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January 9, 2023

Ms. Diane Williamson
Director of Community Development
Town of Bristol
335 High Street
Bristol, RI 02809

Via Regular Mail and Email – dwilliamson@bristolri.gov

Re: Bristol Yarn Mill Redevelopment
Request for Condition of approval and deferrals from Preliminary Plan Application
AP 10, Lots 41, 42, 43, 44, 49, 50, 60, 61, 62, 68, 71, 73, 74 and 76
Thames and Hope Street, Bristol, RI
Our File No. 214474

Dear Ms. Williamson:

This letter is submitted on behalf of the Applicant Brady Sullivan Properties in the above matter, and follows your Memorandum dated December 21, 2022, on the Preliminary Plan Application submitted by Fuss & ONeill with their letter dated December 8, 2002.

Please regard this letter as a request, in accordance with Section 5.4(a) of the Bristol Subdivision and Development Review Regulations ("Subdivision Regulations") that CRMC approval may be allowed by the Planning Board as a condition of Preliminary Plan approval. In connection with this, the Applicant also requests that the Planning Board approve a deferral of the RIDEM Water Quality Certification and Stormwater Construction Permit to Final Plan Review. RIDEM Water Quality and Storm Water Approval are integral parts of the CRMC approval. The Applicant therefore requests these items to be part of the condition for a Final Plan approval along with the CRMC approval as allowed under Section 5.4(a) of the Subdivision Regulations.

In support of this request, the Applicant would state that CRMC approval is generally a condition of Final Plan approval for a land development project. This is contemplated specifically by the Subdivision Regulation referred to above. The RIDEM Water Quality and Storm Water Approvals are part of the CRMC approval process for the following reasons:

1. CRMC has established jurisdiction of the proposed activities at the project site (CRMC Preliminary Determination D2022-05-126) and regulates stormwater discharges under Section 1.3.1.F. "Treatment of sewage and stormwater" of the Rhode Island Coastal Resources Management Program (CRMP). The project requires an Assent to be issued by CRMC prior to construction.
2. The project requires a RIDEM Stormwater Construction Permit and Water Quality Certification under the Rhode Island Pollutant Discharge Elimination System (RIPDES) General Permit for land disturbance activity of one acre or more with a stormwater discharge to a water of the State. The program is administered by RIDEM under the Stormwater Management, Design, and Installation Rules (250-RICR-150-10-8).
3. The standards for stormwater treatment in the CRMP are based upon the Rhode Island Stormwater Design and Installation Standards Manual, which is based upon 250-RICR-150-10-8. The review of the stormwater design for applications within both CRMC's and RIDEM's jurisdictions are coordinated between the two agencies to ensure consistency with the applicable standards, rules, and regulations. The RIDEM Stormwater Construction Permit and Water Quality Certification is inextricably linked to the CRMC Assent for this project, which is eligible for coverage under the RIPDES General Permit, as referenced in Section 1.3.1.F.2.b. of the CRMP:

"The discharge standards, effluent limitations and pretreatment standards established for the discharge of pollutants to waters of the State under the Rhode Island Pollutant Discharge Elimination System (RIPDES) program, and administered by the Department of Environmental Management (DEM), are the State's water pollution control requirements. Applicants for projects for which an Individual RIPDES Permit is required shall obtain said permit from DEM and submit the Individual RIPDES Permit with the CRMC Assent application. Note: Projects that are eligible to submit a Notice of Intent (NOI) for coverage under a RIPDES General Permit are not required to submit the RIPDES Authorization with the CRMC Assent application. Applicants for such projects, however, are encouraged to file a Notice of Intent (NOI) with DEM concurrently with their CRMC application to allow a coordinated review between the agencies."

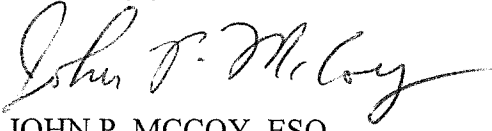
It is noted that this request for condition of approval and waiver does not extend to the RAWP to be obtained by the Applicant from RIDEM as part of the Preliminary Application.

Further, based upon discussions with the Department, the Applicant shall not be requesting any other Waivers or Deferrals in the Preliminary Plan Application and shall obtain and submit all the other items set forth in the first sentence of the last paragraph on Page 2 of your above referenced memorandum.

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If you have any other questions, feel free to contact me directly.

Very truly yours,

A handwritten signature in cursive script, reading "John P. McCoy".

JOHN P. MCCOY, ESQ.

jmccoy@benjestlaw.com

JPM:vjo

Enclosure

Cc (via: Mr. Christopher Reynolds, Brady Sullivan Properties
Email) Mr. Shawn M. Martin, Fuss & O'Neill, Inc.
 Andrew M. Teitz, Esq., Ursillo, Teitz & Ritch, Ltd.
 Edward Tanner, Principal Planner