



Town of Bristol, Rhode Island

Department of Community Development

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March 5, 2025

TO: Planning Board

FROM: Diane M. Williamson, Director

RE: **Staff Report – 206 Bayview Preapplication Conference
Fair Winds Comprehensive Permit**

A handwritten signature in black ink, appearing to read "Diane W.", is written diagonally across the "FROM:" line.

The following is provided in order to further explain the process and provide some additional clarity to the materials submitted for the Pre-Application Conference on the above project. In further review of the submission and the Planning Board's Subdivision and Development Regulations, I also provide some additional guidance and recommendations for the Board's consideration.

1. The previous Technical Review Committee Pre-Application meeting notes were submitted to give the Board context on the prior project reviews. At the most recent TRC meeting, in December of 2024, it was agreed that the applicant should present the Pre-Application to the Planning Board in light of the fact that the new State Law doesn't provide for a Master Plan phase. The application will be Comprehensive Permit application under the new State Law. Per this new law, there will be two phases of review – Preliminary and Final –with a public hearing on Preliminary.
2. A pre-application conference is non-binding and there is no vote of the Planning Board taken at a pre-application meeting. All pre-application discussions are intended for the guidance of the applicant and shall not be considered approval or disapproval of a project or its elements.
3. The subject property is zoned R-10 and per the new State Law, the density bonus for a Comprehensive Permit application is based on a by-right plan excluding wetlands, wetland buffers, area devoted to infrastructure necessary for development and easements or rights of way of record. For projects connected to public water and sewer, demonstrated through written confirmation from each respective service provider the following density bonuses are provided:
 - a. For 25% low and moderate income housing, the density bonus shall be 5 units per acre;

- b. For 50% low and moderate income housing, the density bonus shall be 9 units per acre; and,
 - c. For 100% low and moderate income housing, the density bonus shall be 12 units per acre.
- 4. This applicant is proposing 25% low and moderate income housing which would allow the 5 units per acre as the density bonus. The calculation for the density bonus needs to be determined by the amount of land excluding area devoted to infrastructure necessary for the development; namely the roads and drainage and that are per the yield plan is 1.16 acres which would equal a bonus of 5.8 units rounded down to 5 plus the 5 by-right would total 10 units. The property has an existing 3 family dwelling and the applicant is proposing 17 new units. According to the calculations with the density bonus, 15 units would be permitted. The 17 new units with the 3 existing would equal 20 units.
- 5. The applicant's narrative provides a draft list of waivers and variances needed. The provision for a reduced lot frontage noted in the narrative, is not applicable since that is in the Inclusionary Zoning section of the ordinance which was rescinded.
- 6. The application will require a monitoring agreement and a deed restriction. As these are rental units, they will need to be rented at 80% of Area Median Income.
- 7. The Zoning per the State Law requires only 1 parking space per dwelling unit for off-street parking up to an including 2 bedrooms. This proposal has mostly 3 bedroom units; and, each unit also will have a 2 car garage.
- 8. The Zoning per the State Law also has no floor area limits and the bedroom count can't be limited to any less than 3 bedrooms.
- 9. This proposal is located in the Tanyard Brook Watershed which requires that the drainage provided for stormwater volume as well as Rate. Any increase in stormwater volume up to and including the 10-year storm event shall be retained and recharged on site.
- 10. Per the multi-family standards of the Zoning for Townhouses (Section 28-282) each unit shall have 400 square feet of open space reasonably secluded from view and there shall be not more than 4 contiguous townhouses shall be built in a row with the same or approximately the same front line. There is a parking area located to the north of unit 15 – it is noted in 28-282 that no parking area shall be located within 15 of any wall of a principal building along with are located windows less than 10 feet off the ground. If these standards are not able to be met, the applicant may need to ask for variances of these in addition to those noted in the narrative.
- 11. In accordance with Section 28-282, the applicant will need to submit a plan for rubbish removal and it is noted that the Planning Board generally makes it a condition of approval for private trash and recycling service with no town service to be provided for this or snow removal.
- 12. The Town of Bristol owns the property abutting this land on the east. It was acquired with the intention of having available land for a future police station and there is no schedule for when this would be built. A police station is a 24/7 essential service for the Town that is also a very active use.