

RIBA Annual Outing draws biggest crowd in 17 years



Over 300 members and guests gathered at Francis Farm in Rehoboth, Mass., on August 9th for the Rhode Island Builders Association's 63rd Annual Outing & Clambake. Story and photos begin on page 10.

SEE THE NEWEST PRODUCTS AND SERVICES FOR SEPTEMBER

Centerspread

Does inclusionary zoning work?

RIBA members and a distinguished land-use attorney express their opinions on the issue.

Pages 21 and 24

RIBA Golf Classic is September 23

Don't miss RIBA's 23rd Annual Golf Classic at the Wannamoisett Country Club! All proceeds will benefit Builders Helping Heroes.

Page 2

Contractor 'Boot Camps' begin September 26

In cooperation with Andersen Corp., RIBA is hosting a series of five free "Boot Camps" for contractors on basic business subjects this fall. Members and non-members are welcome.

Pages 1 and 8

Come to the BBQ!

RIBA is hosting a free BBQ/Networking Night/Membership Drive Event on September 12th. Enjoy great food and learn about the new member benefits and recruiting rewards. Bring a non-member. See the membership application in this issue.

Page 3

Education series to begin at RIBA

By Paul F. Eno *Editor*



RIBA thanks Don Hamel, Andersen Corp., and each sponsor for bringing these valuable seminars to our members and guests!

-Executive Director
John Marcantonio

The first in a series of five free Contractor "Boot Camps," led by industry expert Shawn McCadden, takes place in September at the Rhode Island Builders Association's East Providence headquarters. RIBA has teamed up with Andersen Corp. and several member suppliers to present the series of five workshops.

Each event will feature a light meal at 4:30 p.m., with the class from 5:30 to 7, followed by refreshments and networking.

- **Marketing Boot Camp: Targeting the Right Customers,**

see BOOT CAMPS...page 7

RIBA Golf Classic is Sept. 23, will benefit Builders Helping Heroes

WHEN: Monday, September 23rd, 11 a.m. - 8 p.m.
WHERE: Wannamoisett Country Club, 96 Hoyt Ave., Rumford 02916
COST: \$195 per player, \$45 for dinner only (6-8 p.m.)
DEADLINE TO REGISTER: September 16th.
FOR INFORMATION AND TO REGISTER: Logon to www.RIBUILDERS.org, click on this event under the "Events Calendar," or contact Elizabeth Carpenter at ecarpenter@ribuilders.org, or call (401) 438-7400. Cancellation deadline is September 16th.



Beautiful Wannamoisett Country Club is located in Rumford.

Help support RIBA's charity, Builders Helping Heroes (BHH), while enjoying a day of golf, food and networking at the Rhode Island Builders Association's 23rd Annual Golf Classic. Registration and a buffet lunch will be from 11:30 a.m. to 12:45 p.m., with a shotgun start at 1 p.m. Play will be a modified scramble (play the best drive, then play your own ball in). Cost includes lunch, greens fees, cart, dinner

and a raffle ticket. Corporate or personal checks will be accepted. There will be a number of prizes.

All proceeds from the event will go to the work of BHH, which is currently building a house in Burrillville for a wounded veteran. *See page 6.*

Please consider becoming a sponsor of this classic RIBA event!

RIBA's Golf Classic: The Sponsorships

PRESENTING

Includes two complimentary players, nine tee signs, dominant signage at lunch and dinner, hat giveaway, speaking opportunity, mention in *The Rhode Island Builder Report*, a website link and mention in all RIBA social media, **\$2,000**

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SUPPORTING

Includes one complimentary player, two tee signs, a sign at lunch and dinner, mention in *The Rhode Island Builder Report*, a website link and mention in all RIBA social media, **\$500**

PATRON

Includes two tee signs, mention in *The Rhode Island Builder Report*, a website link and mention in all RIBA social media, **\$300**

FRIEND

Includes one tee sign, mention in *The Rhode Island Builder Report*, a website link and mention in all RIBA social media, **\$75**

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

Because the Rhode Island Builders Association's Board of Directors is in summer recess, no new members were welcomed in July or August. Check this page for new members in the next issue.

Free networking BBQ slated at RIBA Sept. 12

WHEN: Thursday, September 12th, 4-7 p.m.

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

COST: Free for members and non-members

FOR INFORMATION AND TO REGISTER: Logon to RIBUILDERS.org, click on this event under the "Events Calendar," or contact Elizabeth Carpenter (ecarpenter@ribuilders.org) or Elise Geddes (egeddes@ribuilders.org) or call (401) 438-7400.

Come to the free Barbecue/Networking Night/Membership Drive Event at Rhode Island Builders Association headquarters!

This will be a great opportunity for members to learn about the association's new Recruiting Awards Program and many other benefits while enjoying hot dogs, hamburgers and grilled chicken with all the fixings. It will also be a perfect chance for non-members to learn about the ever-growing benefits they can earn as members. The event is open to all members and non-members.

RIBA Executive Director John Marcantonio emphasizes that recruiting awards are retroactive for any new full members recruited since October 2012 and will be ongoing from year to year.

Rewards include entry in an annual \$500 cash drawing for recruiting six or more new full members. And there's more:

- Recruit one new full member and get a special RIBA hat.
- Reach three new full members and receive a fleece vest.
- Reach six or more new full members and receive the hat, the vest, plus a Spike Award from the National Association of Home Builders, a limited-edition RIBA fleece jacket, and a chance to win \$500 in an annual drawing.

"The more recruits members accumulate, the better the rewards. It won't expire," Mr. Macantonio said.

Other rewards will be made on an ongoing basis at different RIBA events. Recruiters also will be recognized in *The Rhode Island Builder Report*.

For more information on any of these membership topics, contact Elise Geddes at the RIBA office.

DEADLINES FOR THE NEXT ISSUE

For the SEPT. issue, all copy, ads and photos must be to us by

FRIDAY, AUGUST 30

Send material to The R.I. Builder Report, c/o RIBA,
450 Veterans Memorial Pkwy., Suite 01, East Providence, RI 02914
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LOOKING AHEAD!

♦**September 4-5: 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. 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.

Details on page 7.

♦**September 12: BBQ/Networking Night/Membership Drive Event** - RIBA headquarters, East Providence, 4 to 7 p.m. FREE. Learn about RIBA's new recruiting rewards and member benefits while enjoying hot dogs, hamburgers and grilled chicken with all the fixings. Open to all members and non-members. Contact Elizabeth Carpenter, ecarpenter@ribuilders.org, or Elise Geddes, egeddes@ribuilders.org, or call (401) 438-7400. *Details on page 3.*

♦**September 23: 23rd Annual RIBA Golf Classic** - 11 a.m. to 8 p.m., Wannamoisett Country Club, Rumford. Sponsors and prize donors are being sought. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar," or contact Elizabeth Carpenter at RIBA, ecarpenter@ribuilders.org or (401) 438-7400. *Details on page 2.*

♦**September 26: Shawn McCadden Marketing Boot Camp: Targeting the Right Customers** - RIBA headquarters, East Providence. FREE to members and non-members. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar" or contact Sheila McCarthy at smccarthy@ribuilders.org, or (401) 438-7400.

Details on pages 1 and 8.

♦**October 3: Shawn McCadden Estimating Workshop: Know What You're Selling Before You Sell It** - RIBA headquarters, East Providence. FREE to members and non-members. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar" or contact Sheila McCarthy at smccarthy@ribuilders.org, or (401) 438-7400.

Information on page 1.

