater, various contaminants may be found at a wide range of concentrations and distributions, and in various combinations with each other. Because options for clean up are dependent on the type of contaminant, the distribution and concentration of contaminants, as well as physical site aspects such as soil type, the selection of a clean-up option is highly specific.

Environmental issues must be addressed early in the planning process to assure that site-specific redevelopment proposals are feasible. Each site or property must be individually evaluated to determine what is known about existing environmental conditions and regulatory/legal status, and what additional information must be gathered before realistic redevelopment plans can be finalized. Coordination with the regulatory agency overseeing the environmental review will be critical throughout the planning process.

In circumstances where soil is contaminated, remediation measures may involve excavation and off-site disposal of some existing soil and its replacement. In circumstances where they may be existing underground utilities, the impact of adding potentially several feet of clean fill over these utilities must be assessed. It may simply involve raising manholes to final finished grade. In any case, when determining potential remedial action or re-grading of a site for development, impact to future utilization and access to utilities should be considered.

Transportation Roadway Access

The extent to which people can move to and from the East Providence waterfront in a safe and efficient manner is an absolutely crucial factor in determining the nature and scale of land uses that will be associated with the waterfront revitalization.

As has been noted for several years in numerous City plans and reports, the existing transportation network in the Project Area for north-south traffic movements and for access to the waterfront is indirect, confusing and inefficient. The transportation deficiencies can be generally characterized as follows:

- there is no continuous north/south road along the waterfront
- there is no ***exit from westbound*** I-195 into East Providence near the waterfront (the last west bound *exit* within East Providence is at Broadway)
- there is no ***entrance to eastbound*** I-195 near the waterfront (the first eastbound I -195 *entrance* opportunity is at Warren Avenue just west of its intersection with Brightbridge Avenue)
- the Veteran’s Memorial Parkway comes to an abrupt end forcing traffic either onto the westbound I-195 on-ramp or onto Mauran Avenue (there is no direct connection between Veteran’s Memorial Parkway and Taunton Avenue)

- there are inadequate or non-existing east-west linkages from City streets to the waterfront, e.g. Warren Avenue comes to a dead end just beyond its intersection with Valley Street and does not extend through to the waterfront, and Mauran Avenue is divided by the I-195 highway ramping system.

Impacts

The current confusing and indirect traffic patterns create numerous negative social and economic impacts. The lack of a continuous north-south travel route has the negative effect of increasing traffic on local residential streets, notably those connecting Taunton Avenue to Waterman Avenue. Driving time is increased, causing inconvenience and potentially increased costs. *In order to attract new businesses, activities and visitors to the waterfront, the traffic movements to get into and out of the waterfront and to travel north-south along the City's waterfront have to be as simple and direct as possible.*

Waterfront Drive

Waterfront Drive, previously referred to as the East Providence Industrial Highway, has long been recognized as the solution for improving north-south travel along the waterfront and linking existing City streets to the waterfront. The entire length of the roadway could extend approximately three and one-half miles from the area of Bold Point to the East Providence/Pawtucket boundary. The costs of constructing such a roadway in its entirety would be approximately \$ 60 million dollars (including associated rail improvements).

In recognition of the high costs of constructing the entire roadway in one phase, and the complexities and lengthy time frame for designing and permitting the roadway in its entirety, the City of East Providence has been working cooperatively with the Rhode Island Department of Transportation (RIDOT) and their consultants regarding the design and permitting of *segments* of Waterfront Drive.

The first segment of this two-lane road to be constructed is likely to be in the Bold Point Harbor area, and will involve the extension of Warren Avenue from its current dead end (just past its intersection with Valley Street) to a new intersection with Waterfront Drive. Waterfront Drive will be constructed within the current Providence & Worcester rail corridor from just north of the Warren Avenue intersection southerly to a point approximately one-half mile south. This project, referred to as the "Warren Avenue Connector" could be under construction by RIDOT in Spring 2005. Construction of this segment of Waterfront Drive opens up prime property for redevelopment, and additionally expands access to the waterfront for the use and enjoyment of the general public. The funding for this project is in place.

Interstate 195 and Linkages to the Waterfront

In addition to improving north-south travel along the waterfront, the City identified the need to devise better transportation links between Interstate 195 and the waterfront. The City issued a Request for Proposals for a "Waterfront Access Improvement Study" in

2002, the goal of which was to consider options for access to the waterfront from Interstate-195 that eliminated any transportation deficiencies which might constrain waterfront development.

The firm of Vanasse Hangen & Brustlin (VHB) was hired by the City to develop recommendations for improving waterfront access, particularly relating to the ramping system of I-195 and waterfront ingress and egress. VHB presented a conceptual plan at a public workshop held October 16, 2002. The conceptual plan prepared by VHB was formally endorsed by the East Providence City Council in February 2003.

The conceptual plan developed by VHB, in consultation with City staff and the RIDOT, improves ingress and egress from the waterfront to Interstate 195, and additionally links neighborhoods to the waterfront (see Figure 4 - 1). The improvements link to Waterfront Drive. Generally, the concept proposes the following:

- creation of a roundabout near the terminus of the Veteran's Memorial Parkway (at Mauran Avenue) which would provide drivers the opportunity to enter the roundabout and travel west onto Mauran Avenue for direct access to Waterfront Drive, or continue north to a direct on-ramp to Interstate 195 *eastbound* (at approximately the existing Potter Street bridge);
- Mauran Avenue west of the roundabout (west of its current intersection with First Street) would become a wide boulevard gateway entrance to the waterfront with a landscaped median);
- creation of a dual off-ramp from Interstate 195 *westbound* (approximately at the existing Potter Street bridge) which would allow drivers to turn right off the off-ramp to a connection to Taunton Avenue, or turn left to a roadway connection to the roundabout and from there Mauran Avenue and the waterfront;
- creation of a roadway connection between Taunton Avenue and Waterfront Drive (located north of the Washington Bridge); and
- a connection from Valley Street to Waterfront Drive.

The City of East Providence has been working cooperatively with the RIDOT to prepare a Scope of Services for an Environmental Assessment (EA) for these proposed transportation improvements. The Rhode Island Department of Transportation (RIDOT) and the Rhode Island Economic Development Corporation (RIEDC) have been assisting the City in this process. The City will cover the costs of the EA up to \$250,000 (from bond funds), with any additional costs above that amount to be covered by the RIDOT.

The Department of Planning submitted a grant pre-application to the U.S. Department of Commerce, Economic Development Administration (EDA), in 2003 for \$2 million dollars for the construction of these proposed improvements. The EDA has endorsed the

concept and requested a full application in support of the grant. This full application will be submitted to EDA following the completion of the environmental assessment.

VHB has estimated the costs of the proposed waterfront access improvements as follows:

Phase 1	Warren Avenue Extension	\$ 2,000,000+
Phase 2	Roundabout and Mauran Avenue Boulevard	\$ 3,300,000
Phase 3	Waterfront Drive (North of I-195 to Dexter Road)	\$ 11,000,000
Phase 4	Valley Street Connection	\$ 275,000
Phase 5	Connector: Waterfront to Taunton Avenue	\$ 1,100,000
Phase 6	New Interchange Ramp Improvements	<u>\$ 12,000,000</u>
	TOTAL	\$ 29,675,000

+As noted previously, funding is in place and construction is expected to commence by Spring 2005.

The design and permitting of these proposed improvements will be lengthy and financing must be obtained for construction. Should these improvements eventually be constructed, it may be necessary to restrict driveway access from certain properties directly onto the roundabout and/or limit access from local streets lacking sufficient sight and stopping distance in relation to the higher-speed, higher-volume highway ramp traffic.

Veteran’s Memorial Parkway

The Veteran’s Memorial Parkway is a unique and special roadway in East Providence and has historic origins and connections. The Parkway is a significant example of the “Parkway Movement” of the early twentieth century, and is notable for its association with the Greater Metropolitan Park Plan for Providence and for its design by the nationally prominent Frederick Law Olmstead firm, which also designed New York’s Central Park. The Parkway was constructed between 1910 and 1920.

The Veteran’s Memorial Parkway was designated as a Scenic Roadway by the Rhode Island Scenic Roadways Board in 1991. The Parkway has been determined to be eligible for listing in the National Register of Historic Places. The *Veteran’s Memorial Parkway Stewardship Plan*, prepared for the Rhode Island Scenic Highways Board by Gates, Leighton & Associates in association with Whiteman and Taintor (March 1999), inventories the qualities of and potential threats to the Parkway. The East Providence City Council designated the Parkway as a “Critical Area” for which a Specific Plan was added to the City’s Comprehensive Plan in 2002.

The Parkway is 2.3 miles in length and runs generally parallel to the Providence River and extends from Second Street (near Mauran Avenue) to its intersection with Pawtucket Avenue (Route 103) at Bradley Hospital. The Veteran’s Memorial Parkway is a major roadway corridor that carries regional work and recreation vehicle trips. The Rhode Island Public Transit Authority (RIPTA) operates a bus route along this corridor. The

Parkway is the route used by many visitors traveling to the City's National Register Charles I.D. Looff Carousel in Riverside. The Parkway is located in a State designated Enterprise Zone.

The Veteran's Memorial Parkway is integral to the success of the East Bay Bicycle Path, which extends along the westerly side of a portion of the roadway. The Parkway provides two parking areas for bike path users, scenic overlooks, and access points to the East Bay Bike Path. The Bike Path is extremely popular and successful. A parking lot located at Fort Hill, which overlooks Bold Point and the Providence and Worcester South Quay, is heavily used by pedestrians and bicyclists who access the bicycle path at this location, and there is frequent overflow parking at this location on many summer weekends.

Critical Issues Related to the Veteran's Memorial Parkway

Buffers

Land uses abutting the Parkway impact the aesthetics of the Parkway and potentially affect the functioning of the roadway. Regulating land use in this corridor is essential to the preservation and enhancement of the remarkable scenic qualities of the Veteran's Memorial Parkway. A critical component of preserving and enhancing the scenic quality is to require ample natural buffers and vegetative screening on private properties adjoining the Parkway that are newly developed, redeveloped or expanded, especially in relation to the location of off-street parking areas along the Parkway frontage.

Another critical component of preserving and enhancing the scenic quality of the Parkway is to retain its existing right-of-way width *in its entirety* as undeveloped and green open space. *There shall be no subdivision or development of the right-of-way and the existing unpaved portion of the right-of-way of the Parkway shall remain green and open space.*

Utilities

An additional critical issue associated with preserving and enhancing the scenic quality of the Parkway is the installation of new utilities in this scenic corridor. Utility installations, both above and below ground, that require destruction of existing aesthetic elements of the Parkway, such as trees, rock outcrops, and existing topography, shall be prohibited. There shall be no new utility installations in the unpaved portion of the Parkway right-of-way and in adjoining properties that create negative visual qualities, e.g. overhead wires, equipment boxes and sheds. Any future utility installations should utilize the existing paved portion of the right-of-way.

The City was selected to receive a \$75,000 RIDOT Enhancement Grant for improving the façade appearance of the City's Watchemoket Sewer Pump Station located on the Parkway, and to landscape and beautify the cove overlook at this location.

Telecommunications towers are inconsistent with the scenic character of the Parkway and installation of towers shall be prohibited in the right-of-way or on properties located along the Parkway. Opportunities to reduce the number of overhead transmission towers should be assessed.

Access, Curb Cuts, Signalization and Related Roadway Issues

The Parkway provides access to areas with significant potential for change, notably Kettle Point and the Chevron property (the former Cumberland Farms/Gulf Oil) site. The potential impacts of these activities on the Veteran's Memorial Parkway should be anticipated in order to preserve the Parkway's unique scenic qualities and transportation functions. The extension of Waterfront Drive from Bold Point to the Chevron property, which would provide access along the bottom of the slope rather than exclusively from the Parkway, should be explored.

Redevelopment along the Parkway should be *proportional* to the existing roadway functioning and capacity. Curb cuts should be limited in size and location, and signage should be limited in amount and scale. Additionally, traffic signalization is not in keeping with the character of the Parkway and installation of traffic signals should be prohibited. Development must be of the scale that would not trigger the warrants for traffic signalization. Roadway widening would also detract from the character and scenic qualities of the Parkway and should be discouraged. Finally, the weight limitations of existing bridges (5,000 pounds) on the Parkway must be taken into account when determining the nature and scale of future development. Increased truck traffic would adversely affect the neighborhoods adjoining the Parkway.

Landscaping and Protection of Views

Historically, the Veteran's Memorial Parkway has afforded expansive views of the Providence River and City of Providence. To ensure protection of views, buildings located in certain areas along the Parkway shall be prohibited from exceeding certain heights. Other areas along the Parkway may be able to accommodate higher structures without impact to viewsheds. At a minimum, the view corridors at major intersections of the Parkway should be preserved.

Lyon Avenue will become a gateway to the redeveloped Chevron/Gulf Oil property. Additionally, a gateway will be created at the northerly terminus of Veteran's Memorial Parkway where it is proposed to enter into a new roundabout approximately at Mauran Avenue. The design and landscaping of these gateways should preserve and enhance the scenic qualities of the Parkway.

Project Area Generalized Land Use

Generally, the Project Area is divided into two main geographic areas – those properties north of the Washington Bridge (Interstate 195) are included in the “Northern Waterfront Special Development District”, while those properties located south of the Washington Bridge (Interstate 195) are located within the “Southern Waterfront Special Development

District”. Each of these districts contains a number of project sub-districts that will be identified in the Plan.

Existing generalized land use and major properties in these districts are discussed below. Proposed land uses and densities will be identified in Chapter 6.

The Southern Waterfront Special Development District

The Southern Waterfront Special Development District generally extends from the Washington Bridge (Interstate 195) southerly to, and including, the Kettle Point property (Map # 4 - 2). This redevelopment area is divided into the Bold Point Harbor Area, Veteran’s Memorial Parkway, and Kettle Point.

Bold Point Harbor Special Development Sub-District

This special development sub-district generally extends from the Washington Bridge (I-195) southerly to the Providence & Worcester South Quay, and extends from the waterfront inland easterly to include portions of Warren Avenue (the historic area of the former Watchemoket Square), and First Street (from Warren Avenue to Mauran Avenue). The zoning in this area is Commercial – 5, Industrial – 2, and Open Space – 1. The existing roadway network includes Warren Avenue, First Street, Mauran Avenue, Boston Street, Veteran’s Memorial Parkway, Water Street, Pier Road, and Tangent Street (a paper street). Overhead electric transmission lines are located within this area. The impact of these lines on proposed redevelopment must be assessed.

Properties located along Pier Road and Water Street (south of the Washington Bridge) are included in the Project Area. These properties are zoned Commercial – 5. Existing businesses along Water Street (south of the Washington Bridge) include: Houlihan’s Tavern on the River, Oyster House Marina, Fleet Environmental Services, and MotoRing Technical Training Institute. Existing businesses along Pier Road include: the East Providence Yacht Club, Tony’s Auto Sales and Service, and the MotoRing Technical Training Institute.

Properties fronting on the southerly side of Warren Avenue between its current dead end (in the vicinity of Valley Street) and Burgess Avenue are included within the Project Area. These properties are zoned Commercial – 5. Existing businesses include: a printing establishment, 133 Club, Watchemoket Bar, Dee’s Restaurant, and the Comedy Connection.

Properties fronting on First Street between Warren Avenue and the Veteran’s Memorial Parkway are included in the Project Area. These properties are zoned Commercial – 5. Existing businesses include: Parker Manufacturing, and the Povar Animal Hospital. Land use also includes residences and a natural gas infrastructure facility. This area is extremely important to the overall success of the transformed waterfront as it is located in the highly visible area between the two gateways to the waterfront at Warren Avenue (with the construction of the Warren Avenue Extension) and Mauran Avenue.

The parcels fronting on Mauran Avenue west of its intersection with the Veteran's Memorial Parkway would be impacted by the proposed waterfront roadway improvements - the traffic circle at Mauran Avenue and the Veteran's Memorial Parkway, and the widening of Mauran Avenue west of the traffic circle to create a boulevard entrance to the waterfront. Vehicles traveling eastbound on I-195 and destined for the waterfront would use Exit 4 (Riverside), and veer right at the traffic circle onto Mauran Avenue. The current First Street intersection with Mauran Avenue could not remain.

Properties fronting on Boston Street are included within the Project Area. Boston Street extends from Mauran Avenue approximately 300 feet to a dead end. Properties on Boston Street are zoned Commercial – 5. The street provides access to four properties, including nonconforming residential uses and a commercial use (a general contractor).

Major Properties

Colfax Property – Mauran Avenue

The Colfax property consists of approximately 10.36 acres and extends from Mauran Avenue to Tangent Street (a paper street). The property is currently vacant and unimproved. This property is split zoned, with Commercial – 5 near the Mauran Avenue frontage, and the remainder is zoned Open Space – 1. This property would have frontage along the proposed Waterfront Drive.



A City sanitary sewer right-of-way and easement, as well as the twin 16-inch Getty Oil distribution pipelines and overhead electric lines traverse the Colfax property. The location and depth of these underground utilities will need to be taken into consideration in siting future infrastructure and buildings, and opportunities for relocating existing utilities within the rights-of-way of roadways should be explored.

Union Oil of California – 1 Pier Road

The former Union Oil/Unocal Chemical Distribution Facility at 1 Pier Road consists of approximately 9 acres. Unocal is bounded to the north by the City's Bold Point Park, to the west and southwest by the Providence River, and to the east and south by the Providence and Worcester Railroad "South Quay" property. The property is zoned Industrial – 2. Product storage tanks have been removed and environmental remediation is in progress.



Providence & Worcester Railroad Property

The Providence & Worcester Railroad property consists of two parcels of land totaling approximately 67 acres, and includes the filled land known as the “South Quay” (see Exhibit ---). This property is zoned Industrial – 2 with a Port District Overlay (approved in 1990), and is currently vacant and nonutilized.



Wilkes Barre Pier

This property consists of 2.02 acres of land and 4.0 acres of water. The property is zoned Industrial – 2 and is utilized as a pier for the off-loading of petroleum products to an underground distribution pipeline that continues northerly to Massasoit Avenue. The Providence & Worcester Railroad Co. has the right to extend the filled area between the Wilkes Barre Pier and the South Quay (approximately 10 acres).



Veteran’s Memorial Parkway Special Development Sub-District

This special development sub-district generally extends from Teofila Braga Way to Watchemoket Cove. Properties on the westerly side of the Veteran’s Memorial Parkway are included in this Special Development Sub-district from the beginning of the Parkway to, and including, the Chevron/Gulf Oil property.

Major Properties

Chevron Property – Veteran’s Memorial Parkway



The Chevron property, formerly the Cumberland Farms/Gulf Oil facility, consists of three parcels totaling approximately 26 acres and is zoned Industrial – 2. The property has nearly 2,000 feet of frontage along

Veteran’s Memorial Parkway and slopes downward to the Providence River. It is bounded on the north by property owned by the Providence & Worcester Railroad, on the east by Veteran’s Memorial Parkway, on the west by the Providence River, and on the south by Watchemoket Cove. A gated access point to this property is located off Veteran’s Memorial Parkway nearly directly opposite the Lyon Avenue intersection.

The property is at its highest elevation (approximately 51 MHW) at the Parkway intersection with Lyon Avenue, and slopes downward steeply to the Providence River. Building heights should be restricted to a certain maximum height so that water views from adjoining neighborhoods and the Veteran's Memorial Parkway are not obstructed. A marina is a logical element of the development of this site.

Access drives to the site from Veteran's Memorial Parkway should be limited. Access from Waterfront Drive, which is proposed to traverse the location of the existing P & W rail lines through the lower portions of the site, should be encouraged.

Other Properties

The properties located on Teofila Braga Way are included in this sub-district. The existing uses on the northerly side of this street are in the Commercial – 5 zoning district, and include a fraternal social club and residences. These properties may be impacted by transportation improvements. It may be necessary to restrict access from this street onto the Veteran's Memorial Parkway if it is found to lack sufficient sight and stopping distance in relation to the higher-speed, higher-volume traffic on the Parkway.

This sub-district also includes the property at 305 Lyon Avenue. This property is zoned Open Space – 1. The existing land use is a bar/restaurant. This property is immediately adjacent to the City's Pierce Memorial Field and Stadium facility, an extremely well-utilized facility that is considered by many to be one of the premier municipal recreational facilities in the State of Rhode Island. The existing land use, a bar/restaurant, is inconsistent with the zoning designation of the property and the adjoining recreational land use, and would be more appropriately located in a commercial or mixed use district, perhaps elsewhere in the Project Area. The Lyon Avenue approach will become a gateway point to the redeveloped Chevron/Gulf Oil property.

Kettle Point Special Development Sub-District

This special development sub-district generally extends from the Watchemoket Cove southerly to the Squantum Woods Reservation, an open space park owned by the City of East Providence (previously owned by the State of Rhode Island as part of the Metropolitan Park Program). The Squantum Woods Reservation also borders this district to the east. The district extends down to the Providence River at its western boundary. Access to this district is from a road off the Veteran's Memorial Parkway, approximately opposite Interlocken Road. This district is traversed by the East Bay Bicycle Path. The properties included within this district were previously utilized for petroleum and related products storage and distribution.

