

## Zoning and land use: R.I. among most restrictive states

Cato Institute study: Ocean State has third toughest zoning and eighth toughest land-use regulations in America, driving up housing costs.

By Paul F. Eno *Editor*

Even in the midst of a stubborn housing shortage, Rhode Island has the third most restrictive zoning of any state in the nation, and the eighth most restrictive land-use regulations.

So says a recent study, *Zoning, Land-Use Planning, and Housing Affordability*, conducted by policy analyst Vanessa Brown Calder and released by the Cato Institute.

"The statistical results show that rising land-use regulation is associated with rising real average home prices in 44 states, and that rising zoning regulation is

associated with rising real average home prices in 36 states," the study reports.

"In general, the states that have increased the amount of rules and restrictions on land use the most have higher housing prices."

The study acknowledges the value of regulation that aims "to achieve various safety, environmental and aesthetic goals." At the same time: "regulations have also tended to reduce the supply of housing, including multifamily and low-income housing."



Vanessa Brown Calder

see *HOUSING...*page 28

## 2018 tax reform legislation: HELOCs might be preserved after all

In welcome news for remodelers, law allows deductions for 'substantial improvements' to homes.

*National Association of Home Builders*

As the dust settles on last month's tax-reform debate, remodelers and their clients may see conflicting information about home equity credit lines (HELOCs) and second mortgages — traditionally, important funding sources for major home renovation work.

In a recent letter, the National Association of Home Builders (NAHB) asked Treasury Secretary Steven T. Mnuchin and the IRS to weigh in.

"As most major remodeling projects are financed using debt secured by the buyer's home, the deductibility



David Logan

of interest paid on loans used to substantially improve a home is the lifeblood of the industry," the letter said.

While the new law no longer allows home owners to deduct the interest on HELOCs if they are using the equity for tuition, a new car or a vacation, the bill does carve out money used for "sub-

stantial improvements" to their homes, so long as the combined total of their first and second mortgages and HELOC balances does not exceed the \$750,000 limit on mortgage amounts qualified for interest deductions.

While that's lower than the \$1.1 million for the first mortgage and home-equity debt combined before

see *HELOCs...*page 27

### FEATURED PRODUCTS AND SERVICES FOR MARCH

*Center Section*

#### Home Show: Clock is ticking for exhibit space

RIBA's 68<sup>th</sup> Annual Home Show, now including the Rhode Island Garden and Flower Show, is coming near! Get your exhibit space before it sells out.

Page 8

#### Better planning and zoning for easier building

That's the state's plan. See our in-depth interview with the new director of the Dept. of Business Regulation.

Page 25

#### Lumber prices are soaring

The industry is monitoring rising costs for imported lumber, being blamed largely on new U.S. Commerce Dept. tariffs.

Page 2

#### Online courses fully operational

Learn online and on-site from RIBA! All the courses you need, including those mandated by the state, are available free of tuition charge for members and their employees.

Pages 4, 19, 20 and 21

# Lumber prices soar

## National Association of Home Builders

More rotten news about wood: Largely as the result of the tariffs imposed by the U.S. Commerce Dept., and related negotiations over NAFTA, among the U.S., Canada and Mexico, grinding to a halt, prices for softwood lumber imports have skyrocketed 30 percent since Hurricane Harvey hit last summer.

That's the word from the National Association of Home Builders (NAHB).

As of the last week in January:

"This was the highest week-end futures price we have on record, dating back to January 1995," said David Logan, NAHB's director of tax and trade policy analysis.

"There was a short reprieve for price increases following the hurricanes, but prices have risen (in early 2018)."

## Not so OSB

Unlike lumber, OSB (oriented strand

board) prices had been steadily declining in recent months.

However, those declines came to an end when prices jumped 6 percent in the first week of February. The good news is that those increases are expected to be short-lived.

## NAFTA hang-ups

The near-term outlook appears uncertain, as softwood lumber negotiations seem to be at a stalemate.

Canada has filed a complaint with the World Trade Organization as well as the NAFTA arbitration panel, accusing the U.S. of violating international trade rules.

"Using history as a guide, the most likely path forward is a lengthy litigation process during which lumber prices remain high," Dr. Logan said.

"Futures prices for 2018 delivery have

increased substantially in recent weeks, suggesting that financial markets believe negotiations will be prolonged."

It's well known that home builders are among the major U.S. consumers of softwood lumber.

According to NAHB estimates, the effects of the increased prices will cause the following increases in costs (assuming the conventional price elasticity for housing demand of -1) a:

- \$1,360 increase in the price of an average single-family home
- \$478 increase in the market value of an average multifamily home
- \$1.1 billion reduction in investment in single-family structures, and
- \$147 million reduction in investment in multifamily structures.

For more information, go to [NAHB.org](http://NAHB.org) or [Housingeconomics.com](http://Housingeconomics.com).

## The Rhode Island Builder

Official publication of the  
Rhode Island Builders Association  
since 1951

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## REQUEST FOR PROPOSALS (RFP) for 24,500 S.F. PARCEL IN PAWTUCKET, R.I. PAWTUCKET REDEVELOPMENT AGENCY

The Pawtucket Redevelopment Agency (PRA) is seeking development proposals for a 24,500 s.f. parcel of vacant land located on Middle Street. The property is owned by the PRA. The PRA is seeking to enter into an agreement with a qualified developer to develop vacant property.

The PRA is seeking proposals which will reuse this long vacant parcel to provide new construction in a mixed-use neighborhood that has seen nearby property owners make substantial improvements to their properties. The property is currently zoned Riverfront District 3 (RD3). The PRA is desirous of responses which consider:

- Any of the uses that are allowed by right in the RD3 zone.
- A site and building design which respects the mixed-use character of the neighborhood.
- A site and building design that is LEED certified.
- A thorough description and recitation of all aspects of the proposed financing for the redevelopment of the site, including any proposed public financing vehicles to be explored.

Deadline for RFP Submission is **Friday, March 23, 2018**. To obtain a copy of the RFP, please contact Mary Bourdeau (401) 728-0500 ext. 439 or [mbourdeau@pawtucketri.com](mailto:mbourdeau@pawtucketri.com)) or visit the City of Pawtucket municipal website: [www.pawtucketri.com](http://www.pawtucketri.com).

## DEADLINES FOR THE APRIL ISSUE

All copy, ads and photos must be to us by

# Friday, March 2

E-mail material to [builder@newriverpress.com](mailto:builder@newriverpress.com) Fax: (401) 356-0913

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*see MEMBERS...page 27*

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## LOOKING AHEAD!

♦ **March 6<sup>th</sup>: RIBA Monthly Board of Directors Meeting** - 4 p.m. networking, 4:30 p.m. business meeting, RIBA headquarters, East Providence. RIBA members are invited to attend for informational purposes. For more information and to register, contact Elizabeth Carpenter, [ecarpenter@ribuilders.org](mailto:ecarpenter@ribuilders.org), or call (401) 438-7400.

☞ ♦ **March 5<sup>th</sup>: State-Mandated Continuing Education for Contractors - 5 Credit Hours - Topic is OSHA Safety Review.**  
*Details on page 19.*

♦ **March 7<sup>th</sup>: Networking and Presentations on Insurance and Banking** - Sponsored by RIBA's Professional Women in Building Council, 6-8 p.m., Pella Windows & Doors Showroom, 20 Commerce Way, Seekonk, Mass. For more information and to register, contact Carol O'Donnell at [crmmodulehomes@aol.com](mailto:crmmodulehomes@aol.com). *Details on page 10.*

☞ ♦ **March 15<sup>th</sup>: State-Mandated Continuing Education for Contractors - 5 Credit Hours - Topics are Exterior Water Management: Roofs and Walls, and Common Construction Regulations.** *Details on page 19.*

♦ **March 22<sup>nd</sup>: 8 Hour Lead-Safe Remodeler/Renovator Course** - 7:45 a.m. to 4 p.m., RIBA Headquarters, East Providence. Course is FREE for members with a \$40 materials/registration fee, \$110 for non-members with a \$40 materials/registration fee. This course is required to obtain or renew a Lead Safe Remodeler/Renovator Certification, which is necessary for work in all pre-1978 buildings in Rhode Island. No admittance without pre-registration and payment. To register, contact Sheila McCarthy, [smccarthy@ribuilders.org](mailto:smccarthy@ribuilders.org), or call (401) 438-7400. *Details on page 20.*

**March 23: Educational Event** - Sponsored by J&J Materials. Earn one continuing education unit (CEU) for the American Institute of Architects (AIA) with health, safety and welfare (HSW) and one for Green Business Certification Inc. (GBCI) for LEED AP credits. For details, please contact Helder Sousa at [hsousa@jjmaterials.com](mailto:hsousa@jjmaterials.com) or (508) 294-6216.

