TOWN OF BRISTOL, RHODE ISLAND

BUILDING BOARD OF APPEALS

Agenda
Wednesday, October 7, 2026 at 1:00 PM
Community Development Office, (Former Guiteras School)
35 Washington St., 1st Floor, Bristol, RI 02809

A. Pledge of Allegiance

B. Agenda Items

B1. **APPLICANT**: Michael & Dale Phillips

PROPERTY OWNER: Michael & Dale Phillips

LOCATION: 97 Windward Lane, Bristol, RI 02809

PLAT: 54 **LOT**: 2-097 **ZONE**: PUD

APPLICANT is seeking relief from NEC code 210.52 (c) countertops and work surfaces regarding placement of receptacle outlets.

B2. **APPLICANT**: Carl Benevides

PROPERTY OWNER: HBSBRI, LLC

LOCATION: 583 Hope Street, Bristol, RI 02809

PLAT: 9 **LOT**: 16 **ZONE**: D

APPLICANT is seeking relief from the 2021 Rhode Island State Building Code (IBC), table 705.8, exterior walls adjacent to a zero lot line must be constructed with fire-resistant materials and openings such as windows are not permitted.

C. Adjournment

Date Posted: October 1, 2026

Posted By: epc

Town of Bristol, Rhode Island

TOWN OF BRISTOL COMMUNITY DEV.
2026 AUG -3 PM 1:23

10 Court Street
Bristol, RI 02809
www.onlinebristol.com
401-253-7000
253-7010

APPLICATION TO LOCAL BUILDING CODE APPEALS BOARD
BRISTOL, RHODE ISLAND

1. Name of property owner: Michael and Deloris (Dale) Phillips
2. Address of property owner: 97 Windward Lane 904-616-0514
3. Address of property in question: 97 Windward Lane
4. Assessor's Map, Plat No. 054 Lot Nos. 0002-097

Other description of property:
Condominium in North Farm

5. Attached hereto as part of this appeal (**submit the following**):
   a. A copy of the decision of the enforcing authority.
   b. A set of scaled drawings or other graphic documentation of all relevant details.
   c. A brief narration setting forth the specific grounds for appeal and citing relevant section number of the applicable code or ordinance. (Note: The back of this application may be used for this purpose.)

NOTE: The above information must be submitted in full with the appeal application in order for a hearing to be scheduled.

I hereby depose and say that all of the above statements and the statements contained in the papers submitted herewith are true.

Date: 8/3/2026 Signature: Deloris Phillips Michael Phillips

**The applicant will be charged for the required two weeks advertising of this meeting in *The Bristol Phoenix.*

For official use only:
Received by: Date: 08032026 File No.

TOWN OF BRISTOL COMMUNITY DEV.
2026 AUG -3 PM 1:19

TOWN OF BRISTOL
COMMUNITY DEV.
2026 AUG -3 PM 1:23

Appeal of Final Electrical Inspection Denial

Property: 97 Windward Lane
Subject: Appeal of Final Electrical Inspection Denial

Dear Reviewing Authority:

Background

We have occupied this condominium, originally constructed in 1978, since 2019.

In 2019, the electrical service panel was relocated from the bathroom to the hallway. At that time, four kitchen ceiling recessed lighting fixtures and under-cabinet lighting was also installed.

Rough Electrical Inspection

The rough electrical inspection for the current renovation was approved on June 11, 2026. At no time during the inspection was any deficiency identified regarding the existing kitchen countertop receptacle layout.

The homeowner was present and available to answer questions. In addition, the kitchen cabinet drawings (Picture A), outlining the countertop dimensions and layout, were available for review. The electrical contractor had also requested notification so he could be present during the inspection.

Unfortunately, the homeowner was not asked questions, the cabinet drawings were not reviewed, and the electrical contractor was not present. The inspector conducted his review before the time slot electrician was given. As a result, any questions regarding the existing receptacle layout or any concerns about code applicability were not addressed before construction continued.

Picture B is of the kitchen area in question at the time of the rough inspection. The word "stove" is marked on the wall to identify the oven location. The countertop area that is now the subject of this appeal is located to the right of the stove, with a receptacle located on the adjacent wall.

Because the rough inspection passed without comment regarding the existing receptacle layout, the kitchen renovation proceeded.

Kitchen Before and After

The attached photographs labeled *Kitchen Before* and *Kitchen After* demonstrate the kitchen configuration remained unchanged. While the finishes were updated, the overall layout and countertop dimensions remained the same.

Basis for the Appeal

This appeal does *not* dispute that the existing 57-inch countertop located beneath the pass-through opening to the dining room does not comply with the current NEC spacing requirements for newly installed countertop receptacles.

Rather, this appeal concerns whether upgrading the existing countertop receptacle layout was within the scope of the electrical permit issued for this project.

The question presented is:

What provision of the National Electrical Code, Rhode Island State Electrical Code, or local code requires an existing, unchanged countertop receptacle layout to be upgraded when the countertop dimensions, cabinet layout, appliance locations, and kitchen configuration remain unchanged?

This project was a renovation, not a remodel.

The following remained unchanged:

- Kitchen function and overall configuration
- Appliance locations

TOWN OF BRISTOL
COMMUNITY DEV.
2026 JUL 24 PM 1:20

- Countertop dimensions and placement
- Cabinet layout
- Existing receptacle locations

The following work was performed:

- Ceiling height increased by approximately 12 inches
- Two additional recessed ceiling lights added
- Under cabinet lighting installed
- Existing solid surface countertops replaced with quartz countertops of same size
- Original 1978 cabinets replaced with new cabinets in the same locations

Because the ceiling height increased, portions of the electrical wiring were extended and modified as necessary to comply with current code. However, the kitchen's fundamental electrical layout did not change because the cabinet configuration, countertop dimensions, appliance locations, and receptacle layout remained unchanged.

Additionally, the renovation performed did not make the countertops less conforming or less safe than as originally installed.

Cost Impact

Had the requirement for an additional countertop receptacle been identified during the rough inspection, it could have been incorporated into the project before completion at substantially lower cost.

Instead, following completion of the renovation, compliance now requires:

- Installation of a pop-up countertop receptacle
- Drilling a new opening in the finished quartz countertop
- Modification of a newly installed drawer to provide clearance
- Installation and wiring by a licensed electrician

The resulting cost is expected to exceed **$3,000**, significantly greater than if the issue had been identified before the kitchen was completed.

Requested Relief

The issue on appeal is not whether the existing countertop would satisfy current code if constructed today.

Rather, the issue is whether the existing countertop receptacle layout—unchanged from the original kitchen and outside the scope of the renovation—was required by the applicable electrical code to be upgraded as part of this permitted work.

For these reasons, we respectfully request that the denial of the final electrical inspection be reconsidered and that the applicable code provision requiring this upgrade be identified if such a requirement exists.

Respectfully submitted,

Michael and Delois (Dale) Phillips

Dale Phillips

Michael D Phillips

Town of Bristol, RI

July 31, 2026

Electrical Inspections

Record No.**E-26-173**

Status Active

Type Inspection

Assignee Wayne Gablinske

Became Active June 5, 2026

Due Date None

Record No: E-26-173

Electrical Permit

Status: Active

Submitted On: 5/26/2026

Primary Location

97 WINDWARD LN
BRISTOL, RI 02809

Owner

PHILLIPS, MICHAEL D PHILLIPS, DELOIS TRUSTEES
PO BOX 284 WELAKA, FL 32193

Applicant

Tyler Shippee
401-578-4959
@ tylerdshippee@gmail.com
984 Bailey Hill Road
Dayville, CT 06241

Inspection Types Overview

Electrical - Final

FAIL

Electrical - Rough

PASS

Electrical - Service

NOT REQUESTED

Electrical - Trench

NOT REQUESTED

Scheduled Appointments

None

Requested Appointments

None

Past Appointments

Wednesday, July 29, 2026

97 WINDWARD LN, BRISTOL, RI 02809

Requested July 23, 2026 at 1:47 pm

Completed

This appointment was completed. Find results below.

Inspector

WG Wayne Gablinske

View Inspection Report

Electrical - Final FAIL

Overall Comment

—

Appointment Contact

Tyler Shippee
tylerdshippee@gmail.com
401-578-4959

Notes

Gate code #3236 customer is commonly home but please call me and confirm at 1-401-578-4959 when your visit will be so I can give them a heads up.

Thursday, June 11, 2026

97 WINDWARD LN, BRISTOL, RI 02809

Requested June 9, 2026 at 12:36 pm

Completed

This appointment was completed. Find results below.

