

**MEMORANDUM**

**TO:** Diane Williamson, Director of Community Development

**FROM:** Amy Johnson, PE, Project Manager   
Bree Sullivan, PE, Associate 

**DATE:** March 4, 2026

**RE:** Gooding Ave Comfort Inn and Suites - Memo Regarding Abutter Concerns

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**Introduction**

Fuss & O'Neill was requested by the Town of Bristol's Director of Community Development to review the assertions made in a drainage review/presentation provided by a project abutter, Ted Spinard, regarding the Comfort Inn & Suite Master Plan Application prepared by DiPrete Engineering, on behalf of D&M Boca Development, LLC.

Fuss & O'Neill's initial role in the project was to perform an assessment/review of the submitted application materials that are required during the Master Planning stage of the project. We will note that review of the proposed stormwater management infrastructure, including type, location, and configuration and design calculations, prepared by a Registered Professional Engineer, is not a requirement during the Master Plan submission for major land development projects and thus was not a part of our scope. It is not typical for applicants to have a fully designed stormwater management plan and state permits in-hand during the Master Plan submission stage. As such, the project was significantly further along in design and permitting than is typical of a Master Plan submission in the Town of Bristol.

Fuss & O'Neill reviewed the following documents:

1. Comfort Inn and Suites Letter from DiPrete Engineering, dated February 13, 2026
2. Master Plan Submission prepared by DiPrete Engineering for the July 10, 2025 Town of Bristol Planning Board Meeting
3. Documents Submitted by Mr. Spinard:
  - a. Downstream Analysis – Wrong Method Completed by Applicant
  - b. Downstream Analysis – Part A
  - c. Downstream Analysis – Part B
  - d. Errors with Hydrocad Stormwater system model
  - e. Infiltration
  - f. Proposed Gooding Avenue Hotel - Storm Chamber
  - g. Silver Creek Drainage Study Appendix A
  - h. Silver Creek Drainage Study Appendix B
  - i. Silver Creek Drainage Intro
  - j. Silver Creek Flood Examination
  - k. Soil Textural Classification and Infiltration Rate

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- I. Supporting Materials
- m. Technical Deficiencies

**Assertion Review**

The full assertions from Mr. Spinard and Fuss & O'Neill's evaluation of those assertions are provided below:

## Spinard Comment 1:

The wrong soil textural classification was used. The soil is classified as Pittstown Silt Loam by NRCS. The sieve analysis show the soil to be silt loam.

## Fuss &amp; O'Neill Response 1:

- i. The majority soil type within the developable area on the project site is Stissing Silt Loam (HSG D) according to NRCS Web Soil Survey. In their Master Plan Submission, DiPrete provided soil boundaries and classifications in accordance with the NRCS Web Soil Survey results. *Pittstown Silt Loam is the soil type within the neighborhood adjacent to the site based on NRCS Web Soil Survey maps.*
- ii. Based on the sieve analysis provided for Test Pit 4 provided by DiPrete in response to the Town's request for more information regarding the soil classification, we agree that the soil textural classification is loam. Test Pit 4 is within the footprint of the underground infiltration system A, which is an infiltrating practice along with the Sand Filter B. No test pits were conducted within the proposed footprint of Sand Filter B. *We agree with DiPrete's statement in their response letter that Mr. Spinard's sample, collected at 20 Dixon Avenue, is not applicable to the design based on the location of the sample.*
- iii. For the infiltration rate, the Rawl's Rate for loam should be used in the design calculations and the revised calculations should be resubmitted to the Town for the Preliminary Plan submission. A safety factor of 2 is recommended to be applied to the loam Rawl's Rate of 0.52 in/hr citing the same justification provided by DiPrete that the site being a former wetland, equating to a design infiltration rate of 0.26 in/hr. *We recommend that the Town adds this as a condition of Master Plan approval.*

## Spinard Comment 2:

An incorrect infiltration rate was used. The infiltration rate should be silt loam, 0.27 inch/hr, not for Loam, 0.52 inch/hr.

## Fuss &amp; O'Neill Response 2:

- i. We agree with Mr. Spinard that the incorrect infiltration rate was used in the design, but that the soil type has been confirmed as loam based on the sieve analysis results provided from DiPrete from Test Pit 4. A safety factor of 2 is recommended to be applied to the loam Rawl's Rate of 0.52 in/hr citing the same justification provided by DiPrete that the site being a former wetland, equating to a design infiltration rate of 0.26 in/hr. *Based on our response above, we recommend the applicant revises their calculations and submits them as part of the Preliminary Plan submission.*
- ii. *Based on the information provided in DiPrete's response letter, reducing the rate of infiltration to 0.27in/hr will not increase flows off site in the post-development condition in comparison to the pre-development condition.*

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Spinard Comment 3:

The wrong method of analysis was used. The effect of flooding within the Silver Creek must be analyzed with HEC RAS given the irregularity of the channel and resultant irregular channel capacity.

Fuss & O'Neill Response 3:

- i. DiPrete's plans show no impact to the existing floodplain for Silver Creek, which has a 100-year floodplain elevation of 62'. Since the storage volume within the 100-year floodplain (Elevation 62') is not modified and, to go even further, the storage volume of the 100-year design storm (Elevation 67') from the 2007 BETA Silver Creek Drainage Study, the only impact potential to the flooding within Silver Creek would be an increase in peak flow rates and/or runoff volume in the post-development condition, which DiPrete's report and drainage calculations states is not occurring. However, *Fuss & O'Neill will review the downstream analysis in depth during the preliminary design stage of the project in accordance with Bristol Subdivision and Development Review Regulations Appendix F.2. Public Improvement and Design Standards Section I: Drainage.*
- ii. RIDEM Office of Water Resources reviewed the concerns outlined of the 35 letters they received during the public notice period and found these letters do not constitute an objection of substantive nature, which would have triggered a public meeting as defined in 250-RCIR-150-15-1.10(D)(3). This regulation was amended in 2022 with the release of 250-RCIR-150-15-3 and the language of section 1.10(D)(3) has slightly changed to "...An objection of a substantive nature is any written comment offered in opposition to a project that: a. **Relates to the functions and values of the freshwater wetlands, buffers, floodplains, areas subject to flooding or areas subject to storm flowage**" (emphasis added), but the project was approved under 250-RCIR-150-15-1, which only stated in section 1.10(D)(3) "An objection of a substantive nature is any written comment offered in opposition to a project that: (1) **relates to the functions and values of the wetlands;**" (emphasis added).
- iii. RIDEM also noted as a condition of their approval that an environmental consultant, experienced in site assessments and measures necessary to protect sensitive aquatic environments or sensitive ecosystems, must be employed prior to the start of site alterations to monitor the project and ensure compliance with the terms and conditions of the permit. RIDEM required the applicant to notify the program in written when the consultant is selected and provide monthly written reports regarding compliance with the permit until the project is complete.
- iv. We do have concerns with systems infiltrating into HSG D soils and the potential of breakout from the slope or behind the retaining wall to contribute to offset flow, which is currently not accounted for in the model. *We recommend to the Town that they add a condition of approval that the applicant shows that they are controlling the potential horizontal movement of infiltrated stormwater so that it does not breakout and contribute to site runoff.*
- v. Aside from our concerns regarding accounting for groundwater flow in the total volume discharged from the site, the applicant has correctly modeled the runoff from the site. HEC-RAS model is appropriate for modeling 1-D and 2-D flow within Silver Creek, but is necessary due to the reduced volume and peak flows discharged from the site. The total flow within the stream and velocity of flow cannot increase when there is a reduction in the contributing flow from the site compare to the pre-development discharged flows as the stream cross-section has not changed as a result of development.

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Spinard Comment 4: There is existing flooding in the neighborhood. The proposed hotel development will make it worse.

Fuss & O'Neill Response 4:

- i. We agree that there is existing flooding within the neighborhood that is a concern for abutters as well as the Town of Bristol. The 2007 BETA Silver Creek Drainage Study analyzed the crossing and projected flooding elevations during various design storms. However, the peak flow rates and volumes discharged from the site in the post-development model, provided by DiPrete, show a decrease in peak flow rate and volume, which would not exacerbate the current flooding issues downstream.
- ii. We will review downstream impacts during the Preliminary Plan stage of the project in accordance with Bristol Subdivision and Development Review Regulations Appendix F.2. Public Improvement and Design Standards Section I: Drainage. Based on Master Plan submission results, the applicant complies with subdivision regulations Section I(2)(e) - any increase to stormwater runoff up to and including the 10-year storm must be retained on site and infiltrated.

Spinard Comment 5: Discontinued use of StormTech SC-740. The structure provided is not feasible.

Fuss & O'Neill Response 5:

- i. It is standard practice for the contractor to submit construction products and materials to the engineer overseeing the project's construction to verify the proposed product and materials meet the specifications of the design in the approved plans. If a product is not available or has a long lead time that will conflict with the construction schedule, the contractor will provide a product or material that is an "approved equal" to the specified product or material. If an approved equal product or material cannot be sourced, an amendment may be made to the local and state permitting agencies submitting materials that show and justify the insignificant impact the different product will have on the design.

Spinard Comment 6: RIDEM OWR review had noted deficiencies.

Fuss & O'Neill Response 6:

- i. There does not appear to be any outstanding concerns by RIDEM OWR regarding this application based on the permit received by the applicant.
- ii. RIDEM issued a Permit to Alter Freshwater Wetlands (Wetlands Application No. 22-0264, RIPDES File No. RIR101247, Groundwater Discharge/UIC No. 001650) with a list of conditions of the permit approval, which are not all standard conditions. The applicant is required to abide by the permit conditions prior to the permit expiring.
- iii. RIDEM Office of Water Resources reviewed the concerns outlined of the 35 letters they received during the public notice period and found these letters do not constitute an objection of substantive nature as defined in 250-RCIR-150-15-1.10(D)(3)(c). This regulation was amended in 2022 with the release of 250-RCIR-150-15-3(D)(3)(c) and the language has slightly changed, but the project was submitted while 250-RCIR-150-15-1 was in effect.

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## Summary of Findings

Based on our review of the documents provided by DiPrete, Mr. Spinard, and our own review of digitally available data, we concluded that infiltration rate for the two infiltrating systems was incorrect based on the loam soil classified identified through the sieve analysis provided by DiPrete. The Rawl's rate for loam with a safety factor of 2 applied, should be used as the exfiltration rate in the design calculations. Mr. Spinard's soil sample was not applicable to the site, but did lead to the request for more information from the design team regarding the soil classification used for the infiltration rate.

We have concerns with systems infiltrating into poorly draining native soils and the potential of breakout from the slope or behind the retaining wall to contribute to offset flow to Silver Creek, which is currently not accounted for in the model. *We recommend to the Town that they add a condition of approval that the applicant shows that they are controlling the potential horizontal movement of infiltrated stormwater so that it does not breakout and contribute to site runoff.*

*We also recommend that the Town removes the condition of approval requiring the applicant to include porous pavements and/or porous pavers/concrete due to the high groundwater and poorly draining native soils on site.*

Fuss & O'Neill does not agree, based on the information reviewed in the Master Plan submission, that the project will contribute to the existing flooding problem downstream. The proposed extents of grading are above the FEMA 100-yr floodplain elevation of 62' and above the 100-year design flood elevation of 67' estimated by BETA in the 2007 Silver Creek Drainage Study, so storage of the floodplains are not being reduced. The applicant has also shown in their Master Plan submission that they are decreasing the peak flow rates and volumes for all the design storm in the post-development condition. HydroCAD is appropriate and common engineering practice to be used for the model comparison of site runoff between the pre- and post-development site conditions.

Lastly, the applicant provided more information than required for the Master Plan Submission for the drainage calculations and drainage design. This information will be reviewed in depth by the Town and peer review engineer during the Preliminary Plan Submission in accordance with Bristol Subdivision and Development Review Regulations Appendix F.2. Public Improvement and Design Standards Section I: Drainage.

*We recommend the Applicant revises their application prior to the Preliminary Plan Submission based on the comments provided in this memo and conditions of Master Plan approval from the Planning Board.*

If you have any questions regarding our responses and information provided in this memo, please reach out to me at (401) 861-3073 or [amy.johnson@fando.com](mailto:amy.johnson@fando.com).

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