



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 Preliminary Application**
Fair Winds Comprehensive Permit

Diane

The above application is before you for a public hearing and potential action on the Comprehensive Permit application. The findings that the Board have to make in consideration of a Comprehensive Permit application have changed with State Law and a copy is provided for your information. In addition, the following is noted:

1. The Preliminary application has been certified complete and the time frame for action by the Planning Board is by December 3, 2025. The preliminary application is the subject of a public hearing and the final phase is administrative.
2. The TRC has met on this application several times and the TRC meeting notes are provided. This was also reviewed by the Planning Board as a concept application in March 2025 and those minutes are also provided.
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 density bonus for 25% low and moderate income housing is 5 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 is not applicable to this proposal.
6. It is noted that the side slopes of the drainage basins are at a 2:1 slope which exceed the limits in the Subdivision and Development Review regulations of a 3:1 slope which was recently noted by the Peer Review Engineer. However, these basins are private and will not be maintained by the Town and the design was modified to provide more storage capacity.
7. 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.
8. The Zoning per the State Law requires only 1 parking space per dwelling unit for off-street parking up to and including 2 bedrooms. This proposal has mostly 3 bedroom units; and, each unit also will have a 2 car garage.
9. 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.
10. It is recommended that any approval include a condition of approval for private trash and recycling service with no town service to be provided for this or snow removal as well as drainage and maintenance of the pervious pavement.
11. 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.
12. The Peer Review Engineer also recommends a condition on the approval for an on-site review of the subgrade to be required prior to the placement of the reservoir or filter course and that a legally binding and enforceable maintenance agreement be executed between the owner and the Town. Pare's peer review report is attached.