Inspector

WG Wayne Gablinske

View Inspection Report

Electrical - Rough	PASS

Overall Comment

—

Appointment Contact

Tyler Shippee

tylerdshippee@gmail.com

401-578-4959

Notes

Please let me know what time you'll be arriving in advance so I can meet you, as I live over an hour away. The gate code is #3236.

Messages

Ed Carusi July 23, 2026 at 3:31 pm

Wayne:

Gate code #3236 customer is commonly home but please call Tyler and confirm at 1-401-578-4959 when your visit will be so I can give them a heads up.

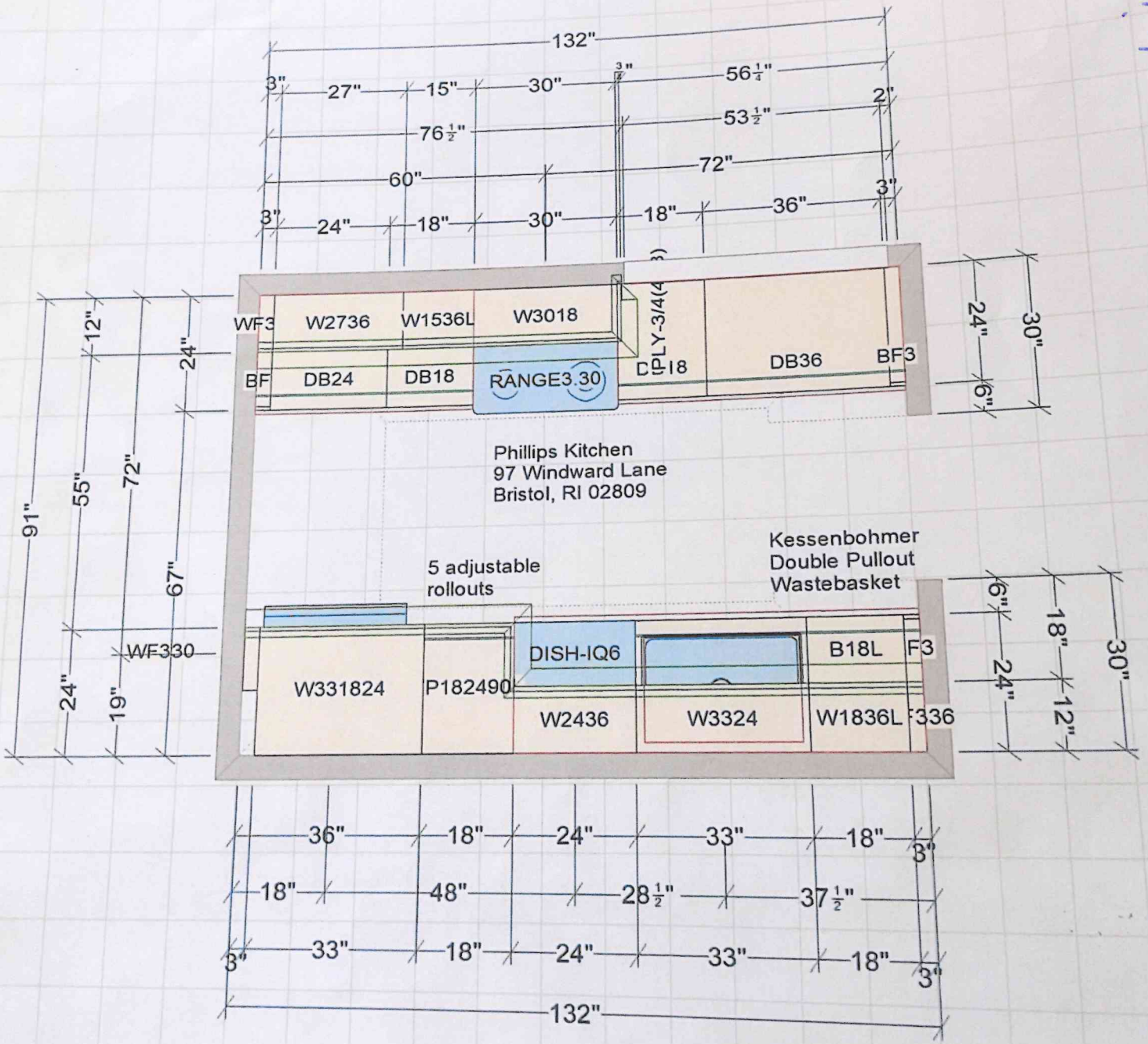
Wayne Gablinske July 29, 2026 at 8:34 am

Right of the kitchen stove does not conform to the electrical nec requirements For countertops

Step Activity

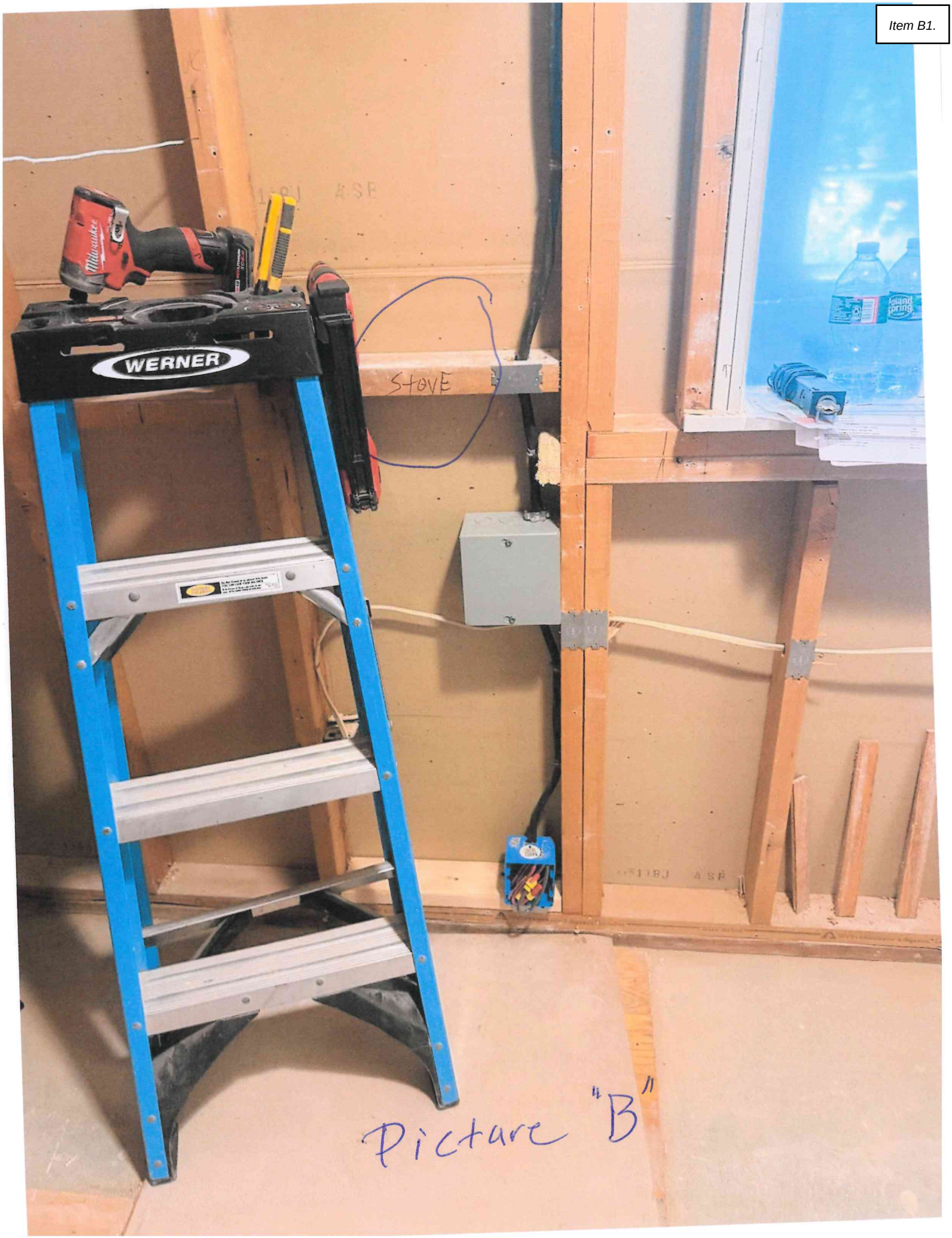
OpenGov system activated this step	06/05/2026 at 12:58 pm
OpenGov system assigned this step to Wayne Gablinske	06/05/2026 at 12:58 pm
Tyler Shippee requested an inspection for Jun 11, 2026	06/09/2026 at 12:36 pm
Ed Carusi changed the time of an inspection to 8:00 AM	06/09/2026 at 12:44 pm
Ed Carusi scheduled an inspection for Jun 11, 2026	06/09/2026 at 12:44 pm
Wayne Gablinske began an inspection	06/11/2026 at 8:17 am
Wayne Gablinske completed an inspection	06/11/2026 at 8:17 am
Tyler Shippee requested an inspection for Jul 24, 2026	07/23/2026 at 1:47 pm
Ed Carusi changed the time of an inspection to 8:00 AM	07/23/2026 at 3:31 pm
Ed Carusi scheduled an inspection for Jul 29, 2026	07/23/2026 at 3:31 pm
Ed Carusi added comment "Wayne: "	07/23/2026 at 3:31 pm
Wayne Gablinske began an inspection	07/29/2026 at 8:32 am
Wayne Gablinske completed an inspection	07/29/2026 at 8:32 am
Wayne Gablinske added comment "Right of the kitche..."	07/29/2026 at 8:34 am

Item B1.



