The council met on Wednesday, July 13, 2022, and called to order at 6:30 p.m. in the Town Hall, Council Chambers, Council Chairman Calouro presiding:

PRESENT: Council Chairman, Nathan Calouro
Vice-Chairwoman, Mary Parella,
Councilman, Antonio "Tony" Teixeira
Councilman, Timothy Sweeney
Councilman, Aaron Ley

ALSO PRESENT: Town Administrator, Steven Contente
Assistant Town Solicitor, Andrew Teitz, Esq.
Town Sergeant, Archie Martins

6:30 PM: EXECUTIVE SESSION

(Council Chairman Calouro)- Request for Executive Session Pursuant to RIGL § 42-46-5(a)(1) Potential hiring of Town personnel

Prior to the vote taken, Assistant Town Solicitor Teitz announced for the record that the person affected was notified in advance in writing.

Sweeney/Teixeira – Voted unanimously to convene in Executive Session pursuant to RIGL Section 42-46-5 (a) (1) Potential hiring of Town personnel at 6:32 PM.

Teixeira/Sweeney– Voted unanimously to resume the open session and seal the minutes of the Executive Session at 7:00 PM.

Assistant Solicitor Teitz announced that a motion was made and voted on in Executive Session. The vote taken in the executive session will not be disclosed at such time to not jeopardize any strategy or negotiation undertaken and will be disclosed when appropriate.

7:00 PM: REGULAR ORDER OF COUNCIL BUSINESS

Motion RE: Consent Agenda - To Approve the Consent Agenda

Sweeney/Teixeira-Voted unanimously to approve the Consent Agenda

A. Submission of Minutes of Previous Meeting(s)

A1. Town Council Meeting – June 22, 2022

Sweeney/Teixeira- Voted unanimously to accept and approve the minutes of June 22, 2022

Ley/Teixeira- voted unanimously to call forward agenda item I1.

It is hereby noted for the record that discussion and action concerning this agenda appear in place as found within.

Parella/ Sweeney- voted unanimously to add a discussion item to recognize Parks and Recreation Director Warren Rensehausen.

The Town Administrator Contente recognizes Director Rensehausen for his previous work within the town and welcomes him back on board. Town Administrator Contente and members of the Council wish them the best of luck and thank him for his dedication to serving the town.

Parella/Teixeira- voted unanimously to hold agenda item B1 to the end of the meeting and call forward all other agenda items.

It is hereby noted for the record that discussion and action concerning this agenda item took place at the conclusion of the public agenda and appear in place as found within.

B. Public Hearings

B1. Director of Community Development Williamson re Application for Zoning Modifications/ Zone Map Change of Author Sullivan, Brady Sullivan Properties, LLC, for Bristol Yarn Mill Redevelopment, for 125 Thames Street - WPUD (Water Planned Unit Development - Waterfront Urban Rehab Land Development Project)

seeking modifications to the conditional zoning changes for density of 98 units to 127 units; for Minimum Commercial Space of 22,000 square feet to 6,300 square feet; for off-street parking dimensions of 10 feet wide to 9 feet wide; for lane parking strips of double line- marking to single line-markings; and the request for ordinance revisions to Chapter 28, Zoning, Comprehensive Zoning Code & Map Revision, Section 28-284 (d)2.

a. Proposed Amendments to Zoning Ordinance
b. **LATE ITEM -** Robert and Caroline Jacobus, 35 Church Street - letter of opposition
c. **LATE ITEM –** Charlie Payne, 1 Portside Road – Letter of opposition

Sweeney/Teixeira-Voted unanimously to close the public hearing

Sweeney/Ley- Voted unanimously to adopt the following three conditional modifications:

- minimum commercial space of 22,000 square feet to 6,300 square feet
- off-street parking dimensions of 10 feet wide to 9 feet wide
- for lane parking strips of double line markings to single line markings;

AND to direct the Town Solicitor and Director of Community Development to draft a motion and findings of facts with respect to the Planning Board recommendations, to allow for changes to the residential and non-residential density

sections of the text, and to allow the number of units to be increased from 98 units to 127 units, provided that any developer shall provide at least 20% affordable housing as follows.

1. 10% of the affordable units may be in the form of in-lieu-payment of $40,000 per unit
2. The remaining required 10% affordable housing shall be a hybrid of onsite and offsite housing with a total of 13 units.
    a. Offsite: 3 units shall be as previously identified and incorporated into the plans as one single-family home and one duplex home located on the east side of Thames Street, and
    b. Onsite: The remaining 10 such units shall be incorporated and dispersed within the mill building complex itself on the west side of Thames Street, and
    c. All of the onsite and offsite units shall be subject to the provisions of Bristol Zoning Ordinance Sec. 28-370, Subsection (c) and Subsection (h)(4).

Prior to the vote taken, Council Chairman Calouro opened the Public Hearing.

Clerk Cordeiro noted the following documents receive at the meeting and presented to the council.

- Memo- from solicitor re frequently asked questions
- Robin Rug Chronology
- June 2010 master plan approval
- June 2008 zone map change approval
- June 2008 zoning ordinance approved
- Memo-from Director Williamson re affordable housing

Assistance Solicitor Teitz provided the council and the public with an introduction to the zoning map and text amendment request and noted the information found in the solicitor's memo titled "Robin Rug (aka Bristol Yarn Mill – Request for Zoning map and text amendments- Frequently asked questions". The information proved in the memo and described was as follows:

> *INTRODUCTION On July 13, 2022, the Bristol Town Council ("TC") is scheduled to hold a Public Hearing on and consider requested amendments to both the Zoning Map and the Zoning Ordinance text. Over the last several months, while the Bristol Planning Board ("PB") has considered both the proposed amendments and the Major Land Development Project ("MLDP") Master Plan stage application, many questions have arisen from the public, PB members, and elected officials about the legal background and process. This memo is an attempt to address some of the more frequently asked questions. I will be present at the Public Hearing to further respond to the questions from the TC.*
>
> *This memo has also been supplemented by a memo on Affordable Housing and a Chronology from the Director of Community Development, together with several of the background documents from 2008 through 2010.*
>
> *1. WHAT'S WITH THE BACK AND FORTH BETWEEN THE PLANNING BOARD AND TOWN COUNCIL? WHY CAN'T JUST ONE OF THEM DECIDE? Rhode Island law provides for a process when approval by both the PB and another local permitting body, in this case the TC, is required. It is as follows: 2 "§ 45-23-61. Procedure — Precedence of approvals between planning board and other local permitting authorities.*
>
> *(a) Zoning board. . . .*
>
> *(b) City or town council. Where an applicant requires both planning board approval and council approval for a zoning ordinance or zoning map change, the applicant shall first obtain an advisory recommendation on the zoning change from the planning board, as well as conditional planning board approval for the first approval stage for the proposed project, which may be simultaneous, then obtain a conditional zoning change from the*

council, and then return to the planning board for subsequent required approval(s)." (Emphasis added.)

