



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 M. Williamson, Director

RE: **18 Burnside Street – 1 Resolute Lane**
Minor Land Development/ Adaptive Re-Use and Unified Development



The above application is before you for a continued public hearing and action on the variance for density as well as for action on the minor land development – adaptive re-use proposal.

The applicant recently re-submitted plans to demonstrate the parking layout as required by the Board at the last meeting. To date, no additional information has been submitted regarding a signed parking agreement and easement with the Herreshoff Marine Museum.

The Planning Board will need to take action on the Variance request prior to taking action on the Minor Land Development. A copy of the findings that the Planning Board needs to take on the variance is provided as well as a template on the motion for your guidance.

Where there is a public or quasi-public water source, or private water source that is used or is suitable for use as a public water source, within 2,000 feet of any part of the subject property, regardless of municipal boundaries; and

- (4) To the governing body of any state or municipal water department or agency, special water district, or private water company that has riparian rights to a surface water resource and/or surface watershed that is used, or is suitable for use, as a public water source and that is within 2,000 feet of any part of the subject property; provided, however, that the governing body of any state or municipal water company has filed with the director in the town a map survey, which shall be kept as a public record, showing areas of surface water resources and/or watersheds and parcels of land within 2,000 feet thereof.

Such notice as is required in subsections 28-409(b)(1) and (2) of this section shall be sent whether or not the noticed land is within the town or within an adjacent town. No defect in the form of any notice under this section shall render any variance, special use permit or decision on appeal, invalid, unless such defect is found to be intentional or misleading. For any notice sent by first-class mail, the sender of the notice shall submit a notarized affidavit to attest to such mailing.

(c) *Standards for relief.* The following shall be standards for relief:

- (1) Variance. In granting a variance, the board shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:
 - a. That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area, and not due to an economic disability of the applicant;
 - b. That such hardship is not the result of any prior action of the applicant;
 - c. That the granting of the requested variance will not alter the general characteristic of the surrounding area or impair the intent or purpose of this chapter or the comprehensive plan of the town;
 - d. The board shall, in addition to the above standards, require that evidence be entered into the record of the proceedings showing that:
 1. In granting a use variance, the subject land or structure cannot yield any beneficial use if it is required to conform to the provisions of this chapter. Nonconforming use of neighboring land or structures in the same district and permitted use of land or structures in an adjacent district shall not be considered grounds for granting a use variance; and
 2. In granting a dimensional variance, that the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience, meaning that relief sought is minimal to a

MAKING A MOTION TO GRANT A DIMENSIONAL VARIANCE

Note: To grant a dimensional variance, the applicant must meet all of the following standards.

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

1. That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area, and not due to an economic disability of the applicant, **because...** *state reasons based on evidence from hearing*
2. That the hardship is not the result of prior action of the applicant, **because...** *state reasons based on evidence from hearing*
3. That the granting of the requested dimensional variance will not alter the general characteristic 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*
4. That the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted will amount to more than a mere inconvenience; meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted, **because...** *state reasons based on evidence from hearing*

Note: 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.

Therefore, I move that this dimensional variance(s) be granted (subject to the following special conditions - *if any*): *List all special conditions to be applied.*

MAKING A MOTION TO DENY A DIMENSIONAL VARIANCE

Note: To deny a dimensional variance, 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, and 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 hardship from which the applicant seeks relief is **not** due to the unique characteristics of the subject land or structure, but **is** instead due to the general characteristics of the surrounding area and/or is due to an economic disability of the applicant, **because...** *state reasons based on evidence from hearing*
2. That the hardship **is** the result of prior action of the applicant, **because...** *state reasons based on evidence from hearing*
3. That the granting of the requested dimensional variance **will** alter the general characteristic 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*
4. That the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted will **not** amount to more than a mere inconvenience; meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted, **because...** *state reasons based on evidence from hearing*

Note: 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.

Therefore, I move that the applicant's request for a dimensional variance(s) be denied.