

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS

CITY COUNCIL CHAMBERS

PROVIDENCE, R. I.

THE CITY OF PROVIDENCE

PUBLIC HEARING :

Re: :

REDEVELOPMENT PLAN FOR :
WILLARD CENTER UNIT TWO :
PROJECT AREA D2-A2. :

THURSDAY, APRIL 15, 1954.

THE PUBLIC HEARING COMMENCED AT 8:32 P.M.

264

COUNCILMAN EDWARD P. QUIGLEY,
Presiding.

Vincent A. Walsh,
Stenographic Reporter.

S P E A K E R S

Donald M. Graham, executive director of the Providence
Redevelopment Agency.

E. Harold Dick, Esquire, representing the Willard Center
Businessmen's Association and the
Willard Realty Company.

David Hassenfeld, Esquire, representing the Congregation
Beth Israel Onsche Austria.

Franklin S. Eggleston, representing the Civic Planning
and Traffic Board of the Providence
Chamber of Commerce.

Edmund Kexler, Councilman, Ward 11, speaking as a
representative from the area involved.

COUNCILMAN QUIGLEY: The next matter on the docket is the hearing on the Redevelopment Plan for Willard Center. The City Council meeting at Providence is now open for public hearing, pursuant to the requirements of Section 26 and 60 of Chapter 2574 of the Public Laws of Rhode Island of 1950. This public hearing before the City Council of the City of Providence is concerned with the Redevelopment Plan for Willard Center Unit Two Project Area D2 - A2. All persons or agencies who desire to speak will be given an opportunity to make a statement, and all persons or agencies who desire to submit communications in writing will be given an opportunity to read or submit such communications. We will now hear from Mr. Donald M. Graham, executive director of the Providence Redevelopment Agency. Mr. Graham.

(SHORT INTERRUPTION WHILE COUNCILMAN QUIGLEY CONFERS WITH THE CLERK OF THE CITY COUNCIL)

COUNCILMAN QUIGLEY: Gentlemen, I am

informed that we are ahead of the docket. We have a report of the City Plan Commission relative to "Redevelopment Plan for Willard Center Unit Two Project Area D2 - A2."

MR. WEKLER: Mr. President, I move that the report be received and referred to the Committee on Ordinances & Public Works. (So Voted)

COUNCILMAN QUIGLEY: Ladies and Gentlemen, we will now hear from Mr. Donald Graham.

DONALD M. GRAHAM: Mr. President, Members of the City Council, Ladies and Gentlemen:

I do not think we have to spend too much time tonight because I believe most of you are acquainted with the Redevelopment Plan we are discussing. It is the Redevelopment Plan, the final plan, for Willard Center Unit Two. This is the fourth public hearing we have held on Willard Center. We have had three previously. I recognize a lot of you as having attended those earlier ones.

This Unit Two, of course, is the area which involves the shopping center on Prairie

Avenue and the playground and playfield. Most of you, I trust, are interested in obtaining some information on the schedule that is laid out.

Frankly, we cannot give you a schedule too definitely because the next step in the process is the filing of the Loan & Grant Application with the United States Housing -- Home Finance Agency -- and we are not sure just how long that takes.

Now, in Unit One we had a public hearing last May and we acquired land March of this year. If we followed that same schedule we would be acquiring land in Unit Two along about next February. We hope it will be sooner than that because we know a lot of you are anxious to get the thing settled. It may be a little bit later, but the best we can offer is we ask you to check in at our office every now and then and keep up to date on the latest developments.

This Redevelopment Plan, as I understand it, after tonight will be referred to the Committee on Ordinances. If any of you have any

further questions about it you can talk to me or members of the Redevelopment Agency and we will discuss it before the Ordinance Committee reports.

Now, I'd be glad to answer any questions that any of you might have.

COUNCILMAN QUIGLEY: All persons or agencies who desire to speak may now come forward, give their names and address the public hearing.

E. HAROLD DICK, Esquire, 622 Hospital Trust Building, Providence, Rhode Island.

COUNCILMAN QUIGLEY: Will the gentleman start, please.