Scaled Drawing of galley kitchen

Picture A



Picture "B"


10:25
Kitchen Before


Kitchen Before


Kitchen Before


Kitchen After


kitchen
After


Kitchen After

Town of Bristol, Rhode Island
235 High Street
Bristol, Rhode Island 02809
401-253-7000
www.Bristolri.gov

August 4, 2026

To: Carl Benevides
70 Tupelo St.
Bristol, RI 02809

Subject: Denial of Plan Review for Proposed Construction at 583 Hope St.

Dear Mr. Benevides,

Following a review of the submitted plans for the proposed mixed-use building at 583 Hope Street, I have determined that the plans do not comply with the 2021 Rhode Island State Building Code, specifically under section 705.8.

The plans show the exterior north wall with a zero-lot line and include 14 proposed operable windows. According to the 2021 Rhode Island State Building Code (IBC) Table 705.8, exterior walls adjacent to a zero-lot line must be constructed with fire-resistant materials, and openings such as windows are not permitted. The current plans do not meet these code requirements.

You may revise the plans with the applicable code provisions or alternatively, you may appeal this decision to the Bristol Building Board of Appeals. If you choose to appeal, you may obtain the necessary application forms from the Bristol Building Department. An appeal application must filed within 30 days of the date of this correspondence.

Should you have any questions regarding this review or wish to discuss potential options for achieving code compliance, please feel free to contact me.

Matthew P. Cabral ICC CBO
Town of Bristol
Building Official

August 4, 2026

Town of Bristol, Rhode Island

Louis P. Cirillo, Town Clerk

TOWN OF BRISTOL
COMMUNITY DEV.
2026 AUG -5 PM 1:57

10 Court Street
Bristol, RI 02809
www.onlinebristol.com
401-253-7000
253-7010

APPLICATION TO LOCAL BUILDING CODE APPEALS BOARD
BRISTOL, RHODE ISLAND

1. Name of property owner: HRSBRI, LLC
2. Address of property owner: 34 WAGON WHEEL RD SUDBURY MA 01776
3. Address of property in question: 583 HOPE ST. BRISTOL, RI 02809
4. Assessor's Map, Plat No. 9 Lot Nos. 16 AND 18 (MERGED)

Other description of property:

PLEASE SEE ATTACHED SITE PLAN, BUILDING PLANS AND SUPPORTING LETTR FROM BRISTOL FIRE CHIEF DEMELLO

5. Attached hereto as part of this appeal (**submit the following**):
   a. A copy of the decision of the enforcing authority.
   b. A set of scaled drawings or other graphic documentation of all relevant details.
   c. A brief narration setting forth the specific grounds for appeal and citing relevant section number of the applicable code or ordinance. (Note: The back of this application may be used for this purpose.)

NOTE: The above information must be submitted in full with the appeal application in order for a hearing to be scheduled.

I hereby depose and say that all of the above statements and the statements contained in the papers submitted herewith are true.

Date: 8/3/26 Signature: _____

**The applicant will be charged for the required two weeks advertising of this meeting in *The Bristol Phoenix*.

For official use only:
Received by: _____ Date: 8/5/2026 File No. _____

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500 wood st #115 bristol ri 02809
401 683 8184 cotearch.com

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COMMUNITY
2026 AUG -5 PM

August 5, 2026

Building Code Variance Narrative - 583 Hope Street, Bristol RI

Introduction

This narrative accompanies an application to the Bristol Board of Building Appeals requesting a variance from the determination of the Building Official contained in the plan review letter dated August 4, 2026. In that determination, the Building Official concluded that the replacement building at 583 Hope Street does not comply with the 2021 Rhode Island State Building Code, Section 705.8 and Table 705.8, because the north exterior wall is located at a zero-lot line and includes fourteen proposed operable window openings.

This application does not challenge that interpretation of the Building Code. Rather, it requests limited relief based upon the unique physical characteristics of the property and the design of the replacement building. The requested variance pertains solely to the fourteen operable window openings located within the north exterior wall. The north exterior wall will otherwise fully comply with the Rhode Island State Building Code and will be constructed as a one-hour fire-resistance-rated exterior wall assembly.

Project Background

The project replaces the existing building at 583 Hope Street with a new mixed-use building consisting of commercial space at street level and a single-family residence occupying the rear of the str. The replacement building maintains the long-established relationship to the north property line while expanding to the south, consistent with the plans approved by the Bristol Historic District Commission.

The existing building includes window openings along the north elevation, and the replacement building continues this longstanding architectural condition while introducing a structure designed to comply with current structural, energy conservation, and life-safety requirements.

The property is located within Bristol's Downtown (D) Zoning District, where zero-foot side setbacks are permitted and reflect the traditional pattern of development throughout the historic downtown. Buildings located at or near side property lines are characteristic of this district, and the replacement building continues that established development pattern while improving the overall safety and functionality of the property.

Site Conditions

The Building Official correctly noted that Section 705.8 measures fire separation distance to the property line. As illustrated on the accompanying site plan, however, the physical conditions of this property differ significantly from what the property-line measurement alone suggests. Immediately north of the building is the BayCoast Bank driveway and ATM lane rather than another occupied structure. The accompanying site plan further demonstrates that the nearest occupied portion of the BayCoast Bank building is approximately twenty-three (23) feet from the north exterior wall. The existing and replacement buildings are also 9" from the north property line at the closest point as opposed to being directly on the property line.

Historic District Considerations

The replacement building has been approved by the Bristol Historic District Commission. The Commission approved demolition of the existing building and construction of the replacement building, determining that the existing building has no historic value while finding the replacement building appropriate within the Historic District.

Maintaining window openings along the north elevation preserves a longstanding architectural characteristic of the property and contributes to the rhythm and proportion of openings found throughout Bristol's historic downtown. Eliminating these openings would create an unnecessarily blank façade that would diminish the architectural quality of the replacement building while providing little additional public safety under the actual site conditions.

Agency Review

The replacement building has been reviewed with the Bristol Fire Chief and Fire Marshal, who have indicated support for the requested variance. The Fire Marshall's letter of support is included with the application.

The accompanying site plan, floor plans, north elevation, Historic District Commission approval, and any provide additional documentation supporting this request.

Conclusion

Viewed as a whole, the replacement building represents a substantial improvement over the existing structure by bringing the property into compliance with current building standards while preserving the established development pattern and historic character of downtown Bristol. The limited relief requested for the fourteen operable window openings allows these broader public benefits to be realized without compromising the intent of the Building Code.

