



BRISTOL PLANNING BOARD
MARCH 13, 2025 MINUTES

TOWN HALL
10 COURT ST.
BRISTOL, RI 02809
401-253-7000

Held: March 13, 2025 in person

Location: Bristol Town Hall, 10 Court Street, Bristol, RI

Present: Charles Millard, Chairman, Anthony D. Murgo, Vice Chairman; Steve Katz, Secretary; Member Brian W. Clark (arrived at 7:15pm); Member Richard Ruggiero; First Alternate Member Michael Sousa; and Second Alternate Member Jessalyn Jarest

Also Present: Diane Williamson, Director of Community Development, and Amy Goins, Esq., Assistant Town Solicitor

Not Present:

Chairman Millard called the meeting to order at 7:06pm and led the assembly in the Pledge of Allegiance.

Alternate Member Jarest requested to make a change on page 3 as it should read “Adam McGovern” not “Ed McGovern”.

A motion was made by (Katz/Ruggiero) to accept the February 13, 2025 meeting as amended.

In favor: Millard, Katz, Murgo, Ruggiero, Sousa, and Jarest
Refrained: None
Opposed: None

C. Old Business

C1. (Continued) Report on the Economic Analysis of Selected Housing Strategies, Affordable Housing Trust & Recommendations

Board to request a Joint Workshop with the Town Council to review the draft Housing Element of the Comprehensive Plan update and also to invite the local State Representatives to discuss pending draft Land Use Laws.

A motion was made by (Katz/Sousa)

In favor: Katz, Millard, Sousa, Murgo, Ruggiero, and Jarest
Refrained:
Opposed:

Ferreira stated that it was trees and brush which was not being removed, but will be added to with arborvitae. Mr. Ferreira then asked the Board if anyone knew of any plantings that deer would not eat and Alternate Member Jarest said they don't like green giant arborvitae and there should be a list on the internet of plants that are deer resistant.

Alternate Member Sousa then asked about the permeable pavement area. Mr. Ferreira advised that it was just a small portion of the driveway areas to provide drainage and that everything else would be asphalt.

Alternate Member Jarest then asked how wide the roadways were and Mr. Ferreira stated that the roadways were 20ft wide. He advised that it was presented to the Fire Department and approved. Alternate Member Souas advised that 20ft is preferred because it would make people drive slower and keep the children safer. Mr. Ferreira advised that they could put in speed humps, but Alternate Member Sousa advised that would not be good for plowing in the winter. Alternate Member Jarest said that as long as the Fire Department approved of it, then there was no issue.

Alternate Member Sousa then asked about on street parking. Mr. Ferreira advised that there would be designated parking spaces and a garage and that on street parking would only be for emergency vehicles.

Member Katz then asked about the water pressure. Mr. Ferreira advised that Principe did the calculations and the water pressure would be great, but that water volume might be of concern. Member Katz asked if there were fire hydrants close on Bayview and Mr. Ferreira said that was correct.

Mr. Ferreira stated that as of right now with the development he presented which was 23 units verses 20 units there is a calculated usage of 9.9 gallons per minute at peak. He said that the water line can produce 75 gallons per minute for plenty of water on site. He further stated that the Fire Department wanted fire hydrants to be 650ft from the corner of the building and that they were well within it. He advised that he can move the playground area as it gave them a little wiggle room, but needs to stay within the 650ft requirements.

Vice Chairman Murgo asked Ms. Williamson if the variances that are being sought goes through the Planning Board or Zoning. Ms. Williamson said that it was up to the Planning Board as it was a comprehensive permit, but that there might be other variances needed as the project gets further along. Mr. Ferreira agreed and said that it was just a draft of their previous plan because they were ready to completely submit the plan but they made changes as he wanted to do more under building parking.

Vice Chairman Murgo asked if the buildings had basements or were they on slabs. Mr. Ferreira advised that they were on slabs, but that there would be plenty of storage because of the garages.

Member Ruggiero stated that he had a lot of concerns, with traffic being the greatest concern. Mr. Ferreira stated that there was a traffic study done. Member Ruggiero stated that the traffic light on Metacom is difficult as it is and this project would just add 40 more cars to the problem. Mr. Ferreira said that they would look into what can be done to make it safer. Member Ruggiero asked if there was a way to force traffic to only make a left turn out of the complex. Attorney Goins stated that once an application is filed and

Department had no issue with the width. Ms. Williamson stated that there is a peer review engineer who guides the applicant to make sure they take everything into account. Mr. Ferreira said they went through it with PARE already and they had a meeting with PARE and the Principe team. Ms. Williamson said that they need to review that study again. Alternate Member Sousa stated that if it is PARE then they need to be advised that the Board is interested in the traffic light and the optimization of that light.

Chairman Millard asked if there was anyone else who wanted to speak.

Anthony Barrow of 1090 Hope Street came forward to speak. He said that he did not hear any consideration about environmental issues. Mr. Ferreira asked if he was referring to electric vehicles. Mr. Barrow asked about putting in charging stations ahead of time; what was going to be done about trash collection; how much power was going to be required for the area; and whether solar panels were being considered. Mr. Ferreira stated that the units would be designed in a way to that the garage would have the electrical for a charging station if the owner chose to install one at a later time. He advised that all of the roofs would be south facing and be designed to accommodate solar. He also stated that the trash collection will be located at the end of the site where the truck would be able to turn around at the hammerhead. Finally, Mr. Ferreira stated that there will be charging stations for residents only in a designated spot in the parking area.

Alternate Member Sousa asked if the power and phone lines would be located underground. Mr. Ferreira stated that it will come overhead to the property but then it will be fed underground to the units and that National Grid would take care of it. He stated that he will pay National Grid to do the engineering for the usage on site and he will pay for the infrastructure. He advised that there will also be using heat pump systems and there will be HVAC in all units and will be super efficient, and no fossil fuels will be used.

Chairman Millard asked if there was anyone else who wanted to speak.

Kelly Barret of 1090 Hope Street came forward. She said that 206 Bayview Unit 3B was being marketed as not a family-oriented unit and that no pets were allowed. Mr. Ferreira clarified that because that unit was a shared space unit with other renters, they erred on the side of caution not to allow pets due to possible allergies of other renters in that shared space and that was the only unit that was not pet friendly.

Vice Chairman Murgio asked about snow removal in the complex. Mr. Ferreira stated that he would have that contracted out. Member Clark asked if the snow would be stored on site. Mr. Ferreira stated there would be an area to store snow and it would be shown on the submitted plan.

Chairman Millard asked if there was anyone else who had questions or concerns.

Trisha Chalmers of D2 Bristol Woods Drive. She asked what was their definition of an affordable unit. Attorney Goins stated that was governed by State law. Ms. Chalmers asked what the rent for a 3 bedroom would be in Bristol. Mr. Ferreira stated that it was based on the person's income. He stated that 80% of average income is used to calculate rent and that right now in Bristol a 2 bedroom unit on Chestnut Street is \$2,800 a month and his would be approximately \$1,900 a month. He advised that it is managed by the Bristol or local housing authority. Ms. Williamson advised that it was the East Bay CDC.

Mr. Duhamel who is the engineer would be talking about the specifics of the project which is on 9.78 acres and which a substantial portion of the parcel was going to be left in its natural state.

Attorney Reznik stated that the hotel development was allowed by right in a general business zone and that they were not seeking any zoning relief, or waivers from the Planning Board regulations. He stated that it was in conformance with zoning and is supported by the Comprehensive Plan. He understood that it was requested by the Town and the Board that the applicant obtain a DEM permit prior to coming back for a master plan or a preliminary plan or a combined master preliminary and the applicant did do that. He further stated that the RI DEM permit obtained was formal and subject to substantial public comment and that the permit was not wrong. He said that the permit was presently subject to minor modification before DEM which meant that there would not be another public notice. He said that DEM had taken the position that it is a minor modification and he expected in a very short time they would have an updated DEM permit. Member Katz stated that's why he said they needed a corrected permit.

Attorney Reznik said that they also need a State permit from RIDOT which was a PAP, which they had submitted to RIDOT with substantial back and forth and the review has been positive and they should have that permit in a very short time. He said that this has been the most robust pre-application package that has ever submitted for a project. He said other than the landscape plan, fiscal impact report, and environmental report, the applicant is ready today to submit for master/preliminary if the Board would accept it. He explains the contents of the packets that were submitted to the Board, and introduces the project team.

Attorney Reznik understands that there is a need for buffering and landscaping and that it is being worked on. He said that the fiscal impact statement will show the Town the direct and indirect infusion to the economy that flows from this type of hotel which is supported in the Comprehensive Plan. He stated that he would not answer any questions that are more for the experts to answer and that he would make sure that all of the experts were present in future meetings to answer questions, but if there are questions for the experts during this meeting, then he would pass those along and a letter would be drafted to answer them. He further understands that there are a lot of concerns about the storm water management and that they will be available to sit down with the community to discuss everything. He said they would like to have an appointment of peer reviewers for anything that the Town thinks should be peer reviewed.

Chris Duhamel of DiPrete Engineering is next to discuss the project. He said they are at the pre-application submission stage for it. He stated that the site is a 9.7 acre parcel on Gooding Avenue with 506ft of frontage and it is opposite Broadcommon Road intersection, is adjacent to the Andersen Court residential development to the west, and is adjacent to the Town's property to the east and south. He stated that there is a 30ft sewer easement that encumbers the site. He shows a survey by Baker Land Surveying which was completed as a class 1 survey. Mr. Duhamel advises that the 30ft sewer easement transects the site from north to south and that the site is zoned GB. He advised that there is public water and sewer available to the site. He said the wetlands were delineated by Natural Resource Services and Scott Rabidou. They have located a wooded swamp over the property with an associated 50ft buffer and that it was approved by DEM and that there is 6.7 acres of wetlands. He stated that the eastern branch of Silver Creek abuts

underground storage for the runoff before being discharged. He said underground storage will infiltrate the water quality volume of the storm way such that a decrease in runoff volume of 4 CFS which is about 2,000 gallons a minute and about 0.18 acre feet which is 60,000 gallons. He said they wanted to make sure that there was no added flow to the waterway and no added flow to the downstream neighborhoods and no increase to the high school. He said that he expected a peer review of the analysis to make certain that what was stated was correct. He feels confident in it. He said that DEM had already approved the Mainstay hotel and that they evaluated everything that DiPrete Engineering has done for the design of the underground infiltration system. He said they showed a sieve analysis showing that it was loamy soil and that it could qualify for an infiltration rate that is double what was actually analyzed.

Mr. Duhamel stated that they were also required to evaluate the 350 acre watershed of the eastern branch of Silver Creek and how that would be impacted by this development and whether that impact would have the same peak discharge, even though it's less water, there would be a delay so that it would go with the peak of the 350 acres. They had to show that it does not compound it. He said they would not be increasing the flow in the waterway. He stated that they've done the analysis with DEM Peer Review and had done extensive analysis that showed all of the possible combinations have been met. He said they look forward to a peer analysis by the Town and the Town's engineer.

Alternate Member Sousa asked if the system penetrating the high ground water table which is anywhere from 0 to 18 inches below the existing grade. Mr. Duhamel said that they are 4 feet above it so it does not penetrate it as there is quite a bit of fill required for the parking lot and that there will be 6ft to 8ft of fill within the most southeasterly boundary of the site. He said there is a deeper water table at the entrance to the side so they had a 4ft minimum separation to the infiltration structures which was a requirement of DEM and it has been met.

Alternate Member Sousa asked if they would be removing all of the organic material and topsoil so the material underneath will be the free draining material that Mr. Duhamel mentioned. Mr. Duhamel said that was correct and they have done soil samples within the areas of the infiltration systems. He said they have done sieve analysis for it and it was sandy loam. He said they have proved that there is a reduction overall for CFS in discharge rate and a reduction of 0.2 acre feet in stormwater volume and will have no effect on the east branch of Silver Creek.

Mr. Duhamel stated that they would be filing in 4,700sq.ft. of wetland area and they had to prove that there was no degradation to the overall wetland complex. He said there are 26 standards that have to be met and that Scott Rabidoux evaluated the wetland itself and Scott put a value on the preservation of the 8.5 acres that will be preserved. He stated that DEM believes that the alterations are warranted and approved it. Mr. Duhamel said that a peer review would be needed to reaffirm what DEM approved. He advised that DOT had been pending for some time, and he fully expected that they will have DOT approval soon. He said they received some additional comments from Bristol Water Pollution Control and will be working with them. He stated that since the process for the Planning Board is at least 3 steps, there is a lot of opportunity to review and make changes. He said that since this meeting was a pre-application stage, they wanted to introduce the project, take notes, answer any questions, and meet with neighbors, and make any changes as necessary. Member Katz said that was greatly appreciated.

Trisha Chalmers of D2 Bristol Woods Drive stepped up. She feels that the decimation of wetlands for an 80 room hotel and parking lot are both ridiculous and short-sighted. Like others, she too is concerned about the flooding issues. She would like Martin Wensic, the DEM Water Resource Supervisor, to come and explain why DEM approved this project. Her other concern was regarding traffic issues around Broadcommon Road as it is dangerous. She is concerned about what will happen when the hotel goes belly up as hotels in the area tend to do.

Judith Byrnes of 62 Seabreeze Lane came up. She asked if there would be another traffic study because the other was outdated and Member Katz said the Board had asked for a new one. She said she studied the traffic study and noted that they studied Metacom and Gooding Avenue and Gooding and Hope Street, but they did not do Broadcommon Road which needs to be looked at.

Emily Spinard of 35 Dartmouth Street came up next. She reminded the Planning board that she had submitted to the Town Council in December 2023 and to DEM a petition signed by 100+ people opposing the hotel regarding filling in and altering wetlands which may lead to more flooding. She then directs her comments to Attorney Reznik stating that he presented a very robust introduction but that this has been going on for 10 years and the wetlands should be protected. She has attended every meeting on this and stated that Diane Williamson had presented the Planning Board with the concerns of flooding, etc., but feels that they are still not being addressed. She said that the only thing that has happened is the presentation of another site plan like the one at the meeting tonight. She stated that the approved site plan by DEM was for a Mainstay hotel and now they are presenting a new site plan that has not been approved. Again, the concerns are for flooding, filling in the wetlands, coming up with different plans, and then trying to get those plans in at the last minute.

Veronica Tucker came back up. She stated that her dad, William Tucker, opposed the building of the high school because of the water concerns then. The high school was built and it has been underwater since that day. She only spent 2 years at the high school but remembers having to walk through water. She stated that people need to learn from it and know that they cannot fill in the wetlands. She said that the Town can keep filling in wetlands and expect that there won't be flooding as the water has to go somewhere. Learn from lessons. How many are we going to fill in and not expect flooding. She said that the wetlands needs to be preserved and repaired.

Anthony Barrow of 1090 Hope Street came up. Appreciates the detailed presentation on the application. He stated that after looking at the site plan, the hotel would need a minimum of 150 kilowatts fixed charge for it which would require the utility company to build a transformer or upgrade the transfer station. He feels that the cost of upgrading will be passed along to the residents. He asked if there would be any consideration for the installation of solar panels on the roof or a solar canopy over the parking lot. He advised that it should be taken into consideration to help the hotel financially. He suggested filing for an SBA 504 or 507 which could be a good way to fund the project and to offset the cost of electricity to the ratepayers. He was also concerned about the property's food waste and preventing rodents in the area.

Member Katz asked if there was anyone else who wanted to speak.

Attorney Reznik stated that Bristol's Comprehensive Plan identified that General Business zoned area as a place to put a hotel. Member Ruggiero stated that just because it may be a place to put a hotel, did it make sense to do so. Member Clark asked Attorney Reznik if he wanted to respond, but Attorney Reznik said he already did.

Mrs. Spinard came back up. She stated that Attorney Reznik said it passed the Town's approval, but that it had not been corrected since 2015 in the narrative. She said that the narrative that was revised in 2022 still said that the Town supported the hotel but that was not correct. She stated that the Town Council wrote to DEM stating that they were neither for or against it and that DEM should take into consideration flooding, etc. She stated that the applicant needed to stop saying that the Town supports it as that was not correct.

Attorney Reznik responded, stating that he did not say that the project has been approved by anyone. He was referring to the Town's Comprehensive Plan and that it stated that the zoned area was appropriate for a hotel in the Future Land Use Map. He said that he was not making any representation about approval of the project. He said that the Comprehensive Plan and the Future Land Use Map stated that this development project was appropriate for the area.

Ed Pimental came up to speak. He was involved in the original review of the Mainstay hotel. When he got back into this project, he reviewed the regulations as there have been significant changes across the State of Rhode Island. He said that every community had to revisit their Comprehensive Plan, zoning regulations, and land development subdivision regulations, and vet them out as to what they deem to be appropriate usage. He said that the big thing is if a town feels that a use may be appropriate, then it should be looked at and scrutinized more on a site by site basis and that they should impose the requirements for a special use permit and with that provide specific and objective criteria. He stated that Bristol did so by downscaling the size and massing and he brought it to the applicant's attention and it was redesigned with a smaller footprint. He said that the Comprehensive Plan states that hotels are one of the most required land uses and it still says that and that it should have been revisited and amended, but it still allows for hotels in the GB district. He said that since there were concerns about hotels in the area, that it should have been revisited while reviewing the Comprehensive Plan and Future Land Use Map.

Mr. Spinard came back up and said that the Comprehensive Plan also stated that they should not be building on wetlands. He said that what the applicant referred to is only one element of the Comprehensive Plan as there is recreation, conservation, and economics and all state that you don't build on wetlands in the Town and particularly around Silver Creek because of the flooding issue.

Member Katz stated that this is a great discussion being had and that they were not rendering an opinion on it. He said that State law has changed over the last few years which had taken a lot of control away from the towns and cities, and Bristol had to make changes. He said that the Comprehensive Plan did state that this is a site for a hotel. He stated that the Town and the applicant were going to have to go through a series of steps together with reviews, plans, and peer reviews, and that they were not rubberstamping anything, and the applicant will have to prove their case consistent with State law and Town ordinances, and their peer review will have a say.

Member Katz asked if anyone else wanted to speak.

Mr. Spinard approached again. He stated that the documents says that the Town supports it, and the Town does not support it. He said that he would like the document corrected as there is a letter from the Town Council.

Attorney Reznik clarified that they have not received any support or approval from the Town and he was just referring to the Comprehensive Plan.

Member Katz made a motion to adjourn.

E. Adjournment

Meeting adjourned at 9:55 pm by Katz

Respectfully submitted by Kathleen M. Maynard, Recording Secretary

Date Approved: _____ Planning Board: _____