♦ **April 5<sup>th</sup>-8<sup>th</sup>: Rhode Island Home Show, with the Garden & Flower Show** - Sponsored by the Rhode Island Builders Association. Exhibit space on sale now. *Details on page 8.*

♦ **April 5<sup>th</sup>: Networking at the Professional Women in Building Council Booth, Rhode Island Home Show** - Rhode Island Convention Center, 5-9 p.m. *Details on page 10.*

☞ ♦ **April 12<sup>th</sup>: State-Mandated Continuing Education for Contractors - 5 Credit Hours - Topic is Advanced Framing, Air Leakage Testing / Sealing, Frost-Protected Foundations.** *Details on page 20.*

☞ ♦ **April 17<sup>th</sup>: State-Mandated Continuing Education for Contractors - 5 Credit Hours - Topics are Confined Spaces, Asbestos Awareness, Mold Awareness.** *Details on page 20.*

♦ **June 7<sup>th</sup>: Annual Networking Barbecue** - Sponsored by Douglas Lumber, Kitchens & Home Center. FREE for members and non-members, RIBA headquarters, 4-7 p.m. *Details on page 11.*

*More information, registration and payment for most RIBA events is available at [RIBUILDERS.org](http://RIBUILDERS.org).*

♦ Indicates a RIBA-sponsored event.

☞ Designates a course eligible for Rhode Island state-mandated continuing education credits. Contact RIBA for confirmation.

(S) Class will be taught in Spanish.

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*Online courses include Scaffold Safety, Workplace Safety, Confined Spaces, Ladder Safety and more, each worth one credit hour of state-mandated continuing education. Just as with RIBA's on-site courses (see pages 21 and 22), online courses are FREE of tuition charges for members and their employees. Just use your coupon at the online checkout.*

**NEED A COUPON CODE? CALL RIBA AT (401) 438-7400.** Non-members: \$12 per course. For information about online or on-site courses: Contact Sheila McCarthy [smccarthy@ribuilders.org](mailto:smccarthy@ribuilders.org) or (401) 438-7400.



David A. Caldwell Jr.

# President's Message

## RIBA stands by members, helps them thrive

"Every Man has a *Property* in his own *Person*, so that the *labour* of his Body, and the *Work* of his Hands' are his. Therefore whatso-

ever 'he removes out of the State of Nature hath provided, and left it in, he hath mixed his *Labour* with . . . and thereby makes it his *Property*.'"

*John Locke, Two Treatises of Government, 1689*

The very best part of holding the office of president of the Rhode Island Builders Association over the past year and a half has been the opportunity to meet with new members who are just starting with the formation of their companies. This encompasses a broad range of trades and services, but there are a number of common themes that consistently repeat themselves.

The most common new company often involves a sole proprietor going "out on their own" – the smallest of the small businesses, so to speak. Usually working out of their house or apartment, usually working all day in the field, meeting customers, doing the books and the estimating nights and on weekends.

The "office" is usually a pickup truck.

This is what a true start-up company looks like – it's what my family's company looked like in 1968, and what the great number of RIBA's members looked like once upon a time.

### ***Hard, risky and not for everyone***

Owning your own business is not simply cashing checks and doing whatever you want, whenever you want. It's hard, it's risky, and it's not for everyone. So, I like to ask people why they are motivated to "go out on their own."

The answers vary a bit, but they all come down to what a very

recent prospective member told me: "I want more."

I like that answer a lot, three simple words that convey an enormous meaning. It's the reason I included the quote at the beginning of this essay.

John Locke, an English moral philosopher, was an enormous influence on our Founding Fathers at the birth of our country. Locke believed everyone had a right to "Life, Liberty and Property." There is an echo, a century later, in the Declaration of Independence "Life, Liberty and the Pursuit of Happiness." This was not an accident.

### ***RIBA role***

Since 1945, RIBA has played an important role in our industry, helping these start-ups grow and thrive. Today, RIBA provides the pre-registration class, insurance, education and networking to these new companies.

The regulatory world is a more complex place than in 1945, but other than that, I believe much remains the same. Our industry has been built by those with skills, strong work ethics, guts and, ultimately, a desire for "more."

We don't much care about your level of education, where you're from, and what mistakes you may or may not have made in your younger days. Work hard, be honest in your business practices, and you can succeed in the residential construction industry.

As Bill Parcells would say, "You are what your record says you are." In the NFL, it doesn't matter *how* you got there, but *that* you got there, and when you had the chance, you produced.

The point here is that it's deeply assuring to see the number of people who are taking the risk to start out on their own, because they want more, and there is the opportunity there for them to do so. Based upon what I've seen, there is every reason to believe that the future of our industry, and of our state, is bright. I'm proud to say that RIBA plays an important role in that regard.





Award-Winning Monthly Magazine of The Rhode Island Builders Association June 2016

Governor addresses RIBA board



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## RIBA Happenings: February Networking Night

*Sponsored by Innovative Visuals*

# Huge turnout, much interest mark networking event



Over 80 members and guests turned out for the Rhode Island Builders Association's February Networking Night.

Not only did attendees enjoy food and drink, courtesy of the event sponsor, Innovative Visuals, but there was great interest in what the sponsor had to offer: 3D interactive tours of interior jobsites and buildings.

Innovative Visuals owner Doug Finglis, who hadn't planned to offer a formal presentation, found himself doing so because of enthusiasm from those present.

Meanwhile, RIBA staffers and the team from Builders Insurance Group were on hand to mingle with members, answer questions, and introduce potential members to the benefits of belonging.

Watch these pages, and [RIBuilders.org](http://RIBuilders.org), for details on more networking events. Find out about Innovative Visuals at [Innovative-Visuals.com](http://Innovative-Visuals.com).



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# RIBA Happenings: February Networking Night



◀ At the Rhode Island Builders Association's February Networking Night, architect Monika Kraemer, at left, finds out about 3D virtual tours from Laura Vaillancourt and Doug Finglis of Innovative Visuals, sponsor of the event.



Member Relations Coordinator Elise Geddes, left, presents Denise Melucci of Redi-Footing with a copy of The Rhode Island Builder. ▼

▶ Enjoying the evening and catching up are, from left, Joe Costa of Douglas Lumber, Kitchens & Home Center; Mark Shuman of Pella Windows and Doors; and Ken Coury of Riverhead Building Supply.



▲ From left, Chris Grace of Wickford Appliance & Lighting chats with Mike O'Rourke and Denis Habza of Superior Plus Energy Services.



Past RIBA President Steve Gianlorenzo, with Henry DiLibero of Libra Excavating and Ken Jones of Ken Jones Construction.



▲ Refreshments included pizza, calzones, wraps, soda, wine and beer.

For RIBA  
membership information  
contact Elise Geddes  
401-438-7400  
or [egeddes@ribuilders.org](mailto:egeddes@ribuilders.org)





## RIBA Happenings: 68th Annual Home Show

Now including the Rhode Island Garden and Flower Show

# RIBA's 2018 Home Show: Get your exhibit space now!

**WHEN:** Thursday April 5<sup>th</sup> through Sunday, April 8<sup>th</sup>

**WHERE:** Rhode Island Convention Center, Providence

**FOR INFORMATION & EXHIBIT SPACE:**  
Contact Bob Yoffe at (800) 963-3395.

We're into the last month before the Rhode Island Builders Association's top event of the year: the Annual Home Show!

Since fall in these pages, you've read glowing accounts, from RIBA member exhibitors, including builders, remodelers and suppliers, of how the Home Show has become a vital annual marketing tool for their products and services.

Many exhibitors started small, then expanded their Home Show presence as visitor response increased and more and more leads turned into paying jobs. So take a lesson from your fellow members: Reserve your exhibit before it's sold to someone else!

