

Panel hunts down conflicts in R.I. codes

RIBA representative asks members to report inconsistencies they have encountered in building, fire codes.

By Paul F. Eno Editor

Have you run up against inconsistencies in various codes in your day-to-day work? Now's the time to speak up!

That's the word from Eric J. Wishart of Civil CADD Services Inc., who represents the Rhode

Island Builders Association on the new Code Consistency Council (CCC), authorized by the Rhode Island General Assembly in 2013. The purpose of the CCC is to review the state's codes, including building, fire, environmental, mechanical, and even elevator, for conflicts.

"We won't be the ones to resolve the conflicts, but our task is to identify the conflicts and make

see CODES...page 24



Eric Wishart

Making ourselves heard



PHOTO BY NATHAN KELLY

A group of Rhode Island Builders Association members dig into the state's regulatory climate during a recent focus group for RhodeMap RI, a planning project coordinated by the state Division of Planning. RIBA is now a key participant. The focus group took place at RIBA headquarters. Story on page 17.

FEATURED PRODUCTS AND SERVICES FOR MARCH

Centerspread

PWB wins big at IBS 2014

As we went to press in February, the Rhode Island Builders Association's Professional Women in Building Council was walking away from the International Builders Show in Las Vegas with six national awards. Watch for a full report in the April Rhode Island Builder Report.

JLC LIVE: Members get free admission

RIBA members can get free admission to the exhibits at JLC LIVE: The Residential Construction Show (a \$35 value) when it takes place in Providence March 21st and 22nd.

Page 12

Opportunities in Warwick

See our interview with Warwick's mayor and planning staff about some big opportunities for builders and remodelers in that city.

Page 20

Free courses for members

RIBA offers free tuition for members in its many valuable courses and seminars.

Page 4

The Rhode Island Builders Association's Board of Directors did not meet in February because of the International Builders Show, so no new members were approved. Look for new member listings in our next edition. For membership information, visit www.RIBUILDERS.org or call (401) 438-7400

THE RHODE ISLAND builder report

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Single-family permits up 20% in 2013, but look again

By Paul F. Eno Editor

While any improvement in building permit figures is welcome, the numbers from the fourth quarter of 2013 in Rhode Island should be viewed with "cautious optimism" and town-by-town. That's because, when the overall numbers are small, small changes produce big percentages. In fact, the slow housing recovery continues to be very uneven.

Statewide, Rhode Island experienced a 28 percent increase in the number of single-family building permits issued in the fourth quarter of last year over the same period in 2012, a far cry from the third quarter, when there was an overall 24 percent drop in permits over that period in 2012.

The actual numbers: 226 permits were issued statewide in the fourth quarter of last year, only 49, or 28 percent, more than the 177 issued in the same quarter in 2012. The numbers certainly are headed in the right direction, but it's a far cry from the 563 permits issued in the fourth quarter of the more average year 2001.

The fourth quarter figures were released in January by the Rhode Island Builders Association. For the year, statewide permits totaled 817, a 20 percent increase over the 682 issued in 2012. A handful of communities and projects were responsible for the improvement.

Leading the charge in percentages was Lincoln, with 21 single-family building permits issued in the October-December

period, a 2,000 percent increase over the one permit issued in the same quarter of 2012. Lincoln also led the state for the year, with 46 permits issued in 2013, a 283 percent increase over 2012, when a total of 12 permits were issued.

Another big percentage leader was Jamestown, with seven permits issued in the fourth quarter, as opposed to one on the same period in 2012 (a 600 percent increase). Also for the fourth quarter, Scituate (three permits for the quarter in 2013/none in 2012), Warren (four/one) and Woonsocket (three/none) all experienced 300 percent increases.

In actual figures, Lincoln and Warwick had the highest numbers of permits issued during the fourth quarter, at 21 each. Next was Cranston at 19, then South Kingstown at 15.

On the negative side, permit numbers in West Greenwich fell by 140 percent, from five in the fourth quarter of 2012 to minus two in the October-December period in 2013. Permits in North Kingstown fell from 13 in the last quarter of 2012 to minus one in the same 2013 period (108 percent).

At the other end of the spectrum, no single-family permits at all were issued during the fourth quarter in Central Falls, Foster, Johnston or Newport. East Providence, North Providence, Pawtucket and West Warwick issued one each.

Central Falls was the only community that issued no single-family permits at all in 2013.

DEADLINES FOR THE NEXT ISSUE

For the APRIL issue, copy, ads and photos must be to us by

Friday, February 28

Send material to

The R.I. Builder Report, c/o RIBA,
450 Veterans Memorial Pkwy., Suite 301, East Providence, RI 02914

or e-mail to

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Single Family Building Permits

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	4th Quarter			YTD				4th Quarter			YTD		
	2013	2012	+/- %	2013	2012	+/- %		2013	2012	+/- %	2013	2012	+/- %
Barrington	5	4	1 25%	17	12	5 42%	Newport	0	2	-2 -100%	12	9	3 33%
Bristol	4	5	-1 -20%	18	12	6 50%	North Kingstown	-1	13	-14 -108%	30	37	-7 -19%
Burrillville	4	2	2 100%	28	10	18 180%	North Providence	1	4	-3 -75%	12	12	0 0%
Central Falls	0	0	0 0%	0	1	-1 -100%	North Smithfield	8	8	0 0%	14	16	-2 -13%
Charlestown	8	3	5 167%	17	20	-3 -15%	Pawtucket	1	0	1 100%	6	4	2 50%
Coventry	13	10	3 30%	35	27	8 30%	Portsmouth	13	8	5 63%	33	18	15 83%
Cranston	19	13	6 46%	43	28	15 54%	Providence	5	3	2 67%	16	12	4 33%
Cumberland	10	11	-1 -9%	50	50	0 0%	Richmond	3	3	0 0%	13	9	4 44%
East Greenwich	3	5	-2 -40%	16	16	0 0%	Scituate	3	0	3 300%	11	7	4 57%
East Providence	1	0	1 100%	6	7	-1 -14%	Smithfield	2	1	1 100%	14	9	5 56%
Exeter	3	2	1 50%	10	11	-1 -9%	South Kingstown	15	23	-8 -35%	77	95	-18 -19%
Foster	0	1	-1 -100%	2	5	-3 -60%	Tiverton	8	3	5 167%	21	20	1 5%
Glocester	4	3	1 33%	16	12	4 33%	Warren	4	1	3 300%	10	3	7 233%
Hopkinton	3	2	1 50%	11	12	-1 -8%	Warwick	21	9	12 133%	47	32	15 47%
Jamestown	7	1	6 600%	18	11	7 64%	West Greenwich	-2	5	-7 -140%	5	8	-3 -38%
Johnston	0	1	-1 -100%	6	13	-7 -54%	West Warwick	1	2	-1 -50%	5	10	-5 -50%
Lincoln	21	1	20 2000%	46	12	34 283%	Westerly	15	17	-2 -12%	66	63	3 5%
Little Compton	4	2	2 100%	13	12	1 8%	Woonsocket	3	0	3 300%	8	2	6 300%
Middletown	12	5	7 140%	45	29	16 55%	Total	226	177	49 28%	817	682	135 20%
Narragansett	3	4	-1 -25%	11	11	0 0%							
New Shoreham	2	0	2 200%	9	5	4 80%							

Source: U.S. Bureau of the Census

12/28/2013

LOOKING AHEAD!

♦ **March 5-6: OSHA 10-Hour Certification Course** - RIBA headquarters, East Providence, 11:30 a.m. to 5 p.m. both days. Attendance on both days is required for certification. Course is FREE for members, book is \$25. \$125 charge for non-members includes book. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar," or contact Sheila McCarthy, smccarthy@ribuilders.org, or call (401) 438-7400.

♦ **March 13: Asbestos Awareness Workshop** - RIBA headquarters, East Providence, OSHA Class IV (2-hours). FREE for members with a \$10 materials charge. Non-members \$45 with a \$10 materials charge. Course topics include: History of asbestos and its uses and forms, health effects of asbestos exposure, examples of asbestos-containing materials (ACM) and their possible location within buildings, recognition of damaged and deteriorated ACM, protective equipment, and asbestos bulk/air sampling methodologies. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar," or contact Sheila McCarthy, smccarthy@ribuilders.org, or call (401) 438-7400.

March 17-21: NAHB Legislative Conference - Opportunities to interact with federal lawmakers on residential construction industry issues in their home districts, sponsored by the National Association of Home Builders. RIBA members are urged to participate and should watch for information from RIBA headquarters. The timing of this year's Legislative Conference is particularly significant given that this is an election year. For information, contact Elizabeth Carpenter at RIBA, ecarpenter@ribuilders.org or call (401) 438-7400.

March 19-22: JLC LIVE: The Residential Construction Show - Sponsored by the *Journal of Light Construction*, Rhode Island Convention Center, Providence. Conference and educational sessions, March 19th-22nd. Exhibition March 21st and 22nd. RIBA members can get free admission to the Exhibit Hall when registering online.

Details on Page 12.

♦ **March 25, 2014: Workers' Compensation Awareness Seminar** - RIBA headquarters, East Providence, 5:30 – 7 p.m. Find out about the consequences of exempting yourself from workers' compensation insurance.

♦ **April 3-6: RIBA Annual Home Show** - Expanded show with many new attractions, more exhibits and the popular Model Home with special landscaping features done by the Rhode Island Nursery and Landscape Association. Rhode Island Convention Center, Providence. Visit www.RIBAHomeShow.com. *Details on page 8.*

♦ **April 14: Ladies' Night at RIBA** - Sponsored by RIBA's Professional Women in Building Council (PWB) and local members of the National Association of Women in Construction (NAWIC), RIBA headquarters. Light fare and refreshments will be served. *Details on page 12.*

♦ **April 17: Mold Awareness Workshop** - RIBA headquarters, 4-6 p.m. FREE for members with a \$10 materials charge. Non-members \$45 with a \$10 materials charge. Topics will include: Introduction to mold and indoor air quality, basic health hazards associated with mold, potential locations of mold within buildings, monitoring and sampling of mold within buildings and HVAC systems, protecting yourself and others when working with mold, and good work practices when dealing with small-scale mold growth. For more information and to register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar," or contact Sheila McCarthy, smccarthy@ribuilders.org, or call (401) 438-7400.

♦ **August 8: RIBA's Annual Outing & Clambake** - RIBA's biggest social event of the year, with great food, contests, networking and fun. Sponsorships will be available and will be used entirely to reduce the ticket price. Francis Farm, Rehoboth, Mass. *Watch for information.*

♦ **September 29: RIBA's Annual Golf Classic** - Quidnessett Country Club, North Kingstown. *Watch for information.*

More information, registration and payment for most RIBA events is available at RIBUILDERS.org

♦ Indicates a RIBA-sponsored event.

PRESIDENT'S MESSAGE



Felix A. Carlone

Work opportunities, and the Home Show cometh

The Rhode Island Builders Association is always looking for work opportunities for members. In this issue, check out the interview with Warwick Mayor Scott Avedisian, Planning Director Bill DePasquale and other city staff about big development projects going on there (Page 20). There's work at the airport too! (Page 12)

Building permits were up 20 percent for 2013, and the news media have been trumpeting this. And it's great news, but statistics can be misleading. In fact, it's never wise to declare the end of a slump based on a chart. In this case, the permit increase reflects a few projects in a few towns in a still-sluggish market. The numbers are based largely on better figures from Burrillville, Jamestown, Lincoln, Warren and Woonsocket, which skewed the whole percentage. Central Falls, Charlestown, East Providence, Exeter, Foster, Hopkinton, Johnston, North Kingstown, North Smithfield, South Kingstown, West Greenwich and West Warwick are all in negative territory for last year, percentage-wise.

Still, any improvement is good, and let's hope it continues. But

the barriers that have stood in the way of economic growth in the past are still with us, especially over-regulation and anti-growth attitudes. These are issues that RIBA continues to address at the State House and in our cities and towns.

The Home Show is almost here! And there's still time to reserve your exhibit space for what will almost certainly be your biggest marketing splash of the year. Member exhibitors will tell you that they generate leads at the Home Show that boost their bottom lines all year. One such member is Tom Lopatosky of Lopco Contracting, who came back to the show in 2012 after dropping out on 2009. Maybe you saw his story in the February issue of *The Rhode Island Builder Report*. He was amazed at the show improvements, the leads he generated, and he'll be back in 2014.

On the legal front, RIBA has achieved or is nearing settlements with Warwick, Lincoln and Cranston on permit-fee lawsuits. I must say that this whole process has resulted in a new, cooperative understanding with these towns. They are now working with our industry to resolve issues.



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← The Rhode Island Builders Association's most recent Open House and Networking Night took place at the association's East Providence headquarters on January 23rd. Special guests that evening were Kevin and Kayla Dubois, recent recipients of a new house in Burrillville, built by RIBA's Builders Helping Heroes subsidiary in partnership with Homes For Our Troops. Kevin, a Marine corporal, lost both his legs in combat in Afghanistan. With the Dubois are Vincent J. Marcantonio and RIBA staffer Elise Geddes, who both assisted with the home-building project.

→ Also enjoying the evening are Tanya Donahue of RI Kitchen and Bath Inc., and Alfred Jackvony of Shelf-Improvement Corp.



↑ Meeting up at Networking Night were, from left, Warwick City Councilman Edgar N. Ladouceur of the StormTite Co., Richard Horning of StormTite, and Steven L. St. Onge of RI Kitchen and Bath.



↑ Looking a little sleepy and about to head for home is Pat Hogan's (SODCO Inc.) little grandson.



↑ Cheryl and Charles Colón of CP Woodcrafters LLC stopped by to enjoy the festivities.



↑ Stephen Fitzgerald of Fitzgerald Building and Remodeling (left) and Dean Martineau of Dean W. Martineau Carpentry & Painting were surely talking about future events for RIBA's busy Remodelers Committee.

↓ Catching up on the news are Alex Mustafayev of Power Equipment Co. and Frank Leonard of Granites of America.



↑ Also hooking up are, from left, Joseph Amaral of Ocean State Radon, Thomas J. Lopatosky of Lopco Contracting and Jose Marciano of JM Painting.



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WHEN: Thursday through Sunday, April 3rd-6th.

WHERE: Rhode Island Convention Center, Providence

FOR INFORMATION AND TO OBTAIN EXHIBIT SPACE: Call Yoffe Exposition Services at (800) 963-3395 or visit www.RIBAHomeShow.com.

It's crunch time, but you can still get in under the wire if you haven't yet reserved your exhibit space at the Rhode Island Builders Association's 2014 Home Show. But don't wait!

One early bird who didn't want to miss his chance was Thomas J. Lopatosky of Lopco Contracting, who dropped out of the show in 2009, only to return in 2012 after seeing the event's transformation in recent years.

"In 2012, after talks with the show's forward-thinking planners, we hesitantly came back. And are we ever glad we did! What a tremendous turnaround!" he told *The Rhode Island Builder Report*. "The 'vibe' of the Home Show is now night and day, compared with when we last exhibited, and our numbers show it. We generated good revenue as a direct result of being back in the show, revenue well beyond the projected Return on Investment (ROI) needed to justify our presence."

Bigger attractions, bigger crowds and an expanded show continue to make the "new" Home Show a key marketing venue for any business involved in the residential construction industry.

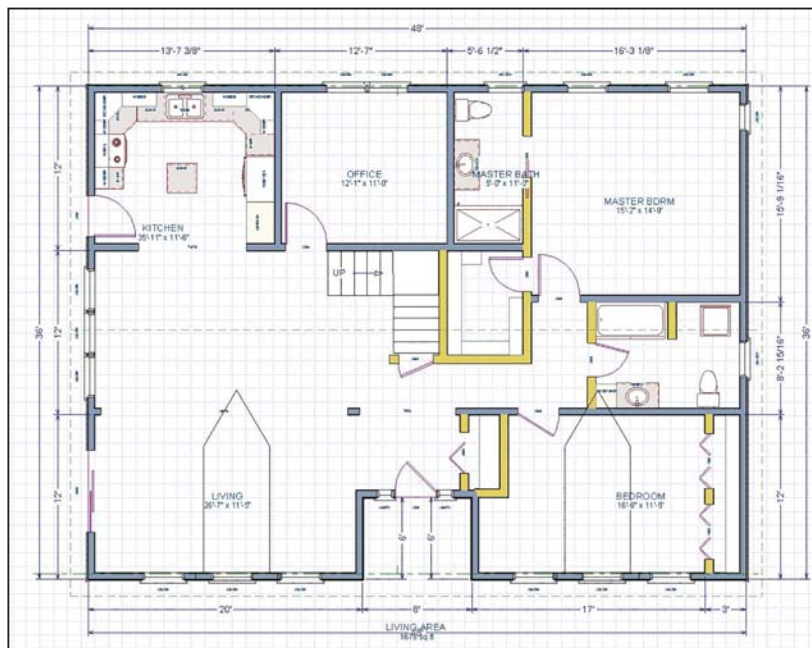
The Model Home returns to the 2014 show, bigger and better than ever, with the unique "Edible Front Yard," "the Ultimate Backyard" and other artistry by the Rhode Island Nursery and Landscape Association (RINLA).

The Model Home, a show hit since 2012, returns thanks to Carol O'Donnell of CRM Modular Homes. The home will be fully furnished by Cabot House and will once again be decorated by Karen Corinha of Corinha Design.

Also featured will be a new "Energy Expo," sponsored by the State of Rhode Island and National Grid. This exclusive exhibit area will showcase products and services designed to reduce home energy usage, and will be a center for educational and how-to information.

The show will once again feature live cooking demonstrations, professional seminars, wine pairings and children's activities.

The hard-working Home Show Committee includes Chairman Ronald J. Smith of Ron Smith Homes LLC, Cheryl Boyd and



A computer rendering of the 2014 Model Home and floor plan.

Louis Cotoia of Arnold Lumber Co., RIBA Operations/Project Manager Elizabeth Carpenter, Ms. O'Donnell, Robert Yoffe of Yoffe Exposition Services, Ms. Corina, along with Cynthia Valenti-Smith and Bethany Palagi of Washington Trust Co., and Mary Cool of California Closets.

Contact Yoffe Exposition Services now to reserve your exhibit space. There is help planning your exhibit, and RIBA members receive an automatic 5 percent discount on exhibit space.



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Member Profile: Jeff Vaillancourt of Amity Electric

As a kid, electricity turned him on

By Paul F. Eno *Editor*

Jeff Vaillancourt first got turned on to things electrical when he was in high school – Tollgate High School in Warwick, to be precise.

“They had an intensive electrical program there, and it grew on me. We had electrical classes every day,” Jeff recalls.

He worked for an electrical contractor during high school and for about a year after he graduated from Tollgate in 1989. But the Warwick native has never been a man to waste time. In 1990, Jeff took his tests, got his electrician’s license and went into business. While he was at it, he nabbed his excavation and hoisting licenses too.

At first, the business had no name of its own; it was just The Man himself. Then Jeff and his wife, Dee, huge fans of the 1975 Steven Spielberg film *Jaws*, decided to call the company Amity Electric, after the fictional Massachusetts “Amity Island” where the movie’s action takes place. A huge great white shark even adorns the company logo.

Today, Amity Electric, based in Richmond, has six employees in the field. Jeff runs the field operations while Dee takes care of the office. The company’s work takes its services to every New England state. Along with residential and commercial work, part of Amity’s operation is a large fleet of portable generators and



Jeff Vaillancourt

cabing for emergency use and planned electrical shutdowns.

Lighting up the Big Blue Bug

Every member of the Rhode Island Builders Association has memorable customers, but Amity Electric has one we all know: The Big Blue Bug, otherwise known as Nibbles Woodaway, the trademark giant termite towering over Interstate 95 just south of downtown Providence.

“Big Blue Bug Solutions swears by us,” Jeff says. “We keep their mascot lit up all year, and we even maintain the Christmas lighting. It wouldn’t happen without us!”

Amity Electric joined RIBA in 2006.

“We take advantage of many RIBA member benefits,” Jeff declares. “We’ve sent employees to the OSHA 10 classes, and I myself took continuing education classes at RIBA for my hoisting license.”

Jeff also points to RIBA’s networking events and opportunities as a real plus for Amity Electric. The information in *The Rhode Island Builder Report* keeps him posted on important news every month.

And the future looks bright. “During the recession, we’ve re-focused. And now we have better jobs and are more profitable,” Jeff says. “Things are good.”



Amity Electric

President: Jeff Vaillancourt

RIBA member since: 2006

Focus: Electrical work for residential, commercial and industrial customers

Employees: 6

Serves: New England

Founded: 1990

Based: Wyoming, Rhode Island

Caldwell and Johnson wins DOE honors

Caldwell and Johnson Inc., a custom home builder and remodeler based in North Kingstown, has won a U.S. Dept. of Energy (DOE) 2013 Housing Innovation Award for DOE Challenge Home for its leadership in "sustainability and energy efficiency in residential design and construction practices."

"DOE's Housing Innovation Awards celebrate an elite group of builders who are paving the way for the rest of the U.S. housing industry by providing zero energy-ready homes. These high-performance homes are so energy efficient they can offset most or all annual energy consumption with renewable energy systems," a DOE statement said.

The 2013 awards recognized builders in four categories: affordable, custom, production and systems. Caldwell and Johnson's award comes in the custom homes category.

Caldwell and Johnson finished its first Challenge Home in December 2012. The

2,046 square-foot home in Exeter earned a Home Energy Rating System (HERS) index score of 46 and is estimated to save the homeowners about \$2,890 annually, compared with a home of similar size built to minimum code.

The Challenge Home program was appealing to owner David A. Caldwell because it was consistent with his company's business values.

"It's the right thing to do," Mr. Caldwell said. "It gives us a competitive advantage in the marketplace. It's the top 1 percent of builders, and we want to be there."

The company was able to build the high-performance home for about \$8,000 above the cost of a similar, minimum-code home.

"There really isn't anything exotic on this house...good HVAC, good insulation, and good air sealing," Mr. Caldwell stat-



David A. Caldwell Jr.

ed. "I like this (Challenge Home) program because you can get a really high-performance home without a lot of extra effort. There's more of an emphasis on energy and air quality than on material selection and finishes."

For more information about the Housing Innovation Awards Program, visit www1.eere.energy.gov/buildings/residential/housing_innovation_awards.html.



RIBA likes to hear from our members about their accomplishments, recognitions and honors. We encourage members to submit this information to our editor at builder@newriverpress.com.

**-Executive Director
John Marcantonio**



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For more information, visit the website above, or contact Jeffrey Goulart at (401) 691-2233. Look for more extensive information in the April *Rhode Island Builder Report*, 



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CONFERENCE: March 19-22, 2014
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PWB slates RIBA ladies' night

WHEN: Monday, April 14th, 6 to 9 p.m.

WHERE: RIBA – 450 Veterans Memorial Pkwy., Building #301, East Providence

COST: \$10 per person


FOR INFORMATION AND TO REGISTER: Members of the Rhode Island Builders Association and its Professional Women in Building Council, contact Elizabeth Carpenter (401) 438-7400 or ecarpenter@ribuilders.org. National Association of Women in Construction members contact Sophia Karvunis at (401) 965-5679 or sophia@closets-etc.com.

It will be a fun-filled ladies night at Rhode Island Builders Association headquarters as the Professional Women in Building Council (PWB) and local members of the National Association of Women in Construction (NAWIC) gather at RIBA headquarters to meet with a fashion consultant from CAbi™ Clothing and to enjoy a clothing show. Light fare and refreshments will be served.

PWB invites all women involved with the residential construction industry in any way to join. Men are welcome at PWB events also.

"PWB is always looking for new members to bring their individual and professional talents to the council," Ms. Boyd said. "This is a great opportunity to network with other women in various professions within the housing industry."

She pointed out that, along with regular member benefits, joining PWB includes membership in the National Association of Home Builders Professional Women in Building Council.

For more information about PWB, contact Ms. Boyd at (401) 255-5910 or cboyd@arnoldlumber.com. 

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Members make themselves heard on regulatory issues

By Paul F. Eno *Editor*

Inconsistent code enforcement, a trend toward smaller houses on smaller lots, and clueless regulators when it comes to the cost of doing businesses were all themes during a recent focus-group session at

Rhode Island Builders Association headquarters in East Providence.

The focus group was organized by RIBA for RhodeMap RI, a long-term planning project that includes a consortium of state and quasi-state agencies, municipalities and non-profit organizations, all coordi-

nated by the state Division of Planning. RIBA is now a key participant.

The consultant for the project, Horsley Witten Group Inc., has released a report on the two-hour RIBA session, held on November 19th with 30 members attending.

"There was a good turnout. We broke people into groups, and each group was asked three questions," reported Nathan E. Kelly of Horsley Witten, a senior plan-

see *RHODEMAP...page 25*

Visconti firm announces merger

Girard R. Visconti, longtime member of the Rhode Island Builders Association, has announced the merger of his firm's (Visconti, Boren & Campbell Ltd.) construction, litigation, personal injury, business and corporate, trusts and estate, divorce and family law practices with the 45-lawyer firm of Shechtman Halperin Savage LLP.

Mr. Visconti now chairs the Construction Practice Group at Shechtman Halperin Savage. He, along with Richard A. Boren, David M. Campbell and Jessica L. Papazian-Ross will continue to handle all

existing matters for clients at their new location, 1080 Main Street, Pawtucket.

The merger will allow the group to provide legal services on construction matters throughout New England, according to Mr. Visconti.

The relocation to Pawtucket took place on February 1st.

The new telephone number is (401) 272-1400, fax (401) 272-1403 and the website is www.shslawfirm.com. New e-mail addresses will be the first initial and last name of the attorney followed by "@shslawfirm.com."



When RIBA found out about RhodeMap RI, we wanted our members' voices to be heard. We thank those who participated, and thank them for such valuable feedback.

**-Executive Director
John Marcantonio**



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Some chances to help yourself



Steven Carlino

The busiest part of the legislative season is approaching, and we need every member of the Rhode Island Builders Association to be alert for chances to help in RIBA's advocacy. The legislation RIBA supports will help our industry and, with it, the state's economy. And it will assist you and your business.

You will have a special chance to help in March. The National Association of Home Builders usually holds its Annual Legislative Conference (LegCon) in Washington.

Members from all over the country would travel there to meet with their own congressional delegations to talk about housing and industry issues. This year, however, NAHB is doing something new. LegCon will take place in members' own states during March, so watch your mail, e-mail and RIBA's Facebook page for opportunities to meet with members of our congressional del-

egation.

The Rhode Island General Assembly's 2014 session will pick up steam in March, and even more so in April and May. RIBA has joined with many other businesses and trade associations in a coalition to advocate for more sensible regulations and business-friendly legislation. (See the list of businesses and organizations below.) Rhode Island's business interests can accomplish so much more together than by working individually.

One of the major issues this year will be attempts by certain labor advocates to redefine "independent contractors." While the IRS clearly defines an independent contractor, those who favor a new, state-specific designation in Rhode Island believe this federal definition isn't good enough.

see **LEGISLATION...**page 25



Robert J. Baldwin

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Moore to head DEM's Groundwater and Wetland Protection

Brian M. Moore P.E. has been named chief of Groundwater and Wetland Protection at the Dept. of Environmental Management, DEM Director Janet Coit announced on January 24th.

For the past 22 years, Mr. Moore has been supervising sanitary engineer for DEM's Office of Water Resources, responsible for all permitting, regulatory implementation and licensing for the on-site wastewater treatment system (OWTS) program. He has had a long and positive relationship with the Rhode Island Builders Association.

In his new position, Mr. Moore will direct environmental permitting and water quality protection programs in the Groundwater and Wetland Protection sections within DEM's Office of Water Resources. Included are permitting programs for freshwater wetlands, groundwater discharge, OWTS, and water quality certifi-

cations for projects that affect inland and coastal waters.

As chief, he will continue to oversee the alternative technology approval program and the OWTS designer and installer licensing programs.

"I've worked with Brian since he started at DEM. He's always been fair and willing to take the time to meet, not that we always agreed," commented Thomas E. D'Angelo of Terry Lane Corp./Progres-

sive Realty Group, co-chairman of RIBA's Environmental Committee. "We look forward to working with Brian in his new position."

Before taking a post at DEM in 1992, Mr. Moore was a principal civil engineer for the state Dept. of Transportation. A registered professional engineer and a licensed septic system installer, he holds a degree in civil engineering from Northeastern University.

CRLB prepares to license home inspectors

It's bound to be a busy year for the Rhode Island Contractors' Registration and Licensing Board (CRLB).

That's the news from CRLB Executive Director George W. Whalen, who reported the planned hiring a new inspector in January, and a revision of the rules and regulations later this year.

CRLB also is getting ready to license home inspectors, as mandated by the General Assembly last year. A third-party testing agency is being retained for this, Mr. Whalen told *The Rhode Island Builder Report*. Watch for more details as the year develops.



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A conversation with...

Mayor Scott Avedisian & Staff

On opportunities for builders in Warwick



From left, Mayor Scott Avedisian; Planning Director William J. DePasquale Jr.; Senior Planner Daniel T. Geagan; and Tourism, Culture and Development Director Karen Jedson

Warwick officials participating in this five-way interview on development opportunities in that city were Mayor Scott A. Avedisian; City Planning Director William J. DePasquale Jr.; Tourism, Culture and Development Director Karen Jedson; and Senior Planner Daniel T. Geagan.

THE BUILDER: Among Rhode Island cities and towns, where does Warwick stand when it comes to economic growth?

AVEDISIAN: Last year Warwick had about \$14.3 million in commercial construction projects. That included Balise Motors, Kent Hospital, Dollar Tree (and many others)...a diverse selection of commercial development. Sam's Club just reopened, and that was another large development.

The Planning Board has approved a Boutique Hotel in Apponaug, and the Apponaug Bypass will start later this year. We also have the airport expansion and, of course, City Centre. So virtually every sector of the local economy has seen some kind of growth. We expect a major announcement in the next month or so on the Rhode Island Mall, and Warwick Mall is one of the only malls in New England that has seen an increase in retail space. They had to add on to the building.

So Warwick has seen lots of broad-based commercial re-development.

DePASQUALE: The mayor has been out front with our development strategy. What are we good at? Who do we want to attract? What's our market? So in and around City Centre Warwick, and Metro Center, will be our new Business Innovation District. We're getting an understanding of what clusters of development will be attracted to that area.

JEDSON: We also have some of the highest hotel occupancy rates in Rhode Island, with 16 hotels and over 2,200 rooms. Last year we had a 5 percent growth in occupancy.

THE BUILDER: What is City Centre Warwick and what place does it have in your development scenario?


AVEDISIAN: City Centre Warwick is 95 acres of potential re-development all around T.F. Green Airport. The whole area of the railroad station and part of Jefferson Boulevard that includes the former Leviton complex, has been subdivided into five parcels. One will be preserved as a park, Dean Warehouse Services has taken another parcel to consolidate their operations, and three parcels will be re-developed by Michael Integlia & Company.

That's the beginning of City Centre: A multi-use, intermodal, highly pedestrian-friendly neighborhood. It will bring together plane, train, bus, car, pedestrians and even bicycles. There's proximity to Interstates 95 and 295. People will be able to move in an effective way. City Centre brings everything together.

We're also considering amenities for visitors. Ocean State Theatre is right there on Jefferson Boulevard. Salve Regina University will open a satellite campus on Metro Center Boulevard. Those are all extra, value-added amenities that will make City Centre even larger and more diverse.

DePASQUALE: City Centre also captures a market cohort that Warwick has been losing: the 20-29 age group. From 2010, we've seen a decrease in that group once they become educated. One reason is that we haven't had the 24-7 livable environment they want, where mixed uses are clustered, there's livability, there's density, there's a 24-7 'vibe.' That segment is more likely to use

...continued next page



mass transit as opposed to automobiles. They're less likely to have more than one car.

Warwick was built out and peaked in 1980. So we have a housing stock of three-bedroom units. Along with being a gateway, City Centre will also be a home for a resident population of that younger group.

Warwick has had to look in the mirror as part of its full transition into the 21st century. The city is getting older, and the average age is 44. We also have a declining housing population in the sense that fewer people are living in more units. Before 2010, families made up 70 percent of the housing population, and that has dropped to 60 percent. So we're not only looking at re-development in places like City Centre, we're looking at how our housing stock can change to reflect and support the baby boomers, who are now getting older.

So we're looking at universal design, and ways to work with the development community to build houses that support this unique group. In our Comprehensive Plan, we understand how we can develop this diverse housing stock in the city. I know that's aimed at City Centre, but when you look at successful transit-oriented developments throughout the country, the one common denominator is a significant resident population of all income types.

An especially important aspect of the intermodal scenario here is biking. For two years, we reached out to the community to hear what they wanted in terms of this re-development. There was a common opinion that there needs to be connectivity between these areas for pedestrians and cyclists.

So we have a loop around the entire city, but Apponaug isn't part of that. But that will all be rectified in 2014, after the Apponaug Bypass takes 25,000 trips a day off the road right here in front of City Hall. In doing so, we will be able to establish a new and connected bikeway. And that Apponaug node will then be connected to City Centre Warwick and all the other transit options.

AVEDISIAN: That's an important point. In all my discussions with the Rhode Island Builders Association and (Executive Director) John Marcantonio, Warwick is one of the only communities that isn't saying we don't want residential development. We encourage it.

That's important for City Centre, but also for the city overall. The airport grew and took homes, and also population. We need to refill that population somehow. Our goal is to have a mix of different uses in neighborhoods. We've changed our zoning codes in Apponaug and Conimicut to look for more mixed use, such as commercial on the first floor and residential above, and hard street edges so you don't have the setbacks. In many cases we've removed setback requirements in some of the new zoning codes, to encourage multi-uses on the same property.

THE BUILDER: So this is really cutting-edge, "smart growth" planning, especially the village center concept.

AVEDISIAN: As a member of Smart Growth America's board, I think it's great! We just want to see that it gets off the drawing board.

DePASQUALE: The village concept has been applied in Ap-

ponaug and Conimicut since 2011, and we're already seeing the fruits of that in mixed-use development there. It's more form-based zoning, form over function, as opposed to traditional zoning.

We want easy pedestrian interaction, and we want one building to serve multiple functions. There are already two to three successful projects to date in Conimicut Village.

GEAGAN: Warwick is open to residential growth, and in planning for that, I just have to echo Bill DePasquale. Some 75 percent of our housing units are single-family, and in looking at the next generation, they're shunning that traditional home. They're more mobile, and they want to be able to walk to an activity. We need to provide a different type of housing.

THE BUILDER: How do residential contractors get in on all this, especially City Centre?

AVEDISIAN: Just come into the Planning Department. Or go to www.warwickri.gov and you can be directed to the answers for any questions you might have. There's information on individual parcels, what the zoning is, and information about who wants to partner with individual builders. We can tell you who's looking for tenants.

DePASQUALE: What's unique about this is that we're using a traditional zoning process that everyone knows. You go to the zoning book. In this case, we talk about residential densities, and builders will find that we've built in soft advantages for the developer and investor. The density (at City Centre) will be greater than any other area in Warwick, and the design will be within that compartment.

Then there will be a master plan that really guides investment for the whole area. So a developer will know that the parcel next door will have the same level of investment. There will be some kind of surety.

At a moment's notice, a developer can call my office, and I can get a meeting with Karen Jedson, right here, and Commerce Rhode Island, and they can be at the table in one or two days. I don't know anywhere else in this state where that can happen. We've already done it several times. And Commerce Rhode Island (formerly the Economic Development Corp.) brings with it information on all the state incentives.

When we crafted the master plan, we had developers tell us what does and doesn't work. We tried to take all those hurdles and turn them into opportunities. So we can provide that hand-to-hand interaction very quickly out of my office.

AVEDISIAN: We know people who are eager to sell or who have indicated to us that they're looking for partners. So if individual builders want to call, we can share that information.

THE BUILDER: Since 2009, credit has been tight and financing has sometimes been a problem for builders. How much financing is available for City Centre and other projects in Warwick?

AVEDESAN: For financing, there's a little bit of everything. There are many private owners who have zoning that's all set for

...continued next page

Senate passes flood insurance relief

National Association of Home Builders

The National Association of Home Builders (NAHB) applauded Senate passage of the Homeowner Flood Insurance Affordability Act (S. 1926) on January 30th.

This legislation would provide relief from soaring flood-insurance premiums for countless homeowners across the nation and contains an amendment by Sen. Roy Blunt (R-Mo.) that is critical to the health of the remodeling industry, according to NAHB.

“The bill will resolve some of the costly and unintended consequences of the Biggert-Waters Flood Insurance Reform Act, including huge premium spikes and impacts on the sale, construction and remodeling of homes across the nation,” said NAHB Chairman Rick Judson, a home builder from Charlotte, N.C.

The Homeowner Flood Insurance Affordability Act would:

- Delay insurance-rate increases for all primary residences until an affordability study is completed.

- Require that the Federal Emergency Management Agency (FEMA) take into account all local flood-control structures while mapping.

- Allow property owners to appeal FEMA’s mapping decisions and to be reimbursed for their appeal expenses.

- Reinstates an exemption in 53 communities nationwide for basements that are built a certain way.

When the House will vote on the measure is uncertain, but watch for more information.



INTERVIEW...from previous page

their projects but don’t yet have financing. Others have financing, and we can tell builders who’s ready to go. We can put people in touch with the Small Business Administration. Last year, the SBA had more loans in the City of Warwick than in any other community, a good indication of our relationship with them.

DePASQUALE: The investment here has been a composite of opportunity. There are the soft incentives I mentioned, and we have infrastructure grants from the Rhode Island Department of Transportation. That directly benefits builders and investors because they might not have to put in sidewalks, street trees or lighting. So we can be matchmakers, so to speak between builders, Commerce Rhode Island and outside sources.

As a rule, traditional underwriting standards can sometimes be a hurdle. So a developer might embrace these new housing ideas, then go to an underwriter who doesn’t recognize that reduced parking is something that meets their ROI (return on investment formula). That’s why we have to get the business and investment communities to understand these new practices and to know that they’re doable, and to get away from the 1960s ideas that are driving most development.

AVEDESIAN: We’re willing to sit down with any group. We’ve had several come in, and we’ve put them in touch with several sources: banks and in some cases the SBA.

THE BUILDER: Notwithstanding the fact that many households are changing, there are still plenty of traditional families with children. Many communities seem to consider these to be undesirable. What’s the view in Warwick?

AVEDESIAN: We need those people in order to stay vibrant and to stay a viable community. We need the mix of population. That’s why we need the mix of housing stock, and we need more rental units.

DePASQUALE: The housing composition is really important. I’ve been here for 24 years now, and for years I’d be before the Zoning Board or the Planning Board, and a subdivision would come up. People would object that this or that house would bring

two or three kids into the school system. That can’t be an argument any longer because the numbers don’t bear it out.

So we welcome households that include children. That being said, our existing housing stock can already accommodate that group. So we don’t need to re-invent the wheel when it comes to that housing stock. We need to augment that stock with other kinds.

THE BUILDER: What percentage of Warwick has municipal water and sewer?

AVEDESIAN: One hundred percent has water, either with Kent County Water Authority or the Warwick Water Division. Seventy percent of our neighborhoods have sewer service. Some of Cowesett and all of Potowomet are not sewered. We’ve been talking with West Warwick and East Greenwich about tying some areas into their systems.

THE BUILDER: What’s “customer service” like in Warwick when it comes to permitting, inspections, fees, etc.?

AVEDESIAN: Well, for one thing, after three meetings between myself and John Marcantonio, we no longer have a lawsuit with RIBA (*The lawsuit was brought by RIBA over the city’s fees. Editor.*) So it goes to show that you can sit down and have a conversation, you can reach an agreement.

We have a study committee looking at ways to improve permitting. We will soon have an online permit-application process. So we’re making progress, and RIBA has helped us look at ways to streamline the whole system.

DePASQUALE: And that has really been in effect since the zoning was changed for City Centre, not that we don’t streamline the rest. But with City Centre, there’s the benefit of a review that’s almost already complete because it’s already in the book. And builders and investors can be assured that, once they’re in, it’s not going to change.

Warwick officials plan to have a forum for RIBA on revisions to the city’s Comprehensive Plan soon. Watch for the date, place and time.



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The federal health insurance tax credit: What you need to know

By **Jim Goldman CPA**
Guest Article

The Affordable Care Act provides a tax credit for health insurance premiums paid by qualified small-business employers. The tax credit has been around since 2010. The maximum credit of 35 percent for 2013 (for 2014 the credit is 50 percent) is available to qualified small employers.

To qualify, you must meet these requirements:

- Have 25 or fewer full-time equivalent employees;
- Pay at least 50 percent of employees' health insurance premiums.

CODES...*from page 1*

recommendations for the state to adopt a single version," Mr. Wishart explained. "For example, if one code says a handrail has to be 2 inches off the wall and another says it has to be 1½ inches, we want that brought into consistency."

The CCC is mandated to present a report by March 31st. The panel's first meeting was in mid-January. So there isn't much time. RIBA members are asked to report to Mr. Wishart as soon as possible with any code conflicts they've encountered.

He said he has received few comments from members so far.

"Two of these were about inconsistencies in inspections. I know that's a problem, but that's not what CCC is about. We're looking for inconsistencies in the building and design requirements."

The CCC has 15 members. Along with Mr. Wishart, there are engineers, architects, contractors, building and fire officials, and inspectors. The panel plans to meet every two weeks until its report is ready, according to Mr. Wishart. "I'd like members to let me know their three top pet peeves when it comes to code inconsistencies," he said.

Contact Mr. Wishart at (401) 419-9791 or e-mail civilcadd@cox.net.

- Pay annual average wages that are below \$50,000 per full-time employee.

A small employer must follow five steps to determine eligibility for the credit. An employer must:

- Determine the employees who are taken into account for purposes of the credit;
- Determine the number of hours of service performed by those employees;
- Calculate the number of full-time equivalent employees;
- Determine the average annual wages paid per full-time equivalent employee;
- And determine the premiums paid by the employer that are taken into account for purposes of the credit.

In determining the number of employees for the credit, sole proprietors, partners in a partnership, shareholders owning more than two percent of an S corporation, and any owners of more than 5 percent of other businesses, are not taken into account, nor are wages received or premiums paid on their behalf. Family members of these owners and partners are also not taken into account as employees.

Seasonal workers are also disregarded in determining full-time equivalent employees and average annual wages unless the seasonal worker works for the employer for more than 120 days during the tax year. However, premiums paid on behalf of seasonal workers may be counted in determining the amount of the credit.

The number of an employer's full-time equivalent employees is determined by dividing the total hours of service (but not more than 2,080 hours for any employee), by 2,080. The result, if not a whole number, is then rounded to the next lowest whole number. Because the eligibility rules are based, in part, on the number of full-time equivalent employees and not the total number of employees, employers with part-time workers may qualify for the credit even if they employ more than 25 people. To calculate hours of service, qualified employers may use one of three methods: actual hours, days-worked

equivalency or weeks-worked equivalency.

The average annual wages paid by an employer for a tax year is calculated by dividing:

- The total wages paid by the employer during the employer's tax year to employees taken into account for the credit;
 - The number of the employer's full-time equivalent employees for the year.
- The result is then rounded down to the nearest \$1,000.

For 2010 through 2014, qualified health insurance coverage consists of medical care generally provided under any hospital or medical service policy or certificate, hospital or medical service plan contract or health maintenance organization contract offered by a health insurer. Dental and vision benefits are also eligible, not just medical coverage.

Here's an example.

ABC, a homebuilder, employs 10 workers with average annual wages of \$25,000 in 2013. ABC's cost for regular health insurance is \$45,000, or \$4,500 for each worker. ABC's tax credit for regular health insurance is \$15,750 (35 percent of \$45,000). ABC's tax credit of \$15,750 can reduce their federal income tax dollar for dollar.

Added tax break: If you did not claim the tax credits in previous years, you can still file amended tax returns to claim the credits. The statute of limitations on carrybacks is generally three years.

Jim Goldman, CPA, is a member of the Rhode Island Builders Association. His tax and accounting office is located at 51 Jefferson Blvd., Warwick.

**For RIBA membership
information, visit
RIBUILDERS.org or call
(401) 438-7400.**

RHODEMAP...from page 17

ner who heads the firm's Providence office.

The questions were:

- From a builder's perspective, what are Rhode Island's future real estate trends?
- What training would be most beneficial for state and local officials?
- What are the biggest roadblocks, state and local, to low-income housing development?

"We learned a lot from the group about the cost of doing business. This was a major theme throughout the session," Mr. Kelly said. "Most felt strongly that regulators would benefit from a better understanding of that. Lack of knowledge about it is seen as major roadblock to moving things forward."

Participants also made it clear that costs mount the more a project is delayed.

"It was made clear to us that when there's one more hearing, or a lack of clarity about what officials want to see on the plans, the

costs mount. They want clear regulations and clear expectations, and they want that clarity early in the process," he added.

Participants also called for more understanding by planners and regulators that smaller homes and smaller lots are becoming more popular, and that this is likely to continue in Rhode Island because of demographic changes, especially an aging population.

"They feel that this is what will be driving the market, and that local zoning in many areas isn't ready for it," Mr. Kelly observed. Code-enforcement issues were another major theme.

"They're finding inconsistencies from town to town in fire and building code enforcement. There's a lot of interest in regional or statewide enforcement to help create consistency," he continued.

At the end of the RhodeMap RI project, the state plans to have a new housing plan, a new economic development plan, and "a unified vision and framework" for economic development, along with a growth-centers plan.

Watch *The Rhode Island Builder Report* for more information or visit <http://rhodemapi.org/>.



LEGISLATION...from page 18

RIBA realizes, as does everyone in our industry, that illegal contractors are a problem. But we also believe that enforcing current laws under the current definition should be done before the business community, and legitimate contractors, are subjected to more regulation and more bureaucracy on another level.

RIBA has met with the concerned parties in this issue, and there is a consensus that enforcement is a problem. And enforcement of labor laws won't work without a cohesive enforcement plan that spans the Contractors' Registration and Licensing Board, the Dept. of Labor and Training, the Workers' Compensation Court and the Division of Taxation. So we support Gov. Lincoln Chafee's initiative to improve enforcement, and his inclusion of this effort in his proposed state budget. Watch for more information from us as this issue develops.

In the meantime, what's happening on the local level is just as important for the residential construction industry as doings at the State House. So please join RIBA's local advocacy committee: BUILD (Builders United for Informed Local Decision-making). As a participant, you can keep RIBA informed about legislative

and regulatory affairs in your own community. This will help our industry and it will help you. Please contact RIBA Executive Director John Marcantonio and ask to join BUILD: (401) 438-7400 or jmarcantonio@ribuilders.org.

Your participation is crucial to RIBA's legislative success in 2014!

Here are the other members of the business coalition working with the Rhode Island Builders Association during the 2014 General Assembly session:

Associated Builders and Contractors of Rhode Island
Central Rhode Island Chamber of Commerce
East Bay Chamber of Commerce
East Greenwich Chamber of Commerce
East Providence Area Chamber of Commerce
Greater Providence Chamber of Commerce
National Federation of Independent Businesses
Newport County Chamber of Commerce
North Kingstown Chamber of Commerce
Northern Rhode Island Chamber of Commerce
Oil Heat Institute of Rhode Island
Rhode Island Hospitality Association
Rhode Island Independent Contractors & Associates
Rhode Island Lumber and Building Materials Dealer Association
Rhode Island Manufacturers Association
Rhode Island Mortgage Bankers Association
Rhode Island Small Business Economic Summit
Rhode Island Small Business Economic Summit
Rhode Island Society of Certified Public Accountants
Smaller Business Association of New England (SBANE)
Southeastern New England Defense Industry Alliance
Southern Rhode Island Chamber of Commerce
Utility Contractors Association of Rhode Island



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