



BRISTOL PLANNING BOARD JULY 10, 2025 MINUTES

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

Held: July 10, 2025 in person

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

Present: Charles Millard, 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, Amy Goins, Esq., Assistant Town Solicitor; and Stephen Greenleaf, Bristol Building Official

Not Present: Anthony D. Murgo, Vice Chairman Murgo

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

A motion was made by (Katz/Sousa) accept the June 12, 2025 meeting
In favor: Millard, Clark, Katz, Sousa, and Ruggiero
Refrained: None
Opposed: None

C. **Agenda Items**

Diane Williamson made the announcement that items C3 and C4 on the agenda were withdrawn by the respective applicants. Member Clark reiterated the statement that items C3 and C4 that were originally on the agenda for this evening were being withdrawn and would not be discussed to the general audience.

- C1. Preliminary Plan Phase review and Action by the Planning Board for Major Land Development proposal:** (continued from June 12, 2025) to construct a new Mt. Hope High School, including new tennis courts and athletic fields, at **199 Chestnut Street** and to demolish the existing high school building. Owner: Town of Bristol / Applicant: Bristol Warren Regional School District/Lisa Pecora, Perkins Eastman, applicant representative. Zoned: Public Institutional. Assessor's Plat 117 Lots 3-7. Applicant has agreed that the public hearing on the Preliminary Plan shall remain open until receipt of the necessary permits from the RIDEM.

Walter Hartley of PMA Consultants, the owner's Project Manager for the District, came up to speak before turning the presentation over to Dave Potter. He gave the Planning Board a quick update on the construction bidding process and where it stood. He presented a slide showing the bidding results. Mr. Hartley stated that there were 309 registered plan holders, 5 pre-qualified general contracting firms, and 3 competitive sealed bids from 3 highly qualified firms. He stated

that the lowest eligible bidder at \$145.4Million which was about \$3Million below the anticipated project budget. Mr. Hartley moved to the next slide which showed the alternate options, and which alternate options were able to be considered. Mr. Hartley stated that the budget and the bid allowed for the inclusion of alternate option 1, which is the press box, grandstand, and toilets at the track, and alternate option 2 being the lighting for the tennis court. He stated that they are still within the budget and are very happy it can be included in the construction project. Mr. Hartley stated that alternate options 3 and 4 regarding the baseball field and baseball field toilets could not be included in the project scope at this time, however, they do have a healthy contingency as they move through the project and have a good number on what those could be and those numbers could change as the project moves along. He stated that they have a fair value of where they can start and as the project gets to the point of when the old school is demolished, they can have another opportunity to discuss it at that time. Mr. Hartley stated that alternate option 5 was not going to be included because it was geothermal and the numbers just did not work. He showed slides provide a breakdown of the different bids that were received. He then showed a slide indicating a breakdown of the project scope by building indicating that approximately \$127Million would be for the new high school, Colt Andrews renovations would be \$1.8Million, Rockwell renovations would be \$3.2Million, Hugh Cole renovations would be \$6.4Million, Kickamuit Middle renovations would be \$6.7Million. He stated that they were tracking right along with the project cash flow and RIDE reimbursement will continue that process as they move through and the schools have been great getting the submissions into RIDE and there are no issues with that. Mr. Hartley went to the next slide showing the projected schedule of the project. He stated that they are under contract with Gray Builders and they are eager to get going. He said the start date is hopefully September 1st and the earlier it can get started, the better. Mr. Hartley stated that Gray Builders was required to submit a logistics plan that was in line with what was included in the project specifications and the project drawings, and the logistic plans were being reviewed by the school to make sure there were no other variables that might not have been foreseen at the time. He said that right now it was just under administrative review to give Gray Builders the go ahead on the logistics plan. Mr. Hartley showed the next slide showing the phases that the project was going to be done. He stated that the construction would be done in phases. He said that phase 1 would be the building of the new high school, phase 2 would be the construction of the new roadway and the demolition of the old high school, and phase 3 would be construction of the new field areas and connection of all roadways and making sure the traffic flow is working correctly on the site. Mr. Hartley then asked if there were any questions from the Planning Board before he turned the presentation over to David Potter and Lisa Goyer.

David Potter came up next. Mr. Potter stated that since they last came before the Planning Board on February 11, 2025, they have been working with DEM to obtain permits. He was happy to report that the DEM submission, which was originally submitted on February 7, 2025 was approved in early June and they received their permit on June 16th. Mr. Potter stated that they have been working with Bristol County Water. He stated that there were a few changes to the drawings which were minor in nature as DEM's concerns were in line with the local concerns about stormwater management in the flood plain which had been covered in detail at the February 11th meeting. He stated that DEM did ask them to make a few changes. Mr. Potter stated that there were no changes to the site layout, but there were some modifications to add a few subdrains and modified the size of one subdrain to improve its performance. He said that they made sure that the BMPs were going to be fully drained by increasing the filter medium to make sure it would be fully drained within 48 hours after a storm, and all of that has been achieved. Mr. Potter said that a few other changes that were made were advancing the drawings and making them more detailed in order to bid them. He said that levels of details were added and coordinated with the rest of the design team, that being architects, mechanical engineers, electrical engineers, and even utility companies to include how the utilities would be routed so

that the grading would be accurate. Mr. Potter stated that hard copies of those documents were provided to the Planning Department for review. Mr. Potter then presented the next slide which showed the site layout and then went on to the stormwater management slide. He was happy to report that the stormwater management system meets both DEM state requirements and local requirements. He stated that they have been working closely with DEM and DEM stated that they did not need them to infiltrate, but the Town did need them to infiltrate. Mr. Potter stated that DEM worked with them to make sure that they kept the infiltration system as part of the project. He said that the runoff volume in a 1 year and a 10 year storm was still reduced from the previous condition, and they were still providing the water quality requirements and still providing a reduction of peak flow from both sides of the site. He stated that it will flow to both sides of Silver Creek and that it is meeting all of the parameters. Mr. Potter stated that as the site exists currently there is 10 ½ acres of impervious area is untreated and after the project is finished, there will be 11.9 acres that will be treated which will really help the environment on the site as well as downstream. Mr. Potter then went on to the next slide to discuss the flood plain which currently goes through school site and DEM agreed with their approach and DEM understood where they were with that and what their concerns were and DEM had similar concerns. He said there would be benefits to property both upstream and downstream with an increase of approximately 900 cubic yards of flood storage being provided with no substantial grading in that sense. Mr. Potter stated that they are still providing bypass piping. He addressed the concerns regarding maintenance and stated that a summarized operations manual which had been submitted to the Town has been updated as DEM had asked for tweaks and it was updated accordingly. He stated that the document is ready to go once building is built and that it will be a primary concern.

Chairman Millard stated that Mr. Potter had done a great job with everything. Alternate Member Sousa wanted to note that the peak discharge rate was reduced as well as the volume of runoff and stated that it should be a model for all developments contributing to Silver Creek and all other known know hazard areas and thanked him for it. Chairman Millard asked if any other Board members had any questions. Member Clark asked if the maintenance would be done by the Town or by the School Department. Mr. Potter stated that the maintenance would be done by the School Department. Adam McGovern, Chairperson of the Bristol/Warren Regional School District, stated that the School District entered into a three year contract in June with a landscaping company which included the stormwater and drainage system which will be kept free of weeds, undergrowth, and debris which has been passed on to the third-party vendor who will be handling it and not directly the School Department.

Ms. Williamson stated that she sent the revised plans to BETA, the peer review engineers. She stated that BETA reviewed the plans that came back from DEM and they said that everything meets the State and local requirements and they had no other comments.

Member Katz read the Planning Board's decision into the record.

Ms. Williamson stated that they are still coordinating with the Sewer Department on the proprietary system for the requirements the Sewer Department has which will come in prior to final approval. She also stated that they are also coordinating on trying to save some of the younger trees and relocate them elsewhere. Ms. Williamson further stated that she would like the Board to confirm that final approval will be administrative.

Alternative Member Sousa made a motion to approve the preliminary plan subject to the final details being worked out and the final approval to be administrative; Seconded by Member Clark.

A motion was made by (Sousa/Clark)

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

Refrained: None

Opposed: None

- C2. **Pre-application / Concept Review for a Minor Land Development/Unified Development Proposal:** for David Ramos to operate and construct a building for a Contract Construction Use in a General Business (GB) zoning district which 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. Owners/Applicants: David Ramos and Lionel Ramos.

Matthew Landry, Esquire on behalf of David Ramos, along with Mr. Ramos, and Tom Principe of Principe Engineering who prepared the site plans for your review. He stated that they were here for a pre-application conference and looking to solicit as much feedback as they could get from the Board. Attorney Landry said that they had a TRC meeting a few weeks prior. He said that Mr. Ramos has a landscaping and excavation business on Lot 15 and Lot 16. Attorney Landry said that the two Lots were being presented collectively to demonstrate what the proposed uses are on both sites. He stated that there had been some discussions with the Town on how best to proceed based on clarification of existing uses and certain structures on the property and what the intended overall use going forward will be for both Lots. Attorney Landry said that Lot 16 was currently being used in connection with the General Contracting business and the Landscaping operation and Lot 15 which was the lot to the north had historically been used for the storage of landscaping materials. He stated that he had submitted a copy of the 2022 Zoning Certificate that Ed Tanner had provided to Mr. Ramos in conjunction with identifying the existing uses for Lot 15 only which is a legal non-conforming use in that district. Attorney Landry stated that a general contractor services business was permitted in a general business zone as a special use permit; however, the storing of landscaping and excavating materials, and the loading and unloading of those materials are allowed under a legal non-conforming use consistent with that type of property in certain locations. He further said that any intensification or change of those uses requires further review by the Planning Board along with additional relief under the guidelines of a Special Use Permit. Attorney Landry said that this was being proposed to proceed under the Unified Development Review process because it did require Development Plan Review within the Metacom Avenue Overlay District and because it is in connection with a request for review or modification under the Special Use Permit for the use itself. He said that the Unified Development Review process would allow the Planning Board to review both aspects regarding the Development Plan Review process and the elements for a site plan review as well as the relief as needed under the Special Use Permit criteria in connection with the use.

Attorney Landry stated that the existing conditions on the site were going to change on Lot 15. He stated that there were existing landscaping material bays or bins which were surrounded by concrete blocks which were proposed to stay and not to be changed. He said that everything else will be completely removed from the site and be relocated, not expanded, to the southern lot, which is Lot 16. Attorney Landry stated that Mr. Ramos is proposing to construct a 35,000sq.ft. garage structure on Lot 16 that will store vehicles and house a new office for his landscaping operation and also provide storage and a landing spot for his tools and other equipment. He stated that most of the heavy equipment and materials that are on Lot 15 will be relocated to Lot 16 and Lot 15 will be maintained as landscaping material storage and other items will be removed. Attorney Landry stated that the design conforms to the Metacom Avenue Overlay District guidelines in terms of landscaping and buffering. He stated that Mr. Ramos was not seeking any relief from setbacks, particularly with respect to rear or side setbacks with respect to

the residential neighborhood that abuts the property to the rear. He stated that they did submit some supplemental plans to the Town to review and he had some additional copies on hand. Ms. Williamson advised Attorney Landry that they had the slides so he could put them on the screen for the Board to view. Attorney Landry also stated that Mr. Principe had copies to pass out to the Board as well. Tom Principe handed out the hard copies to the Planning Board members. Attorney Landry stated that the changes related to the location of the building on Lot 16. He said that the Overlay District had a maximum setback from Metacom Avenue of 50ft. and they have maximized that distance from Metacom. He stated that some of the commentary from the TRC meeting suggested that they relocate or move that building closer to Metacom Avenue and they have done so. He said that the building will now be approximately 25ft. from Metacom Avenue, which is within the guidelines and regulations. Attorney Landry said that the purpose of that was two-fold as it was to bring it closer into compliance with the intent of the Overlay District meaning that the buildings and the streetscape are closer in line to the street front and it was also to move the operation away from the residential neighborhood even further even though it had already complied as it was well over 120ft. from the residential neighborhood. He stated that the building was shifted slightly forward towards Metacom as a result of the TRC comments.

Attorney Landry went on to discuss an additional change regarding additional parking to be located at the back of the new building which will provide 12 new spaces and 1 ADA compliant space. He said that it was originally classified as a warehouse use that would have required less parking, so in order to bring that into conformance with the general services use as was suggested by Ed Tanner at the TRC meeting, they have shown additional parking at the rear of the building. He stated there was also a comment with regard to sidewalks. Attorney Landry said that the Metacom guidelines require sidewalks from Metacom Avenue to any access point or entry point into the building and there was a request by Mr. Ramos, and they were in agreement at the TRC meeting, to eliminate a sidewalk along Metacom Avenue which was the northerly side of the proposed building to prevent attracting pedestrians from the sidewalk on Metacom to come onto the property, as the business is just more of a passive type of operation where it is just Mr. Ramos, his staff, and employees using the building and not so much the customers; however, they did maintain a sidewalk at the rear of the building where the parking areas are to be located and to the south of the building.

Attorney Landry then went on to discuss the next minor change was with respect to the streetscape and the landscaping. He said that they were proposing the trees to be 20ft. apart as opposed to 40ft. that is required in the regulations. He said that was so it wouldn't overwhelm the site for more of an aesthetic and practical approach, but they welcomed any comments or ideas with respect to that. He said that those were all of the main changes to the overall plans. Attorney Landry then invited Mr. Principe up to discuss the technical aspects of the site plan and also for Mr. Ramos to comment on everything, as well as the business operations, and any questions that the Board may have.

Chairman Millard as Ms. Williamson if she had any information about where everything stands with the TRC and the Planning Board. Ms. Williamson said she would probably defer to Attorney Amy Goins and Stephen Greenleaf, the Building Official, as she wasn't sure how much contextual information she should give the applicant at that moment. Attorney Goins stated that since this was on for pre-application, the Planning Board will be reviewing the application once it is file. She stated that the Town had issued a couple different notices of violation, one under the Zoning Ordinance and Subdivision Regulation because the development and activity that took place on the property needs review by Planning Board and it had been established without the benefit of that review, and related the membrane structure that exists on the property that was constructed sometime last year was constructed without a building permit. Attorney Goins said

there was a pending enforcement action, but the Town has held that in abeyance as Mr. Ramos has retained counsel and an engineer and prepared the application. She stated that when the Town sends a notice of violation, the goal is always to bring the property into compliance, and it was the Town's impression that Mr. Ramos was working to remedy the violation. Attorney Goins said that as part of the discussion at the TRC, there was a discussion about when that membrane structure would be taken down since it had been constructed without a permit and since it was not intended to be a permanent structure. She believed that the membrane structure was currently being used to store equipment that would otherwise be left open to the elements. Attorney Goins said that part of the Town's patience on the enforcement action and letting the membrane structure remain standing was Mr. Ramos' promise and good faith effort to bring this application before the Board so the enforcement action isn't really in the Board's purview as it is more of a Town administration and legal issue, and with that being said, she felt that the Board was within its rights to give guidance to Mr. Ramos and also to ask Mr. Greenleaf about the structure, but also to hear from Attorney Landry on it. Chairman Millard asked how could the Board proceed on it knowing that there is an illegal structure. Attorney Goins stated that the Board wasn't making any decisions as it was just on for pre-application, but the Board could certainly provide guidance on the proposed plans as the membrane structure is not part of the long term plan for the site. She said that the question for the Town was how long does the Town let the structure stay up knowing that it is probably going to be a couple of months at least until the Board sees the application again at a noticed public hearing and part of that will have to be taken into account Mr. Ramos' business operations and there may be some room to sit down and come to an agreement on that. She advised that the neighbors have registered complaints about several aspects of the business, and she hoped that the neighbors understood that the Town is hoping that Mr. Ramos is going to work on this in good faith and part of that may be taking the structure down.

Chairman Millard stated that if it is a non-conforming, illegal structure and it hasn't been inspected and it falls down then it is a liability to the Town. Attorney Goins stated that she had spoken to the Building Official and the issue has been on the radar of the Town Solicitor's office for some time and as to why it wasn't taken down a year ago, she said that she is always hesitant to tell a municipality to go forward with taking a structure down. She said that she saw that as more of a potential liability for the Town because the Town hasn't reviewed it as it is her understanding that it is not a place where the employees are working. Attorney Goins advised the Building Official that imminent life, health, and safety issues can and should be corrected immediately, but she didn't know if it was viewed as an imminent life safety issue more than an issue of the structure was constructed without a permit and it was never intended to be there permanently as she believes it was seen as an interim solution until a permanent structure approved by the Board as it should be could be constructed. Chairman Millard asked if they needed to get the Building Inspector on record stating that the structure was not life threatening. Attorney Goins stated that they could certainly hear from him during the meeting again the Board was not going to be making any decisions, but they could certainly provide guidance and direction on this to both the applicant and Town staff.

Stephen Greenleaf stated that he was not prepared to say that the structure was not life threatening. He said that it was his opinion that there was no immediate danger from that structure; however, part of the problem was that it was put up without any inspection, without any design review, and without any process that would allow the Town to determine if there were any problems. He stated that in general he didn't believe that it was an imminent danger, but he wouldn't advise leaving it up. Ms. Williamson stated that in the Board's meeting packet's they had the TRC meeting notes that they were expecting that as part of the good faith working with us the applicant would take it down prior to Planning Board meeting and then come to the Board

with a clean almost vacant lot, minus the membrane structure and she didn't believe that the structure had come down. She believed that what Attorney Goins was advising the Board to tell the applicant that the Board expects to see the structure removed and the Building Inspector will work on the enforcement of that.

Alternate Member Sousa said that the existing structure is a matter that the Town was addressing separately, and the Board is not hearing about the existing structure, the Board is just giving comments on the new structure. He stated that the Town and the Solicitor is already handling the existing structure, and it has nothing to do with the pre-application. Chairman Millard stated that the whole issue has been the neighbors' complaints about the structure. Attorney Goins said that it was important to note that the structure was put up before Mr. Ramos retained counsel and if instead of retaining counsel and submitting a pre-application to the Board and had done nothing instead, then the Town would probably have been in Municipal Court over the issue to obtain a court order to get the structure taken down. Chairman Millard asked if Mr. Ramos was advised to retain counsel to give him more time. Attorney Goins said that the goal of the Town issuing any violation notice is compliance and the thought was to bring the property and the use into compliance and to file the application with the Board. She feels that everyone is on the right track towards a resolution of the matter. She stated that the question for the Town is how much longer is the Town willing to let the structure stay standing given the fact that it is still going to be some time before the Board sees an application.

Member Katz asked Attorney Goins if he could ask Mr. Ramos when he will be in compliance. Attorney Goins said that he could ask that question. Member Katz asked Mr. Ramos if he had a date of when he would be in compliance. Attorney Landry stated that he appreciated the leniency that the Town had provided to them. He stated that when his firm was retained there were notices of violation that were issued and that were appealed and there was a subsequent discussion before his involvement and then the appeals followed. Attorney Landry said that Mr. Ramos proceeded in the proper manner to protect his rights to address the violations in both zoning, building, and health and safety concerns. He said that there were some discussions between Mr. Ramos, staff, and counsel as to how to address those issues and whether or not they could be held in abeyance, and a discussion about how to bring the whole property into compliance which included bringing Lot 16 and incorporating that into a development plan. He discussed the second violation that dealt with the imminent danger to the public, which dealt with more of the enclosed nature of the membrane structure which has since been removed. Attorney Landry stated that the overhead canopy remains, but Mr. Ramos rented heavy equipment to take down the front and rear portions and that it was now completely open except for the overhead covering to protect the expensive equipment that is being stored there. He stated that at the TRC meeting they discussed the potential of applying for a temporary tent permit as it is really a membrane structure that is supported by two on-the-ground metal storage containers, and it is no longer fully enclosed. He wants to continue to work with the Town on it. Attorney Landry stated that he has had many discussions with Mr. Ramos on how best to proceed and Mr. Ramos has submitted a number of applications and has already got before the TRC before he was retained. He said that they were moving forward as expeditiously as possible. He stated that they don't anticipate waiting to submit to the August deadline to get on the next available Planning Board meeting as they were moving as fast as possible. He said that upon conclusion potentially in September, all of that material will be taken down and removed from the site. Attorney Landry was asking that Mr. Ramos be allowed to maintain what is there as he has removed the enclosed feature of it and allow him to proceed through the process as agreed and get everything permitted and include the southern lot and have everything cleaned up and reviewed by the Planning Board and allow the public to comment and then move forward. He said that Mr. Ramos had made an effort to open up the structure, which he understood was really the concern there as it was an enclosed structure

that hadn't been inspected. He said that if more needs to be done, then Mr. Ramos would be willing to do that to the extent that he could apply for a request for relief to get a temporary tent permit or something of that nature then they would be more than happy to work with the Town.

Member Katz asked Attorney Landry if he would be willing to give a date certain for the removal of the membrane structure. Member Clark said that he didn't understand why the Board was asking for a date because Mr. Ramos was trying to run a business and he needed to put his equipment somewhere and he needs to operate while the building goes up. Alternate Member Sousa stated that it was not the Planning Board's responsibility to manage the Town's affairs. Member Clark stated that those types of structures were also in other parts of the Town. Mr. Greenleaf stated that there was another structure that was coming down and that the structure was not a tent. He said that it was a membrane structure which is a building. He said that there seemed to be some confusion about whether or not he leaves it open if it ceases to be a building and he does not recall that ever being said that it would make the situation better health and safety wise. Mr. Greenleaf said that there was an opportunity to turn it into a temporary structure. He said that they were not opposed to working with Mr. Ramos, it's just that things change every time they get together. He said that they have met twice since it has been promised that the structure would be taken down and it has not been taken down, and now the story is that it is open. Mr. Greenleaf said that when they're looking for is some sort of consistent good faith relationship and to that effect, he stated that Mr. Ramos did take down the deck that was attached to the adjacent trailer and he made the trailer safer and it has a safe staircase up to it, so there has been movement to correct things. He said they just need to work out the next steps. Chairman Millard thanked Mr. Greenleaf for bringing that to the Board's attention so they knew where everything stood.

Attorney Landry said that there needs to be additional dialog between his office, Mr. Ramos, the Town Council, and the Building Official. He said they will continue to do that in good faith and try to bring it to an immediate resolution to the satisfaction of all parties. He stated that Mr. Ramos has tried and made efforts to remove the structure and that he had every intent to remove it and resolve the issue within the next 30 to 60 days presuming that they proceed through the application process and if and when the project is approved all of it will be remedied. Attorney Landry stated that Mr. Ramos had concerns about the weather and the rain and ongoing business operations, but he will continue to consult with Mr. Ramos and Mr. Ramos will make every effort to bring it into compliance to the Town's satisfaction. He then turned the presentation over to Tom Principe to introduce the revised site plans and discuss the wetlands on site which we don't need any relief for, but to comment generally on the site plans, and then when Mr. Principe was done, Mr. Ramos could come up and speak on the proposed business use.

Tom Principe, Principe Engineering Company, stepped forward to discuss the site plans. He then handed out the hard copies of the site plans to the Board and also had a slide presentation. Mr. Principe stated that significant headway has been made with the design and engineering of the site. He showed the proposed 3,500sqft building was originally towards the rear of the property and now was going to be 25ft off the property line off of Metacom Avenue and is in compliance more with the Metacom Avenue Overlay District. He said that pulling the building up towards Metacom pulled the parking back so, again, everything is as far away from the rear property line which is the residential zone of Lisa Lane which is the residential neighborhood behind the property which is to the east. Mr. Principe said that the property is bound by all wetlands. He said that there are wetlands to the rear of the property, to the north, to the south which is Fales Farm and there is a pond there, as many people are familiar with the site. He stated that it is a difficult site as far as range is concerned, but it has been an active construction stockpiling site for years as everyone knows. Mr. Principe advised that there were drainage basins and bioretention

basins that would lap around the existing parking and proposed building and it will be pavement. He said that when the trucks come and go, there will not be any dust being kicked up since there will be pavement and asphalt. Mr. Principe said that there will be a planted bioretention drainage basin and then a double row of evergreen screening towards the back towards the residential area as shown on the plan, and the rest were all wetlands and would be undisturbed. He said that there would be 60ft. to 70ft. of undisturbed land on the site that was going to be replanted towards the residential area. Mr. Principe said that the project was going to improve the site when it is completed as it was not an expansion of Mr. Ramos' business. He said that there is the lot to the north and the lot to the south and with the improvements, Mr. Ramos will be able to store the equipment inside and clean up the lot to the south. He said that at the TRC they discussed how they surveyed the north lot to limit the disturbance of what has been disturbed on the lot over the years and one of the things that Ed Tanner had discussed with them is establishing a boundary and eliminating the disturbance just to ensure that whatever has been disturbed to the north lot they can continue to keep it within the confines of that area. He said that there was sewer and water available to the site. He also said that the DEM wetland regulations changed recently and it went to a new online portal, but they have not gone that far yet as they are looking for feedback from the Town and the Board on the overall concept and then they would go to the next step to get the engineering finalized and then they would start the online process as it is cumbersome. Mr. Principe then asked the Board if there were any questions.

Alternate Member Sousa asked about the details of the evergreen screening adjacent to the residential area regarding the size of the screening. He said that they had spoken at the TRC meeting regarding putting it on a higher portion of the site to be more effective to the neighbors. Mr. Principe stated that he did not have the specific details, but that Mr. Ramos was willing to specify a specific size and height rather than 12-inch evergreens. He said that they have to be careful because it is within the DEM wetlands buffer and they cannot do much grading there and it would have to be done with the trees. Mr. Principe said that's why there will be two rows of evergreens. Alternate Member Sousa said that he understood that this was just a pre-application discussion, but the adjacent neighbors were going to be very interested in something tall to block their view and he just wanted them to think about it going forward. Alternate Member Jarest suggested not using a monoculture of one type of planting because if anything happened it might damage the screening, so possibly using native evergreens or something that provides screening but also would not fall victim to bugs or diseases and the like, just something to think about.

Alternate Member Sousa stated that moving the building closer to Metacom was better for Mr. Ramos and for the neighborhood. Alternate Member Jarest stated that it looked like it moved more of the paving out of the wetland buffer as well.

Attorney Landry stated that there would be a comprehensive landscaping plan submitted with the formal submission, and they would be addressing different ways to increase the buffering and the screening which is important. He said that they would be collaborating with the neighbors and taking the neighbors' concerns into consideration, especially one particular neighbor whose property did not have a lot of existing screening as there was some suggestions because of the grade change to some of the properties to the rear, they could potentially evaluate with the neighbors' permission or interest in planting some of the screening on their property to help because it may have more effect if it is planted on that location because of the grade. Attorney Landry said that it was not set in stone, but they were open to that possibility, and he just wanted to mention it as it was suggested at the TRC meeting. He then asked Mr. Ramos to come forward and outline what his intended use of both properties would be, the hours of operation, and things of that nature.

David Ramos stated that his family has been on the property for decades doing excavating and construction. He said that they were proposing a new wood frame building with a more New England look to give it a good look. He said that when it came to the temporary tent structure, part of the deal with the new project is to specify that the structure will be coming down and demolished. He did not want to push the envelope on that. He said that as far as business operations, they would operate Monday through Friday from 7:00 a.m. to 5:00 p.m. and Saturdays from 7:00 a.m. to 2:00 p.m. and they would be closed on Sundays. Mr. Ramos stated that 90% of the work would be performed offsite on job sites and their busy season is typically April through October, and they are slow from November to March. He stated that they employ 6 to 10 individuals depending on the time of year. Mr. Ramos said that he currently has 12 vehicles, 6 trailers, and 9 pieces of heavy equipment. He stated that he wanted to do whatever he could to move it as fast as possible so it could go in the right direction and asked if the Board had any questions.

Chairman Millard asked if the temporary structure was going to stay up until the new building was complete. Mr. Ramos said that he was going to ask for the possibility of getting a temporary permit so that at least it was permitted. He said that if he could get it approved, he would be ready to break ground in October and complete the project by next June. Chairman Millard then asked if Mr. Ramos wanted to keep the tent up until next June. Mr. Ramos said that he would like to, even if it had to come down then get a 90 day permit for the winter months then that would be something that he would ask the Town to help him out with as he has been in Town for 10 years running his business and he would hate to have to put all of his equipment outside. Mr. Ramos said that when he put the tent up originally it wasn't to facetiously to pull the wool over anyone, it was a financial decision to buy him some time. He truly did think it was just a tent as he had seen ones similarly all over the Town and that was his bad judgment for just going forward and doing that, but that tent is going to need to come down in order for him to occupy the new building because he will not have room for parking and equipment storage with the tent and the building on the lots.

Chairman Millard asked if the Board needed to take a vote. Ms. Williamson stated that since it was a concept review, no vote was needed as it was purely to exchange of information, but she also had a few questions, but she also wanted to say that the neighbors were present and wanted to allow them to speak if they had questions or comments. Mr. Ramos said that he would like hear if anyone had any questions or feedback. Alternate Member Sousa said that since it was just a pre-application hearing, the intent is to see what the Board is looking for and to have input from the public which helps guide Mr. Ramos in the matter. Chairman Millard invited the neighbors, if any, to speak, but no neighbors were present.

Attorney Landry stated that Mr. Ramos was in contact with some of the neighbors and to the extent that they could propose some of the landscaping on their properties, they would be open to share that dialog with the neighbors and would continue to do so. He said that if there are any concerns formally submitted to the Town then they will continue to review them and take all of it into consideration. He stated that Mr. Ramos is moving in the right direction. Attorney Landry stated that the submittal deadline for the next hearing was August 8, 2025 and they had every intention of complying with that, but they were a little bit hung up with DEM because of DEM's backlog with their new system, but that Mr. Ramos has every intention of moving forward to get everything resolved. He stated that they are just as interested in getting everything resolved as everyone else and that they appreciate the time that the Town Council, Ms. Williamson, and the Planning Board have extended to Mr. Ramos to move this project forward and thanked everyone.

Diane Williamson stated that the next meeting will be an advertised public hearing, and the neighbors would get letters to attend the meeting. She stated that when they do the renderings, she asked if they would show the east side of the building that would face the neighbors as it was not part of the package, and it would be helpful. Attorney Landry stated they would do so. Ms. Williamson asked for clarification regarding Lot 15 as to what would be on Lot 15. Mr. Ramos stated that it would be overflow parking and a gravel parking area which would probably be employee parking and there would not be any development, much like the stuff that has been there. Ms. Williamson just wanted to make it clear because the site plan was not clear on that. She said that there were standard for the Special Use Permits and they would have to address that, and that they should check the State law as there was a recent amendment to the State law which allows the DEM permits to come in at final and not preliminary, so they might want to check that as they may not need them for the next submission. Attorney Landry understood that they at least need to submit them and have them pending which was their intention, and they could represent to the Board at the next hearing where the submissions stand and they wanted to do that earlier rather than later.

Alternate Member Sousa stated that at the public hearing what the Board does not want is a whole discussion about the temporary structure, is it there illegally, and the like. He stated that if they could work out the issues with the Town and the Building Official prior to that meeting, it would be a really good idea for everyone involved.

Attorney Landry, Mr. Ramos, and Mr. Principe thanked the Board for their time.

C3. Comfort Inn & Suites Public Hearing and Action on Request for Checklist Waivers:

THIS PUBLIC HEARING WILL BE RESTRICTED TO THE REQUEST FOR WAIVERS. If the requested waivers are approved by the Planning Board, a public hearing on the Master Plan application will be held at a later date after further notice in accordance with the Regulations.

The Applicant has requested waivers of certain requisites that are required for submission at the Master Plan stage as follows:

Checklist Item E2 – Renderings to illustrate the visual impact of the proposed commercial development;

Checklist Item E3g – General viewshed analysis;

Checklist Item E11 – Detailed design service letter from the BWPC Department

Checklist Item E26 – A photometric plan

Checklist Item E27 – Renderings to illustrate the visual impact on abutting properties;

Checklist Item E28 – Signage Plan including the location, size, design and illumination

Property is zoned General Business - Plat: 111, Lot 1

Located opposite the intersection of Broadcommon Road and Gooding Avenue and extending approximately 346 feet to the east of this intersection

Owners/Applicants: D and M Boca Development LLC

****Application withdrawn**

C4. Fairwind Village Comprehensive Permit Public Hearing and Action on Request for Checklist Waivers:

***This waiver request has been withdrawn and the application will be scheduled for a public hearing on an upcoming agenda.**

****Application withdrawn**

C5. Correspondence from the Director of Community Development on the Public Engagement for the Comprehensive Plan Update

Diane Willaimson stated that a consultant has been engaged to help with the public engagement as she had a little bit of money in last year's budget, so she commissioned an engineering planning firm. She said that two public workshops will be scheduled in September which will be held in the auditorium at the Reynolds School. Ms. Williamson said that they are working on a plan for youth engagement to try to get some students involved with either some sort of a contest or a program in school to get them involved and they are doing a public survey and doing a project website. She stated that they are going to get ready for the public engagement and then they will move into the update, and they will have to figure out how to structure that. She was thinking maybe similar to how they did the last update where they had different elements headed by different Planning Board members with a steering committee of people that worked with them on the different chapters. She said that one of the goals of the workshop would be to get interest from people who want to be on the committee and then work with the Board on how you work with them. She said that Chairman Millard was on the last update to the Comp Plan.

Attorney Goins asked Ms. Williamson to remind her and the Board when the State approval expires for the Town's current Comp Plan. Ms. Williamson stated that the current approval expires in February of 2026. Attorney Goins asked if Ms. Williamson thought the new Comp Plan would be adopted by then, and Ms. Williamson said she would hope so as the time was going to go by quick. Member Clark asked if there was any way they could ask for an extension and Ms. Williamson did not think so. Ms. Williamson said that it would expire, and the Comp Plan would be recognized in the Town, but the State would not recognize it and if the State came through with a project that was not in line with the Town's Comprehensive Plan, then that would be unfortunate for the Town. She said that they were going to try to get it done. Ms. Williamson then corrected herself and stated that the expiration date was actually February of 2027, not 2026. Attorney Goins stated that was even better because then it was almost a guaranty that the Comprehensive Plan would be updated and adopted by that expiration date.

D. Adjournment

Meeting adjourned at 8:07pm by Katz

Respectfully submitted by Kathleen M. Maynard, Recording Secretary

Date Approved: 11 Sep. 2025

Planning Board:

