



EAST PROVIDENCE WATERFRONT DISTRICT COMMISSION

Hearing Panel Meeting Minutes April 18, 2019

Attendees: Steven Hardcastle, Chair
William Fazioli
Paul Moura
Peter Willey

Staff: Pamela M. Sherrill, AICP, Executive Director

The chair called the meeting to order at 6:30 PM.

A. Old Business

Unanimous vote to approve the minutes of February 21, 2019, motioned by Mr. Fazioli and seconded by Mr. Moura.

B. New Business

- C. **VOTE:** Public hearing to consider a request for an advisory opinion to the Waterfront Commission regarding a parking deviation for the Black Duck Tavern proposed seasonal patio with outdoor seating, a permitted use.

Owner/Applicant:	DMC Properties, LLC
Location:	31-35 Warren Ave
Assessor's Map	016, Block 05, Lot 002
Project:	Black Duck Tavern Patio
Zoning:	Bold Point Sub-district

Cory Brailsford, owner, explained that the proposed patio would be constructed to the rear of the Black Duck Tavern, where there are currently four parking spaces. He has requested a deviation of 33 spaces required under the zoning ordinance. He demonstrated that sufficient parking is available at the Comedy Connection lot and an on-street on Warren Avenue. He also has an informal agreement with LDC, located immediately to the south, to enable parking after 5 pm.

Ms. Sherrill indicated that the application was certified complete April 1, 2019, hearings were advertised in the *East Providence Post* on April 4, 2019, and a certified ailing was sent to property owners within 200 feet. She reiterated points were made at the April 8, 2019 staff meeting:

1. The applicant described that sufficient parking is available at the Comedy Connection with staff parking at LDC's lot parking (vacant after 5 PM), and on-street parking.
2. First Street is a 40-foot right of way and not of sufficient width for parking on both sides and is marked with "share the road sharrows."
3. The Fire Department requested emergency gates on both sides of the patio and that the proposed egress door not block the emergency gates.
4. The City Engineer is satisfied that there will be a net improvement in stormwater infiltration since approximately 730 sq ft of impermeable pavement will be replaced.

5. Live music would generally be duos playing acoustic music, no later than 11 PM. Police chief asked that the applicant be responsive to any noise complaints.
 6. Dumpsters for trash and recycling are shared between the Black Duck, Comedy Connection and LDC. Applicant has committed to adequately fencing the dumpsters.
- She also indicated that the six factors to be considered in granting a deviation under Sec. 19-476 have been met as indicated in her April 12, 2019 Planner's memo.

Commissioners expressed support for the Black Duck Tavern and how this business, together with the Comedy Connection are an important asset in the Watchemocket arts and entertainment district.

There was no public comment. The hearing was closed on a motion by Mr. Moura, seconded by Mr. Fazioli and voted unanimously.

On a motion by Mr. Willey and seconded by Mr. Fazioli, the hearing panel voted unanimously to send a positive advisory opinion to the Waterfront Commission regarding a parking deviation for the Black Duck Tavern proposed seasonal patio with outdoor seating, subject to the following conditions:

- Installation of emergency only gates on the First Street and Comedy Connection side of the patio.
- Installation of bike racks on the patio fence along First Street.
- Installation of screening around the jointly used trash and recycling dumpsters per Sec. 19-483(b)(21).

On a motion by Mr. Willey and seconded by Mr. Fazioli, the hearing panel voted unanimously to submit a request to Steve Coutu, DPW Director, to request that the City Council post First Street between Mauran and Warren Avenues NO PARKING ANY TIME, due to limited roadway width, share the road bike lanes, and numerous curb cuts.
Mr. Fazioli – Aye Mr. Moura – Aye Mr. Willey – Aye Chair votes - Aye

On a motion by Mr. Willey and seconded by Mr. Fazioli, the hearing panel voted unanimously to recommend that the Waterfront Commission and the Planning Department work with any consultant selected as part of the upcoming EDA/EDC Main Street Watchemocket Square grant to recommend improved parking signage and striping on Warren Avenue
Mr. Fazioli – Aye Mr. Moura – Aye Mr. Willey – Aye Chair votes - Aye

On a motion by Mr. Fazioli, seconded by Mr. Moura, the hearing panel voted unanimously to adjourn at 6:40 PM.

Respectfully submitted,

PAMELA M. SHERRILL, AICP, *Executive Director*