



BRISTOL PLANNING BOARD

JULY 9, 2026 MINUTES

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

Held: Thursday, July 9, 2026 in person

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

Present: Charles Millard, Chairman; Anthony D. Murgo, Vice Chairman; Steve Katz, Secretary; and First Alternate Member Michael Sousa

Also Present: Nick Toth; and Amy Goins, Esq., Assistant Town Solicitor

Not Present: Member Brian W. Clark; Member Richard Ruggiero; Second Alternate Member Jessalyn Jarest; and Diane Williamson, Director of Community Development

A. Pledge of Allegiance

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

B. New Business

B1. **Review and make recommendations to the Town Council** on proposed zoning ordinance amendment to regulate Short Term Rentals.

A discussion commenced between the members of the Planning Board regarding the proposed zoning ordinance. Nick Toth led the discussion by asking the Board if they had any changes or comments. Member Katz asked that it did not cover Airbnbs and BRBOs but did cover what was considered an Inn or a Bed & Breakfast because the owner would be staying there, but it expressly said that the owner must be there. Attorney Goins asked for clarification. Member Katz said because owners didn't live in Airbnbs or BRBOs. Chairman Millard said that wasn't true because his 2 children had BRBOs; 1 being on a 3rd floor and the other being located above a garage. Member Katz stated that was an exception as he has stayed at Airbnbs where the owners didn't live on the site. Nick advised the Board that the language was taken from the Town of Middletown's ordinance language and also what Bristol wants to require from B&Bs. Attorney Goins said she and Nick wanted to give the Board what the Department of Business Regulations had put to the public regarding frequently asked questions regarding short-term rentals as the draft ordinance was just a starting point. Member Katz felt it was a great draft. Attorney Goins stated they included Middletown's ordinance so the Board could see what language had been enacted in 2024 as Middletown has been hearing and granting special use permit applications. She wasn't sure how many had been granted but the idea was that Middletown had put it into process, so the definition in their draft was just about the same definition that Middletown was using. She said it was driven by what was a short-term rental under state law. Attorney Goins

stated that under state law it didn't count if someone wasn't using one of those platforms as that is what would trigger the requirement to register with the State.

VRBOs

Member Katz asked if a person in Florida were to buy multiple properties in the Town to use as Airbnbs or VRBOs, but they reside in Florida, under the draft ordinance they wouldn't have to register. Nick stated in order for someone to be able to rent those properties out, they would need to register those properties in order to list them on those online platforms. He said to obtain a special use permit from the Town, under the current draft, they would have to physically be living on the property during the rental period. Chairman Millard said the owner wouldn't be able to do it if they resided out of town and Nick said that was correct. Attorney Goins stated the purposed for the ordinance was to avoid having the Town becoming like Middletown or Narragansett where there were too many short-term rentals. Nick stated there was a large drop in short-term rental registrations. He said in April there were 160 registered with the State and when he checked again a few weeks ago, it had dropped down to 88. Attorney Goins asked if it had something to do with time and when they had to register and Nick wasn't sure what the actual answer was as to why there was a drop in registration. Chairman Millard said if the Town moved fast, they could freeze it at 88. Nick said it was not necessarily freezing it. Nick stated this was all to regulate homeowners being able to make extra money. Member Katz said it was like owning a triple decker, living in 1 unit and renting out the other 2 units. Attorney Goins advised Chairman Millard that his 2 daughters' properties wouldn't be affected as they were already pre-existing and registered properties.

Nick said the idea of the ordinance was for residents or non-resident owners all had to obtain special use permits. Chairman Millard asked if a non-resident owner could obtain a special use permit if the ordinance stated they had to live on the property and Member Katz had the same question. Attorney Goins said the ordinance would not apply to anyone who had a current valid registered short-term rental. She stated if a homeowner had one that was not registered then it would apply to them, and they would need a special use permit which is a public hearing. Attorney Goins said it was a level above allowed by right. She stated that the Zoning Board would have to find that it met all of the standards. Chairman Millard asked if the application would go before the Planning Board or the Zoning Board. Attorney Goins said it would go before the Zoning Board. She stated that unless it came before the Planning Board in connection with any kind of land development project which it she didn't think it would, it would just go to the Zoning Board.

Chairman Millard said the way the ordinance was written if the homeowner didn't live on the property, then they couldn't make an application. Nick stated the owner had to be on the property while it was being rented. Member Katz said it wasn't practical for someone who owned a house in Town but lived in Florida. Attorney Goins stated if someone was living in Florida part of the year, they could do a short-term rental when they came back to reside in Bristol for part of the year. Chairman Millard said the ordinance should state that Bristol is the homeowner's primary residence so if they wanted to go to Florida for 3 months, they wouldn't lose their rights for 3 months and then get it back. He said if the homeowner declared Bristol their primary residence, pay Rhode Island taxes, and didn't have a Florida license plate, then they should be allowed to do it. Attorney Goins asked Nick if the ordinance would prevent the homeowner from renting the property out while they resided in another state and Nick said that was correct. She reiterated that the ordinance would have the homeowner living on the site while it is being rented out by Airbnb guests. Member Katz said there should be wording added to state that the homeowner should declare Bristol their primary residence and that the homeowner needed to be living on the site while it is being rented out.

Alternate Member Sousa asked if the ordinance would have the homeowner living on the site or could they be living in another property in Bristol. Nick said the way the ordinance was written the homeowner had to be living at that particular property during the short-term rental period. He said in theory the homeowner could own multiple properties in Bristol, but they needed to live on the property during the short-term rental period. Chairman Millard said if he owned 2 adjoining triple decker properties, what would he need to do in that scenario. Alternate Member Sousa said that meant each person would only be able to have 1 short-term rental. Attorney Goins asked if there were any properties like that in the Town and Nick said there were a few, but not many. Attorney Goins stated the idea was to make the homeowner be the responsible person on site.

Member Murgo asked about parking requirements in the ordinance. Nick said the ordinance would require 1 off street parking spot per bedroom in addition to however many the homeowner needed for their residence. Attorney Goins said that all of the standards for a special use permit needed to be satisfied but if a homeowner needed relief from any of the standards like parking, the homeowner could request a dimensional variance in conjunction with the special use permit. She stated if the homeowner didn't have enough parking, they could go before the Zoning Board to request a special use permit and a variance in which the homeowner would have to prove a hardship that's unique to the property which is a higher burden than just the special use permit.

Chairman Millard said, hypothetically, if he had an apartment over his garage and he were to go to Florida for the month of February, the ordinance would mean that he wouldn't be able to rent out the apartment for the month of February. Attorney Goins said just like the parking requirement, the homeowner could ask for relief for that as well. She stated that anytime a standard is written into the Zoning Ordinance, if someone can't meet it, the way they could seek relief is through a variance. Nick said it was originally viewed as primary residence and when Peter reviewed it originally there was some concern that would get struck down. Chairman Millard asked if that's what Middletown did. Attorney Goins said the closer Bristol's ordinance comes to what's in place to 2 towns over that haven't been challenged and have already passed legal review, the more comfortable she would feel about it. She stated there were still some short-term rental cases pending the RI Supreme Court. Attorney Goins emphasized that they're always enacting regulations based on the state of the law at the time, but it's possible a decision could come out sometime next year of what can and can't be done. However, as of now, she said the current draft passes legal muster.

Member Katz asked Nick how many short-term rentals there were currently in Bristol. Nick advised there were 88 rentals, but it could be more like 160. Member Katz asked if a cap can be put on the permits in the similar manner as it exists on alcoholic beverage permits in the Town. Attorney Goins didn't think so. She stated the license cap is authorized by state law. Chairman Millard asked how did Middletown handle owner occupied, *i.e.*, did the owner have to be living on the property all of the time. Member Katz said Middletown's ordinance stated that an owner had to live on the property during the rental period which is what the draft ordinance stated. Nick said technically the owner could live anywhere but they had to be there when it was being rented. Attorney Goins said Middletown's definition of short-term rentals had that requirement baked into the definition, and it said, "the owner residing on said property" and crossed out "in said building". She stated that "on said property" meant the owner could live in the primary residence with the guests somewhere else or vice versa. Chairman Millard said he was comfortable with the draft ordinance.

Alternate Member Sousa asked if the 72 properties that dropped from the registration list had expired and they chose not to renew. Nick said that's what it seemed like had happened. He was going to check again and talk to the State. He also talked to someone at DLT a while back and

that person was working on getting him a list where he could see when registrations were up so it could be tracked. Member Katz asked how long the registration was good for and Nick said DBR was annual and the Town's was 3 years. Alternate Member Sousa said if the 72 properties were to come back and renew would they be allowed in. Nick said if they were to renew before the adoption of the ordinance, then yes. If not, possibly no. Attorney Goins said that could be something where as the Town is adopting the ordinance they could send a letter to owners to make them aware of it.

Chairman Millard said it is critical for the Town as there aren't enough apartment in Town. Alternate Member Sousa stated the residents of Bristol in general were not in favor of Airbnbs and BRBOs. Attorney Goins said there were many residents who have been struggling with high rents and high housing costs.

A motion was made by (Sousa/Katz) to recommend to the Town Council to adopt the ordinance as written.

In favor: Sousa, Katz, Millard, and Murgo

Refrained: None

Opposed: None

- B2. Comprehensive Plan Update** – Review draft Outdoor Recreation and Open Space chapter of the Update.

C. Adjournment

Meeting adjourned at 8:00pm pm by _____

Respectfully submitted by Kathleen M. Maynard, Recording Secretary

Date Approved: 10 September 2026 Planning Board: 