

STATE OF RHODE ISLAND

HEARING OF: Public Meeting

IN RE: Metacomet Redevelopment Project

DATE: May 12, 2026

TIME: 6:00 PM

PLACE: East Providence City Hall - Council Chambers
145 Taunton Avenue
East Providence, Rhode Island 02914

PRESENT:

Becky Raymond.....SAGE Environmental, Inc.
Rick Mandile.....SAGE Environmental, Inc.
Andreza Skipworth.....City Clerk

1 MAY 12, 2026

2 (Hearing commenced at 6:00 p.m.)

3 MS. RAYMOND: Welcome, everybody. We are
4 going to go ahead and get started. The text on the
5 screen is a little small, so please come up as far as you
6 can so that you can see.

7 I would like to thank you all for joining me here
8 this evening. My name is Becky Raymond, and I am from
9 SAGE Environmental in Providence, Rhode Island. Tonight,
10 I will be leading the conversation on the Environmental
11 Conditions Review for the Metacomet Redevelopment
12 Project.

13 Like I said, my name is Becky Raymond from SAGE
14 Environmental. I have had seven years of environmental
15 consulting experience. Most recently, in East
16 Providence, you might recall our name from the Martin
17 Middle School project, which we just completed right
18 around the corner. Aside from myself, I am accompanied
19 by my assistant on the opposite side of the room, Rick
20 Mandile, former owner of SAGE Environmental, and at least
21 40 years of consulting experience.

22 Other than SAGE, we have a crew here joining us from
23 the Rhode Island Department of Environmental Management,
24 Joe Martella, right up in the front, Hannah Mitchell,
25 right next to him, and Jenna Giguere. We also have

1 representation from ownership tonight, Metacomet
2 Property, LLC, with Mr. Paul Pisano. We will remain
3 throughout the presentation and answer any questions at
4 the end.

5 Why are we here tonight? This meeting was requested
6 by the East Providence City Council. Our intent is to
7 answer environmental site-related questions only. And by
8 the end of this presentation, I'm hoping that we can
9 address any questions you have regarding the site's
10 history, the what, why, the when, and the how regarding
11 soil remediation.

12 Starting right from the top: SAGE was brought into
13 this project in early 2025 by Metacomet Properties, LLC,
14 based on an anticipated redevelopment of the site which
15 was going to include mixed residential and commercial
16 uses. Based on the size of the site, we had focused on
17 the area that was going to be disturbed only, and we did
18 a due diligence assessment, which really dove into the
19 history. We did find that the history of this site
20 included 100 years of golf course use, and along with
21 that, most likely going to find arsenic-based pesticide
22 uses for over 100 years. Given what we know about the
23 site's history, we decided to do some soil sampling
24 across the property to assess for presence/absence check
25 of what would be here for contaminants. We tested for

1 metals, pesticides, herbicides, and volatile organic
2 compounds. Of all that testing, arsenic was the only
3 compound that we found at concentration above DEM's
4 former standard of 7 milligrams per kilogram.

5 Based off of that, in April of 2025, we had
6 submitted a Release Notification Package to DEM along
7 with all the data, and have been in ongoing conversations
8 ever since regarding next steps.

9 Based off of those ongoing conversations, and due to
10 the size of the site that was going to be disturbed, we
11 had agreed with DEM on a supplemental course of action
12 for further soil sampling. We had returned to the site
13 in May 2025 and did additional sampling on a 200-foot
14 grid. That resulted in 111 additional soil samples. Of
15 those 111 soil samples, we did find additional arsenic
16 over the former standard of milligram per kilogram.

17 It's important to note here, that that was again the
18 only contaminant found above DEM's criteria. We had also
19 at the time assessed groundwater, and groundwater was
20 completely compliant with DEM's GB standards. GB
21 groundwater is designed as groundwater that is deemed not
22 suitable for use as public drinking without prior
23 treatment.

24 Subsequently, after this extensive 200-foot grid
25 sampling, we submitted a revised notification to DEM in

1 June that included all of this additional data, and again
2 have been in ongoing communications ever since.

3 So after the additional sampling in May of last
4 year, effective in June of 2025, DEM state legislature
5 changed the arsenic criteria from 7 to 19 milligrams per
6 kilogram. This was done in an attempt to streamline
7 DEM's standards with our neighboring states,
8 Massachusetts and Connecticut, which have a 20 and 10
9 milligram per kilogram limit in comparison. With this
10 change in legislature, we reevaluated all of our data and
11 as a result found only three areas that exceeded the new
12 19 milligram per kilogram limit.

13 I know that the site plan is pretty difficult to
14 see, but those three areas are circled in red. Feel free
15 to come up closer if you cannot view it.

16 After doing the additional arsenic assessments, we
17 had expected to find those results, like I said, based on
18 the site's history as a golf course for over a hundred
19 years, and the frequent application of arsenic-based
20 pesticides. However, during recent communications with
21 DEM, in order to really create a well-rounded assessment
22 of the site, DEM had requested that we do some additional
23 sampling for total petroleum hydrocarbons, or TPH, what
24 you typically see in oil-based compounds and polyaromatic
25 hydrocarbons, or PAHs, which are by-products of

1 combustion.

2 So, moving along with DEM's plan, we had conducted
3 14 additional soil samples at the end of August 2025 last
4 year. Of those additional samples, we did not have a
5 single TPH exceedance. And, again, we had only one
6 sample with PAH exceedances located at Location 2. It's
7 circled there on the site plan. Like I said,
8 polycyclic aromatic hydrocarbons or PAHs are common by-products
9 of combustion, very typically found in asphalt, coal, ash
10 products, and that makes sense if you can see on the site
11 plan this sample is located right along the side of a
12 paved golf course pathway.

13 So, if you could flip to the next slide, please. At
14 the end of our assessment, we had identified four
15 impacted areas. Our three arsenic areas are referred to
16 as C7, K14 and E1. We have one additional PAH exceedance
17 area, 206. Knowing that we had our four isolated soil
18 impacted areas, SAGE returned to the site afterwards to
19 do further delineation to see the size and extent of
20 these soil hotspots. We did additional sampling in
21 vertical intervals in all north, south, east, and west
22 locations at 5-foot increments. We did the same thing
23 vertically at 1-foot increments. We did so until we
24 found soil samples that were compliant with DEM's soil
25 criteria.

1 At the end of the day, we had delineated each of
2 those four areas, and I do have some photos which I'll
3 show on the next slide, and it's important to note that
4 these impacted areas were limited to just the top two
5 feet of soil.

6 This slide right here again might be difficult for
7 you all to see. I have the three arsenic-impacted
8 locations culled out, C7 on the top left, K14 on the top
9 right, area E1 on the bottom left. This image shows the
10 work that we did to delineate these locations until we
11 found clean soil results in all directions. Looking at
12 the size of the locations, C7 is approximately 37 x 47
13 feet wide, area K1 is -- I'm having a hard time seeing --
14 I think it's 10 x 30 feet wide, and area E1, 50 x 40 feet
15 wide. Again, only limited to the top two feet below
16 surface grade.

17 And then while doing some further calculations, we
18 wanted to put this in a percentage for you all. It is
19 actually, once you add up the total square footage of
20 impacted area, only .2 percent of the total site that's
21 going to be redeveloped.

22 This image shows the PAH-impacted area, same
23 progress right here, we had returned to that area and
24 collected additional samples in 5-foot increments. This
25 location only ended up being 10 x 10 feet wide, and

1 again, impacts were limited to the top 2 feet below
2 surface grade.

3 So, what I really want everybody to understand and
4 take away from our current data set, a couple of bullet
5 points here. The former golf course associated
6 arsenic-based pesticides are likely the cause of the
7 arsenic we are seeing in soil. It's important to note
8 that recent site work has not caused contamination.
9 Release Notification Packages have been sent to DEM three
10 times actually, and communications have been ongoing.
11 Groundwater is not impacted and is compliant with DEM
12 criteria.

13 And, lastly, but most importantly, soil impacts have
14 been limited to four localized areas, have been
15 delineated in all directions, and are limited to only the
16 top 2 feet below grade.

17 Moving on from the site investigation portion of
18 this presentation, I want to discuss the approved
19 remedial approach. DEM issued a Program Letter in March
20 of this year which approved that the site has been
21 adequately investigated in accordance with their
22 regulations. With that, DEM has conceptually approved
23 our remedy of soil blending of the arsenic-impacted areas
24 and the PAH impacted area with clean, tested, imported
25 soil. The soil is to be temporarily excavated and

1 stockpiled, blended with this material, and tested to
2 show that it is compliant with DEM criteria before being
3 returned back to the site. Again, during recent
4 communications and meetings, DEM has approved of this
5 remedy.

6 This is a great little cheat sheet that I would love
7 to share with you all, and I know it is difficult to see.
8 This is just a different visual for how we can view the
9 DEM remediation timeline. Along the left-hand side here,
10 I have our progress throughout the DEM timeline, and then
11 along the right side, I have either dates that documents
12 were submitted and where we stand.

13 Starting at the top left, if you are able to see, we
14 have the Release Notification Package sent from SAGE to
15 DEM. This has been done three times, and the dates are
16 listed up there. In response, DEM issued a Letter of
17 Responsibility. Before site investigations began, there
18 was a pre-site investigation public notice which went out
19 in July of last year. In September of last year SAGE had
20 submitted the site investigation report to DEM. After
21 receiving the site investigation report is when DEM
22 issued the Program Letter, conceptually agreeing that the
23 site has been adequately investigated and conceptually
24 agreeing with our remedy.

25 So right now we are in the post-SIR, Site

1 Investigation comment period. After this comment period,
2 there will be written responses to any received comments
3 that go through DEM. After that, we anticipate receiving
4 a Remedial Decision Letter that states that DEM has
5 approved of our remedy, and public notification has been
6 complete. At that time, SAGE will prepare a Remedial
7 Action Work Plan, which really documents and dives into
8 the nuts and bolts of how we're going to go about
9 approaching our remedy. DEM is then expected to issue a
10 Remedial Approval Letter, which gives us the green light
11 and the go-ahead to get started.

12 The remediation itself, consisting of soil blending,
13 is only anticipated to take a couple of weeks, weather
14 depending. After remediation is completed, SAGE will
15 submit a Remedial Action Completion Report, and then at
16 that point DEM will issue a Letter of Compliance stating
17 that remediation has been completed and is done.

18 So, from here, next steps: The public comment
19 period will close on May 26. After that time, SAGE and
20 DEM will issue a written response to any public comments
21 received through DEM. Once that's completed, DEM will
22 issue a Remedial Decision Letter approving of the soil
23 blending. At this time, public comment can be funneled
24 towards Hannah Mitchell, sitting right up front. Her
25 e-mail and phone is listed at the top.

1 That concludes the presentation. So, at this time,
2 we open it up for questions, and we do remind everybody
3 that we are here to answer environmental-based questions
4 only.

5 MR. MANDILE: And if you could, you can come
6 up to the mic to ask your question.

7 MS. SEEL: It's just a quick question about
8 a word. You said delineation. Could you just explain
9 that a little bit? It's just a simple thing.

10 MS. RAYMOND: Yes, absolutely. So the
11 question is to just further explain what we mean by
12 delineation. So, after we had identified the four
13 isolated hot zones, SAGE had returned to those sites, we
14 have these locations GPS marked, and moving in north,
15 south, east, and west directions, we had continued
16 sampling soil in 5-foot increments, and continuously
17 returning back to the site to take additional samples
18 until we collected samples in all directions that met
19 DEM's limits.

20 At that point we could judge the extent and the size
21 of each of those isolated areas.

22 MS. SEEL: Thank you.

23 MS. ANDRADE: Hi. So when do you think that
24 this -- I'm Heather Andrade. When do you think this
25 remediation plan will start? Does the archeological

1 survey have to be done first?

2 MS. RAYMOND: Great question. Remediation
3 as far as soil blending is anticipated to start this
4 summer, as soon as DEM gives us the go-ahead. I know
5 that our team is ready to go. Could you just explain
6 your question about the archeology a little bit more?

7 MS. ANDRADE: Well, the survey that's going
8 on, on the land, does that have to be finished first, and
9 then they can remediate that soil?

10 MS. RAYMOND: So I can't speak on the
11 archeologist's behalf, that's not my area of expertise,
12 but I do know that while we were going through this
13 process and identified the four areas, the three arsenic,
14 and the one PAH, we have been in communication with
15 archeologists and the native tribe the entire time.

16 At the time that we had identified these four areas,
17 only one, K14, overlapped with areas that they were
18 focused on. So, as a matter of fact, I was out there
19 while they were going through their assessments and
20 oversaw they were doing their thing. We had created a
21 health and safety plan, and they actually had their own
22 health and safety plan which included, you know, proper
23 gloves, personal protection equipment, so that they could
24 avoid any additional risk.

25 MS. ANDRADE: And I know you just want to

1 talk about that plan, but I have to point out that I
2 believe that the indigenous representatives were out
3 there while that soil was being dug up and they weren't
4 aware of that; is that correct?

5 MS. RAYMOND: We have been in communication
6 with the tribe members the entire time, and they have
7 been welcome to come to meetings.

8 MS. NOKA: That's not true. I just got off
9 the phone with John Brown, and he said he hasn't, so
10 that's not true. That's the Historic Preservation
11 Officer for the Narraganset Tribal Nation. So tell these
12 people the truth.

13 MS. ANDRADE: I just wanted to see that you
14 were aware that they were there and they did not know
15 that that soil was hazardous soil.

16 MS. RAYMOND: Thank you.

17 MR. NOKA: Randy Noka, Tribal Elder, for the
18 Narragansett Tribal Nation. As my wife just pointed out,
19 and excuse the back, folks, John Brown is the Tribal
20 Historic Preservation Officer of the Narragansett Tribal
21 Nation. If that gentleman wasn't involved in any of
22 these surveys, archeological works, then it's defunct,
23 and I realize this is an environmental concern, this type
24 meeting. I haven't been to these meetings in a little
25 while, I didn't even know this project was still ongoing

1 for that matter, and I don't know if the public had a
2 chance to vote on it, like the Town Council have had, any
3 council people here, I'm not sure, but I live in the Town
4 of Richmond; but, however, these are ancestral lands of
5 my people, the Narragansett Tribal Nation. So I'm not
6 sure what's going on with this project, but whatever
7 tribe you speak of or tribal members doesn't seem to
8 include the Narragansett Tribal Nation. These are our
9 ancestral lands or the tribe, the Narragansett Tribal
10 Nation. So whoever it is that you're bringing these
11 things back to, information back to, let them know
12 without no uncertain terms, we haven't been involved to
13 our knowledge, and by the word of the Tribal Historic
14 Preservation Officer and Medicine Man. So things have to
15 be straightened out before they move much further, and
16 those studies, those archeological surveys, whatever,
17 there has to be things sensitive to the Narragansett
18 Tribal Nation, be they artifacts, be they bones perhaps
19 of our lost loved ones.

20 So please keep that in mind with all due respect to
21 the environmental part of this meeting, there's other
22 things that need to be addressed.

23 (APPLAUSE)

24 MS. NOKA: I would like to commend the
25 community for being here and standing strong and solid at

1 a time when many people didn't. I know there's a lot of
2 money involved here, a lot of money, a lot of power, more
3 power and political power than these people have, but
4 they're fighting every bit of their heartless spirit
5 because they love this land. I respect that. And I know
6 that the tribe -- the state can't be forced to
7 investigate certain things. You sit here and you talk
8 about all these elements that are in the ground. You
9 don't bring up even an arrowhead, there's nothing under
10 there except for the golf course and itself. This is a
11 little Gaza here, this is Gaza. So you can put your
12 little Trump Plaza on top of it, but this is a little
13 Gaza here, and there are ancient burials here, and you're
14 not going to dig over it because every Rhode Islander
15 will be reminded of what you're trying to do. This is a
16 little Gaza, and don't you forget that because we won't
17 allow you to erase that. So your little five-foot
18 digging, which means absolutely nothing to me because
19 you're told exactly where to test and not to test because
20 you're controlled, but we are not.

21 We are Rhode Islanders here, but I am a Narragansett
22 tribal member. Those are my ancient burial people, my
23 people, my ancestors, my blood, and I'm not going to let
24 one of them be erased. You've done enough, and I'm not
25 speaking to you directly, I'm speaking about all that has

1 been done to erase, to dig up, to destroy, and to pretend
2 that it was in error. No, we're done. The world can
3 see.

4 (APPLAUSE)

5 MS. PEREZ: Hi. My name is Debby Perez, and
6 I live in the back of the golf course. This is a couple
7 of questions for the gentleman from DEM. So I wanted to
8 know if -- was contaminated soil removal --

9 (MICROPHONE BUZZING)

10 AUDIENCE VOICE: Can we fix the microphone,
11 please?

12 (BRIEF INTERRUPTION)

13 MR. MANDILE: Just shut it off and speak
14 loud.

15 MS. PEREZ: Okay. Was contaminated soil
16 removal and treatment or disposal considered followed by
17 replacement with clean material?

18 MR. MARTELLA: Yes. Joe Martella, DEM.
19 When they identified the initial areas, there were
20 actually around 40 locations under the old arsenic
21 standard.

22 MS. PEREZ: 80 or 90.

23 MR. MARTELLA: Well, anyway, it doesn't
24 really matter now because the standard was changed.
25 There's three locations, right, the original plan that

1 was proposed was a digging hall. In conversations with
2 members of the tribe, John Brown, Cora Peirce, they asked
3 that no soil be removed from the property, no soil at
4 all. I think ideally they were hoping for a remedy that
5 was more tailored to capping; however, that wasn't going
6 to work with the plans for the development. So another
7 alternative approach was proposed to kind of be
8 consistent with the request for not disturbing the soil
9 because of cultural reasons to do something else, to
10 treat the soil.

11 So the plan was changed, and the proposal was to mix
12 the soil, basically like a dilution. You bring in as
13 much clean soil as you need, and you mix it with the
14 impacted soil, and you keep testing, and you test until
15 you get to a point where it's below the standard.

16 So, to answer your question, yes, removal was
17 considered. There was a request to not do that. It
18 originated from the tribe, members of the tribe. It also
19 went through the Rhode Island Historical Preservation
20 office, who works with the tribe, and they essentially
21 approved -- they had looked at the results of the
22 archeological work that was done in the four locations,
23 and it was determined, and this is how I understand it,
24 it was determined that those four areas were not
25 archeologically significant. They made that

1 determination. We deferred to that office based on that
2 deferral that they were okay with that kind of a remedy,
3 that kind of remedy being soil blending in those four
4 areas. So that's why we generated our program letter
5 approving that conceptual approach, and then that's what
6 triggered this process now, the public comment period,
7 where people can -- sorry, I was a little long-winded.

8 MS. PEREZ: That's okay. I was in touch
9 with the environmental engineer, and what she said was
10 dilution is not supposed to be the solution to
11 environmental cleanup or --

12 MR. MARTELLA: I understand that. This site
13 when it came into our office sounded like a very, very
14 simple situation. It was originally arsenic in there,
15 the 1pH, however, when you look at the size of the site,
16 over a hundred samples, finding only three locations that
17 have exceedances, it's a really simple site. There's not
18 a lot of complicated environmental problems on the site.
19 They could have come in, done a quick dig and haul, which
20 is an acceptable method. It sounds a little sketchy, I
21 know, but it's what people do. You identify the
22 contamination, you take care of it right away. To get
23 out, haul it away for proper disposal. That's it.
24 That's the approach that was originally looked at, and we
25 had kind of approved it in a conditional way, and said,

1 well, check with the tribe, check with Rhode Island
2 Historical, and that's when we got the feedback that this
3 is not acceptable.

4 MS. PEREZ: Okay. The other question I have
5 is that when the soil blocking takes place, will there be
6 controls to limit transmission of particles into the air?
7 So how are you going to --

8 MR. MARTELLA: They have to control dust. I
9 mean, they don't want anything migrating. That's a
10 standard procedure for any kind of remediation. If
11 you're disturbing soil, which almost every single -- our
12 office, site remediation, our program, we regulate
13 releases to soil and groundwater, that's what we do. So
14 if somebody is disturbing soil as part of a remedy, they
15 have to manage dust, they have to make sure it doesn't
16 migrate. It's part of every remedial action work plan,
17 dust control measures, monitoring, air monitoring for a
18 particulate. So there are controls in place. We don't
19 have those controls in place yet because there's no plan.
20 They have to get to that point where they submit a plan.
21 So this is post investigation and discussion of what the
22 investigation showed and what the remedies proposed are,
23 but it's still conceptual. Until this process is done,
24 we don't ask for a plan because it may change. I mean,
25 obviously your comment about dust, it's a legitimate

1 thing, we would have taken care of that anyway in our
2 review, but it makes it even more important.

3 MS. DIAZ: Sure. And I know a lot of the
4 residents, around the area where I live, are very
5 concerned about that. Will the public be notified what
6 the controls will be?

7 MR. MARTELLA: We run a very transparent
8 process. There's a website which I don't know -- I think
9 it was -- was it in the public notice or not? We have a
10 website with every single document that's been submitted
11 to us and all of our responses to that. That work plan
12 will be on that website.

13 MS. DIAZ: I tried to get on to find the
14 actual DEM report, and it seemed like everything was
15 blended into one. I could not find it.

16 MR. MARTELLA: Well, there's a whole web
17 page, it's on the DEM website, but there's a web page
18 dedicated to this project.

19 MS. DIAZ: So it would be under Metacomet,
20 or would it be under --

21 (AUDIENCE SPEAKING SIMULTANEOUSLY, INAUDIBLE)

22 MR. MARTELLA: Again, to be transparent, we
23 are putting every single document, and a project like
24 this, it doesn't have that many documents, maybe a dozen.
25 We're at the investigation stage. We don't have a work

1 plan. We don't have all these other pieces because they
2 don't exist yet because we're not there.

3 AUDIENCE VOICE: When I got on it, it was
4 combined with not only Metacomet, I only found one
5 Metacomet, but with all these other reports, that was the
6 problem, so...

7 MR. MANDILE: We can get your name, and we
8 will send you the link to it.

9 AUDIENCE VOICE: Sure. Thank you very much.

10 AUDIENCE VOICE: Can I recommend using your
11 microphone so we can hear everyone? Can they step up to
12 the podium.

13 (SPEAKING SIMULTANEOUSLY, INAUDIBLE)

14 MS. NOKA: The gentleman who had spoken
15 earlier from DEM, you state that John Brown has been
16 involved, but I was also told that the state is keeping
17 things from moving forward. Could you please tell them
18 about that? And the Federal Government supercedes state
19 and local law, and that is what we are protected by our
20 unique relationship with the Federal Government, with the
21 Historic Preservation Act.

22 My question is -- because in my spirit, and I know
23 my cousin John Brown very, very well, unless there was a
24 deal struck privately behind the scenes, and I'm one to
25 say it, and you can say Bella Noka said it, I don't mind,

1 unless there was some private deal struck, there's a lot
2 of money involved, and a lot of favors can be made. I
3 want to know why the state is interfering with this and
4 hindering more oversights and more digs, and the digs
5 seem to be like pretty much told exactly where to dig. I
6 know that there was a woman here last meeting. Does
7 anyone remember her name from Pawtucket, blond woman?
8 She has something to do with the archeological dig. You
9 may know her.

10 MR. MARTELLA: If I'm understanding, it's
11 probably someone from PAL, which is the Public
12 Archeological Lab. That's Deborah Cox.

13 MS. NOKA: Yes. And I know that they weigh
14 heavily on her in what she has to share, and I know that
15 she has been working with certain mayors to work in their
16 favor. I also know that a Native American committee has
17 been created here, so it would give the illusions that
18 they're working with Native American people. Keep in
19 mind here that there is only one federally recognized
20 tribe within the State of Rhode Island, what is now known
21 as Rhode Island, and that is the Narragansett Tribal
22 Nation. There are no state recognized tribes. No city,
23 town, or state has the ability to recognize them. They
24 don't know how to.

25 So, with that being said, I don't know who you're

1 meeting with, getting your information from, in the
2 pretense of giving that respect to a tribe when there's
3 not one Narragansett on that committee.

4 (APPLAUSE)

5 MS. SEEL: Good evening, everyone. I'm so
6 glad to see that so many people showed up tonight for
7 this community hearing, meeting, I should say. A
8 preliminary question, it's my understanding that the Met
9 Link's golf course area and the 9.6 acres that will be
10 deeded to the city have not been soil tested; is that
11 correct?

12 MS. RAYMOND: Can you repeat the question?

13 MS. SEEL: Yes. It's my understanding that
14 the area now known as Met Links, which is the 9-hole golf
15 course, and 9.6 acres up at the intersection of Lyon
16 Avenue and Fort Street that will be deeded over to the
17 city have not been soil tested; is that correct?

18 MS. RAYMOND: We were not retained to
19 inspect those areas since they were not part of
20 redevelopment, and soil disturbance is not planned.

21 MS. SEEL: Thank you. With that in mind, I
22 know that you didn't start this until 2025, from what you
23 just said. In 2022, the developer, Marshall Properties,
24 started with soil manipulation, if not more, to refigure
25 the 9-hole golf course that's now known as Met Links.

1 That was in 2022. That was without benefit of a permit
2 from the CRMC or anyone else for about four months.
3 Before that, about that time actually, Jeff Emidy, the
4 Executive Director of the Rhode Island Historical
5 Preservation Heritage Commission, had written a letter to
6 the planning department of the city, and he said to
7 Mr. Hannah, who's the principal planner, the Rhode Island
8 Historical Preservation Heritage Commission continues to
9 have concerns regarding the development of the Metacomet
10 Country Club property originally expressed in our letter
11 of October 21, 2020. This goes back to 2020, when plans
12 for the Metacomet development area -- plans were being
13 planned, it had not been broken out into Met Links or
14 anything else, it was one big property. Mr. Emidy
15 continues, Metacomet Country Club is located next to a
16 significant but now considerably disturbed or even
17 totally destroyed Native-American archeological site, the
18 Jones Pond site. This site was partially excavated by
19 amateur archeologists in the 1930s, and one burial was
20 found. The Jones Pond site seems to have been part of a
21 large village, and we know from similar sites that
22 burials can be found anywhere within such a village. We
23 do not know if the Jones Pond site extends into the
24 Metacomet project area, but there is a reasonable
25 possibility that it does. We recommend that a

1 comprehensive survey of the property be conducted to
2 determine if a significant archeological site which may
3 or may not include burials is present. Rhode Island law
4 prohibits ground disturbance within 25 feet of a burial.
5 The owners are determining if burials are present in a
6 project area falls on the project proponent and the
7 owners in enforcing the protection of burials falls on
8 the city.

