

Tab 5

EXECUTIVE SUMMARY AND NARRATIVE FOR ELECTRONIC BID PACKAGE

Geonova Development Co., Inc. - The City of East Providence, C.A. No. PB 2009-5341



W. Mark Russo, Esquire
Rhode Island Superior Court
Appointed Special Master of
**The Omega Pond Parcel
Waterfront Development**
Ferrucci Russo P.C.
55 Pine Street
Fourth Floor
Providence, RI 02903
Tel: (401) 455-1000
Fax: (401) 455-7778
E-mail: mrusso@frlawri.com
www.frlawri.com

Introduction

The Court appointed Special Master of the land and development opportunity more commonly known as the East Pointe Waterfront Development located in East Providence, Rhode Island (“East Pointe”) is offering the 9 acre parcel associated with East Pointe that is situated along the Omega Pond (the “Omega Pond Parcel”), along with entitlements and assets thereof, for sale. The instant bid package is being distributed and made available electronically to prospective purchasers. All written bids should be delivered to the Special Master at the following address:

W. Mark Russo, Esq., Special Master
Ferrucci Russo P.C.
55 Pine Street
Fourth Floor
Providence, Rhode Island 02903
Or by Electronic Mail to: mrusso@frlawri.com

The Special Master has assembled an Electronic Bid Package which may be requested by emailing the Special Master at mrusso@frlawri.com

Executive Summary

I. Real Estate Available for Sale

The Omega Pond Parcel is located at the junction of Bourne Avenue and Roger Williams Avenue in East Providence, Rhode Island. The Omega Pond Parcel consists of approximately 9 acres of developable land. Moreover, the Omega Pond Parcel is situated on the Omega Pond having approximately 1,200 feet of water frontage.

To further illustrate the location and layout of the Omega Pond Parcel, we have enclosed the accompanying overhead photographs and maps at Tabs 7 and 12, which include overhead views of the Omega Pond Parcel and surrounding area.

The location of the Omega Pond Parcel is well situated for development, with water frontage and only a short commute to Providence. In fact, the Omega Pond Parcel is located across the Seekonk River from one of the most affluent sections of Providence. When fully developed, the Omega Pond Parcel has the potential to become a central location in the overall development of the East Providence Waterfront District and the larger surrounding region.

Further, the Omega Pond Parcel is located just north of East Providence's Waterfront Drive. Waterfront Drive serves as a critical development area for the City, providing access to various waterfront properties and developments.

Regionally, the Omega Pond Parcel is located approximately 2 miles east of Historic Downtown Providence, 55 miles from Boston, and 175 miles from New York. With the recent efforts to transition and re-develop areas such as the I-195 corridor and the Knowledge District in Providence, the Omega Pond Parcel presents a unique opportunity, to synergize the development of the Omega Pond Parcel with ongoing development efforts already underway in the surrounding region.

Zoning

The Omega Pond Parcel is located within the City of East Providence's (the "City") Waterfront Development District (the "Waterfront District"). The Waterfront District is planned to accommodate a mix of residential, commercial and light industrial uses, with public parks and waterfront access. Within the Waterfront District, the Omega Pond Parcel is located within the Phillipsdale Sub-district, which allows for a mixture of commercial, office, personal services, recreation, and residential uses.

Moreover, the Omega Pond Parcel is zoned as medium density residential. Enclosed at Tab 15 is the Zoning table for the City of East Providence and at Tab 16 is the Waterfront Development District Regulations.

Utilities and Services

As part of the development and improvement of the Omega Pond Parcel, the site has access to utility providers, including electric and gas. Moreover, the Omega Pond Parcel is equipped such that municipal water and sewer can be made available at the Omega Pond Parcel as part of the development. Moreover, police and fire protection are provided by the City of East Providence.

Prior Development Plans and Approvals for the Omega Pond Parcel

The prior approved development plans for Omega Pond Parcel provided a combination of residential density and waterfront recreation which was designed to position the Omega Pond Parcel as a pre-eminent waterfront community in Rhode Island.

Specifically, the Omega Pond Parcel was previously planned and approved for six residential buildings totaling 144 units. The buildings range from three to five stories in height. Further, the total square footage of the development was planned as 203,500 net square feet.

In addition, there was a total allocation of 173 residential parking spots, which exceeds a two to one ratio. There are two separate points of access for the Omega Pond Parcel along Roger Williams Avenue and Bourne Avenue. The Omega Pond Parcel was also designed to accommodate pedestrian paths along the Omega Pond, public parking areas, and other amenities. Further, with appropriate agency approvals, portage access may also be possible at the Omega Pond Parcel. In addition, there is the potential for financing of the construction of a greenway along the 1,200 square foot water frontage along Omega Pond.

Incentives to Development of the Omega Pond Parcel

Moreover, with the unique zoning parameters and a development friendly process, future development could be reconfigured to facilitate a wide range of development ideas beyond those previously planned and approved. In turn, the Mastership process is meant to be flexible and to foster the marketing and development of the Omega Pond Parcel. As such, other development approaches would certainly be considered by the Mastership including: (1) reconfiguring the development structure beyond that which has been previously approved; (2) specifying entitlements that may incent development as contingencies within a proposal; and (3) a phased development/financial closing.