MR. DICK: I am speaking for the Willard Center Businessmen's Association and the Willard Center Realty Company.

DAVID HASSENFELD, Esquire, 127 Gallatin Street, Providence, Rhode Island. I am speaking for the Congregation Beth Israel Onache Austria.

MR. DICK: Mr. President, Members of the City Council:

I represent the Willard Center

Businessmen's Association and the Willard Center Realty Company. I appeared before you sometime ago and told you the feeling of our group on this subject. In case any of you don't remember it, the businessmen's association is a group of over thirty (30) businessmen who constitute all of the businessmen on Willard Avenue.

When this plan was first presented we felt that it would be best for the businessmen and best for the agency if we had such an association so that the individuals would not have to go to the trouble of attempting to get information from the agency. We felt that if we were a clearing house for these individuals it would simplify matters for the Redevelopment Agency and it would simplify matters for the association--false information would not be passed back and forth about the plans. To this date such an arrangement has worked out well both for the agency and for the association.

We have gone along with this thing

so much so that as a result of the association you are now informed we have formed a corporation called the Willard Center Realty Company. This company is incorporated at the State House and it is set up with the express purpose of purchasing land from the City or from the Redevelopment Agency.

My purpose in speaking to you tonight is to point out several of the problems that are bothering us, and showing the injustice of it. Now, it might be that these problems are not the fault of the City of Providence and they are not the fault of the Redevelopment Agency. It might be that it is the fault -- that the fault of these things lie in Washington with the federal authorities. If that is so, I don't think that this Council wants to go on record as approving this type of a plan that might injure its citizens. It might injure the taxpayers.

So that you will know what we are attempting to do and what we are planning to do,

this business center will fringe on Prairie Avenue. It is our thought that it would take up about 62,000 square feet for the stores. There would be an additional part for parking. There would be parking in front and rear. So that our plan is to either lease or purchase approximately 270,000 square feet.

This project, gentlemen, is a very important project, not only to the citizens of Providence or the businessmen on Willard Avenue, but it is my information that it is something that is being watched throughout the country. This is the sort of "testing ground" for this type of a project.

I went through this plan quite thoroughly with Mr. Rakatansky, who is acting as architect for our group, and I further discussed this matter with Mr. Weaver and Mr. Graham of the agency. There are several things in this plan that are not quite clear to us that present a very difficult situation.

I suggested to Mr. Graham that if there was another center established somewhere else in the country we ought to try to get the benefit of what happened there. We ought to find out how they handled these covenants and restrictions running with land. And for you gentlemen who are not legal minded, the covenant restriction is a certain clause put into a deed which not only affects the immediate purchaser, but subsequent purchasers and subsequent lessees.

According to the manner and method in which this plan is drawn, and I particularly refer to Clause 5 in Part 4 in which it states, and this is in the paragraph "Controls on Redevelopment," gentlemen, and that is, by the way, the only chapter in this thing that I, representing all of these individuals, find some difficulty to go along with.

That last clause gives the agency the right to continue to control us, or control the purchasers, on re-sale or sub-lease. As a result

of that last paragraph we have found a very difficult situation facing us.

So that you gentlemen can get the idea of the type of a project this is, it is not a penny ante thing. From a discussion with Mr. Rakatansky I am informed that the cost of building this project, exclusive of the land and the grading, will run in excess of \$500,000. Now, that is not hay for a group of people, these small businessmen on Willard Avenue, to spend.

Now, instead of making it difficult for them to spend this money and build, this agency should attempt to make it easier. As a result of this last paragraph, and I think any of you gentlemen that are business minded will know, we are unable to get any mortgage from any large insurance company. They do not want to give a mortgage on property that has restrictions set forth as they are in this paragraph as it stands now.

Suppose we, for example, purchase this

land and the corporation sells it to the individuals that are going to build the stores in this pattern, and that man dies, say, 10 years from now; or desires to sell 10 years from now or desires to lease it--his tenant may have moved out. Before he can do anything he must get agency permission. Now, that is not quite fair because maybe the present administration or the present administrator, the agency, has a sympathetic view; maybe because of certain assurances given in this Council he feels it is his obligation to go along with anything reasonable. You can see the possibility, however, of an unreasonable individual in an agency having control over property in which these gentlemen have put a sum in excess of one-half million dollars. For that reason it makes a bad investment.

