

STATE OF RHODE ISLAND

MINUTES
THE ZONING BOARD OF REVIEW
OF BRISTOL, RHODE ISLAND

06 APRIL 2026
7:00 PM
BRISTOL TOWN HALL
BRISTOL, RHODE ISLAND

BEFORE THE TOWN OF BRISTOL ZONING BOARD OF REVIEW:

MR. JOSEPH ASCIOLA, Chairman
MR. CHARLES BURKE, Vice Chairman
MR. DONALD KERN
MR. TONY BRUM
MR. GEORGE DUARTE
MR. TIM PALMER, Alternate

ALSO PRESENT:

ATTORNEY DAVID MARKS, Town Solicitor's Office
MS. DIANE WILLIAMSON, Director of Community Development

Susan E. Andrade
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Bristol, RI 02809
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The meeting of the Town of Bristol Zoning Board of Review was held and called to order at 7:00 p.m. by Chairman Asciola at Bristol Town Hall, 10 Court St., Bristol, RI

1. APPROVAL OF MINUTES:

Chairman Asciola called for approval of the March 2, 2026 minutes

MR. BURKE: Mr. Chairman, I'll make a motion to approve the minutes as written.

MR. KERN: Second.

MR. ASCIOLA: All in favor?

MR. BURKE: Aye.

MR. DUARTE: Aye.

MR. KERN: Aye.

MR. BRUM: Aye.

MR. ASCIOLA: Aye.

X X X X X X

(MOTION WAS UNANIMOUSLY APPROVED)

(Minutes were approved)

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SITTING AS BOARD OF REVIEW:

CONTINUED:

2. ZBR-26-2

KATHLEEN HUNT

80 Charles St.: R-10

Pl. 32, Lot 48

Dimensional Variance to construct an 11' x 13' single-story foyer/entrance addition to an existing single-family dwelling and proposed attached garage/living area addition with less than the required front yard on a corner lot.

Attorney Michael Riley, representing the applicant, presented the Petition to the Board.

The project involves constructing an 11-foot by 13-foot single-story addition, a garage living area addition, and a new, enclosed staircase to connect the existing and proposed structures on a substandard lot.

The variance is needed for a 6.75-foot side yard setback for the staircase.

The project will be an improvement, as an existing, more non-conforming staircase on the lot line and an existing garage on the lot line will both be removed. This change also allows two vehicles to park completely on the property, meeting the nine by eighteen-foot requirement and resolving a violation where vehicles protruded into the public right-of-way.

The project will incorporate a dry well system for all roof leaders to manage clean roof runoff by promoting natural groundwater recharge and preventing water from flowing onto neighboring properties.

Attorney Riley reviewed the submitted plans in detail with the Board.

Expert Testimony and Justification:

Mr. Edward Pimentel was accepted as an expert in planning and zoning. It was noted that a layman can testify to a property's functional use and that the architect's inability to find an

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alternative location for the staircase should be recorded. Mr. Pimentel outlined in detail the design styles that were looked at while planning the renovation of this property.

The property owner's husband, Mr. Eric Bell, stated that he and his architect explored other designs for four months but found no alternative to requesting relief due to the substandard lot size and the challenges of connecting the new addition to the pre-existing house.

The requested variance is considered minimal, with 95-99% of the proposal remaining within the building envelope and is in character with the neighborhood. The hardship is not due to prior action by the applicants, who recently acquired the property.

Mr. Pimentel stated that the hardship is due to the land and the structure. There is a pre-existing house. The house has value, it's usable, they just need more living space; so they have to tie in new and old. The land itself is substandard, that's why they have proportionate reductions. If this was a truly rectangular lot, they wouldn't need to be before the Board; because the building envelope would be sufficient, but it isn't. He also reviewed the surrounding area in detail.

Mr. Burke noted that he wanted to clarify that the reason for the withdrawal and re-submission of the project was due to the ADU and the lack of square footage on the lot. To be clear that the Board didn't encourage anyone to go and do any specific design, to his knowledge. His concern was that the first request was for an ADU and now there's a new building and it has almost 900 feet of storage in there. And if they build the structure then they could potentially in the future come in and request it be an ADU.

Mr. Bell stated that until he comes up with a plan to build it, he doesn't know what his intent is yet. If the opportunity continues, they would like to have an ADU.

Mr. Pimentel stated he had no knowledge of any intent for future use.

Attorney Marks reminded the Board that they cannot consider future what-ifs; and conditions cannot be placed on something that would restrict future by-right issues; or deny an application for what might happen.

The board concluded they could not legally deny the application based on speculation about future intent.

Neighbor's Concerns:

Ms. Antonette Machado representing her mother who lives next door and expressed concern about the new structure's orientation, as it is very close to the property lines.

It was clarified that the new addition and foyer are oriented towards the street, not the neighbor's property, and the design pushes all relief to the street side to avoid impacting neighbors. The neighbor's representative found this clarification resolved their concerns.

Mr. Pimentel gave Ms. Machado a detailed explanation of the plans, including parking.

After deliberations by the Board, it was voted:

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MR. BURKE: Mr. Chairman, I'll make a motion that we approved file 2026-2, Kathleen Hunt, 80 Charles Street to construct an addition, which includes an 11' x 13' foyer entrance that transitions the existing structure to the addition. The hardship from which the applicant seeks relief is due to the unique characteristics of the subject land and the structure and not to the general characteristics of the surrounding area. The existing structure and the existing land are non-conforming. This addition, and the demolition of an existing garage, will actually greatly reduce some of the non-conformances, due to the placement of the building. The hardship is not

the result of prior action of the applicant. They recently acquired the property, and it was placed there decades ago. The granting of the requested Dimensional Variance will not alter the general characteristics of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan of the Town. It continues as residential use in a residential area, and this residential neighborhood is a mix of single, two-family and multi-family homes. The hardship that will be suffered by the owner of the subject property, if the Dimensional Variance is not granted, would amount to more than a mere inconvenience. The relief sought is minimal for the enjoyment of the property; it would cause them to make some architectural decisions that are not optimized and would cause unnecessary hardship in increasing the square footage of the home. I so move.

MR. KERN: I'll second the motion.

MR. ASCIOLA: All in favor?

MR. BURKE: Aye.

MR. DUARTE: Aye.

MR. KERN: Aye.

MR. ASCIOLA: Aye.

X X X X X X

(THE MOTION WAS UANANIMOUSLY APPROVED)

(Petition Granted)

**3. ZBR-26-7
TOWN OF BRISTOL**

**235 High St: R-6
Pl. 14, Lot 27**

Dimensional Variance to construct an eight-foot-high fence with soundproofing material to enclose existing HVAC units at the rear of the Reynold's School building exceeding the maximum height for a fence in a residential zoning district.

The Town of Bristol requested a dimensional variance to build a 10-foot high, chain-link fence with a black vinyl privacy screen and internal acoustic panels to enclose existing HVAC units at the rear of the Reynolds School. The proposed height exceeds the maximum allowed in a residential zone.

Justification:

Mr. Nate Ginsburg, Brewster Thorton Group Architects presented the Petition to the Board and stated the units are 9 foot 4 inches tall, making a standard 6-foot fence inadequate. The primary purpose of the fence is to reduce "intolerable" noise levels for neighbors, which were measured at up to 80 decibels, exceeding the town ordinance. The soundproofing aims for a 20-decibel reduction. He presented all the design concerns and materials in detail to the Board.

Mr. Jim Flynn, 63 Church Street stated he's in favor of the proposal as he did bring the noise level to the attention of the Town. He expressed significant concern over the noise, questioning why it wasn't addressed before the units were installed. The town explained the units were unexpectedly loud after being placed on the ground instead of the roof (which couldn't support them). The town committed to rectifying the problem and assured residents that if the fence is insufficient, further action will be taken.

Mr. Neal Sally, 61 Church Street stated that Mr. Flynn’s house blocks most of the sound to his property but feels that it has also altered the character of the neighborhood. There is a change in the difference of the sounds.

The Board reviewed the installation of the equipment and the requirement to meet the noise ordinance and the installation of the fencing in detail.

Ms. Williamson also explained that the Town is considering all available options to rectify the unexpected noise issue and will continue to work on it until it is completed.

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MR. BURKE: Mr. Chairman, I’ll make a motion to approve file 2026-07, The Town of Bristol for 235 High Street to install a 10-foot soundproofing fence to shield the neighbors from the sound of a newly installed heating and ventilation units. The hardship from which the applicant seeks relief is due to the unique characteristics of the recently installed mechanical units and not to the general characteristics of the surrounding area and not to an economic disability of the Town of Bristol. The hardship is not the result of prior action of the applicant, because the HVAC units needed to be installed and now, they are mitigating the noise that was emanating from them. The granting of the requested Dimensional relief will not alter the general characteristics of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan of the Town of Bristol. A six-foot fence is allowed, and they are requesting a 10-foot fence. The purpose of the fence is to decrease the amount of noise and give relief to the surrounding residents. The hardship that would be

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suffered by the owner of subject property, if the Dimensional Variance is not granted, would amount to more than a mere inconvenience; they would have to look at other methodologies, including installing the units in a different location. That is my motion.

MR. KERN: I'll second that.

MR. ASCIOLA: All in favor?

MR. BURKE: Aye.

MR. DUARTE: Aye.

MR. KERN: Aye.

MR. ASCIOLA: Aye.

X X X X X X

(THE MOTION WAS UANANIMOUSLY APPROVED)

(Petition Granted)

NEW PETITIONS:

4. ZBR-26-4

KENDALL REISS

469 Wood St.: LB

Pl. 17, Lot 156

Dimensional Variances to construct a 25' 2" x 29' 2" one and one-half story residential dwelling unit addition above an existing single-story commercial building with less than the required front yard, rear yard, and right-side yard; and with less than the required number of off-street parking spaces.

Ms. Kendall Reiss, 473 Poppasquash Rd, presented the Petition to the Board. Ms. Reiss explained her educational background in arts and her business at 469 Wood Street.

Setback Relief: Front yard (2.7 feet), rear yard (8.7 feet), and right-side yard (1.5 feet).

Parking Relief: Relief for three parking spaces (one for business, two for the residence).

Justification: The hardship is based on the pre-existing, non-conforming nature of the building (built in 1950) on a small 1522 sq ft lot. The applicant's business model involves one-on-one appointments with low foot traffic, and ample on-street parking is available. The proposal aligns with the town's comprehensive plan to encourage residential units above commercial spaces.

Board Discussion: Concerns were raised about setting a precedent by granting multiple variances, but the board acknowledged the unique pre-existing conditions of the lot.

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MR. BURKE: Mr. Chairman, I'm going to make a motion to approve application 2026-04, Kendall Reiss at 469 Wood Street to add a second-floor addition to an existing legal non-conforming building on a legal nonconforming lot. The construction will be approximately 25' x 25' and it will all be within the existing footprint of the existing first floor of the structure. The applicant

requires variances for the front, rear and right-side yard and rather than specify each one, I'm going to say in accordance with the plan and the current footprint; we will grant relief to construct, as proposed, according to the plans. This application also requires relief for three parking spaces. Three are required for the existing business and two more are required for a residential unit; for a total of five. They currently have two, so we will grant relief for three non-existing parking spaces. The hardship from which the applicant seeks relief is due to the unique characteristics of the subject land and structure. And not to the general characteristics of the surrounding area and not due to an economic disability of the applicant. It's an existing building, it predates the Code and the characteristics of the surrounding neighborhood, but it's the actual characteristics of the building and the lot that requires need for relief. The hardship is not the result of prior action on the part of the applicant. The record shows, and we've heard testimony, that the building was built in the 1950's, which predated the Code and the ownership by the applicant. The granting of the requested Dimensional Variance will not alter the general characteristics of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan of the Town of Bristol. We actually encourage in the Limited Business Section commercial property on the first floor with residential units on the subsequent levels. The hardship that will be suffered by the owner of the subject property, if the Dimensional Variance is not granted, would amount to more than a mere

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inconvenience, because the applicant would be unable to add residential space above the existing building. That is my motion.

MR. BRUM: I'll second.

MR. ASCIOLA: All in favor?

MR. BURKE: Aye.

MR. DUARTE: Aye.

MR. KERN: Aye.

MR. BRUM: Aye.

MR. ASCIOLA: Aye.

X X X X X X

(THE MOTION WAS UNANIMOUSLY APPROVED)

(Petition Granted)

**5. ZBR-26-8
GEOFFREY M. VICENTE**

**Tilbury Drive: R-10
P. 153, Lot 439**

Dimensional Variance to construct a 30' x 30' single-family dwelling with less than the required front yard.

Mr. Geoffrey Vicente, Waterview Lane, Warren, RI presented the Petition to the Board requesting a dimensional variance to reduce the front setback from 20 feet to 10 feet to build a 30x30 foot single-family dwelling on a lot on Tilbury Drive. Without the variance, the building would be restricted to 30x20 feet. The lot is in an R-10 zone but must comply with R-6 standards, for which relief was already granted of 10'; this request would add an additional 10 feet of relief. The property requires a well, as town water is unavailable.

Mr. Vicente explained that when he purchased the lot, he had no reason to believe that it wasn't buildable, until RIDEM got involved and had been working with them for over a year to resolve the issue. RIDEM has pretty much approved the project, with the exception that on the erosion site plan, it made mention of the variance and they have it noted as 30' x 30'; and also has a hash line that shows 30' x 20', because that's where it would be if the variance is not granted. RIDEM is holding off a decision until the issue of variance approval is resolved.

Neighbor Concerns: Multiple neighbors expressed significant concerns about existing flooding and water runoff issues in the area, which they believe will be worsened by any construction on the lot, which they described as a known wetland. One neighbor also noted the reduced setback would negatively affect the neighborhood's character. Abutting neighbors who expressed significant concerns were: Mr. Robert Hopkins, 48 Tilbury Dr.; Mr. Anthony Sousa, 51 Tilbury Dr.; Mr. Josh (inaudible), 56 Tilbury Dr..

In response to neighbor's concerns about run-off and questions by the Board, Mr. Marks noted that it can get very tricky to consider the run-off effect just from the amount of relief that the Board would be granting, as opposed to the entire building. It starts to go a little beyond the Board's jurisdiction; it's difficult to confirm how much extra runoff there would be from the relief that was granted. Discussion was also held to the fact that prior to any building permits being issued, there are many other requirements that need to be submitted to the Town, including drainage plans.

Board Discussion: The Board reviewed the plans in detail. The board acknowledged their jurisdiction was limited to the setback request. They discussed that while empathetic to the applicant, they should stick with the least relief possible, especially given the significant water runoff concerns and the existing relief already granted and stick with 30' x 20'.

X X X X X X

MR. BURKE: Mr. Chairman, I'm going to make a motion to deny application 2026-08, Geoffrey M. Vicent, Tilbury Drive, because there's no address, I'll cite the plat and the lot; its Plat 153, Lot 439, for a request for a front lot line variance of 10'. Because it is less than the 10,000 square feet required in an R-10 zone, the applicant already has received relief to requirements of R-6, which is 20' versus 30', which would have put him 10 feet closer already to the street, from the front property line. The hardship is the result of prior action of the applicant. Unfortunately, whether he knew it or not, he did buy a lot that could be developed, but it did have wetlands and there are several checks that are typically done to the perimeter before it was purchased. The granting of the requested Dimensional Variance

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will alter the general characteristics of the surrounding area. It will have an impact on the property; in fact, 20 feet already puts it within 10 feet further than the requirement on the street. I so move.

MR. KERN: Second.

MR. ASCIOLA: All in favor?

MR. BURKE: Aye.

MR. DUARTE: Aye.

MR. KERN: Aye.

MR. BRUM: Aye.

MR. ASCIOLA: Aye.

X X X X X X

(THE MOTION WAS UNANIMOUSLY APPROVED)

(Petition Denied)

**6. ZBR-26-10
THE FRANKLIN, LLC**

**195 Franklin St.: GB
Pl. 23, Lot 31**

Dimensional Variance to add an additional 24 outdoor dining seats to an existing restaurant use with less than the required number of off-street parking spaces.

Issue: The applicant was not present at the hearing. A member of the public expressed frustration over the applicant's absence.

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MR. BURKE: I'll make a motion to continue application ZBR-26-10, The Franklin, LLC to the May 4 the meeting.

MR. DUARTE: Second.

MR. ASCIOLA: All in favor?

MR. BURKE: Aye.

MR. DUARTE: Aye.

MR. KERN: Aye.

MR. BRUM: Aye.

MR. ASCIOLA: Aye.

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(THE MOTION WAS UNANIMOUSLY APPROVED)

(Petition Continued)

Vice Chairman Bruke stepped down and Board member Palmer sat on.

**7. ZBR-26-11
LOUIS A. CABRAL**

**14 Union Street: R-6
Pl. 15, Lot 28**

Dimensional Variances to construct a covered front porch addition to an existing single-family dwelling with less than the required front yard; and to demolish an existing 20' x 30' single-story accessory garage structure and construct a new 24' x 36' two-story accessory garage structure at a size and height greater than permitted for accessory structures in the R-6 zoning district.

Variances Requested: Mr. Louis Cabral presented the Petition to the Board.

A front yard relief of 5 feet 9 inches to reconstruct a historic front porch.

A height variance of 2 feet 10 inches for a new 24x36 foot, two-story, three-car accessory garage.

Justification: The porch reconstruction is historically appropriate. The garage height is needed to meet HDC-approved roofline design and provide functional second-floor storage, as the home's basement floods. The new garage will be moved off the property line, improving the current non-conforming situation. The property is 13,000 square feet, and similar structures exist on smaller lots nearby.

Neighbor Concerns: An abutting neighbor from 218 Hope Street voiced concerns about potential water runoff and excavation effects, as their property is at a lower elevation and already floods.

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MR. BRUM: So, I guess I'll make a motion to approve. Based on the evidence presented at the Zoning Board tonight, File number 2026-11 or file number ZBR 26-11. Dimensional variance to construct a covered front porch addition to an existing single family dwelling with less than the required front yard setback and to demolish an existing twenty by thirty single story accessory garage structure and construct a new twenty four by thirty six, two story accessory garage structure at a size and height greater than permitted for accessory structures in the R-6 zoning district. I will split into two sections and address each variance independently. The variance to construct the single story, to construct the covered front porch with less than the required front yard. The hardship here in this case is because the property had been modified from its original form. It has been documented and reviewed by the historical district commission that the property had originally had a covered front porch. Rebuilding the original covered front porch would not have an impact or change the Comprehensive Plan. It wouldn't have an impact on the neighborhood, nor would it change the Comprehensive Plan or the character of the Town or the character of the neighborhood. The removal of this porch was not committed by the applicant. It had been previously removed and by granting this dimensional variance, we're not altering any general characteristic. We're merely bringing the home back to its original condition or its original facade. Second, the dimensional variance to construct a 24' x 36', two

story accessory garage with the size greater than permitted and a height greater than permitted in an R-6 zone. This board had previously reviewed and approved this request. The approval can be noted for file number 2023-08, where the board provided dimensional variance to construct the structure that is currently being presented. The applicant was unfamiliar with the time frame of the variance and the expiration of the bar of the variance. As they went to apply for a building permit, they were notified that the variance had expired, and a new variance would subsequently be required. It's noted that some of these findings we're addressing here tonight have been previously presented, and some of those findings are related to water issues that the properties have in the surrounding areas and the limited use of the basement to the existing primary structure at 14 Union Street and due to the lack of usable storage space, a larger structure than typically permitted was granted, and it was the least amount of relief granted, considering that the applicant previously purchased the home with a twenty by thirty single story three car garage, which was already larger than what would be conforming to an auxiliary structure. The property contains thirteen thousand square feet, and the size of the structure isn't out of character for the property, nor is it out of character for the surrounding neighborhood. As there are various homes with smaller lots in the area that have large, as large or larger auxiliary structures. The height, the requirement for the height was a requirement that was imposed, given the unique design of the garage structure. The requirement for an

additional two feet ten inches was to meet both the design and use needs of the applicant, and the design needs of the historical district. I condition the approval of the granting of this variance to the review of the historic district's approval as well. Based on those findings, I so move.

MR. KERN: Second.

MR. ASCIOLA: All in favor?

MR. PALMER: Aye.

MR. DUARTE: Aye.

MR. KERN: Aye.

MR. BRUM: Aye.

MR. ASCIOLA: Aye.

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(THE MOTION WAS UNANIMOUSLY APPROVED)

(Petition Granted)

Board Member Palmer stepped down and Vice-Chairman Burke sat on.

**8. ZBR-26-13
CITIZENS BANK**

**1150 Hope St.: GB
Pl. 15, Lot 28**

Dimensional Variance to install a secondary wall sign at a size larger than permitted on a corner lot.

Description: Heather Dudko, representing National Sign Group, requested a dimensional variance for a secondary wall sign for Citizens Bank. The proposed internally illuminated sign is 26.8 square feet, an 18.8 square foot variance over the 8 square feet allowed. The existing sign on the ATM awning will be removed.

Justification: The larger sign is needed for visibility for motorists coming west on Gooding Street, who have a limited view of the building and the ground sign on Hope Street.

Conclusion: A motion to approve the variance for the 26.8 square foot sign was made and passed. The board found it appropriate for the location and necessary for adequate signage.

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MR. BURKE: All right, Mr. Chairman, I'm going to make a motion to approve application 2026-13 for Citizens Bank at 1150 Hope Street to install a sign that exceeds the ordinance limit of eight square feet. The sign will be approximately twenty-five square feet, and it will be installed on the southerly side of the bank building, which is attached to a larger building that houses two other businesses; 26.8 square feet. The hardship on which the applicant seeks relief is due to the unique characteristics of those subjects. Signage certainly is required for the bank business, and

something less than what is being approved would be adequate as a logo for the business. The hardship is not the result of prior action of the applicant. That location has housed different bank organizations, and in the past, there were signs in that. The granting of the requested dimensional variance will not alter the general characteristics of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan. It is in furtherance of a business and is actually an enhancement, and we've made similar approvals from many of the banking organizations. The hardship that will be suffered by the owner of the subject property if dimensional variance is not granted is that they will not have adequate signage that identifies a business and its current location. That is my motion.

MR. DUARTE: I'll second.

MR. ASCIOLA: All in favor?

MR. BURKE: Aye.

MR. DUARTE: Aye.

MR. KERN: Aye.

MR. BRUM: Aye.

MR. ASCIOLA: Aye.

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(THE MOTION WAS UNANIMOUSLY APPROVED)

(Petition Granted)

10. ADJOURNMENT:

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MR. ASCIOLA: Motion to adjourn?

MR DUARTE: Motion to adjourn.

MR.KERN: Second.

MR. ASCIOLA: All in favor?

MR. BURKE: Aye.

MR. KERN: Aye.

MR. BRUM: Aye.

MR. DUARTE: Aye.

MR. ASCIOLA: Aye.

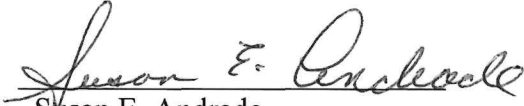
X X X X X X

(THE MOTION WAS UNANIMOUSLY APPROVED)

(MEETING ADJOURNED AT 9:40 P.M.)

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RESPECTFULLY SUBMITTED,


Susan E. Andrade

TOWN OF BRISTOL ZONING BOARD
MEETING HELD ON: 02 FEBRUARY 2026

Date Accepted: 5/4/20

Chairman: 