Major Properties

B.P. Amoco

This property consists of two parcels of approximately 15.67 acres of land and 11.9 acres of water. A rocky prominence consisting of 2.9 acres is separated from the remainder of the property by the East Bay Bicycle Path. The property is zoned Commercial - 1. In 1988, the East Providence City Council approved a plan for 580 residential condominium units for this property. This property is currently going through the environmental remediation



process, which if continued at the current pace, would potentially be completed 2011. It is the City's understanding that it is technologically feasible to complete the remediation within a shorter time frame.

Atlantic Richfield (Arco)

This property consists of two parcels consisting of approximately 19 acres and is zoned Commercial - 1. This property has gone through an environmental remediation process, under the oversight of RIDEM, and is ready for development.

The Northern Waterfront Special Development District

The Northern Waterfront Special Development District generally extends from the Washington Bridge (Interstate 195) northerly to the Bucklin Point Wastewater Treatment Facility (Map # 4 - 3). The depth of the corridor from the waterfront to the inland boundary varies and is described in the sub-districts below. The district's western boundary is the Seekonk River.

This special development district is divided into four sub-areas: Crook Point Special Development Sub-District; Dexter Road Special Development Sub-District; the Phillipsdale Special Development Sub-District (which includes the proposed "East Pointe" development), and the Pawtucket Avenue (former Fram Property) Special Development Sub-District. A limited number of properties are also located in a Taunton Avenue Special Development Sub-District.

Crook Point Special Development Sub-District

The Crook Point Special Development Sub-District generally extends along the Seekonk River from the Washington Bridge (Interstate 195) northerly to the Henderson Bridge. This redevelopment area is bounded on the west by the Seekonk River, on the south by Interstate 195 (Washington Bridge), on the east by Valley Street, North Brow Street, and

a small portion of South Brow Street, and on the north by the Henderson Bridge. The prominent geographic feature of the land in this redevelopment area is Crook Point, which is owned by the State of Rhode Island.

The roadway network in this district includes Water Street, Valley Street, North Brow Street, a small portion of South Brow Street, the westerly end of Waterman Avenue, and Massasoit Avenue. Valley Street is a prime corridor for truck and other vehicular traffic traveling north-south on the western border of East Providence. Valley Street extends from the western end of Warren Avenue to North Brow Street. North Brow Street then connects to the westerly end of Waterman Avenue.

Bridge abutments from the old Waterman Avenue Red Bridge crossing of the Seekonk River still remain at the westerly terminus of Waterman Avenue. The development known as “Richmond Point” is located on the opposite side of the river in Providence. A Providence & Worcester rail corridor extends through this area.

Zoning in the Crook Point Special Development District is Commercial - 5 from the Washington Bridge to Waterman Avenue, and Industrial – 3 between Waterman Avenue and the Henderson Bridge, with a small pocket of Open Space – 1 on the north side of the terminus of Waterman Avenue.

Major Properties

100 Water Street

This property consists of 3.7 acres and is zoned Commercial – 5. It is bounded by the Washington Bridge to the south, by private property utilized for a radio communications facility to the north, by



property owned by RIDOT to the east (the proposed route of the northerly segment of Waterfront Drive), and by the Seekonk River to the west. It is currently utilized for a drilling and pile driving equipment and contractor use.

State of Rhode Island – Crook Point

This property consists of 6.97 acres and has frontage on the Seekonk River. This parcel includes a high prominence of land which juts out into the Seekonk River, with its highest elevations at the north and south sides, with a central depressed wetland/pond area. This property is bounded on the east by the



Providence & Worcester rail line. The property was historically the site of an elevated rail river crossing via the Seekonk River Lift (Railroad) Bridge, connecting East Providence to the East Side of Providence through a 30-foot wide 5,080 foot long underground tunnel. There are two bridge abutments on this property, the purpose of which was to accommodate the splitting of the track into a north and south spur.

As part of the Metropolitan Transportation Improvement Study, the RIDOT assessed the physical condition of the tunnel under the East Side of Providence. The study found that the general condition of the tunnel is good, with longitudinal cracks in the concrete roof arch and signs of drainage problems, and concluded that the tunnel structure is in a condition acceptable for rehabilitation and modification for either rail or bus usage (MPTIS - Technical Memo No. 5, 1992).

The 383-foot railroad bridge itself (circa 1908) was also studied as part of the MPTIS and that report concluded that the moveable span and approach spans appear to be in a condition acceptable for rehabilitation and modification for light rail vehicle and/or self-propelled commuter train (MPTIS – Technical Memo No. 4, 1993).

1 Waterman Avenue - Red Bridge Properties

This area extends from the State of Rhode Island Crook Point property northerly to



Waterman Avenue. (Waterman Avenue terminates at its most westerly point at the Seekonk River.) It is bounded on the east by a corridor owned by the RIDOT, the proposed route for the northerly segment of Waterfront Drive,

and on the west by the Seekonk River. This property is zoned Commercial – 5. Red Bridge Properties also owns a .92 acre vacant parcel zoned Industrial – 3 located on the north side of Waterman Avenue.

Valley Street Properties

Properties located on both sides of Valley Street are included within this Project Area (the specific assessors map, block and parcel numbers are located in Appendix B). Properties on Valley Street are zoned Commercial – 5. Existing businesses generally include: dye/dyestuffs manufacture, a printer, scrap metal products, tire retreading and repair, and a wrecker service. A former box manufacturing business is currently vacant.

North Brow Street and Portions of South Brow Street

North Brow Street is included in this sub-district. The properties fronting on both sides of North Brow Street which are included in the Project Area are listed in the appendix of

this Plan. Zoning for North Brow Street properties is Commercial – 5 and Residential – 6. Land uses along North Brow Street are a mix of commercial and residential land uses. Existing businesses include a technical training school, plating equipment supplies, jewelry casting, and a dairy delivery operation.

Certain properties with frontage on the southerly end of Valley Street extend through to the southerly end of South Brow Street. Two other properties, which “square-off” the Valley Street block are included in this sub-district. The properties are identified in the assessors map, block and parcel numbers located in the appendix to this Plan. These properties are zoned Commercial – 5.

Providence & Worcester Railroad

This property consists of 5.65 acres and is zoned Industrial – 3. The property is vacant.

This property is bounded on the south by Waterman Avenue, on the north by the Henderson Bridge, on the east by property owned by the RIDOT (the



proposed route for the northerly segment of Waterfront Drive), and on the west by the Seekonk River. Massasoit Avenue is also located to the east. This property is lower in elevation than the adjoining roadways (Massasoit Avenue and Waterman Avenue). This area is known to contain a number of easements.

Dexter Road Special Development Sub-District

The Dexter Road Special Development Sub-District generally extends from the Henderson Bridge northerly to Omega Pond. This sub-district includes all those properties fronting on, or gaining access from, Dexter Road. This District is bordered on the east in part by Massasoit Avenue and by a Providence and Worcester rail corridor. The western boundary of the sub-district extends to the Seekonk River.

The sub-district includes properties that are zoned Industrial – 2 and Industrial – 3. A variety of land uses are currently located within the Dexter Road corridor including: light manufacturing, a mini-storage operation, a recycling operation, oil and petroleum storage and distribution, and warehousing. Some parcels are vacant. A complete listing of all properties located within this sub-district is included in Appendix B. In absence of street addresses for certain properties listed below, the assessors map, block and parcel number has been provided. (Note: the numbering system on Dexter Road is irregular.)

Properties on the east side of Dexter Road are bound on the east by a rail line of the Providence & Worcester Railroad. Those properties fronting on the west side of Dexter Road extend to, and are bound on the west by, a Providence and Worcester Railroad rail corridor. This rail corridor is the planned route for northerly segment of Waterfront

Drive. A right-of-way connects Dexter Road to King Phillip Road. A single-family residential neighborhood is located off King Phillip Road.

Major Properties

9 Dunellen Road - CTC LLC

This property consists of 2.28 acres and is zoned Industrial-3. This property is associated with the Capital Terminal Properties. The owner’s plans for this property includes the installation of petroleum storage tanks on the property.



90 - 94 Dexter Road - CTC LLC

This property consists of 4.32 acres and is zoned industrial-3. An adjoining parcel of 3.0 acres is also associated with this use. These properties are associated with the Capital Terminal Properties. The property contains several petroleum storage tanks and buildings.

7 Dexter Road - Trustee: Arpad J. Merva Revocable Living Trust

This property consists of 2.447 acres and is zoned Industrial –3. The property contains a 17,000 square foot industrial building, with 15,000 square feet of warehouse space and 2,000 square feet of office space. The current user on the site is Sani-Kan Co. Inc., a portable toilet rental firm.

105 Dexter Road - Trustee: Arpad J. Merva Revocable Living Trust

This property consists of 2.559 acres and is zoned Industrial –3. The property is associated with the Sani-Kan Co., Inc. and is used for the outside storage of portable toilets currently occurring on the property.



9 Dexter Road - Power Test Realty Co., Ltd. (c/o Getty Petroleum Marketing)

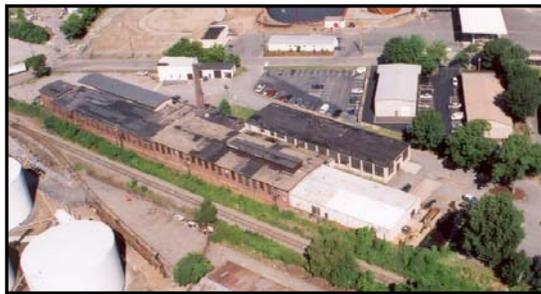
This property consists of 7.15 acres and is zoned Industrial-2. The property contains numerous petroleum storage tanks and associated buildings associated with Getty's petroleum storage and distribution operations in East Providence.



65 Dexter Road - Netlectric Realty LLC

This property consists of 39,981 square feet of land and is zoned Industrial –2. The property contains two warehouse buildings - Building 1 contains 4,200 square feet of warehouse space and 800 square feet of office, while Building 2 contains 5,000 square feet of warehouse space and 2,500 square feet of office space.

100 Dexter Road - Westport Properties, LLC



This property consists of 3.91 acres and is zoned Industrial-3. The property contains numerous manufacturing and warehouse buildings. Several companies operate under different addresses on this property.

97 Dexter Road - Peter Hallock (c/o Chris Ryding, Gripnail Corporation)

This property consists of 1.74 acres and is zoned Industrial-3. The manufacturer “Gripnail Corporation” currently occupies the building on this property.

101 Dexter Road - Eugene T. Voll

Assessor's Map 204, Block 2, Parcel 1

This property consists of 2.157 acres of land and is zoned Industrial –3. A 32,000 square foot warehouse/manufacturing building is located on the property, currently used by Rustic Natural Cedar Furniture.

Dexter Road (no address) - Trustee: Arpad J. Merva Revocable Living Trust

Assessor's Map 204, Block 1, Parcel 17

This property consists of 4.435 acres and is zoned Industrial –3. The property is currently vacant.

111 Dexter Road - Trustee: Arpad J. Merva Revocable Living Trust

This property consists of 4.13 acres and is zoned Industrial – 3. The property currently contains a building associated with the Space Station Self Storage Company.

Dexter Road (no address) - Providence and Worcester Railroad Company
Assessor's Map 304, Block 1, Parcel 5.1

This property consists of 5.73 acres and is zoned Industrial 3. The property is currently vacant, but a rail spur crosses the property for access to the #1 Dexter Road property.

51 Dexter Road - NETX, Inc.

This property consists of 41,306 square feet of land and is zoned Industrial-3. The property contains a dilapidated 7,800 square foot warehouse building. The United States Environmental Protection Agency (EPA) conducted an emergency clean-up of the building in 2002.

115 Dexter Road - NETX, Inc.

This property consists of 1.14 acres and is zoned Industrial – 3. The property contains a dilapidated 8,700 square foot warehouse building.

10 Dexter Road - MLS Realty LLC

This property consists of 1.51 acres and is zoned Industrial – 3. The property contains a two-story office building with a garage.

1 Dexter Road
Arpad J. Merva

This property consists of 15.61 acres and is zoned Industrial –3. The property contains several buildings including a 67,000 square foot warehouse building. The property is currently occupied by Pond View Recycling.

3 Dexter Road - 3DR Associates LLC



This property consists of 10.57 acres and is zoned Industrial – 3. The property contains a 142,000 square foot warehouse and manufacturing building that is currently vacant.

8 Dexter Road - Seekonk Corporation (c/o Red Bridge Properties)

This property consists of 1.53 acres and is zoned Industrial- 3. The property contains a 21,000 square foot warehouse building.

Dunellen Road (no address) - Seekonk Corporation (c/o Red Bridge Properties)

Assessor's Map 204, Block 1, Parcel 8 and Map 204, Block 1, Parcel 12

This property consists of 3.9 acres and is zoned Industrial-3. Parcel 12 contains 1.04 acres. Both properties are currently vacant.

Dunellen Road (no address) - Seekonk Corporation (c/o Red Bridge Properties)

Assessor's Map 204, Block 1, Parcel 10

This property consists of 1.47 acres and is zoned Industrial-3. The property contains a 4,700 square foot warehouse building.

55 Dexter Road - Bower Ammonia and Chemical Company

This property consists of 21,960 square feet and is zoned Industrial-3. This small property currently contains an ammonia storage tank and a railroad spur for access.

Seekonk River Frontage

AJM Holdings Inc. c/o Arpad J. Merva

Assessors Map 204, Block 1, Parcel 1 (4.33 A.)

This property consists of 4.33 acres and is zoned Industrial – 3. The property is vacant.

Arpad Merva

Assessors Map 204, Block 1, Parcel 3

This property consists of 2.60 acres zoned Industrial – 3 and is currently vacant.

Providence & Worcester Railroad

Assessors Map 204, Block 1, Parcel 4

This property consists of 4.8 acres (3.8 acres water) and is zoned Industrial – 3 and is currently vacant.

Power Test Realty

Assessors Map 204, Block 1, Parcel 5

This property consists of .98 acres and is zoned Industrial – 3.

Phillipsdale Special Development Sub-District

The Phillipsdale Special Development Sub-District extends from Roger Williams Avenue northerly to the Narragansett Bay Commission Bucklin Point Water Pollution Control facility. This sub-district includes properties located off Bourne Avenue (west of Roger Williams Avenue) and Noyes Avenue. The westerly boundary of this sub-district extends to the Seekonk River. The former Ocean State Steel property is located within this sub-district. The Roger Williams Avenue corridor (including properties on both sides of the street) from Magnolia Avenue northerly to approximately Ruth Avenue is included within this sub-district.

Major Properties

Ocean State Steel Property – City of East Providence Roger Williams Avenue and Bourne Avenue

This property consists of three parcels of land totaling approximately 26 acres, with road frontage on Roger Williams Avenue and Bourne Avenue, and water frontage on Omega Pond and the Seekonk River. The property is zoned Industrial -3. It was the location of the former Washburn Wire, and more recently the Ocean State Steel Manufacturing



Company. Washburn Wire was the largest industry and largest single employer in East Providence during much of the twentieth century (Statewide Historic Preservation Report, Rhode Island Historical Preservation Commission, 1976). Ocean State Steel melted scrap metal into long steel billets shipped via barge to a parent plant in Connecticut. The steel mill operations ceased in 1997 and the property has remained unutilized to date. The abandoned industrial structures remain on the site.

In a complex financing deal utilizing public financing in the form of loans and grants (Section 108 Loan and Brownfields Economic Development Initiative Grant), the City of East Providence acquired this property on September 26, 2003 in partnership with the private sector partnership GeoNova LLC. The property will undergo environmental

remediation and site clearance activities, after which it is proposed to be rezoned and redeveloped with over 75,000 square feet of commercial space, and over 400 housing units (a mix of single-family homes, townhouses, and multi-family condominiums).

A Providence & Worcester rail line, the right-of-way for the proposed northerly segment of Waterfront Drive, bisects the property. High tension wires and towers are located along the rail corridor.

310 Bourne Avenue - Phillipsdale Landing

This property consists of 12.59 acres and is zoned Industrial – 3. Numerous buildings are located on this property with a total building footprint of 73,363± square feet. The properties are used for office and manufacturing purposes.



267 Bourne Avenue (North Side of Bourne Avenue)

This is a vacant piece of land consisting of 4.2 acres and is zoned Industrial – 1.

297 Bourne Avenue (North Side) - Willett Partners, RGIP

This property consists of 15.07 acres and is currently zoned Industrial – 3. Four buildings are located on the property with a total building footprint of 67,088± square feet. The properties are used for office, manufacturing and storage purposes.

1 Noyes Avenue – Merry Meeting LLC

This property consists of 12.60 acres and is currently zoned Industrial – 3. The property is bounded by land of the Narragansett Bay Commission (Bucklin Point Water Pollution Control Facility) to the north, a Providence & Worcester rail line and an overhead electric transmission line to the east, the Seekonk River to the west, and office, storage and manufacturing uses to the south. There are two buildings located on the property with a total building footprint of 83,080± square feet. The properties are used for warehousing purposes.



Pawtucket Avenue (former Fram Property) Special Development Sub-District

10 New Road at Pawtucket Avenue - Harborside Park LLC

This property consists of 38.70 acres and contains a building with a footprint of over 300,000 square feet, of which approximately 42,000 square feet is currently utilized for office uses, and the remainder is used for jewelry manufacturing and warehousing. It formerly housed the manufacturing operation for Fram Automotive. Green Lane Road runs to the east of the property and property located in the City of Pawtucket borders the property on the north. The property is currently zoned Industrial – 3 and includes approximately 10 acres which could be subdivided with construction of the Newport Avenue Connector piece of Waterfront Drive.



105 Pawtucket Avenue - Harborside Park II LLC

The former administration building for Fram Automotive is located at 105 Pawtucket Avenue. The building has a footprint of approximately 30,000 square feet, and the lot consists of 6.51 acres. This property is zoned Industrial – 1. This property was recently acquired and is being contemplated for conversion to office space.

Taunton Avenue Special Development Sub-District

The Taunton Avenue Special Development District is proposed to include a number of parcels which have been previously identified as being impacted by the proposed transportation improvements associated (the Interstate 195 highway ramping changes), and three properties which if left in their current state will continue to be a blighting influence and will undermine current commercial district revitalization efforts. A complete listing is included in Appendix B.

164 Taunton Avenue – Bomes (or “Hollywood”) Theatre

This property contains a multi-story red brick building consisting of 21,528 square feet, which is reported to be utilized for storage. The building is referred to as the Bomes (or “Hollywood”) theatre, and ceased being used as a movie theatre by 1960. The condition of the structure continues to deteriorate over time. Redevelopment of this



structure to an *active* mixed use, such as ground floor commercial with second story residential, is crucial to the overall well being of Taunton Avenue.

205 and 213 Taunton Avenue

These properties have a square footage of .32 acres and are zoned Commercial – 3. The property is partially vacant, and also contains a vacant three-story boarded-up tenement. The property has an extremely blighting influence on the commercial vitality of Taunton Avenue.

CHAPTER 5 THE VISION

Words of the Honorable Governor Donald Carcieri on the Importance of Quality of Development at the Presentation of East Providence Waterfront Vision, City Hall Council Chambers, April 29, 2003

The challenge we have as a state is how to make our cities more livable....The key is always: do it well. The experience in Providence shows that if it's done well, it brings people in. If you make it attractive, it feeds on itself.

Introduction

The “*East Providence Waterfront Special Development District Plan*” envisions a mix of land uses creating destination points along the waterfront including: commercial; office; medium and high density residential; retail; entertainment (including sports-related) and hospitality, including hotels, restaurants and cafes; marinas; civic buildings and uses; and open space and recreational uses, particularly those oriented towards the water.

The intent of this Plan is to promote zones of activity, with people and open space, boardwalks, and water-dependent recreation uses closest to the waterfront, with low-scale buildings and pedestrian links in the next zone, followed by transportation corridors, with additional higher density building sites with pedestrian links in the zone farthest away from the waterfront.

The intent of these guidelines is to illustrate the City’s expectations and vision for waterfront development and guide public and private investment towards implementation of that vision. All properties and developments in the Project Area will be required to comply with design guidelines adopted as part of the regulatory framework for implementation. (To a certain extent, some of the guidelines may not be applicable to the Dexter Road Special Development Sub-District in recognition of its use as a light industrial/manufacturing area.) For larger scale projects requiring Development Plan Review or Land Development Project review and approval, design review will take place as part of those processes.

High quality design for all aspects of waterfront development is essential, as is attention to the convenience and comfort of those who will be utilizing the “new city” on the waterfront. With care and attention paid to the details and quality, the design of buildings, streets, open space, parking, and access to the water’s edge, will contribute to the value of public and private property and to the quality of life for East Providence residents and visitors.

Conformity with the City's Comprehensive Plan

The land uses to be permitted within the Project Area shall conform to the City's Comprehensive Plan, as it currently exists or as it may from time to time be amended, and as implemented by City ordinances and other laws.

Design Guidelines for the Waterfront Districts

The intent of these standards is to promote development that will be an asset, not a liability, to the surrounding neighborhoods and community at large.

A. Streets

Purpose

The street system should allow for efficient vehicular circulation for residents, visitors, and commerce, while maintaining a comfortable, safe, attractive and enjoyable driving and pedestrian environment.

Guidelines

1. Public Streets

The public street system in the Project Area shall be developed in accordance with the Comprehensive Plan of the City, as amended from time to time, and in accordance with street design standards as adopted by the City and/or the Rhode Island Department of Transportation as applicable. Streets may be widened, realigned, altered, repaired, closed, or abandoned as necessary for the overall proper development of the Project Area.