Even if you've never exhibited before, this will be the year to do it, because popular attractions from past years will return, and they will be joined by some new ones that can only be described as spectacular! They will surely attract many new visitors to the show.



**One RIBA member who never misses the Home Show is Alex Mitchell and Meridian Custom Homes. At last year's show, staffers welcome new clients.**

### New attractions

New attractions include Springtime Floral Fusion, with hanging floral arrangements, a water fountain, Zen garden, a fire pit, garden and decorative floral displays, a greenhouse and a shed garden. There will even be a contest for the best display, which visitors will love.

The Designer Showcase returns, bigger than ever. Complete with kitchen and bath displays, there will be interior design, audio and video suggestions, furniture and art ideas, along with complete landscaping, including a piazza and fountain. There will be at least 12 design vignettes.

The popular Energy Expo returns, with the Solar-Powered Greenhouse, insulation exhibits and more. Also featured will be The Home Technology Experience; Landscape Solution Center, along with myriad demonstrations and seminars, from cooking to art and furniture, to interest visitors.

RIBA offers help with exhibit design, and members who exhibit receive a 5 percent discount on booth rates.

As an added bonus, contractor members can meet and even work with their future employees. Under the eyes of their instructors and trade professionals, hundreds of career and technical education (CTE) students of all trades engage with the show.

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see *HOME SHOW*...page 29



# Board hears legislative docket and more in full agenda

By Paul F. Eno *Editor*

Legislative updates, bylaw revisions for the Builders Insurance Group, and a significant legal decision that benefits members all highlighted a busy agenda for the Rhode Island Builders Association's Board of Directors on February 6<sup>th</sup>.

The board considered and voted on several bylaw changes regarding the Builders Insurance Group, a RIBA subsidiary.

RIBA Executive Director John Marcantonio provided updates on the Rhode Island Home Show, scheduled for April 5<sup>th</sup>-8<sup>th</sup> at the Rhode Island Convention Center, Providence. Preparations continue to solidify for the association's biggest annual event. See Page 8.

## *The legislative scene*

Mr. Marcantonio also updated the board on RIBA's legislative agenda, its priorities, organizations that are partnering, and progress thus far in the 2018 General Assembly session.

Brian Silva of Restivo Monacelli reported on his firm's recent review of RIBA's financial position, pronouncing the association in strong condition.



**Members get down to business at the February 6<sup>th</sup> Board of Directors meeting at Rhode Island Builders Association headquarters.**

## *Landmark legal decision*

Executive Director John Marcantonio updated the board on the successful tax-hearing battle by a Newport-based builder member who fought a claim by the Division of Taxation.

The state alleged that, because he marked up the cost of building materials used in jobs, he was a retailer, and owed some \$250,000 in back sales taxes.

A hearing officer nixed this claim, setting an important protective precedent for the construction industry. *Watch for a story*

*in our April edition.*

In another matter, the board decided to temporarily suspend RIBA's construction-document service so all forms can be reviewed and updated.

RIBA members are invited to attend the public portion of the monthly Board of Directors meetings, which usually take place on the first Tuesday of each month at RIBA's East Providence headquarters. Please contact Elizabeth Carpenter at (401) 438-7400 or [ecarpenter@ribuilders.org](mailto:ecarpenter@ribuilders.org) for more information.



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## Professional Women in Building: PWB NEWS



The PWB gathered on January 30<sup>th</sup> at RIBA headquarters for their strategic planning meeting. Over 20 members and new prospective members were in attendance. The night concluded with a Ted Talks video, an open discussion lead by Sophia Karvunis on leadership, and Carol O'Donnell spearheading our planning for 2018.

### New Member Spotlight

#### Julie & Lauren Brierley of Calyx Builds

**What benefits do you find being a member?** – We first joined the PWB in June 2017 after a great networking night at the East Greenwich Yacht Club. Since then we have been taking advantage of the many benefits PWB has to offer. These benefits include having strong female role models who support our community and help motivate us to grow within the industry. We also have found the meetings educational for both professional and personal growth.

**What drew you into your career?** – The construction industry is in our blood! Our dad has been in the industry for over 40 years, and our mom for over 30. Growing up visiting jobsites and seeing a house built from the ground up has always been intriguing to us. After Julie graduated from URI with a degree in global business in 2014, she worked for the family business for a year, then went abroad to work in Europe and teach English in Thailand. Coming back to Rhode Island in April 2017, Julie went right back to working for Calyx as the operating manager. As for Lauren, after graduating from URI with a degree in marketing in 2014, and working for an insurance company for two years, she decided to leave the 9-5 job for a more exciting, customer-facing role in the family remodeling business as a project manager.

**What sets your company apart from others?** – Calyx Builds first started 30 years ago with our parents. Now it has become a larger business with about 25 employees. With a still rather small employee count, we are able to ensure excellent quality of craftsmanship, done to our company's standards. While working with customers, we like to make them feel like they are family. It's a great selling point to clients to work with a local family business, and it adds the personal touch.

**How do you spend your free time?** – We are both into outdoor sports and almost any fitness activities you can think of! In the winter, you can find us in the mountains, skiing and snowboarding, and after visiting local breweries. In the warmer months, we love to hike, camp, swim at the beach, and then visit local wineries for tastings. We both are members of a gym, and Lauren attends yoga classes as well.



**March 7, 2018 at 6-8 PM – Pella Windows & Doors Showroom, 20 Commerce Way, Seekonk**

*Builders Insurance Group presents: "How to Get the Most from Your Insurance Agent"*

*Citizens Bank Presents "Helping you reach your potential with fundamentals of banking"*

Contact: Linda Bohmbach [linda@homehealthsmith.com](mailto:linda@homehealthsmith.com)

**April 5, 2018 at 5-9 PM – PWB Networking Event at the Home Healthsmith Booth, #909**

**May - DiStefano Brothers Networking & Showroom Tour**

Visit our site for info, events & news at [RIBuilders.org/professional-women-in-building](http://RIBuilders.org/professional-women-in-building)



# Networking BBQ slated for June 7

**WHEN:** Thursday, June 7<sup>th</sup>, 4 to 7 p.m.

**WHERE:** Rhode Island Builders Association headquarters, 450 Veterans Memorial Pkwy. #301, East Providence 02914

**COST:** FREE

**FOR INFORMATION & TO REGISTER:**

Contact Elise Geddes at [egeddes@ribuilders.org](mailto:egeddes@ribuilders.org), or call (401) 438-7400.

It's the Rhode Island Builders Association's 5<sup>th</sup> Annual Networking Barbecue, generously sponsored by Douglas Lumber, Kitchens & Home Center! This is one of RIBA's most popular networking events of the year for a number of reasons.

"Not only do members come to enjoy hamburgers, hot dogs, barbeque chicken and a nice cold beer; but there are so many people to network with that we have to expand our space out the back door!" says RIBA Member Relations Coordinator Elise Geddes.

"Plus, Douglas Lumber will have building products on display, with representatives there to answer questions."

As always, this networking event is FREE for RIBA members and their guests. Bring a non-member colleague so they can see



*Nearly 70 members and guests turn out for the Rhode Island Builders Association's 4<sup>th</sup> Annual Networking Barbecue in 2017. More are expected this year.*

RIBA's headquarters, meet the staff, and find out about the many benefits of membership.

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# The Oaks: A conventional development with a creative twist

Obtaining approvals was no picnic, but this 75-lot subdivision in Coventry is family-oriented and a major success.

By Paul F. Eno Editor

"When it came to designing these homes, I thought the housing inventory in Rhode Island was a little stale. So, I made the exteriors of the houses very attractive, and offered pretty much all fresh floor plans."

That's the word from Robert E. DeBlois of DeBlois Building Co., a longtime member of the Rhode Island Builders Association and developer of The Oaks, a 75-lot subdivision off Colvintown Road in Coventry. Lots are half-acre.

The Oaks is a little different these days because, well, it's so normal.

"This isn't an over-55 community like so many developments today," says Bob. "It's a traditional family neighborhood. We're loaded with kids! In fact, there have been at least a dozen births here so far."

The Oaks has been attracting families since the first home sale in 2014.

## Last phase

"We're into the last construction phase, and we've closed on over 50 homes," says Bob, whose son, Beau, is the day-to-day construction foreman.

"It's traditional, middle-income family housing," Bob explains. "The homes have a classic, colonial look. We're attracting mostly second-time buyers, but there are some first-time buyers too."

While buyers are mostly young families, there are six or seven over-55 "empty-nesters," according to Bob.

"We have two ranch-style designs for that market. And we have five two-story plans. We built one of each on spec, and that has helped us sell other homes because people can see a finished product," Bob states.

Inside, customers may choose their own



Builder/developer Bob DeBlois, left, with his son and project manager, Beau, at The Oaks sales center.

cabinets, flooring, paint colors, lighting and plumbing fixtures, along with optional design features such as beamed ceilings. Gas fire places, central air, archway openings, hardwoods and crown moldings on the first floor, and much more, are standard. Outside, buyers can decide on elevation, roof color and siding.

Prices start at \$363,900.

Bob took *The Rhode Island Builder* on a walking tour of The Oaks one chilly day last December.

"You'll notice that, in this house, you walk in the front door and there's no staircase. It's wide open," he explained.

"The staircase is tucked around in the mudroom. People like that. Some designs are a little more traditional, but all of them have front porches with mahogany decking, multi-textured siding, and all nine-foot ceilings on the first floor. There are many different options for customization," Bob continued.

## Long approval times

No shocker to any builder member of RIBA, it took a while to obtain all the necessary approvals for The Oaks, even though Bob used the comprehensive permitting

process, which is supposed to expedite things.

"I had the land under contract in '04, but it took eight and a half years to get approvals," Bob explains, adding that there was municipal water available, but not sewers.

So, septic systems had to be installed. And Coventry's impact fee is fee is brutal: \$7,596 per unit, second only to that of East Greenwich.

"My original proposal was for 95 lots: 76 market-rate and 19 affordable. The final settlement, arranged through the Supreme Court's mediation process, was 74 market-rate homes, with one affordable," Bob declares.

There's more: The Oaks is on a path to growth. Bob just bought the property next door, and as of *The Builder's* visit in December, planned to start work on more homes on January 14<sup>th</sup>.

Bob DeBlois has been building homes in central and southern Rhode Island since 1983. He has served on the Rhode Island Building Code Standards Committee since 1999, and on the RIBA Board of Directors for many years.

For more information on The Oaks, visit [Theoaksri.com](http://Theoaksri.com).



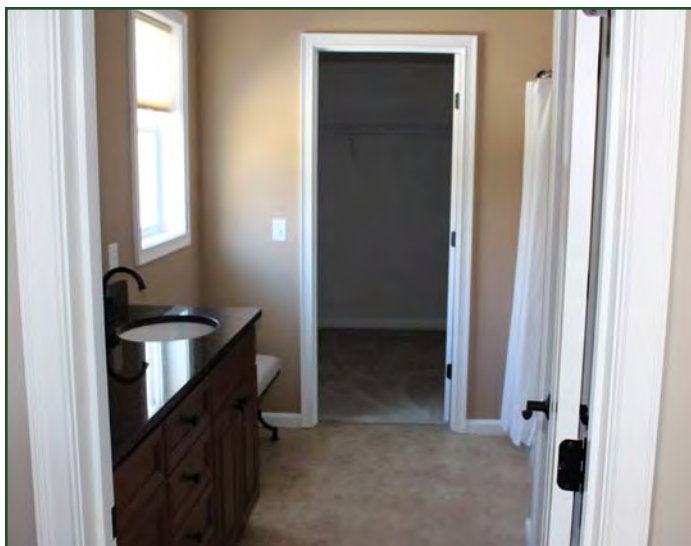
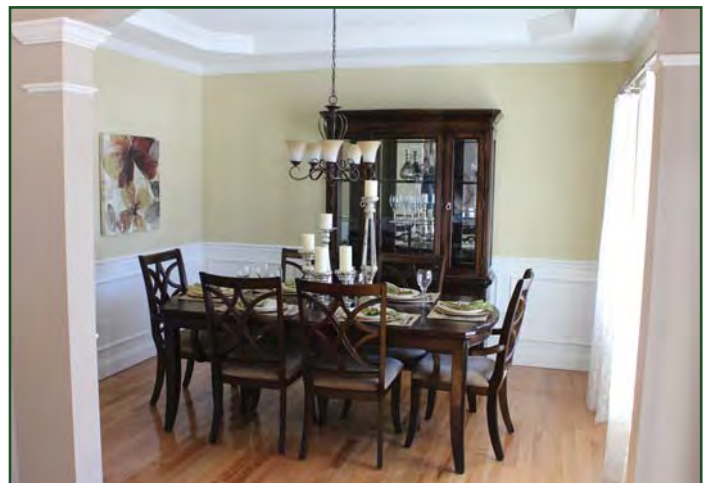
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**Bob DeBlois shows off a typical kitchen in one of the model homes at The Oaks.**



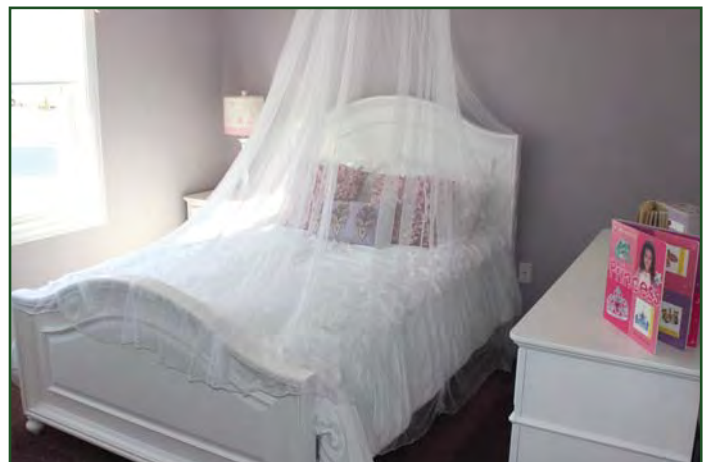
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**The setting at The Oaks says "traditional neighborhood," and many young families have already moved in.**



◀  
**Bob and his team are proud of attractive features like top-shelf windows, doors and molding. ▼**



▲▶  
**Features include elegant bathrooms and walk-in closets, along with perfect bedrooms for children.**



## Member Profile: Glenn & Gary Lepore of LDL Studios

# Twin successes mark their path

By Paul F. Eno *Editor*

They're based in a decommissioned, 19<sup>th</sup> century fire station on Putnam Street in Providence, and their staffers work out of what used to be the horse stalls. But don't let the vintage surroundings fool you. This is the home of LDL Studios, a sought-after architectural firm with a national reach.

"Good design begins with being open to the endless possibilities that exist with materials, texture, light and sound," says Glenn Lepore who, with his twin brother, Gary, are the principals at LDL (Lepore Design Ltd.) Studios.

Glenn and Gary are both first-generation architects whom fate has led along the same path.

"You can certainly call us a family business," says Glenn. "Even our dad sometimes helps, because he likes to play golf with the clients."

Dad wasn't an architect, however. He was an innkeeper for Holiday Inns.

"We're Barrington natives, but we moved extensively throughout the country as children because of our dad's job," Glenn recalls. "We lived in Saratoga Springs, New York; Texarkana, Texas; Concord, New Hampshire, but we came back to Rhode Island for high school and college."

Both boys were "drawn" to architecture at the same time and for the same reason.

"Drawing and building models in grammar school awakened our interest in architecture," Glenn says.

So, when it came time for college, the brothers came home to the Ocean State, and the Rhode Island School of Design. Gary studied architecture, and Glenn specialized in interior architecture.

After graduation from RISD, both men headed for England, where they earned their master's degrees at the Architectural Association School of Architecture in London.



Glenn and Gary Lepore

"We've been together all along," Glenn declares.

They founded LDL studios in 1996, but it was a part-time business for the first few years.

"We had jobs with other firms, but we did freelance work, such as additions to relatives' houses and some small commercial projects," says Glenn.

Work was steady, so Glenn made LDL his full-time job in 2001. Two years later, Gary left his job with a Boston firm to join his brother.

Today, LDL Studios is roaring along, specializing in hospitality venues, especially hotels, restaurants and spas. For the first six to eight years, LDL's projects were mostly in New England, and as far south as New Jersey. But the firm's reputation quickly grew.

"For the last 10 years, we've gone national," Glenn states. "We now have an

office in Houston and a sales office in Phoenix."

Working with high-profile clients has enhanced LDL's reputation and provided inspiration, Glenn points out. Among these have been Providence-based celebrity chef John Elkhay and his Chow Fun Food Group.

"Working on John's local restaurants has been challenging, inspiring and generally amazing," Glenn says.

LDL has also worked on food-service venues at the Yale University campus.

"It's been an amazing last 12 years!"

Now, with a staff of 10, LDL looks to the future. And the Rhode Island Builders Association is helping.

"We joined RIBA because there are many benefits for us that might surprise you. There are networking and resources that we need. If we need someone in a trade, they're in RIBA. That even goes for 'lost trades,' such as ironmongers and woodstone oven builders, whom we require in specialty food-venue designs," Glenn says.

Sure enough, the Lepores found a woodstone oven builder, based in Uxbridge, Mass., among RIBA's members, and he works all over the country.

Gary Lepore points out another member benefit.

"When we first started out, there was an almost adversarial relationship between architect, contractor and client," Gary explains. "Today, we need to work side by side with contractors and clients. We have to roll up our sleeves together. It's too expensive to do otherwise. RIBA helps us accomplish that."

Find out more at [LDLstudio.com](http://LDLstudio.com).

### **LDL Studios Ltd.**

**Principals:** Glenn and Gary Lepore

**RIBA member since:** 2016

**Focus:** Architectural Services

**Serves:** National

**Founded:** 1996

**Based:** Providence, Rhode Island



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# Continuing Education for Contractors

*Courses headlined in **RED** on the Education Pages qualify for state-mandated continuing education requirements.*

*See the chart below to find out when you must fulfill your continuing education requirements.*

## WHEN DO YOU HAVE TO HAVE YOUR CONTINUING EDUCATION CREDITS?

<u>Your most recent contractor registration</u>	<u>Credit hours required</u>	<u>Date required by</u>
New contractor - registered after July 2015	5	All 2017 and future renewals
Registered before July 2015	5	2019 renewal
April 2016 through December 2016	5	2018 renewal

Education credits won't meet the requirements if they are obtained *more than 30 months* prior to your registration renewal.

## Five Credit Hours: OSHA Safety Review March 5<sup>th</sup>

**WHEN:** Monday, March 5<sup>th</sup>, 7:45 a.m. to 1:30 p.m.  
**WHERE:** Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914  
**COST:** FREE for members and their employees, with a \$15 materials/registration fee. A \$150 charge for non-members and a \$15 materials/registration fee.  
**DEADLINE TO REGISTER:** One week before class. No admittance without pre-registration and payment.  
**FOR INFORMATION AND TO REGISTER:** Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

Join instructor Scott Asprey for an "OSHA Safety Review" to improve your knowledge and compliance, and avoid accidents and costly fines.

Subjects will include a review of jobsite safety rules, fall protection, ladders and scaffolding, and confined spaces. You must pre-register for this course.

There will be no admittance without pre-registration. Payment is due upon registration.

Participants must provide proof of employment with a member company for the class to be free.

Lunch is included.



## Five Credit Hours:

*Water Management for Walls - WRBs, Windows and Flashings  
 Critical Roof Details - Underlayments and Flashing by Code  
 Common Construction Regulations in Rhode Island*

March 15<sup>th</sup>

**WHEN:** Thursday, March 15<sup>th</sup>, 7:45 a.m. to 1 p.m.  
**WHERE:** Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914  
**COST:** FREE for members and their employees, with a \$15 materials/registration fee. \$150 for non-members, with a \$15 materials/registration fee.  
**DEADLINE TO REGISTER:** One week before class  
**FOR INFORMATION AND TO REGISTER:** Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

Learn about weather resistive barriers (WRBs), flashings and exterior water management, including roof details.

All siding installations leak, so you need a properly detailed and flashed WRB to keep water out of the house. See common problem areas to pay extra attention to, and how to flash doors and windows to comply with the building code. Learn whether or not rigid exterior insulation foam can be used as a WRB and how flashing details change when it is.

You must pre-register for this course. There will be no admittance without pre-registration. Payment is due upon registration. Participants must provide proof of employment with a member company for the class to be free. Lunch is included.





## Five Credit Hours:

Advanced Framing: Codes and Practices  
Air Leakage Testing / Blower Door and Air Sealing Strategies  
Frost-Protected Shallow Foundations

April 12<sup>th</sup>

**WHEN:** Thursday, April 12<sup>th</sup>, 7:45 a.m. to 1 p.m.

**WHERE:** Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914


**COST:** FREE for members and their employees, with a \$15 materials/registration fee. \$150 for non-members, with a \$15 materials/registration fee.

**DEADLINE TO REGISTER:** One week before class

**FOR INFORMATION AND TO REGISTER:** Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

This course will cover several topics, including blower-door and air-leakage testing. This testing has been an Energy Code requirement in Rhode Island for some time, but soon the test results will matter when you apply for a certificate of occupancy anywhere in the state.

Other subjects will be advanced framing, using less material and labor, and frost-protected shallow foundations.

You must pre-register for this course. There will be no admittance without pre-registration. Payment is due upon registration. Participants must provide proof of employment with a member company for the class to be free. Lunch is included. 

## Five Credit Hours: Confined Spaces, Asbestos, Mold

April 17<sup>th</sup>

**WHEN:** Tuesday, April 17<sup>th</sup>, 7:45 a.m. to 1 p.m.

**WHERE:** Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914


**COST:** FREE for members and their employees, with a \$15 materials/registration fee. A \$150 charge for non-members and a \$15 materials/registration fee.

**DEADLINE TO REGISTER:** One week before class. No admittance without pre-registration and payment.

**FOR INFORMATION AND TO REGISTER:** Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

This course will cover:

- Confined spaces,
- Asbestos awareness, and
- Mold awareness.

You must pre-register for this course. There will be no admittance without pre-registration. Payment is due upon registration. Participants must provide proof of employment with a member company for the class to be free. Lunch is included. 

## 8 Hour Lead-Safe Remodeler- Renovator Course

March 22<sup>nd</sup>

**WHEN:** Thursday, March 22<sup>nd</sup>, 7:45 a.m. to 4 p.m.

**WHERE:** Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914

**COST:** FREE for members and their employees, with \$40 materials/registration fee. \$110 for non-members, with \$40 materials/registration fee. Lunch is included.

**DEADLINE TO REGISTER:** One week before class. No admittance without pre-registration and payment.

**FOR INFORMATION AND TO REGISTER:** Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

This course is required to obtain or renew a Lead Safe Remod-

elers/Renovator certification, necessary for work in all pre-1978 buildings. This course covers the EPA's Renovation, Repair and Painting (RRP) requirements in Rhode Island and Massachusetts.

A written exam is given at the end of the course. A passing grade allows attendees to apply for licensing through the Rhode Island Dept. of Health and the EPA.

Pre-registration and a photo are required for your certificate. This must be a head shot only. E-mail it to smccarthy@ribuilders.org at least five days before the class.

No admittance without pre-registration and the photo. Payment is due upon registration. Participants must provide proof of employment with a member company for the class to be free.

Lunch is included. 

***RIBA reserves the right to limit the number of attendees from a single company at courses taught on-site.***

***For all courses, employees must provide proof of employment with a member company upon registration for class to be free of tuition charges.***

***For information, contact Sheila McCarthy (401) 438-7400 or smccarthy@ribuilders.org***



# Tuition-free classes are saving members thousands

The tuition-free education available to Rhode Island Builders Association members and their employees is a benefit that can mount into the thousands of dollars, especially with continuing education credits now mandated by both Rhode Island and Massachusetts.

"If you're a non-member, just for the education alone, you'd pay roughly \$1,800 for the 60 hours of courses we offer. And if you have employees, the cost would multiply exponentially," says Executive Director John Marcantonio.

"Sheila McCarthy, our dedicated education manager, works every day to ensure the educational offerings are the best they can be," Mr. Marcantonio adds.

Currently, RIBA classes are concentrated around topics like OSHA compliance, codes, lead certifications and renewals, Excel and other software, business skills, and courses that fulfill the state-mandated continuing-education requirement for contractors.

"The state-mandated classes are free, but there's even more value for members when they expand their knowledge as much as they can, stay on top of industry trends, and get the latest information on construction technology and software, via other course selections. That's where the value really kicks in," he says.

In addition, there are plans to bring in courses that will fulfill Massachusetts requirements for members who work there, he indicated. In fact, free education is a prime reason to join RIBA, and it's also a prime reason to stay.

"It's important not only to join RIBA to get these benefits. It's important to keep your membership in good standing from year to year. If a member leaves, it interferes with our ability to share the education costs among all members through their dues. A rejoining member must wait two years to get back into the free education cycle."

For more information, and to make suggestions, on RIBA education services, contact Ms. McCarthy at (401) 438-7400 or [smccarthy@ribuilders.org](mailto:smccarthy@ribuilders.org).

**As an added benefit to RIBA's Education Program, our instructors are happy to speak with class attendees by phone, after class, if they have additional questions or issues to discuss.**

**For more information, contact Sheila McCarthy at RIBA  
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## Resources

### for RIBA members who work in Massachusetts

*The Rhode Island Builder* covers Massachusetts news relevant to members of the Rhode Island Builders Association who work in our neighbor to the north and east.

Here are some sources of regulatory information and forms for contractors who work in the Bay State, or who plan to. For education purposes, RIBA will shortly expand its education programs to include courses required for work in Massachusetts.

**Building Permits:** Massachusetts has a statewide formula for building permits. Application forms may vary a little by municipality, but standard forms and information may be found at the Office of Consumer Affairs & Business Regulation (OCABR) website: [Mass.gov/ocabr](http://Mass.gov/ocabr).

**Contractor Registration and Licensing:** Massachusetts has licensing for construction supervisors and registration for home improvement contractors. Find the details at [Mass.gov/topics/building-trades](http://Mass.gov/topics/building-trades).

Also find information about trade licensing at this site.

**MassHousing:** Similar to Rhode Island Housing, MassHousing is an independent, quasi-public agency that provides financing for affordable housing in Massachusetts.

Created in 1966, MassHousing raises capital by selling bonds, and lends the proceeds to low- and moderate-income homebuyers and homeowners, and to developers who build or preserve affordable and/or mixed-income rental housing. Since its inception, MassHousing has provided more than \$20 billion for affordable housing. Find out more at [MassHousing.com](http://MassHousing.com).



# CSL doesn't mean a contractor doesn't have to be registered too!

By Paul F. Eno Editor

What advice can the Commonwealth of Massachusetts offer Rhode Island residential contractors who work or want to work in the state?

"Make sure you know the home improvement contractor registration requirements (HIC) and abide by them," said Jacqueline M. Horigan, spokeswoman for the Massachusetts Office of Consumer Affairs and Business Regulation (OCABR), which administers the HIC.

"About a year and a half ago, we were surprised to find that many contractors who wanted to work in the state didn't know about the HIC requirements, so we have been getting the word out," Ms. Horigan added.

She suggested that some contractors may concentrate on the state's construction supervisor license (CSL), an entirely separate requirement, and miss the HIC. Or they might have been confused when the Dept. of Public Safety, which previously oversaw the CSL, became part of the Office of Public Safety and Inspections last year.

"There's no need for HIC if you're building new homes only or just working on commercial properties," Ms. Horigan said.

Still, the HIC rules are very specific.

- Any contractor who performs home-improvement work to an existing, one-to-four-unit, owner-occupied home, with a value of \$1,000 or more, must register as a home improvement contractor with OCABR.

- HIC certificates of registration are valid for two years. If you are already registered, be sure to renew your registration before it expires. Otherwise, you may be subject to the same fees as first-time registrants.

- Be sure that the name on your HIC certificate is the same as the name on your contracts with homeowners. If it isn't, you might have trouble pulling permits.

- Just because you have a CSL doesn't

mean you don't need an HIC.

Ms. Horigan noted the most common violations of the HIC law.

- Operating without a valid HIC certificate.

- Unjustifiably abandoning or failing to perform a project.

- Impermissibly demanding or receiving a deposit greater than one-third of the total contract price.

- Executing a residential services contract that doesn't contain legally required consumer-protection language.

For complete information and forms, visit <https://www.mass.gov/register-as-or-renew-your-existing-home-improvement-contractor-registration>. Or call 888-283-3757.

Useful information for contractors working in Massachusetts also can be found on the OCABR blog at <http://blog.mass.gov/consumer/>.



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## DEM buys development rights to 369 acres in Exeter

Using \$3.34 million from various sources, the Dept. of Environmental Management (DEM), in partnership with The Nature Conservancy (TNC), The Champlin Foundation, and the Rhode Island Agricultural Lands Preservation Commission (ALPC), has acquired the development rights to 369 acres in Exeter known as the Adams property.

Since 1985, 111 farms consisting of 7,888 acres have been protected by the ALPC, working with DEM and other agencies and organizations.

Located in southern Exeter, near the border of Richmond and South Kingstown, the property is the second largest protected farm in the state, after Tuckahoe Turf Farms Inc. in Richmond.



## NAHB hails administration decision to delay WOTUS rule

The Environmental Protection Agency in February announced a two-year delay of the Obama-era "waters of the United States" (WOTUS) rule, giving the agency more time to work with the U.S. Army Corps of Engineers and replace it with definitions that provide needed clarity for those regulated by the Clean Water Act.

### 'We have been waiting a long time'

"This is a decision we have been waiting a long time for," said National Association of Home Builders (NAHB) Chairman Randy Noel. "NAHB has provided formal testimony and explained to agency officials the consequences of this rule's extreme overreach and the resulting confusion not only among property owners, but the regulators themselves."

"The 2015 WOTUS rule developed by the Obama administration will not be applicable for the next two years, while we work through the process of providing long-term regulatory certainty across all 50 states about what waters are subject to federal regulation," EPA Administrator Scott Pruitt said in a press statement.

In 2015, the Obama Administration issued a new definition of WOTUS to determine the scope of federal Clean Water Act jurisdiction. That definition – which would require builders and developers to obtain federal permits for activities in isolated ponds, dry

see WOTUS...page 27

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# Community-based program helps R.I. homeowners with code compliance

By Paul F. Eno *Editor*

"These are great programs that help both owner and tenant households address deferred maintenance, lead-paint abatement, energy efficiency, roofing, mechanical systems, just about anything the home needs."



David Bachrach

That's the word from East Providence Community Development Coordinator David Bachrach. His praise is for a federally-backed program available through at least nine Rhode Island communities, and which will interest members of the Rhode Island Builders Association, especially remodelers.

Based on funding from the HOME Program offered by the U.S. Dept. of Housing and Urban Development (HUD), community-based home-improvement programs are available in Coventry, Cranston, East Providence, Lincoln, Pawtucket, Providence, Smithfield, Warwick and Woonsocket. They help eligible homeowners repair and maintain their homes, and bring

them up to code.

"It won't cover general remodels just for esthetics," Mr. Bachrach pointed out. "The program is income-based, according to how many are in the household. For the Providence-Warwick statistical area, (maximum eligible income) would be \$40,400 for a one-person household, and \$57,700 for a four-person household," Mr. Bachrach said.

"Each (community) may provide a differing range of services but must follow the HUD regulations dictating eligibility."

Even outside the nine communities listed, there are HUD programs that can assist eligible remodeling customers. HUD eligibility requirements vary by state and urban area.

For more information, visit [https://www.hud.gov/states/rhode\\_island](https://www.hud.gov/states/rhode_island)

For an overview of HUD home-improvement programs for homeowners, visit:

[https://www.hud.gov/states/rhode\\_island/homeownership/homerepairs](https://www.hud.gov/states/rhode_island/homeownership/homerepairs).



## Rhode Island Housing funds brownfield revitalization

A historic mill village on a brownfield site in Smithfield will be revitalized, thanks to funding from Rhode Island Housing (RIH) and other sources.

The \$11 million development, Georgiaville Village Green, will create 42 homes and support 75 jobs, according to RIH.

The RIH Board of Commissioners in January approved \$837,000 in 2018 low-income housing tax credits (LIHTC), a first mortgage of \$190,000, and a second mortgage of \$379,000.

"Housing is the foundation of a strong economy and essential for healthy communities to thrive," said RIH Executive Director Barbara Fields.

"Restoring this area will improve public health, protect the environment, and support our continuing efforts to increase the local supply of housing – as well as put Rhode Islanders to work."

### *A former mill site*

The site was formerly home to the Narragansett Gray Iron Foundry – a mill building that was demolished by a previous owner. It is classified as a brownfield site. Gemini Housing Corp. and Coventry Housing Associates Corp., the developers, have already begun remediation.

Georgiaville Village Green will include three one-bedroom, 21 two-bedroom and 18 three-bedroom apartments located in nine buildings. The housing will be available to individuals and families earning less than 60 percent of the area median income (AMI), or \$43,260 for a family of four. Five of the units will be reserved for individuals and families with disabilities earning less than 30 percent of AMI, or \$24,600 for a family of four.

Other funding comes from various government and private sources.

If you have a development in mind, brownfield or otherwise, visit RIH at [RIHousing.com](http://RIHousing.com), where applications for all programs are available.



## Jobs Bank continues to hum

As 2018 got into full swing, so were the numbers at the Residential Construction Workforce Partnership's (RCWP's) Jobs Bank at [RCWPjobs.com](http://RCWPjobs.com).

As of January 15<sup>th</sup>, the number of job candidates had jumped to 301, from 294 in December. There were 594 employers registered, up from 589 at the end of 2017. There were 50 job postings, a jump of 47 from December. There were 76 resumes posted on the site.

Signing up for an account at [RCWPJobs.com](http://RCWPJobs.com) is free, and employers are urged to do so even if they have no immediate hiring plans. Once you do hire, you'll know who's available and what their qualifications are.

"When your company posts a job opening, it will be personally managed. That's because, as soon as it's posted, I receive an immediate e-mail," said RIBA Marketing Director Cheryl Boyd "I know who you are and what you're looking for."

It's the same process when a job candidate posts a resume.

"I pay personal attention," she said.

For more details, contact Cheryl Boyd at (401) 255-5910 or [cboyd@ribuilders.org](mailto:cboyd@ribuilders.org).





## Elizabeth M. Tanner

Director, R.I. Dept. of Business Regulation

*Elizabeth M. Tanner became director of the Rhode Island Dept. of Business Regulation in December. Previously, she was executive vice president of client services at the Rhode Island Commerce Corp., overseeing the Business Navigation Center and the Statewide Action Team (STAT) as well as all interactions between the agency and the public. Ms. Tanner worked on special projects to improve the interactions between business and government. Before assuming her posts with the state, she owned a law practice in Bristol for nearly 10 years and was part owner of a real estate specialty service business. Ms. Tanner holds an undergraduate degree in political science from the University of Rhode Island and a law degree from the Western New England University School of Law. She lives in Bristol.*



**THE BUILDER:** You did a great deal on behalf of small business as an official of the Commerce Corp. How do you plan to carry this over to your new position with DBR?

**TANNER:** Actually, I'm bringing a large portion of my work at the Commerce Corp. over to DBR, especially the work we were doing to streamline the building-of-a-building process.

You might recall that our first effort at the Commerce Corp. was to streamline how to open a restaurant. That resulted in a list of "gaps" we felt we had to deal with: Things that have to happen behind the scenes to make the process better. We're almost finished with the restaurant process, and we've started looking at the building process and how that can be streamlined.

One item that has already come out of that is the need for additional education for planning boards. So we're pursuing some education options for them, so they can have a better sense of what their duties and obligations are.

**THE BUILDER:** Are you aiming to streamline building in general or is there an emphasis on residential or commercial?

**TANNER:** We do have it broken down into residential and commercial, but the overall emphasis is building in general, the steps, and who you need to talk to.

We've found that most people don't necessarily know the path to take, not to mention its intricacies. So we're focusing on the path.

**THE BUILDER:** As you know, the Rhode Island Builders Association is emphasizing drinking water and sewer infra-

structure upgrades and expansion in order to facilitate building. Do these figure into the "path" you mention?

**TANNER:** When we're out talking with municipal officials, they often express concern about their land-use and development process, and how long it takes. What they're really saying is that their zoning codes are very old, and it's expensive to rewrite them.

That's not necessarily because of the lawyers, engineers and architects that need to be involved with it, but because a great deal of time must be spent working with the community, to help them understand proposed changes, and to answer their questions in public forums.

With that in mind, for the second year in a row now, Gov. Gina Raimondo's budget dedicates \$200,000 to a pilot program, for two or three municipalities, who themselves will share the cost. A "lean" consultant, a process-simplification expert, will come in and help streamline the land-use and development processes. From there, the consultant would look at the particular zoning code, to make improvements favorable to economic development.

**THE BUILDER:** You refer to the Technical Assistance for Municipal Zoning and Permitting Fund (TAMZP), part of the governor's proposed budget. Information given to the media on that indicates that it's meant to help small-business, not residential development.

**TANNER:** Well, there are several pieces to that picture, and some are already in place. The first phase was to streamline the business registration and licensing processes. So 23 communities have already done that, and they've created a standard form for businesses.

There's a second piece, and that has two segments, so it can be a little confusing. The first segment is phase two (of streamlining for business) and the second segment is about land-use development.

Even now, a municipality can partner with the Commerce Corp. It's a \$6,000 initiative. The municipality and Commerce would each contribute \$2,000, and the Rhode Island Foundation feels so strongly about this that they'll contribute the final \$2,000. With that money, the municipality can get the help it needs to develop the lean processes. With the help of the consultant, they'll see what the process looks like now, and what it should look like in the future.

The money for the TAMZP in the governor's proposed budget

see *INTERVIEW...next page*

## ***INTERVIEW...from previous page***

will be used to start streamlining municipal zoning codes.

**THE BUILDER: What other long-term goals do you have for DBR?**

**TANNER:** DBR has traditionally been thought of as the agency that helps all businesses. In fact, we only regulate a certain number of businesses. We hope to make DBR a resource for all businesses.

**THE BUILDER: In addition to the lean initiatives you've outlined, do you see other ways that DBR can help when it comes to the critical shortage of affordable housing in Rhode Island, partial blame for which builders lay at the door of over-regulation, especially by municipalities?**

**TANNER:** I'd just reemphasize that part of this (lean program) is available to municipalities now, and any of them can apply for that. The TAMZP (in the governor's proposed budget) has the dollars for the zoning streamlining. We hope to get those dollars. Ideally, we'd ask for additional money to expand that program.

**THE BUILDER: Boards of immediate interest to the residential construction industry, such as the Contractors' Registration and Licensing Board (CRLB), the State Building Commission, and the State Fire Marshal, are now under DBR. What should the industry expect as a result?**

**TANNER:** Hopefully, the legislature will approve making that a permanent arrangement. Right now, those boards are operating with DBR under a memorandum of understanding.

If and when the arrangement is complete, we're focusing on

two things. First would be the building and fire codes. As you know, there's frequent confusion about when which codes apply, and the frustration when they're slightly off. So we're looking to finally resolve those issues. We'll get the word out about which codes apply, so there won't be any more confusion.

The other issue we want to deal with is inspections across the state. Building and fire inspectors might interpret the code differently on a daily basis. So we hope to get them to train and work together so you have far more consistent inspections.

**THE BUILDER: How can the residential construction industry, and the Rhode Island Builders Association specifically, help you fulfill these goals?**


**TANNER:** We're starting a major effort to consult with all the state's construction-industry associations to find out which codes they have problems with, and about inconsistent inspections. So it would be extremely helpful for RIBA to collect that information from your members, so we can work on each and every issue.

**THE BUILDER: What specifically would you like to communicate to small businesses in general and builders/remodelers in particular, beyond what you've already said?**


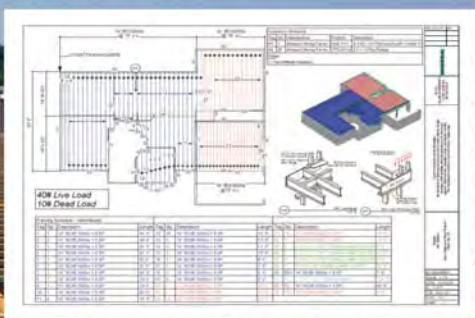
**TANNER:** If you don't belong to a trade organization, you need to join one. I realize that people are working 60 to 80 hours a week, but sometimes you have to lift your head up, join an association, see what they have to say, and know that they are advocating for you and your business. They want to help you with problems, and hear any ideas you have to put forward.

I certainly thank RIBA for being a great partner, and I look forward to continuing to work with you all in a new way!






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## **WOTUS...from page 23**

streambeds and most ditches – was immediately met with litigation around the country.

Most recently, the U.S. Supreme Court ruled that the litigation surrounding the 2015 WOTUS rule must be brought in federal district court, not circuit courts. As a result, a nationwide stay issued by the Sixth Circuit Court of Appeals in October 2015 will soon disappear.

The Trump Administration continues its efforts to officially rescind the 2015 WOTUS rule.



## **HELOCS...from page 1**

the tax-reform measures were passed, it's still useful, said NAHB economist David Logan.

"As long as clients demonstrate that they have used the HELOC for capital improvements on their homes, they should be in compliance," he said.

However, he cautioned, remodelers should not take the role of tax advisor for their clients and should recommend that they call their accountants before making the decision to take out a loan.

The *Washington Post's* Kenneth Harney discusses the new HELOC rules in a recent real estate column. NAHBNow.com will offer a series of blog posts in the coming weeks about the effects of the new tax law on members' businesses.

For additional information, contact David Logan at [dlogan@nahb.org](mailto:dlogan@nahb.org). Also, see the interview with NAHB Assistant Vice President for Government Affairs J.P. Delmore in the February edition of *The Rhode Island Builder*.

**As we went to press:** As part of the Bipartisan Budget Act of 2018, signed into law on Feb. 9<sup>th</sup>, Congress retroactively extended a number of expired energy and homeowner tax provisions.

Watch for more information in our next issue.



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## ***HOUSING...from page 1***

Along with *The Rhode Island Builder*, the state's media in recent months have been covering the housing shortage and its causes. In a statement reported in January by WPRI 12, Ms. Calder is quoted as saying that, between 2000 and 2010, Rhode Island "generated more zoning regulation than 47 other states measured per capita. During the same period, Rhode Island generated more land-use regulation than 42 other states measured per capita."

### ***An uphill battle in Rhode Island***

As previously reported in this magazine, state and municipal officials are well aware of the housing crisis in Rhode Island, but have an uphill battle in dealing with the over-regulation that contributes to it, especially at the local level.

The Low and Moderate Income Housing Act (LMIHA), enacted by the General Assembly in 1991, was supposed to be a primary stimulus for workforce-housing production, mandating that every municipality have at least 10 percent of its housing stock "affordable" under federal guidelines.

Twenty-seven years later, only Woonsocket, Pawtucket, Central Falls, Newport and New Shoreham have met that goal. Some officials in the state's smaller towns believe that 10 percent is unrealistic because they lack infrastructure or other elements for sustainable growth.

On the regulatory front, Gov. Gina Raimondo's administration has tried to reduce unnecessary regulations and streamline permitting, notably through the Office of Regulatory Reform and the Rhode Island Commerce Corp. The governor's proposed budget for 2018-19 creates a Technical Assistance for Municipal Zoning and Permitting Fund of \$200,000 to help "cities and towns improve zoning regulations and development processes to spark

economic development," her office says. The stated goal of the fund, however, is to help small businesses.

Reform to state rule-making does little or nothing to lift the regulatory foot from the brake pedal when it comes to local zoning and land-use practices.

In a decision handed down on January 3<sup>rd</sup> (*New Castle Realty Company v. Dreczko*), the Washington County Superior Court demonstrates this.

Associate Justice Jeffrey A. Lanphear ruled that the Charlestown Zoning Board of Review could deny approval for a residential septic system, even though the state Dept. of Environmental Management had granted the landowner's application for a wetlands permit.

### ***The infrastructure factor***

The Rhode Island Builders Association has long called for upgrading and expanding the state's drinking-water and sewer infrastructure, mitigating septic-system concerns and facilitating residential and commercial growth.

Timothy S. Hollister, a nationally known land-use lawyer based in East Hartford, Connecticut, says that his state faces a similar housing shortage, and that anti-growth communities sometimes use lack of this infrastructure as a weapon.

"I'm fighting sewer wars all over Connecticut," Mr. Hollister declares. "Some towns are using lack of sewer infrastructure to stop higher-density development. We sometimes find them hiding capacity and fudging reports, totally making it up."

On the legal side, sewers are a public utility, he stresses.

"It's like a highway. Once you build it, you can't say who gets to use it and who doesn't. You have to let people hook up. That principle resulted in a rule in Connecticut that sewer commissions can't use their power to control land use. Sometimes we have to go to court to reinforce that."

As in California (see "Does housing crisis threaten local land-use controls?" *The Rhode Island Builder*, February 2018, page 1), the State of Connecticut is taking measures to sidestep local objections to residential development, according to Mr. Hollister.

Connecticut actually has a cabinet-level Dept. of Housing (DOH).

"DOH aggressively pursues a fair-housing policy," Mr. Hollister explains. "They encourage housing production, both subsidized and for-profit, when there is infrastructure in the right places. They don't take away local zoning authority, but they make it clear that towns can't put up anti-growth roadblocks. The state has tools to make things happen."

Just as in the West, younger people in New England need places to live, and these are scarce, Mr. Hollister indicates.

"Younger people are up and coming, and they have less toler-



Timothy S. Hollister

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## CRISIS...from previous page

ance for discriminatory conduct in housing than do the older people who sit on local boards,” Mr. Hollister states. “People can see that, where higher densities are permitted, housing prices come down. Here in Connecticut, I see a gradual change in attitudes for the better as younger people come up.”

## Woefully short on housing production

Looming over the Ocean State’s housing-supply situation is the declaration by Rhode Island Housing, HousingWorks RI at Roger Williams University, and other advocates, that the state needs 3,500 new housing units a year until at least 2025 if demand is to be met and prices kept within reach of anyone who isn’t rich. That production goal was announced in 2015, but the highest annual building-permit activity in this decade, so far, was in 2016, when 1,226 permits were issued, up from 998 the previous year.

U.S. Census Bureau statistics for 2017 were not yet available as of this writing. But as the clock ticks, housing prices and rents in Rhode Island continue to rise.

“A balanced inventory would be a six-month housing supply,” says Joseph Luca, president of the Rhode Island Association of Realtors®. “For the past year or more, we’ve been hovering around a four-month inventory.”

That might not sound so bad, but it indicates a serious imbalance in the market, according to Mr. Luca.

“People cannot find housing in Rhode Island. Houses are selling, values are rising, but there are not enough houses to buy.”

This can create dilemmas not just for new buyers but for move-up buyers and downsizers as well, Mr. Luca says.

“For example, you have empty nesters whose 1,600 square-foot house is free and clear and is worth about \$350,000. Now they want something that’s on one level, and maybe 1,000 square feet. With supply and prices as they are, these people are looking at \$300,000 or more for a condominium. That doesn’t leave them much to live on.”

If developers could build more smaller homes on smaller lots, it could meet at least some of the demand for both starter homes and downsizers, Mr. Luca suggests.

“The average price of a home in Rhode Island is about \$260,000, so price these smaller homes for less. With a housing supply like that available, our empty nesters could downsize and still have \$100,000 in the bank,” he states.

“We simply need to create more housing.”

For more information, an important resource is the *2017 Housing Fact Book* from HousingWorks. Find it online at <https://www.housingworksri.org>.



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## HOME SHOW...from page 8

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“The Home Show has been a consistent winner for us year after year. It always generates business for our home-building company as well as providing an opportunity for past and present clients to come visit us in a relaxed setting. We look forward to participating again in 2018,” said Alexander A. Mitchell of Meridian Custom Homes.

Find out more at Visit [RIBAhomeshow.com](http://RIBAhomeshow.com), or contact Bob Yoffe at Yoffe Exposition Services, (800) 963-3395 or [bob@yoffeexpo.com](mailto:bob@yoffeexpo.com).





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