



BRISTOL PLANNING BOARD JULY 18, 2024 MINUTES

TOWN HALL
10 COURT ST.
BRISTOL, RI 02809
401-253-7000

Held: July 18, 2024 in person

Present:

Anthony Murgo, Vice Chairman; Steve Katz, Secretary; Member Brian Clark; Member Richard Ruggiero; Alternate Member Jessalyn Jarest

Also Present:

Diane Williamson, Administrative Officer/Director of Community Development; Andrew M Teitz Esq., Assistant Town Solicitor

Not Present:

Charles Millard, Chairman; Alternate Member Michael Sousa

Vice Chairman Murgo called the meeting to order at 7:01pm and led the assembly in the Pledge of Allegiance.

A motion was made (Katz/Clark) to accept the May meeting minutes.

In favor: Clark, Jarest, Katz, Murgo, Ruggiero

Opposed: None

C. New Business - Bristol Yarn Mill

Final Plan Phase Review and action by the Planning Board on the Major Land Development for the re-development of the Robin Rug Mill to be known as "Bristol Yarn Mill" at 125 Thames Street: Proposal is for 127 residential apartment units and approximately 6,300 square feet of commercial space in the mill building. Proposal includes parking on the east side of Thames Street that is located approximately 130 feet south of the intersection of Church and Thames Streets. Property currently zoned Waterfront - Urban Rehab Land Development "Urban Rehab Land Development" a/k/a Waterfront Planned Unit Development with conditions, Waterfront, and Downtown Zones and is also within the Bristol Historic District. Plat: 10, Lots 41, 42, 43, 44, 49, 50, 60, 61, 62, 68, 71, 73, 74 and 76 Owner: Thames Street Nashua, LLC Applicant: Brady Sullivan Properties, LLC

Vice Chairman Murgo reminded the attendees that the meeting was not a public hearing. There will be no comments from the public, only from the Planning Board, the applicant, the Town Solicitor, and the Director of Community Development.

John McCoy Esq. presented. He started by mentioning that the process has been about three years long, and they are coming to the end of the process. He explained that the memo to the Planning Board from Director Williamson summarizes the current status of the project, and that all the legal documents have been submitted and approved by Assistant Town Solicitor Teitz. They are still waiting on the Elks to approve the easement; their meeting is happening in August. John

McCoy also added that Shawn Martin is here to answer any engineering questions the Board might have.

Secretary Katz mentioned that the plan for protection, fence and trees for the abutters on the South are mentioned, but the abutters on Hope Street are not mentioned in the narrative.

Shawn Martin responded that on page CS101 of the plans, the overall landscaping plan can be seen including the fence. He explained that in most cases the perimeter landscaping actually exceeds the requirements of the zoning ordinance. Page LP103 shows the landscaping in more detail and shows the fence along the Hope Street properties. Along the Hope Street abutters, the plan is to pull the parking away from the lots versus the existing condition. Shawn added that in the last meeting the fence shown was stockade, but it has since been changed to a cedar, cap rail fence.

Secretary Katz asked for confirmation that the Hope Street abutters should not have any concerns, and that they will have a consistent experience as the Constitution Street abutters.

Shawn Martin responded that the landscaping is going to be different because the South side property line has a fence plus existing, tall arborvitae. There was a request made to also plant young arborvitae along this property line as a succession of trees for when the existing trees die. The Hope Street abutters will just have a fence, but there will also be 6 new shade trees.

Member Jarest brought up the fact that the new arborvitae are being put in prior to construction, and that she has concerns that they will potentially suffer from the construction. She asked if there is a maintenance plan in place for these trees, and if any of them fail, if they will be replaced.

Shawn Martin responded that there is a warranty requirement that requires ongoing maintenance of all the landscaping on the project. There are also tree protection requirements in the drawings.

Member Jarest mentioned that the tree protection details don't account for root damage, and asked where the wooden slats on the trees will be used.

Shawn Martin responded that any large trees or street trees present near the edge will get the wooden slats on the trunk, and the fencing will go around the drip line.

Member Jarest noticed that activities and amenities are not allowed on the roof, and asked if the agreement would negate the ability to install solar panels on the roof in the future.

Assistant Town Solicitor Teitz responded that it would not be an issue, since solar panels are not considered an amenity. The concern was more around people on the roof and noise.