Further, the Mastership process offers several additional advantages to potential purchasers and developers. The court-supervised Mastership proceeding is an efficient process, meant to work with regulatory authorities at the city and state level to create the potential for economic growth. Further, the Mastership proceeding provides for a sale free and clear of all liens, claims and encumbrances, as well as allows the Special Master to consider any contingencies a potential purchaser may be interested in.

In addition, the Omega Pond Parcel is uniquely situated in the East Providence Waterfront District. By legislation enacted in 2003 and 2004, the Waterfront District Commission is a City - State partnership. The Commission Members are leading professionals with experience in the fields of architectural land use planning, design, business and law. The Commission is tasked with facilitating ongoing re-development efforts along the East Providence Waterfront in a development friendly process.

Pursuant to the legislation creating the Waterfront District Commission, the City of East Providence has the authority to adopt Tax Increment Financing (“TIF”) plans for development

projects within the East Providence Waterfront District. Further, the City of East Providence has previously exercised this authority for other projects within its Waterfront District. Moreover, the Special Master has previously secured this TIF financing for buyers in several other development projects within Rhode Island.

In addition, R.I. Gen. Laws §44-3-9 provides for the exemption or stabilization of taxes on real and personal property which is used for residential purposes for up to twenty years, based upon the condition that said incentive provided to the tax payer will benefit the host community. Further, the City of East Providence has enacted its own ordinance providing exemption or stabilization for ten years when a project exceeds \$5M in taxable value.

Environmental

The prior issued LOC from RIDEM confirms that, with the exception of one small ELUR area, the Omega Pond Parcel is now in compliance with all residential standards, to allow a residential development similar to the development plans outlined above, or alternatively, to allow other proposed development concepts which may be advanced as part of the instant Mastership process. Further, the ELUR was previously planned as part of the proposed greenway along the water frontage of Omega Pond.

II. Premises Offered Free and Clear of All Liens, Claims and Encumbrances

The Special Master is offering the Omega Pond Parcel and development opportunity for sale through a Court supervised Special Mastership Proceeding. As a Court supervised proceeding, the instant Mastership proceeding provides for a sale **free** and **clear** of **all liens**, **claims** and **encumbrances**.

The materials assembled by the Special Master provide information regarding the Omega Pond Parcel in an effort to advance an organized presentation of the available development

opportunity, as well as the value inherent therein. Any offer to purchase the Omega Pond Parcel put forward by a potential purchaser will be based on the purchaser's independent review and investigation of the Omega Pond Parcel and not on any representation made by the Special Master or any of the Special Master's agents. The Omega Pond Parcel available for sale will be sold **as is, where is**, and with any and all faults. The Special Master is available to discuss proposals seeking to advance the acquisition of the Omega Pond Parcel and to assist prospective purchasers in preparing a form of offer to purchase the Omega Pond Parcel.

The Special Master will review and compare any and all received bids in order to present a bid to the Superior Court for ultimate approval as being in the best interest of the Special Mastership Estate.

Tab 6

Omega Pond Parcel Waterfront Development Overview

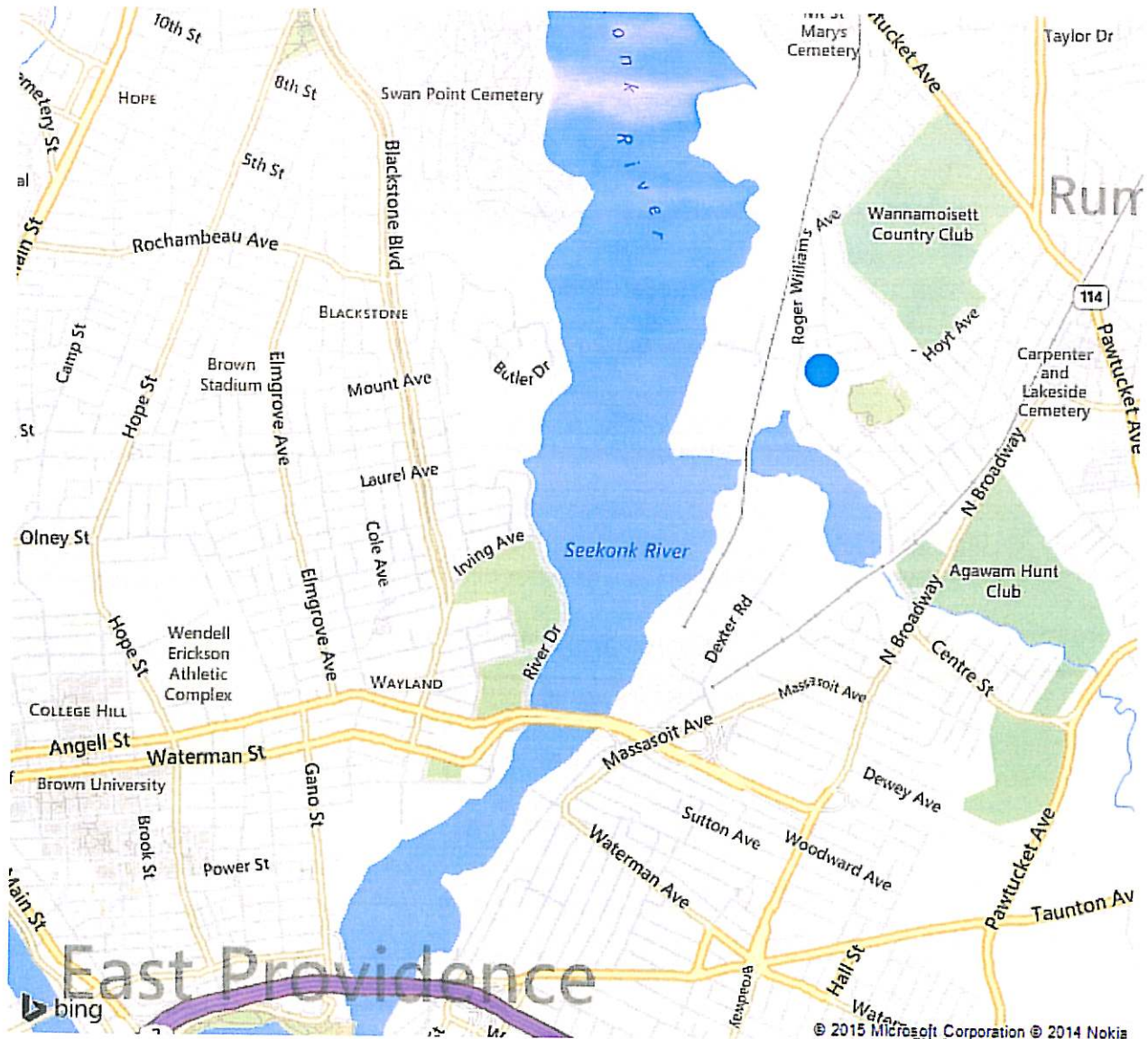
Omega Pond Parcel General Information

Property Address	300 Bourne Avenue, East Providence, RI 02916
Tax Assessor Parcel No.	303-13-004, 303-13-005
Zoning	01 - Open Space; medium density
Ownership Type	Fee Simple
Total Land Area	9.00 acres (+/-)
Condition	undeveloped
Utilities	Available as part of development
Road Frontage	Roger Williams Avenue and Bourne Avenue
Water Frontage	Omega Pond
Access	via Roger Williams Avenue and Bourne Avenue

Tab 7



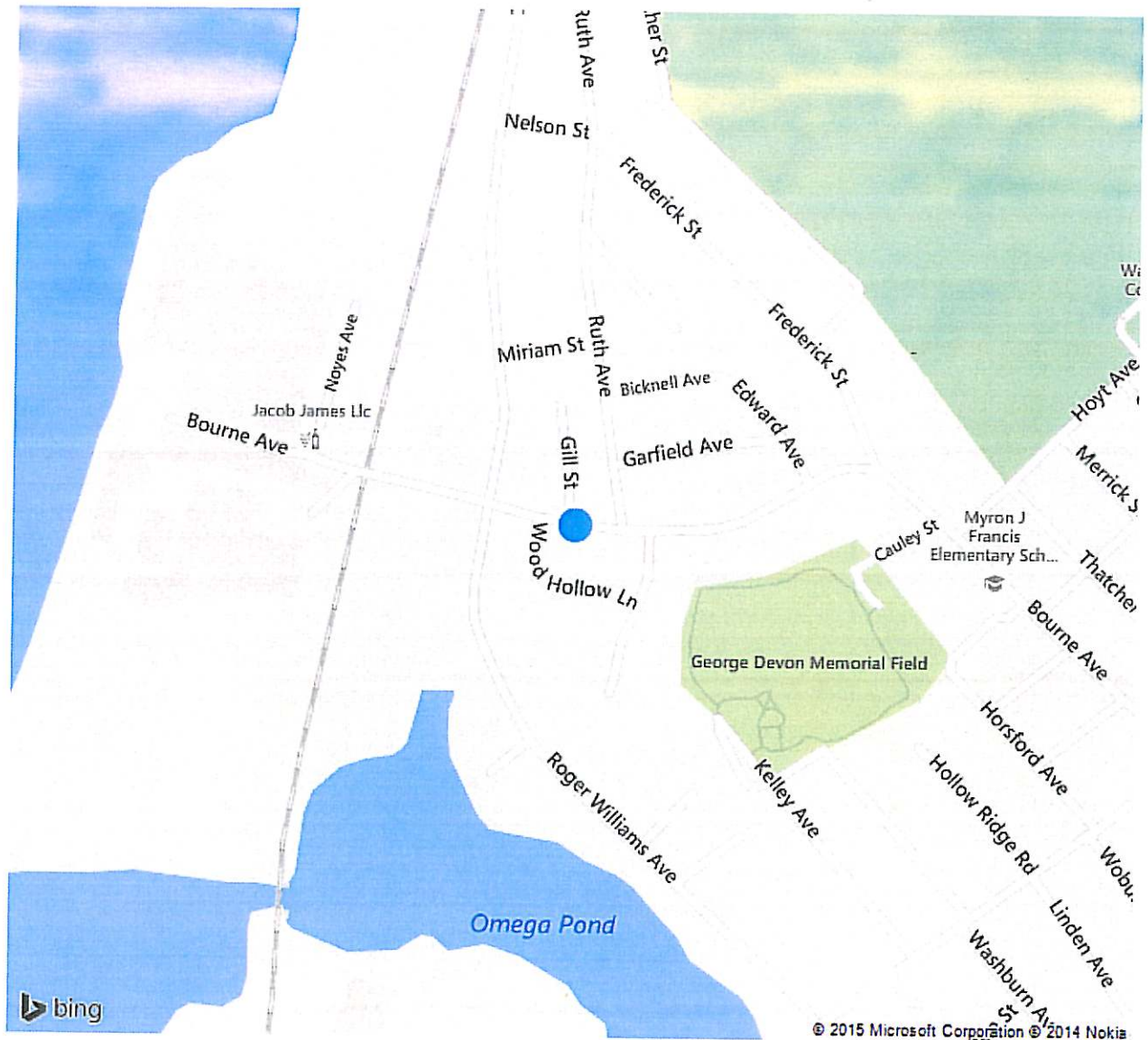




East Providence

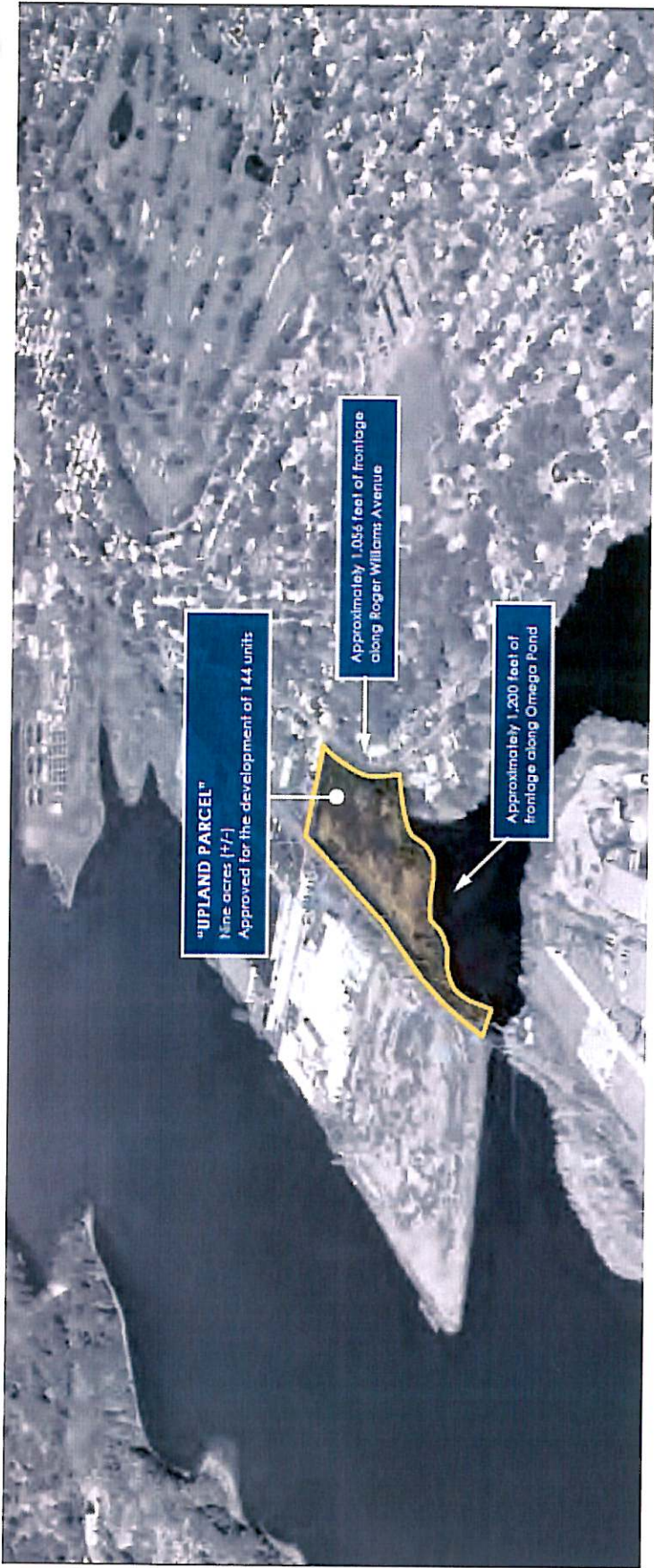


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"UPLAND PARCEL"
1.9 acres [±]
Approved for the development of 144 units

Approximately 1,056 feet of frontage
along Roger Williams Avenue

Approximately 1,200 feet of
frontage along Omega Pond



Tab 8



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908 5767

TDD 401-222-4462

INTERIM LETTER OF COMPLIANCE
CASE NO. 96-014

May 22, 2006

George K. C. Lee,
Chairman & Chief Executive Officer
GeoNova Development Company, LLC
c/o Greenberg Traurig, LLP
200 Park Avenue, 14th Floor
New York, NY 10166

RE: Ocean State Steel Property, 300 Bourne Avenue, East Providence, Rhode Island

Dear Mr. Lee:

In the matter of the above referenced site, the Rhode Island Department of Environmental Management's (the Department's) Office of Waste Management (OWM) has to date received the following documents submitted on behalf of GeoNova Development Company (GeoNova) and Solucorp Industries Limited (Solucorp):

1. Site Investigation Report, Ocean State Steel Property, 310 Bourne Avenue, East Providence, Rhode Island (SIR), prepared by BATG Environmental of CT, L.L.C. (BATG), dated March 2003, received March 12, 2003;
2. Letter to the Department from Richard A. Sherman, Esquire, of Edwards & Angell, LLP (E&A), Re: GeoNova Development Company, LLC, Ocean State Steel Property, 300 Bourne Avenue, East Providence, Rhode Island, Case No. 96-014, RIEDC Certificate of Critical Economic Concern issued April 30, 2003 (copy enclosed), dated May 16, 2003;
3. Site Investigation Report Addendum 1, Ocean State Steel Property, 310 Bourne Avenue, East Providence, Rhode Island (SIR Addendum 1), prepared by BATG, dated October 24, 2003;
4. Site Investigation Report Addendum 2, Ocean State Steel Property, 310 Bourne Avenue, East Providence, Rhode Island (SIR Addendum 2), prepared by BATG, dated December 10, 2003;
5. Letter to the Department from BATG, Re: Ocean State Steel Property, 300 Bourne Avenue, East Providence, RI, Site Investigation Report Comments Response, Case No. 96-014, dated December 10, 2003;

6. Letter to the Department from BATG, Re: Former Ocean State Steel Property, 300 Bourne Avenue, East Providence, Rhode Island, Responses to 2/13/04 DEM Comments on Site Investigation Report Addendum 2, Case No. 96-014, dated February 25, 2004;
7. Letter to the Department from Richard A. Sherman, Esquire, E&A, Re: Geo Nova Development Company, LLC, Former Ocean State Steel Property, East Providence, Rhode Island, C.A. No. 96-014, dated March 3, 2004, documenting that the Public Notice requirements were completed, including copies of the Notification to Abutters, dated February 25, 2004, and the Affidavit of Publication in the Providence Journal, dated March 1, 2004;
8. Letter to the Department from Richard A. Sherman, Esquire, E&A, Re: Geo Nova Development Company, LLC, Former Ocean State Steel Property, East Providence, Rhode Island, C.A. No. 96-014, dated March 30, 2004, documenting that the Supplementary Public Notice requirements were completed;
9. Remedial Action Work Plan, Ocean State Steel Property, 310 Bourne Avenue, East Providence, Rhode Island (RAWP), prepared by BATG, dated April 8, 2004;
10. Completion Report for the Allis-Chalmers Transformer and PCB Impacted Soil and Concrete, (Former Ocean State Steel Property, in the City of East Providence, Rhode Island, prepared by BATG, dated February 2005, received March 4, 2005 (the PCB Report);
11. Remedial Action Closure Report, Former Ocean State Steel Property, 310 Bourne Avenue, East Providence, Rhode Island, Case No. 96-014 (consisting of 8 volumes), prepared by Red Technologies, LLC (RED), dated March 31, 2005 (the Closure Report);
12. Sediment Sampling of Omega Pond and the Seckonk River, Former Ocean State Steel Site, 300 Bourne Ave., East Providence, RI, Case No. 96-014, prepared by RED, dated April 4, 2005 (the Sediment Report);
13. Topographic Survey Plan, Map 203 – Block 1 – Lot 4, Map 303 – Block 13 – Lots 4 & 5, Roger Williams Ave & Bourne Ave. – East Providence, RI, (consisting of 5 - 24" x 36" sheets), prepared by Waterman Engineering Co. (WEC), dated March 13, 2003, submitted on June 17, 2005;
14. Addendum Number 1 to Remedial Action Closure Report, Former Ocean State Steel Property, 310 Bourne Avenue, East Providence, Rhode Island, Case No. 96-014, prepared by RED, dated July 22, 2005 (Addendum 1);
15. Correspondence from Phyllis Shiller, Phoenix Environmental Laboratory Director, Re: Ocean State Steel, dated December 8, 2005, received via e-mail December 13, 2005;
16. Addendum Number 2 to Remedial Action Closure Report, Former Ocean State Steel Property, 310 Bourne Avenue, East Providence, Rhode Island, Case No. 96-014, prepared by RED, dated January 2006, received January 11, 2006 (Addendum 2);

17. Letter to the Department from Richard A. Sherman, Esquire, E&A, Re: Geo Nova Development Company LLC, Closure Report Comments 3 Letter dated April 13, 2006, Case No. 96-014, dated April 25, 2006;
18. Ocean State Steel Property, 300 Bourne Avenue, East Providence, RI, Addendum Number 3 to Remedial Action Closure Report, Case No. 96-014, prepared by RED, dated April 27, 2006, (Addendum 3); and
19. Letter to the Department from Richard A. Sherman, Esquire, E&A, Re: Former Ocean State Steel Property, 300 Bourne Avenue, East Providence, Rhode Island, Case No. 96-014, dated May 18, 2006, received May 19, 2006, including copies of the recorded Environmental Land Usage Restriction (ELUR), and letter from National Grid regarding compliance with the ELUR concerning ELUR area C.

Based upon the information contained in these submittals the Department has concluded that the above referenced property is in compliance with the Remediation Regulations at this time.

Be advised that the Department reserves the right to require additional actions under the aforementioned Remediation Regulations at the subject property should any of the following occur:

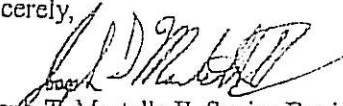
- A. Conditions at the site, previously unknown to the Department are discovered;
- B. Information, previously unknown to the Department becomes available;
- C. Policy and/or regulatory requirements change;
- D. Groundwater monitoring at the site is discontinued without specific Department approval; or
- E. Any of the aforementioned parties or any future holder (s) of any interest in the property fails to adhere to the terms and conditions of the ELUR and/or the SMP for the Property.

In addition, the Department anticipates promptly executing the Release and Termination of Consent Agreement and Conservation Restriction, regarding the Consent Agreement (RCRA CA-92-60) dated August 4, 1992 by and between the Department and Ocean State Steel, Inc. and related Conservation Restriction, dated May 29, 1992 executed by Ocean State Steel, Inc. and recorded in the City of East Providence Records of Land Evidence on October 19, 1992 at 2:57 P.M. An original of the Release and Termination will be sent to you by mail upon execution.

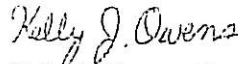
Nothing in this Interim Letter of Compliance relieves the responsible party or the site from compliance with all other applicable State or Federal regulations.

If you have any questions regarding this letter or wish to arrange another meeting, please contact me by telephone at (401) 222-2797 x7109 or by e-mail at joseph.martella@dem.ri.gov.

Sincerely,


Joseph T. Martella II, Senior Engineer
RIDEM/Office of Waste Management

Authorized by:


Kelly J. Owens, Supervising Engineer
RIDEM/Office of Waste Management

cc: Terrence D. Gray, P.E., Assistant Director, RIDEM/AW&C
Leo Hellested, P.E., Chief, RIDEM/OWM
Jeffrey Crawford, RIDEM/OWM
John Langlois, Esq., RIDEM/OLS
Frank Battaglia, EPA Region 1, RCRA
Jeanne Boyle, Planning Director, East Providence
Richard A. Sherman, Esq., E&A
Robin Main, Esq., H&K
Jason Barroso, RED
Philip Peterson, BATG
John Hartley, GZA

Tab 9



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, R.I. 02879-1900

(401) 783-3370
FAX: (401) 783-3767

ASSENT

CRMC File No.: 2007-02-058 CRMC Assent No.: A2007-02-058

Whereas,
of

City of East Providence
East Point Development Project
145 Taunton Avenue
East Providence, RI 02914

has applied to the Coastal Resources Management Council for assent to: Construct a mixed use (commercial/residential) development at the former Ocean State Steel property in East Providence; the project includes construction on the Omega Pond and Seekonk River shorelines; construction on the Omega Pond shoreline has been deferred to RIDEM; work on the Seekonk River shoreline (19.5 acres) includes the construction of a riprap revetment backed by a vertical concrete flood zone protection wall and a steel sheet-pile bulkhead to be constructed along the northwest portion of the site; a fringe salt marsh will be established along the shoreline to compensate for wetland filled for revetment construction; included with the project is the construction and establishment of a 50' wide shoreline greenway which will include a public access pathway; the project is being considered under CRMC's Urban Coastal Greenway Policy for the Metro Bay Region; a Special Exception is required for the filling of coastal wetlands bordering the Type 4 waters of the Seekonk River; and represents that they are the owners of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: Construct a mixed use (commercial/residential) development at the former Ocean State Steel property in East Providence; the project includes construction on the Omega Pond and Seekonk River shorelines; construction on the Omega Pond shoreline has been deferred to RIDEM; work on the Seekonk River shoreline (19.5 acres) includes the construction of a riprap revetment backed by a vertical concrete flood zone protection wall and a steel sheet-pile bulkhead to be constructed along the northwest portion of the site; a fringe salt marsh will be established along the shoreline to compensate for wetland filled for revetment construction; included with the project is the construction and establishment of a 50' wide shoreline greenway which will include a public access pathway; the project is being considered under CRMC's Urban Coastal Greenway Policy for the Metro Bay Region; a Special Exception is required for the filling of coastal wetlands bordering the Type 4 waters of the Seekonk River; located at plat Map 203, Block 1, Parcel 4; Map 203, Block 13, Parcels 14 & 15; Map 304, Block 1, Parcel 8; Roger Williams & Bourne Avenue, East Providence, RI, in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before July 24, 2010 after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

Permits issued by the CRMC are issued for a finite period of time, confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.

All local, state or federal ordinances and regulations must be complied with.

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State

standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

CAUTION:

The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from the approved plans will require a separate application and review. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity.

Permits, licenses or easements issued by the Council are valid only with the conditions and stipulation under which they are granted and imply no guarantee of renewal. The initial application or an application for renewal may be subject to denial or modification. If an application is granted, said permit, license and easement may be subject to revocation and/or modification for failure to comply with the conditions and stipulations under which the same was issued or for other good cause.

ATTENTION: ALL STRUCTURES AND FILLED AREAS IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island and Providence Plantations in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;
2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISIO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

- A. The applicant shall record this assent in its entirety in the land evidence records of the City of East Providence within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.
- B. The approved site plan shall be those entitled "East Pointe, East Providence, Rhode Island," in 31 sheets by North East Engineers and Consultants, Inc, having a final cover sheet revision date of February 11, 2008 and bearing CRMC's approval stamp dated 5-22-2008. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.
- C. The approved landscaping plans shall be "Landscape, signage and lighting plans for East Pointe...", sheets L-1 through L-5 by the Gifford Design Group, Inc., having a cover sheet last revised 5/22/2007.
- D. This CRMC Assent shall be valid only for the project specified by the plans approved by this CRMC Assent. No changes to the shoreline protection facilities, wetland mitigation plan, greenway, public access or associated parking facilities, etc., shall be allowed under this Assent or by any future application to modify this Assent. In addition, other than minor "footprint" modifications which retain the approved setback, there shall be no changes to the residential buildings which comprise the seaward row of proposed multi (3-4) family dwelling units bordering the Seekonk River Shoreline. Any and all changes including those noted herein and/or any other changes which the CRMC determines to represent a substantive modification to the approved development shall require a new CRMC review and approval.
- E. Prior to any work associated with this project, a UCG Easement shall be submitted to the CRMC for review and approval. Once approved by the CRMC, the Easement shall be recorded in the Land Evidence Records in the City of East Providence. All rules for use of the greenway and a greenway management plan shall be included as attachments to the easement.
- F. Prior to any work associated with this project, the applicant shall obtain Sewer connection approvals from the Narragansett Bay Commission and the City of East Providence Sewage Treatment Facility.
- G. A work plan detailing construction sequencing and timing shall be submitted to the CRMC for written approval upon selection of construction contractor and prior to initiation of construction.

- H. The RIDEM Soils Management Plan and Remedial Action Work Plan shall be strictly adhered to ("ELUR Permit 96-014"). Final RIDEM permit resolution shall be required for "ELUR Area A" disturbance, prior to initiation of construction.
- I. Within 30 days of Assent issuance of the CRMC Assent, the applicant shall submit a greenway parking plan which specifically identifies the public parking spaces available for public access to the greenway. This plan shall provide "mock-ups" of appropriate signage to delineate these spaces on site. In addition, all "perpendicular" (access) pathways to the greenway shall be specifically identified along with mock-ups of appropriate signage which directs public access to the greenway. Finally, a mock-up of signage which identifies the rules for public use of the greenway shall be provided. All signs and greenway rules and access provisions shall be subject to CRMC approval.
- J. The "Soil Surcharge Plans for Structural Filling and Settlement" shall be submitted to for written approval prior to construction.
- K. Prior to initiation of construction, the applicant is required to schedule a meeting between the contractor and the CRMC staff. This meeting will be held to clarify and stress the terms of the permit, and to discuss details of erosion and sedimentation controls, methods of construction, construction timing, dewatering, etc.
- L. The proposed shoreline protection structures (steel sheet-pile bulkhead and revetment with backing vertical concrete seawall) shall be constructed prior to the construction of any buildings on the subject property (Seekonk River portion). The greenway and wetland mitigation area (fringe marsh with subaqueous revetment) shall be constructed and established in a linear fashion proceeding along the shore commensurate with the construction of the shoreline protection structures. The construction of any buildings prior to the completion of the shoreline protection facilities will require a separate CRMC authorization and must be consistent with any approval of the Federal Emergency Management Agency.
- M. The barge located along the western shoreline segment shall be removed for disposal at an appropriate upland location. The barge shall be removed prior to the construction of shoreline protection structures proposed for this area of the shoreline.
- N. All greenway plantings shall be restricted to species included on the most recent list of native, sustainable and coastal plants posted on CRMC's Web site.
- O. All Low-Impact Development (LID) techniques to be incorporated into the final design of "large scale" buildings and associated areas (including green roofs and tree box filters) shall require CRMC review and approval.
- P. All project lighting including any shoreline bollards installed in the Greenway shall utilize shielding and glare control to avoid and minimize any illumination of the Seekonk River and its shoreline. No spotlights or other directed or bright lights or illumination shall be directed toward the Seekonk River. The CRMC reserves the right to approve any project lighting and may order the removal or shielding of any lighting determined to be excessive or which results in excess illumination

of the shoreline. All potential purchasers or renters of homes, businesses or other real estate within this development shall be made aware of this requirement through deed restrictions, lease agreements, association covenants and any other appropriate legal doctrines or instruments.

Q. This CRMC Assent does not include any consideration, evaluation or authorization of a future marina. However, due to marina plans on prior preliminary plans submitted for this project, the CRMC herein notifies the applicant that there are significant concerns for the construction of a marina at this site. These concerns include potential interference with an Anadromous fish run restoration project for the Omega Pond / Ten Mile River / Turner Reservoir System, valuable fish habitat and fishing opportunities on the Seekonk River side of the Omega Pond Dam and the marine navigation channel which runs along the western shoreline of the project.

R. The approved wetland construction, monitoring and assessment protocol shall be that presented on pages 23- 26 of the applicant's application narrative entitled "East Pointe, A Mixed Use Development..., Category "B" Application..., prepared for GeoNova Development Company LLC, by Northeast Engineers and Consultants, revised May 2007. On this basis, the specifications contained on pages 23-26 of this document shall be considered stipulations/conditions of approval. Any failure to abide by this protocol shall be considered and enforceable violation of the CRMC Assent. Furthermore, the protocol approved herein may only be modified by the CRMC by a prior written approval. In addition, prior to any work on the project shoreline protection structure, greenway or mitigation wetland, the chosen contractor shall submit a work plan consistent with this protocol for CRMC review and approval.

S. The final subaqueous revetment (breakwater) elevation and the composition and elevation of the wetland substrate to be contained between the shoreline revetment and subaqueous revetment shall be determined and verified on site by the applicant's biologist in cooperation with CRMC Staff.

T. Any and all observations of problems or concerns associated with the construction of the shoreline protection structure, greenway or mitigation wetland shall be reported to the CRMC immediately and, at a minimum, within 48 hours of occurrence.

U. This assent requires a Greenway as shown on the approved site plans.

V. This structure shall be connected to and serviced by municipal sewers.

Earthwork Stipulations

A. The approved soil erosion and sediment control plan(s) shall be that shown on the approved site plans.

B. Throughout the project construction duration, strict adherence to Erosion and Sedimentation control shall be required. Lack of E & S controls, resulting in sedimentation or turbidity to the waters of the State shall be deemed a violation of the permit conditions and subject to enforcement.

- C. Prior to initiation of any grading, construction, or earthwork activity, the approved erosion and sediment controls shall be properly installed and inspected by the site construction foreman. This line shall be maintained as needed and by the proper upland disposal of accumulated sediments until permanent site revegetation is established. No soils nor any other materials shall be allowed to enter beyond this line, neither temporarily nor permanently.
- D. Upon successful stabilization of exposed soils all erosion controls shall be removed from site and disposed of at a suitable, legal upland location.
- E. All catch basins and drains in the area, into which sediment laden waters may flow shall be ringed with haybales staked and toed in 4 inches or protected per Standard "SD" of the RISESCH. These controls shall be properly maintained by timely removal of accumulated sediment and replacement of bales as needed.
- F. All discharges which result from dewatering operations, must flow into sediment traps consisting of staked haybale rings enclosing crushed stone to disperse inflow velocity in accordance with RISESCH Standard "FB". Haybales shall be "toed in" 4 to 6 inches into the ground to prevent underwash of sediments. These devices shall be maintained by removal and proper disposal of accumulated sediments and by replacement of bales and stone as needed. The devices shall not be located on any coastal feature nor in any designated coastal buffer zone. If necessary, a matting device shall be used below the traps. These devices must be completely removed upon completion of dewatering operations.
- G. There shall be no stockpiling or disposal of soils, construction materials, debris, etc., on the coastal feature, within 50 feet of the inland edge of the coastal feature or in coastal waters.
- H. All excess excavated materials, excess soils, excess construction materials, and debris shall be removed from the site and disposed of at an inland landfill or a suitable and legal upland location outside of CRMC jurisdiction. No materials shall be deposited on the coastal feature, within 200 feet of the inland edge of the coastal feature, in coastal waters, or in any areas designated as a CRMC setback or coastal buffer zone.
- I. All fill materials shall be clean, free of debris and rubble, and free of materials which may cause pollution of surface waters or groundwater.
- J. All areas of exposed soil which are disturbed by construction and related activities shall be revegetated as immediately as is physically possible so as to minimize erosion and sedimentation. If the season is not conducive to immediate revegetation, all exposed soils shall be temporarily stabilized with hay mulch, jute mat netting or similar erosion control materials. Soil stabilization methods shall be employed during, as well as after, the construction phase to the maximum extent possible.
- K. Excavation and grading shall be limited to the area approved. Excess earthwork beyond that authorized by this assent is not permitted.

L. There shall be no discharge or disposal of hazardous wastes or hazardous materials which may be associated with construction machinery, etc. on the site or in the waterway. All used oil, lubricants, construction chemicals, etc. shall be disposed of in full compliance with applicable State and Federal regulations.

Stormwater Management Stipulations

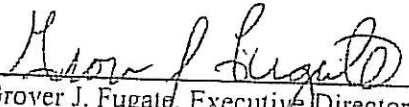
A. A Final Stormwater Management Plan shall be submitted to CRMC for written approval prior to initiation of construction. The plan shall incorporate Low Impact Development (LID) technology and shall treat, to the maximum extent practicable, 100% of the "water quality volume" (one inch rainfall generated from the total site impervious area). The plan shall be consistent with RICRMP Section 300.6 and UCG Section 150.6 standards.

B. A final Operations and Maintenance Plan, reflecting the final Stormwater Management Plan. Shall be submitted to CRMC for written approval prior to initiation of construction.

C. The stormwater management detention ponds shall be installed as soon as practical considering construction scheduling. These ponds must be vegetatively stabilized and functional prior to directing stormwater runoff into the ponds. The applicant shall request a meeting with CRMC staff for an inspection of the detention ponds at the appropriate time and prior to their use.

D. The "Water Quality Drains" shall be inspected by CRMC staff prior to final cover.

In Witness Whereof, said Coastal Resources Management Council have hereto set their hands and seal this 28th day of May in the year two-thousand-eight.



Grover J. Fugate, Executive Director
Coastal Resources Management Council