October 8-12: National Association of Home Builders Fall Board Meeting - Broadmoor Resort, Colorado Springs, Colorado. Open to all members and spouses. *Details on page 19.*

♦**October 8: 8-Hour Lead Safe Remodeler Renovator Course** - 8 a.m. to 4:30 p.m. at RIBA headquarters. This course is required for all contractors working in pre-1978 buildings. Cost: Members \$150, non-members \$195. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar" or contact Sheila McCarthy at smccarthy@ribuilders.org, or (401) 438-7400. *Details on page 7.*

♦**October 10: Shawn McCadden Workshop: Small Business Finances and Profit Strategies for Non-Accountants** - RIBA headquarters, East Providence. FREE to members and non-members. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar" or contact Sheila McCarthy at smccarthy@ribuilders.org, or (401) 438-7400.

Information on page 1.

October 17: "The True Cost of Your Employee" Seminar - 5 p.m., RIBA headquarters, East Providence. With Douglas Kendall of Ovation Payroll. *Details on Page 8.*

♦**November 7: Shawn McCadden Sales Workshop-Smart Selling for Tough Times** - RIBA headquarters, East Providence. FREE to members and non-members. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar" or contact Sheila McCarthy at smccarthy@ribuilders.org, or (401) 438-7400. *Information on page 1.*

♦**November 14: Shawn McCadden Production Workshop-You Sold It Now You Need to Build It** - RIBA headquarters, East Providence. FREE to members and non-members. To register, logon to RIBUILDERS.org, and click on this event under the "Events Calendar" or contact Sheila McCarthy at smccarthy@ribuilders.org or (401) 438-7400.

Information on page 1.

**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

It's a year of strength!

I hope that everyone is having a fine and prosperous summer. I think one sign of that was the wonderful turnout – over 300 people – at the Rhode Island Builders Association's 63rd Annual Outing and Clambake at Francis Farm in August. It was the best turnout in almost two decades!

Many thanks to the generous sponsors who made it possible to keep the ticket price low, and to the donors who provided the many prizes. *See page 17.* It was truly a fun day, thanks to you. And people commented that, even though it rained, they still had a great time!

Free barbecue

I'd also like to remind our members that something new – and free -- will take place at RIBA headquarters on Thursday, September 12th: Our first Barbecue/Networking Night/Membership Drive Event. Stop by from 4 to 7 p.m. to enjoy hot dogs, hamburgers and grilled chicken with all the fixings. At the same time, learn about RIBA's new recruiting rewards and the list of member benefits that just seems to keep growing.

This event is open to all members and non-members, so please bring your construction industry friends *see page 3.*

Free 'Boot Camp' series for contractors

Speaking of member benefits, the long-awaited series of five contractor "Boot Camps" with industry expert Shawn McCadden begins on September 26th and will continue through the fall. These are free to members and non-members, thanks to our generous supplier members. The workshops are brought to us by Andersen Corp. and will take place at RIBA headquarters in East Providence *See pages 1 and 8.* Bring your industry colleagues, and many thanks to Don Hamel of Andersen for putting this series together!

Legislative preparations

I especially direct your attention to page 20 and this month's report from our Legislative Committee. Thanks to the participation of so many members, along with the committee and the RIBA staff, our message got through, and four bills important to our industry became law.

Soon it will be 2014 and time to begin this important work again. Please continue to support RIBA's advocacy. It is one of the most important things we do!

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Framing done, roof work begun



It's July 17th and Todd Haase of Furey Roofing and Construction Co. has just finished setting the trusses on the future home of wounded Marine Kevin Dubois and his wife, Kayla.

By Paul F. Eno *Editor*

Framing has been completed and roof trusses installed at the future Burrillville home of Marine Cpl. Kevin Dubois and his wife, Kayla. Cpl. Dubois lost both his legs while serving in Afghanistan.

Most recently, labor and materials have been provided by:

Marcotte Construction Co. provided the labor for framing the house. Brian Marcotte owns the Riverside-based company.

National Building Products. Michael McDole and his Warwick-based team produced and arranged for delivery of all the roof trusses.

Furey Roofing & Construction Co. set the roof trusses during the hot and humid week of July 14th. Thomas Furey owns the Providence-based company, and Donald Hourahan is the project manager. The company donated not only use of the crane for the trusses but all the roof-shingle labor as well.

United Builders Supply Co., Inc. President A. Michael Slosberg donated roofing materials from all the way down in Westerly.

Concrete Products Inc. William T. Hamill heads the Chepachet-based company, which donated the septic tank and related supplies.


ProEquipment Rental Inc., based in Cranston, provided

see HEROES...page 29

RIBA slates OSHA-10 course in September

WHEN: Wednesday, September 4th and Thursday, September 5th, 11:30 a.m.-5 p.m.
WHERE: RIBA headquarters, 450 Veterans Memorial Pkwy., East Providence
COST: Members - \$125, Non-members - \$175.
Registration must be pre-paid. Credit cards accepted.
Cancellation deadline is August 26th.
FOR INFORMATION AND TO REGISTER: Logon to www.RIBUILDERS.org, click on this event under the "Events Calendar," or contact Elizabeth Carpenter at ecarpenter@ribuilders.org or Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

The Rhode Island Builders Association is offering the OSHA 10-Hour Certification Course in September. This course provides training in compliance with the Dept. of Labor & Training's municipal jobsite rules. The course trains safety directors, foremen and field employees in OSHA standards. It highlights major safety concerns to reduce jobsite accidents, saving time and money. Everyone completing the course will receive a copy of the OSHA Standard 29 CFR Part 1926 and an OSHA-10 certification card.

Everyone working on a municipal or state construction job with a total project cost of \$100,000 or more must have a card certifying completion of this course at all times while work is being performed on site. This requirement includes "any private person or entity bound by a contractual agreement to provide goods or services to a contractor/developer who must physically enter the place where work is being performed or business is being conducted." 


8 Hour Lead class comes to RIBA in October

WHEN: Tuesday, October 8th, 8 a.m.-5 p.m.
WHERE: Rhode Island Builders Association headquarters, 450 Veterans Memorial Pkwy., East Providence
COST: Members \$150, Non-members \$195. Includes a light meal.
DEADLINE TO REGISTER: Full payment required by October 1st. Credit cards accepted.
FOR INFORMATION AND TO REGISTER: Logon to www.RIBUILDERS.org, click on this event under the "Events Calendar," or contact Elizabeth Carpenter at ecarpenter@ribuilders.org or (401) 438-7400, or Sheila McCarthy at smccarthy@ribuilders.org or (401) 438-7400.

The Rhode Island Builders Association will present the 8 Hour Lead-Safe Remodeler/Renovator Course in October. This course is required to obtain or renew a Lead Safe Remodeler/Renovator License, which is necessary for work in all pre-1978 buildings in Rhode Island.

This class covers the Lead Renovation, Repair and Painting (RRP) requirements in Rhode Island and Massachusetts, as well as those of the Environmental Protection Agency (EPA).

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

There will be no refunds for cancellations after October 1st. No-shows will not receive refunds or credit toward future classes. Space is limited - please register now! 

BOOT CAMPS...from page 1

September 26th, sponsored by **United Builders Supply Co., Inc.**

- **Estimating Workshop: Know What You're Selling Before You Sell It**, October 3rd, sponsored by **Riverhead Building Supply**.

- **Financial Workshop: Small Business Finances and Profit Strategies for Non-Accountants**, October 10th, sponsored by **Coventry Lumber Inc.**

- **Sales Workshop: Smart Selling for**

Tough Times, November 7th, sponsored by **Douglas Lumber, Kitchens & Home Center**.


- **Production Workshop: You Sold It, Now You Need to Build It**, November 14th, sponsored by **National Building Products**.

These workshops provide instruction in basic business practices, said Donald Hamel of Andersen Corp., who conceived the idea for the program.

Mr. Hamel, Andersen Corp. sales

representative in Rhode Island and eastern Connecticut, envisioned intense, one-day sessions using all the educational resources that his company could offer.

Members and non-members are welcome to attend. RIBA thanks the sponsoring suppliers!

Watch *The Rhode Island Builder Report*, www.RIBUILDERS.org and your mail for more information, or contact Elizabeth Carpenter at (401) 438-7400 or ecarpenter@ribuilders.org. 

First in a series

Marketing 'boot camp' slated at RIBA

WHEN: Thursday, September 26th, light meal 4:30 p.m., class 5:30-7

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

COST: Free for members and non-members

DEADLINE TO REGISTER: September 20th

FOR INFORMATION AND TO REGISTER: Logon to RIBUILDERS.org, click on this event under the "Events Calendar," or contact Sheila McCarthy at smccarthy@ribuilders.org or (401) 438-7400.

Industry expert Shawn McCadden will offer "Marketing Boot Camp: Targeting the Right Customers" at Rhode Island Builders Association headquarters in September. This will be the first in a series of five free business-basics workshops this fall, hosted by RIBA and offered jointly by Andersen Corp. and sponsoring supplier members. RIBA thanks **United Builders Supply Co., Inc.**, for generously sponsoring this workshop.

Discover how and why your business plan and exit strategy can help identify your target customers and niche. Learn highly effective marketing tactics that work if you know your targets. Find out how the Internet and your website can help the right prospects find you and your business, and learn how to assess the effectiveness and cost of your marketing strategies so you can maximize your return on investment.



Be able to identify what you can do yourself and where you need help, and leave with at least six "big picture" considerations for creating a successful marketing plan.

Join us for refreshments and an opportunity to network after the workshop.

This presentation has been approved for two hours of Massachusetts CSL continuing education credits: one in the business practices category and one in the elective category.

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L. Sweet Lumber Co., Inc.
Liberty Cedar
National Building Products
Riverhead Building Supply
Scituate Lumber, Inc.

'True Cost of Your Employee' is topic

WHEN: Thursday, October 17th, 5 p.m.

WHERE: RIBA headquarters, 450 Veterans Memorial Pkwy., East Providence

COST: Free

FOR INFORMATION AND TO REGISTER: Logon to www.RIBUILDERS.org, click on this event under the "Events Calendar," or contact Elizabeth Carpenter at ecarpenter@ribuilders.org or Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

Join Douglas Kendall of Heartland Ovation Payroll Services for an overview of employee costs and solutions.

Understanding and accurately calculating the true cost of your employees is a critical component for labor-intensive businesses. This seminar will walk you through all the factors in employee cost as well as the labor laws and regulations behind them. Learn more about Social Security and Medicare taxes, state and federal unemployment insurance, health and benefits calculations, and workers' compensation insurance. Also learn about the unemployment system, its uses and abuses, overtime and hours-worked calculations, hourly employee pay frequency, and more.



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There was no dampening the fun!

By Paul F. Eno *Editor*

"It rained all day, but we all had a great time anyway!"

That was the comment from Steve Fitzgerald of Fitzgerald Building and Remodeling, a first-time attendee at the Rhode Island Builders Association's Annual Outing and Clambake.

With over 300 members and guests gathering on August 9th, the 63rd Annual Outing, held at Francis Farm, Rehoboth, Mass., was the best attended Outing since the mid-1990s. Outing-goers ranged from age 2 to several retirees in their 80s.

It also might have been the wettest Outing in 20 years, but that didn't stop enthusiastic attendees from tossing horseshoes, footballs and basketballs. When someone slipped on the wet grass, it was just another occasion for fun. And when the sky opened up, everyone just ran into the ample cover of the clambake pavilion, running back out as the rain eased. Francis Farm also has a spacious indoor facility with a full bar.

The traditional competitions in plywood throwing, insulation tossing and nail driving took place despite the rain. With a toss of 32', Kevin Sweeney of ProProducts Web Design dethroned the reigning plywood-throwing champion, Evan Kerte of National Lumber Co.

Other winners included:

- Nail Driving – Dave Butera of Butera Building & Design
- Insulation Toss – Ben Brause of Dynasty Electric LLC

Riverhead Building Supply provided the plywood for the plywood throw and the beam for the nail driving. Anchor Insulation & Co., Inc., provided the insulation for the insulation toss.

Certainly the top highlight of the day was food and drink, with clamcakes and two kinds of chowder in the afternoon, then hot dogs and a raw bar later. There was beer, soda and water all day.

The clambake was right on time, at 5:30 p.m., with brown bread, steamers, fish, chicken and all the fixings. Some attendees added lobster or steak.

As in past years, many companies were well represented. These included Anchor Insulation Co., Inc.; Andersen Windows & Doors; Arnold Lumber Co.; Butera Building & Design; William J. Canning Management Co.; Consolidated Concrete Corp.; CRM Modular Homes; Davitt Design Build Inc.; Douglas Lumber, Kitchens & Home Center; Dynasty Electric LLC; Humphrey's Building Supply Center; Hurd Auto Mall; J&A Electric Inc.; Jutras Woodworking Co.; National Building Products; ProProducts Web Design; Riverhead Building Supply; Spaulding Brick Co., Inc.; James P. Tavares Construction Inc.

Some of the Outing's generous sponsors set up informa-



The contingent from Consolidated Concrete are enjoying their cigars and some good conversation.



A past RIBA president and current treasurer, Steve Gianlorenzo of Gianlorenzo and Sons Construction Corp., was attending the Outing & Clambake for the 44th year in a row. Here he is with his sons, Steve Jr., left, and Andrew. All three assisted at the event as they do each year.



Kevin Sweeney of ProProducts tackles the insulation toss.

tional booths, including Andersen Windows, Arnold Lumber Co., Coventry Lumber, National Grid, Hurd Auto Mall, Integrity Windows, and Riverhead Building Supply.

RIBA thanks the many sponsors and prize donors. See page 17 for a complete list.

Don't miss out on next year's fun! Plan to attend the 64th Annual Outing and Clambake in 2014. Watch for information!

RIBA's 63rd Annual Outing & Clambake



The team from Jutras Woodworking is ready to eat!



Taking a break from their exhibit booths are Brad Rose, district manager for General Motors Corp.; Cheryl Boyd and Louis Cotoia of Arnold Lumber Co., and Ron Mandeville of Hurd Auto Mall.



The crew from William J. Canning Management Co. has made this event their company outing for many years.

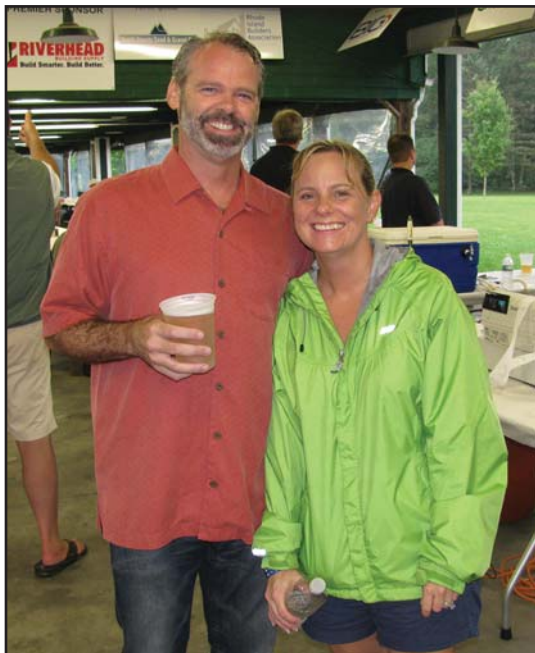


Newport Building Official Bill Hanley with Carol O'Donnell of CRM Modular Homes.



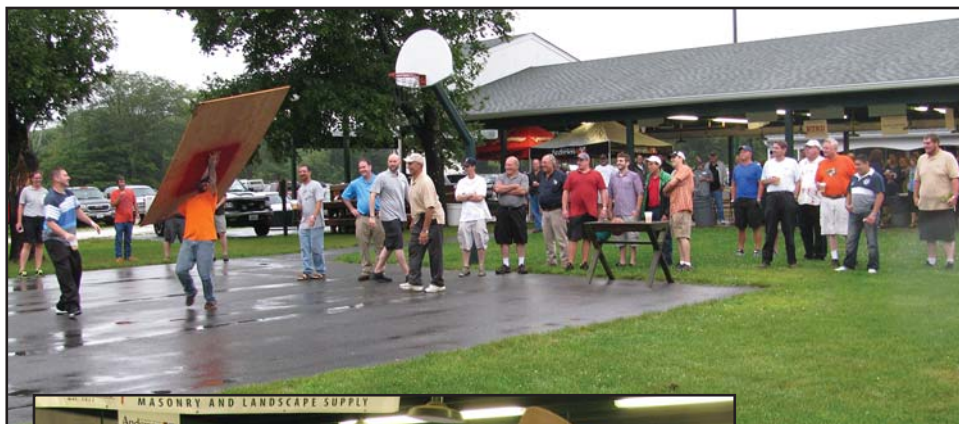
Enjoying the indoor weather are, from left, Cisco Correia, Bonnie Saliba, and past presidents Steve Gianlorenzo and Bob Baldwin.

← Mike Paquin of Coventry Lumber makes a point to an attendee.



↑ Mike McNulty of Millwork One and Kimberly Homs of Great In Counters.

Chad Dupre of Dynasty Electric winds up for the plywood toss. ↓



↑ The helpers who assisted in making the Outing & Clambake possible were, from left, RIBA Education Coordinator Sheila McCarthy, Cisco Correia of Gianlorenzo and Sons Construction Corp., RIBA Membership Relations Coordinator Elise Geddes, RIBA Health Insurance Administrator Robin Barlow, Andrew Gianlorenzo of Gianlorenzo and Sons, Ray Therrien, Joyce Therrien of the Builders Insurance Group, Frank DiPrete, RIBA Operations and Project Manager Elizabeth Carpenter, Executive Director John Marcantonio, and Steve Gianlorenzo Sr. and Jr. of Gianlorenzo and Sons.



↑ Tom D'Angelo of the Terry Lane Corp., left, connects with Ryan Baker of Lumber Liquidators, a new RIBA member.



↑ Meeting up are, from left, Executive Director John Marcantonio, Ron Caniglia of Stand Corp. and Doug Kendall of Ovation Payroll.



← Don Brosseau of R.J. Ferrerira Builder Inc. was one of the many winners at the end of the day, when door prizes were awarded and raffle winners drawn. Here, Don claims a Milwaukee Sawzall®.

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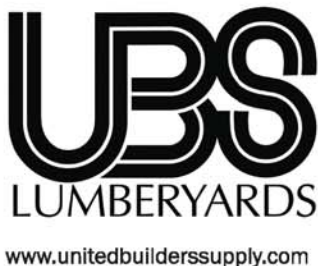
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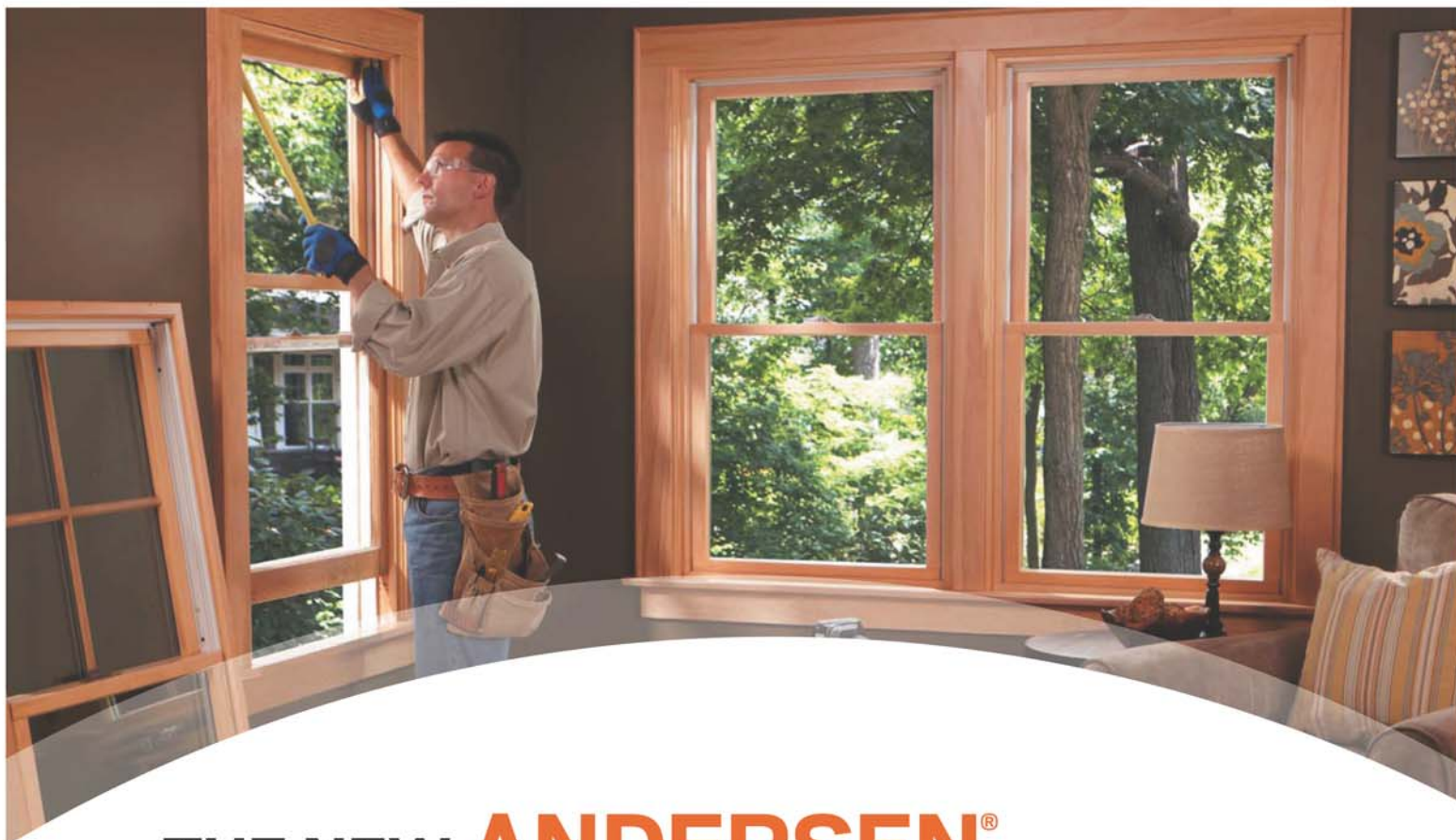
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Tracey Boyajian of ABCLeads.Com

How a favor for her brother became a career

By Paul F. Eno *Editor*

Those of us who have been around the bend a few times might remember our grammar school teachers saying something like: "You're going to be sitting in front of computers your whole adult lives!"

Truer words were never spoken! Computers have transformed both personal and business lives for just about everyone. Among members of the Rhode Island Builders Association, there are fewer people with whom that's more evident than Tracey Boyajian of ABCLeads.Com. She is the company's chief financial officer, working by computer for a member company that exists because of the computer age.

"We maintain several hundred websites that drive sales leads for the home improvement, financial and insurance industries," Tracey explains. ABCLeads.Com started in November 1998 by generating leads for long-term care insurers. In a few years, the company branched into windows, and the home improvement leads sector grew from there, she adds.

The company has been on the Internet for so long and owns so many domain names, their sites are very high in the search engine rankings, according to Tracey. Most of the company's staffers spend their time doing site design and maintenance, marketing and sales.

There are 10 people involved in company, and 600 to 700 customers at any given time, Tracey points out.

"Every day around here is different. We have contractor clients all over the country, so we get really busy when there has been a major storm or some other event that gen-

erates a great deal of home repair demand."

ABCLeads.Com joined RIBA in 2011, and Tracey herself is vice president of the association's Professional Women in Building Council (PWB).

"RIBA provides us with excellent networking opportunities, and we take advantage of what RIBA offers locally and nationally. We make lots of great connections. And I really enjoy helping PWB with its many charitable and educational activities," Tracey says.

Tracey never really intended to work at ABCLeads.Com.

"I had some time one holiday season, and my brother, one of the three owners, asked me to fill in temporarily."

That was 11 years ago, and Tracey Boyajian hasn't looked back!

Find out more about Tracey and her company at (of course) www.ABCLEADS.com.



Tracey Boyajian

Dennis Levesque, 56, headed Levesque Construction

Dennis D. Levesque, 56, of Levesque Construction Inc., North Kingstown, passed away peacefully on Monday, July 1st, at home surrounded by his family.

Mr. Levesque was part owner of the company, with his brother, Ronald B. Levesque. The company was founded by their father, Daniel Levesque.

Born in Warwick, Dennis Levesque was the husband of Jacqueline A. (Carr) Levesque for 20 years. A master carpenter and a longtime member of the Rhode Island Builders Association, Mr. Levesque also was an avid golfer and a member of the Rhode Island Golf Association. He lived in North Kingstown.

Besides his wife, he leaves his two daughters, Danile A. Levesque and Lauren M. Levesque, both at home. Along with Ronald Levesque, Mr. Levesque was the brother of Collette Palmer of North Kingstown and the late Michelle Provencal.

Memorial contributions may be made to the Dana Farber Cancer Institute, 450 Brookline Avenue, Boston, MA 02215. For information and condolences, visit: www.FaganQuinnFuneralHome.com.

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Guest Commentary: In case of sickness or injury

What happens if you can't work?

By Elaine M. Carvelli

If you're unable to work because of a sickness or injury, disability income insurance can help you meet expenses and maintain your standard of living. It can help you pay bills like your mortgage, tuition and car payments, and help cover expenses for food, clothing and utilities. By replacing a portion of your income, disability income insurance can help provide financial stability until you get back on your feet and return to work.

Short-term disability insurance can replace a portion of your income during the initial weeks of a disabling illness or accident. Long-term disability insurance can replace a portion of your income for an extended period. You may have one or both of these through your employer. Many people also choose to purchase individual disability insurance. This insurance can provide protection for people who do not have disability insurance available through their workplace, or it may be used to supplement group coverage that they do have through their workplace.

No one knows what the future holds, so it's important for you to do your best to prepare for what life may bring.

NAHB Fall Board Meeting: You're invited!

WHEN: Tuesday, October 8th through Saturday, October 12th

WHERE: Broadmoor Resort, Colorado Springs, Colorado

COST: Members \$75, spouses \$50

FOR INFORMATION AND TO REGISTER: Visit www.NAHB.org/fallboard or contact NAHB Exhibitions, Marketing & Sales Group, (800) 368-5242, ext. 8610

Enjoy education and networking at the National Association of Home Builders 2013 Fall Board of Directors Meeting. NAHB's senior officers encourage all members to attend, especially if you are interested in a leadership position in the association at any level.

The various meetings will keep members informed about the current housing markets and housing trends, legislative issues that affect the industry, policy matters and much more.

There are invaluable networking opportunities with home builders from around the nation.

Here are some tips:

- If you or others depend on your income, you should consider purchasing disability insurance. Rates vary according to your age, health, occupation, and the policy features you choose.

- If you have people who depend on your income, or if you depend on your own income, you should consider disability insurance. Many people may be surprised to learn that Social Security disability benefits are not available if you are expected to be out of work for less than a year. Needless to say, a year without income could deplete your savings and have a significant impact on your finances.

- Remember that most long-term absences are caused by illnesses, such as cancer and heart disease. Only 10 percent of long-term disabilities are caused by injuries.

- You might need disability insurance even if you're young. In fact, nearly one in four of today's 20 year-olds may become disabled before reaching age 67. It can be easier and less expensive to get disability insurance when you're young and healthy.

- The risk of a disability during your working years may be greater than you think.

- A good rule of thumb is to protect 60-80 percent of your after-tax income.

- Remember that you'll need to meet your essential living expenses if you become disabled. Roughly 72 percent of consumer expenditures are to cover essential expenses like housing, food, transportation, health care and education.

- Some disability insurance is better than no disability insurance. When budgets are especially tight, it still makes sense to purchase sufficient disability insurance to cover the rent or mortgage and keep your family in their home.

- Make sure you know how much disability insurance you get at work. Look carefully at the coverage, however, since group benefits alone may not be enough. Be aware of the amount of income being replaced, potential benefits limitations, and types of income covered.

Many people recognize the need for disability insurance, but don't move forward because they don't feel they have a reliable place to start. Your financial advisor can provide you with the information and knowledge you need to make an informed decision.

Elaine M. Carvelli LUTCF, CLTC is the long-term care specialist at Oceanstate Financial Services, a member of the Rhode Island Builders Association.



Elaine M. Carvelli

Help us get ready for advocacy 2014



Steven Carlino

If you have a state or local concern that you feel deserves legislative attention, now is the time to speak up. After a very positive legislative result for the residential construction industry during the 2013 session of the General Assembly, the Rhode Island Builders Association is already preparing for the 2014 session.

This means that we need you. What problems do you face on the state level or in a particular community? Are you losing money because an important project is held up by regulatory red tape or just plain foot-dragging by regulators? RIBA wants to know!

Is there a troubling regulatory trend or proposal in your community? Is there an ordinance or zoning policy coming down the pike that will be an unfair burden on you as a residential contractor? RIBA needs to know!

One of the best ways to find out what is going on locally is to sign up for the new local notice registries that RIBA worked hard for during the 2013 General Assembly session. By signing up at your city or town hall, you will receive e-mail notifications of all pending actions on local regulations, including land-use actions that could profoundly affect your property rights. Contact RIBA Executive Director John Marcantonio for more information.

Naturally, we can't swoop in and solve every problem. But if you don't tell us what the problems are at the community level, we won't always know about them, and we won't be able to take a good look to see what can be done.

You can contact John Marcantonio directly at (401) 438-7400 or at jmarcantonio@ribuilders.org.

see **LEGISLATION...**page 29



Ed Ladouceur

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The workforce housing dilemma

Inclusionary zoning: Does it help or hurt?

By Paul F. Eno *Editor*

Is it an effective way to increase the supply of workforce housing, or can it be a back door to preventing growth? And do the incentives make the projects worth it for developers?

"It" is inclusionary zoning, widely used by Rhode Island communities as a way to reach their state-mandated goal of at least 10 percent workforce-housing stock. A typical inclusionary zoning ordinance might require that 20 percent of the units in developments in certain areas be "affordable."

In return, the municipality usually grants a "density bonus" or other incentives to help offset the cost of the lower-priced units. Other incentives for the developer include a streamlined permitting process and, if a municipality denies an application,

access to the State Housing Appeals Board, where the burden of proof is on the municipality.

In some states, developers can buy out of inclusionary zoning by paying a certain amount per unit, with the money applied to a municipal affordable-housing fund. This is being considered in Rhode Island.

Use of inclusionary zoning in Rhode Island stems largely from the Comprehensive Housing Production and Rehabilitation Act of 2004, which empowered the Housing Resources Commission and the Statewide Planning Program to come up with a five-year "strategic housing plan," which the Division of Planning released in June 2006. The document, *Rhode Island Five Year Strategic Housing Plan: 2006-2010: Five Thousand in Five Years*, is available online at www.PLANNING.ri.gov/documents/guide_plan/shp06.pdf.

With the economic slowdown a major factor, that goal, 5,000 new housing units by 2010, never came close.

The 2004 law calls for "higher-density development, including, but not limited to...inclusionary zoning provisions for low and moderate income housing with appropriate density bonuses and other subsidies that make the development financially feasible...."

Information on which cities and towns have inclusionary zoning ordinances was not immediately available from the Division of Statewide Planning. Look for this information in the October *Rhode Island Builder Report*.

Not workable?
Developers and their advocates warn that, despite the good intentions of

see next page

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...from previous page

those who require it, inclusionary zoning usually raises housing prices and can only work under specific conditions, including a hot housing market.

"If you impose inclusionary zoning in a low-demand area, developers go somewhere else. It has to be in a place where the developer is willing to stay and absorb the change in the cost structure," said Timothy S. Hollister, a prominent Connecticut land-use lawyer and a nationally recognized expert on inclusionary zoning.

"So if you have land with sewer, water, good access, and it's a good candidate for development or redevelopment...inclusionary zoning might work. If you have 10 or 15 developers vying for the right to develop, with a big demand for that location, that's a situation where a municipality could impose an inclusionary requirement. It might knock out some applicants, but not all."

See the complete interview with Mr. Hollister on page 24.

Thomas E. McNulty of Cumberland-based E.A. McNulty Real Estate, a past president of the Rhode Island Builders Association, spelled out some of the problems that inclusionary zoning creates for local developers.

"A developer gets a little density bonus, but usually makes very little on the project, and the units are difficult to sell. Inclusionary zoning can only be attractive in a booming market where there are few affordable homes available," Mr. McNulty explained.

He called inclusionary zoning "little more than social engineering."

"You're trying to put the burden on a very few: the landowner, the builder and the developer, who are often one and the same. They have to discount the value of the land to accommodate the inclusionary zoning component, which says that a certain percentage of the units must meet the affordable-housing requirement for that community, based on the median income, which is different around the state."

Mr. McNulty noted that some municipalities promulgated inclusion-

ary zoning just as the housing market soured from 2007 onward. As an example of inclusionary zoning's problems, he cited the rules in one town where he builds.

"Lincoln pegged its median income at the mid to high 50s for affordable-housing candidates. That could be a teacher, police officer or firefighter. But what can they really afford? The 'affordable' house would probably be \$150,000 or \$175,000. You have to place that discounted house among the market-rate houses."

That factor raises the prices of the other homes, and the cost of local regulations exacerbates the problem, according to Mr. McNulty.

"These towns have piled on a ton of regulations, adding all sorts of bells and whistles to the subdivision process. They want underground electric, granite curbs, sidewalks, the best pump station, the best drainage system, and the list goes on. This all raises costs. And very often there are impact fees. So there's not a chance in the world that you could build a 'market-rate' home there in the \$150,000 or \$175,000 price range. It will be as high as \$400,000 to \$600,000 because the numbers just don't work." Mr. McNulty pointed out.

"The landowner, builder and developer now have to make financial concessions. You have to build an 'affordable' home right next to a 'market-rate' home, and they have to be virtually indistinguishable."

Mr. McNulty doesn't feel that any community has given him enough of a density increase to offset the extra costs of inclusionary zoning.

"They basically come up with their own equation of what they think is some equity play that would give me another few units. But it never really satisfies the extra burden. Inclusionary zoning is a failed policy."

A hard sell

Robert E. DeBlois of Warwick-based DeBlois Building Co., a member of the state Building Code Standards Committee, has a similar opinion.

"I agree 100 percent with the contention that inclusionary zoning won't work unless you have a booming market. The reality is: Everyone I know who has (affordable housing) as part of their product mix, forced upon them by a municipality, has a hard time selling those units," Mr. DeBlois said.

"With prices as they've been over the last four to six years, there's already plenty of 'affordable' housing out there. But if people buy a unit built under inclusionary zoning, there's a deed restriction that the unit must be sold, down the road, to someone in the same shoes. If someone qualifies under today's income and financing ratios, with a rate of 3 or 4 percent, then they sell it in a few years when the rate is 7 or 8 percent, which is more normal, they'll lose money. These units grow no equity," he added.

Under the 2004 law, "affordable" housing units must remain so for 30 years.

"Buyers know that, and that's a big problem for the developer when it comes to inclusionary zoning," said Mr. DeBlois.

Are there alternatives?

What's the alternative to inclusionary zoning?

"If towns are trying to meet their affordable-housing requirement, let them float a bond issue so all the taxpayers can share the burden, then put out requests for proposals to developers," Mr. McNulty suggested.

"Inclusionary zoning is an easy way out to make a town feel good. Without question, it can be a back-door method to prevent residential development. If the rules are tough enough, they know that developers will go elsewhere."

For more information on inclusionary zoning, visit www.NAHB.org/generic.aspx?genericContentID=52787. Also see the *Handbook On: Developing Inclusionary Zoning for the Comprehensive Housing Production and Rehabilitation Act of 2004* at www.PLANNING.ri.gov/documents/comp/Handbook on Developing Inclusionary Zoning.pdf.

91 applications filed for Housing Bond funds

As of August 2nd, 91 applications had been received for project funding under Rhode Island's \$25 million Housing Bond Issue.

That's the news from Raymond Neirinckx, coordinator for the state Housing Resources Commission (HRC).

"Final rules (for distribution of bond funds) were approved after a public hearing and submitted to the secretary of state. The application process was concluded on August 2nd, and the review process (for applications) is beginning," Mr. Neirinckx explained.

The state's voters approved the Housing Bond, Question 7 on the November 2012 ballot, and the Rhode Island Builders Association hailed the outcome as a much-needed boost for potential homeowners and the housing market.

"With the money raised from the bond issue, there will be two disbursements of \$12.5 million each through

the HRC," said HousingWorks RI Executive Director Nellie Gorbea.

"Developers and builders – for profit and not-for-profit -- can submit proposals for projects that include affordable units, asking for whatever amount they need for the project. Judging by the 2006 housing bond program, this procedure works really well."

All applications are reviewed by the HRC in collaboration with Rhode Island Housing. Once reviewed, applications go to a bond funds distribution committee at HRC, a public/private body that includes a representative from RIBA (currently Albert Valliere of Nation Wide Construction Corp.) The committee then will prioritize the applications, based on a number of factors included in the RFP. HRC has the final vote on each application.

Watch *The Rhode Island Builder Report* for more information as the bond process unfolds.

Correction: R.I. has not adopted IRC fire protection for floors

Contrary to common belief, R501.3 has been left out of the state's 2013 One- and Two-Family Dwelling Code.

What was apparently a clerical error recently gave the false impression that Rhode Island had adopted the portion of the 2012 international code having

to do with fire protection of floors, the Rhode Island Builders Association has learned.

As the state Building Code Standards Committee went through the process of adopting portions of the 2012 International Residential Code for One- and Two-Family Dwellings (IRC), section R501.3 (fire protection of floors) was deleted without substitution, so this section has not been adopted for Rhode Island's 2013 One- and Two-Family Dwelling Code. See the code at: <http://SOS.ri.gov/documents/archives/regdocs/released/pdf/BCSC/7280.pdf>.

Tax division holds drawing for HTC

Huge demand for Historic Tax Credits prompts unprecedented move.

By Paul F. Eno *Editor*

The Rhode Island Division of Taxation received so many applications for the state's newly restored Historic Tax Credit that it planned to hold a drawing in late August for the roughly \$34.5 million that was available. As of this writing, the drawing had not yet taken place.

Developers have applied for more than \$54 million in credits.

Unless a developer's credits were grandfathered, the Historic Tax Credit has not been available since 2008. Some projects were "abandoned" – leaving about \$34.5 million in credits available but unclaimed as of May 15th.

The drawing was to take place on Tuesday, August 27th, at 10 a.m. in Conference Room A at the Department of Administration building, One Capitol Hill, Providence. Letters with this information were mailed to applicants during the second week of August.

Results will be available at www.preservation.ri.gov/credits.

Those who did not earn the right to claim the credits will be advised that they will remain in line in case someone ahead of them drops out.

The revived Historic Tax Credit program generally provides a credit of 20 percent (25 percent in some circumstances) for qualified rehabilitation expenditures (QREs) incurred on or after July 3, 2013, for new or existing historical rehabilitation projects. The maximum project credit is \$5 million. No building to be completed in phases may exceed this amount in credits for all phases or projects involved in the rehabilitation of the building.

see HTC...page 29

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A Conversation with...

Timothy S. Hollister

Land-Use Attorney and Authority on Zoning

Timothy S. Hollister is a partner in the Hartford-based firm Shipman & Goodwin LLP. He practices land-use, environmental and municipal law in Connecticut. He has represented developers, corporations, property owners, municipalities, boards of education, and neighborhood and environmental groups in administrative proceedings before local, state, regional and federal agencies. He is a member of the National Association of Home Builders Legal Action Committee and Litigation Subcommittee, and has received two Distinguished Service Awards from the Home Builders Association of Connecticut. He has been recognized nationally for his work in workforce- and affordable-housing development, wetlands regulation and eminent domain. He is listed in *The Best Lawyers in America*®: Land Use & Zoning Law, Litigation-Land Use & Zoning (2009-2013).



times it's art, sometimes it's science.

Towns get into trouble when they don't take the time to research what's been proven either by courts or by municipalities that have successfully applied payment-in-lieu. They also need to research the method. When they hurry and skip steps, that's when we see problems.

THE BUILDER: How does inclusionary zoning affect the cost structure of a development? Does it cause the price of market-rate homes to rise, and have studies been done on this?

HOLLISTER: Inclusionary zoning absolutely causes prices to rise, and studies have been done on this. Your cost to develop and recover a profit is spread

THE BUILDER: What is inclusionary zoning?

HOLLISTER: Inclusionary zoning is a program in which a residential developer sets aside a percentage of proposed units at restricted rents or prices, usually tied to low- or moderate-income family affordability. It can be mandatory, but it's essentially a price control.

THE BUILDER: What is "payment-in-lieu"?

HOLLISTER: Some, but not all, inclusionary zoning programs give the builder or developer the option of paying a certain amount of money per unit. For example, if a town has a 10 percent inclusionary requirement, you could build 10 percent of the units as rent- or price-restricted, or you could just pay \$10,000 per unit, then rent or sell every unit at the market rate.

This "payment in lieu" ordinarily would go into a housing trust fund to provide planning costs or seed money for other affordable units.

THE BUILDER: What are the legal problems with "payment-in-lieu," and when do towns cross those lines?

HOLLISTER: The main problem for towns is trying to make the requirements proportional to the impact of the housing units. There have been a number of formulae proposed for this over the years, but it's like appraisals. Some-

times it's art, sometimes it's science. Inclusionary zoning provides a discount from the market-rate rent or price of a certain number of units, so the only way to make that up is through higher rents or prices on the other units. It's cost shifting. The market-rate units have to subsidize the discounted units.

That's why, with inclusionary zoning, a bigger development is easier to do because the impact is spread over more units.

(The most prominent study of the subject is "The Irony of Inclusionary Zoning" by Robert. C. Ellickson of the Yale University School of Law. Editor.)

THE BUILDER: In Rhode Island, many developers are saying that mandatory inclusionary zoning and its deed restrictions are preventing new construction. Is this the case and why?

HOLLISTER: If you don't have a hot market for a particular type of product, and developers are willing to go elsewhere to achieve a better cost structure, the answer is yes. If you impose inclusionary zoning in a low-demand area, developers go somewhere else. It has to be in a place where the developer is willing to stay and absorb the change in the cost structure.

THE BUILDER: You've said that high-demand environments can make inclusionary zoning work. In Rhode Island, which is a high-cost, low-demand housing state, is

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it even feasible to have such a program? Can it do more harm than good?

HOLLISTER: I would venture that there are parts of the state that have been gentrified over the last few decades and are now highly desirable. So if you have land with sewer, water, good access, and it's a good candidate for development or redevelopment, that would be the profile of a place where inclusionary zoning might work. If you have 10 or 15 developers vying for the right to develop, with a big demand for that location, that's a situation where a municipality could impose an inclusionary requirement and it might knock out some applicants, but not all.

THE BUILDER: What's your opinion on Rhode Island's law that requires communities to meet a 10 percent affordable-housing requirement? Is this an effective way to build workforce housing?

HOLLISTER: Mandates are a two-edged sword. Sometimes they drive people away. Mainstream developers aren't going to do affordable housing voluntarily. Except for the slice of the market where developers seek low-income housing tax credits or they're comfortable working with a particular government subsidy program, affordable housing won't be their first choice.

So an affordable-housing mandate just imposes a required conduct. As long as it doesn't drive developers away, then sure. It can be effective.

The complaint I always hear in Connecticut is that our affordable-housing law has produced so few units, it's not worth the struggle. One thing I've learned over the years is that you build affordable housing one unit at a time. Every unit that has a lower rent or cost represents a family that's now in housing that would not otherwise have been built.

THE BUILDER: What other effective methods exist to create affordable units?

HOLLISTER: The big ones are government-subsidy programs, the largest of which is the Low-Income Housing Tax Credit. By creating tax incentives, the government brings down the cost of development and, ultimately, the price or rent of the unit.

Then there's subsidized housing, where the government pays a portion of the rent. Those are the basic choices. There really aren't any others.

THE BUILDER: What are other New England states doing to generate more affordable housing?

HOLLISTER: Massachusetts and Connecticut have variations on "40B" or the "anti-snob law." If you set aside a certain number of units as affordable, the laws give you a leg up if you have to appeal the denial of an application.

Rhode Island has its own variation on that. I'm not familiar with any particular programs of that kind in Vermont,

New Hampshire or Maine.

The scale from state to state in New England is quite different. Massachusetts has 351 cities and towns, Connecticut has 169 and Rhode Island has 39. That's A, M and Z right there!

THE BUILDER: How will the recent Supreme Court decision in *Koontz v. St. Johns River Water Management District* (see *The Rhode Island Builder Report*, August 2013, page 1) affect inclusionary zoning?

HOLLISTER: The main impact of this decision is that it's now very clear that inclusionary requirements are under the analysis of what the court calls the "Nollan/Dolan test" (for whether such exactions are legal)*.

The question is, what will it take in an inclusionary-zoning program to meet the two requirements of the Nollan/Dolan test? One is the logical nexus and the other is the rough proportionality. Probably the best anyone can say at this point is that, in light of the decision in *Koontz*, all those decisions will be re-examined. If people didn't think that Nollan/Dolan didn't apply to inclusionary zoning, it sure does now. The answers will be determined on a case-by-case basis.

The case clears up the issue of what the standard of analysis will be. But what the answers will be, we don't know.

THE BUILDER: You've handled some landmark inclusionary-zoning cases in Connecticut. Can you tell us about the most significant of these and what precedents they set?

HOLLISTER: I've handled affordable-housing cases, then I've had some environmental cases. In the late 1980s, in the case that set me on my career path, we sued a town that had a minimum floor-area regulation. Basically, in two-thirds of the town, they said you couldn't build a single-family home under 1,400 square feet.

So we purposely came in with a developer who wanted to build a 768 square-foot, 24 by 32, one-floor Cape Cod house. We proved that the 1,400 square foot minimum amounted to *exclusionary* zoning, and that there was no public health or safety justification for it. That case led to the adoption of our affordable-housing program in Connecticut, along with legislation that says towns must make provision for low- and moderate-income households in their zoning regulations.

So what we've accomplished is to create a body of law in Connecticut whereby towns understand that they have an obligation to allow these units, and they can't use their zoning power to keep out people they consider undesirable. That's been a sea change in this state over the last 25 years, largely patterned on Massachusetts.

THE BUILDER: Is there any benchmark by which a home builder can tell that inclusionary-zoning require-

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ments in a given community have gone too far?

HOLLISTER: There's certainly no bright line. What you would look for is something like this: If a builder has an economic plan that works at market rates, such as a certainty that all units can be sold at those rates, then the project should be viable. In that case, an inclusionary-zoning requirement makes no sense. That would be a good indicator that things had gone beyond the breaking point.

Second is a municipal ordinance or program that's done, as it were, on the back of an envelope, with no calculations whatsoever. They can't just say that 10 percent of units must be affordable. There has to be some economic calculation that that's sustainable.

We sometimes see towns that are so gung-ho on creating affordable housing that they forget to do the math to see whether it works in that market. A high-demand urban market differs from a suburban or rural market.

A perfect example of that is what happened to one of my clients, AvalonBay Communities Inc., which builds apartments all over the United States, with a big presence in New England. Twenty years ago they were getting resistance over many of their developments in the Northeast; too big, too dense and whatever. Then they went to Maryland and proposed 200 units. The town said, "No. If you're going to build here, it has to be at least 400 units!"

The towns that really get it now know that if you're going to create density, create density. You need diversity in housing stock, and there are ways to encourage residential development using what's called "smart growth." Use existing infrastructure and load up your units. Higher density has environmental advantages. If it's in the right place, it can be transit oriented, with lower commuter miles and smaller "carbon footprints."

There are market-based alternatives that can lower the cost of everything just through density and competition in the marketplace, instead of arbitrarily using methods like inclusionary zoning.

One of the best examples in New England is Stamford, Connecticut, where they've built thousands of apartments

downtown. This has brought down rents because there's tremendous competition in the market.


THE BUILDER: So density is the simplest road to affordability? Do states with that policy grow economically?

HOLLISTER: Yes. It's simple physics and math. The more units, the less the cost impact per unit.

There's a consultant, landscape architect and author, Julie Campoli, in Massachusetts. She lectures throughout the country on how to design for good density. One of her mantras is: "I can show you two units per acre that looks overly dense, and I can show you 25 units per acre that looks just fine. It's all in the design."

She's right. Buildings can be designed to fit in and not look obtrusive. I'm always telling land-use commissions: It's not the number, it's how that number fits on the site.

THE BUILDER: Does inclusionary zoning have a future?

HOLLISTER: Any community that's considering it needs to understand how to write the rules so they're as user-friendly to the development community as possible. And they must understand that it's only with a relatively defined set of economic conditions that they will get builders to buy into the program instead of going elsewhere. 

(* Since the late 1980s, the Supreme Court has held that an exaction is not constitutional unless it has a "nexus" to a governmental purpose and it is "roughly proportional" to the impact of the project. In law, this is known as the Nollan/Dolan test, named after two Supreme Court cases.

In one case, the court observed that requiring a dedication of private property in exchange for a building permit was "out and out extortion" unless it could be shown that the private development imposed a burden on public facilities or resources, and the dedication would mitigate such impact. This became known as the "essential nexus" between a legitimate state interest and the permit condition.

In the second case, the justices ruled that the government's requirement would be an unjustified "taking" of private property unless the exaction was roughly proportional to the impact. Editor.)

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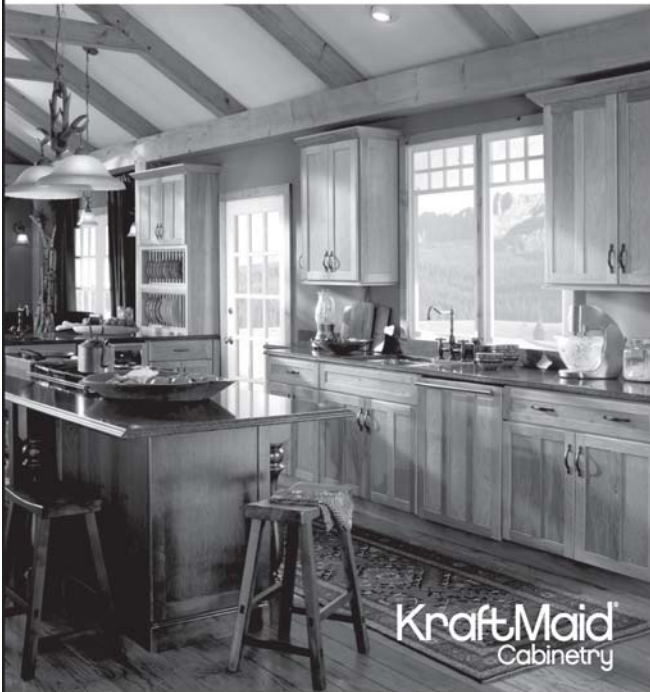
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HEROES...from page 6

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Branch River Plastics. President Robert H. Mayo provided the structural insulated panels (SIPS) and the associated framing materials.

Douglas Lumber, Kitchens and Home Center. Owners Steven R. Carlino and J. Robert Pesce donated framing materials from the Smithfield-based supplier.

Coventry Lumber Inc. Owners Michael Durand and William Finnegan donated framing materials from their Coventry-based facility.

Blackstone Valley Engineering & Technical Service LLC. The Marlborough, Mass.-based company donated its services.

Lonsdale Concrete Floor Co., Inc. Joseph Almeida owns the Cumberland-based company, which poured the floors.

Contractors Supply Inc. The Riverside-based company donated wire mesh.

The project is coordinated by Homes For Our Troops, and Builders Helping Heroes (BHH), the Rhode Island Builders Association's charity, is handling the actual construction.

With project costs expected to exceed \$400,000, BHH President Robert J. Baldwin and Project Supervisor David A. Caldwell Jr. said that donations of time, materials and money are still needed.

"We have received commitments from RIBA members and vendors for roughly \$300,000 worth of labor and materials, all of which is tax deductible," Mr. Caldwell stated.

Members may follow the progress of the project through monthly updates in *The Rhode Island Builder Report* and online at www.BUILDERSHELPINGHEROES.org.

To find out more about donating time or materials, please visit www.BUILDERSHELPINGHEROES.org, contact Mr. Baldwin at bob@rbhomesinc.com or (401) 255-6546, or Mr. Caldwell at dave.caldwell@caldwellandjohnson.com or (401) 885-1770.

Cash donations can be made by visiting www.HOMESFOROURTROOPS.org/dubois.

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In general, credits may be claimed by any person, firm, partnership, trust, estate, limited liability company, corporation or other business entity that incurs QREs and meets certain other provisions of the law.

Credits are allowed for the taxable year in which the certified historic structure is placed in service, and may be applied against the state business corporation tax, franchise tax, public service corporation tax, tax on banks, tax on insurance companies and personal income tax. Credits may be sold or assigned to a third party.

See the website above for more information, or contact Donna Dube, Rhode Island Division of Taxation, at (401) 574-8903 or Donna.Dube@tax.ri.gov.

RIBA Employment Bank returns

Though the housing market in Rhode Island remains sluggish, many contractors are saying that they can't find skilled labor. As a result, the Rhode Island Builders Association has decided to revive its free online Employment Bank at www.RIBUILDERS.org.

If you're a RIBA member, contact Elizabeth Carpenter at (401) 438-7400 or ecarpenter@ribuilders.org with your employment requirements. As soon as we have your listing, it will be posted to a new page at the website. Word also will be sent out through RIBA's social media.

LEGISLATION...from page 20

The PACE Program

One of the bills we monitored during this year's legislative session was Senate Bill 900, which authorizes a residential Property Assessed Clean Energy (PACE) program in Rhode Island. This program will provide affordable financing for homeowners to upgrade to "green" energy technologies, and it could be of great benefit to many of our members.

Watch for more information on this developing program in *The Rhode Island Builder Report*.

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Complete information on the RIBA Golf Classic is on Page 2