

Late item - letter of opposition  
B1B

Robert and Caroline Jacobus  
35 Church Street  
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July 8, 2022

Members of Bristol Town Council  
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Bristol, RI 02809  
via [mcordeiro@bristolri.gov](mailto:mcordeiro@bristolri.gov)

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BRISTOL, RHODE ISLAND  
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To the Honorable Town Council Chair and Members

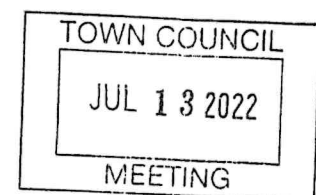
Re: Bristol Yarn Mill/Robin Rug Development Zoning Change and Changes to Conditions  
Petition and Public Hearing

As residents of Bristol's Historic District on Church Street, within viewing distance of the Robin Rug industrial complex, we foresee major impacts on us personally and on the community in general that will result from the changes recommended to Bristol Town Council by the Planning Board in their May 12 decision. These impacts include such issues as greatly increased neighborhood density, lack of on-site affordable housing, increased noise, traffic, pollution, negative impact on public safety in condensing too much traffic on two small corners of the Town, the negative impact on the new maritime center, cutting off the public from water views and use of the waterfront building, and lack of enough commercial space to make the marina more connected to the community.

The major issues that we have regarding the changes that are being sought by the developer, Brady Sullivan Properties, LLC or which have been recommended by the Planning Board include:

1. We support Bristol's Comprehensive Plan and Town Ordinances. Many of the changes being sought by the developer seek to overturn these ordinances and the goals of the Comprehensive Plan. Bristol code (Article XI, Sec. 28-409) allows for relief due to hardship or special use, but failure to meet investor's excessive profitability goals is not a hardship. If Brady Sullivan will actually submit the financial documentation to prove hardship as the basis for the requested changes to our codes, then that data should be considered. To date, they have provided no financial data regarding their production costs or expected profits.

We urge you to follow Town Ordinances rather than change them at the whim of one developer, whose goal is to obtain the maximum profit at the expense of the residents of Bristol.



2. The 5/12/2022 Planning Board Decision is being Appealed by 4 abutters and the Friends of Historic Bristol nonprofit. This Appeal should stay the proceedings of the Council (*see Sec. 28-410 – Appeals to the zoning board. (b) Stay of proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer or agency from whom the appeal is taken certifies to the board, after the appeal shall have been duly filed, that by reason of facts stated in the certificate, a stay would in the officer's or agency's opinion cause imminent peril to life or property*)

We ask the Town Council to support the community by delaying the vote on any changes recommended or implied by the Planning Board's 5/12/2022 decision or by rejecting the changes.

3. The Brady Sullivan application states clearly that the Maximum Floor Area, the total Gross Floor Area (GFA) – or buildable square footage – by their own calculation is 227,286 sq. ft. , allowing a maximum of 101 units under current code. (The substitution of a total GFA of 296,771 sq. ft. by the Town Attorney and Director of Development, rather than the numbers submitted by the developer in his own application is a questionable practice by town officials and may not be legal.) In addition, the unit density at the Robin Rug complex was limited to 98 in 2008 and attached to the Deed. This is more than double the original 44 unit limit. Such a density on one single block in the historic downtown is already greater than in any other property or area in the historic downtown. Allowing a greater density, such as the 127 units recommended by the Planning Board on 5/12/2022, invites traffic jams during peak hours, increased accidents involving both vehicles and pedestrians, greater exhaust pollution, and a more hectic pace in what has historically been a peaceful pedestrian-oriented area. On street parking will increase given the developers plan to charge a fee for resident and guest parking. The developer's claim that they cannot make adequate profit if they are limited to anything less than 127 units is suspect since fully 45% of their construction costs can be covered by governmental subsidies.

4. Any changes to Bristol Code regarding the required Gross Floor Area (GFA) for historic properties in the downtown historic district larger than 100,000 square feet, which currently requires a minimum of 2,250 sq. ft./unit, should be resisted. Certainly the current suggestion before the Council to do away with ANY dimensional limitations should be instantly denied. The consequences in the future of having no limits on residential density are too destructive to the Town of Bristol to imagine.

Bristol Town Code requires the Planning Board to comply with our zoning laws under Compliance with Chapter, not to rapidly change zoning to suit individual developers on demand. Article I Sec. 28-6 "Compliance with chapter" requires the Planning Board to reject any change in density under section (b) Dimensional conformance. "...Nor shall the number of dwelling units or occupancy thereon be increased in any manner except in conformance with the dimensional requirements of this chapter."