In this case, the applicant needs both a MLDP approval from the PB and zoning changes (both map and text) from the TC.1 Over the past year, the applicant has filed and revised its plans and gone through multiple meetings with the PB and has obtained simultaneously (as authorized explicitly by statute) both the conditional Master Plan approval for its MLDP and the advisory recommendation to the TC on the zoning change.

Master Plan stage of an MLDP does not normally contain a high level of detail. It is an overall "master plan" look at the project. It would not normally include such items as a traffic study, detailed drainage or sewage calculations, or an fiscal impact study. Nor is an applicant required to have any other state or federal permits in hand, such as CRMC, DEM, or DOT approvals. All of those items are not required by Rhode Island law until the Preliminary Stage of MLDP review. As noted in the statute, the applicant will need to return to the Planning Board to satisfy all of

2. WHAT OPTIONS DOES THE TC HAVE? *those detailed requirements.*

The TC must conduct a public hearing on the proposed amendments. Procedurally the TC can then either (1) continue the public hearing, (2) close the public hearing and continue the proposal to a date certain for deliberation and decision, or (3) close the public hearing and deliberate and decide on the same night.

Substantively, as part of the TC deliberation, the TC can follow the PB recommendation or not. However, if the TC does not follow the PB recommendation, it must make its own findings of fact as set forth in Section 28-51(2) of the Zoning Ordinance, as follows:

"The town council shall hold a public hearing within 65 days of receipt of proposal, giving proper notice as prescribed in section 28-52. The town council shall render a decision within 45 days after the date of completion of the public hearing. The town council may not make any decisions that are inconsistent with the findings of the planning board, unless the council makes their own findings of facts present in the record, that the findings of the planning board are in clear error or clearly exceed their authority. The provisions of this subsection pertaining to deadlines shall not be construed to apply to any extension consented to by the applicant." (Emphasis added.)

Thus the TC can either (1) adopt the PB's recommendation and findings and pass the amendment as presented, or (2) deny the amendments, or (3) further amend and change the zoning amendments, but only if the TC makes its own findings of fact that the findings of the PB are in clear error or clearly exceed the PB's authority as set forth above

3. WHAT HAPPENS NEXT?

That depends on what action the TC takes.

If the TC votes to deny the amendments (or no motion to approve obtains a majority vote, which is legally a denial), then the matter is dead. If the applicant wants to modify its plans, it will have to return to the PB for a new Master Plan approval and recommendation.

If the TC votes to approve, either as is or with conditions, there will be a detour to the Zoning Board ("ZB") because some objectors to the project have filed an appeal of the MLDP Master Plan Decision. That appeal will be heard by the ZB sitting as the "Board of Appeal." If the ZB votes to sustain (in favor of) the appeal, then the matter will go back to the PB and need to start over for Master Plan review. If the ZB votes to deny (against) the appeal, then the project will proceed to Preliminary Plan stage review before the PB.

If the TC has approved with changes or conditions different from the PB recommendation (with findings as discussed above), the PB will need to review and approve of those changes as part of its Preliminary Plan review. If the PB does not so approve, with appropriate findings it may deny the application at that stage. The PB will also consider all of the elements of the application that were not compete at Master Plan stage, such as traffic study, fiscal impact statement, state and federal permits, etc., in its Preliminary Plan review.

4. WHAT ABOUT AFFORDABLE HOUSING? WHY ARE THE DEVELOPERS NOT PROVIDING 20% OF THE UNITS ON SITE AS AFFORDABLE?

A. 2008 Zoning

When the prior zoning amendments were adopted on July 31, 2008, the Zoning Ordinance did not have what is called "inclusionary zoning" which is a mandatory requirement that a certain defined portion of all new developments be affordable onsite, or provide offsite affordable units, or provide a fee in lieu of providing the affordable units which fee would go to a municipal or private agency to create more affordable units (known often as simply "fee in 4 lieu"). There were, however, already elements in the Comprehensive Plan with the goal of increasing affordable housing.

The PB's 2008 recommendation to the TC was included by the TC in its vote, and even recorded with the TC vote in the Land Evidence Records. Development Condition #2 of that document (at Book 1457, Page 179) states:

"Affordable Housing: The developer is to provide a minimum of 10% and no more than 20% affordable units, either onsite, offsite, or by fee in lieu to Affordable Housing Trust Fund as agreed to by the Planning Board during the Major Land Development Process." (Emphasis added.)

Therefore, as of July 31, 2008, the requirement for this project was somewhere between 10% and 20% with any combination of onsite, offsite, or fee in lieu available for negotiation.

B. 2010 MLDP Master Plan Approval

The "Major Land Development Process" referred to above was then conducted over the next two years, and on June 22, 2010, the PB granted approval which required 10 units (10% of the 98 units then allowed), and the "location of the 10 affordable housing units (on site or off site) to be made prior to Preliminary. [Plan stage]" Therefore 10% affordable units were required, although they could be offsite. However, this 2010 MLDP approval has since expired, so the 10%-20% requirement of the 2008 zoning map change still applies.

C. Inclusionary Zoning as part of Zoning Ordinance

It is confusing, but necessary to note, that on March 31, 2010, a few months before the 2010 Master Plan decision, the TC adopted a wide variety of amendments to the Zoning Ordinance, as part of a periodic review of the Zoning Ordinance. (The name was "Phase IV Zoning Revision" as this was the fourth such comprehensive review for Bristol since the adoption of the Zoning Enabling Act of 1991.) Included in those amendments was adoption of inclusionary zoning, which allowed onsite or offsite options and fee in lieu.

However, this section of the Zoning Ordinance did NOT apply to the Robin Rug Master Plan stage application because such application had been certified complete back on October 17, 2008, long before the Phase IV revisions were considered and adopted. Thus, Robin Rug was "grandfathered" as to affordable housing, going back to the 10%-20% requirement of the 2008 zoning map amendment, which amendment was never repealed or itself amended (until now)

D. Fee in lieu – Come and Gone, but still an option for Robin Rug

As per #C above, fee in lieu became a formal option in the Zoning Ordinance in 2010. However, at that time state law allowed the Planning Board to decide whether they wanted onsite, offsite or fee in lieu, or a mix of them. Also, the fee in lieu amount was large enough to create an affordable unit if the land value could be eliminated from the calculations.8 5 The state law subsequently changed so that onsite vs. offsite vs. fee in lieu became the option of the developer, not of the PB. Also Rhode Island Housing was given authority to set the amount of the fee in lieu by community, and its revamped formula left municipalities such as Bristol with a fee that is nowhere near what is required for a unit (currently about $40,000 per unit). Thus, in 2020, the PB recommended (as part of another round of comprehensive revisions to the Zoning Ordinance) and the TC approved, the removal of the option for fee in lieu. However, as noted above, Robin Rug was

"grandfathered" as to affordable housing, going back to the 10%-20% requirement of the 2008 zoning map amendment, which amendment was never repealed or itself amended.

E. What can the TC require now as to affordable housing

The PB compromised at 15%, or 20 (as rounded up) affordable units, to be composed of 3 onsite (in the existing residential buildings on the east side of Thames Street) and 17 by fee in lieu with such fee at $40,000 per unit. If the TC decides to accept this recommendation, then it will amend the 2008 zoning map change to replace the old 10%-20% language with this requirement. If the TC, makes its own required findings (as noted in #2 above), the TC may itself require anywhere from 10% to 20% affordable housing, and may set the mixture of onsite and offsite and fee in lieu units.

5. HOW MANY UNITS AND WHAT ABOUT THE "GROSS FLOOR AREA PER DWELLING UNIT" REQUIREMENT IN THE ZONING ORDINANCE TEXT?

The usual zoning "control" on density as-of-right is "lot" area per dwelling unit. However, with a large multi-story structure such as this located on a relatively small lot, that method does not work. The situation is further exaggerated by the historic nature of the structure, which prevents demolition of all or even significant parts of the structure.2 So an alternative method of gross floor area (of the buildings) per dwelling unit ("GA/DU") was tried. This too had problems in application, including how to calculate the floor area for existing vs. proposed layout. In hindsight, this "control" wasn't even necessary, because no dwelling units could be built on the site completely as-of-right. Any residential development would be a MLDP, subject to multistage review and approval by the Planning Board. The real "correct" number of units would be as a result of that review based on such factors as available infrastructure including sewer and water capacity, traffic, parking, lighting, historic preservation requirements, and impact on the neighborhood. Even in 2008, when the TC set the maximum number of units at 98 in the zoning map change, the GA/DU in the zoning text was inconsistent because the GA/DU of 2,250 might have allowed up to 126 units based on the estimated gross floor area.

Community Development Director went over the Affordable Housing component as outlined in the memo provided to the council. The memo stated as follows:

RI Housing annually calculates the percentage of the low- or moderate-income housing in each RI community which is required by State Law to be tracked. Bristol has a total of 522 Low-Moderate income housing units which is 5.79% of the year-round residential units (9,015 year-round housing units based on 2010 census - per RI Housing the 2010 census is used due to delays in the release of the detailed 2020 Census). State Law sets the goal for municipalities to have 10% of the year-round housing as Low Moderate Income.

Rhode Island Housing also provides data on the Rhode Island Income Limits for Low-and Moderate Income Households (see attached chart). The information in this chart is used to determine eligibility based on the number of persons in the household. The chart lists the maximum amount the household can earn to qualify for an affordable unit. In accordance with the State Law, for rental units the maximum amount is 80% of Area Median Income and for sale units, the maximum amount is 120% of Area Median Income. Referencing the chart, for a 3- person household at 80% of Area Median Income in Bristol, the maximum income would be $69,650 to qualify for a rental unit.

The Rhode Island Housing chart is also used to calculate the maximum rent that can be charged for affordable units. The amount of rent is based on the number of bedrooms plus one person. So, for example, with a 2-bedroom unit, the rent would be calculated as follows:

$69,650 (80% of Area Median Income) for 3 persons {2 beds plus I person = 3}.

The rent could not be more than 30% of the household income including utilities, therefore,

$69,650 / 12 months = $5,804.16 x 30% = $1741.25 a month would be the maximum rent.

A monitoring agent is also needed to make sure all of the units and renters are in compliance. The local monitoring agency (East Bay Community Development Corporation) that provides this service collects a fee of $500 for the initial certification and 2% of the maximum rent for the annual re-certification. There is another monitoring agency (Community Housing Land Trust of Rhode Island) that also serves this area. They charge $1000 per unit initially and then 3.5% of the maximum gross rent for the annual recertification. The annual fee would change every year as the maximum rent changes but the percentage stays the same.

The following State Laws are referenced as well.

Two RI General Laws Section 42-128-8.1 of "Rhode Island Housing Resources Act of 1998" ; and RI General Laws Section 45-53-3 of the "Rhode Island Low and Moderate Income Housing Act" provide definitions of affordable housing and Low or Moderate Income Housing as follows:

RI General Law Section 42-128-8. I - "Affordable housing" means residential housing that has a sales price or rental amount that is within the means of a household that is moderate income or less. In the case of dwelling units for sale, housing that is affordable means housing in which principal, interest, taxes, which may be adjusted by state and local programs for property tax relief, and insurance constitute no more than thirty percent (30%) of the gross household income for a household with less than one hundred and twenty percent (120%) of area median income, adjusted for family size. In the case of dwelling units for rent, housing that is affordable means housing for which the rent, heat, and utilities other than telephone constitute no more than thirty percent (30%) of the gross annual household income for a household with eighty percent (80%) or less of area median income, adjusted for family size. Affordable housing shall include all types of year-round housing, including, but not limited to, manufactured housing, housing

originally constructed for workers and their families, accessory dwelling units, housing accepting rental vouchers and/or tenant-based certificates under Section 8 of the United States Housing Act of 1947, as amended, and assisted living housing where the sales or rental amount of such housing, adjusted for any federal, state, or municipal government subsidy, is less than or equal to thirty percent (30%) of the gross household income of the low and/or moderate income occupants of the housing."

The definition of "Low or moderate income housing" RI General Law 45-53-3 is "any housing whether built or operated by any public agency or any nonprofit organization or by any limited equity housing cooperative or any private developer, that is subsidized by a federal, state, or municipal government subsidy under any program to assist the construction or rehabilitation of housing affordable to low or moderate income households, as defined in the applicable federal or state statute, or local ordinance and that will remain affordable through a land lease and/or deed restriction for 99 years or such other period that is either agreed to by the applicant and town or prescribed by the federal, state, or municipal government subsidy program but that is not less than 30 *years from initial occupancy"*

Chairman Calouro called upon members of the public to provide their input.

Attorney Stephen MacGillivray, an attorney representing the Friends of Historical Bristol addressed the council and presented the following documents:

- A copy of the Town of Bristol subdivision & Development review regulations
- A copy of the procedures found in town code section 28-51
- A copy of Brady Sullivan Properties, LLC application form for a zone change
- A copy of the February 10, 2022, planning board meeting agenda
- A copy of the July 13, 2022, council agenda
- A copy of the planning board minutes from April 14, 2022
- A copy of a letter from Bengtson & Jestings, LLP re amended application

Attorney MacGillivray stated that he had three procedural arguments to present to the council. He stated that according to sections 8-11, the Friends of Historical Bristol filed an appeal of the planning board decision and that the matter should be considered as a "stay of Proceedings" according to section 8.11 (d), and requested the council hold on further action until the zoning board discussions made on the filed

appeal. He stated that the council, under normal circumstances, would receive a recommendation from the planning board in reference to the applicant's request, however, he argued that the planning board recommendation did not include the section 28-284(d)2 because the board did not have an application for the change and wouldn't have considered it during its deliberations. He questioned the restraints of the condition of the 98 units and the gross floor area.

Attorney MacGillivray further questioned the integrity of the original zone map change application and the process of the submission of the amended zone map change application. He argued that the amended application letter was dated after the planning board decision was recorded.
He further noted differences in the planning board agenda description compared to the council agenda description; and referenced portions of the 2008 planning board decision regarding the number of units within the mill buildings.

Assistant Solicitor Teitz responded to the procedural argument on the "matter of stay". He explained that an opinion was made and shared with attorney MacGillivray and attorney McCoy, in June, and the opinion found that the council is not "stayed" noting that only a decision from the planning board on the major land development would be considered a matter of stay and that he did not believe that the matter of stay applies to the recommendation.

Assistant Solicitor Teitz responded with his opinion stating that section 28-284 (d) 2 was always part of the discussion, and the density and number of units were always included. The issue was raised repeatedly from the TRC forward. It was discussed repeatedly and was raised by objectors. The discussion was not new and the general conflict between the gross units and density caused much confusion. The language to the change in the section was added and, in his opinion, the application is not flawed, and the recommendation is valid. He stated he believes that the number of units was always the intent and inherent discussion of

the planning board and recommendation, and that the town should move forward with tonight's public hearing

Solicitor Teitz asked attorney MacGilvray what property/real estate, in Bristol, his client(s) from the Friends of Historical Bristol own. Attorney MacGilvray stated he did not know the answer to the question. Solicitor Teitz stated that he would be challenging the Friends of Historic Bristol as a party that does not properly own property and is not a party that may properly appeal the decision of the planning board.

Attorney MacGillivray presented his argument on illegal spot zoning and that the privileges for this zone were not extended to other lands in the vicinity and are not generally aligned with the sound public policy designed to serve the best interest of the community as a whole. Solicitor Teitz responded that the alleged illegal spot zoning was a substantive argument and not a procedural argument.

The Council agreed by consensus to move forward with discussion and action on the matter.

Attorney John McCoy, an attorney representing the applicant Brady Sullivan Properties, LLC, addressed the council. He described the unique characteristics of the property and development. He stated that the unique zone was created for this property and is consistent with the comprehensive plan. He explained that the zone change was encouraged to rehabilitate, and reuse underused historic structures to be mixed-use residential. They are proposing to increase the density from 98 units to 127 units and decrease the commercial space from 22,000 square feet to 6,300 square feet noting the decrease in demand for commercial space and the increasing demand for residential space.

Attorney McCoy noted some compromises agreed to by the applicant to increase the buffer in the parking lots across the street and the donation of a parking lot for public use. Also noting the option of 10% in lieu of affordable housing was agreed to be increased to 15%, a total of approximately $680,000, with a hybrid proposal

that three of the units across the street would be affordable housing.

Sean Martin, a professional civil engineer with Fuss & O'Neil of 317 Iron Horse Way in Providence addressed the council. He discussed EPA smart growth, integrated transportation, walkability, and their benefits. He stated that the location was in high demand due to its close proximity and access to municipal services, attractions, recreational facilities, and businesses. He provided a conclusion of a 2008 traffic study that was done based on a project with 98 units, noting no significant impacts. He further informed the council that the planning board recommended an updated traffic study be conducted and the project is underway.

Mr. Martin noted the findings of the Bristol County Water Authority and the sewer department from the TRC meeting noting there was adequate capacity in the existing infrastructure and would be further vetted in the review of the preliminary plan stage. He noted that the design will also include stormwater management systems.

Mr. Martin further described the parking space requirements. He noted that the minimum requirement would be 141 parking spaces and the plan provided an excess of that requirement and provided 299 spaces.

Chris Reynolds, the project manager for Brady Sullivan Properties, LLC addressed the council. He stated that he had worked on many Brady Sulivan properties. He explained that has had 14 years of experience in mill projects in Rhode Island. He explained the challenges and difficulties in mill conversions noting that one of the challenges was that mills were not built with parking accommodations.

Rob Stolzman, an attorney representing the landowner Russ Karian, addressed the council. He explained the history of the project and his involvement starting in 1985. He noted there were five core principles that Bristol wanted from Robin Rug:

- Preserving the history of the building- noting the building to be the largest oceanfront

manufacturing facility north of Baltimore on the United States East Coast; and that the whole town should benefit from preserving the historic building.

- Public Access to the water- noting the condition to repurpose the building to provide public access for the boardwalk extension
- Expanding the Town Marina- noting that Mr. Karian agreed that he would donate, at no cost, his littoral rights to the waterfront in front of his property. Explaining that Mr. Karian did so in advance so that the town could move forward on the project with municipal funds received.
- The Town's need for residential units- noting that arbitrary 98 units due to the condo market demand at the time for 3-bedroom luxury units. Although, the market has changed. However, the high-density residential was always part of the core principals
- Provide a core fund for the community housing development corporation- noting that at the time it was a mechanism for affordable housing and was put into the ordinance before the payment in lieu of a requirement.

Mr. Stolzman noted that a specialty developer is required to preserve the five-core principals, which are being presented to the council with the addition of a sixth benefit of a parking lot.

At this point in the meeting Chairman Calouro invited members of the public to provide input.

Alayne White, 11 Constitution Street, addressed the council to speak in support of the development. She discussed generational neighborhoods, the aging population and the need for a plan, the services the development would provide to businesses. She also stated her concerns with increased traffic in the area.

Gina McDonald, 180 Ferry Road, addressed the council to speak in favor of the development. She discussed the initial opposition to the Stone Harbor project and credited the project for new residents in town.

DeWolf Fulton, 28 Monkeywrench Lane, addressed the council. He mentioned the need to upgrade the building, the demand for waterfront housing, the benefits to new residents with their impact on the local economy and civic duty, the generated tax revenue, and the increased public access. While he sympathizes with the density and parking impact he encouraged the town not to lose the opportunity the development presents.

Gary Holmstrom, 341 Thanes Street, presented and read a letter to the council and requested it be a matter of record, it reads as follows:

Honorable Town Council Members
Thank you for the opportunity to comment to this Town Council regarding the Bristol Yarn Mill Project review to be discussed on July 13, 2022.
I strongly urge the council to delay the vote on this project until the results of a new Density Study and Fiscal impact report are complete. I do not object to the development of this valuable property and potentially helpful project for Bristol and this community if conducted properly in accordance with applicable laws and regulations.
The developer referenced a 2008 traffic study. That study has been verified to be conducted during a snowstorm in winter when few vehicles transited the area streets. A new study should be conducted prior to a vote so a wise decision can be made.
A fiscal impact report is prudent and would serve this community well since the costs to the town, meaning taxpayers, could be a loss of over $345,773 annually. This amount was not verified and was stated as hastily produced. A thorough financial impact report should be verified by an independent source prior to voting upon this project.
The developer stated the previous $345,773 estimated loss was acceptable to the taxpayers because the Town would receive needed housing and housing alternatives. However, the developer is also requesting not to provide alternative housing.
It seems proper the Town Council accept this written statement for the record.
Thank you for your and all Committee members' consideration and diligence on this project.

Jane Lavender, 50 Thames Street, addressed the council. She stated she wanted to see the site developed. However, she was concerned about the developer and their EPA findings and asked who would oversee the

project. She also noted her concerns about the impact on the neighborhood.

At this point in the meeting the council recesses for 5 minutes (from 9:22 pm to 9:27 pm).

Michael Rossi, 190 Hope Street, addressed the council. He noted his involvement on the planning board in 2008. He noted his concerns with the condition of the number of units, the environmental impact, and the risk to maritime institutions. He recommended the council consider the opportunity for a marine center in the 22,000 square feet of commercial space. And the importance of affordable housing.

Julie Anthony, 17 Fishhawk Lane, addressed the council. She noted her concerns about the reduction of commercial space stating that commercial space attracts tourists. She explained her concerns regarding high density and rising sea levels; and the need for a pleasing environment and access to the waterfront.

Marianne Bergenholtz, 366 hoe Street, addressed the council. She presented a petition for the record, containing 180 signatures.

- Document received was a petition labeled- *We, the petitioners, respectfully request that our honorable town council deny Brady Sullivan's Zoning Changes at 125 Thames Street (Bristol Yarn Mill/Robin Rug) and keep current zoning and density in place. The changes petitioned for do not agree with the comprehensive plan in maintaining a favorable tax base, managing growth in the fiscal capacity of the town, creating overly high density not compatible with the neighborhood, expanding the view to the waterfront, creating affordable housing on-site, and economic development relating to commercial space.* (*it is hereby noted for the record that the petition presented did not contain physical signatures. However, contained typed names attached to).*

Ms. Bergenholtz stated she was in favor of developing the project and she knew developers who would be interested in doing this in a manner the town has planned for and would not have the issues that

developer Sullivan seems to have. She described her concerns with the density impact and the impact on the marina.

Ms. Bergenholtz provided the following document as a matter of record:

Marianne Bergenholtz
366 Hope Streeet, Bristol

I am an abutter to the project.

We all know Bristol is a special place. You, as our elected and Town appointed officials have made tremendous progress toward our Comprehensive Plan visions and goals. We are all proud Bristol to be here. We've been moving steadily ahead.
In 2017, we all recommitted to the 2008-2010 Robin Rug plan by memorializing it in the Comprehensive Plan. The plan is with the property's deed, in a Conditional Zone Change with Conditions, and even new Zoning Laws.
But now comes Brady Sullivan for Robin Rug. They claim they, as a powerful, wealthy redeveloper, cannot meet Bristol's Visions and Goals for Robin Rug in our community.

They want us to Change the Zoning Laws. Change the Conditions on the property. Change the Comprehensive Plan because they don't fit their "model. "

Of particular concern, The Code and Comprehensive Plan already adds 98 units in a tightly packed corner with frontage on only one street, being bordered by the Harbor. Tonight, this developer is asking for "No minimum square footage of gross floor area" which will lead to unlimited future density at the site. Please reject this change.

Is Bristol's Robin Rug any different from Brady Sullivan's rehabbed factories in Manchester, Worcester, Clinton, Cranston, Providence, Warren and others ? You bet it is. Do those places have the small historic seaside charm and community that we do? I will proudly say "Bristol is better. " So, not Robin Rug does not "fit Brady Sullivan's model. "

As the developer states, Comprehensive Plans don't usually refer to specific properties, so, that Robin Rug is mentioned four times shows the importance that Robin Rug's development has to our Community.

This developer has the resources, including millions of dollars in past and future taxpayer-paid bonuses, to meet our expectations for Bristol's Robin Rug with the current plan. They don't need the Zoning Changes. If they need relief, they should go to the Zoning Board of Relief and make their case.

In Summary, you have been steady at the helm, following the Comprehensive Plan and adapting the Zoning Laws appropriately. Please reject these zoning changes and have this developer or one who will bring us our Vision.

Please comply with the Comprehensive Plan to Make Bristol the "Gem of the East Bay" — not just another factory rehab.

Due to the time constraints put on us tonight, / have written my objections and wish the Council to accept this document into the record.

History: After we adopted the 2005, a Comprehensive Plan a development at Robin Rug was advanced. The initial density was based on the density of the neighborhood, as required by the Zoning Laws at the time.
Then in 2008, the initial Planner for Robin Rug created the new Robin Rug Plan. It was objectively reviewed by the Town's Independent consulting Planner.

They calculated that the density could be more than doubled based on the size and layouts of the buildings. The Town decided on the current Zoning Change with Amendments that we have before us. Those Zoning Changes comply with the Comprehensive Plan.

From the Comprehensive Plan:
The Comprehensive Plan's long-term vision for Robin Rug is memorialized in the 2017 Comprehensive Plan. And it applies more today than at any other time.
Here is why the requested Zoning Changes do not comply with the Comprehensive Plan. Quotes from Comprehensive Plan are in bold

- *Statement of Goals and Policies*

Developing a vibrant downtown of regional stature;
A vibrant downtown on the waterfront must include the 22,000 sq. ft. of commercial space. Reducing it to 6,300 sq. ft. will not a//ow the Economic Viability we need on the waterfront. Bristol is not Clinton, Massachusetts or Cranston, RI. New, spacious waterfront commercial space will attract economic development, especially if it faces the water.

- *Enhancing our reputation of strong historic New England coastal town charm; Is Robin Rug any different from Brady Sullivan's factories in Manchester, Worcester, Clinton, Cranston, Providence, Warren and others ? You bet it is. It cannot be developed to "fit Brady Sullivan's model. " Do they have the fee/ of small historic seaside charm and community? We do not want the Brady Sullivan model of factory rehab here in Bristol. We can do better than that."*
- *Safeguarding our family and neighborhood-oriented commitment;*
  Many of us have purchased homes in Town and in the neighborhood with the understanding that there would be 98 units, the highest density development in the Town of Bristol at Robin Rug. The Code and Comprehensive Plan already adds 98 units in a tightly packed corner with frontage on only one street, being bordered by the Harbor. The developer is asking for "No minimum square footage of gross floor area" - unlimited future density at the site. Please reject this. It opens the door to unlimited growth there.
  This developer's parking plan tries to squeeze in many more spaces than is required to support the development. This is at the expense of appropriate buffer zones and increased traffic density to the historic neighborhood. Please reject and change the code to increase the buffer zone al/ around the parking area.

Fiscal Goal 4, Maintain a favorable tax base.
a. Encourage balanced growth.
B. Manage growth in concert with the fiscal capacities of the community.

The developer's own Fiscal Impact Statement shows that the higher the density, the higher the net losses are to the taxpayers. Taxes are determined on per capita costs in the community. More people, more expenses. The income taxes will not cover the expenses. Consider this: What will we have to add to our fire department to responsibly protect people in the building?

Affordable Housing: "Robin Rug — 98 total units, 10 to be affordable housing.

Brady's argument for "in lieu payment" to exclude affordable housing at the site says that there are more suitable places for it, yet also states that they need to increase the density by 30% because there is nowhere else to build in town. This is disingenuous.

The Affordable Housing Locations Summary Chart states: "Robin Rug (will have) a total of 98, including 10 affordable housing units." NOTES from the Affordable Housing Strategies Table: "This strategy also includes the units from Robin Rug."
Density: 98 units at Robin Rug
The independently reviewed Robin Rub plan agrees with manage[d] growth.

Economic Development:
Economic Development is the sustained, coordinated actions undertaken by our community to create a positive environment to help businesses succeed and which enhance Bristol's standard of living and quality of life.

Success of Economic Development initiatives over the next decade is vitally critical for fulfillment of the Community's Comprehensive Plan aspirations. It is the financial engine that makes the Comprehensive Plan possible.

From an Economic Development standpoint, we are at a critical point that requires leadership, activism, and change:

- *The business world changed in the past half-decade and will rapidly change in the coming decade;*
- *Our economy is stagnant; opportunities for our current workforce and future generations are limited without change;*
- *Stagnation is slow death; growth is the only way to economic development;*

1. *basic realities must be addressed in an Economic Development Growth Plan. Community actions must support:*
   Support for new businesses relocations to Bristol and for embryonic business start-ups.

A. *Critical to this Comprehensive Plan:*

- *[Economic Development] improves the financial condition of our community through more and better paying jobs*
- *It provides the funding — viable financial base — for other Comprehensive Plan initiatives*
- *It provides employment for younger generations to enjoy a higher standard of living*
-

Comprehensive Plan [Specifically to Robin Rug:
"There are currently plans in the review process for converting the Robin Rug waterfront mill into a mixed use development with residential uses on the upper floors and with parking and commercial uses on the first floor.
The project will also include a major link in the Town's Downtown Harbor Boardwalk which will run from the Town's property at the Armory at Church Street to the Elks Lodge at the end of Constitution Street.

The owner of the Robin Rug property has deeded the riparian rights of this property to the Town and there is a concept plan in place to develop a town-owned marina at this location."

Jessalyn Jarest, 183 High Street, addressed the council noting her disappointment in the lack of affordable housing.

Margo Jones, 256 Hope Street, addressed the council. She stated she was in support of the development however noted

her thoughts on the weaknesses to the proposal. She noted her concerns regarding the placement of affordable housing, the reduction of commercial space, and the lack of windows in some units.

Anthony Angelo McClain, 66 Ferry Road, suggested that a seventh core principle be added to the plan to include diversity and inclusiveness when vetting the terms of subcontractors and vendors. He noted that diverse communities prosper when opportunities are presented evenly.

John McCloskey, 249 Hope Street, addressed the council. He stated he was opposed to the increased density and the formulas for the affordable housing component. However, was not opposed to the idea of the project.

Catherine Zipf, 32 Greylock Road, Addressed the council. She recommended the council not proceed with the development and noted her concerns about rising sea levels.

Peter Hewitt, 11 Wendy Drive, questioned how the affordable housing component would be determined.

Mike Ramos, 289 Hope Street, addressed the council and noted his concerns with parking.

Bob Holt, 10 & 12 Constitution Street, addressed the council and noted his concerns with parking and how the project would be monitored.

Nancy Chase, 21 Constitution Street, addressed the council and noted her concerns about the disruption of the parking, the parking lot, and the quiet enjoyment for neighbors abutting the parking lot. She recommended that a restriction be placed on the parking lot for ground use and parking and prohibit future development of the parking lot area; and maintain the 20-foot buffer zone on the ground parking.

Tom Bergenholtz, 366 Hope Street, addressed the council. He discussed the comprehensive plan. He noted his concerns about the developer’s standard compared to the comprehensive plan.

Laura Curtis, 265 Hope Street, addressed the council and requested the council hold off deciding that evening. She

noted that there were still many questions and concerns that should be addressed prior.

Steve Macena, 381 High Street, addressed the council and spoke against the development. He noted his concerns with parking, density, and traffic impacts.

Town Administrator Contente explained a need for housing in Bristol. He explained that with the expansion of new businesses in town, that provided high-paying jobs, were in the need of housing. He stated it was a good project with good benefits. He explained that he visited the Warren Tourister site and was not aware of any major issues, hazards, or neglect with the development. He states that it was time to improve that area in Downtown Thames Street and the project would benefit the town. It was time to think of the future.

Councilman Ley stated that he liked the extension of the boardwalk and having more public access to the shoreline. He also liked the reuse of the mill buildings to provide more housing. He stated his concerns about the lack of affordable housing in Bristol. He explained that he didn't think the planning board sufficiently addressed the affordable housing component. He stated that the law required Bristol to set a 10% target on affordable housing. He explained that Bristol was currently at 5.79% affordable housing, and he was concerned about the implementation of not providing physical affordable housing units within the development. He explained that he did want to honor the inclusionary zoning ordinance and continue making the progress to the 10 % full compliance for the affordable housing target. He stated he would be in support of a hybrid approach with no less than 10% of affordable housing units and 10% in lieu of payment. Noting that the affordable housing units should be located in the building and offsite; provided that the units should be reasonably dispersed throughout the development, they should be indistinguishable in appearance, they should contain a mix of bedrooms up to and including three-bedroom units and should be compatible with the architectural style, and they should be built and occupied prior to or simultaneously with the construction occupancy of any market-rate units. He recommended that the provision relating to the affordability requirement be met and that there will be a local preference for people living

and working in Bristol as well as applicants having children, parents, or siblings who are residents of the town if shown to be consistent with the state and federal housing laws.

Vice Chairwoman Parrella was not particularly in favor of the payment in lieu of. She was most interested in providing affordable housing units within the mills and the units should be incorporated indistinguishable within the mill complex, explaining that it would be discriminatory if the affordable housing component was distinctively separated from the development. She explained that for someone to affordably purchase a home in this community, they would need to have an annual income of $97,138 and to rent a two-bedroom apartment they would need an annual income of $54,880. She described that many professionals such as social service workers, persons who work in nonprofits, first step teachers, and new patrol officers do not meet the minimum annual income threshold required to live in our community. Vice Chairwoman Parella noted that she viewed the increase in the number of units as a density bonus for affordable housing.

Councilman Sweeney questioned environmental insurance with the developers. Project Manager Chris Reynolds responded that they follow strict regulations.

Councilman Sweeney questioned the parking capacity project Manager Chris Reynolds responded that the parking is assigned to the leases and monitored.

Councilman Sweeney stated that there was a significant housing shortage in today’s market and that the town must look to reform zoning laws to address the housing deficit. Nothing that there was a need for housing priced at a financial level where low to middle-income earners can achieve, including young professionals, seniors, teachers, firefighters, and others who work in town. He stated he was in support of the project, and it would bring new life into that section of town. He encouraged the developer and the planning board to use LEED green building strategies. He noted he was in support of the reduction of commercial space and that it would protect the neighborhood from loud restaurants or bars. He further stated he was in support of increasing the density to 127 units so long as there is a

20% affordable housing hybrid component. The 20% affordable housing element shall consist of 10% in lieu of payment at $40,000 per unit and a 10% hybrid of onsite and offsite housing with a total of 13 units. Three of the units are identified as one single-family home and one duplex home located on the east side of the development the remaining 10 units shall be incorporated indistinctly within the mill complex. He recommended the solicitor draft a motion and findings of facts with respect to the Planning Board recommendations for council consideration at its next meeting.

Councilman Teixeira stated he contacted the Town of Warren to get a summary of the developer's work at the Tourister Building. He stated that he received confirmation that the developers were very responsive and there was never an issue. He noted that the developers went as far as investing $5 million in upgrading the sewer transfer station. He suggested the consideration of a two-level parking complex on the east side of Thames Street to be shared with municipal parking.

Chairman Calouro noted that he understood the concerns of the residents and that he believed that the planning board did their due diligence to address the neighbors' concerns. He stated he was in support of the increase of units to 127 units. He explained that the developer negotiated 15 % to affordable housing; noting that 10%-20% was the opportunity in the anomaly zoning area. He stated he was not opposed to the 15% to affordable housing and explained that according to state law the developer had the right to pay the $40,000 per unit in lieu of. He also explained that the funds could be used for other opportunities. He further noted that he was indifferent to where the affordable housing units were located as long as they are appropriate and similar. He stated that it was important to move forward with the project to provide the much-needed housing in Bristol.

Vice Chairwoman Parella questioned if the affordable housing units on the east side would have access to the mill building amenities. Project manager Chris Reynolds responded yes.

C. Ordinances

C1. Ordinance #2022-07 – Chapter 16 Motor Vehicles and Traffic Article V. Stopping, Standing and Section 16-142, Overnight parking prohibited at base of San Francisco Street at Open Space Walking Trail **(2nd reading)**

Sweeney/Teixeira-Voted unanimously to consider this action to constitute the Second Reading for the adoption of Ordinance #2022-07. Advertise in the local newspaper

D. Licensing Board - New Petitions

D1. Mathiew Medeiros, Basil & Bunny, 500 Wood Street, Unit 214 – Request for Victualling License

a. recommendation - Town Administrator and Fire Chief

b. recommendation - Town Administrator and Chief of Police

c. recommendation - Town Administrator and Water Pollution Control

d. recommendation - Town Administrator and Department of Community Development

Teixeira/Sweeney– Voted unanimously to grant this license based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, levies, and taxes

Prior to the vote taken, Mathiew Medeiros, owner/applicant of Basil and Bunny addressed the council and described the food and atmosphere of the new establishment.

D2. Chelsey Barton-Karnes, Thistle & Posy Flowers, 204 Gooding Ave – Request for Holiday Sales License

a. recommendation - Town Administrator and Fire Chief

b. recommendation - Town Administrator and Chief of Police

c. recommendation - Town Administrator and Department of Community Development

Sweeney/Teixeira– Voted unanimously to grant this license based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, levies, and taxes

E. Licensing Board - Renewals

E1. Armand Pereira, VFW Anthony C Almeida Post 237, 850 Hope Street re Dancing & Entertainment License renewal (late renewal petition -with modifications to entertainment area)

a. recommendation - Town Administrator and Fire Chief

b. recommendation - Town Administrator and Chief of Police

Sweeney/Teixeira– Voted unanimously to grant this license based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, levies, and taxes

F. Petitions - Other

F1. Joao Medeiros, 82 High Street, re Removal of Accessible Parking Space **(2nd reading)**

a. recommendation - Town Administrator and Chief of Police

b. recommendation - Town Administrator and Department of Public Works

Sweeney/Teixeira - Voted unanimously to consider this action to be the second reading for adoption to remove an accessible parking space at 82 High Street; and to Inform the Department of Public Works.

F2. Cidalia Harper, 18 Ryan Avenue, re Removal of Accessible Parking Space (1st reading)

a. recommendation - Town Administrator and Chief of Police

b. recommendation - Town Administrator and Department of Public Works

Teixeira/Sweeney – Voted unanimously to consider this action to constitute the first reading of a request to remove an accessible parking space and to continue said matter until the meeting of August 3, 2022, for the second reading.

F3. Cidalia Harper, 19 Ryan Avenue – Request a no parking box (1st Reading)

a. recommendation - Town Administrator and Chief of Police

b. recommendation - Town Administrator and Department of Public Works

Sweeney/Teixeira– Voted unanimously to refer this matter to the Town Solicitor so that he may draft ordinance language for council consideration.

G. Appointments

G1. Special Constables – Fire Police (additional new member) (term to expire January 2023)

a. recommendation - Fire Chief

Teixeira/Parella- Voted unanimously to appoint Daniel Cheatom, as recommended, with the term to expire in January 2023

H. Old Business

I. Other New Business Requiring Town Council Action

I1. (Town Administrator Contente) Citation re Department of Public Works James "Jimmy" Sylvester retirement

Teixeira/Parella - Voted unanimously to receive and file

Prior to the vote taken, The Town Administrator offered sincere gratitude for the years of service provided by Mr. Sylvester and present him with a town coin. Members of the council congratulated Mr. Sylvester on his retirement and wished him the best.

I2. Resolution re Assessment of Valuation and Levy of Taxes, Sewer Service Fees, and Sewer Assessments

Sweeney/Teixeira- Voted unanimously to adopt this Resolution, as written, and to forward a copy of same to the Tax Assessor.

I3. Paula J Ferreira, 1014 Hope Street Apt X3, requests grant funds to be reallocated to the Benjamin Church Resident Association from the Benjamin Church Tenants Association

Parella/Teixeira- Voted unanimously to reallocate grant funds from the Benjamin Church Tenants Association to the Benjamin Church Resident Association

I4. Request for Executive Session pursuant to RIGL 42-46-5 (a) (2) potential Litigation re Kane's Way Condominium Association, 751 Metacom Avenue

It is hereby noted for the record that discussion and action concerning this agenda item took place at the conclusion of the public agenda.

Sweeney/ley-voted unanimously to convene in Executive Session pursuant to RIGL Section 42-46-5 (a) (2) potential Litigation re Kane's Way Condominium Association, 751 Metacom Avenue at 10:57 PM:

Teixeira/Ley – Voted unanimously to resume open session and seal the minutes of the Executive Session at 11:32PM.

Assistant Solicitor Teitz announced that a motion was made and voted on in Executive Session. The vote taken in the executive session will not be disclosed at such time to not jeopardize any strategy or negotiation undertaken and will be disclosed when appropriate.

I5. Community Development Director Williamson Request for Executive Session Pursuant to RIGL § 42-46-5(a)(5) – Acquisition/Lease of Real Property

It is hereby noted for the record that discussion and action concerning this agenda item took place at the conclusion of the public agenda.

Sweeney/Ley-Voted unanimously to convene in Executive Session pursuant to RIGL Section § 42-46-5(a)(5) – Acquisition/Lease of Real Property AT 10:57 pm

Teixeira/Ley – Voted unanimously to resume open session and seal the minutes of the Executive Session at 11:32 PM.

Assistant Solicitor Teitz announced that a motion was made and voted on in Executive Session. The vote taken in the executive session will not be disclosed at such time to not jeopardize any strategy or negotiation undertaken and will be disclosed when appropriate.

J. Bills & Expenditures

K. Special Reports

K1. Allan Klepper, Barrington Director, Bristol County Water Authority – Monthly Report June 24, 2022

Sweeney/Teixeira **-** Voted unanimously to receive and file

L. Town Solicitor

L1. Town Solicitor Ursillo re Draft Ordinance for Council Consideration for Sec. 25-10 use of sidewalks for dining and other purposes by business establishment; licensing and Sec. 25-15 Sidewalk alcohol service, licensing.

Parella/Sweeney - Voted unanimously to refer to the Town Solicitor to work with the Department of Community Development to review and draft ordinance revisions for use of sidewalks for dining and alcohol service for council consideration.

Prior to the vote taken, Councilman Teixeira noted his concerns and personal experiences with narrow sidewalk clearance that caused obstruction and was detrimental to pedestrians trying to use the sidewalk for its intended purposes. Every obstruction was a pinch point, where pedestrians must go single file to tread carefully enough to reduce risk or danger.

Chairman Calouro explained that this was the first draft of a modification to the sidewalk use ordinance to provide a basic consistency for an overall simpler process for outdoor dining sidewalk use clearance.

Councilman Ley asked what the minimum ADA requirement was. Assistant Solicitor Teitz responded three feet.

Councilman Ley noted that Rhode Island communities such as Warren had a 48" right of way and East Greenwich had a 36" right of way passaged. He explained that they had streamlined regulation processes with no other restrictions. He stated that the proposed 48" of unobstructed passage for public use exclusive of trees, telephone poles, platers, and utilities was beyond the minimum ADA requirements. He believes it provides businesses with a little more flexibility. He recommended that the solicitor may review best practices from planning associations or such that would provide Bristol with a modified sidewalk policy.

Vice Chairwoman Parella suggested the solicitor may review other municipalities in RI and/or Massachusetts, as examples, to provide an assessment and evaluation of what other local communities are providing and report back to the council for consideration.

Councilman Sweeney explained that the review and modifications to the sidewalk dining ordinances would fit into and may later be incorporated into the proposed Outdoor Dining design review. He stated that he was in support of providing flexibility to the businesses for outdoor dining, yet it was important to remain in ADA compliance.

Citizens Public Forum

Persons wishing to speak during the citizens public forum must notify the Council Clerk and sign in prior to the commencement of the meeting.

Consent Agenda Items:

(CA) AA. Submission of Minutes - Boards and Commissions

Approval of consent agenda = "motion to receive and place these items on file"

(CA) AA1. Rogers Free Library Board of Trustees Meeting Minutes, May 19, 2022

(CA) AA2. Harbor Commission Meeting Minutes, June 6, 2022

(CA) AA3. Bristol Fire Department Board of Engineers Meeting, June 27, 2022

(CA) AA4. Harbor Commission Meeting Minutes Special Meeting, June 13, 2022

(CA) AA5. Conservation Commission Meeting Minutes, May 3, 2022

(CA) BB. Budget Adjustments

Approval of consent agenda = "motion to approve these adjustments"

(CA) BB1. Tax Assessor DiMeo re recommended Abatements & Additions - July 1, 2022

(CA) CC. Financial Reports

Approval of consent agenda = "motion to receive and place these items on file"

(CA) CC1. Town Treasurer Goucher - re Revenue and Expenditure Statement - July 6, 2022

(CA) DD. Proclamations, Resolutions & Citations

Approval of consent agenda = "motion to adopt these Proclamations, Resolutions and Citations as prepared and presented"

(CA) DD1. Citation presented to Rev. Henry P. Zinno Jr. Fortieth Anniversary with the Priesthood (signed)

(CA) DD2. Citation Director of Parks and Recreation Sarah Klein retirement (signed)

(CA) DD3. Citation presented to Mt Hope Liquors (signed)

(CA) DD4. Town of Bristol Proclamation – M.C.P.O. Frank J Parenti - Retirement (signed)

(CA) DD5. Resolution – Allowing the Police Department of Bristol to Collaborate with nonadjacent RI Municipalities and Police Departments through a Statewide Mutual Aid Agreement (signed)

(CA) DD6. Town of Bristol Proclamation – Bristol Fourth of July 2022 Chief Marshals, Joe and Rosa DaPonte (signed copy)

(CA) EE. Utility Petitions

Approval of consent agenda = "motion to approve these petitions"

(CA) FF. City & Town Resolutions Not Previously Considered

Approval of consent agenda = "motion to receive and place these items on file"

(CA) FF1. Town of Tiverton Resolution in Support of House Bill 2022-H 8244 Relating to Siting of Aquaculture Leases

(CA) GG. Distributions/Communications

Approval of consent agenda = "motion to receive and place these items on file"

(CA) GG1. Bid Tabulation – Bid# 984 – WWTF Solids Handling Process Upgrades and Miscellaneous Improvements

(CA) GG2. Bid Tabulation – Bid# 987 – Road Resurfacing Project

(CA) GG3. Bid Tabulation – Bid# 988 - Rogers Free Library - Roof Replacement

(CA) GG4. Bid Tabulation - Bid# 989 - Bristol Town Beach Concession

(CA) GG5. Town Clerk Cordeiro – re Thank you letter to Manny "Sonney" Furtado for serving on the Historic District Commission

(CA) GG6. Town Administrator Contente to Freedom Tech Inc. of Johnston RI re award of Bid# 982 - Information Technology and Consulting Services

(CA) GG7. Town Administrator Contente to Hart Engineering Corporation of Cumberland RI re award of Bid# 984 – WWTF Solids Handling Process Upgrades & Miscellaneous Improvements

(CA) GG8. RIDOT re Notice of Start of Construction of the Silver Creek Bike Path Culvert Bridge

(CA) HH. Distributions/Notice of Meetings
(Office copy only)

Approval of consent agenda = "motion to receive and place these items on file"

(CA) HH1. Bristol Planning Board Technical Review Committee Meeting, June 28, 2022

(CA) HH2. Bristol County Water Authority Board of Directors Meeting, Amended, June 23, 2022

(CA) HH3. Zoning Board of Review Meeting, July 11, 2022

(CA) HH4. CRMC Public Notice

(CA) HH5. Historic District Commission Meeting July 7, 2022

(CA) HH6. Historic District Commission Meeting Revised, July 7, 2022

(CA) HH7. Bristol Planning Board Technical Review Committee Meeting, July 6, 2022

(CA) HH8. Harbor Commission Agenda June 6, 2022

(CA) HH9. Harbor Commission Agenda July 11, 2022 (date corrected)

(CA) II. Claims (Referrals)

Approval of consent agenda = "motion to refer these items to the Insurance Committee and at its discretion to the Interlocal Trust"

(CA) II1. Marlene Botelho, 117 Bay View Avenue, re - claim for damages to vehicle

(CA) JJ. Miscellaneous Items Requiring Council Approval

Approval of consent agenda = "motion to approve these items"

(CA) JJ1. Late Item E2 – Public Laundry Renewal License – Cleanwerx Inc. D/B/A East Bay Laundromat 26 Gooding Avenue

(CA) KK. Curb cut petitions as approved by the director of public works

Approval of consent agenda = "motion to grant these curb cuts per the recommendation of, and conditions specified by, the Director of Public Works"

(CA) KK1. Lynn Boudreau, 36 Harrison Street, request for curb cut to extend driveway

a. recommendation - Town Administrator and Department of Public Works

There being no further business, upon a motion by Vice Chairwoman Parella, seconded by Councilman Ley and voted unanimously, the Chairman declared this meeting to be adjourned at 11:33 pm.

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Melissa Cordeiro, Town Clerk