9 So, my question, I guess, would be to Director
10 Brynes, when Marshall approached the city about
11 developing Metacomet, did no one bring up this? Did no
12 one bring up this letter from the former director in 2020
13 about the archeological significance of this entire site?
14 And I wonder if Marshall had actually gotten the permits
15 it needed from CRMC and perhaps DEM before they started
16 their soil manipulation on the Met Links area, if then
17 they would have found hazardous materials there, too. I
18 think it should have been done. I think it should be
19 done, and I wonder, as I said to Director Brynes, did
20 they know this, or didn't they know this. Can you answer
21 or not? Did Marshall Properties know about this letter
22 in 2020 and 2023, or did they not?

23 UNKNOWN SPEAKER: Yes, I believe they did.
24 Representatives from Marshall are here.

25 MS. SEEL: Well, it came to you, your

1 department, and I wonder if you can tell us.

2 UNKNOWN SPEAKER: We've been to the
3 waterfront meetings, but they were aware of the letter.

4 MS. SEEL: And yet started soil manipulation
5 on Met Links without even considering that, is that the
6 case?

7 MS. RAYMOND: Excuse me, this meeting
8 tonight is only intended to focus on our existing
9 investigation. I don't think it's appropriate to speak
10 on what happened before we became involved in the
11 project.

12 (COMMOTION IN AUDIENCE, SPEAKING SIMULTANEOUSLY,
13 INAUDIBLE)

14 AUDIENCE VOICE: If it is informed of what
15 we're doing today, it's relevant.

16 MS. SEEL: I guess I shouldn't expect an
17 answer. Thank you very much for your time.

18 AUDIENCE VOICE: Thank you, Candy.

19 (APPLAUSE)

20 MS. RAYMOND: Any other questions?

21 AUDIENCE VOICE: I just have one question.
22 I'm pretty loud, I don't need to go up to the podium.
23 So, when we upped the levels to acceptable levels and we
24 followed suit with Massachusetts, how long had
25 Massachusetts had those levels before we came into ours?

1 MS. RAYMOND: I'm going to kick this
2 question over to Rick who has tons of experiences in
3 Massachusetts, as well.

4 MR. MANDILE: Yes, Mass. has had a 20 PPM
5 arsenic standard for almost two decades.

6 AUDIENCE VOICE: Why all of a sudden did we
7 follow suit with Massachusetts then?

8 MR. MANDILE: It was a decision made by the
9 legislature to make Rhode Island frankly more competitive
10 with Massachusetts and Connecticut, our neighbors. We
11 had seen a number of developments leaving Rhode Island
12 with the arsenic standard at 7, and it was causing a lot
13 of development problems here. When you have two
14 competitors right next door, you can step over the line
15 into Attleboro and build something that can accept 20 PPM
16 arsenic, whereas in Rhode Island you end up having to do
17 a big remediation.

18 AUDIENCE VOICE: So basically it was more
19 for development?

20 (AUDIENCE MEMBERS SPEAKING SIMULTANEOUSLY,
21 INAUDIBLE)

22 MR. MANDILE: You can look at it that way.
23 That was our representatives. Joe, is that fair to say?

24 MS. RAYMOND: Joe, do you have anything else
25 to add to that comment?

1 MR. MARTELLA: No, that was the legislature,
2 and I can't speak on their behalf.

3 MR. MANDILE: Any other questions?

4 MR. NOKA: From what I just heard, I
5 appreciate the explanation, and I'm not a scientist or
6 whatever in these environmental concerns, but the
7 legislatures for the State of Rhode Island found it more
8 important to compete with their bordering states for
9 economic reasons and not the health and well-being of the
10 citizens that they're elected to represent. That's how I
11 heard that just explained. I'm not putting it on you,
12 sir, but any representative or any state senators in the
13 room, shame on you if you went along with that.

14 The question that I also want to ask is I realize
15 how the majority of folks in here are East Providence
16 residents. I'm not. I mentioned first I'm from the Town
17 of Richmond. However, I am a Narragansett Tribal Nation
18 citizen, therein I have every right to speak in any place
19 in this state as far as I'm concerned.

20 Did you guys get a chance to vote on this project,
21 or was it just force-fed on you by the Town Council, and
22 with all due respect to any counsel person that's here, I
23 know it's an environmental-type meeting, shame on you
24 guys and ladies, whoever sits on the Town Council, if
25 they're not here, then they're not here. I said this one

1 of the other times I was here. The residents should have
2 a say on this project, especially those that abut it, and
3 if you weren't given that chance, then shame on the
4 people that are trying to bring it to you or force it on
5 you. I'll be damned if they have that right. They're
6 elected to represent, but they shouldn't have the right
7 to go down and bring this kind of project, multi-million,
8 billion, whatever it's going to cost, and what kind of
9 environmental harm is it going to bring to you, the
10 health and wellbeing of you. If you didn't want it, then
11 your voices should have been heard more importantly than
12 those that you elected whether you elected them or not.
13 Thank you.

14 (APPLAUSE)

15 MS. RAYMOND: I see a question out there.

16 AUDIENCE VOICE: Just a couple of quick
17 questions on the environmental. You had mentioned there
18 are four areas that had chemical -- and three were
19 arsenic and one was PAH. So can you describe what the
20 threat to human health is for those certain chemicals?

21 MS. RAYMOND: Sure. Rick, I know that we
22 just spoke about those earlier tonight. Would you like
23 to take this on?

24 MR. MANDILE: Sure. When standards are set
25 for contaminants of concern, be they arsenic or whatever,

1 those standards are based on years and years of
2 toxicological exposure studies, and if the standards are
3 generally set at a level where if it's going to increase
4 the risk from one in a million chance of cancer to two in
5 a million chance of cancer, that's the level at which a
6 contaminant threshold is set.

7 These toxicological studies assume worst case. It's
8 a person literally eating a handful of dirt every day for
9 70 years at that concentration has the potential to
10 increase their chance of getting cancer from ingesting
11 that substance, from one in a million to two in a
12 million, now that's ingestion. There's also
13 inhalation, our concerns for dust. That's why we control
14 dust any time we're doing a remedial effort like what is
15 planned for here.

16 AUDIENCE VOICE: So literally walking on the
17 property, if it's disturbed, really doesn't impact
18 exposure or increase exposure?

19 MR. MANDILE: It shouldn't, no.

20 AUDIENCE VOICE: And then you said mention
21 of the total site here you're responsible, you're engaged
22 to study, the impacted area is 0.2 percent?

23 MS. RAYMOND: Yes.

24 AUDIENCE VOICE: And then from here on out,
25 once that is all identified, a plan will be approved by

1 DEM, the plan will be reviewed and overseen, supervised
2 by DEM, before any future development takes place?

3 MS. RAYMOND: That's correct.

4 MR. MANDILE: Yes.

5 AUDIENCE VOICE: And then the last question
6 was, my wife is a nurse, so she's a chemist freak, she
7 wanted me to ask this, was the arsenic organic or
8 inorganic arsenic?

9 MR. MANDILE: It's tough to say. So,
10 arsenic is a naturally occurring metal, and believe it or
11 not, here in Rhode Island we have some pretty high
12 naturally occurring arsenic concentrations due to the
13 glacial geology of what we have here in the state. So
14 it's oftentimes very difficult to tease apart what's
15 naturally occurring versus what's the result of arsenic
16 from a pesticide, arsenic-based pesticides.

17 You look at Aquidneck Island. For centuries, it was
18 used for row crops. We have some of our highest arsenic
19 levels in soils on Aquidneck Island as a result of that.
20 Apple orchards, crazy high arsenic levels in soils; golf
21 courses, pesticides; so these are the types of places
22 where we find elevated arsenic concentrations, and it's
23 really difficult to tease organic versus nonorganic
24 apart, and it's not regulated that way with the
25 department. It's a number. If you're at 19 or you

1 exceed it, we got to deal with it.

2 AUDIENCE VOICE: Thank you. And last
3 question. There was no relevance on the groundwater,
4 correct?

5 MS. RAYMOND: Correct. I think it's
6 important here to note, and those are some great
7 questions, but arsenic was tested along with a dozen
8 other metals; and, I mean, you could go test soil
9 anywhere in the state and you could find arsenic along
10 with a handful of other metals that are included in that
11 testing.