The public rights-of-way may be used for vehicular, pedestrian and/or bicycle traffic, as well as for public improvements, public and private utility corridors, and activities typically found in public rights-of-way, except that the unpaved portion of the right-of-way for the Veteran's Memorial Parkway, a Scenic Roadway, shall not be used as a utility corridor. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained or acquired as necessary.

2. Appropriate Street Design

New streets, as well as existing streets that are rehabilitated or reconstructed, should be designed to accommodate expected vehicles and pedestrians safely while encouraging appropriate speeds, while also creating an attractive streetscape with features such as sidewalks, curbing, grassed landscape strips along each roadside, and street trees and other plantings to soften roadway edges. Textured paving within the street should be utilized to distinguish crosswalks. Additionally, for certain streets, unique destination and gateway treatments should be implemented. Community name and directional signs should be placed at gateways and should be compatible with the architectural themes and character of the neighborhood.

Streets that connect to the waterfront will be designed and developed to pedestrian-scale with a high-level of amenities. Distinctive architectural and landscape features should be encouraged at intersections to enliven the space.

The “*East Providence Land Development and Subdivision Review Regulations*”, Section 13 – 13, depicts the basic right-of-way division for marginal, minor, collector, and arterial streets. Where possible, gateway access to the waterfront, and east-west oriented streets, shall be wide boulevard-type roadways with divided travel lanes and a landscaped median.

3. Sidewalks

Sidewalks are essential to defining streets as public places. Sidewalks should be provided along both sides of all streets where possible and should be wide enough to accommodate pedestrians comfortably and safely. The pedestrian environment should be further enhanced through the use of fixed street furniture, compatible and consistent lighting, trash receptacles, and shade trees.

Outdoor dining, temporary art installations, and seasonal lighting are encouraged alongside the public sidewalks as a means to encourage interest and activity.

Daily newspapers and printed materials, such as free real estate and employment guides, shall be incorporated into a unified newspaper kiosk placed in or adjacent to the right-of-way provided by the City and/or private developers in convenient locations. Separate boxes for all these various printed materials, typically found chained to utility poles and traffic signs shall be prohibited throughout the Project Area.

Note: the design of light poles, fixtures and lamps, and street furniture and related amenities is currently under review with the assistance of a consultant and will be finalized and incorporated into the draft plan prior to the public workshop.

4. View Corridors

Street placement and design should provide for views to and from the water, as well as for permanent installations of public art and/or a flag display in key focal point locations.

5. Railroad Lines

Railroad lines will be preserved in the right-of-way in specified areas where necessary.

6. Underground Utilities

Where practicable and feasible for aesthetic and functional purposes, overhead electric, telephone and cable utilities should be avoided in the waterfront special development districts, and said utilities should be placed underground.

7. Bicycle Safety and Convenience

Bicycles are a mode of transportation for some, as well as a popular recreation and fitness activity for many. Accommodations for the safety and convenience of bicycle traffic should be designed into new and reconfigured streets and intersections. Bicycle storage racks should be installed along public sidewalks and parks as appropriate, and incorporated into private developments.

Upon RIDOT's reconstruction of the eastbound lanes of the historic Washington Bridge No. 200 (see Chapter 2), a portion of the existing bridge will be retained and converted into an independent bicycle and pedestrian bridge parallel to the interstate. This pedestrian/bicycle bridge will be approximately 24-feet in width and will be improved with landscaping and amenities, such as benches and lighting. People utilizing this bike and pedestrian bridge can exit the bridge and enter East Providence at Warren Avenue near its intersection with First Street. Parking and a comfort station may be appropriate somewhere in this vicinity.

In some cases, certain existing streets may be retrofitted into pedestrian/bikeway corridors, with vehicular traffic removed to a parallel or nearby roadway.

B. Buildings/Architecture

Purpose

The combination of design elements determines the character of new buildings and neighborhoods. The placement, height, materials and facades of new buildings should encourage a vision that supports the idea that the waterfront develop with its own identity as a "new city", while providing strong linkages to existing neighborhoods and commercial areas.

While specific design solutions for any given setting cannot be anticipated in a single set of guidelines, the following building characteristics should be used to guide visual compatibility of new development.

Guidelines

1. Contextual Design

New buildings should be designed in response to their waterfront context and in reflection of the New England tradition and history of classic architecture, and should be compatible with surrounding neighborhoods. Individual buildings shall be related to each other in design, masses, materials, placement and connections to provide a visually pleasing and physically integrated development.

2. Building Composition

a. Placement

Dependent upon location, buildings should be placed at the sidewalk or near to the front property line, with their primary entrances oriented to the street. Treatment of the sides and rear of all buildings shall be comparable in amenities and appearance to the treatment given to street frontages of these same buildings. Buildings on waterfront sites will have their *primary* facades facing the river, and will orient their required open space to the waterfront. However, care must also be taken to create a pleasing façade to the street-side frontage and entrance of such sites.

b. Height

The height of buildings should be compatible with the surrounding development and neighborhoods. Only low-scale buildings shall be located near the water's edge and adjacent to established residential neighborhoods. Scenic view corridors to the water should be preserved.

The attached Building Height Key Map, Exhibit 5 - ---- (to be submitted), provides a general direction for building heights in the various waterfront special development districts. Guidelines recommend that any future rezoning process within the Project Area should include a building height analysis.

c. Massing

Conventional suburban-type development characterized by individual large buildings with a single entrance set back from the frontage and containing a large expanse of asphalt parking, i.e. "big box" developments, are prohibited. New buildings shall not be single-story large masses, but should be vertical in orientation and multi-storied. Large scale buildings may be divided into smaller scaled building facades to break large expanses of building into components and create a more urban and pedestrian-scaled appearance. New development along the waterfront shall be of low height and human-scaled architecture that complements a pleasant pedestrian environment.

d. Facades

Note: building façade design is currently under review with the assistance of a consultant and will be finalized and incorporated into the draft plan prior to the public workshop.

e. Materials

Buildings of entirely glass and/or mirrored exterior finishes are prohibited.

Note: exterior finish building materials are currently under review with the assistance of a consultant and will be finalized and incorporated into the draft plan prior to the public workshop.

3. Pedestrian Environment

Development along new or existing public streets and should provide open and inviting facades and should foster a walkable and enjoyable pedestrian environment. New development should avoid large expanses of blank walls, should provide frequent street level entries. For retail type-uses, buildings sited along primary streets should utilize traditional storefront design principles along the ground floor, and provide appealing displays and clear glazing to allow views into store windows and building interiors to enhance the pedestrian experience.

Ground level land uses that engage pedestrians shall be located along all street frontages. Multiple storefront entrances are encouraged. The following uses are encouraged: commercial uses, such as retail stores, cafes, and restaurants; and civic uses, such as a museum or community facility.

4. Primary Entrances and Service Entrances

Primary building entrances should be oriented to the public sidewalks along the primary street frontage. Service entrances and loading facilities should be located at the rear or side of structures, except for waterfront locations where the service and loading facilities shall not be located on the waterside of the structure and shall be placed in a manner to minimize and screen such uses from the public view. Where buildings face more than one public street, service and loading circulation may be located along the secondary street where appropriate.

5. Parking Structures

Parking structures should be compatible with adjacent uses and architecture. Parking uses and the appearance of parking structures should not dominate public streetscapes. The design of all above-grade parking structures should include usable retail, commercial, and/or residential uses as appropriate to their location along first floor and street frontages.

6. Infill and Small Scale Development

Certain areas of the Project Area, notably portions of Warren Avenue and Taunton Avenue, have areas that could be developed or redeveloped which are in close proximity to existing development. This “infill development” of vacant lots should require a “build-to” line to re-establish continuity of the street wall. Likewise, small-scale development without a directly abutting neighbor should be guided by adjacent development patterns as a means to incrementally fill empty portions of the streetscape and achieve compatibility with surrounding neighborhoods.

7. Historic Structures

Historically and architecturally significant structures should be inventoried. It may be appropriate to protect certain structures from demolition and carefully rehabilitate them in a way that is consistent with their original architectural intent. New additions to historically significant buildings should be designed for compatibility with the original structure in size, composition and material and should result in the minimum necessary loss of original architectural material.

8. Public and Civic Structures

New public and civic structures in the Project Area should use the highest quality materials and design to assign a sense of permanence and importance to their role in the community. Additionally, these structures should relate strongly to the streets and open spaces where they are located.

9. Signs

A uniform signage design for the Project Area is recommended.

Note: signage design is currently under review with the assistance of a consultant and will be finalized and incorporated into the draft plan prior to the public workshop.

10. Lighting

A key element in creating an inviting destination is through appropriate lighting. Street-side lighting fixtures should be scaled for the pedestrian and have a distinctive character for the district in which they are located.

Retail storefronts should have active bright window displays, with lighting to illuminate inside the building during evening hours. Occupancies on the first floor that do not have active, bright window displays, shall be designed to provide visual articulation from lighting at no greater than ---- foot intervals. This can be accomplished in a variety of ways, such as:

- Decorative luminaries mounted to walls, posts, brackets, etc.
- Lighted surfaces and textures and objects such as pilasters, wall features, banners, sculptures, graphics, etc.
- Internally lighted glowing architectural or graphic elements such as signage panels, canopies, etc.

Note: lighting design is currently under review with the assistance of a consultant and will be finalized and incorporated into the draft plan prior to the public workshop.

C. Open Space and the Public Area

Purpose

The character of public streets and sidewalks is the primary determinant of the quality of the public space. Public space is further defined and enhanced by the incorporation of quality open spaces and public access, and the continuity and connectivity of these spaces with other areas of activity.

These guidelines aim to create comfortable, safe, accessible, and appropriately located open spaces to provide pedestrian interest and convenience, and range from visual access to actual physical access, such as through public boardwalks, plazas and parks. All open spaces should be accessible and barrier-free. Landscaping, pedestrian amenities, outdoor furniture and lighting should be incorporated where appropriate. Opportunities for public art are encouraged.

Guidelines

1. Public Open Space and Plazas

The waterfront will contain publicly owned and constructed space. City-owned space should provide opportunities for public enjoyment and use of the water and add value to public and private development. Easements over private property for public use are also a key element of public access. Public spaces along the water for people to gather and enjoy activities are critical to the success of the “new city” along the waterfront.

a. Visual Accessibility

To ensure that open space is well-used, it is essential that the space should be visible and easily accessible from public areas (streets, sidewalks, and walkways or bike paths). Open spaces should be oriented to maximize exposure to the water and scenic views. East-west streets should be designed as boulevards with a landscaped median and wide corridor views towards the water, e.g. as conceptually envisioned at the East Pointe development, and Mauran Avenue (from First Street to the proposed Waterfront Drive). Community entries should be identified by maintaining them as large open spaces within the streetscape.

b. Physical Accessibility

Open spaces should have direct access and visibility from the adjacent streets, sidewalks, bike paths, and pedestrian easements, should allow for multiple points of entry, and should provide for universal accessibility.

c. Buffering

Open space should be well buffered from moving vehicles so that users can enjoy and relax in the space. The space may be visible from streets or internal drives but should not be wholly exposed to them. “Outdoor rooms” that are partially enclosed with building walls, freestanding walls, landscaping, raised planters, or on-street parking buffers are encouraged.

d. Perimeters

Public spaces should abut active uses to encourage pedestrian traffic between such uses. Public use of the waterfront, such as through passenger ferry, marinas, retail activities, cafes and restaurants, and high-density residential uses, should all provide context for open space.

e. Trees and Plantings

Plants used in landscaped areas should be of the highest quality and of sufficient quantity and scale to make a visual impact. Plantings should be selected and located so that their functional and aesthetic qualities can be maximized. Public open space should provide some shade wherever possible.

f. Amenities

Public open space should be provided with adequate amenities for comfort and convenience, such as trash receptacles, seating, lighting, directional signage, bicycle racks, drinking fountains, shelters, and public restrooms.

g. Materials

Public open spaces and plazas should be built with high quality, durable materials that reflect thoughtful detailing consistent and compatible with the architectural character of nearby buildings and a waterfront location. Paving materials should be selected according to the intended use of the space. Designers are encouraged to utilize permeable paving materials wherever practicable to reduce stormwater runoff.

2. Private Open Space and Plazas

Privately owned open space and open spaces within private developments should contribute to the public spaces through enhancement of where the private space meets the public space, typically the pedestrian environment.

a. Internal/External Relationship

Private developments should take the “indoors” outdoors by spilling interior space (e.g. dining areas, merchandise displays) onto walkways and plazas and bring the “outdoors” into the building by opening interior spaces (e.g. atriums and skylights) to views and sunshine.

b. Passageways

Open-air pedestrian passageways are generally more visible and inviting than interior hallways. Passageways can be attractive, successful locations for store entries, window displays, and/or restaurant/café seating, and should be connected to the public sidewalk system.

3. Historic Sites

Sites of historic interest or sites providing an opportunity and context for historical interpretation along the waterfront should be appropriately commemorated and marked with interpretative signage, e.g. the interpretative sign at the John L. Lewis Waterfront Park at the westerly terminus of Maura Avenue.

4. Art

Art adds to the vitality and beauty of the City while giving a sense of identity to a place. Development in the waterfront districts should integrate artwork into a variety of public and private settings and display art to the public as they engage in their daily or recreational activities.

a. Art in Public Spaces

Art within public open space is encouraged. Artwork may consist of freestanding pieces (e.g. a sculpture or water fountain) or may be integrated with its surroundings (e.g. relief sculpture imbedded in pavement or a wall, a mosaic or mural on a wall, lighting or sound effects, or decorative railing or lighting). Additionally, public spaces should be designed to accommodate live performing arts and public gatherings.

b. Art in Private Spaces

Private developments are encouraged to provide outdoor art on their property to enrich the pedestrian and visitor experience and create a stronger sense of place.

c. Contextual Siting

Artwork should be appropriate, and ideally, custom-made for its site and should complement and reinforce the character of the site in terms of its subject, scale, style, and materials. Art may be used to reveal historical facts about the site, or draw attention to a unique physical quality of the site.

5. View Protection

East Providence's relationship to the water is an important part of its unique character and identity. Key views of the water are a community resource to be preserved and protected and enhanced.

D. Landscaping

Purpose

Landscaping shall be used as a unifying design element and a cost-effective long-term aesthetic and environmental enhancement for public and private spaces. Primary landscape treatment shall consist of three tiers - ground cover, shrubs, and trees, and shall be combined with appropriate walks and street surfaces to provide an attractive development pattern. Landscaping can be in the form of planting beds, raised planters, berms, containers or window boxes. Landscape materials selected should be appropriate to the local growing conditions.

Guidelines

1. Shading

Trees shall be used to create sheltering canopies and shade to reduce heat and glare over sidewalks, parking lots and streets.

2. Buffering

Loading and receiving areas, and trash storage areas shall be screened from the public view by landscaping treatment and by appropriate screening. Plantings and walls may be used to screen outdoor areas from wind and unsightly views.

3. Community Entries

Specimen trees shall be used as accents and focal points in locations such as community and neighborhood entries. Colorful flowering shrubs, groundcovers and annual flower plantings should also be used to accent entries.

E. Surface Parking

Purpose

Off-street parking and loading shall be provided for all developments in conformance with Chapter 19, Zoning. Parking should be developed according to a planned build-out of shared parking lots and/or structures to provide the most efficient utilization of valuable land. Parking areas should be oriented away from the waterfront to maximize the viewshed of the waterfront and to protect natural areas.

It is the intent of this Plan to *minimize* the areas devoted to surface parking to the greatest extent possible. The visual impact of such areas should be mitigated through landscaped buffering and screening. The most critical elements to consider in evaluating the design of surface parking areas are the impacts on adjacent streets and sidewalks, security, landscaping and buffering, drainage and lighting. Surface level parking lots shall be designed with ample landscaping and shall meet the minimum requirements of Chapter, 19, Zoning. Whenever possible, surface level parking lots on adjoining commercial lots shall be connected internally to each other to allow for through traffic between properties and reducing the need for multiple curb cuts.

Land devoted to surface parking lots should be reduced over time through the construction of structured (garage) parking facilities. Such parking areas shall be located beneath or within commercial buildings, or be oriented away from the waterfront, including for residential multi-family developments. No free-standing parking structures that are unrelated or non-accessory to other commercial, residential, institutional, and transportation uses shall be permitted. The design of all above-grade parking structures should include usable retail, commercial, and/or residential uses as appropriate to their location along first floor and street frontages.

This Plan recommends the use of structured parking in many cases rather than at-grade surface parking in order to maximize the use of valuable land for principal land uses, i.e. commercial, residential, recreation and open space uses. Additionally, in certain locations the existing elevation of land may be raised for flood mitigation purposes and/or because of the addition of clean fill for environmental remediation purposes, creating the opportunity to place parking below principal uses.

Guidelines

1. Location and Appearance

Parking lots shall be located to the rear of buildings or in the interior of a block, except for waterfront lots, in which case the parking shall not be located on the water-side of such buildings. Parking lots and driveways should not dominate the frontage of streets, interrupt pedestrian routes, or negatively impact the environment or surrounding developments.

a. Location

Parking lots should be located away from the water side of parcels, and otherwise behind buildings or in the interior of a block whenever possible. Parking lots should not occupy more than ---- of the frontage of the associated building or no more than --- feet, whichever is less.

Note: maximum parking frontage standards are currently under review with the assistance of a consultant and will be finalized and incorporated into the draft plan prior to the public workshop.

b. Screening

Parking lots and vehicle staging areas should be screened from streets, pedestrian ways, and significant views through the use of attractive landscaping, fencing and/or walls.

c. Internal Buffering

Wide expanses of surface pavement should be broken up visually by planted medians containing shade trees. Shade tree location should buffer pedestrian circulation routes and should respect view corridors to the water. All parking lots should be planted with sufficient trees so that within ten years a significant majority of the surface area of the lot is shaded. At a minimum, developments should comply with the Development Plan Review provisions of Chapter 19, Zoning.

d. Storm Water Management

Stormwater management shall be provided for flood control purposes and to treat stormwater to effectuate pollutant removal in accordance with City and State standards and regulations. Permeable paving materials, vegetated buffers and infiltration systems should be used wherever possible and practical to reduce the volume and improve the quality of stormwater.

e. Lighting

Lighting for parking and vehicle queuing areas should provide adequate illumination for vehicle and pedestrian safety and security while shielding surrounding areas from excessive light trespass and glare.

2. Shared Use

Developments should share use of facilities and take advantage of offsetting times of peak parking wherever possible, e.g. office use (daytime peaks) and entertainment uses (nighttime peaks). Shared parking is also encouraged between private adjacent or vertically mixed uses with offsetting peak demand, e.g. office and residential.

The waterfront redevelopment area will contain a mix of uses: retail, entertainment, office, residential and recreation. Mixed-use developments have been acknowledged to result in increased efficiencies with respect to the utilization of parking spaces. For example, employees that work within the waterfront area will have many service businesses available within walking distance.

F. Water's Edge

Purpose

The challenge for planning for the waterfront is to preserve the value and utility of the water's edge, while stimulating appropriate development throughout the area for the benefit of the area's population. Preservation of natural habitat areas and environmental protection should be addressed in development proposals along the waterfront.

Guidelines

1. Intermodal Transportation

The East Providence waterfront could form an important hub for a wide range of transportation modes, including passenger ferries, private boats, cars, buses, excursion craft, bicycles, pedestrians, trucks, etc.

Public Transportation

New developments should explore options for connections to a RIPTA bus route.

2. Berthing and Upland Development

Large and small vessel berthing opportunities exist along the waterfront and should be preserved for such uses as needed.

3. Public Access to Water

Public access to the water's edge should be provided in the most generous and integrated way that is compatible with the function of the land and water uses and activities. Interest in water for active and passive purposes is widespread and should be accommodated to the maximum extent feasible.

4. Non-Automotive Travel Opportunities

The waterfront should facilitate multi-modal transportation. Non-automotive transportation opportunities for pedestrians, bicyclists, and public bus or ferry users should be provided, and accommodations made for such transportation needs. Comfort and convenience amenities such as ticket kiosks, bike racks, benches, trash receptacles, shelters, and restroom facilities should be provided.

5. Recreation and Excursion Integration

Recreation and excursion access to the waterfront are desirable and should be fully integrated into buildings and infrastructure. Facilities should be oriented towards providing intermodal activities.

6. Amenity Design

Design details for such features as lighting, paving, bollards, benches, or other amenities should be carefully selected to reflect the waterfront heritage of the area. Such features should be coordinated as much as possible between public and private improvements. For waterfront locations, the quality and durability of these amenities should be of the highest standards, and of timeless aesthetic character to withstand many years of use and exposure to weather.

7. Lighting

Lighting for all areas should be as unobtrusive as possible, and meet all City standards for intensity, glare, and spillover.

8. Fencing

In instances where security and safety relating to certain land uses and activities require fencing, such fencing should be no higher or more extensive than needed to provide general safety or security needs and it shall be constructed of ornamental materials or some other appropriate material.

9. View Protection

Only low-scale buildings shall be located near the water's edge and adjacent to established residential neighborhoods. Views to the water should be preserved from critical public vantage points. Massing and placement of buildings should be designed to minimize impacts on water views and retain value for upland development potential. As noted earlier in this chapter, the attached Building Height Key Map, Exhibit 5 - --- (to be submitted), provides a general direction for building heights in the various waterfront special development districts.

10. Parking

Parking shall not be located directly along the water's edge.

Inclusionary Requirements for New Housing Units within the Project Area

The City is currently meeting the benchmarks for the minimum amount of affordable housing required as a percentage of total housing stock as calculated by the Rhode Island Housing & Mortgage Finance Corporation (RIHMFC) and as required by Rhode Island General Laws Title 45, Chapter 53. A minimum of ten (10) percent of total housing units are required to be affordable. *East Providence is currently at 10.78 percent.*

Implementation of the Plan will potentially result in the creation of over 2,000 market rate housing units, which will likely result in the City falling below the required percentage of affordable housing. Under Rhode Island State Law, in communities which fall below the required minimum percentage of affordable housing, developers of housing projects are permitted to go through a comprehensive permit process that may inhibit the city's ability to apply zoning and land development standards and regulations.

Developers of new residential market-rate multi-family developments located in the Project Area will be required to provide affordable housing units for low and moderate income households equal to ten percent (10%) of the total new housing units located in the development. Alternately, a developer may donate a lump sum payment for each required affordable housing unit to the City for deposit in a dedicated affordable housing dedicated account, or to a non-profit housing agency designated by the City. The amount of this payment will be defined in an executed developer's agreement.

An assessment of whether affordable housing goals are being met will be completed at least every five years in conjunction with either the Housing Plan Element of the City's Comprehensive Plan or the Waterfront Special Development District Plan implementation cycle.

CHAPTER 6 PROPOSED LAND USES

Note: The content of this chapter is subject to refinement based upon input of a consultant and upon input received at the upcoming public workshop and public hearing.

Land Use Plan

The following proposed land uses will be incorporated into ordinance form as amendments to Chapter 19, Zoning of the Revised Ordinance of the City of East Providence, with associated amendments to the Zoning Map. The proposed amendments will also contain character-defining design standards. Amendments to Chapter 19, Zoning and the zoning map require the review and advisory recommendation of the Planning Board, with a public hearing and vote by the City Council.

Mixed land use may include, but are not limited to, any combination of housing, offices, retail and service businesses, and public and civic uses. Land uses may be mixed by floor (vertically within the building) or horizontally on a parcel of land. For example, businesses, housing, and civic uses may be mixed “vertically” on a site by constructing offices and residences above retail space, or “horizontally” by connecting different uses adjacent to each other with pedestrian pathways, plazas, and other public spaces. The scale of mixed use may range from a single stand-alone retail use with a second-story apartment, to a major development with several hundred thousand square feet of integrated housing, offices, shops, streets, and public space.

Higher-end and multi-family development is documented to have few children of school age than single- or two-family (lower density) residential land use. Implementation of this Plan is not expected to have any significant direct impact on the school population in the City of East Providence.

The proposed general land uses are described below. (Note: It is not possible at this point in time to provide a completely detailed specific outcome for each and every parcel in the Project Area. Implementation and the development of detailed area plans is an on-going process that will involve the City, Waterfront Commission, developers and private property owners, and will be impacted by market conditions, site constraints, permitting, and available funding.)

Kettle Point Special Development Sub-District (Map 6 – 1)

Planned Land Use

- (a) Multi-family residential
- (b) Ancillary commercial uses, including restaurant, clubhouse, marina, and possibly limited retail geared towards residents

Open Space

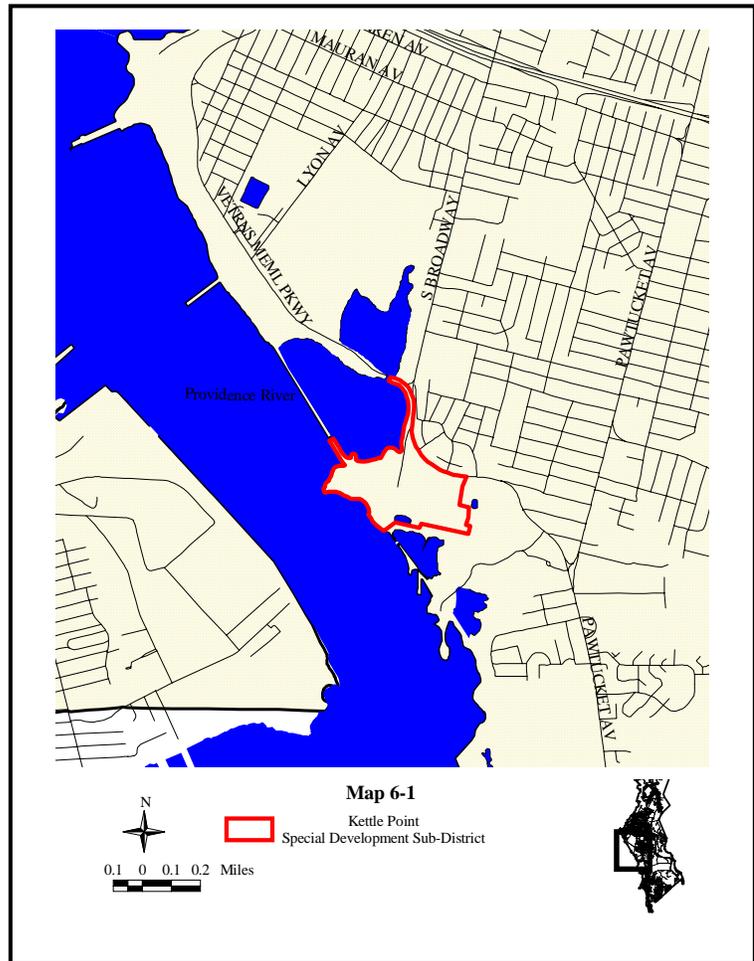
- (a) Public access along the waterfront

Gateway

- (a) The entrance gateway to these properties shall be attractively landscaped

Issues

- (a) Access road from the Veteran’s Memorial Parkway must be carefully designed to be safe and efficient; the scale of development shall be limited by the traffic capacity of the Veteran’s Memorial Parkway



Veterans Memorial Parkway Special Development Sub-District (Map 6 – 2)

Chevron/Gulf Oil Property

Planned Land Use

- (a) Multi-family residential along the Veteran’s Memorial Parkway frontage
- (b) Commercial retail at the lower levels of the site (away from the Parkway frontage), with a potential marina use at the waterfront

Architectural Guidelines

- (a) Lower heights will be required along the Veteran’s Memorial Parkway frontage
- (b) Higher height buildings may be permitted on the lower elevations of this property

View Corridors

- (a) Keep building heights low along the Veteran’s Memorial Parkway frontage to maintain view corridors

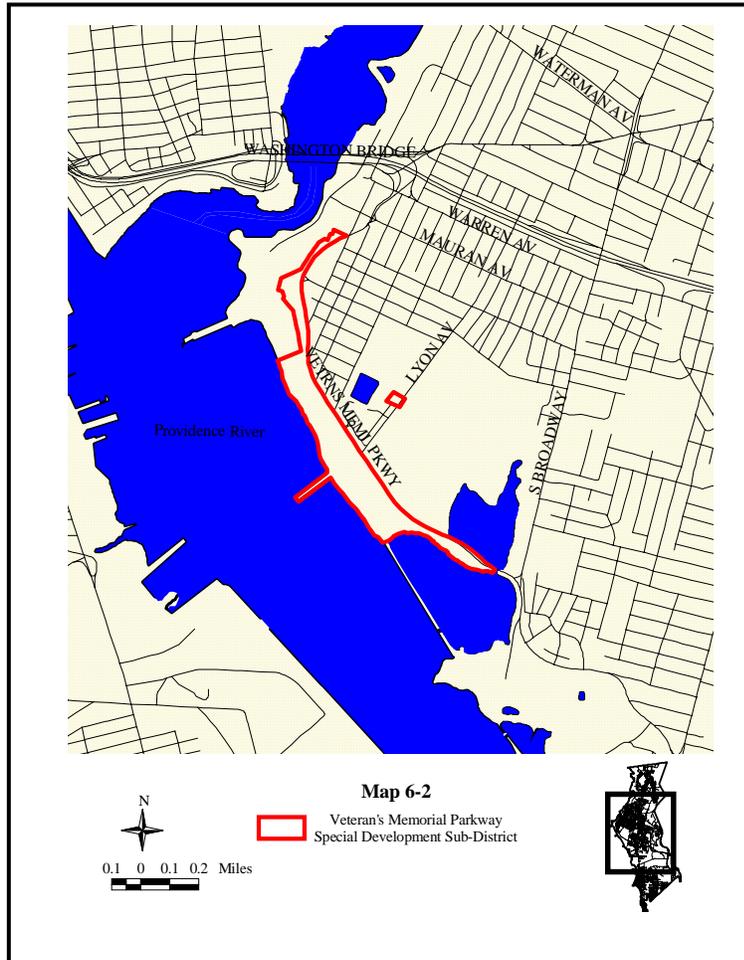
(b) Keep the view from Lyon Avenue towards the water open and unobstructed by buildings

Open Space

- (a) Public access along the waterfront
- (b) A marina would be a logical use for this property
- (c) Should Waterfront Drive continue to this property, provide a bikeway through this property connecting Bold Point to the existing segment of the East Bay Bicycle Path at Watchemoket Cove; at a minimum, create an access point from this property to the bikepath

Issues

- (a) The scale of development shall be limited to the traffic capacity of the Veteran's Memorial Parkway to service such development without the addition of any traffic signals
- (b) Continue Waterfront Drive from the Providence & Worcester South Quay to this property to provide an alternative access to this property at its lower elevations (below the Parkway)



Bold Point Harbor Special Development District (Map 6 – 3)

No new heavy commercial or industrial land uses shall be permitted. Uses with drive-through facilities shall be prohibited. Existing nonconforming uses shall be discontinued (nonconforming land use is discussed in Chapter 8 Implementation). It is the intention of this Plan that the Bold Point Harbor Special Development District develop overall with approximately 50 percent of its area utilized for commercial office and retail and 50 percent utilized for multi-family residential.

Warren Avenue and First Street Properties (between Warren Avenue and Mauran Avenue) (Figure 6 - ---- to be submitted)

This includes the properties fronting on the south side of Warren Avenue from Burgess Street westerly to the current dead-end of Warren Avenue, and properties fronting on First Street between Warren Avenue and Mauran Avenue)

Planned Land Use – Hospitality District

- (a) Commercial retail and hospitality uses, e.g.:
 - Hotels, cafes, restaurants and bars
 - Hospitality and entertainment uses
 - Clubs with live music, comedy venues

Architectural Guidelines

- (a) Maximum heights of eight (8) to ten (10) stories will be considered on a case-by-case basis.
- (b) First floor uses shall include retail.
- (c) Off-street parking shall be provided through parking structures, with limited surface parking.

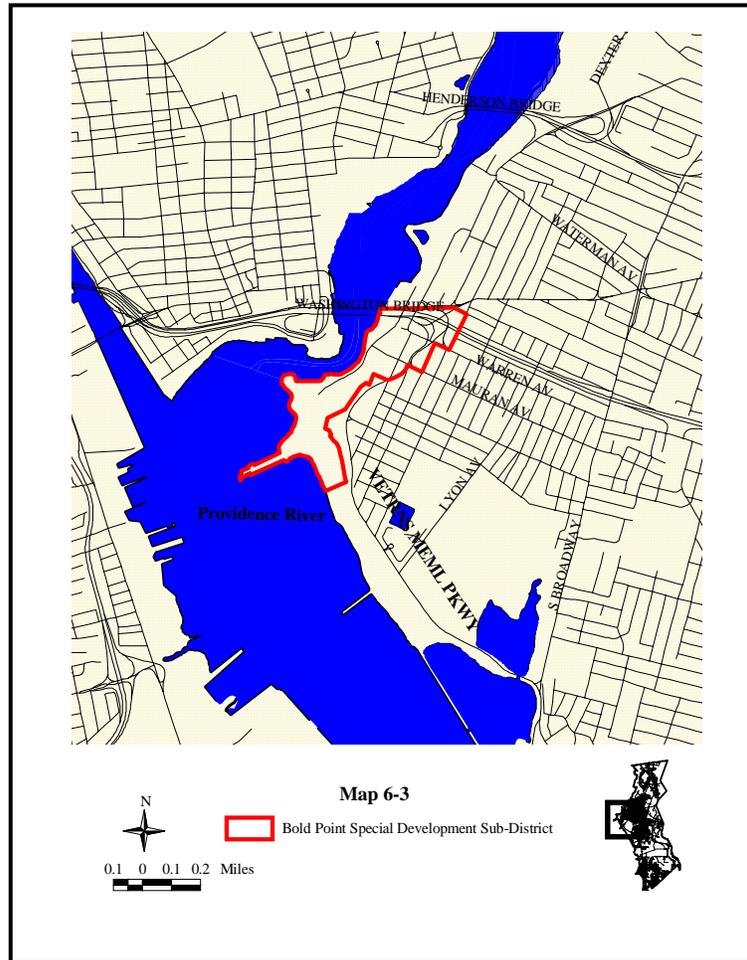
Issues

- (a) Preserve building at 39 Warren Avenue (circa 1920)(the existing comedy club use is conforming with the proposed entertainment and hospitality uses)
- (b) Eventual abandonment of First Street from Warren Avenue to Mauran Avenue (this proposal was also a recommendation of the 1987 Strategic Waterfront Plan.)
- (c) Individual parcels in this area would be assembled through the subdivision process to create a larger parcel for hotel development.

Boston Street Properties (Figure 6 - ---- to be submitted)

Planned Land Use

- (a) Commercial office or retail (or hotel if these properties are ever combined with First Street properties if First Street (between Warren Avenue and Mauran Avenue is ever abandoned)



Architectural Guidelines

- (a) Increased setback on Mauran Avenue frontage to maintain boulevard approach to the waterfront

Issues

- (a) Abandon Boston Street as a public street
- (b) Discontinue and relocate existing residential and commercial uses

Parcel Assembly

- (a) Through the subdivision process, assemble the current four assessors parcels into one larger development parcel (long-term possible parcel assembly of these properties with First Street properties if First Street is ever abandoned)

Water Street Properties (from the Washington Bridge south to Mauran Avenue)

(Figure 6- --- to be submitted)

Warren Avenue will be extended from its current dead end and link to the Oyster House Restaurant and adjoining property. The hospitality and entertainment uses located at the end of Warren Avenue are proposed to continue in the vicinity of the current Oyster House Restaurant.

Planned Land Use

- (a) Commercial Retail, e.g.
 - Restaurant/bar (maintain the existing former Oyster House Restaurant building)
 - Marina (with limited support services)
 - Hotel/lodging
- (b) Prohibit off-season outdoor on-grade storage of boats

Architectural Guidelines

- (a) Maintain the existing former Oyster House Restaurant building
- (b) The height of the existing Oyster House restaurant shall be the maximum in this area (west of the planned location of Waterfront Drive)
- (c) Locate on-grade parking away from the waterfront

View Corridor

- (a) Maintain views to the water and to the Washington Bridge

Parcel Assembly

- (a) Assemble the three assessors parcels in this area into one larger development parcel

Issues

- (a) Abandon Water Street upon the construction of Waterfront Drive.

Colfax Property - Mauran Avenue (Figure 6 - --- to be submitted)

Planned Land Use

- (a) This property is proposed for mix of commercial (approximately 75 percent of the property) and residential use (approximately 25 percent of the property)
- (b) Commercial office or retail uses, e.g.:

- Hotels, lodging and conference facilities
- Personal and commercial services
- Indoor sports-themed and athletic facilities
- Municipal and civic uses
- Art galleries and exhibition spaces
- (c) Limited multi-family residential in the form of apartments (rental or condominium)

Gateways

- (a) This property's frontage along Mauran Avenue shall be enhanced as part of the gateway/boulevard entry approach of Mauran Avenue to the waterfront.

Architectural Guidelines:

- (a) Increased setback on Mauran Avenue frontage
- (b) Maximum height – 4 stories

Parcel Assembly

- (a) Maintain this parcel as a single unified development parcel
- (b) Abandon Teofila Braga Way and incorporate the area of the three current properties into the Colfax property

Issues

- (a) Re-location of underground utilities, possibly within the right-of-way of Waterfront Drive, or in the Pier Road right-of-way if it is retained as a utility/bikeway corridor
- (b) Preferred redevelopment requires the construction of Waterfront Drive.

Pier Road Properties (from Mauran Avenue south to Bold Point Park, including the East Providence Yacht Club, Tony's Auto Repairs and Sales/Motoring Technical Training)
(Figure 6 - ---- to be submitted)

Planned Land Use

- (a) Commercial Retail, e.g.
Restaurant/bar, marina (with limited support services)
- (b) Prohibit off-season outdoor on-grade storage of boats

Architectural Guidelines

- (a) Only low scale buildings shall be permitted along the waterfront
- (b) Locate on-grade parking away from the waterfront

Open Space

- (a) Require continuous public access along the waterfront

Issues

- (a) Upon the construction of Waterfront Drive, close Pier Road to through traffic and maintain as a pedestrian/bikeway/utility corridor
- (b) Assemble this area through the subdivision process into a larger development parcel.

Providence & Worcester Railroad (Figure 6 - --- to be submitted)

Planned Land Use

- (a) Predominantly commercial retail, office uses, and Research & Development (minimum 75 percent of the property for commercial retail and office and 25 or less percent of multi-family residential)
- (b) Multi-family residential uses in the form of apartments (rental or condominium)
- (c) Transit-related uses as an accessory use, such as a commuter ferry operation

Architectural Guidelines

- (a) Maximum heights of 6 stories will be considered on a case-by-case basis.
- (b) Off-street parking shall be provided through parking structures, with limited on-grade parking; any on-grade parking shall be located away from the waterfront

Open Space

- (a) Require continuous public access along the waterfront

Issues

- (a) Preferred redevelopment requires the construction of Waterfront Drive.
- (b) Extend Waterfront Drive southerly to the lower portions of the Chevron property (that area below the Veteran's Memorial Parkway)

Crook Point Special Development Sub-District (Map 6 – 4)

100 Water Street (from the Washington Bridge north to Crook Point, includes Guild Drilling) (Figure 6 - --- to be submitted)

Planned Land Use

- (a) Commercial Retail, e.g.
 - Hotel
 - Restaurant/bar, marina (with limited support services)

Architectural Guidelines

- (a) Maximum height (set back from the waterfront perimeter) – 4 stories
- (b) Off-street parking shall be provided through parking structures, with limited on-grade parking; any on-grade parking shall be set back from the waterfront

Open Space

- (a) Provide public access along the waterfront

Issues

- (a) Preferred redevelopment requires the construction of the northerly segment of Waterfront Drive.

Valley Street

The construction of the northerly segment of Waterfront Drive (north of the Washington Bridge) will provide an alternative to Valley Street as the north-south route along the western boundary of the City. Valley Street could potentially be abandoned and its parcels assembled into larger adjoining parcels for development with access off Waterfront Drive. The exact parcel assembly plan will require further study and is not incorporated within this Plan. Existing utilities in Valley Street could potentially support new development of a commercial office and retail nature that is planned for the Crook Point area.

State of Rhode Island – Crook Point Property (Figure 6 - --- to be submitted)

Planned Land Use

- (a) Multi-family residential (apartments and townhouses)
- (b) Limited accessory commercial uses
- (c) Marina

Architectural Guidelines

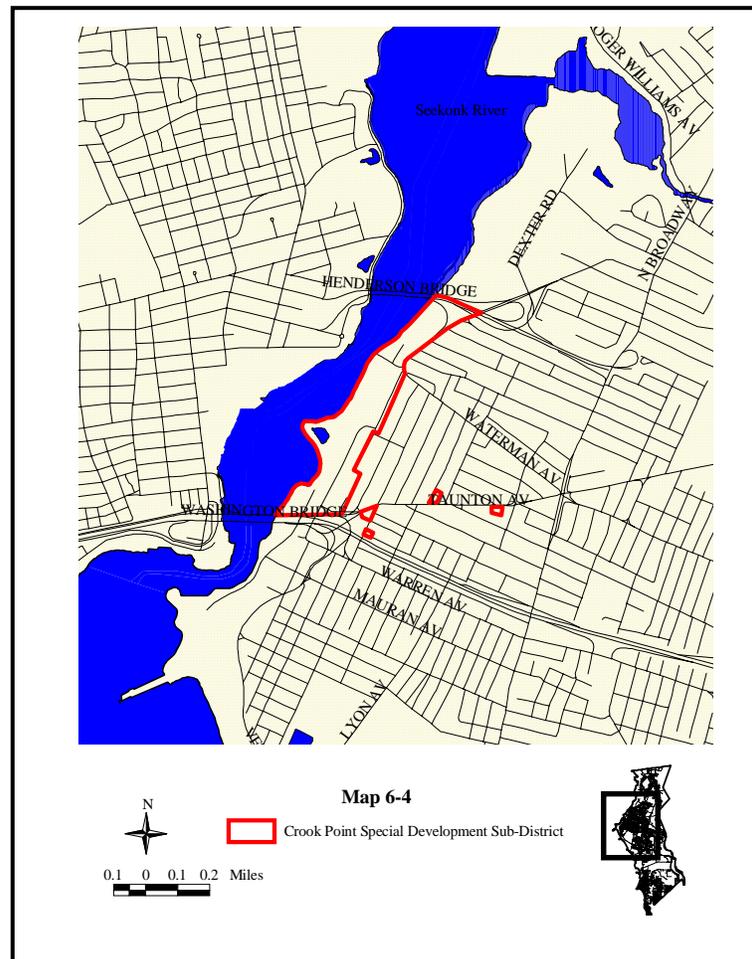
- (a) Lower height structures only near the waterfront
- (b) Maximum height (set back from the waterfront perimeter) – 4 stories (with below-grade parking)
- (c) Off-street parking shall be provided through parking structures, with limited surface parking.

Open Space

- (a) Provide public access along the waterfront

Opportunities

- (a) Restore the historic former rail river crossing via the Seekonk River Lift Bridge, connecting East Providence to the East Side of Providence through a 30-foot wide 5,080 foot long underground tunnel for a rubber tire shuttle



Issues

(a) Preferred redevelopment requires the construction of the central segment of Waterfront Drive.

Red Bridge Properties – 1 Waterman Avenue (Figure 6 - --- to be submitted)

Planned Land Use

(a) Commercial Office and Retail, e.g.
Hotel
Restaurant/bar

Architectural Guidelines

(a) Maintain this parcel as a single unified development parcel

Open Space

(a) Provide public access along the waterfront

Opportunities

(a) Frontage on the Seekonk River

Issues

(a) Preferred redevelopment requires the construction of the central segment of Waterfront Drive.

Providence & Worcester Rail Property (north of Waterman Avenue) (Figure 6 - --- to be submitted)

Planned Land Use

(a) Commercial Office and Retail, e.g.
Restaurant/bar

Architectural Guidelines

(a) Maintain this parcel as a single unified development parcel

Open Space

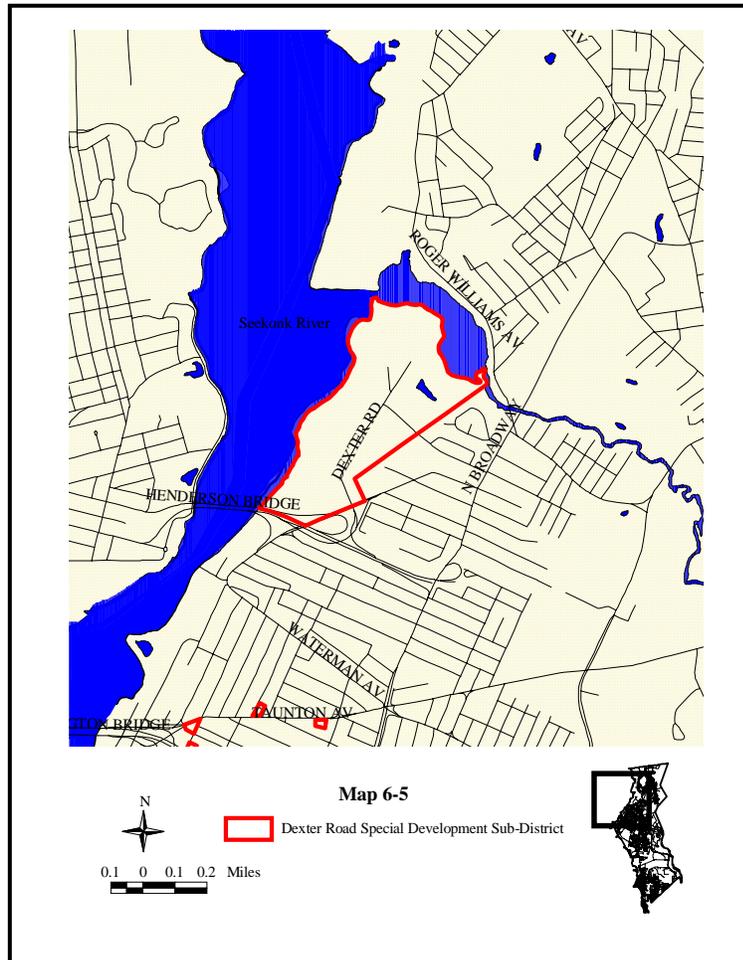
(a) Provide public access along the waterfront

Issues

(a) Rail lines and numerous easements known to exist on this property
(b) Property is at lower elevation than adjoining roadways and within the floodplain
(c) Algonquin Gas underground transmission line may impact future development options
(d) Consideration should be given to combining this parcel with the Red Bridge Properties parcel in consideration of its constraints as well as access issues.

Dexter Road Special Development Sub-District (Map 6 - 5)

The intent for this sub-district is to foster development as a technology-oriented light manufacturing district. Studies completed for the City by North American Realty Advisory Services (NARAS), in cooperation with the Central Rhode Island Development Corporation (CRIDCO), identified the Dexter Road area as providing the opportunity for development as a high-tech light industrial manufacturing business park. Utility infrastructure upgrades were identified as necessary to support this concept, and the City has completed the installation of a sanitary sewer line in Dexter Road. The Dexter Road area provides quality



land/location opportunities for expansion of this high-tech light industrial manufacturing sector in East Providence. This concept is an adjunct to the preferred utilization of the waterfront for uses that will generate day, evening and weekend activities associated with office, residential, hotel, restaurant, retail and recreation uses.

No new heavy commercial, mini-storage or industrial land uses shall be permitted.

Planned Land Use

- (a) Light industrial, light manufacturing, office uses, research and development
- (b) Commercial education institutions (e.g. technical and trade schools)
- (c) Any outdoor storage shall be of a limited scale and accessory to a principal use, and shall be completely screened from the public view

Issues

- (a) Discontinue certain heavy industrial and commercial uses
- (b) Algonquin Gas underground transmission line may impact future development options

Opportunities

- (a) There is some frontage on the Seekonk River which could provide public access and recreational opportunities should an access road be constructed in the adjoining rail corridor

Phillipsdale Special Development District (Map 6 – 6)

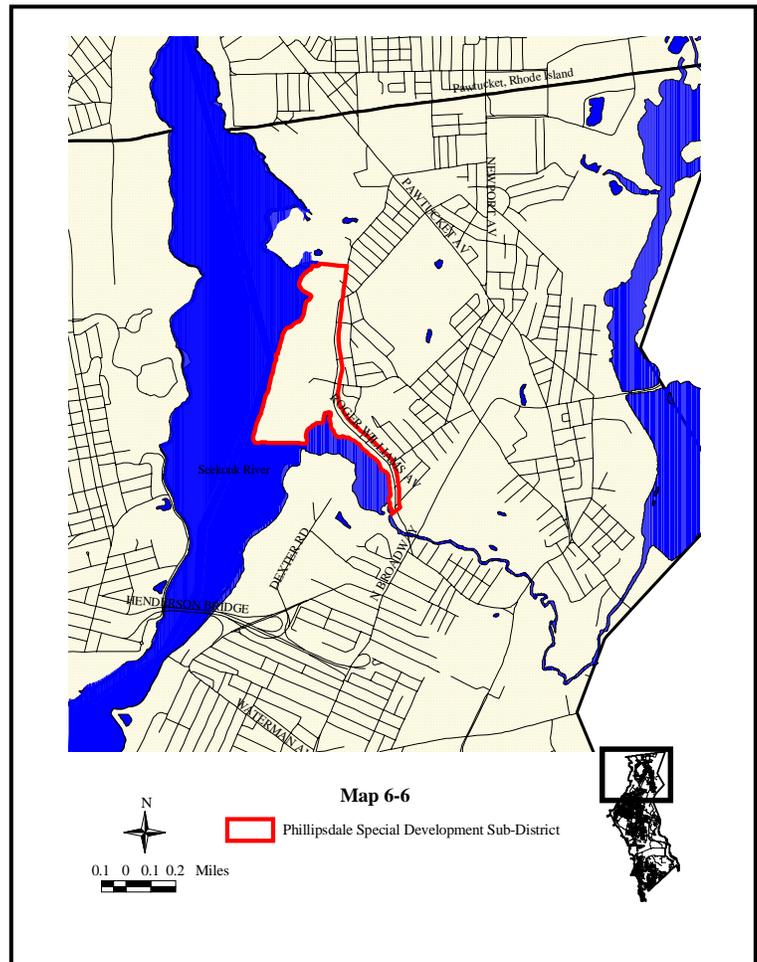
Ocean State Steel Property (Figure 6 -6-, proposed land use rendering)

Planned Land Use

- (a) 75,000 s.f. commercial (office)
- (b) 400 housing units (a mix of single-family homes, townhouses, and multi-family condominiums)
- (c) single-family detached residential along the Roger Williams Avenue frontage
- (d) Continuous open space along the waterfront perimeter of the property

Architectural Guidelines

- (a) Maximum height of commercial uses along northern boundary of property (adjacent to Phillipsdale Landing) – 4 stories
- (b) Utilize structured parking for interior commercial use
- (c) Limit on-grade parking to residential, open space and marina/restaurant uses
- (d) Lower-height buildings in proximity to the existing Roger Williams Avenue residential neighborhood



View Corridors

- (a) Maintain open spaces along the waterfront
- (b) Create a boulevard approach (with a landscaped median) to the marina/restaurant use to enhance visual access to the water

Open Space

- (a) Continuous open space along the waterfront perimeter of the property
- (b) Public open space park at “The Pointe”

Issues

- (a) Preferred redevelopment requires the construction of an access road along the rail corridor and overhead transmission line route
- (b) Continuation of Waterfront Drive (northerly segment) through this area needs to be examined.



310 Bourne Avenue - Phillipsdale Landing (south side of Bourne Avenue)

Planned Land Uses

- (a) Commercial office and retail; and continue the light manufacturing uses
- (b) Artists lofts/studios
- (c) Limited scale recreation-related activities

Architectural Guidelines

- (a) Maximum height of buildings – 4 stories
- (b) Utilize structured parking for interior commercial use
- (c) Maintain open space along the Seekonk River frontage of the property

Open Space

- (a) Develop opportunities for public access to the waterfront

Opportunities

- (a) The southerly property line between this property and the adjoining Ocean State Steel property is over 700 feet in length. The interface between these two properties should be carefully planned so that they complement one another

267 Bourne Avenue (North Side of Bourne Avenue)

Planned Land Uses

- (a) Commercial office and retail
- (b) Artists lofts/studios
- (a) Multi-family residential

297 Bourne Avenue (North Side of Bourne Avenue)

Planned Land Uses

- (a) Continue the existing office, light manufacturing (no expansion of storage uses)

Open Space

- (a) Develop opportunities for public access to the waterfront

1 Noyes Avenue – Merry Meeting LLC

Planned Land Uses

- (a) Continue the existing office, light manufacturing, and storage uses

Open Space

- (a) Develop opportunities for public access to the waterfront

Issues

- (a) Access is currently from Bourne Avenue over an adjoining property

Pawtucket Avenue (former Fram Property) Sub-District (Map 6 – 7)

10 New Road at Pawtucket Avenue

Planned Land Use

- (a) Commercial office and light manufacturing

Opportunities

- (a) Approximately 10 acres could be subdivided with the construction of the Newport Avenue Connector piece of Waterfront Drive.

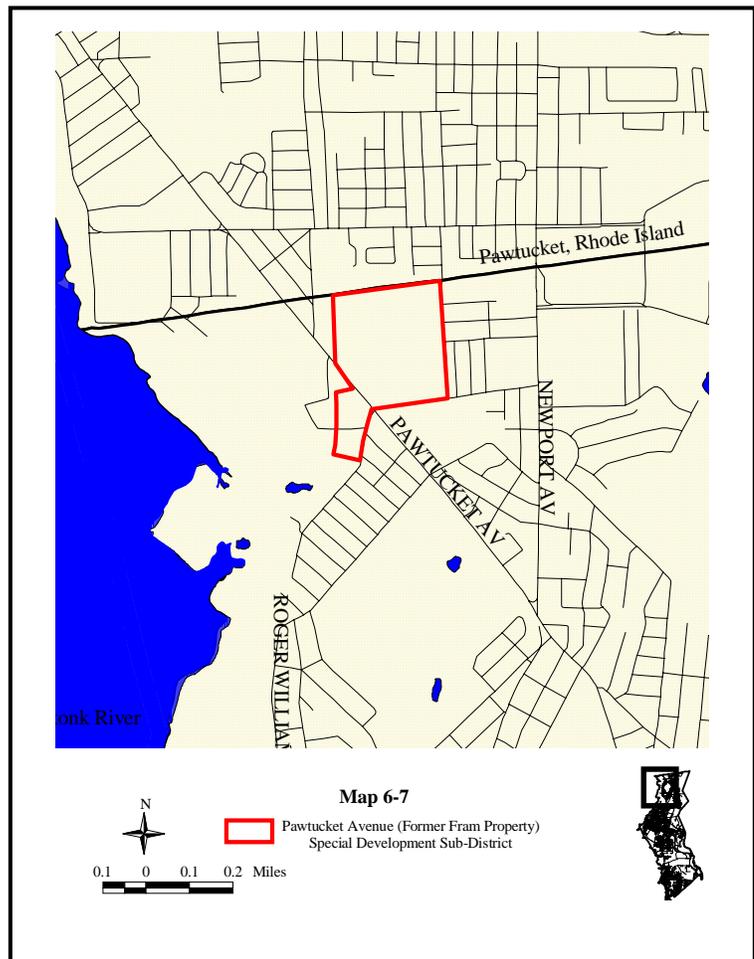
105 Pawtucket Avenue

Planned Land Use

- (a) Commercial office, research & development
- (b) Multi-family residential

Building and Site Maintenance Standards

For buildings and sites located within the Project Area, the



following building and site maintenance standards apply:

1. All exterior building walls, trim, doors and other architectural features shall be cleaned and painted where necessary to present a uniform building façade and attractive appearance.
2. All broken glass, deteriorated window trim, door frames, eaves, and other exterior architectural features shall be repaired or replaced as necessary.
3. All faulty gutters, downspouts, and leaking roof systems shall be repaired.
4. Non-approved signs or advertisement posters shall be removed.
5. Loading areas, trash storage and collections facilities, and exterior mechanical equipment shall be screened from view of adjacent properties and the public right-of-way.
6. Yard areas shall be mowed and kept free of trash.
7. All abandoned vehicles, outdoor storage of goods and materials shall be eliminated from the site (except that outdoor storage which has received appropriate permits)
8. No stagnant water shall be allowed to accumulate on the site due to poor drainage.
9. Where appropriate for aesthetic purposes and/or natural hazard mitigation purposes, electrical services to buildings will be converted from overhead to underground.

CHAPTER 7 FUNDING

Implementation of the development envisioned by this Waterfront Plan will require *substantial investment from both the public and private sectors*. This chapter is meant to be a general overview of *possible* funding currently available relating to the **public** sector and/or Commission involvement in the waterfront development process. The East Providence Waterfront Special Development District Commission (EPWSDDC) (“Commission”), described in Chapter 8, has broad authority in financing approaches and will play a key role in the financing of Plan implementation. A brief section regarding private sector financing is also contained in this chapter.

The City continues to aggressively pursue any State and Federal grant and/or loan funding possibilities, and to leverage funds to the maximum extent feasible. With the exception of the Community Development Block Grant Program (CDBG), for which the City of East Providence is an entitlement community, there are no assurances that grant funding will be obtained as such funding is typically very limited in relation to demand and is awarded on a competitive basis. New programs and funding opportunities will arise over time.

Certain development sites and projects may give rise to special funding options that may not be available across the board to all projects, e.g. those involving transit may be eligible for Federal Congestion Mitigation Air Quality (CMAQ) funds, while other non-transit related projects are not. (Note: The primary purpose of the CMAQ Program is to fund projects and programs in air quality non-attainment and maintenance areas for ozone, carbon monoxide, and small particulate matter which reduce transportation related emissions.)

Redevelopment case studies from across the United States clearly document that without public investment, private sector parties may not be able or prepared to act wholly on their own to ensure that a brownfield site is redeveloped to its full potential. Public sector funds typically support “front-end” activities, or “soft” costs, such as studies, appraisals, and may also include site acquisition and clearance activities. Public sector investment investments often serve to eliminate gaps in financing or provide “bridge” financing, and reduce the risk exposure of traditional financial institutions by providing more security in a project. Private-sector funds more often support site development and construction of new facilities. The current *Ocean State Steel* redevelopment project is an example of this public/private sector funding partnership.

Ability to fund key public improvements in the near-term is critical in maintaining the momentum and in attracting the type of development desired and envisioned by this Plan. It is critical that the public sector financing component be as responsive to market time frames as funding agency and program rules and regulations permit.

Redevelopment of the waterfront will involve physical improvements including: road construction, sanitary sewer and water line extensions, streetscape improvements, and potentially new public facilities, e.g. public parking, emergency service facilities (fire/rescue and police facilities). Indirect costs for these construction projects such as

design, engineering, appraisals, title work, insurances, and bond issuance and processing, as well as on-going maintenance of physical improvements must also be factored in to total costs. Implementation and administration of this Plan will require City staff, notably the Department of Planning, Law Department, and the Department of Public Works. Outside professional services, including, but not limited to: architectural, engineering, legal, marketing, financial, planning, and other special services, will also be required.

Certain costs of implementation may be estimated, such as those associated with the proposed transportation improvements, while other costs cannot be accurately estimated until studies are completed, and design and engineering aspects of specific development proposals are advanced. For example, it not possible at this point in the planning process, absent specific land uses, building locations, and final site and building grades and elevations, to determine with exactness the size and location of every possible new sanitary sewer and water line required in the Project Area. It is recognized that certain envisioned land uses, such as hotels and restaurants, will require large volumes of water and have corresponding sewage discharge rates. The existing sewer and water lines may not be of adequate size to accommodate these uses. Other characteristics of existing pipes, such as their location, pitch or depth, may be inadequate to service the proposed uses. When development proposals become more specific as to building size, use, and site grades, specific system requirements may then be designed and engineered.

Funding Agencies and Programs

It is important to note that grant funds are typically very limited in relation to demand and are awarded on a competitive basis. While the City of East Providence has an excellent track record of securing grant funds, mention of a specific program below is not in effect an assurance that grant funding will be obtained.

U.S. Federal Highway Administration (State and Federal Transportation Programs)

Federal Highway Administration funds are passed through to the State, specifically to the Rhode Island Department of Transportation (RIDOT), by the U.S. Federal Highway Administration (FHWA)). These funds are allocated through a bi-annual Transportation Improvement Program (TIP) administered by the Rhode Island Department of Administration, Statewide Planning Program and the RIDOT. Transit funds may also be available, such as commuter ferry funds or Federal Congestion Mitigation Air Quality (CMAQ) funds. The primary purpose of the CMAQ Program is to fund projects and programs in air quality non-attainment and maintenance areas for ozone, carbon monoxide, and small particulate matter which reduce transportation related emissions.

Additionally, the City has applied for and received funds through the Transportation Efficiency Act for the 21st Century program (TEA-21) (formerly referred to as the Intermodal Surface Transportation Efficiency Act (ISTEA)). The City will continue to submit applications for this funding as it becomes available.

***Federal Transit Administration (FTA)
New Starts Program***

The TEA-21 Act authorized funding for the New Starts Program through FY 03. The program offers grants for large public transportation projects for any fixed guideway system which utilizes and occupies a separate right-of-way, or rail line, for the exclusive use of mass transportation and other high occupancy vehicles. This includes, but is not limited to: rapid, light, or commuter rail, people movers, and exclusive facilities for buses.

***U.S. Housing and Urban Development (HUD)
Community Development Block Grant (CDBG) Program and H.O.M.E Program***

The Housing and Community Development Act of 1974 created the Community Development Block Grant (CDBG) program, administered by the U.S. Department of Housing and Urban Development (HUD). The City of East Providence is a CDBG entitlement community. CDBG funds must be utilized for eligible activities that: primarily benefit persons of low and moderate income; aid in the prevention or elimination of slums or blight; and meet other community development needs having a particular urgency which pose a serious and immediate threat to health or welfare of the community, where other financial resources are not available. The City Council adopts annual CDBG funding allocations. The HUD H.O.M.E. Program may also be a possible source of funds for partial funding for a project that includes an affordable housing component.

HUD - Section 108 Loan Program

Section 108 is the loan guarantee provision of the Community Development Block Grant (CDBG) Program. Section 108 provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects. As an entitlement community, East Providence may apply for up to five times its annual CDBG allocation (minus any outstanding Section 108 commitments and/or principal balances of Section 108 loans). The principal security for the loan guarantee is a pledge by the City of its current and future CDBG funds, and as a result, the decision to utilize this tool should be based on a sound financial and market analysis.

The City of East Providence utilized the Section 108 Loan Program to secure public financing in order to acquire the former Ocean State Steel property in partnership with a private sector development and financing proposal put forward by GeoNova, LLC.

***HUD - Brownfields Economic Development Initiative (BEDI)
Economic Development Initiative (EDI)***

The Brownfields Economic Development Initiative (BEDI) and Economic Development Initiative (EDI) are programs of the U.S. Department of Housing and Urban Development (HUD) Agency. The BEDI program provides funds and loan guarantees to

clean-up and redevelop environmentally contaminated industrial and heavy commercial sites, commonly known as “brownfields”. These programs are utilized in conjunction with the Section 108 Loan Program.

U.S. Department of Commerce – Economic Development Administration

The United States Department of Commerce, Economic Development Administration administers funding for Public Works Grants. This program provides construction grants to municipalities and other governmental entities for projects that lead to job creation. These grant funds are generally used for infrastructure improvements (roads and sewer lines). Applicants must submit projects to the Comprehensive Economic Development Strategy (CEDS) program conducted by the Statewide Planning Program for review and ranking.

The City of East Providence submitted a grant pre-application to the U.S. Department of Commerce, Economic Development Administration (EDA), in 2003 for \$2 million dollars for the construction of proposed waterfront transportation improvements. The EDA has endorsed the concept and requested a full application in support of the grant.

Environmental Protection Agency (EPA)

EPA – Brownfields Program

The U.S. Environmental Protection Agency (EPA) offers a number of grant programs to States, communities, and government agencies to remediate brownfields contamination for the purposes of redevelopment and economic development, including: Assessment Demonstration Pilots/Grants; Brownfield Cleanup Revolving Loan Fund Pilots/Grants; Resource Conservation and Recovery Act Brownfields Pilots; and Targeted Brownfield Assessments.

EPA – Superfund Program

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly referred to as the Superfund Program, provides the Federal government to intervene in emergency circumstances and to clean-up uncontrolled or abandoned hazardous waste sites. Superfund also provides authority for the prosecution of responsible parties and for a trust fund to subsidize clean-up when no responsible party can be identified.

Rhode Island Economic Development Corporation

The Rhode Island Economic Development Corporation (RIEDC), a quasi-public State agency, provides services, loans, and operates programs, including the Enterprise Zone Program, the Brownfields Loan Program, and the Mill Building Revitalization Program. RIEDC staff members are currently working with the City in advancing the proposed transportation improvements project.

Rhode Island Department of Environmental Management (RIDEM)

RIDEM oversees open space, greenway and recreation grant programs for the development of public parks, bikeways, etc. These grant programs are tied to the availability of State bond funds and/or Federal programs such as the Land & Water Conservation Fund (administered by RIDEM), and are available on a sporadic basis.

Funding Methods

Bonding

The two main methods of bonding for municipalities are general obligation bonds and revenue backed bonds. General obligation bonds are backed by the full faith and credit of the City. They are based upon the taxing power of the City, which is pledged to pay interest and retire the debt. Voter approval is required. Revenue bonds utilize a dedicated revenue stream such as water or sewer use fees to pay bond interest and retire the debt.

The Waterfront Commission may also choose to bond (separate from the City's bond process). There may be other bonding opportunities open to the Waterfront Commission that are not appropriate or available for use by the City.

Revolving Loan Programs

The City should continue to seek grant funds from appropriate sources to capitalize its own revolving loan fund which could be used to assist waterfront developers in the pre-development stage by furnishing loans for the cost of engineering, environmental testing, market analysis, traffic studies and feasibility reports. In Worcester, Massachusetts, the Worcester Industrial Development Financing Authority (WIDFA) is one example of a redevelopment agency that assists developers in the pre-development stage by furnishing such loans.

The City operates commercial loan programs, including a 2 + 2 Façade Improvements Program (properties must be in a CDBG eligible area), a Commercial Microloan Program, and a larger Commercial Loan Program. These programs will continue and are important to the on-going revitalization programs aimed at the existing commercial corridors in East Providence, and for the City's overall economic development goals by creating additional job opportunities, job retention, and investment in land, buildings and equipment to expand the City'

Tax Increment Financing (TIF)

Tax Increment Financing (TIF) is widely used throughout the United States to stimulate redevelopment and to fund related public improvements (as of 2002, 48 states had enacted TIF laws). Tax Increment Financing (TIF) is authorized in the State of Rhode Island by Rhode General Laws 45-33.2.

TIF is a method of using property taxes generated by development in a specified area to pay the costs of associated public improvements in that area, e.g. for infrastructure improvements (utility installation/upgrades, road construction).

Generally, tax increment financing works as follows:

- a geographic area is designated (the “TIF District”), after which the *assessed property valuation* of this designated area is “frozen” for a specified period of time as the “tax increment base value” (usually ranging from ten to twenty-five years)
- a plan for specific improvements in the TIF District is developed
- bonds are issued and the proceeds are used to pay for the planned improvements
- the public improvements encourage private development and thus raise property values above where they would have been without the improvements
- through the normal application of tax rates to a tax base that is being stimulated to grow through public and private investments, property tax revenues rise (the difference between the tax increment *base value* and the assessed *value after development* has occurred is referred to as the “captured assessed value” or “tax increment”) and
- property tax revenue from increased assessments over and above the “frozen” level before the TIF project began (the tax increment) is used to service the bond debt, or for pay-as-you-go improvements.

Following retirement of the bond, the property tax revenues from the enhanced tax base are distributed in the normal manner.

Impact Fees

The City and/or Commission may assess impact fees upon developers, in accordance with Rhode Island General Laws, to recoup the costs of public improvements necessitated by new development.

Private Sector

The private sector has access to a wide variety of financing options generally divided into generating financing through debt (financing) and/or and equity development opportunities.

In-Kind Work or Land Donations

Private companies and land owners may discover financial or other incentives to contribute services towards redevelopment projects. According to the Northeast-Midwest Institute, one electric utility and several other private-sector entities teamed up and contributed over \$100,000 in legal, financial, and administrative services, and in St. Paul, Minnesota, the Northern States Power Company installed utility lines at its own expense in the Crosby Lake Business Park (formerly a Texaco Tank Farm).

Private property owners may wish to donate land as an in-kind contribution towards a development proposal or for tax purposes.

Miscellaneous Equity-Building Tax Credit Programs

Various federal and state tax credit programs may be of partial help in generating *equity* funding for development projects. Generally these tax credit programs are associated with historic preservation and low-income housing developments. The downside of utilizing tax credit programs is that they may only be used for very specific properties and/or land uses, and are extremely time consuming and complicated to prepare, document and monitor. (Note: Other tax credit programs, such as the Rhode Island Enterprise Zone Program provide income tax credits.)

Designation of certain areas, such as Roger Williams Avenue, as local historic districts may open up Historic Preservation Tax Credits for individual property owners within these districts.

CHAPTER 8 PLAN ADOPTION AND IMPLEMENTATION

Implementation Partnership

Implementation of the waterfront vision contained in this “*East Providence Waterfront Special Development District Plan*” will take place over a long period of time, possibly 10 to 20 or more years, and will require substantial investments of time, energy and resources from both the public and private sectors for its implementation. The scale of the development potential, over 300 acres, as well as the City-wide and regional significance of the scenic and recreational resources of the waterfront, necessitate that implementation be through a partnership effort between the City, the State of Rhode Island, the East Providence Waterfront Special Development District Commission, and the private sector.

In accordance with the City Charter, adoption of the Plan and associated zoning changes to the text of the zoning ordinance and to the zoning map will be by the East Providence City Council following a public hearing and following a recommendation of the East Providence Planning Board. The boundaries of the special development district (the “Project Area”) shall also be established by an ordinance of the City Council.

Implementation will be subject to the development of detailed site engineering, environmental approvals, site remediation, market conditions, and the availability of funding for public infrastructure improvements. Permits for certain area-wide redevelopment activities, i.e. construction of new roads, as well as environmental reviews and permits for specific development proposals may be required from Federal and State agencies. A list of these agencies and programs is included in Appendix C.

The enabling legislation authorizing the creation, membership, duties and powers of the East Providence Waterfront Special Development District Commission (EPWSDDC) (“Commission”) is attached at Appendix B.

Generally, the redevelopment of the waterfront will entail a number of activities geared towards achieving an orderly arrangement and configuration of land to maximize the utility of parcels for the proposed new land uses; provision of utilities and transportation access; the application of appropriate urban design concepts to new and rehabilitated structures; improvement in the appearance and structural conditions of rehabilitated structures, and the elimination of nonconforming uses and structures over time.

Implementation Activities

Implementation of the Plan and associated development activities may include the following activities to be carried out by the City of East Providence and/or the East Providence Waterfront Special Development District Commission:

Comprehensive Planning, Subdivision and Zoning

The City's Comprehensive Plan will be amended and/or updated to include the "*East Providence Waterfront Special Development District Plan*", and related amendments to the text of Chapter 19, Zoning, and to the Zoning Map, will be adopted. In addition to Planning Board review and approval, subdivision in the Project Area, including parcel assembly, shall be subject to the review and recommendation of the Waterfront Commission prior to final approval of the plan. Design review in the Project Area shall be conducted by the Waterfront Commission, with procedures for such review to be established by the City and Commission.

Rehabilitation and Reconstruction

Existing structures in the Project Area that are to remain in place may be rehabilitated and improved. Deteriorating and substandard structures shall be brought up to current design standards and building code requirements. The City and Commission should collaborate on carrying out a program of rehabilitation assistance necessary to bring property into compliance with the Waterfront Plan's objectives and design/development standards, and should provide funds to leverage business and rehabilitation loans that will alleviate substandard conditions and promote reinvestment.

Redesign and Re-platting

Areas with inefficient site layout, lacking adequate parcel size and shape, accessibility, or usefulness may be redesigned through the subdivision process. Land which may be difficult to develop due to fragmented ownership or other causes may be redesigned, re-platted, and reconfigured through parcel assembly for new development.

Assistance to Private Development

Implementation of the plan will require public and private partnerships. Private business and developers may be assisted by the public sector through reduced land costs, loans, grants, appraisals, and other appropriate means.

Demolition, Clearance and Site Remediation

Existing structures, buildings, or other improvements may be cleared or moved from property to accomplish needed redevelopment, and certain properties may require environmental site remediation prior to redevelopment.

Acquire and Sell Real Property

Acquire, clear of encumbrances and convey real property within the project area to a qualified and willing developer.

Capital Improvement Program

Areas may be improved through the construction of public facilities including, but not limited to: public buildings, parks and open space, streets, construction of sidewalks, installation of granite curbing, installation of sanitary sewer and water lines and associated system upgrades, installation of street signs, lights and associated streetscape amenities, including street trees, benches and trash receptacles.

New development is required to contribute streetscape improvements adjacent to and within the public right-of-way of such development. The City may assess impact fees upon developers, in accordance with Rhode Island General Laws, to recoup the costs of public improvements necessitated by new development. (Chapter 7 contains an overview of possible funding options.)

Affordable Housing Program

Mixed use developments which include market rate rental residential units must provide a minimum of ten percent (10%) of the total units for purchase or rent by persons of low to moderate incomes.

Business and Resident Relocation

Relocate businesses and individuals from acquired property as provided by Rhode Island General Laws.

Selection of a Designated or Master Developer

A Designated Developer(s) may be selected through a competitive Request for Proposal (RFP) process. Through the RFP process, prospective developers would be evaluated based upon previous relevant experience, financial capability, feasibility and market studies, project management approach, project and/or design concepts, and references. The purpose of selecting a designated developer for a particular site or area is to ensure that a project is completed as rapidly as possible and to the highest standards of quality.

Seek Funding for Implementation

The City will continue to seek funding for implementation of this Plan through all applicable sources, including submission of grant applications and lobbying for transportation and/or other Federal/State budget appropriations.

Actions by the City

Actions by the City relating to the implementation of this Plan may include, but are not limited to, the following:

1. Instituting and completing proceedings to amend and/or update the City's Comprehensive Plan, amend Chapter 19, Zoning, and to rezone specific properties in

the Project Area in conformance with the “*East Providence Waterfront Special Development District Plan*” and the City’s adopted Comprehensive Plan to permit the land uses and densities authorized by the Plan.

2. Instituting and completing proceedings to open, close, vacate, widen, or change the grade of streets and public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way and easements in the Project Area. The City may require the abandonment, removal, and relocation by public utility companies of their operations in public rights-of-way as appropriate to carry out the Plan, provided that nothing in the Plan shall be construed to require the cost of such abandonment, removal, and relocation be borne by others than those legally required to bear such costs.
3. Instituting and completing proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.
4. Imposing appropriate controls wherever necessary upon parcels in the Project Area to ensure their proper development and use, by covenants or restrictions, conditions of approval, or other means, as permitted by the “*East Providence Waterfront Special Development District Plan*”, Chapter 19, Zoning, and the East Providence Land Development and Subdivision Review Regulations.
5. Executing developer agreements where necessary and appropriate to facilitate developments.
6. Providing staff to assist in administration and enforcement of the Plan after adoption of the Plan.
7. Providing services and facilities and the various officials, offices and departments of the City for the implementation of the Plan.
8. Conducting capital improvement program planning and implementation and otherwise providing financial assistance towards implementation of this “*East Providence Waterfront Special Development District Plan*” to the extent practicable, and in accordance with the manner established by the City Charter.
9. Performing the above actions, and all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
10. Undertaking and completing any other proceedings necessary to carry out the Plan.

East Providence Waterfront Special Development District Commission

The enabling law authorizing the creation, membership, duties and powers of the East Providence Waterfront Special Development District Commission (EPWSDDC) (“Commission”) is attached at Appendix . The Commission is comprised of nineteen members, with five appointments each by the City Council and Governor, and eight ex-officio non-voting members including the City Manager, City Planning Director, the Public Works Director, the Directors of the Rhode Island Economic Development Corporation, Department of Transportation, and Department of Environmental Management. With the approval of the City Council and the Governor, the Mayor shall jointly appoint a member who shall be the chairperson.

The Commission was created in response to the wider range of authorities, powers and expertise considered necessary for implementation of the large and multifaceted waterfront development vision. The duties and powers of the East Providence Waterfront Special Development District Commission are generally as follows:

1. To purchase, take, receive, lease, or otherwise acquire, own, hold, improve, use and otherwise deal in and with, real property, or any interest in real or personal property wherever situated; and to sell, convey, mortgage, pledge, lease, exchange, transfer, and otherwise dispose of all or part of its property and assets for any consideration and upon any terms and conditions as the Commission shall determine.
2. To make contracts and guarantees and incur liabilities, borrow money at any rates of interest as the Commission may determine; and to make and execute agreements of lease, conditional sales contracts, installment sales contracts, loan agreements, mortgages, construction contracts, operation contracts, and other contracts and instruments necessary or convenient in the exercise of the powers and functions of the Commission.
3. To lend money for its purposes, invest and reinvest its funds, and at its option to take and hold real and personal property as security for the payment of funds so loaned or invested.
4. To be a promoter, partner, member, or manager of any partnership, enterprise, or venture within the district and to engage in promotional, marketing, and similar activities for the benefit of the district.
5. To make and alter by-laws, not inconsistent with the enabling chapter, for the administration and regulation of the affairs of the District; and to enter into contracts, agreements, and cooperative agreements with the City and its agencies and instrumentalities and the State and its agencies and instrumentalities for the sharing of personnel and other resources.

Property Acquisition

Certain aspects of this Plan involve privately owned land that may be impacted by the proposed transportation access improvements, or parcels that may be proposed for assembly into larger redevelopment parcels. It is the intent of the City that whenever possible, property will be acquired through a negotiated purchase from property owners. The basis for negotiation will be the fair market value as determined by competent appraisers and as approved by the acquiring agency. Where good faith efforts to negotiate the private sale of any properties within the Project Area fail, eminent domain may be invoked. While every effort will be made to minimize the use of eminent domain, there will be occasions where the judicious use of eminent domain is essential to accomplishing a goal that will benefit the greater public good.

Eminent domain, or condemnation, is the legal process by which a governmental entity may acquire private property for a public use. The Fifth Amendment of the U.S. Constitution requires that the owner of private property acquired for public use must receive “just compensation” for the property. The power of eminent domain may be exercised by the City of East Providence (City Council), by the Rhode Island Department of Transportation, by the Rhode Island Economic Development Corporation, and the East Providence Waterfront Special Development District Commission, and in all cases follows a formal legal process.

Any property acquisition necessary for the waterfront transportation access improvements will be done by the Rhode Island Department of Transportation. The waterfront access improvements related to the Interstate 195 access and ramping system (see page xx) are conceptual in nature and will be refined through an Environmental Assessment (EA) process. The specifics of any required condemnation for the transportation access improvements will not be finalized until the EA is completed. It is anticipated that the number of private properties impacted by the proposed transportation access improvements would be minimal, as the RIDOT owns an extensive right-of-way in the I-195 corridor and associated highway ramping system in the vicinity of Taunton Avenue and Warren Avenue.

Properties would be acquired only as they are needed and for very specific purposes. In some cases market forces will dictate ownership changes over time, while other properties such as those impacted by the proposed transportation access improvements, may need to be acquired earlier in the redevelopment process.

Waterfront Plan Conformance Review

All real property in the Project Area will be made subject to the controls and requirements of the “*East Providence Waterfront Special Development District Plan*” and related ordinances. No real property shall be developed, rehabilitated, or otherwise improved after the effective date of the ordinance adopting the Plan, except in conformance with the provisions of the Plan and its related ordinances.

Before any property owner applies for a building permit or commences any improvements on public or private land including the construction, reconstruction, alteration, repair, demolition, removal and/or rehabilitation of the exterior of new and existing buildings, or appurtenances requiring a building permit or other City approvals (paving, curb cuts, parking areas, drainage etc.) within the Project Area, a written application for such work and appropriate development plans shall be submitted to the Director of Planning who shall forward such application to the Commission. No building permit shall be issued before the project receives design approval from the Commission. An application form shall be developed by the Commission and shall include all information which is reasonably necessary to evaluate the proposed work.

In order to assist in its review of plans, the Commission may request outside agencies to review and comment on proposals. The Commission shall place on the record its reasons and conditions for approval or reasons for denial of the application, consistent with the provisions of any related Ordinances or regulations. All determinations shall be made in writing. A copy of determination shall be filed with the applicable building permit.

Activities Exempt from Review

Rehabilitation work intended to remedy damage or deterioration of a structure or its appurtenances, which involves no change in type of materials, design, configuration, texture or visual appearance, is not subject to design review.

Assessment of Conformance of Existing Structures and Uses

For existing structures and uses in the Project Area, a determination must be made as to whether the structure and/or use conform with this Plan and related ordinances. A nonconforming structure or use is a structure or use that was legally constructed or established prior to the effective date of pertinent zoning ordinance(s) and adopted plans but which does not conform to the current provisions of those zoning ordinances or plans.

Structures and/or uses in the Project Area that do not conform to the “*East Providence Waterfront Special Development District Plan*” shall be addressed in an ordinance detailing the conditions under which these uses and structures may continue to exist or be discontinued. Conformance with the Plan is a joint determination by the Planning Director and the Waterfront Commission. Conformance with the provisions of Chapter 19, Zoning is the purview of the City Zoning Officer. It is *imperative* to the long-term success of implementing the waterfront development vision that no new nonconforming uses or structures be permitted by the City through the Zoning Board of Review process following the adoption of the Plan and its related ordinances.

Interim Uses

The Commission is authorized to permit the use of any real property in the Project Area, pending its ultimate development pursuant to the Plan, for interim uses that do not conform to the uses permitted in the Plan, e.g. an acceptable use located on a parcel that is intended for parcel assembly and redevelopment for a different use. Such interim uses

shall comply with all applicable City codes. The Commission may require the owner of such interim use to enter into a formal agreement to be recorded in the City's Land Evidence records that imposes reasonable conditions and restrictions on the property.

Conforming Uses

The Commission may, in conjunction with the City, determine that some existing properties within the Project Area meet the requirements of the Plan. The Commission may issue certificates of conformance for such properties, evidencing that the owners may remain as owners of conforming properties, so long as such owners continue to operate, use, and maintain such properties in conformity with the Plan.

Owner Participation in Waterfront Development

Current owners of real property located within the Project Area should be afforded a reasonable opportunity to participate in any redevelopment of their property as proposed by the Plan. There are a number of participation scenarios a property owner may wish to explore with the Commission, including: remaining in substantially in the same location and retaining and redeveloping all or portions of the property; purchasing adjacent property to redevelop together with the property retained; and affiliating with another person or entity to jointly propose an owner participation project.

Factors relating to overall implementation of the Plan may limit owner participation opportunities, including: the proposed elimination of certain nonconforming land uses; the alteration of public streets and other rights-of-way; the relocation of public utilities and public services; the need to assemble parcels for public or private projects, and similar changes associated with redevelopment projects. Factors relating to the owner's ability to successfully carry out a proposed redevelopment, including the ability to finance the proposed project, experience with similar projects, and the overall feasibility of the proposal should also be considered.

The Commission should promulgate and adopt rules and regulations regarding owner participation in redevelopment. For example, the Commission may require, as a condition to participating in redevelopment of the Project Area, that a property owner enter into a binding agreement with the Commission detailing the conditions agreed to by the owner and the Commission.

Business Reentry Preference

While it is anticipated that the displacement of business from the Project Area will be minimal, any businesses displaced from property within the Project Area by development activities should be granted a reasonable preference to reestablish on redeveloped sites in the Project Area. Businesses seeking to reenter the Project Area must meet the requirements of the Plan and comply with any applicable rules and regulations adopted by the Commission. The compatibility of the business with the uses planned for the property and the desired character of the redevelopment should be taken into consideration.

Conclusion

To change the current decline of waterfront lands and to move them toward a new future of residential neighborhoods, mixed with commercial and cultural facilities, and waterfront recreational amenities, and other uses – some existing, some new – is no small undertaking. Implementation of the Plan requires bold political leadership and strategic will. To fail to implement even a small part of the Plan is to condemn over 300 acres of prime City waterfront land to continued dereliction and underperformance. It is also to deny the people of East Providence free and generous access to their waterfront and to new opportunities for places to live, work and recreate.

APPENDIX A

**Rhode Island State Law
An Act Relating to Special Development Districts
City of East Providence**

Rhode Island State Law

Chapter 345

2003 -- S 1187

Enacted 07/17/03

AN ACT

RELATING TO SPECIAL DEVELOPMENT DISTRICTS -- EAST PROVIDENCE

Introduced By: Senators Irons, and Damiani

Date Introduced: June 30, 2003

It is enacted by the General Assembly as follows:

SECTION 1. There is hereby created an East Providence Waterfront District.

Section 1. Findings. The General Assembly finds and declares that:

(a) Realizing the enormous potential of the East Providence Waterfront requires a cooperative effort between the City, the State, and private sector leadership because all three (3) interests are involved and intertwined.

(b) The East Providence Waterfront initiative is large and complex, includes brownfield areas, and requires substantial investments of time, energy, and resources that are beyond the capacity of the City to provide alone without significantly siphoning effort away from other parts of the City.

(c) The East Providence Waterfront development project will include a substantial diversity of uses, thus its implementation will require a wider range of authorities, powers, and expertises than are present in any current governmental agency with jurisdiction in the project area.

(d) The East Providence Waterfront development will take place over a substantial period of time, and consequently it is vital to the project that the administration of the project have continuity and consistency.

(e) The East Providence Waterfront development initiative is very high visibility and high value and will affect the well-being of the people of the City and the metropolitan area for generations, thus diverse, high quality development is critically important.

Section 2. Purposes. The purposes of this act are (a) to create a State-local-private sector partnership to plan, implement, administer, and oversee the development of the East

Providence Waterfront District and (b) to authorize, provide for, and facilitate the consolidated exercise of development and redevelopment powers existing at the State and local levels.

Section 3. East Providence Waterfront District Created. The East Providence

Waterfront District is hereby constituted an independent public instrumentality and body corporate and politic for the purposes set forth in this chapter with a separate legal existence from the City and from the State and the exercise by the District of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public function. The

boundaries of the district shall be established by ordinance of the City Council and may be amended with the approval of the District by ordinance of the City Council. The East Providence

Waterfront District shall oversee, plan, implement, and administer the development of the areas within the District. It is the intent of the General Assembly by the passage of this chapter to vest in the District all powers, authority, rights, privileges, and titles which may be necessary to enable it to accomplish the purposes herein set forth, and this chapter and the powers granted hereby shall be liberally construed in conformity with those purposes.

Section 4. Planning. The District shall function and conduct its business and activities in a manner consistent with plans approved for the district by the City and the Commission, and, as appropriate or necessary, by the Rhode Island Economic Development Corporation. Such plans may be prepared without limitation by the District in order to achieve the purposes of this chapter, and shall be subject to such State and local approvals as are expressly provided for in this chapter. The district shall conform with the comprehensive plan and land development regulations of the City. The approved plan for the district shall be considered, in whole or part as appropriate, for adoption as an element of the state guide plan by the State Planning Council and for incorporation into a special area management plan, which includes the district, by the Coastal Resources Management Council.

Section 5. District governance -- Commission. The powers of the District shall be exercised by a commission as herein provided.

(a) Membership of the Commission. There shall be a commission of nineteen (19) members as follows: five (5) members shall be appointed by the City Council, the terms shall be four (4) years, with the initial appointments being two (2) for two (2) year terms, two (2) for three

(3) year terms, one (1) for a four (4) year term, who shall be either electors or property owners of the City or persons engaged in business in the City; five (5) members appointed by the Governor, with the advice and consent of the Senate, the terms shall be four (4) years, with the one (1) for a four (4) year term, who shall have expertise in the following areas: architecture, planning, labor, finance, and commercial real estate development; the Mayor, with the approval of the City Council, and the Governor shall jointly appoint a member who shall be the chairperson, subject to the advice and consent of the Senate, who shall have a four (4) year term; in addition to these voting members, there shall be eight (8) ex officio, non-voting members as follows: the City Manager, the City Planning Director, the Public Works Director, the Executive Director of the RI Economic Development Corp, the Director of the Department of Transportation, the Director of the Department of Environmental Management or an associate director designated by the director, a member of the Senate appointed by the Senate President, and a member of the House appointed by the Speaker. In the event of a vacancy occurring in the office of a member by death, resignation, or otherwise, that vacancy shall be filled in the same manner as an original appointment, but only for the remainder of the term of the former member. Each member of the Commission may serve until a successor is appointed and qualified.

(b) The commissioners shall receive no compensation for the performance of their duties under this chapter, but each commissioner shall be reimbursed for his or her reasonable expenses incurred in carrying out those duties. A commissioner may engage in private employment, or in a profession or business.

(c) The chairperson shall designate a vice chairperson who shall serve at the pleasure of the chairperson. Seven (7) voting commissioners shall constitute a quorum, and any action to be taken by the District under the provisions of this chapter may be authorized by resolution approved by a majority of the commissioners present and entitled to vote at any regular or special

meeting at which a quorum is present. A vacancy in the membership of the Commission shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the commission.

(d) The Commission shall appoint a secretary and such additional officers and staff members as they shall deem appropriate and shall determine the amount of reasonable compensation, if any, each shall receive. The Commission may vest in an executive director or the director's subordinates the authority to appoint additional staff members and to determine the amount of compensation each individual shall receive.

(e) No full-time employee shall during the period of his or her employment by the District engage in any other private employment, profession, or business, except with the approval of the board of directors.

(f) Notwithstanding any other law to the contrary, it shall not be or constitute a conflict of interest for a director, officer, or employee of any financial institution, investment banking firm, brokerage firm, commercial bank, trust company, building-loan association, architecture firm, insurance company, or any other firm, person, or corporation to serve as a commissioner, nor shall any contract or transaction between the District and a financial institution, investment banking firm, brokerage firm, commercial bank, trust company, building-loan association, architecture firm, insurance company, or other firm, person, or corporation be void or voidable by reason of that service as director of the District . If any commissioner, officer, or employee of the

District shall be interested either directly or indirectly, or shall be a director, officer, or employee of or have an ownership interest (other than as the owner of less than one percent (1%) of the shares of a publicly-held corporation) in any firm or corporation interested directly or indirectly in any contract with the Commission, that interest shall be disclosed to the Commission and set forth in the minutes of the Commission, and the Commissioner, officer, or employee having that ownership interest shall not participate on behalf of the Commission in the authorization of that contract. Interested commissioners may be counted in determining the presence of a quorum at a meeting of the Commission which authorizes the contract or transaction.

(g) Any action taken by the Commission under the provisions of this chapter may be authorized by vote at any regular or special meeting, and each vote shall take effect immediately.

All meetings shall be open to the public and all records shall be a matter of public record except that if a majority of the Commission decides, consistent with the requirements of the open meetings law, that it would be in the best interests of the District and the City and/or the State to hold an executive session in private, then the Commission is authorized to transact any business as allowable under law at that executive session in private, and the record of the executive session shall not become a matter of public record until the transaction discussed has in the opinion of the Commission been completed.

(h) Employees of the District shall not, by reason of their employment, be deemed to be employees of the State or the City for any purpose, any other provision of the general laws, charter, or ordinance to the contrary notwithstanding.

Section 6. Powers of the Commission. The Commission shall have all the rights and powers necessary or convenient to carry out and effectuate this chapter, including, but not limited to, the rights and powers:

(1) To sue and be sued, complain and defend, in its corporate name.

(2) To have a seal which may be altered at pleasure and to use the seal by causing it, or a facsimile of the seal, to be impressed or affixed, or in any other manner reproduced.

(3) To purchase, take, receive, lease, or otherwise acquire, own, hold, improve, use, and otherwise deal in and with, real or personal property, or any interest in real or personal property, wherever situated.

(4) To sell, convey, mortgage, pledge, lease, exchange, transfer, and otherwise dispose of all or any part of its property and assets for any consideration and upon any terms and conditions as the Commission shall determine.

(5) To make contracts and guarantees and incur liabilities, borrow money at any rates of interest as the Commission may determine.

(6) To make and execute agreements of lease, conditional sales contracts, installment sales contracts, loan agreements, mortgages, construction contracts, operation contracts, and other contracts and instruments necessary or convenient in the exercise of the powers and functions of the Commission granted by this chapter.

(7) To lend money for its purposes, invest and reinvest its funds, and at its option to take and hold real and personal property as security for the payment of funds so loaned or invested.

(8) To acquire or contract to acquire, from any person, firm, corporation, municipality, the federal government, or the State, or any agency of either the federal government or the State, by grant, purchase, lease, gift, condemnation, or otherwise, or to obtain options for the acquisition of any property, real or personal, improved or unimproved, and interests in land less than the fee thereof; and to own, hold, clear, improve, develop, and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, mortgage, or otherwise dispose or encumber that property for the purposes of carrying out the provisions and intent of this chapter, for any consideration as the Commission shall determine, and with the approval of the city council and the Rhode Island Economic Development Corporation to retain a master developer for all or any portion of a project.

(9) To conduct its activities, carry on its operations, and have offices and exercise the powers granted by this chapter, within or outside of the state.

(10) To elect or appoint officers and agents of the District, and define their duties and fix their compensation.

(11) To make and alter by-laws, not inconsistent with this chapter, for the administration and regulation of the affairs of the District, and those by-laws may contain provisions indemnifying any person who is or was a commissioner, officer, employee, or agent of the District.

(12) To be a promoter, partner, member, associate, or manager of any partnership, enterprise, or venture within the district and to engage in promotional, marketing, and similar activities for the benefit of the district.

(13) To enter into contracts, agreements, and cooperative agreements with the City and its agencies and instrumentalities and the State and its agencies and instrumentalities for the sharing of personnel and other resources.

(14) To have and exercise all powers necessary or convenient to effect its purposes; provided, however, that the District shall not have any power to create, empower or otherwise establish any corporation, subsidiary corporation, corporate body, any form of partnership, or any other

separate entity without the express approval and authorization of the City Council and the General Assembly.

Section 7. Additional general powers. — In addition to the powers of the District otherwise provided herein, the District shall have the powers set forth below and shall be subject to the limitations herein set forth. Except as may be expressly limited by action of the District at a regular or special meeting, the Commission shall have the powers necessary to put into effect the powers of the District as set forth below and as herein limited.

(a) The District is authorized and empowered to fix, revise, charge, collect, and abate fees, rates, rents, assessments, delinquency charges, and other charges for its services, and other services, facilities, and commodities furnished or supplied by it including penalties for violations of such regulations as the District may from time to time promulgate under this chapter. Fees, rates, rents, assessments, delinquency charges, and other charges of general application shall be adopted and revised by the District in accordance with procedures to be established by the District for assuring that interested persons are afforded notice and an opportunity to present data, views, and arguments. The District shall hold at least one public hearing on its schedule of fees, rates, and charges or any revision thereof prior to adoption, notice of which shall be published in a newspaper of substantial circulation in the district at least fifteen (15) days in advance of the hearing, and notice of the hearing shall be provided to the City Council. No later than the date of such publication the District shall make available to the public the proposed schedule of fees, rates, and charges. Fees, rates, rents, assessments, abatements, and other charges established by the District shall not be subject to supervision or regulation by any department, division, district, board, bureau, or agency of the State or any of its political subdivisions. In order to provide for the collection and enforcement of its fees, rates, rents, assessments, and other charges, the District is hereby granted all the powers and privileges with respect to such collection and enforcement held by the City of liens for unpaid taxes.

(b) In order provide for the consolidated and coordinated, efficient and effective exercise of public development powers affecting or benefiting the East Providence Waterfront, the District shall have the powers of:

(1) A Special Development District as provided for in chapter 45-24.4, with the approval of the City Council.

(2) A Redevelopment Agency as provided for in chapters 45-31, 45-31.1, 45-31.2, 45-32, and 45-33 with the approval of the City Council, within areas of the district which are part of an enterprise zone as provide for in chapter 42-64.3. Within the district, the term "blighted area and substandard area" shall be deemed to include areas where the presence of hazardous materials, as defined in section 23-19.14-2, impairs the use, reuse, or redevelopment of impacted sites.

(3) A Municipal Public Buildings Authority as provided for in chapter 45-50, with the approval of the City Council.

(4) A subsidiary of the Rhode Island Economic Development Corporation, with the approval of the Economic Development Corporation, and the enactment of this chapter shall constitute the approval of the General Assembly as required by section 42-64-7.1.

(c) For the benefit of the district, the District shall have the power to enter into agreements with the City of East Providence for (1) the exercise of powers for tax increment financing as provided for in chapter 45-33.2, (2) the imposition of impact fees as provided for in chapter 45-22.4 in order to provide infrastructure capacity to or make physical improvements within the district, or (3) approval within the district of a District Management Authority as provided for in

chapter 45-59, for purposes of undertaking activities consistent with an approved plan or plans for the district.

Section 8. Electors and elections. (a) Electors. The electors of the district shall include electors of the City and/or owners of real property of the city and/or district ratepayers.

(b) Elections. In the event that exercise of any powers of the District requires approval by vote within the district, the District shall have the power to organize and conduct such election in a manner consistent with requirements of law and in conjunction with the City, as necessary or appropriate.

Section 9. Records; Reports; Inspection. — The District shall at all times keep full and accurate accounts of its receipts, expenditures, disbursements, assets, and liabilities, which shall be open to inspection by any officer or duly appointed agent of the State or the City. The District shall report annually on a) its finances and b) on the activities undertaken, the progress made in meeting goals and objectives set forth in its plans, and its proposed activities for the next year.

Copies of these reports shall be submitted to the Governor, the Speaker of the House, the President of the Senate, the Mayor as president of the City Council, and the City Manager. The District shall conform with the open meetings law, 42-46, and the open records law, chapter 38-2, in the same manner as required of the City, and, the Commission and the employees of the District shall be subject to the Code of Ethics set forth in chapter 36-14.

Section 10. Termination or dissolution of district. — Upon termination or dissolution of the District, the title to all funds and other properties owned by it which remain after payment of all bonds and notes and other obligations and liabilities of the District shall vest in the City.

Section 11. Inconsistent laws or ordinances inoperative. — Except as otherwise provided herein, any provisions of any special law and part of any special law and all ordinances and parts of ordinances pertaining to development within the district which are inconsistent with the provisions of this chapter shall be inoperative and cease to be effective. The provisions of this chapter shall be deemed to provide an exclusive, additional, alternative, and complete method for the doing of the things authorized hereby and shall be deemed and construed to be supplemental and additional to, and not in derogation of, powers conferred upon the District by law and on the city by its charter; provided, however, that insofar as the express provisions of this chapter are inconsistent with the provisions of any general or special law, administrative order or regulation, or ordinance of the City, the provisions of this chapter shall be controlling.

Section 12. Pledge not to alter rights of district. — The State does hereby pledge to and agree with the holders of the bonds, notes, and other evidences of indebtedness of the District that the State and the City will not limit or alter rights hereby vested in the District, which affect the capacity or ability of the District to meet its obligations regarding bonds, notes or other forms of indebtedness, until the bonds, notes, or other evidences of indebtedness, together with interest thereon, with interest on any unpaid installment of interest and all costs and expenses in connection with any actions or proceedings by or on behalf of the bondholders and noteholders, are fully met and discharged.

SECTION 2. Section 42-64-7.1 of the general laws in chapter 42-64 entitled "Rhode Island Economic Development Corporation" is hereby amended to read as follows:

42-64-7.1. Subsidiaries. -- (a) (1) The parent corporation shall have the right to exercise and perform its powers and functions, or any of them, through one or more subsidiary corporations whose creation shall be approved and authorized by the general assembly.

(2) Express approval and authorization of the general assembly shall be deemed to have been given for all legal purposes on July 1, 1995 for the creation and lawful management of a subsidiary corporation created for the management of the Quonset Point/Davisville Industrial Park, that subsidiary corporation being managed by a board of directors, the members of which shall be constituted as follows: (i) two (2) members who shall be appointed by the town council of the town of North Kingstown; (ii) two (2) members who shall be residents of the town of North Kingstown appointed by the governor; (iii) four (4) members who shall be appointed by the governor; (iv) the chairperson, who shall be the executive director of the economic development corporation; and (v) non-voting members, who shall be the members of the general assembly whose districts are comprised in any part by areas located within the town of North Kingstown. Upon receipt of approval and authorization from the general assembly, the parent corporation by resolution of the board of directors may direct any of its directors, officers, or employees to create subsidiary corporations pursuant to chapter 1.1 or 6 of title 7 or in the manner described in subsection (b); provided, that the parent corporation shall not have any power or authority to create, empower or otherwise establish any corporation, subsidiary corporation, corporate body or any form of partnership or any other separate entity, without the express approval and authorization of the general assembly.

(b) As used in this section, 'subsidiary public corporation' means a corporation created pursuant to the provisions of this section. The person or persons directed by the resolution referred to in subsection (a) shall prepare articles of incorporation setting forth: (1) the name of the subsidiary public corporation; (2) the period of duration, which may be perpetual; (3) the purpose or purposes for which the subsidiary public corporation is organized which shall not be more extensive than the purposes of the corporation set forth in § 42-64-5; (4) the number of directors (which may, but need not be, more than one) constituting the initial board of directors and their names and business or residence addresses; (5) the name and business or residence address of the person preparing the articles of incorporation; (6) the date when corporate existence shall begin (which shall not be earlier than the filing of the articles of incorporation with the secretary of state as provided in this subsection); (7) any provision, not inconsistent with law, which the board of directors elect to set forth in the articles of incorporation for the regulation of the internal affairs of the subsidiary public corporation; and (8) a reference to the form of authorization and approval by the general assembly and to the resolution of the board of directors authorizing the preparation of the articles of incorporation. Duplicate originals of the articles of incorporation shall be delivered to the secretary of state. If the secretary of state finds that the articles of incorporation conform to the provisions of this subsection, the secretary shall endorse on each of the duplicate originals the word 'Filed,' and the month, day and year of the filing; file one of the duplicate originals in his or her office; and a certificate of incorporation to which the secretary shall affix the other duplicate original. No filing fees shall be payable upon the filing of articles of incorporation. Upon the issuance of the certificate of incorporation or upon a later date specified in the articles of incorporation, the corporate existence shall begin and the certificate of incorporation shall be conclusive evidence that all conditions precedent required to be performed have been complied with and that the subsidiary public corporation has been duly and validly incorporated under the provisions hereof. The parent corporation may transfer to any subsidiary public corporation any moneys, real, personal, or mixed property or any project in order to carry out the purposes of this chapter. Each subsidiary public corporation shall have all the powers, privileges, rights, immunities, tax exemptions, and other exemptions of the parent corporation except to the extent that the articles of incorporation of the subsidiary public

corporation shall contain an express limitation and except that the subsidiary public corporation shall not have the condemnation power contained in § 42-64-9, nor shall it have the powers contained in, or otherwise be subject to, the provisions of § 42-64-12 and § 42-64-13(a), nor shall it have the power to create, empower or otherwise establish any corporation, subsidiary corporation, corporate body, any form of partnership, or any other separate entity, without the express approval and authorization of the general assembly.

(c) Any subsidiary corporation shall not be subject to the provisions of § 42-64-8(a), (c), and (d), except as otherwise provided in the articles of incorporation of the subsidiary corporation.

(d) The corporation, as the parent corporation of the Rhode Island Airport Corporation, shall not be liable for the debts or obligations or for any actions or inactions of the Rhode Island Airport Corporation, unless the corporation expressly agrees otherwise in writing.

(e) The East Providence Waterfront District shall, with the approval of its commission and the board of directors of the corporation, be a subsidiary of the corporation for the purposes of exercising such powers of the corporation as the board of directors shall determine, and notwithstanding the requirements of paragraph (b) above, the act creating the District shall be deemed fully satisfactory for the purposes of this section regarding the establishment of subsidiary public corporations, and the express approval and authorization of the general assembly shall be deemed to have been given for all legal purposes for the creation and lawful management of a subsidiary corporation created for the purposes of implementing the purposes of the District.

SECTION 3. Section 45-24.4-4 of the general laws in chapter 45-24.4 entitled "Special Development Districts" is hereby amended to read as follows:

45-24.4-4. Special development districts authorized. -- For the purposes stated in § 45-24.4-1, the city council of any city has the authority to establish, designate, lay out, and define, as special development districts, areas that are or may be or have been the subject of or substantially affected by combined federal, state, local, and private action in connection with railroad

relocation projects and/or railroad abandonment actions, in the same manner as cities are presently empowered to establish, designate, lay out, and define zoning districts.

SECTION 4. Section 45-31-9 of the general laws in chapter 45-31 entitled "Redevelopment Agencies" is hereby amended to read as follows:

45-31-9. Agencies created. -- (a) There is created in each community a redevelopment agency to be known as the redevelopment agency of the community.

(b) Redevelopment agencies may also be created by public law for the purposes of exercising the powers set forth in chapters 31-33 of this title, provided an ordinance of the legislative body of the community authorizes the exercise of the provisions of the public law for the purposes of these chapters. The provisions of sections 45-31-12, 45-31-13, 45-31-14, 45-31-15, and 45-31-21 that are inconsistent with such a public law shall be deemed to be superceded by the public law and not applicable to the redevelopment agency thereby created, upon adoption ordinance putting into effect the purposes of the public law. Where authorized by such a special act, the term "blighted area and substandard area" shall be deemed to include areas where the presence of hazardous materials, as defined in section 23-19.14-2, impairs the use, reuse, or redevelopment of impacted sites.

SECTION 5. Sections 45-50-3, 45-50-5, 45-50-6, and 45-50-7 of the general laws in chapter 45-50 entitled "Municipal Public Buildings Authorities" are hereby amended to read as follows:

45-50-3. Legislative findings - Applicability of chapter - Resolution of need required

for authority to function. -- (a) It is declared that a need exists to authorize all municipalities which issue significant amounts of general obligation debt or which have large operating budgets to possess powers enabling the implementation of alternative financing techniques.

(b) This chapter applies to any municipality which has during the three (3) calendar years preceding adoption of the resolution provided for in subsection ~~(e)~~ (d);

(1) Issued in the aggregate in excess of sixty million dollars (\$60,000,000) in general obligation debt (excluding tax and revenue anticipation debt and long term advanced refunding bonds); or

(2) Had an annual operating budget in excess of thirty-nine million dollars (\$39,000,000).

(c) This chapter also applies to any municipality that has been expressly authorized by public law to approve the establishment of such an authority for the purposes of undertaking projects, as defined by this chapter, within a specified district of the municipality.

~~(e)~~ (d) The authority of any city or town shall not transact any business or exercise any powers under this chapter, unless and until the city or town council, by resolution, declares, at any time, that there is need for an authority to function in the city or town, and the public finance management board, created by § 42-10.1-1, shall, by resolution, approve the creation of each authority. Neither the state nor the public finance management board shall have any liability as a result of the performance of the duty or exercise of the power described in this chapter.

~~(e)~~ (e) Any authority created under this chapter is subject to the provisions of chapter 2 of title 38 ('Access to Public Records') and chapter 46 of title 42 ('Open Meetings') and, in addition, the members of the authority are subject to the provisions of chapter 14 of title 36 ('Code of Ethics').

45-50-5. Appointment of authority members. -- When the council of a city or town first adopts a resolution as provided for in § 45-50-3, the elected chief executive officer, in cities and towns having a popularly elected chief executive officer, shall appoint five (5) resident electors of the city or town as members of the authority. The appointments shall be subject to approval by the city or town council where required by the charter. In cities and towns where there is no popularly elected chief executive officer, the city or town council shall appoint five (5) resident electors of the city or town as members of the authority. Provided, however, that the provisions of this section shall not apply to an authority authorized pursuant to subsection 45-50-3(c), in which case the public law providing for the exercise of the powers of the authority by a body corporate and politic shall apply and be considered definitive.

45-50-6. Tenure of authority members. -- The members who are first appointed shall be designated to serve for terms of one, two (2), three (3), four (4), and five (5) years, respectively. Thereafter, members shall be appointed as aforesaid for a term of office of five (5) years, except that all vacancies occurring during a term shall be filled for the unexpired term. A member shall hold office until his or her successor has been appointed and qualified. Provided, however, that the provisions of this section shall not apply to an authority authorized pursuant to subsection 45-50-3(c), in which case the public law providing for the exercise of the powers of the authority by a body corporate and politic shall apply and be considered definitive.

45-50-7. Officers and quorums. -- The authority shall elect one of its members as chairperson and another as vice chairperson and shall also elect a secretary and a treasurer. Three (3) members of the authority constitutes a quorum and the vote of three (3) members is necessary for any action taken by the authority. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority. Provided, however, that the provisions of this section shall not apply to an authority authorized pursuant to subsection 45-50-3(c), in which case the public law providing for the exercise of the powers of the authority by a body corporate and politic shall apply and be considered definitive.

SECTION 6. Construction of act. This act, being necessary for the orderly development of the State and the City, shall be liberally construed to effect the purposes hereof.

SECTION 7. Severability. This act shall be construed in all respects to meet all constitutional requirements. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary to meet constitutional or other legal requirements whether or not these steps are expressly required by statute. If, after the application of the provisions of this section, any of the provisions of this act, or its application to any circumstances, shall be held unconstitutional by any court of competent jurisdiction, that decision shall not affect or impair the validity of the application of those provisions to other circumstances or the validity of any of the other provisions of this act.

SECTION 8. This act shall take effect upon passage.

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LC03568

APPENDIX B

Properties within the East Providence Waterfront Special Development District Project Area

Map	Block	Parcel	Street Address	Acreage	Zoning	Owner
006	1	1	321 Bluff	3.69	I2	Providence & Worcester RR Company
006	1	3	0 Bold Point Park	3.80	O1	City of East Providence, Parks
006	1	5	1 Pier Road	4.00 land 15.00 water	I2	Union Oil Company of California
006	1	6	Railroad Site	0.91	I2	RIDOT
007	1	1	0 Pier Road	3.18 land 8.00 water	I2	Union Oil Company of California
007	1	1.1	0 Pier Road	2.02 land 4.0 water	I2	Dunellen LLC Providence & Worcester RR Company
007	1	2	0 Pier Road	0.80	I2	Union Oil Company of California
007	1	3	Railroad Site	63.73	I2	Providence & Worcester RR Company
016	1	1	100 Water Street	3.70	C5	100 Water Street Realty LLC
016	1	2	200 Water Street	0.32 land 2.43 water	C5	WRIB Inc.
016	1	3	62 Valley Street	1.08	C5	Narragansett Realty Corp.
016	1	4	84 Valley Street	0.32	C5	Narragansett Realty Corp.
016	1	5	90 Valley Street	0.21	C5	John V. Costa
016	1	7	Railroad Tracks	1.30	C5	RIDOT
016	2	2	28 Water Street	1.12	C5	Oyster House Marina
016	2	3	0 Water Street	0.002	C5	Exxon Mobil Corporation
016	2	4	0 Water Street	0.48	C5	RIDOT
016	2	5	54 Water Street	0.95	C5	White Wolf Realty LLC
016	3	2	45 Water Street	0.96	C5	Oyster House Marina
016	3	5	8 Warren Avenue	0.31	C5	Providence & Worcester RR Company
016	4	1	28 Boston Street	0.35	C5	J J Cardosi Inc.
016	4	2	16 Boston Street	0.23	C5	Michael T. West
016	4	3	12 Boston Street	0.12	C5	James J. Bennett, Jr.
016	4	4	100 Mauran Avenue	0.20	C5	Norma A. Winquist
016	4	5	104 Mauran Avenue	0.12	C5	Joseph Medina
016	4	6	0 Mauran Avenue	0.12	C5	RIDOT
016	4	7	29 First Street	0.12	C5	Viola Tabor
016	4	8	25 First Street	0.12	C5	GMD Realty Enterprises LLC
016	4	9	15 First Street	0.45	C5	15 First Street Properties LLC
016	4	10	29 Warren Avenue	0.24	C5	Anthony J. and Teresa Andreozzi
016	4	11	9 Warren Avenue	0.20	C5	Stephen R. Graves
016	5	1	39 Warren	0.43	C5	Robert L. Jaffe

Map	Block	Parcel	Street Address	Acreage	Zoning	Owner
			Avenue			
016	5	2	31 Warren Avenue	0.12	C5	Michael A. and Robert P. Anelundi
016	5	3	28 First Street	0.77	C5	Gaudet Realty, Inc.
016	5	4	110 Mauran Avenue	0.23	C5	Celestino and Priscilla Antonio
016	5	5	118 Mauran Avenue	0.12	C5	E. Providence Athletic Club
016	6	1	30 Veterans Memorial Parkway	0.95	C4	Luciens Auto Repair Inc.
016	13	1	33 Veterans Memorial Parkway	0.23	C5	Rubysshoes, LLC
016	13	2	38 First Street	0.12	C5	Sara Johnson
016	13	3	First Street	0.11	C5	Genevieve Ramos
016	13	4	54 First Street	0.11	C5	Annie B. Ramos (1/2) and John and Hilda Bento (1/2)
016	21	3	26 Teofilo Braga Way	0.09	C5	Theophilo Braga Brotherhood & Literary Club
016	21	4	36 Teofilo Braga Way	0.18	C5	Theophilo Braga Brotherhood & Literary Club
016	21	5	40 Teofilo Braga Way	0.09	C5	Theophilo Braga Brotherhood & Literary Club
016	21	6	51 First Street	1.35	O1	Providence Gas Co.
016	21	7	99 Mauran Avenue	10.36	C5	Grotto Inc.
016	21	8	10 Pier Road	0.50	C5	Watchemoket Realty Inc.
016	21	10	Railroad Site	1.53	O1	RIDOT
016	22	1	Pier Road -- Providence River	1.80	O1	Grotto Inc.
016	22	2	21 Pier Road	0.32	C5	Watchemoket Realty Inc.
016	22	3	9 Pier Road	0.27	C5	Watchemoket Realty Inc.
017	1	1	0 Veterans Memorial Parkway	13.88	I2	Chevron USA Inc.
017	1	2	0 Veterans Memorial Parkway	8.40	I2	Providence & Worcester RR Company
017	1	3	P & W Railroad	4.86	I2	RIDOT
017	1	4	Tangent Street (paper street)	0.80	I2	E. Providence Sewer Department
017	22	7	305 Lyon Avenue	0.70	O1	E. Providence Fraternal Order of Police
018	1	1	431 Veterans Memorial Parkway	8.00	I2	Chevron USA Inc.
018	2	1	0 Veterans Memorial	4.10	I2	Chevron USA Inc.

Map	Block	Parcel	Street Address	Acreage	Zoning	Owner
			Parkway			
105	1	1	0 Waterman Avenue	0.92	I3	Red Bridge Properties Co.
105	1	2	P & W Railroad	5.65	I3	Providence & Worcester RR Company
105	1	3	Railroad Site	2.80	I3	RIDOT
105	1	4	Railroad Site	1.07	I3	Providence & Worcester RR Company
105	4	1	115 Valley Street	0.30	C5	Kelley Metals Corp.
105	4	2	127 Valley Street	0.40	C5	Dexter Investment Corp.
105	4	3	0 N. Brow Street	1.03	C5	Armstrong Properties LLC
105	4	4	0 Valley Street	0.60	C5	Armstrong Properties LLC
105	4	5	170 N. Brow Street	0.45	C5	Armstrong Properties LLC
105	4	6	179 Valley Street	0.95	C5	Cemet Holding Co.
105	5	2	106 Valley Street	0.42	C5	Cemet Holding Co.
105	5	3	114 Valley Street	0.32	C5	Cemet Holding Co.
105	5	4	124 Valley Street	0.15	C5	Valley Street Realty LLC
105	5	5	110 Valley Street	0.24	C5	John J. Kelley, Sr., Trustee
105	5	7	156 Valley Street	0.58	C5	Kraus Realty, Inc.
105	5	8	160 Valley Street	1.22	C5	Apollo Realty Ltd.
105	5	9	213 Valley Street	1.08	C5	Green Brothers Inc.
105	5	10	240 N. Brow Street	2.36	C5	John W. Kennedy Co.
105	5	11	252 N. Brow Street	0.13	R6	Mary Medeiros
105	5	12	254 N. Brow Street	0.20	R6	Claire D. Busiere and Carol A. Perry
105	5	13	260 N. Brow Street	0.32	R6	Lucia V. Tavares
105	5	14	264 N. Brow Street	0.12	R6	Anthony J. Bonnano
105	5	15	274 N. Brow Street	0.19	R6	R & I Realty, Inc.
105	5	16	25 Waterman Avenue	0.16	R6	R & I Realty, Inc.
105	5	17	1 Waterman Avenue	6.11	C5	Red Bridge Properties Co.
105	5	17.1	0 Waterman Avenue	6.97	C5	RIDOT
105	5	18	Railroad Site	3.81	C5	RIDOT
105	6	1	187 N. Brow	0.37	C5	White Wolf Realty LLC

Map	Block	Parcel	Street Address	Acreage	Zoning	Owner
			Street			
105	6	35	227 N. Brow Street	0.46	C5	Antonio D. Tavares
105	6	37	215 N. Brow Street	0.22	C5	NECR Properties LLC
105	6	38	211 N. Brow Street	0.12	C5	211 N. Brow Street LLC
105	6	39	205 N. Brow Street	0.36	C5	White Wolf Realty LLC
106	1	1	0 S. Brow Street	0.12	C5	Narragansett Electric Co.
106	1	2	80 S. Brow Street	0.22	C5	Scott J. and Sandra A. Viveiros
106	1	6	105 Valley Street	1.33	C5	Cemet Holding Co.
106	1	7	97 Valley Street	0.35	C5	Cemet Holding Co.
106	1	8	89 Valley Street	0.41	C5	Almor Corporation
106	1	9	79 Valley Street	0.37	C5	Naragansett Realty Corp.
106	1	10	71 Valley Street	0.12	R6	Naragansett Realty Corp.
106	1	11	65 Valley Street	0.70	C5	Naragansett Realty Corp.
106	7	12	164 Taunton Avenue	0.45	C3	Rose Realty Co.
106	10	1	69 Taunton Avenue	0.33	C2	Alliance Energy Corp.
106	11	1	36 Potter Street	0.11	C1	Antonio J. Barbosa
106	11	2	48 Potter Street	0.11	C1	Uri Ben-Yashar
106	11	3	9 Cobb Street	0.11	C1	Wen Ku Yu
106	11	4	3 Cobb Street	0.37	C1	Murray Marketing Inc./ Murray Outdoor Communications
106	12	3	33 Potter Street	0.11	R6	Jane M. Whelan
108	2	1	0 Kettle Point	12.77 land 11.9 water	I2	Kettle Point Development Ltd. Partnership
109	1	1	0 Kettle Point	2.90	I2	Kettle Point Development Ltd. Partnership
109	1	2	0 Kettle Point	3.15	I2	Atlantic Richfield Co.
202	1	2	1 Noyes Avenue	12.60	I3	Merrymeeting Realty LLC
203	1	1	297 Bourne Avenue	15.07	I3	Willett Partners, RGIP
203	1	3	310 Bourne Avenue	12.59	I3	Phillipsdale Landing Partners
203	1	4	300 Bourne Avenue	18.80	I3	City of East Providence
203	1	5	Railroad Site	2.56	I3	RIDOT
204	1	1	0 Dexter Road	4.70	I3	AJM Holdings Inc.
204	1	3	0 Dexter Road	2.60	I3	Arpad J. Merva, Trustee
204	1	4	0 Dexter Road	8.60	I3	Providence & Worcester RR Company
204	1	5	0 Dunellen Road	0.98	I3	Power Test Realty Co. Ltd.
204	1	8	0 Dunellen Road	3.90	I3	Seekonk Corporation
204	1	10	0 Dunellen	1.47	I3	Seekonk Corporation

Map	Block	Parcel	Street Address	Acreeage	Zoning	Owner
			Road			
204	1	11	0 Dexter Road	0.16	I3	Power Test Realty Co. Ltd.
204	1	12	0 Dunellen Road	1.04	I3	Seekonk Corporation
204	1	13	8 Dexter Road	1.54	I3	Seekonk Corporation
204	1	15	9 Dunellen Road	2.28	I3	CTC LLC
204	1	16	90 Dexter Road	4.32	I3	CTC LLC
204	1	16.1	0 Dexter Road	3.00	I3	CTC LLC
204	1	17	0 Dexter Road	4.44	I3	Arpad J. Merva, Trustee
204	1	17.1	7 Dexter Road	2.45	I3	Arpad J. Merva, Trustee
204	1	18	105 Dexter Road	2.49	I3	Arpad J. Merva, Trustee
204	2	1	101 Dexter Road	2.16	I3	Eugene T. Voll
204	2	1.1	97 Dexter Road	1.74	I3	Peter Hallock
204	2	2	100 Dexter Road	3.91	I3	Westport Properties LLC
204	2	2.1	65 Dexter Road	0.92	I2	Netlectric Realty LLC
204	2	3	9 Dexter Road	7.15	I2	Power Test Realty Co. Ltd.
204	2	4	230 Massasoit Avenue	0.21	I2	Power Test Realty Co. Ltd.
204	2	5	Railroad Site	2.19	I2	Providence & Worcester RR Company
204	2	5.1	Railroad Site	0.71	I2	Power Test Realty Co. Ltd.
205	1	1	200 Massasoit Avenue	2.73	I2	OCG Microelectronic Materials, Inc.
206	4	14	213 Taunton Avenue	0.16	C3	Robert Ranaldi
206	4	15	205 Taunton Avenue	0.15	C3	Robert Ranaldi
209	3	1	0 Kettle Point	15.90	I2	Atlantic Richfield Co.
301	4	8	10 New Road	38.70	I3	Harborside Park LLC
302	1	31	105 Pawtucket Avenue	6.51	I1	Harborside Park II LLC
303	1	9	0 Noyes Avenue	4.17	I1	SVD Realty LP
303	11	4	155 Roger Williams Avenue	0.28	C2	Bruce and Susanna Enos
303	13	4	0 Bourne Avenue	7.08	I3	City of East Providence
303	13	5	0 Bourne Avenue	1.23	I3	City of East Providence
304	1	1	3 Dexter Road	10.57	I3	3DR Associates, LLC
304	1	1.1	1 Dexter Road	15.61	I3	Arpad J. Merva
304	1	1.2	Pumping Station	0.20	I3	RI Blackstone Valley Sewer
304	1	2	10 Dexter Road	1.51	I3	MLS Realty LLC
304	1	3	115 Dexter Road	1.14	I3	NETX, Inc.
304	1	4	51 Dexter Road	0.95	I3	NETX, Inc.

Map	Block	Parcel	Street Address	Acreage	Zoning	Owner
304	1	4.1	55 Dexter Road	0.50	I3	Bower Ammonia & Chemical Co.
304	1	5	0 Dexter Road	4.13	I3	Arpad J. Merva, Trustee
304	1	5.1	0 Dexter Road	5.73	I3	Providence & Worcester RR Company
304	1	6	Wean Transmitter	10.78	O1	Citadel Broadcasting Co.
304	1	7	Railroad	2.90	O1	Providence & Worcester RR Company

APPENDIX C

State and Federal Regulations

STATE REGULATIONS

State of Rhode Island Coastal Resources Management Council (CRMC)

The CRMC regulates all development within 200 feet of coastal features under RI General Laws, Chapter 46-23 (1956) and the Federal Coastal Zone Management Act, 16 USC § 1454 et seq. The primary responsibility of the CRMC is the "preservation, protection, development and where possible the restoration of the coastal areas of the state via the issuance of permits for work with the coastal zone of the state."

State of Rhode Island Department of Environmental Management (RIDEM)

Pursuant to RI General Laws Chapter 46, the RIDEM is responsible for the "control and supervision of all the harbors and tidewaters of the state, for the preservation, development, and improvement thereof and the promotion of the interests of the state therein." RIDEM divisions that may impact waterfront development include:

Office of Waste Management

- Reviews and supervises the environmental impacts of dredging the State's waterways under the *Rules and Regulations for Dredging and the Management of Dredged Material*, Regulation # DEM-OWR-DR-02-03.
- Regulates the use of underground storage facilities as well as the assessment and remediation of pollution resulting from their use under *Rules and Regulations For Underground Storage Facilities Used For Petroleum Products and Hazardous Materials*, Regulation # DEM-OWM-UST10-02
- Regulates the environmental hazards associated with the generation, transportation, treatment, storage, and disposal of hazardous wastes under the *Rules and Regulations for Hazardous Waste Management*, Regulation #DEM OWM-HW12-02, pursuant R.I. General Laws Chapter 23-19.1 (1956)

Office of Water Resources

- Regulates the preservation, protection, and restoration of all freshwater wetlands in the State under *Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act*, pursuant to RI General Laws Chapters 2-1-20.1, 42-17.1, 42-17.6, and 42-35 (1956).
- Regulates the preservation, restoration, and enhancement of the quality of surface waters and protects the waters from pollutants under *Regulations for the Rhode Island Pollutant Discharge Elimination System*, pursuant to RI General Laws Chapters 46-12, 42-17.1 and 42-35 (1956).
- Establishes water quality standards for the State's surface waters under *Rules and Regulations for Surface Water Quality*, Regulation EVM 112-88.97-1, pursuant to RI General Laws Chapters 46-12 and 42-17.1 (1956).
- Protects and restores the quality of the State's groundwater resources under *Rules and Regulations for Groundwater Quality*, Regulation 12-100-006, pursuant to RI General Laws Chapters 46-12, 46-13.1, 23-18.9, 23-19.1, 42-17.6 and 42-17.1 (1956).

FEDERAL REGULATIONS

U.S. Environmental Protection Agency (EPA)

The National Environmental Policy Act of 1969 (NEPA)

Establishes a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes under 42 U.S.C. 4321-4347.

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and The Superfund Amendments and Reauthorization Act (SARA)

These acts impose a tax on the chemical and petroleum industries, and provide a means to address the liability for and clean-up of substances hazardous to the environment and public health pursuant to 42 U.S.C. s/s 9601 et seq. (1980) (CERCLA) and 42 U.S.C.9601 et seq. (1986) (SARA).

Federal Water Pollution Control Act (aka The Clean Water Act)

Pursuant to 33 U.S.C. ss/1251 et seq. (1977), the Clean Water Act regulates direct pollutant discharge into waterways, finances municipal wastewater treatment facilities, and manages polluted runoff.

National Oceanic and Atmospheric Administration

Federal Coastal Zone Management Act

The Coastal Zone Management Act Of 1972, amended in 1996, encourages states to preserve, protect, develop, and, where possible, restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as the fish and wildlife using those habitats.

U.S. Army Corps of Engineers (New England District)

The Corps of Engineers regulates construction and other work in navigable waterways under Section 10 of the Rivers and Harbors Act of 1899 and the discharge of dredged or fill materials into "waters of the United States" under Section 404 of the Clean Waters Act.