The applicant is asking that Bristol's Zoning laws be changed. We are asking that the developer, like other property owners in Bristol, be required to follow the law and follow the Comprehensive Plan which were developed at substantial cost and effort by the entire

community. The developer's request for a change of zoning to WPUD is an end-run around Bristol's code requirements.

5. The developer, Brady Sullivan Properties, LLC has not provided a current Fiscal Impact Report. The estimated annual losses of the Bristol Yarn Mill project presented to date would have to be paid by Bristol taxpayers. No project should be approved in which taxpayers are paying profits to the developer out of their own pockets. With 45% of the construction costs being returned to the developer out of federal and state tax abatements, the profits for the developer are secured. The financial impact on Bristol residents should be positive, not negative.

We urge the Council to delay action until a new Fiscal Impact Report is submitted and reviewed by independent consultants.

6. The developer, Brady Sullivan Properties, LLC has not provided a current Traffic Study. The Traffic Study Report submitted with the application dates from 2008 and was implemented on the day after a major snowstorm of over 1 foot of snow. It is not pertinent to today's traffic, nor the time of year when the area would be most impacted with additional traffic, including the new marina traffic and parking pressure the new marina brings to the area. Having some 300 additional cars in one block in the waterfront area is very likely to generate excessive vehicular activity, noise and other nuisances and safety issues that must be considered.

We urge the Council to delay action until a new Traffic Study is completed and reviewed by independent consultants.

7. The developer's proposal includes only 6,300 sq. ft. of commercial space, while Bristol code requires 20% of GFA be dedicated to commercial space. While a reduction of 20% is allowed by code, this still requires that there be at least 17,680 sq. feet of commercial space. If Mr. Brito can assemble such a stellar group of commercial ventures at Unity Park on Wood Street – which does not even have the draw of the waterside location – then why is Brady Sullivan unable to do the same?

We urge Council to delay action until Brady Sullivan submits a commercial plan that comports with current code requirements.

8. The Town Council is prohibited from enacting any Zoning laws that do not conform to the Comprehensive Plan. The extreme changes that the developer is requesting regarding density, affordable housing and commercial space clearly do not conform to the current Comprehensive Plan.

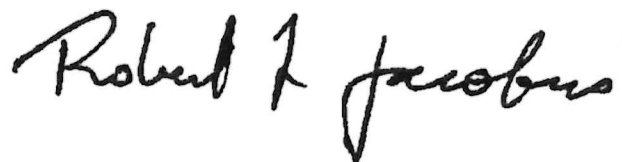
We urge the Council to deny the radical changes to Bristol code that this one, particular developer is requesting, which will impact to the detriment of the citizens and community of Bristol from the time the new project opens and on into the future.

9. The Bristol Code requires 10% of the property, in the instance of the Bristol Yarn Mill project, be dedicated to public space. The 1982 Sasaki Report, paid for by the town, presents a plan for Robin Rug that breaks up the brick monolith on Thames Street by creating a wide, tree-lined allee that provides ample view-through to the harbor from the street. In addition, it creates a Garden Court with trees and other plantings that can be used by the public. Since the parking lot at the corner of Church and Thames Streets is not part of the property under question, it should not be counted toward the required 10% of public usage. The Sasaki Report offers a solution that Bristol residents would welcome.

The Robin Rug complex has been identified by nationally recognized historic preservation consultants such as Donovan Rypkema as probably the most exciting and economically viable historic repurposing opportunity on the East coast of the US. Bristol does not have to sacrifice its financial assets, its traffic and pedestrian safety, or its historic waterfront charm to one developer who does not appear to be able to generate sufficient profit by following our laws, unlike the developers of Unity Park.

We urge you to follow Bristol's current ordinances and Comprehensive Plan and deny the applicant's requests for changes. For Brady Sullivan to require 57 pages to explain all the reasons why it needs numerous changes to our town ordinances and Comprehensive Plan, in spite of having the option of receiving 45% of construction costs funded by the government, indicates to us that the developer either lacks the capacity to develop the property within normal constraints or that the developer is intent on receiving abnormally high levels of profit at the expense of the citizens of Bristol.

Yours truly,

A handwritten signature in black ink that reads "Robert I. Jacobus". The script is cursive and fluid, with the first name "Robert" and last name "Jacobus" clearly legible.

Robert Jacobus

A handwritten signature in black ink that reads "Caroline M. Jacobus". The script is cursive and elegant, with the first name "Caroline" and last name "Jacobus" clearly legible.

Caroline Jacobus