12 MS. NOKA: This is my last thing. I'm just
13 so frustrated with this whole thing. I've been on the
14 phone with John Brown all while I've been in here. Thank
15 goodness I have that ability. John Brown wanted me to
16 say this to you all, well, tell them we never approved
17 anything. The city never returned our calls and have
18 worked against us all the way. If they wish to call me,
19 I will take that call. That is from the Historic
20 Preservation Officer from the Narragansett Tribal Nation.
21 You have his number. Thank you.

22 (APPLAUSE)

23 MS. RAYMOND: Any other questions?

24 AUDIENCE VOICE: I just want to clarify
25 something. This comment about needing to eat a handful

1 of dirt every day in order to get cancer, this is not how
2 cancer works. I had cancer at the age of 28 due to
3 environmental exposures. I didn't know about this
4 happening after living here for five years until six
5 months ago. Okay. So what I want to say though is when
6 you say things like this, when you cheapen the experience
7 of something that actually kills, and then devastates
8 everybody around that person by saying something like you
9 have to eat dirt every day, that's not how environmental
10 exposure works. Okay. It can be as simple as walking on
11 the earth that has arsenic in it, and, in addition to
12 that, all the other toxins that we're exposed to on a
13 daily basis because we live in a toxic world. So be
14 careful with your language. And I also want to make the
15 comment that smiling and laughing is wildly
16 inappropriate, wildly inappropriate, when we are
17 seriously here about our health, about tribal land. I
18 mean, this is serious shit. Sorry for the language. But
19 when we get casual, and when we start laughing and just
20 like smiling as if this is whatever, this is my -- you
21 know, I get paid to be here, that says to us that you
22 don't actually care.

23 (APPLAUSE)

24 AUDIENCE VOICE: I'm sorry, I do have one
25 more question. So when those condos are built and stuff

1 like that, right, and people want to go and plant, you
2 know, a garden, or something like that, so you're saying
3 two feet. If you plant the flowers deeper than that,
4 what happens? Don't eat the dirt. Suppose they hit one
5 of those things that they're digging deeper than two
6 feet. Suppose it's deeper than that? What does happen
7 when the people move in and they want to beautify their
8 lawns, or when Marshall does it, you know, they're going
9 to be digging on some of the things that they haven't
10 tested. How does that work?

11 MS. RAYMOND: We are confident in our
12 assessment that we've identified areas that need to be
13 addressed, and we didn't find any other soil that
14 impacted the rest of the area.

15 MR. BOUCHER: I don't think I have to go up
16 there. My name is Dan Boucher. I just want to get more
17 explanation as to what goes on when the construction
18 starts. I just really want to know about the dust
19 control. Marshall's plan is to move a lot of dirt on
20 that site, a lot of dirt, and then do it for 10 years.
21 That's what they're saying. Does that mean DEM is going
22 to be on site 10 years monitoring this dust, doing
23 further testing? What is the plan for the long term?

24 MR. MARTELLA: No, no. DEM is only involved
25 during the management of the regulated soil. Once these

1 four areas are cleaned up --

2 MR. BOUCHER: That's what I thought. All
3 the rest of this stuff, understand there's no DEM
4 monitoring.

5 MR. MARTELLA: We have no jurisdictional
6 authority over it. I would think the city probably has
7 rules, nuisance rules, for keeping dust under control,
8 things like that, and noise.

9 MR. BOUCHER: I just wanted to make sure
10 that was clear. It wasn't clear in your earlier
11 explanation.

12 MR. MARTELLA: But I should clarify, too,
13 that this site, whether it's the project they're
14 proposing for redevelopment or anything, once it came in
15 to us, it needs to be cleaned up. So there's going to be
16 some remedy there whether it's a redeveloped site or not,
17 so just kind of keep that in mind. This isn't an
18 either/or. I don't know who was asking, I couldn't turn
19 my neck around, but the question about the two feet, it's
20 not that there's only two feet being cleaned up and it's
21 dirty underneath, they went down two feet, found it was
22 clean in those areas, and that was across the site it was
23 like that. So there was no evidence there was
24 contamination below those two feet.

25 MR. MANDILE: And if you think about what we

1 call the conceptual site marks, in other words, how did
2 these elevated levels of arsenic get there, they got
3 there from the surface application of pesticides. So you
4 would expect to find that stuff in the surface, which we
5 did, and we didn't find it at depth.

6 MR. MARTELLA: Which again kind of points to
7 a release of arsenic from the use of pesticides versus
8 naturally occurring which you expect to see throughout
9 the soil count. It kind of makes sense, they did
10 something in the past, and probably completely with
11 legitimate applications of pesticides according to the
12 rules, but then arsenic, over time it builds up.

13 AUDIENCE VOICE: That's farmland, also,
14 throughout there. So you would expect below the two feet
15 if they did find arsenic levels, they would be
16 considerably lower because they weren't heavily --

17 MR. MARTELLA: Yes. You'd only expect to
18 find high levels there throughout soil count if it was
19 naturally occurring like the locations we were just
20 talking about.

21 MS. SEEL: Excuse me, Becky. When and where
22 will the transcript of this meeting be available?

23 MR. BERLINSKY: So, the stenographer is
24 right there, obviously.

25 MS. SEEL: I see that, George.

1 MR. BERLINSKY: And as soon as they complete
2 the transcript, and it's been proofed, then we will send
3 it to the city, and they can post it on the Metacomet
4 website on their waterfront page, and we will also send
5 it to DEM for their records because I believe that's a
6 requirement, as well. So it will be available both on
7 the DEM website so it can go on the Metacomet page as an
8 audio file, and then we'll also make sure that it is
9 linked to the Metacomet page, their waterfront page.

10 MS. SEEL: An audio file?

11 MR. BERLINSKY: No, that would just be a
12 PDF, my mistake.

13 MS. SEEL: And is there a timeline for when
14 it will be ready?

15 MR. BERLINSKY: Not that I know of.

16 MS. SEEL: Can you put a time line on it?

17 MS. RAYMOND: I don't think that a time line
18 has been specified.

19 MS. SEEL: It could be months?

20 MR. BERLINSKY: No, a couple of weeks.

21 MS. SEEL: Okay, a couple of weeks. Good.

22 MS. NOKA: So you had no proper oversight of
23 any of the digging at all. You sent in who you needed to
24 send in; you hired who you needed to hire who would say
25 yes and approve; you fill whatever pockets you need to,

1 to get things accomplished; but still, and I don't even
2 know if that arsenic is from what you say it's from,
3 that's what we're being told, it could be something that
4 was sprayed to, like, you know, those other amateur
5 archeologists who just went and destroyed the other
6 remains. But things had been done. My thing is, without
7 the proper oversight, without any oversight, there's
8 remains under here, and you're digging over an ancient
9 burial ground. And John Brown did not have involvement.
10 He had limited involvement, and was pretty much stopped,
11 stopped. And I didn't hear anybody respond to why the
12 state didn't get so involved about these permits that you
13 have that are allowing you to do exactly what you want to
14 do, but I'm telling you that there are ancient burials
15 here. You know it. You chose the places where you want
16 dug up, and then you approved it, but that's not going
17 to jive, that's not going to work, it's not going to
18 work, and I pray that each and every one of you who dig
19 over my ancient burial ground may have a dutiful visit,
20 and I mean that with my spirit. I hope.

21 (APPLAUSE)

22 MR. MANDILE: Any other questions? Yes,
23 sir.

24 MR. NOKA: Town residents, this is more to
25 you. Is this project 100 percent moving forward, 100

1 percent? You don't know. Is there a Town Council person
2 here by chance?

3 AUDIENCE VOICE: Nope, not a one.

4 MR. NOKA: Well, those that made this
5 presentation, I know it's environmental concerns, but --

6 CITY CLERK: Excuse me, Councilwoman Sousa
7 is here on Zoom.

8 MR. NOKA: She's on Zoom? Well, I don't
9 know if the councilwoman heard me, but for the sake of
10 the residents that are in this room, is this project 100
11 percent moving forward?

12 AUDIENCE VOICE: Well, could we get an
13 update from Ray Lavey where the project is in the
14 permitting process from the Waterfront Commission just so
15 everyone knows, since we're here.

16 -MR. NOKA: A show of hands by the
17 residents, do you want to see an update, a hundred
18 percent update, do you want your words to be heard, your
19 voice to be reckoned with, by a show of hands, do you
20 want that done?

21 (AUDIENCE CONVERSING SIMULTANEOUSLY, INAUDIBLE)

22 MR. LAVEY: Hi, I'm Ray Lavey, Executive
23 Director of the Waterfront Commission. Let me say, I've
24 listened to everything, and I can tell you that the
25 applicant has done everything that they are legally

1 required to do to go forward. They're not ready to put a
2 foundation in yet because they still have to do the work
3 that DEM and Rhode Island Historic has required. Rhode
4 Island Historic -- well, it took a while before they made
5 their determination that --

6 MS. NOKA: Without the tribe.

7 MR. LAVEY: What?

8 MS. NOKA: Without the tribe.

9 MR. LAVEY: Why don't you let me finish,
10 okay? If you interrupt me again, I'll stop talking.

11 MS. NOKA: Stop talking. I don't care.

12 MR. LAVEY: Let me just finish, all right.
13 I mean, I don't want to lose my train of thought so you
14 get everything that I want to say. Okay? Is that all
15 right with you, Bella?

16 MS. NOKA: I don't want to hear it.

17 MR. LAVEY: All right. Anyhow, they went
18 through the process at Rhode Island Historic to get
19 permission to do an archeological survey while they were
20 simultaneously trying to get permission or got permission
21 from DEM to do a remedial survey and a remedial process,
22 and they did speak -- you guys can correct me if I'm
23 wrong -- they did speak to Cora, I think that's the
24 tribal person that's at Rhode Island Historic. Is that
25 true, Randy?

1 MR. NOKA: Never heard of her.

2 MR. LAVEY: Who knows. It's somebody.

3 MR. MARTELLA: Cora Peirce is the deputy
4 tipa. She's a tribal officer.

5 MR. LAVEY: Maybe not in Narragansett, but
6 she is a tribal person designated as such at Rhode Island
7 Historic, that's her title, and that's her position. So
8 when any developer tries to get anything approved that
9 requires tribal permission, they go to Rhode Island
10 Historic, and they go into the building and say, who do I
11 talk to --

12 MR. MARTELLA: Ray, I'm sorry to interrupt,
13 but I don't think she works for Rhode Island Historical.
14 I think she works with Rhode Island Historical.

15 MR. LAVEY: Okay, so she was contacted and
16 informed as to what their position was as far as
17 artifacts or any tribal problems that would be on the
18 site, and they had a few communications. I was not privy
19 to that, but the developer was. They went back and forth
20 until Rhode Island Historical said what you are planning
21 to do is acceptable to us by our rules. Our rules means
22 Rhode Island Historic rules. I won't say it's the
23 Narragansett rules, but it's the rules that any developer
24 in Rhode Island has to go through, that's state law,
25 state law, not federal law, state law. So they go in to

1 Rhode Island Historic, and they ask for blessing on what
2 their procedure is going to be, and then Rhode Island
3 Historic, once they say it's okay, or they agree with the
4 procedure, they notify DEM, and then DEM can issue a
5 program that addresses where the arsenic problems are, or
6 any other problems that are on the site, and while
7 they're doing the historic evaluation, the developer is
8 also developing with their architects -- their engineers,
9 not architects, where the locations of hazardous
10 materials or what is deemed to be hazardous in Rhode
11 Island, meaning arsenic, that's put there, not by God,
12 because it would be 20 feet deep, but by somebody
13 spraying pesticides on a golf course or on an apple
14 orchard or somewhere else that goes down two feet, and
15 when you dig below two feet, the exceedances fall below,
16 as has been stated, below the numbers that are
17 permissible by current state law, which is 20 parts per
18 million?

19 MR. MANDILE: 19.

20 MR. LAVEY: They go down two feet, and down
21 here is 19 and below, they're not going to mess with
22 that, they're going to talk about what's above it, and
23 they're going to treat it, and the way they're going to
24 treat it is to, as you heard, take it out of the ground,
25 mix it with clean dirt, put it in a big pile, and they

1 keep measuring it until the pile is below 20 parts per
2 million, and then that dirt can be reinterred any place
3 in Rhode Island that will accept 20 parts per million or
4 less.

5 Now, I personally have done it in another life where
6 we had to put it underneath asphalt roads because DEM did
7 not want any problems with anybody messing with the dirt
8 by planting and having kids digging in it and ingesting
9 it and causing dust. In this case, there's only four
10 places, is that true, that need to be dealt with which
11 they're going to do with a work plan that will be
12 approved after this notification period ends, and people
13 have made comments, Rhode Island DEM will approve the
14 work plan for them to go do their cleanup at those
15 places. Still, you're not convinced that John Brown
16 has -- I don't mean to point at you, Randy, but I know
17 you talk to him all the time, and I wish Bella was still
18 here, she could hear me, he has been contacted, not by
19 me, because it's not the city's position to do that, it's
20 the developer's position to deal with the tribe. Always
21 the developer has to deal with the tribe, and, I mean, I
22 know John Brown pretty well myself, and I think he would
23 be offended by somebody making an implication that
24 somebody is paying him off because he has a job to do as
25 a tribal person, and he does his job with the tribe's

1 best interest at heart, and he's not the easiest person
2 to get along with, but he's fair, and in my opinion, he's
3 honest. I don't think anybody is paying him off. By the
4 way, if somebody was, we wouldn't be doing all of this.
5 Everybody is following what the rules are. I haven't
6 come yet to where they are in the approval process. I
7 just wanted to go through the process that they have gone
8 through up until now. I wasn't here in '20 when it was
9 approved. I've been here four years, and I've been here
10 for all the hearings with this developer and the approval
11 process, and every single comment and letter and anything
12 that came from either the public or the city council or
13 the Rhode Island Historic or anybody else that care to
14 comment on it, they have all been addressed, and this
15 developer has answered all of them. There are still
16 things that need to be answered, which is going to bring
17 me to where it is. They're at a point now where they
18 have to do a couple of things: One of the things that
19 they're obligated to do is to give nine and a half acres
20 to the city for open space, and there's a concern -- I
21 can hear a concern from some people, that nobody's ever
22 tested it. Well, as of today, they're not going to be
23 required to do a Phase 1 site assessment. To test what's
24 there, all that does is you dig in the dirt, and you see
25 if there's any contaminants that are in it, or if there's

1 any oil or contaminants that have been disposed of on the
2 site; and if it's clean, you get a clean Phase 1
3 Environmental Site Assessment, ESA. If it's clean, they
4 don't have to do anything else except do a survey and
5 give it to the city. They're not going to be responsible
6 for digging 20 feet deep. Well, let me take it back, if
7 they dig a Phase 1 environmental, and they go down seven
8 feet, and they find arsenic in exceedance of the 20 parts
9 per million, then there's going to be an issue because in
10 theory the city is going to say to them, you can't --
11 you're not going to give us that open space unless it's
12 clean, and if it's dirty, 200 square feet of it is dirty
13 with seven feet deep, you have to dig it all out and do
14 the same thing there that you're doing with the four
15 pieces that are on the regular site. That's a
16 requirement of the city council that was put in place,
17 not the Phase 1, but giving the open space to the city.

18 I'm looking to get the open space because the open
19 space is a boon for the City of East Providence. It's
20 going to be used by the public, assuming it's clean, and
21 I'm assuming that it is, by the way. So that's one of
22 the things that's still left for them to do as far as
23 what their approvals are. They still have to get -- I'll
24 back up, you know that they have to get a Phase 1
25 environmental done on the site before they can give it to

1 the city. That checks off one of the blocks that was a
2 condition of the 2020 city council approval, which was
3 before me, but it's still there, has to be done. I look
4 at that, and I say get it done, and then submit it to us.
5 Well, they have to get their plans approved for their
6 offsite rotary. Call it what you want, I call them
7 rotaries, they're roundabouts, whether or not that gets
8 approved by Coastal Resources and -- I'm sorry, by Rhode
9 Island DOT and the Highway Commission, depends on how the
10 Highway Commission evaluates what's going to happen on
11 that roundabout, if they even approve it. That's not yet
12 been approved, and it's not yet been submitted to the
13 Highway Commission because DOT is backed up so far they
14 just can't get to it. Everybody tries to get them to do
15 it, to do it, to do it, including us, we want to know as
16 much as these guys want to know because they can't
17 develop their project the way they think if that
18 roundabout is not there without making other changes.
19 However, that doesn't mean that they can't develop their
20 project the same way by doing other changes on that
21 highway or making different access -- you can engineer it
22 a different way if you have to.

23 MS. ANDRADE: And I think you're forgetting
24 that it's eligible for the National Register of --

25 MR. LAVEY: No, I'm not forgetting it. Just

1 because something is eligible for the Register doesn't
2 mean --

3 MS. ANDRADE: And it should be treated like
4 it.

5 MR. LAVEY: No, no, no.

6 MS. ANDRADE: Oh, that's what it says in the
7 bylaws. I'm not making that up.

8 (CONVERSING SIMULTANEOUSLY)

9 MR. LAVEY: Well, you can practice law that
10 way, I'm not a lawyer either, but I don't ascribe to
11 something being treated like it's a national register
12 property if it's eligible.

13 MS. ANDRADE: Well, maybe you should talk to
14 the Rhode Island Historic Preservation Society.

15 MR. LAVEY: Wait a minute. Let me finish.
16 You're breaking my train of thought. Let me finish.
17 They have to deal with that roundabout somehow. And, in
18 order to deal with that, they have to look at the whole
19 area, not just Metacomet. There's vacant land on the
20 other side of the road that's potentially going to be
21 developed some day that should be considered by DOT and
22 by the Highway Commission. The Highway Commission is not
23 a kiss of death for this roundabout. I went through the
24 Highway Commission with Kettle Point, when I developed
25 Kettle Point, all right, so I went through the approval

1 process, and they're amenable if you're reasonable with
2 them.

3 For instance, at Kettle Point we had to take 200
4 feet by almost 50 feet or 30 feet of the sidewalk on the
5 highway to make the plan, to screen the stuff that was
6 going to be built in there and where the entrances were.
7 They fought like hell for not letting us do it, but we
8 went there a year and a half, I kept going there and
9 going there, telling them what we planned on doing, and
10 eventually they saw that it was the right thing to do for
11 the benefit of the scenic highway and as a compromise to
12 get the development done. Now, the development, that was
13 done for a developer, naturally, but they're going to
14 have those kind of issues when they get to this
15 roundabout for Metacomet or some other way to deal with
16 the Metacomet development. Whether or not that
17 roundabout is there, now this is only my opinion now, I'm
18 not a regulator, but my opinion as regulator and
19 developer, that is not going to stop this development.
20 You can say as much as you want about it being the
21 property is the highway is considered eligible for the
22 National Historic Register. Do you know what it's like
23 to put something on the National Historic Register? You
24 should look up the rules.

25 MS. ANDRADE: Excuse me, I've been looking

1 it up and, and I tried to have --

2 MR. LAVEY: It's not free.

3 MS. ANDRADE: No kidding.

4 MR. LAVEY: It's very, very expensive to do
5 that.

6 MS. ANDRADE: It is, but yet we can do other
7 things in the city and not protect our history.

8 MR. LAVEY: All right. So let's go back to
9 the permitting side of this where somebody wanted to know
10 where it stands with the Waterfront Commission.
11 Everything that I said so far, and everything that's been
12 required of this developer has been done, and we're at
13 the point now where they have to clean up what's been
14 found, and they have to deal with the tribal issues that
15 have been promulgated by Cora, on behalf of the tribe. I
16 don't know if she's one of your people or not, but I'm
17 told they've spoken to her. These guys have spoken to
18 her, I never have, but numerous times to get her to
19 satisfy Rhode Island Historic and say the proposal
20 they're going to do is not acceptable to us, okay, DEM,
21 issue your work plan, and that is where we are at today.

22 MS. ANDRADE: Can I just say one thing?

23 MR. LAVEY: Sure you can.

24 MS. ANDRADE: So when you mentioned that
25 they're just going to dig and look at that soil on that

1 9.6 acres, well, they can't be doing that without
2 indigenous oversight, correct?

3 MR. LAVEY: Who can help me? Do we need to
4 get permission from Historic to do a Phase 1?

5 MR. MANDILE: No, we wouldn't typically --

6 AUDIENCE VOICE: You can't disturb that
7 land.

8 MR. MANDILE: So when we go out to test, we
9 do a two-inch hole, so it's not like we're doing
10 testing --

11 MR. LAVEY: It's not digging it up, it's
12 testing the dirt to know what's there before you actually
13 dig into it, so it's typically like this big.

14 MR. MANDILE: Two inches, yes.

15 MR. LAVEY: Two-inch column. You put a
16 probe in the ground, you pick the dirt out, and it goes
17 to the lab, and then you analyze what's there, at what
18 level, and that tells you how much more you need to dig
19 on that site.

20 By the way, from a regulating standpoint, and I've
21 been in this position myself, where you do a Phase 1
22 Environmental, and you dig down and you find more dirt,
23 more dirty stuff, and then the consultant says you have
24 to do a Phase 2, and a Phase 2 is a whole lot more
25 extensive searching and looking for contamination below,

1 lower and lower; and when you do that, that's expensive,
2 but it's still going to be required for a developer to
3 do. A Phase 1 that comes back and it's clean, you're
4 done, from an environmental standpoint. If it comes back
5 Phase 2, and somebody says, well, they've been changing
6 oil on this with a garage in the back over there, and
7 there's 55 gallons of oil in the dirt 20 feet deep,
8 that's a big problem. So that's going to have to get
9 done. Right, guys?

10 MR. BERLINSKY: Everything you said, Ray, I
11 agree with a hundred percent.

12 MR. LAVEY: Yes, Candy.

13 MS. SEEL: Can I ask two follow-up
14 questions, please, Ray?

15 MR. LAVEY: Sure.

16 MS. SEEL: Thank you for the explanation.
17 You said earlier that as of today, Marshall is required
18 to do the Phase 1 soil sampling on that 9.6 acres. What
19 happened today? When was that determined?

20 MR. LAVEY: Someone -- I don't know if it
21 was one of your constituents, made a comment, I think I
22 read it in the Post that said that that site before it
23 goes to the -- somebody said it.

24 MS. SEEL: Well, I think we said it should
25 be, but you said it will be.

1 MR. LAVEY: No, I didn't say it will be,
2 because I've heard enough about it should be, it should
3 be, and I know enough about digging up or taking property
4 that's not been cleared, and I don't want to be the
5 person, as Director of the Waterfront Commission, that
6 says to the city, okay, take it, it's okay. I want
7 somebody, a third party, that's going to tell us or tell
8 all of us that it's okay.

9 MS. SEEL: So we're reasonably assured that
10 Marshall is actually going to test that?

11 MR. LAVEY: Oh, I can assure you they are.

12 MS. SEEL: Okay. And the second question
13 is, we've heard for many years, several years, anyway,
14 about the hypothetical development on the other side of
15 the parkway, and that RIDOT would consider that when it
16 comes to the roundabout or the other major alterations
17 that they're planning. There's been no study about that.
18 Nothing's happened over there for five years, six years.

19 MR. LAVEY: If I could answer that, I'd be a
20 bookie, but I don't know.

21 MS. SEEL: How could RIDOT possibly take
22 that into consideration when there's no idea or study?

23 MR. LAVEY: I think they will. When they do
24 consideration of that traffic corridor with the proposed
25 roundabout, they will be asking us and anybody else that

1 proposes to develop, meaning any other developer that
2 happens to own it. I'm not sure who it is that owns it
3 right now.

4 AUDIENCE VOICE: Isn't it Live Nation?

5 MR. LAVEY: I think so. I don't follow
6 that. Really, I'm concerned with just what we're
7 concerned with.

8 MS. SEEL: But that would be a major
9 regulatory decision based on hypothetical information,
10 right?

11 MR. LAVEY: I would say yes. I think the
12 Rhode Island Highway Commission is going to be asking
13 questions about that -- Rhode Island DOT. They work for
14 DOT.

15 MS. SEEL: Scenic roadway.

16 MR. LAVEY: I keep saying that. Yes, scenic
17 roadway.

18 MS. SEEL: Okay. Thank you, Ray.

19 MR. LAVEY: Anybody else have any questions
20 for me? Yes, Mr. Noka.

21 MR. NOKA: I have a question. You did
22 reference a few things towards me and the tribe and Cora,
23 in particular. I don't recognize the name. If she is
24 working with John Brown, then that's an easy way to find
25 out.

1 MR. LAVEY: Yes, you would find out before I
2 would, yep.

3 MR. NOKA: And we'll find out soon enough.

4 MR. LAVEY: Cora Peirce.

5 MR. NOKA: Who is it?

6 MR. LAVEY: Cora Peirce, right?

7 MR. BERLINSKY: Yes. We have to wrap this
8 up. It ends at 7:30, Ray.

9 MR. LAVEY: Oh, okay.

10 (COMMOTION IN THE AUDIENCE)

11 MR. LAVEY: Go ahead. You got the floor.

12 MR. NOKA: We'll find out. She's texting
13 him now, I guess; but whoever she is, if she's working
14 with John, that's one thing. As long as John Brown's
15 office, and more so John Brown for that matter, because
16 no one knows everything that John Brown does when it
17 comes to Historic Preservation, archeological issues,
18 with all due respect, goes on the state side of it. John
19 Brown has federal credentials and therein regardless of
20 what the state thinks and PAL and whatever offices,
21 again, not disparaging them, but when there's historic
22 preservation and tribal lands being affected potentially
23 one way or another, or tribal artifacts, or tribal
24 burials, or whatever the case may be, sensitive areas,
25 which all of southern New England is, bottom line, all of

1 Southern New England, then that office and John Brown, in
2 particular, has to be contacted. So we'll see where it
3 goes, I guess. I don't know. I think that was it for
4 me, but there was a question I asked --

5 MS. NOKA: I asked if he was working with
6 them. I asked about a Cora Peirce, am I correct? He
7 said she works in my office. He said why. I said, they
8 said she's working with them, and I had already mentioned
9 it, and he said, not at all, they are lying. I was just
10 talking with her about this stuff, and that's it. He's
11 still texting, so, yes.

12 MR. MANDILE: So, Cora Peirce is a member of
13 the Pocasset Wampanoag Tribe of Massachusetts and Rhode
14 Island.

15 MS. NOKA: Right, but she does not speak for
16 the Narragansett Tribal Nation. John Brown does. She
17 works for him, but he makes the decisions.

18 MR. MANDILE: She works as a ceremonial
19 stone landscape specialist and a --

20 MR. LAVEY: That's factual. And you can
21 determine whether that's legal or she shouldn't be
22 talking or whatever --

23 (SIMULTANEOUS TALKING, INAUDIBLE)

24 THE STENOGRAPHER: One at a time, please. I
25 can't take down everyone talking at once.

1 MS. NOKA: They accused her of sabotaging
2 their project, and then they got her -- arsenic poison,
3 so they are just making up stories.

4 MR. LAVEY: I can't speak to that.

5 MR. NOKA: Citizens of East Providence, if
6 there's one way that this may still be held up, if that
7 means anything, it's historic preservation that needs to
8 be qualified as far as who's involved, what decisions
9 they made, what archeological research they've approved.

10 MS. NOKA: She was the person with the
11 arsenic issue, so she spoke up about it, and then all of
12 a sudden she was gone.

13 MS. RAYMOND: Excuse me, we have
14 Councilwoman Sousa up here from Zoom with a couple of
15 questions.

16 MR. MANDILE: Go ahead, Councilwoman.

17 COUNCILWOMAN SOUSA: Thank you. Good
18 evening, everyone. My apologies for not being present in
19 the meeting there at City Hall. I had already had prior
20 arrangements made before we had made this meeting for the
21 public at the public's request. I am under the weather,
22 too, so, again, I apologize for my voice being a little
23 raspy, and the audio has not been perfect this entire
24 time, so I may be asking repeat questions that I might
25 not have heard the answer to.

1 So, again, I'm just going to formally introduce
2 myself, Anna Sousa, senior council member of the East
3 Providence City Council representing Ward 2 in which
4 Metacomet is located within my district.

5 A couple of questions that I had for SAGE.
6 Metacomet is the developed area, or the area that is
7 looking to be developed, it's 70 acres of property that
8 will house over 800 rental units, 24 townhouses, and
9 another 20-plus homes among some retail. In your report,
10 you've identified four hot spots. Of the 70 acres, how
11 many acres were tested?

12 MR. MANDILE: So we did a grid work, and I'm
13 not sure if you're able to see it on the presentation,
14 Representative, every 200 feet with, I think it was over
15 111 locations spread throughout the site. We reviewed
16 that proposed site investigation with our friends from
17 DEM, and got their approval to move forward with that
18 assessment.

19 COUNCILWOMAN SOUSA: So what is the
20 correlation between the acreage and the square footage
21 that you're talking about? Is it the entire property
22 that they are developing, or is it a percentage?

23 MR. MANDILE: We covered the entire
24 footprint of the proposed development area with soil
25 borings spaced every 200 feet on a grid.

1 COUNCILWOMAN SOUSA: And the testing went
2 down -- because I've heard different numbers -- was it a
3 Phase -- I heard Phase 1, but that is different than what
4 you guys have done because I heard two inches, and then I
5 heard as far as four feet.

6 MR. MANDILE: So, some borings went into the
7 groundwater tables to enable us to test groundwater and
8 other borings -- Becky, what was our average boring depth
9 throughout the site?

10 MS. RAYMOND: We had some that extended down
11 to, I want to say, 15 to 20 feet, to reach groundwater,
12 and then based on our knowledge of what we knew about the
13 arsenic-based pesticide application, we had certain
14 samples that limited to the top two feet so that we could
15 measure the extent.

16 MR. MANDILE: So we did an initial round of
17 testing from grade to 15 feet or so. In that initial
18 round of assessment, we learned that the contaminated
19 concern associated with the site was arsenic in the top
20 couple of feet, which we then went to DEM with to say,
21 okay, this is our first pass, it looks like, walks like,
22 sounds like an arsenic issue based on the historic site
23 use as a golf course that would have applied pesticides.
24 They agreed with that, and we went out and then did 111
25 additional locations in total, spread across the entire

1 proposed development area focused primarily on that top
2 two feet.

3 COUNCILWOMAN SOUSA: Thank you for that. My
4 second question, so you mentioned the deeded, or soon to
5 be deeded property to the City of East Providence, so
6 that discussion was had again at a most recent council
7 meeting at my request where I did demand that the
8 administration test have that as part of a nonnegotiable
9 to test that area which would be deeded to the city for
10 the reasons mentioned at this meeting and at other public
11 meetings, so I am glad to hear from the Waterfront
12 Director that that has been agreed upon, and it is going
13 to be moving forward as a condition of the deed.

14 My other question would be regarding the cell
15 towers. So that work is going to be done soon, and as we
16 know, those cell towers are in an easement through that
17 property. They will be taking down those cell towers and
18 replacing them, so that land will also be disturbed. Has
19 that area, or will that area given this information --
20 I'm not sure if it was previously disclosed to anybody --
21 will that be tested because it will be disturbed
22 material?

23 MR. MANDILE: I'm not aware of that. I have
24 been involved in cell tower replacements. Oftentimes
25 they'll leave the foundations in place and not disturb

1 any soil, but having had wireless customers for over 30
2 years, based on my experience in working with them, they
3 would typically pre-characterize or pretest any area that
4 they would be excavating where they might be concerned
5 with the potential for contamination. So oftentimes
6 that's put on the tower owner.

7 COUNCILWOMAN SOUSA: Okay, so that would be
8 the responsibility of the contractor for the towers that
9 would be doing that?

10 MR. MANDILE: If they were going to be doing
11 any ground work.

12 COUNCILWOMAN SOUSA: Correct, yes, so that's
13 the assumptions that they would be doing that. Okay.
14 Then we, meaning I, the City, will make sure that I
15 follow through with that for any residents who are also
16 concerned about that information so that I can keep
17 everybody who's interested updated on that.

18 Okay. Those were my questions. I do want to thank
19 all parties that are present here tonight for attending
20 and providing and answering questions to the public. I
21 want to thank the public first and foremost for
22 continuously advocating for their community and for the
23 health and wellbeing of the community as we work together
24 to make sure that we have a community that we are proud
25 and happy to live in and do so safely, because obviously

1 our safety is really important. Being in the medical
2 field myself, I did have and still will have concerns
3 about the materials that are in the ground and how that
4 could negatively impact us now or in the future with, you
5 know, water tables and any destruction of the land
6 because we just don't know what's going to happen in the
7 future and what that may expose us to long term.

8 So I was, and I will say for the record, I was
9 disappointed that our state legislatures did, for
10 economic reasons, lower the values and reduce our safety
11 in a way so that we can be more competitive with our
12 neighboring states. I don't think that was the
13 appropriate thing, but that's a different conversation
14 for a different meeting, but I do echo the concerns that
15 our residents have, especially when you live so closely
16 to these things.

17 So, thank you, everybody, again for coming, and I
18 will continue to touch base and follow up with these
19 ongoing meetings and questions that have arisen from
20 today.

21 (APPLAUSE)

22 MS. RAYMOND: I believe we're out of time.

23 MR. MANDILE: Yes, it's 7:35. So, if you
24 remember, in the beginning of the presentation, if you
25 have any comments or questions, you can make them here to

1 Hannah Mitchell at DEM. There's her e-mail address. I
2 think most of you have it, her phone number. So she'll
3 be gathering questions from tonight as well as any from
4 you all over the next two weeks.

5 The question and comment period ends I think it's
6 two weeks from tonight, after which DEM will -- typically
7 what you guys do is they generate a list of the salient
8 questions, the environmental questions, develop responses
9 to them, and then that is circulated.

10 MR. MARTELLA: Actually, the first round you
11 respond to, the technical questions, give us the
12 questions and responses, we answer the ones that you
13 either didn't answer or that were directed more towards
14 the department, and then the final documents produced to
15 the public. That won't happen until we get the
16 transcript, so whenever that is.

17 THE STENOGRAPHER: 21 days.

18 MR. MANDILE: All right, thank you, all, for
19 coming.

20 MR. MARTELLA: Thank you.

21 THE STENOGRAPHER: You're welcome.

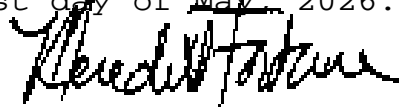
22 (Matter adjourned at 7:40 p.m.)
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C E R T I F I C A T E

I, Meredith A. Fortune, do hereby certify that the foregoing is a true, accurate, and complete transcript of my notes taken at the above-entitled hearing.

IN WITNESS WHEREOF, I hereunto set my hand this 21st day of May, 2026.



Meredith Fortune
NOTARY PUBLIC
STATE OF RHODE ISLAND

MEREDITH A. FORTUNE, RPR, NOTARY PUBLIC
MY COMMISSION EXPIRES 02/17/2027

DATE: May 12, 2026

IN RE: Public Meeting

HEARING OF: Metacomet Redevelopment Project