Now, I do not say that that paragraph is anything that cannot be surmounted. My feeling is that it is in there for a good purpose. It is in there for the purpose of not allowing speculation.

We go along with that. That's fine! However, there is a limit. There is a time limit within which you call speculation. If these men have invested their money and as a result of their efforts and services and everything else it has built up and has increased in price in 10 or 20 years from now they should benefit by it and not be held down in price. I do not say that is anything in the offering, but it seems unfair.

My suggestion to Mr. Graham and to the Redevelopment Commission, and my further suggestion to the committee that may hear this, is simply this: Let's find out what was done in other jurisdictions concerning this point. I mean, here is a problem. We, as lawyers, call it "stare decises." We go back through the books and find out how another case similar to this was settled and if it was settled -- handled in another community and handled all right and some insurance company or some bank gave a mortgage with that type of restriction in, well, we have something to talk about to the individuals whom we intend to approach to

assist us in financing it.

So, gentlemen, that is one of our principal objections.

As I told you, this project is being watched throughout the country. Whatever happens here can be a land mark. Many, many people have caught its importance. The Providence Journal -- evidently someone on its editorial staff -- has had the foresight enough to know the importance of this. There have been two editorials on it praising the fact that this is a thing that will be good for Providence and will fit in with its plan and that the future of it is something that will help the citizens of Providence.

I went further in discussing this matter with Mr. Graham and asked him just what assistance would either the agency or the city give us in this matter. Gentlemen, it certainly is against the will of these businessmen that they are being moved out from where they are and they are being told that this business or shopping center is a

good thing for them and will be a good thing for the community, but it seems perfectly silly to straight jacket in this little group of businessmen on Prairie Avenue and hope that the surrounding area over which they have no control will get better and they have no straight jackets on the areas across the street or further up.

My feeling is that if Mr. Graham or the agency, and I think your committee ought to request that they obtain such information for you, find out what agencies and what cities in other communities have done and there won't be very many, but there will probably be a few because, as I say, this is something new--if they will find out what has been done in other communities we will feel this council or this city or this agency is being fair with the group that is building here.

We feel up to this point, and I think Mr. Graham will bear us out, that we have put in no objections because we have been assured by our councilmen and we have been assured by Mr. Graham and

many others that we will be treated fairly and we have faith and confidence in the men that we have talked with that we will be treated fairly. On the other hand, if there are certain things that have been and are being done for businessmen in other communities we feel that we should get the same benefits. For example, I was told today-- I didn't see it myself--it appeared in the local press in Massachusetts one of the towns furnished labor and the businessmen furnished the materials to help out with a parking area because the businessmen in that area said, "Business is being driven out of our town because we don't have a parking area," and the town and the businessmen cooperated--so much so that they completed the parking area.

My feeling is that the city and the agency wants the benefits of a better place to live in and they feel that by cleaning out the area and setting up this shopping center that they will have a better place to live in. We feel that if there are any burdens that go along with it the city ought to accept

the burden, too. My feeling is that if this information is obtained by your committee and then we come in and discuss it, gentlemen, your committee will not feel we are making any unreasonable demand if it has been done in other communities.

I feel that just one or two other points ought to be clarified. I have been assured by Mr. Graham that they are clarified; that in the Section 1, sub-section 1, under Section 1, that in discussing the square feet area of floor space it's their intent to exclude the cellar, the cellar is not included in that area.

I think that you ought to also know that what we are talking about is not a dream, but that it is a reality. Our architect has already started. He is presently sitting down with one of the largest retailers in the area in drawing up his plans and he has cooperated with us and with the agency so that we have exchanged information, and he is setting it up to fit in to look as one project.

The association has also wanted me to

make clear to the council that there will be a few things necessary to iron out. We have been assured by Mr. Graham, who up to this point has cooperated with us very well, that there are several liquor dealers there who will have to iron out some of their differences as far as distances. I understand that there have been some informal discussions along that line and they have received some type of assurances that it will be done.

Therefore, gentlemen, I want to say in closing that the main point that we make is that last clause. We feel that the plan is a good one. We feel that the area and the businessmen may be benefitted by this plan if they go ahead and build the shopping area, but unless these clauses are clarified, gentlemen, I assure you that it will be difficult, very difficult as we have found up to now, to obtain proper financing. This restriction on sale and lease, unless it is clarified to the extent that it is satisfactory to lending institutions, money will be not available to build and this group will not

be available to build. We feel that they are the only group that are really interested in the project. It is a specialized neighborhood and these individuals are specialized people that have been there for years. Therefore, gentlemen, I respectfully urge that when your committee discusses this matter among yourselves that you take up the problems that I have discussed here. I would be glad to be of any assistance and I think if you call upon the Redevelopment Agency to obtain the information that I have suggested from Washington that it will put us on the right road toward a good solution of this problem. Thank you, Mr. President.

COUNCILMAN QUIGLEY: Mr. Graham.

MR. GRAHAM: I think it is a good thing that Mr. Dick has informed the members of the council, and particularly the members of the Ordinance Committee, of these questions still before us. I can assure you that our efforts will be to continue to cooperate with you fully and work these little problems out satisfactorily.

I would like to report that the

information that Mr. Dick has requested, that we have made a request of different people around the country for that kind of information. We have not got the answers yet, but when we do have the answer we will be able to sit down with Mr. Dick and with the Ordinance Committee to iron these things out. Of course, it is not easy to get that kind of information because, actually, as far as I know this is the first project of this kind in the United States; the first effort on the part of a community to redevelop an old shopping center into a new and modern shopping center with off street parking, but other communities have been thinking along this line and we hope we can get some constructive thinking from them to help us out.

COUNCILMAN QUIGLEY: Mr. Hassenfeld.

MR. HASSENFELD: Mr. President, may I say that I do not represent Temple Beth-El. I represent the Congregation Beth Israel Onshe Austria.

COUNCILMAN QUIGLEY: My information is wrong.

MR. HASSENFELD: Mr. President and

Gentlemen of the Council, Ladies and Gentlemen:

I am here representing the Congregation Beth Israel Onshe Austria, otherwise known as the Robinson Street Synagogue. I am not here as an attorney. I happen to be the president of that religious corporation.

You can be sure that our synagogue has given deep and serious consideration to the effect of Unit One and Unit Two upon its organization. We have weighed the matter thoroughly at several meetings and we do agree in principle of the necessity and the desirability of both Unit One and Unit Two. We think it is a wonderful idea to clear slums and we think it is a good idea to have a shopping center and, above all, we realize the necessity and the extreme desirability of a school in the area, but the step which this council and this community is about to take is unprecedented in one very important respect.

You have in that area four orthodox Jewish congregations. You have three of relatively large size and one which I might call meniscus. That

one is not, as I understand it, within this project. It is only a two room affair near the corner of Willard and Staniford Street. Though I am authorized only to speak for the Robinson Street Synagogue, what I have to say I am sure will apply to the South Providence Hebrew Congregation and to the Tifereth Israel Congregation.

The South Providence Hebrew Congregation, as I understand it, is in Unit One and the Robinson Street Synagogue and the Tifereth Israel Synagogue in Unit Two.

When I say unprecedented, as I understand it, there is no precedent for the raising of three major religious organizations within a space of two blocks and when a step like that is taken serious consideration must be taken to understand the effect of this project. As for my synagogue, Robinson Street Synagogue, it is at least 40 years old. It represents the combined efforts of immigrant Jewish people who came here 40 to 50 years ago with small means and with those small means they built up organizations to minister to their religious

needs. There is no question that they do represent major investments in money, in work, in efforts and, what is more important, in heart. So much for the historical significance of my synagogue.

What is their present significance?

In these synagogues you will find three separate and distinct services and every single day of the year you will find these services--people who come to say Kaddish. Kaddish is the memorial service for deceased parents. You will find that on Saturday--Friday night and Saturday--a goodly number of Jews congregate and have their services. And on the minor holidays, such as Passover and Pentecost, you will find a larger number. And on the high holidays, the New Year and Yom Kippur, the day of atonement, you will find these three buildings packed to capacity.

Not only is the synagogue a place of worship in Jewish life, and I think that that is a little bit peculiar to the Jewish religion, the synagogue is a place of education. People come and learn at the synagogue. And in addition to the

worship and the education, you have in the synagogue a source of inspiration to every Jewish orthodox person in the South Providence area.

Now, we are not opposed to the project on the one hand and we realize the importance of these three large Jewish orthodox organizations. Then, you may ask yourself, what is the alternative, what are we to do? That's a good question. And the only solution that we have been able to find is to relocate, but relocation presents some very big problems. I know the finances of my own synagogue and I dare say that the finances of the other two are in a poorer shape than ours. Our financial resources are under five thousand dollars and any resources that we could use for relocation will have to come as payment for our building, our fixtures and other things that will be destroyed in this project.

And when I say relocation, we must consider the present costs of building, the present cost of fixtures and furnishings which has risen far and beyond those days 40 years ago or even 15 or 10 years ago.

We know that you are all sympathetic. We know that--as I heard the president say before-- the Mayor has appointed a committee for the tercentenary celebration. We know that you are not going to let us down.

There are two alternatives, Mr. President and Gentlemen. If the compensation that these synagogues receive is not adequate to relocate it is simply a matter of absolute destruction of the major portion of the religious orthodox community in South Providence. It is our feeling that the American sense of fair play and the Rhode Island attitude towards religious freedom, and the Council of the City of Providence which has the great tradition of religious freedom and the fostering of religious freedom of Roger Williams will adequately compensate these three orthodox synagogues in such a manner as to be able to relocate and to carry on their work.

The alternative is simple and, believe me, I know the finances of the organization that I am talking about. It is either destruction or a further

development and contribution to the community at large as to what these three religious orthodox organizations can contribute and have contributed for 40 years to the regular -- to the religious life of this country.

Thank you, Mr. President.

COUNCILMAN QUIGLEY: Mr. Graham.

MR. GRAHAM: I think we can all agree that a very difficult problem has been presented here. I would like to point out two bright spots on the horizon. First of all, there will certainly be available another synagogue within walking distance of the Willard Center area, Temple Beth-El. I understand it is difficult for the three synagogues to consider consolidation, but if there is a consolidation, possibly of even two of them, it would certainly assist the relocation problem if they could acquire this Temple Beth-El property on Broad Street.

The other bright spot that you might think about is the fact that the Redevelopment Agency hires competent appraisers. They recognize that

synagogues are peculiar structures; that they have certain values that do not exist in regular structures. They know that the fixtures serve no purpose other than for that particular building and in appraising the property in determining its worth they keep that kind of thing in mind.

I would like to add one more point. It is certainly the idea of the Redevelopment Agency and the City Council, as evidenced by our efforts to maintain the Jewish character of the shopping center, even though it is redeveloped and made a modern center, is evidence of the desire on the part of the agency and the council to maintain that area as a suitable environment for the people living in the vicinity now which are largely Jewish and if we make efforts to maintain and improve the shopping center for the Jewish people our efforts are certainly in the same direction in terms of the synagogues. Obviously, we have studied it very carefully. There is no alternative but relocating these three synagogues, but we assure the members of all three synagogues that

we will do everything to make the relocation problem of the synagogues be accomplished with as little difficulty as possible.

MR. DICK: Mr. President, I think I would like to add one thing to what Mr. Graham has said. I think it only fair that the council not be put in a peculiar light. It is a very ticklish subject that Mr. Hassenfeld has introduced here. I represent the other synagogue in the area of the South Providence group which has already been condemned. I think Mr. Hassenfeld ought to be informed that it is not the duty of this council to determine how much money is to be paid, it is not the duty of the council. The council should not be put in that light that they have anything to do with the amount paid. They have no authority. The law gives the Redevelopment Agency the manner and methods in which the appraisals are made. It puts it entirely on the Redevelopment Agency. I don't think that the air ought to be clouded with the citizens in that area here by blaming this city council for anything that has happened. The city council merely takes the plan.

accepts it and passes it, but the execution of it is with the Redevelopment Agency. Am I right on that, Mr. Graham?

FRANKLIN S. EGLESTON: Mr.

President, Members of the Council:

My name is Franklin S. Eggleston. I am speaking for the Civic Planning and Traffic Board of the Providence Chamber of Commerce. At our meeting held on April 9th, Mr. Graham appeared and presented very nicely the story on the Willard Center Unit No. Two, and it was regularly moved and seconded and adopted unanimously that the Civic Planning and Traffic Board go on record in support of the program of the Providence Redevelopment Agency for the Willard Center Unit Two, and that a representative of the Civic Planning and Traffic Board appear at the public hearing to be held on this project by the Providence City Council on April 15, 1954 in support of the project. Mr. Harold Morris, the chairman of our board, is unfortunately unable to be present and I appear in his behalf. Thank you.

COUNCILMAN QUIGLEY: All persons or agencies who desire to submit communications in writing may now come forward and do so. Is there anyone else who desires to speak or to submit a communication in writing concerning the Redevelopment Plan for Willard Center Unit Two Project Area D2 - A2? There being no one, this public hearing is declared closed.

COUNCILMAN EDMUND WEXLER: Mr. President, before making a motion in regard to this Redevelopment Plan, I would like to comment briefly thereon, particularly as I am a representative -- one of the two representatives of the area which is being redeveloped.

First of all, I would like to say that it is inevitable that in a project of this magnitude that certain problems would arise and I wish to congratulate the Redevelopment Agency on the work that it has done thus far, on the position that it has taken in every phase of this particular program. They have leaned over backwards to do everything that possibly could be done consistent with the rules and

regulations of the federal government which is providing a substantial two-thirds of the cost of this project--as has been done in the past when Unit One of this project or program was being considered.

I wish to assure Mr. Dick, the people that he represents, and also all other people in the area that the Redevelopment Agency will continue to cooperate and do everything possible to assist and help in making the relocation occasioned by this project as bearable as possible and I also wish to assure him that within the limits of our power, the power of the City Council, that we will also do everything that we can to work out this program so that there will be the least amount of inconvenience or harm to any individual or groups of individuals.

I also at this time wish to state that I am rather proud of the people of South Providence who are affected by this program. Of necessity it involves a dislocation of people from their homes. It involves a dislocation of people from their businesses. I am proud to say that despite the personal inconvenience,

despite the personal loss which many of them will suffer, that those people have taken the broad view of the situation and as appears by the lack of opposition to either Unit One or Unit Two they realize that it is for the best interest of the people of the entire City of Providence as well as for their own good interest that this area be redeveloped along the lines proposed by the agency.

I also wish to reiterate what Mr. Dick has told you, Ladies and Gentlemen, that this project is one which is being conducted and carried on by the Redevelopment Agency. In practical effect it is an agency of the United States Government in working out this program.

The cost of the project, being borne two-thirds by the federal government, we must of necessity comply with every rule or regulation and if we appear to be onerous we have to negotiate with the federal government in order to secure any modification.

I know the agency is aware of the fact that the dislocation of the religious institutions

has created, in addition to a religious problem, a financial problem for these institutions. I am positive that within their powers and consistent with the obligation which they owe to the people of the City of Providence the federal government and all the people in the area involved--that they will also cooperate with those religious institutions to help them work out the problems occasioned by this project.

Now, Mr. President, at this time I move that the plan be referred to the Committee on Ordinances and Public Works for their consideration.

(MOTION SECONDED)

COUNCILMAN QUIGLEY: Moved and seconded that the plan be referred to the Committee on Ordinances and Public Works. (So Voted)

X-----X

I hereby certify that the foregoing is a true and accurate transcript of my shorthand notes.

VINCENT A. WALSH,
Court Stenographer,
Superior Court,
Providence,
Rhode Island.