Assistant Town Solicitor Teitz reminded the Board that their focus should be on things that are changing from the Preliminary Plan.

Vice Chairman Murgo asked about where the waterfront walkway falls in the construction sequence.

Shawn Martin responded that it will not be open to public access until the site is secure and safe. Assistant Town Solicitor Teitz added that there was an end date of 2028 included as well; so in

the case that the units aren't built out and they haven't received the Certificate of Occupancy, the waterfront walkway would still need to be completed by 2028.

Secretary Katz asked when residents will be able to use the Church / Thames parking lot. Director Williamson confirmed that this is a condition in the draft Final Plan Decision and that this must occur prior to recording of final plan (page 9, item 12A).

Secretary Katz asked what the rates of the units will be. Shawn Martin and John McCoy did not have an answer.

Vice Chairman Murgio noted a couple typos at the end of the construction sequence; the City of Providence is mentioned when it should be Bristol, and the numbers are out of order.

Vice Chairman Murgio reminded the attendees that this is not a public hearing, and that many public hearings have been held on this topic.

Member Clark mentioned that he did not receive Exhibit A and B for the Public Access Easement Agreement. Director Williamson responded that the written description will be attached as Exhibit A, and the plan will be attached as Exhibit B. Assistant Town Solicitor Teitz added that the plan is the same plan that was submitted and approved by the CRMC.

Member Clark asked about the 11pm time constraint. Director Williamson responded that this was modeled almost verbatim on Stone Harbor. Originally the Stone Harbor agreement was midnight, but it was changed to 11pm.

Member Clark asked about language on page 2 regarding ownership and maintenance responsibilities of the Premises. He asked if the applicant does not maintain the easement, what the Town's remedies are. He wondered if there is a big storm and damage occurs, does that fall on the Town or the applicant.

Director Williamson directed the Board's attention to page 6, item 2 of the Public Access Easement Agreement. Assistant Town Solicitor Teitz added that the responsibility of maintenance and repair is on the applicant, and the timeline is 30 days.

Member Clark asked what the temporary barriers will look like. Assistant Town Solicitor Teitz responded that it is up to the applicant, but it cannot be a permanent gate.

There was discussion about the fact that it's a public boardwalk, and both the Town and the applicant will be contacted in the event of an injury. Assistant Town Solicitor Teitz stated that if there was damage and notice was given to the applicant and it wasn't fixed, then the Town would look to the applicant. In all other cases, the Town would be responsible just like any other public street, path or park.

Secretary Katz asked if the walkway will be solid or pervious. The response was that they will be pervious pavers.

Assistant Town Solicitor Teitz had a suggested change to the draft decision on page 6, item 12C. The suggestion is to add a sentence to the end of 12C, which would indicate that if the abutting property owners and the developer do not reach agreement, the fence will be installed as per the plan. He noted that the plans show the fence on the property line.

Secretary Katz asked if the same would apply to the abutters on Hope Street. Assistant Town Solicitor Teitz responded that no, this just applies to the south side due to the additional arborvitae being added. Director Williamson noted that the fence along the Hope Street properties is shown on the plans to be on the parking lot property rather than on the property line. Shawn Martin explained that the fence along the Hope Street properties is offset from the property line due to the two large trees on those properties.

A motion was made (Murgo/Katz) to grant Final Plan Approval to Brady Sullivan Properties for the development of the Bristol Yarn Mill based on the 8 page document written by the Town Solicitor and Director of Community Development which lists the findings of fact and conclusions of law.

The decision is attached and made a part of the minutes.

Vice Chairman Murgo opened it up for discussion.

A motion was made (Katz/Murgo) to amend condition 12C on page 6 to add the sentence "If the developer and the abutting property owners are not able to reach agreement on the location of the fence, the fence will be installed as per the approved plans."

In favor: Jarest, Katz, Murgo, Ruggiero

Opposed: Clark

Vice Chairman asked for the vote on the original motion, as amended.

In favor: Jarest, Katz, Murgo, Ruggiero

Opposed: Clark

A motion was made (Katz) to adjourn the meeting.

In favor: Clark, Jarest, Katz, Murgo, Ruggiero

Opposed: None

Meeting adjourned at 7:34pm

Respectfully submitted by Doran Smith, Recording Secretary

Date Approved: 12 September 2024 Planning Board:

