



BRISTOL PLANNING BOARD DECEMBER 11, 2025 MINUTES

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

Held: December 11, 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; Member Richard Ruggiero; First Alternate Member Michael Sousa; and Second Alternate Member Jessalyn Jarest

Also Present: Diane Williamson, Director of Community Development; Ed Tanner, Principal Planner; and Amy Goins, Esq., Assistant Town Solicitor

Not Present:

Chairman Millard called the meeting to order at 7:00pm and led the assembly in the Pledge of Allegiance.

A motion was made by (Murgo/Katz) accept the October 9, 2025 meeting

In favor: Millard, Murgo, Katz, Clark, and Ruggiero

Refrained: None

Opposed: None

C. New Business

C1. Public Hearing and Consider Action on Minor Land Development – Preliminary

Phase/Unified Development – *continued from November 13, 2025* - proposal for construction of a 3,500 square foot building for a contract construction use in a General Business Zoning District that also requires a Special Use Permit. Property located at **670-688 Metacom Avenue**, Assessor's Plat 128, Lot 15 & 16, Zone: General Business and Metacom Overlay District. Waiver requested for sidewalk in Metacom Avenue Overlay on Lot 15. Owners/Applicants: David Ramos and Lionel Ramos

Attorney Matthew Landry representing applicant, David Ramos, came up to speak. Attorney Landry stated the last few continuances were very beneficial to everyone, as well as the feedback the Board members gave during their site visit held on October 30, 2025 which was a good exercise of feedback from the neighbors. He said that at the last hearing they were tasked with drafting a stipulation and proposed conditions to apply to project if the Board were inclined to approve it. Attorney Landry advised the Board that they had provided the Planning Department and the Board Members with a set of conditions that he and Mr. Ramos came up with based on the dialogue they had particularly at the site visit as well as some of the comments received by the neighbors who live immediately to the rear of the property. He told the Board that one of the neighbors was represented by counsel who was present at the meeting this evening. A specific

area of concern was the vegetative buffering along the rear property line. Attorney Landry reminded the Board of an extensive vegetative buffer that's being installed on his client's property in the rear that would be providing some screening and there was some concern with the grade change where the residential properties are at the rear and his client was willing to make some accommodations of additional plantings on the neighbor's property. He said that neither they nor the Board can require that those plantings be located on that neighbor's property, but they are in some agreement as to supplemental plantings on that property. Attorney Landry said there was a landscaping plan done by Principe Engineering and if the neighbor was agreeable to it they would stipulate at Final Plan that the plan be submitted and the approval of it be conditioned upon it being implemented. He stated as part of that planting scheme Mr. Ramos would warrant the planting for up to 3 years to ensure they take and last so as to provide some additional assurance those plantings would take and be maintained. Attorney Landry said they would arrange for an easement agreement between the parties which would be done privately in regards to the planting plan.

Attorney Landry said there were also some concerns raised by staff and members of the public with regard to enforcement action. He acknowledged the concerns if there were legitimate complaints based on activities taking place and the conditions that Mr. Ramos and Attorney Landry are proposing and how would the Town go about enforcing them. He said at the current time there were no conditions in place for the use of the property as it is a grandfathered use to some extent on Lot 15, the northerly lot, but by implementing those conditions and having them as conditions of approval they become enforceable and are more restrictive than what Mr. Ramos can do today. For example, under local Ordinance, Mr. Ramos is allowed to operate from 7am and in some capacity until 9pm and Mr. Ramos is proposing limitations on his hours of operation particularly for the loading and unloading of materials and any activity associated with the more noisy activity on site being limited to certain times. Attorney Landry stated that Mr. Ramos will agree to operate and maintain a video surveillance system on the property and he will make the recordings available to Bristol Police Department, and the Planning or Building Departments, upon reasonable notice if there is a complaint made so there is video evidence that the Town could use. This would protect the Town and give them concrete evidence to use, and it would also protect Mr. Ramos. He said one additional provision that the neighbor's counsel had asked for was that Mr. Ramos be required to maintain a surveillance system and be obligated to make the recordings available upon request as it currently wasn't a requirement and Mr. Ramos is amenable to it. Attorney Landry stated supplemental plantings were requested by a neighbor to be placed along the perimeter of Lot 84 which was located directly behind Lot 15, however, in that area it's a raised level where those plantings would be and it's a conservation area with wetlands and filling is restricted and subject to scrutiny from DEM. However, Attorney Landry and Mr. Ramos believe with the existing vegetation and the installation of an 8ft fence on top of the concrete wall would provide a significant buffer. They were proposing as part of those conditions to include foam padding to act as a noise buffering barrier in addition to the wood fence and leaves it open to the neighbor if they want the arborvitae planted on their property in addition to what will be installed on Mr. Ramos' property, which could be subject to a private agreement and review at final plan and also subject to review by the Town.

Attorney Goins stated that when conditions of approval such as this require the consent of a third party, it's essentially a civil matter between parties. She wanted to make sure everyone was aware to the extent later on there arose any disagreement between Mr. Ramos and any neighbor who had plantings on their property, the Town would enforce those conditions, but the ability to enforce such conditions which rely on an agreement by third parties is limited compared conditions of approval that were solely Town matters to enforce. Attorney Goins said the Town had to enforce the noise ordinance, but she wanted to make everyone aware of it as the proposed

conditions of approval were good, especially about the plantings, but wanted to put everyone on notice. Attorney Landry agreed with Attorney Goins, and it was his intention to make sure he and Mr. Ramos were fully transparent about what Mr. Ramos was agreeing to do and they had presented at least 1 landscaping plan and incorporated some conditions that would be in the language if there was an approval that could be enforceable by the Town and would be reviewed by the Town to ensure that those did get completed.

Attorney Landry stated the last couple of conditions were noise buffering technology, and reduction of the back-up alarms on the trucks as long as they were OSHA compliant in order to reduce some of the noise and vibration that happens on the property. They were also proposing to eliminate the screener that was somewhat loud and existed on Lot 16. It was going to be removed from the property as it was in connection with Lionel Ramos' business and it won't be there post-construction. He said a lot of the noisier activity and equipment on Lot 16 will be located on the interior of the building in the future. Mr. Ramos stated that everything that is currently going on Lot 16 will be moved over to Lot 15 and Lot 16 will be strictly a paved parking lot area.

Attorney Landry said no heavy equipment or material dumping will be on Lot 16 and they have included stipulations regarding that to ensure that all of the loading or unloading and the heavy equipment will be located on Lot 15. He said there was also a condition to remove the membrane structure upon completion of the new building.

Member Katz said that during the site visit he didn't recall Attorney Landry or Mr. Ramos saying that Lot 16 was going to be paved for a parking area, however in Condition 4 it stated the parking area was going to be striped but if it wasn't going to be paved how was it going to be striped? Attorney Landry clarified that Lot 15 wasn't going to be paved but Lot 16 would paved to provide parking. Ms. Williamson said that Condition 6 should be clarified to state "during construction" a site inspection by the Town's Peer Review Engineer, as it was just to address the construction of the building and not to carry forward forever to have an engineer on the site.

Chairman Millard asked for a motion to open the public hearing.

A motion was made by (Clark/Murgo) to open the public hearing portion of the meeting

In favor: Clark, Murgo, Ruggiero, Millard, and Katz

Refrained: None

Opposed: None

Attorney Joshua Slepko appeared on behalf Shannon Lagarto, an abutting neighbor, came up to speak. They have spoken to Attorney Landry and have gone over the proposed stipulations which are acceptable to Ms. Lagarto. He said there were still some points at issue regarding the existing activity on lot which can continue whether the petition gets granted or not due to existing use being grandfathered in. He acknowledged that a lot of the activities were being moved inside of the building which may address some of the noise, but the entrance to the building was positioned back towards the neighbors. So, to the extent that all of the noisy activity was moved inside, it was still going to be inside a building that was pointed back towards Ms. Lagarto and the other neighbors. They were happy Mr. Ramos was willing to reduce the business hours from 7am to 5pm, but in the most recent proposed stipulations from Mr. Ramos it was limited to material processing and the unloading and loading of trucks and it being no narrow of a definition of what could occur from 7am to 5pm, certainly opened the interpretation of other activities that could occur on the property outside of that 7am to 5pm timeframe. Attorney Slepko stated the specific concern to Ms. Lagarto was the work being done to vehicles such as repairs and maintenance, particularly the use of air guns which might be the changing of tires or such on the trucks. They suggested the limitation on business operation not be so narrowly defined as

material processing and the loading and unloading of trucks and that it be a broader definition for the hours of operation which is still a happy medium as it would allow them to operate from 7am to 5pm, but addressing the neighbors' concerns of noise very early in the morning or very late at night. Attorney Slepko said there were discussions about vegetative border and Ms. Lagarto was happy about that proposal. He said Ms. Lagarto felt it was more appropriate to have a fence installed on her property not only for the noise but also to shield the view from her property.

Chairman Millard asked if any Board members had questions or if there was anyone else in the audience that wished to speak. He asked for a motion to close the public hearing portion of the meeting.

A motion was made by (Murgo/Katz) to close the public hearing portion of the meeting

In favor: Murgo, Katz, Clark, Ruggiero, and Millard

Refrained: None

Opposed: None

Attorney Goins reminded the Board that they could discuss the project as a whole and it would be an appropriate time to do so, along with the draft conditions of approval, but when it comes time to make a motion the first motion should be regarding the Special Use Permit and second motion should be regarding the Land Development Project. She said although it was one project, there needed to be two motions. Attorney Goins further stated that there was a draft motion to grant a special use permit included in the Board's packet. Ms. Williamson stated that she had also done a draft motion regarding the land development project for when the Board got to it. She said that the only other edit for them to consider was #18 with Lot 84 where it reads "if the owner of Lot 84 agrees to additional screening it will be shown on the final land development plans".

Alternate Member Jarest made an observation that when reviewing the plans, the ADA parking space was not compliant as it had a 5ft wide aisle and it needed to have an 8ft aisle to be made van accessible. Attorney Goins said that assuming there was sufficient space on the property to redesign it, that could be made a condition of approval. Alternate Member Jarest asked if she could make a change to the draft decision stating that currently the Board was granting a waiver of sidewalks along Lot 15 but suggested adding language to the decision to state that if and when Lot 15 is further developed sidewalks would be required. The Board agreed that language should be added to the decision.

Chairman Millard asked for a motion regarding the Special Use Permit.

A motion was made by (Katz/Clark) to grant the special use permit finding that it met the three standards of the Special Use Permit, with the conditions of approval

In favor: Clark, Katz, Ruggiero, Murgo, and Millard

Refrained: None

Opposed: None

Ms. Williamson referred to the findings of fact that there were needed in the three areas of the Special Use Permit: 1) specifically authorized by the Zoning Ordinance; 2) it meets all of the Standards in the subsections of the Zoning Ordinance; and 3) the granting of the Special Use Permit will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan of the Town of Bristol and the Board should add a "because" there. She said the Board would then move to grant it with the special conditions. Chairman Millard confirmed with Ms. Williamson that it met the three conditions.

Ms. Williamson said that the Board should also put in that it does not alter the general character of the surrounding area with the conditions of approval.

Member Clark said that the plan is always to bring buildings closer to Metacom Avenue, but there should be more flexibility with that in future. He said if the building was set back a bit and the operations were facing forward; it would be quieter for the neighbors behind the business. Chairman Millard agreed.

Member Clark initiated a discussion about the conditions as he understood the neighbor's concern with broadening the term "operations" of the business. He didn't want to make it so broad that Mr. Ramos couldn't do his work. He said if trucks are broken and need to be repaired off business hours it should be done inside as best as possible but understood it sometimes can't be done inside. Member Clark said limiting Mr. Ramos from 7am to 5pm for all operations is not reasonable. Chairman Millard asked if that point of discussion was part of the conditions.

Attorney Goins said what the Board was discussing at the moment was the draft conditions of approval which came from Attorney Landry, which was a collaboration between Mr. Ramos and Attorney Slepakow. She said the draft was reviewed by Ms. Williamson and herself. Attorney Goins stated it was the draft conditions of approval that Mr. Ramos was agreeing to. She didn't think there was anything in the draft that Mr. Ramos wasn't on board with.

Member Clark said that Attorney Slepakow brought up the broadening of the term "operations" of the business, and he felt the Board shouldn't do that. Attorney Goins said it was a moot point because the Board was about to grant a Special Use Permit. Member Clark said as far as camera surveillance and the like, he feels the Town shouldn't be in the surveillance business at all. He said if Mr. Ramos wanted to have a private agreement with the Town that's fine, but he said it was setting a precedent for the Town and not a good one. Attorney Goins stated generally if the Police Department needed to view footage from a surveillance camera whether it was from a private citizen or a business, they're going to ask and they're going to get it. She said that condition was intended to make everyone know there wasn't going to be any fights about getting footage if requested by the Town but whether it was put in there or not, it's a smart business decision for a business owner to have and for anyone to have a camera. Member Clark agreed but didn't feel that someone in the Town should be able to log in and view footage whenever they wanted. Ms. Williamson said the condition specified "with reasonable notice or formal request of same" so if the Town were to receive a complaint and they made a request to Mr. Ramos to view the footage to document it. Attorney Goins said that it didn't really go beyond what's standard practice for any business in Bristol. Member Clark asked if Ms. Lagarto asked for a fence to be built. Ms. Williamson said that Mr. Ramos proposed plantings and Ms. Lagarto requested a fence.

Chairman Millard asked if there was a motion regarding the approval of the proposed conditions.

Member Katz made a motion to accept the proposed conditions as modified and said that Item 6 should read "during construction of the permanent building on Lot 16" regarding the site inspection. Ms. Williamson said she mentioned Item 18 earlier, but Attorney Goins felt it was clear enough as is. Chairman Millard asked for someone to second the motion, but Attorney Slepakow asked to speak again. Chairman Millard asked Attorney Goins if he should be allowed to speak since the public hearing was closed. She advised Chairman Millard to let Attorney Slepakow speak.

Attorney Slepakow came back up to address the Board regarding the cameras. He said in the proposed stipulation the requirement was that Mr. Ramos would have to provide the footage to

the Town and the Police Department. Attorney Slepckow said that in his conversation prior to the hearing with Attorney Landry and as part of Attorney Landry's presentation tonight, it was going to be a requirement that Mr. Ramos has a surveillance system, but the requirement that he maintain it was not in the proposed conditions, but Mr. Ramos was agreeable to it. Attorney Landry confirmed that Mr. Ramos was agreeable to it. Member Katz said it was in the condition, and it was just stipulating that the owner of the business was agreeing to it, but that the Town and the Board was not making him do it. Attorney Goins said if the Board agrees with it, they could add into condition #12 "the applicant shall install and maintain a video security system" and then continue the rest of the condition as it is. Member Katz asked Attorney Landry if he was in concurrence with that and he was. Attorney Landry appreciated the concern that Mr. Ramos may not install one or there was no video, so they were agreeable to that condition requiring it.

Ms. Williamson then discussed Lot 84. She said her understanding was if this got to final and there was no agreement, then there's no agreement and Mr. Ramos had until that point to get an agreement. Mr. Ramos said he was proposing the same number of plantings to Ms. Lagarto to Mr. and Mrs. Fernandes on their side as well. Ms. Williamson asked Mr. Ramos if he was going to come to final with something in writing that the abutter had waived their right to ask for trees or something to that effect as she didn't want anyone coming back feeling like they missed something. Attorney Landry agreed and said it was certainly something that was discussed and it may not be everything that Mr. Fernandes wanted as Attorney Landry didn't want to speak for him since Mr. Fernandes wasn't present at the meeting, but what he could agree to do was send a formal letter to Mr. Fernandes stating they needed to know within a certain time period and then present it to the Board.

Chairman Millard asked for some to second the earlier motion. Attorney Goins stated that included the suggested revisions to #12

Proposed Conditions of Approval:

Operations and Extent of Activity on Lots 15 & 16

- 1) The Board makes a finding that the activity on Lot 15 is similar in nature to materials processing with the loading and unloading of trucks and the coming and going of materials. Therefore, because the Lot 15 activity is similar to materials processing, it shall be screened by an 8 foot tall wooden fence to be installed on the north and east sides of Lot 15 atop existing concrete block walls along the "limit of work line" shown on the plan for Lot 15. The fence shall be faced with 1x6 wooden planks and shall include an insulated/sound reducing barrier with a minimum of R10 foamular ngx f-250 material. The west side is already buffered by a vegetated berm, and the south side is shared with Lot 16. Per Bristol zoning ordinance Section 28-146(3) the Board can allow fence height to be taller than 6 feet. A wooden fence will provide a visual screen and sound barrier. The fence shall be installed prior to issuance of a Certificate of Occupancy on the building for Lot 16.
- 2) The Business Hours of Operation on both Lots 15 and Lot 16 shall be limited as follows: General Business Hours: Monday through Friday 7am – 5pm; Saturday 8am – 3pm; Closed Sundays/holidays.

- 3) No materials processing or unloading/loading of trucks (“shipping and/or receiving hours”) before 7am or after 5pm (Mon-Friday); before 8am or after 3pm on Saturday; and never on Sundays/holidays.
- 4) The parking area to the east of the proposed building on Lot 16 shall not be used for the parking or operation of heavy equipment or vehicles over 25,000 lbs. The parking area shall be striped and include wheel stops as indicated on the approved plans.
- 5) Large vehicle and equipment parking shall be only located on Lot 15. Smaller work trucks and employee vehicles shall be allowed to park on Lot 16 in marked spaces.
- 6) During construction of the proposed new building on Lot 16, site inspection by the Town’s peer review engineer shall be coordinated per the direction of the peer review engineer.
- 7) There shall be no landscaping materials stored, dumped, processed or located on Lot 16.
- 8) All earth and landscape materials storage on Lot 15 shall be contained/stored in spaces designated on the approved plans, such as existing concrete bins/storage areas. There shall be no uncontained storage of landscape materials.
- 9) An irrigation/sprinkler system shall be installed on Lot 15 and used to mitigate any impacts from dust or activities occurring on pervious surface areas. Said irrigation system shall be automated to operate during normal business hours at appropriate intervals.
- 10) Trucks shall be equipped with low decibel “quiet” back up alarms to muffle noise from existing equipment. All backup alarms shall conform to minimum state, federal and/or OSHA requirements where applicable.
- 11) All activities shall conform to the Noise Ordinance per Chapter 10, Article II of the Bristol Town Code for the receiving zone; specifically Section 10-39, Table I – Zoning District Noise Standards – Maximum Allowable Octave Band Sound Pressure Levels.
- 12) To ensure compliance with the terms and conditions set forth herein and to aid the Town of Bristol with enforcement of the same, the Applicant shall install and maintain a video security system and make any video recordings and/or surveillance tapes of the property, taken in the ordinary course of business, available to the Town of Bristol Zoning Enforcement Officer and/or the Town of Bristol Police Department upon reasonable notice or formal request of the same to aid in the investigation of a formal complaint with either department.
- 13) The existing loam screener on Lot 16 shall be removed from the property prior to issuance of a Certificate of Occupancy. The loam screener cannot be relocated to Lot 15.
- 14) Any retail sales on either Lot 15 or Lot 16 will require approval of a new Special Use Permit.
- 15) There shall be no clearing or disturbance of land beyond the limit of disturbance as shown on the Land Development Plans (Sheet 6 of 10).

- 16) Any expansion of operations in the area beyond the limit of disturbance will require approval of a new Special Use Permit.

Landscaping and Buffering

- 17) A vegetated landscape buffer shall be installed along the east property line of Lot 16 between Lot 16 and the Lagarto Property (A.P. 128, Lot 82) in accordance with the Abutter Buffer and Planting Plan dated September 30th, 2025, as approved.
 - a. If the owner of Lot 82 agrees to additional screening as proposed by the applicant, the Applicant shall install additional plantings along the western boundary of the Lagarto Property in accordance with the plans presented to the planning board by Principe Company, Inc. Karen Beck Registered LA dated September 30, 2025.
- 18) Applicant shall install a vegetated landscape buffer along the eastern boundary of Lot 15, which shall consist of no less than (12) arborvitae, at a height of at least eight feet at the time of planting, to be planted on AP 128, Lot 84 in the existing landscape easement.
 - a. If the owner of Lot 84 agrees to additional screening as proposed by the applicant, the Applicant shall install additional plantings along the western boundary of the Lot 84 with final land development plans to show this proposed planting.
- 19) All plantings required in accordance with this approval shall be warranted by the Applicant for a period of three (3) years from the date of install.

Membrane Structure

- 20) The existing 30 x 40 membrane structure on Lot 15 shall be removed by July 1, 2026. Prior to this date, the Applicant shall comply with all requests and directives of the Building Official relating to the membrane structure, including but not limited to the following: providing a stamped and signed letter from a registered professional engineer regarding the safety of the structure; and obtaining a permit for permanent electrical service and lighting in the structure.

A motion was made by (Katz/Clark) to grant the approval of the proposed conditions.
In favor: Clark, Katz, Ruggiero, Murgo, and Millard
Refrained: None
Opposed: None

Member Katz stated there needed to be a vote on the land development.

Member Murgo read the draft decision into the record.

The Planning Board finds that:

1. The subject property consists of two parcels on Plat 128, Lots 15 and 16.

2. The proposal is the construction of a new contract construction building on Lot 16 and the operations of the contract construction business on Lot 15.
3. The proposed development is consistent with the general purposes stated in Article 1 of the Planning Board's subdivision and development review regulations.
4. The proposed development is consistent with the Comprehensive Plan.
5. The proposed development is in compliance with the standards and provisions of the zoning ordinance. The property is in the General Business zone. The contract construction business use requires a Special Use Permit which the Board has granted with conditions as a Unified Development.
6. The proposed development has adequate and permanent physical access to Metacom Avenue.
7. The Board has considered the testimony at the Public Hearing.
8. There will be no significant negative environmental impacts from the proposed development, with any conditions of approval.

The Board grants Waiver for the installation of a sidewalk along Lot 15 as required in the Metacom Avenue Overlay District since this lot is not being developed at this time.

Preliminary Plan approval for the Minor Land Development for construction of a contract construction building located on Lot 16 as shown on plans entitled "Preliminary Submission for 668 & 670 Metacom Avenue" dated August 28, 2025, prepared by Principe Company, Thomas J. Principe, III Registered PE and Karen Beck, Registered Landscape Architect, Sheets 1-10 of 10

Subject to:

1. Final plans shall include the landscaping buffer to be planted on the adjacent parcel, Lot 84, if agreed to by the owner of Lot 84.
2. Revised Plans to indicate an 8' wide aisle space for the ADA van accessible parking space.
3. If, and when, Lot 15 is further developed, a sidewalk will be required along Lot 15.

He asked Ms. Williamson about the sidewalk issue and Ms. Williamson said the Board was waiving the sidewalk requirement on Lot 15 and stated that Alternate Member Jarest recommended a condition to the approval that sidewalks would be required if and when Lot 15 is developed. Member Clark asked what the definition was and Attorney Goins said anything that requires approval from the Town beyond a building permit, something rising to the level of a minor land development. Member Murgo asked if there was a sidewalk there currently and Ms. Williamson said there was a gap and then the sidewalk continued at Bristol Toyota. Member Murgo said it was essentially a sidewalk to nowhere. She said the requirement in the regulation was that even if it was a sidewalk to nowhere, it's required. Alternate Member Sousa stated that initially only Lot 16 was in the application being that's where the development was going to take

place and the Town asked Mr. Ramos to combined Lot 16 and Lot 15 into one application and Mr. Ramos agreed to do so, but with Lot 15 in the application it now required him to build a sidewalk even though he wasn't going to develop that lot. He said the applicant only wanted to submit Lot 16 and since the Town asked him to include Lot 15 in the application it's only right to allow him to waive it. Chairman Millard said that's why they're waiving it. Member Murgo was not opposed to it, but he was opposed to requiring the sidewalk. Ms. Williamson said the recommendation is to waive the sidewalk on Lot 15 but if and when Lot 15 is developed a sidewalk will be required. Alternate Member Sousa said to avoid a precedent it should be stated in the decision that since Mr. Ramos complied with the Town's request to combine Lot 16 and Lot 15 in the application, they were waiving the sidewalk requirement, but if other applicants try to develop lots on Metacom, then they will be required to install sidewalks. Attorney Goins said that the original addition that Alternate Member Jarest suggested was fine.

Member Ruggiero requested a clarification about not requiring sidewalk and Ms. Williamson said there were two other conditions to review; that being, the final plan shall include the landscaping buffer on Lot 84 if agreed to by the applicant and abutter, and revisions to the plan for the ADA compliant van accessible aisle for final approval.

Member Ruggiero asked for clarification and said that the Board was not requiring Mr. Ramos to put in a sidewalk in front of Lot 15. Attorney Goins said that was correct. Ms. Williamson said Mr. Ramos had to put a sidewalk in front of Lot 16 where the new building would be, but not in front of Lot 15. Member Murgo said he thought the Board was granting a waiver. Ms. Williamson said there were two parcels, Lot 16 is where the new building was going and along Metacom is where the sidewalk will be, but the lot to the north, that being Lot 15, is remaining undeveloped and will not be required to have a sidewalk. Mr. Ramos went up to the Board with a rendering and showed them where the sidewalk was not going to be developed. He said it was going to be approximately 110ft of sidewalk verses almost 500ft. of sidewalk.

Chairman Millard asked for a motion on the Land Development Project.

A motion was made by (Katz/Clark) to grant the Land Development Project based on the conditions that the Planning Board has set forth in the decision and agreed to by petitioner.

In favor: Clark, Katz, Ruggiero, Millard, and Murgo

Refrained: None

Opposed: None

C2. Public Hearing and Consider Action on Master Plan phase for Major Land Development of the Comfort Inn and Suites – continued from November 13, 2025 - proposal to build an 80-room hotel. Property on south side of Gooding Avenue approximately 50 feet east of the intersection of **Gooding Avenue and Broadcommon Road, near utility pole #218**. Owner: D & M Boca Development, LLC Zoned: GB. Assessor's Plat 111 Lot 1

Chairman Millard and Vice Chairman Member Murgo were recused and alternate members Sousa and Jarest joined the meeting.

Diane Williamson advised the Acting Chairman and the remaining Board Members that the applicant requested a continuance to the January meeting. It was made known to anyone in the audience that the public hearing would be continued to the January meeting.

Alternate Member Sousa said what if they denied the continuance. Attorney Goins said she gets asked frequently about repeated requests for continuances and whether it makes sense at a certain point to deny a request. She said usually it didn't make sense to deny a request and usually it's not legally proper. Typically, when an applicant requests a continuance multiple times it's a sign that they're working on issues. Unless there are indications that multiple continuances are in bad faith, Attorney Goins advised that it's not legally wise because then the Board is forcing someone to have a hearing without them being there.

Attorney Goins said she had a long and productive conversation with counsel for the applicant the day before and then right after that conversation, they called back to advise her that Ed Pimental was sick and couldn't make it to the meeting tonight. So, they needed to ask for a continuance. She said at some point in the future on another matter it may be appropriate, but not in this case.

A motion was made by (Katz/Clark) to accept the applicant's request for a continuance to the January meeting.

In favor: Katz, Clark, Ruggiero, Sousa, and Jarest

Refrained: Millard and Murgo

Opposed: None

D. Correspondence

D1. Request for One Year Extension of Final Plan Approval for the Adaptive Re-Use / Unified Development for conversion of the former Oliver School located at **151 State Street into residential units**

Ms. Williamson advised the Board that the applicant was asking for an extension. She said the applicant received his federal tax credits, and they pulled his number for the state tax credits which is what he was waiting for. Ms. Williamson stated that he has both tax credits lined up but he wanted to get the extension out of an abundance of caution because it expires in January and he may not be ready to pull permits by then. She said he thinks he may be ready in the spring roughly around March or April, so he asked for the extension, so it didn't expire. Member Clark said he was asking for a 12-month extension and she said yes, but if the Board wanted to do it for 6 months that was fine as well. She said in the regulations he was eligible for a 1-year extension and that's what he asked for.

A motion was made by (Murgo/Clark) to grant the one-year extension on the final approval.

In favor: Murgo, Clark, Millard, Ruggiero, and Katz

Refrained: None

Opposed: None

E. Adjournment

Meeting adjourned at 7:57pm by Clark

Respectfully submitted by Kathleen M. Maynard, Recording Secretary

Date Approved:

8 January 2026

Planning Board:

