

Town of Bristol, Rhode Island

Department of Community Development

10 Court Street
Bristol, RI 02809
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401-253-7000

October 2, 2025

TO: Planning Board

FROM: Diane Williamson, Director

RE: **Ramos Landscaping – Special Use Permit and Preliminary Phase Minor Land Development**

The above application is before you for a continued public hearing and action on the Special Use Permit and Land Development Proposal. Deadline for Planning Board Action is December 7, 2025 unless mutually extended.

No additional information has been received from the applicant. This office has received notice of ongoing issues from the residential abutters and they were encouraged to provide this information directly to the Board for your deliberations on the Special Use Permit.

The Planning Board will need to take action on the Special Use Permit prior to taking action on the Minor Land Development. The Board will need to apply the following Special Use Permit standards to this proposal and determine if this proposed use is appropriate for this property. In making the determination, the Board will need to carefully consider the impact to abutting properties. A template for motions is attached.

The following Special Use Permit general standards as well as specific standards for the contract construction service in this zone are provided below as follows.

Special Use Permit Standards

- a. That the special use is specifically authorized by this chapter, and setting forth the exact section of this chapter containing the jurisdictional authorization;
- b. That the special use meets all of the standards set forth in the subsection of this chapter ([section 28-150](#)) authorizing such special use; and

c. That the granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the comprehensive plan of the town.

Special use permit specific standards for contract construction service.

(1) Outside storage of equipment, supplies and materials associated with any of the normal operations of must be adequately screened along the interior side yard, rear yard and road frontage with natural vegetation, landscaping, fencing and/or as shall be deemed appropriate by the Board.

(2) The materials processing area shall be completely enclosed along all lot lines by an opaque fence, six feet in height.

(3) Where buildings are proposed, they should be located along the street frontage, meeting setback requirements. Otherwise, screening the operation from the street, which may include fences and tall vegetation is required.

(4) A narrative is required to be submitted explaining the scope of the business, including without limitation, the number of employees, the number and type of trucks and other vehicles and the provisions to protect adjoining and adjacent residential properties from noise, vibration, visual, odor, or other adverse effects.

(5) The subject property shall have frontage on, and direct vehicular access to an arterial or collector street.

(6) Vehicular access to the subject property shall not be by means of local streets.

Special conditions. In granting a special use permit, the Board may apply such special conditions that may, in the opinion of the Board, be required to promote the intent and purposes of the comprehensive plan of the town and this chapter. Failure to abide by any special conditions attached to a grant shall constitute a zoning violation. Such special conditions shall be based on competent credible evidence on the record, be incorporated into the decision and may include, but are not limited to, provisions for:

(1) Minimizing adverse impact of the development upon other land, including the type, intensity, design and performance of activities;

(2) Controlling the sequence of development, including when it must be commenced and completed;

(3) Controlling the duration of use or development and the time within which any temporary structure must be removed;

MAKING A MOTION TO GRANT A SPECIAL USE PERMIT

Note: To grant a special use permit, the applicant must meet all of the following standards.

Based on all the evidence presented to the Zoning Board of Review, the Board's knowledge and personal inspection of the area, the Zoning Board of Review hereby finds:

1. That the special use is specifically authorized by the Zoning Ordinance per Section ____ (*identify the exact section that authorizes the special use*). *Most often this is Table A. Permitted Use Table of Section 28-82, but not always.*
2. That the special use meets all of the standards set forth in the subsection of the Zoning Ordinance (Section 28-150) authorizing such special use. *Identify each standard from Section 28-150 for the specific special use and describe how each is met.*
3. That the granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan of the Town of Bristol, **because...** *state reasons based on evidence from hearing*

Therefore, I move that the requested special use permit be granted (subject to the following special conditions - *if any*): *List all special conditions to be applied.*

MAKING A MOTION TO DENY A SPECIAL USE PERMIT

Note: To deny a special use permit, the Zoning Board must find that the applicant failed to meet at least one of the following standards.

Based on all the evidence presented to the Zoning Board of Review, the Board's knowledge and personal inspection of the area, the Zoning Board of Review hereby finds: *(List only those that apply)*

1. That the special use is **not** specifically authorized by the Zoning Ordinance. *Explain why...*
2. That the special use does **not** meet all of the standards set forth in the subsection of the Zoning Ordinance (Section 28-150) authorizing such special use. *Identify the standard(s) from Section 28-150 for the specific special use and describe how it has not been met...*
3. That the granting of the special use permit **will** alter the general character of the surrounding area or **will** impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan of the Town of Bristol, **because...***state reasons based on evidence from hearing*

Therefore, I move that the applicant's request for a special use permit be denied.

reasonable enjoyment of the permitted use to which the property is proposed to be devoted. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief.

(2) *Special use permit.* In granting a special use permit, the board shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:

- a. That the special use is specifically authorized by this chapter, and setting forth the exact section of this chapter containing the jurisdictional authorization;
- b. That the special use meets all of the standards set forth in the subsection of this chapter (section 28-150) authorizing such special use; and
- c. That the granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the comprehensive plan of the town.

(d) *Special conditions.* In granting a variance or special use permit, or in making any determination upon which it is required to pass after public hearing under this chapter, the board may apply such special conditions that may, in the opinion of the board, be required to promote the intent and purposes of the comprehensive plan of the town and this chapter. Failure to abide by any special conditions attached to a grant shall constitute a zoning violation. Such special conditions shall be based on competent credible evidence on the record, be incorporated into the decision and may include, but are not limited to, provisions for:

- (1) Minimizing adverse impact of the development upon other land, including the type, intensity, design and performance of activities;
- (2) Controlling the sequence of development, including when it must be commenced and completed;
- (3) Controlling the duration of use or development and the time within which any temporary structure must be removed;
- (4) Assuring satisfactory installation and maintenance of required public improvements;
- (5) Designating the exact location and nature of development; and
- (6) Establishing detailed records by submission of drawings, maps, plats or specifications.

(e) *Dimensional variance in conjunction with special use permit.* An applicant may apply for, and be issued, a dimensional variance in conjunction with a special use permit. If the special use could not exist without the dimensional variance, the zoning board of review shall consider the special use permit and the dimensional variance together to determine if granting the special use is appropriate based on both the special use criteria and the dimensional variance evidentiary standards.

(Ord. No. 2023-23, 12-6-23)

- (4) Assuring satisfactory installation and maintenance of required public improvements;
- (5) Designating the exact location and nature of development; and
- (6) Establishing detailed records by submission of drawings, maps, plats or specifications

Therefore, if the Board determines that a Special Use Permit could be granted, the following conditions are recommended for your consideration:

1. The Board makes a finding that the activity on Lot 15 is similar in nature to materials processing with the loading and unloading of trucks and the coming and going of materials. Therefore, because the Lot 15 activity is similar to materials processing it needs to be screened by an 8' tall wooden fence to be installed on the north and east sides of Lot 15 along the "limit of work line" shown on the plan for Lot 15. The west side is already buffered by a vegetated berm and the south side is shared with Lot 16. Per 28-146 (3) the Board can allow fence height to be taller than 6'. A wooden fence will provide a visual and sound barrier. The fence must be installed prior to the c.o. on the building on Lot 16.
2. No materials processing, or unloading and loading of trucks before 7 a.m. or after 5 p.m. Monday – Friday; before 8 a.m. or after 3 p.m. on Saturday and never on Sunday.
3. The parking area to the east of the proposed building on Lot 16 shall be only for employee parking. The parking shall be striped with wheel stops as indicated on the plans.
4. Large vehicle and equipment parking shall be only located on the north / west corner of Lot 15 within the fenced area noted in condition #1.
5. Per the peer review engineers recommendation there shall be no outside vehicle service, maintenance and equipment repair and no salt storage or vehicle fueling unless additional stormwater management is implemented. If additional stormwater management is implemented, outside vehicle or equipment service, maintenance, or repair shall not occur before 7 a.m. or after 5 p.m. Monday – Friday; before 8 a.m. or after 3 p.m. on Saturday and never on Sunday. During these times this work must be inside the building with the garage doors closed.
6. Peer review engineer inspection during construction per the sequence provided by the peer review engineer.