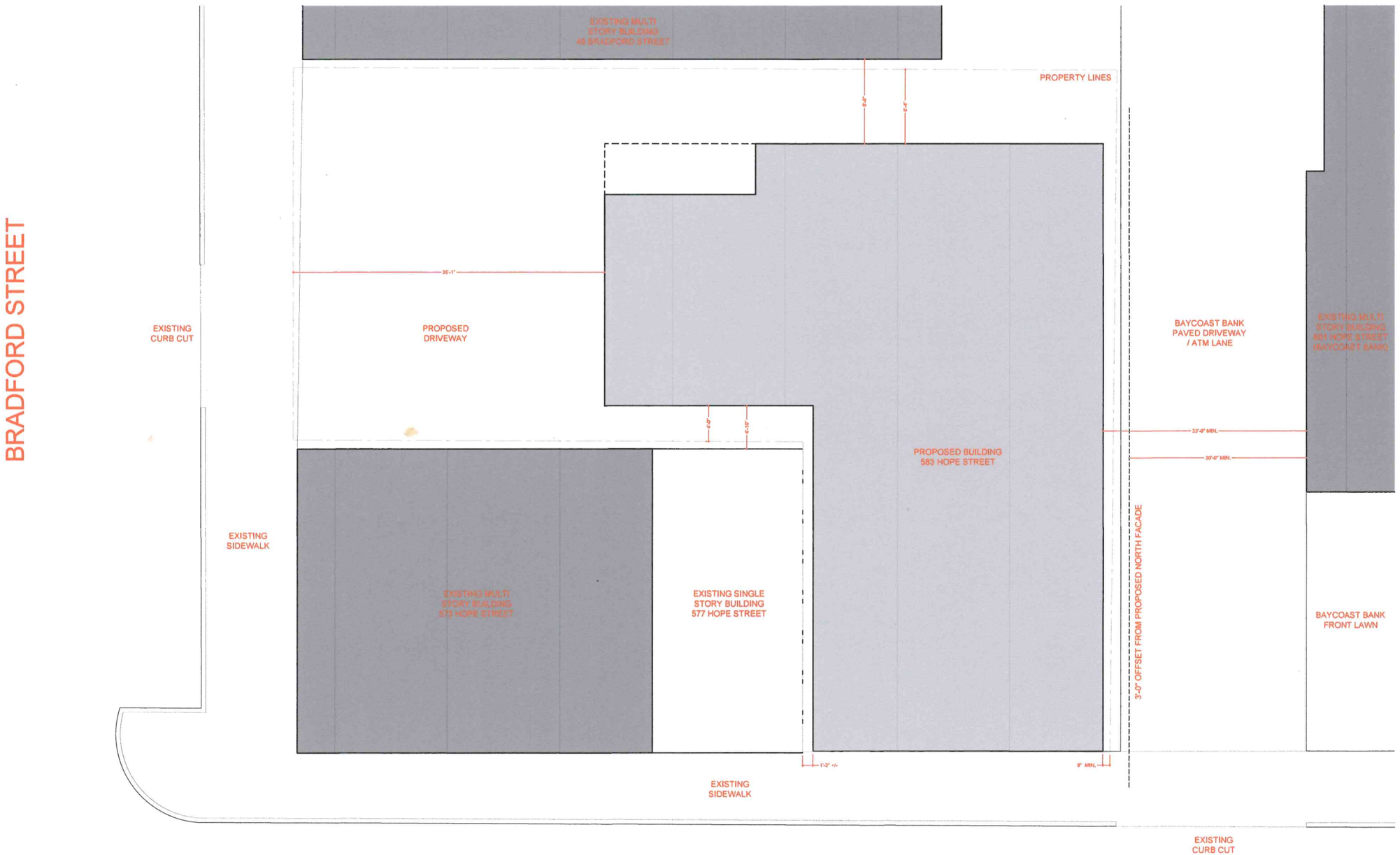
This application does not seek relief from the fire-resistance requirements of the 2021 Rhode Island State Building Code. Rather, it seeks limited relief from the prohibition on openings contained in Section 705.8 and Table 705.8 to permit fourteen modestly proportioned operable window openings within an otherwise code-compliant one-hour fire-resistance-rated exterior wall assembly under site conditions that provide substantial actual separation from the nearest occupied building.

For the reasons described above, this application respectfully submits that the requested relief is limited in scope, consistent with the intent of the Rhode Island State Building Code, and appropriate under the unique circumstances of this property. Approval of the requested variance will permit construction of a replacement building that is fully consistent with the established development pattern of Bristol's Downtown Historic District while maintaining the intent of Section 705.8 through a one-hour fire-resistance-rated exterior wall assembly, limited operable window openings representing approximately twelve percent (12%) of the north wall area, and an actual separation of approximately twenty-three (23) feet to the nearest occupied building.

Prepared by Cote Architecture on behalf of HBSBRI, LLC

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COMMUNITY DEV.
2026 AUG -5 PM 2:00

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583 HOPE STREET

Bristol, RI

Project North

Revisions

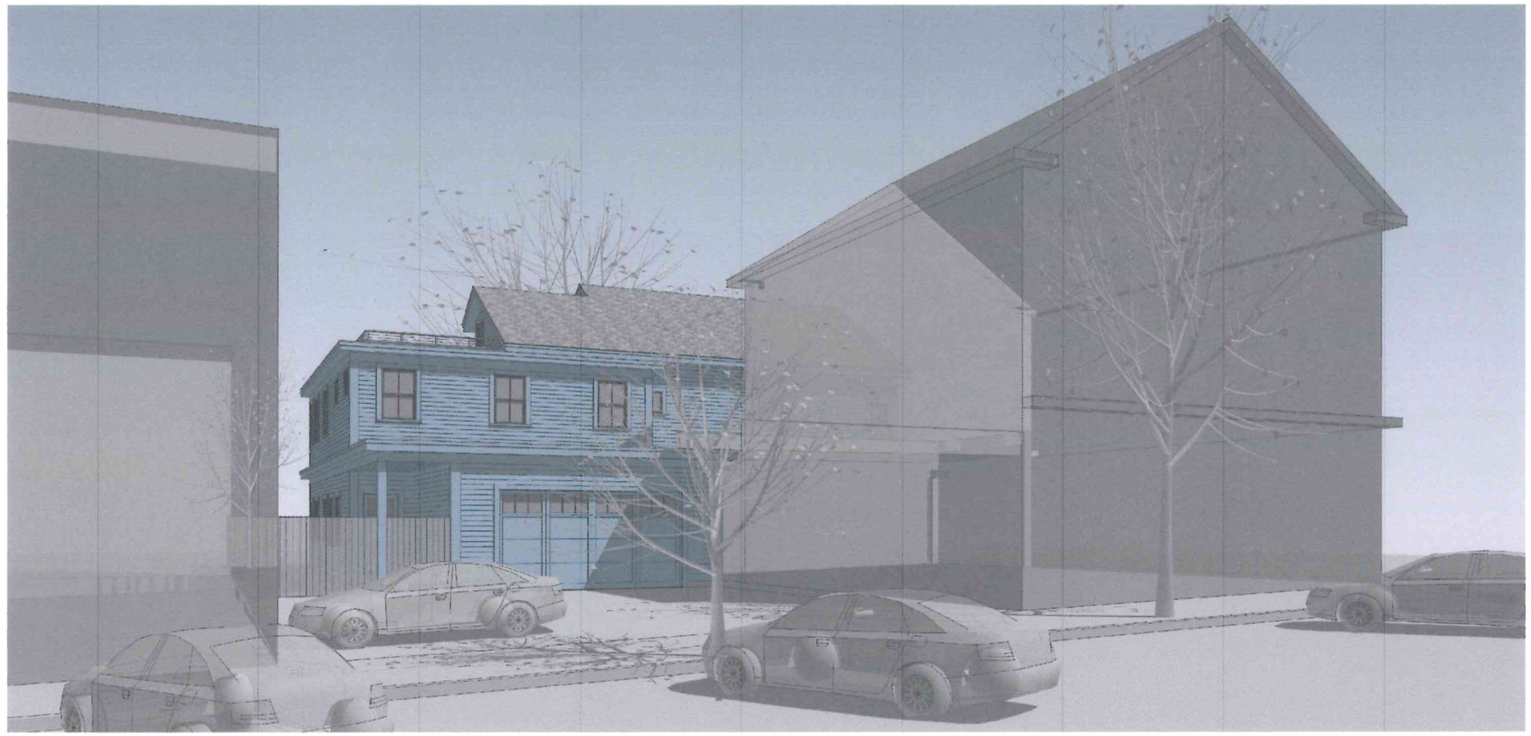
SITE PLAN

Scale 3/16"=1'-0"

A0.1

Issue Date 08.03.26





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583 HOPE STREET

Bristol, RI

Project North

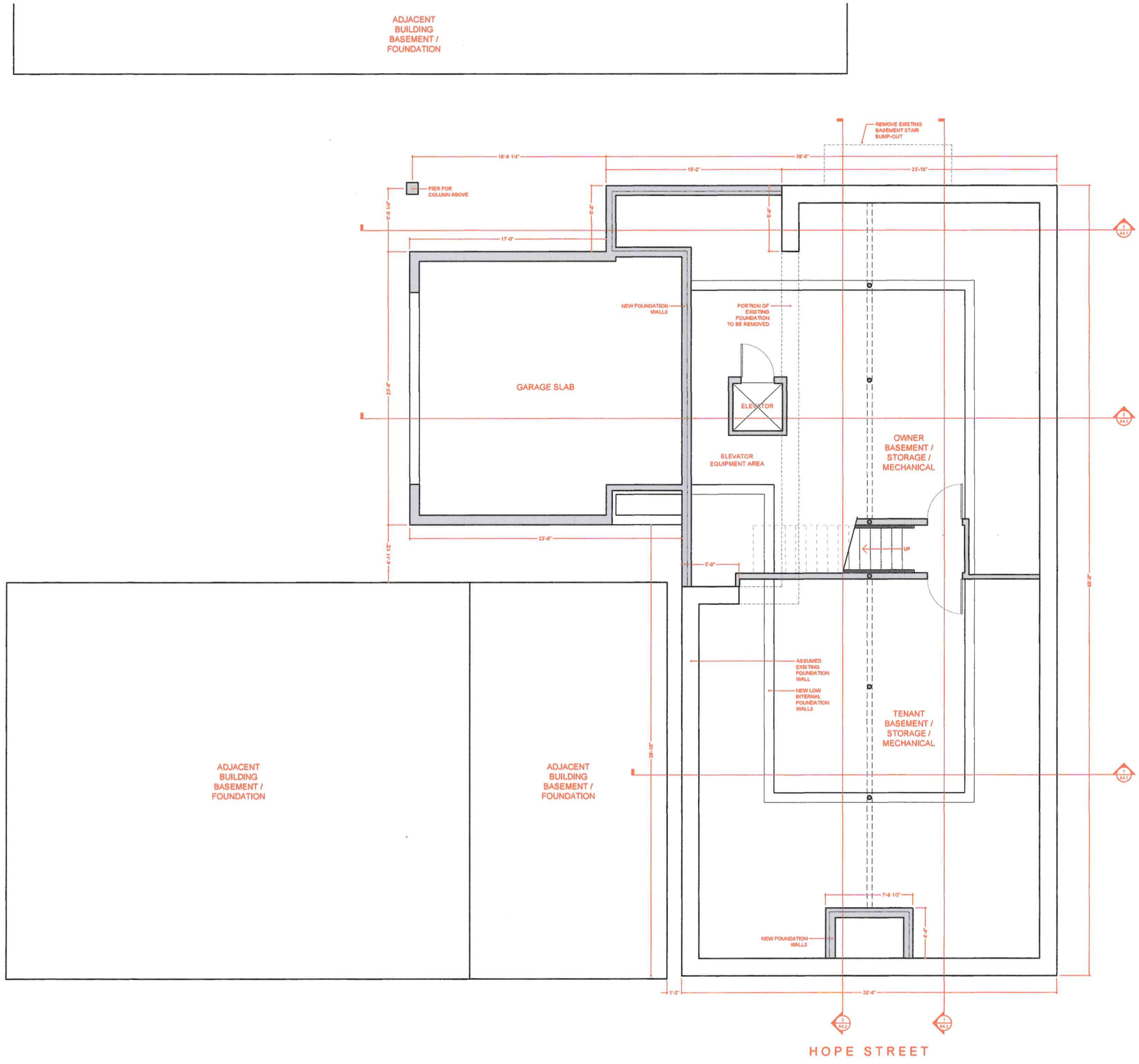
Revisions

COVER PAGE

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A0.0

Issue Date 09.04.25



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583 HOPE STREET
Bristol, RI

Project North

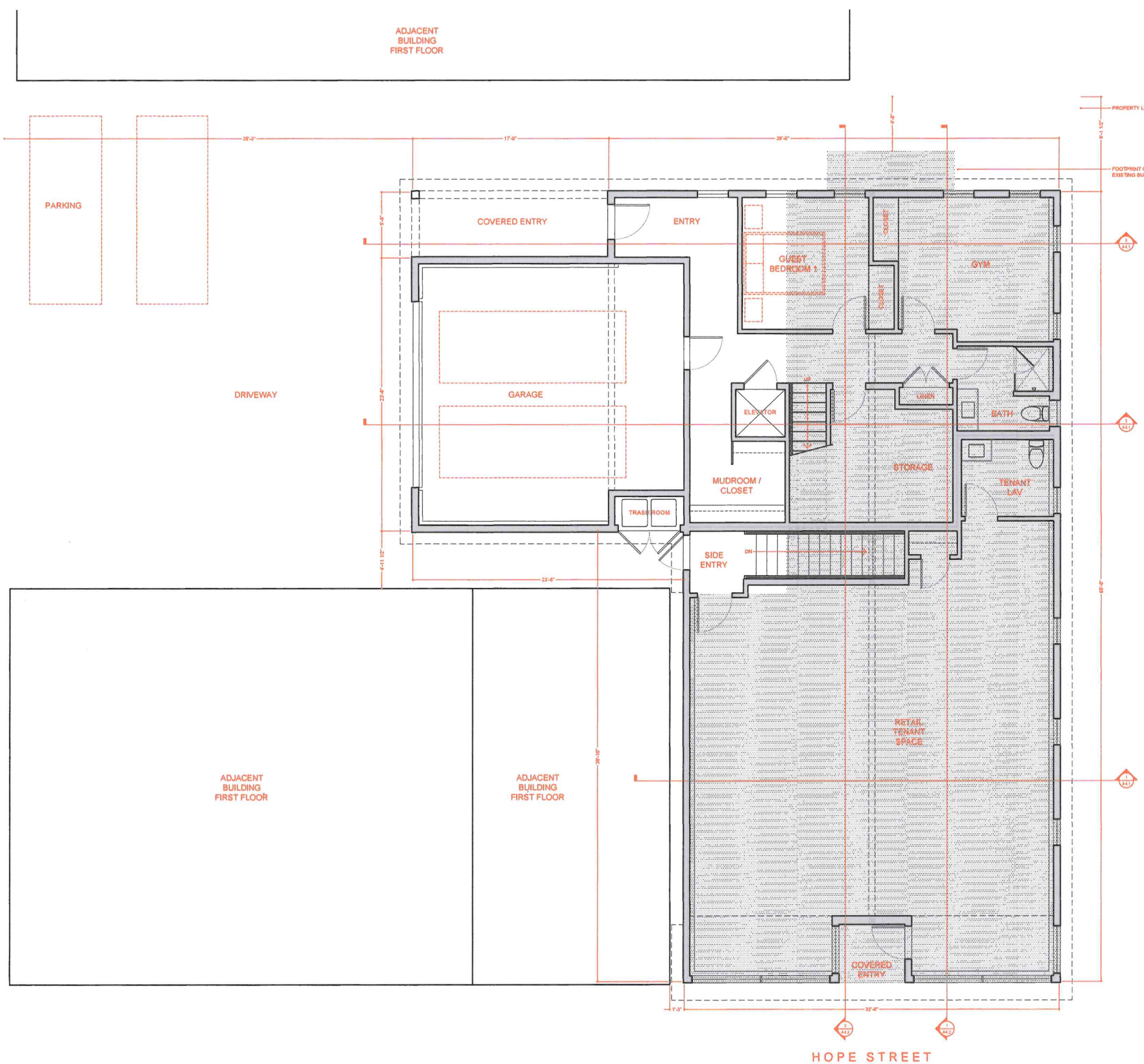
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BASEMENT PLAN

Scale 1/4"=1'-0"

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Issue Date 09.04.25



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583 HOPE STREET
Bristol, RI

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FIRST FLOOR PLAN

Scale 1/4"=1'-0"

A1.1

Issue Date 09.04.25

ADJACENT BUILDING SECOND FLOOR

BRADFORD STREET

LOW SLOPE MEMBRANE ROOF

SOLAR PANEL ALTERNATE LOCATION

GUEST BEDROOM 2

CABINET / SHELVES

OFFICE + READING ROOM

PRIMARY BEDROOM

BUILT-IN CLOSET

WINDOW SEAT

BATH

ELEVATOR

UP

DN

LINEN

DRESSER

DRESSER

PRIMARY DRESSING

PRIMARY BATH

SHELVING

LAUNDRY / STORAGE

TRASH CHUTES

W / D

SHELVING

PANTRY

STOVE

OVENS

KITCHEN

REF

STORAGE

DINING ROOM

TV

FAMILY + TV ROOM

STORAGE

BALCONY

METAL PARAPET CAP

ADJACENT BUILDING SECOND FLOOR

ADJACENT BUILDING ROOF

ADJACENT BUILDING (BANK) SECOND FLOOR

HOPE STREET

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583 HOPE STREET
Bristol, RI

Project North

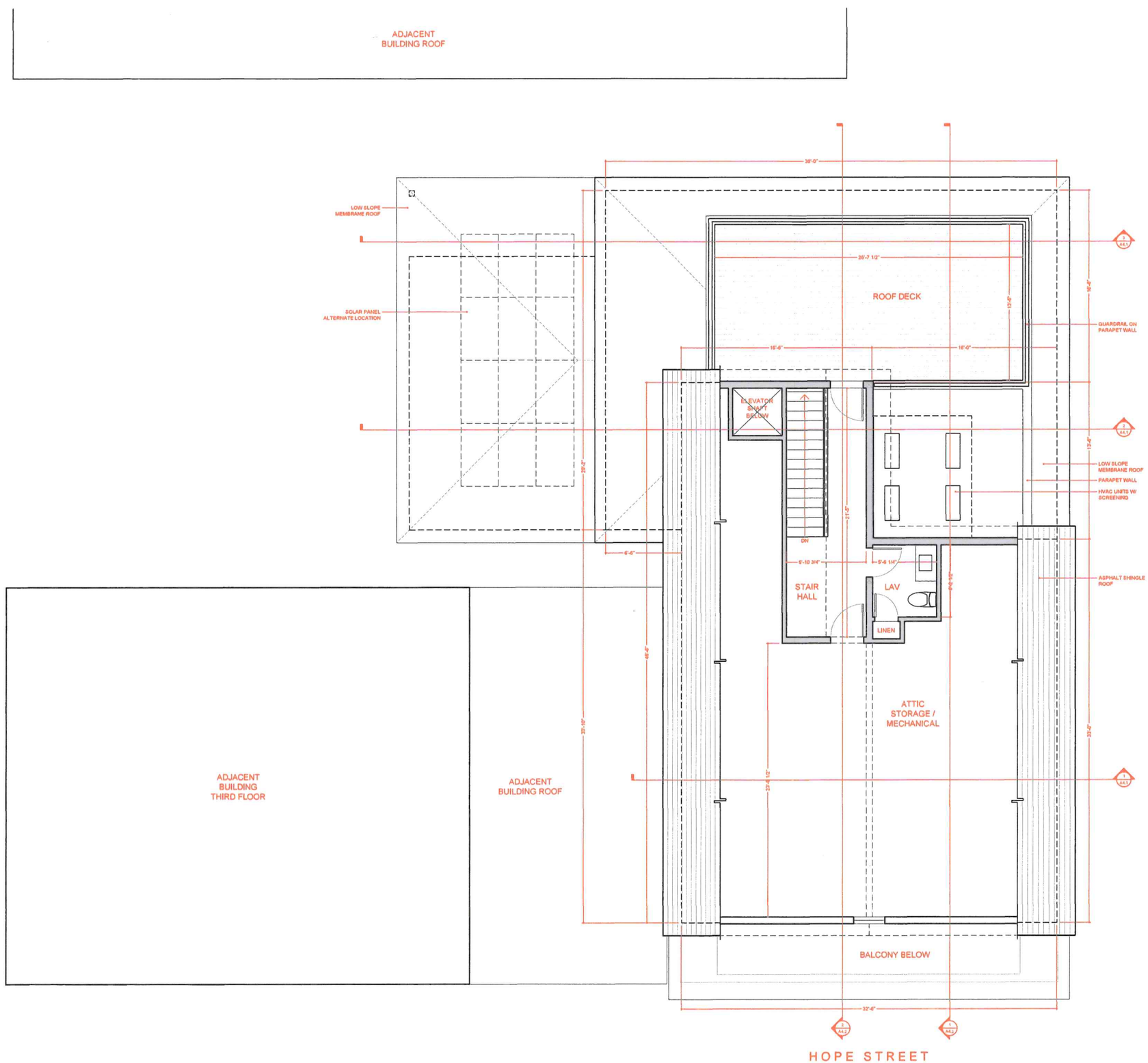
Revisions

SECOND FLOOR PLAN

Scale 1/4"=1'-0"

A1.2

Issue Date 09.04.25



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ADJACENT BUILDING (BANK) ROOF

583 HOPE STREET

Bristol, RI

Project North

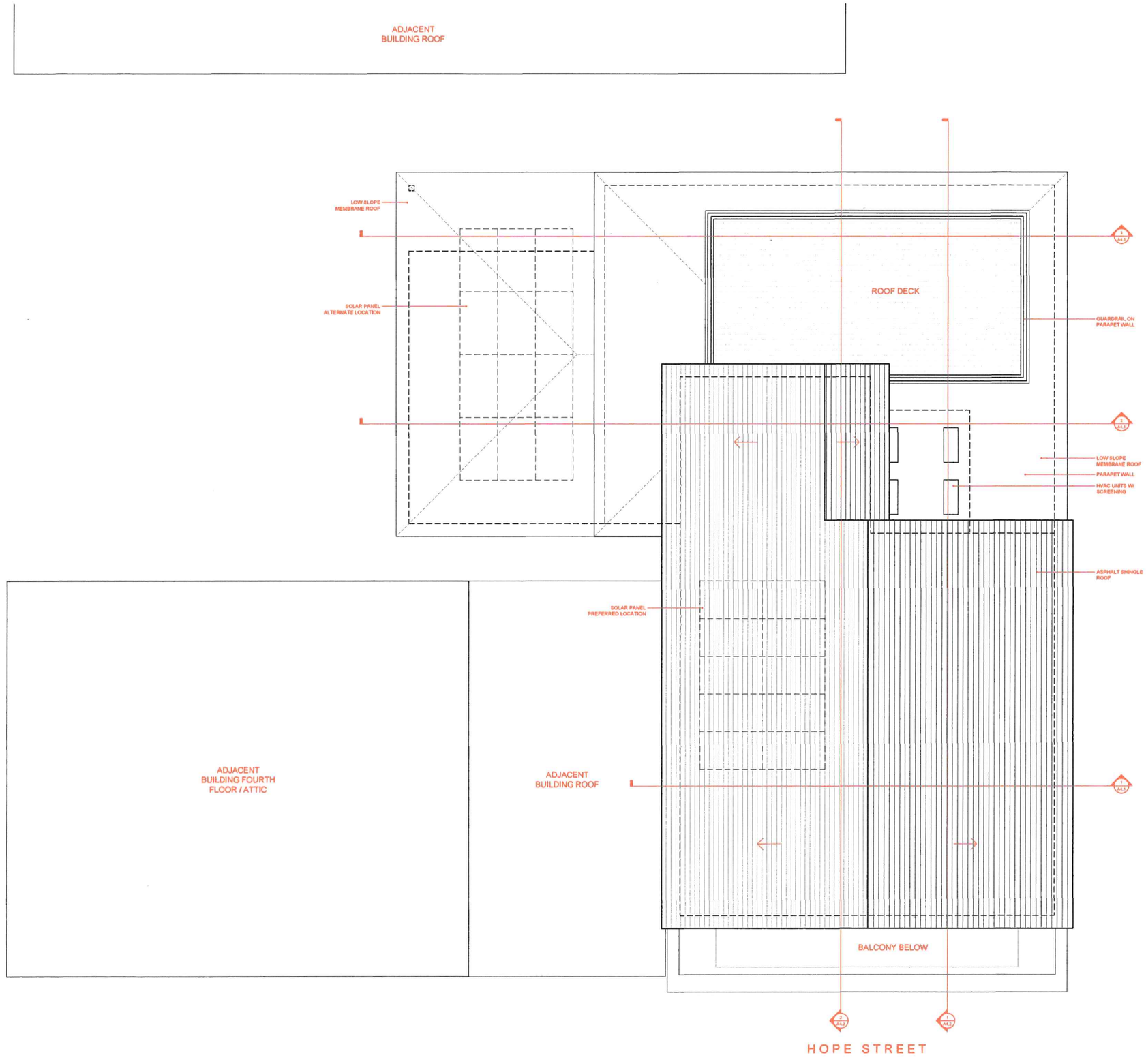
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ROOF DECK / ATTIC PLAN

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A1.3

Issue Date 09.04.25



BRADFORD STREET

ADJACENT
BUILDING (BANK)
ROOF

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583 HOPE STREET

Bristol, RI

Project North

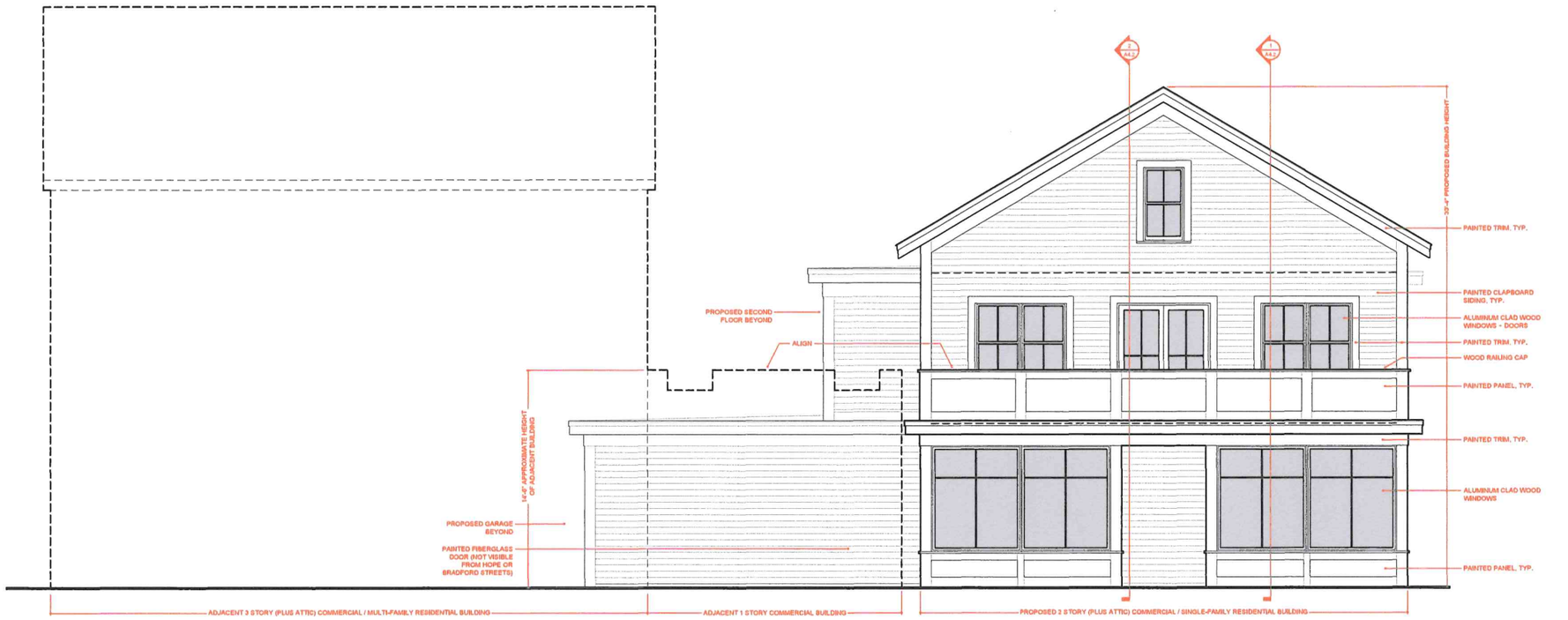
Revisions

ROOF PLAN

Scale 1/4"=1'-0"

A1.4

Issue Date 09.04.25



EAST ELEVATION



NORTH ELEVATION

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583 HOPE STREET
Bristol, RI

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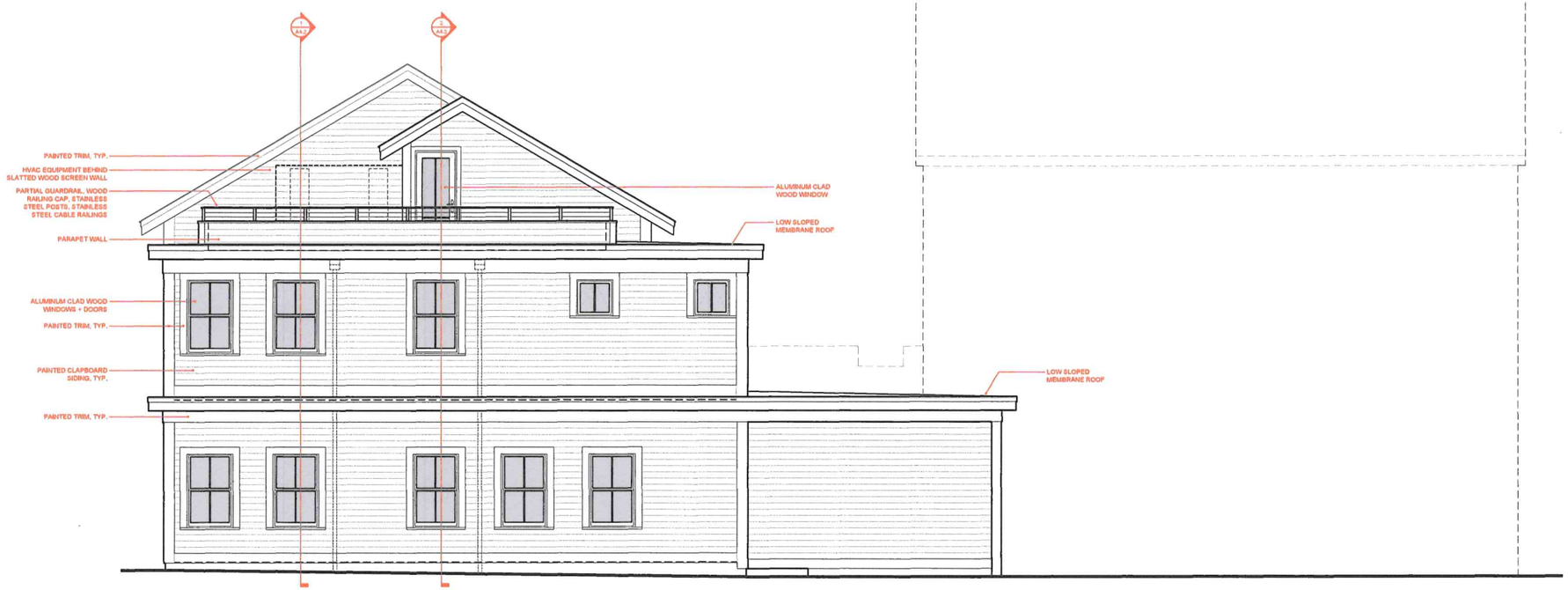
Revisions

ELEVATIONS

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A3.1

Issue Date 09.04.25



WEST ELEVATION



SOUTH ELEVATION

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583 HOPE STREET

Bristol, RI

Project North

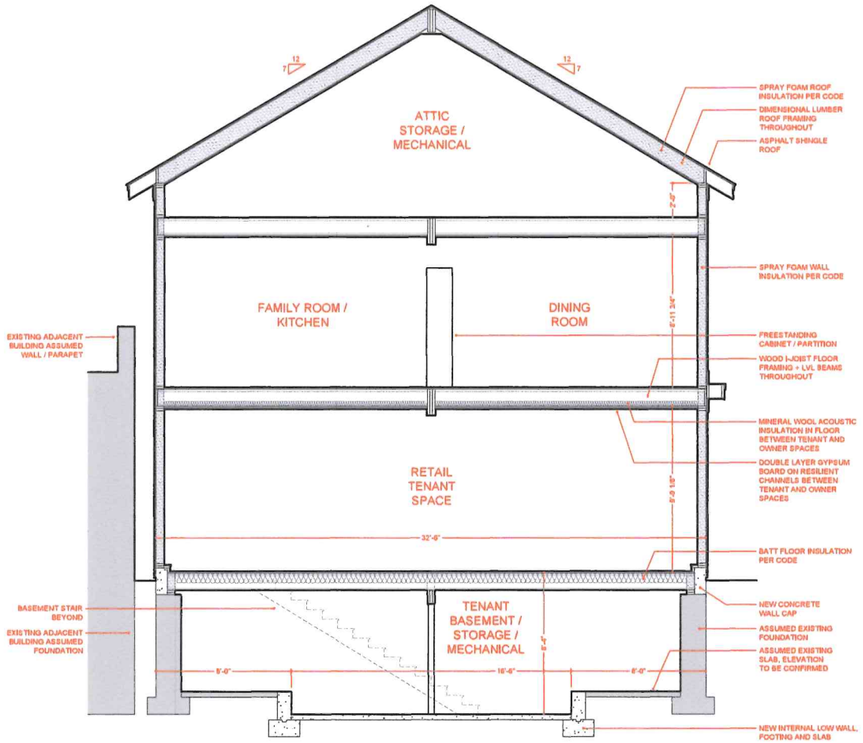
Revisions

ELEVATIONS

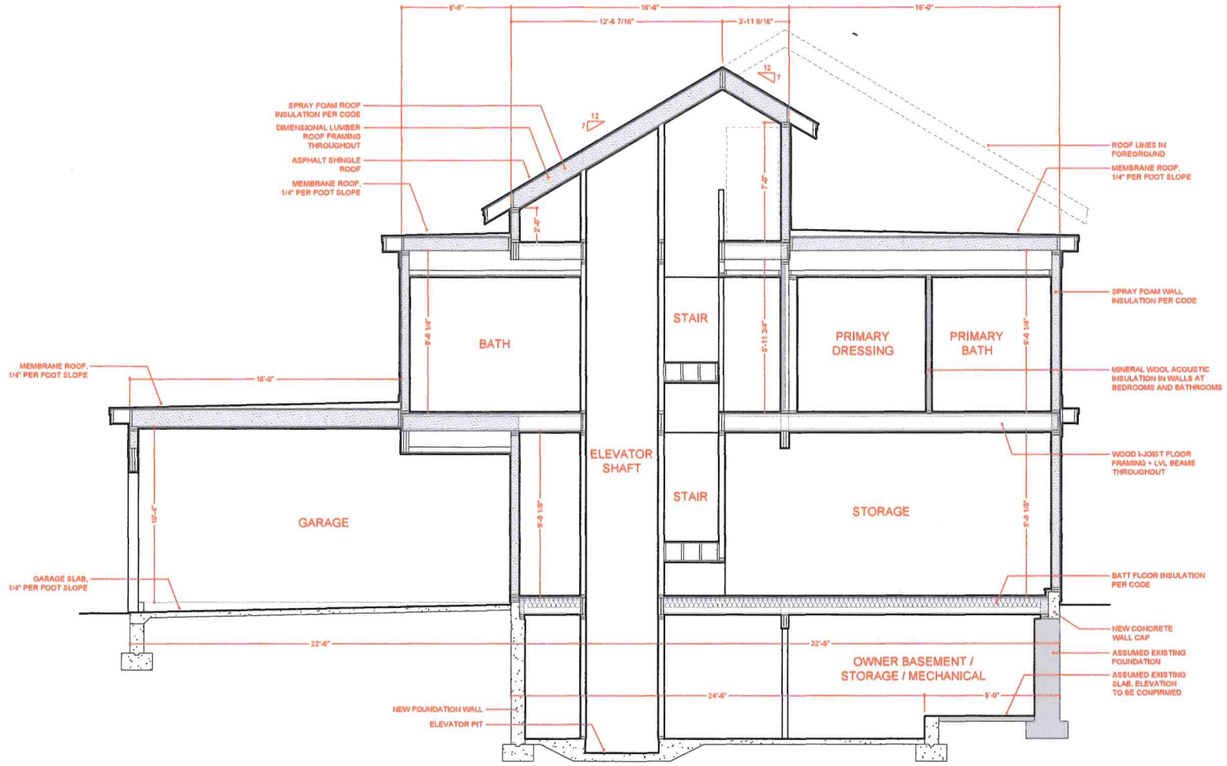
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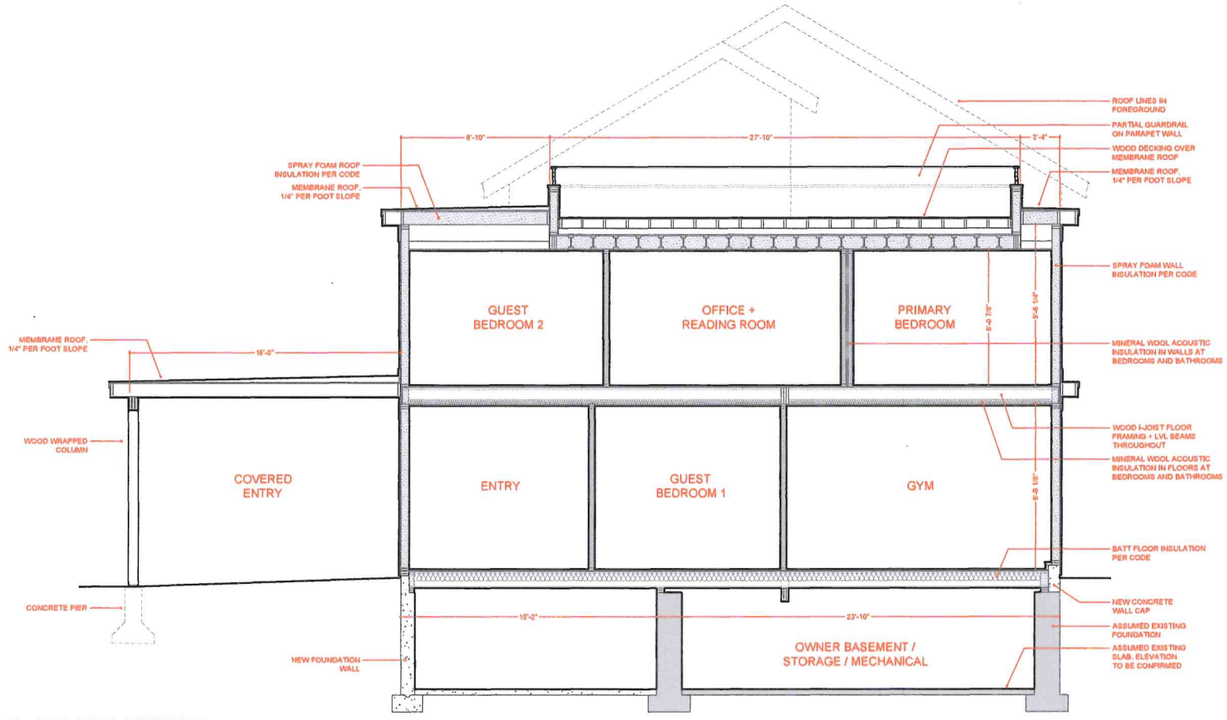
Issue Date 09.04.25



1 - BUILDING SECTION



2 - BUILDING SECTION



3 - BUILDING SECTION

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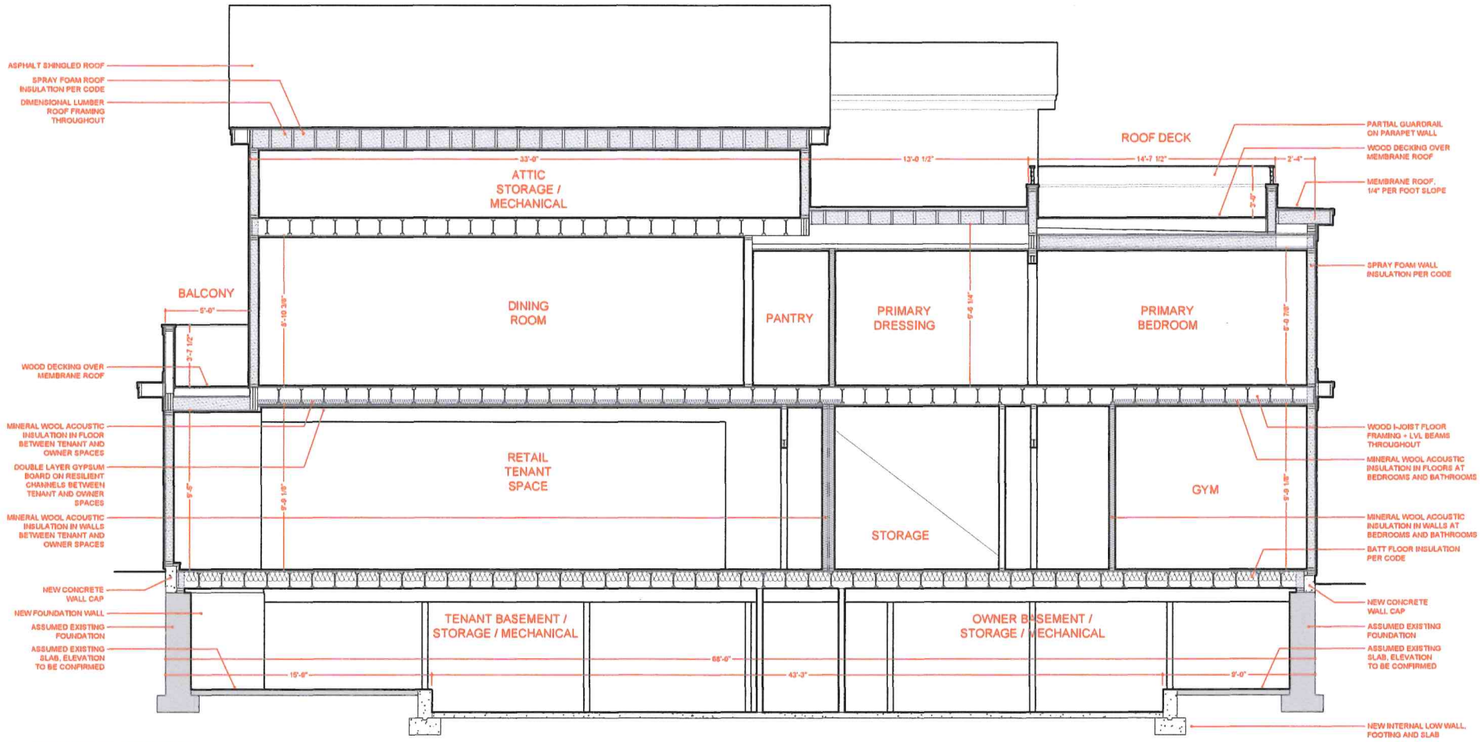
583 HOPE STREET
Bristol, RI

Project North

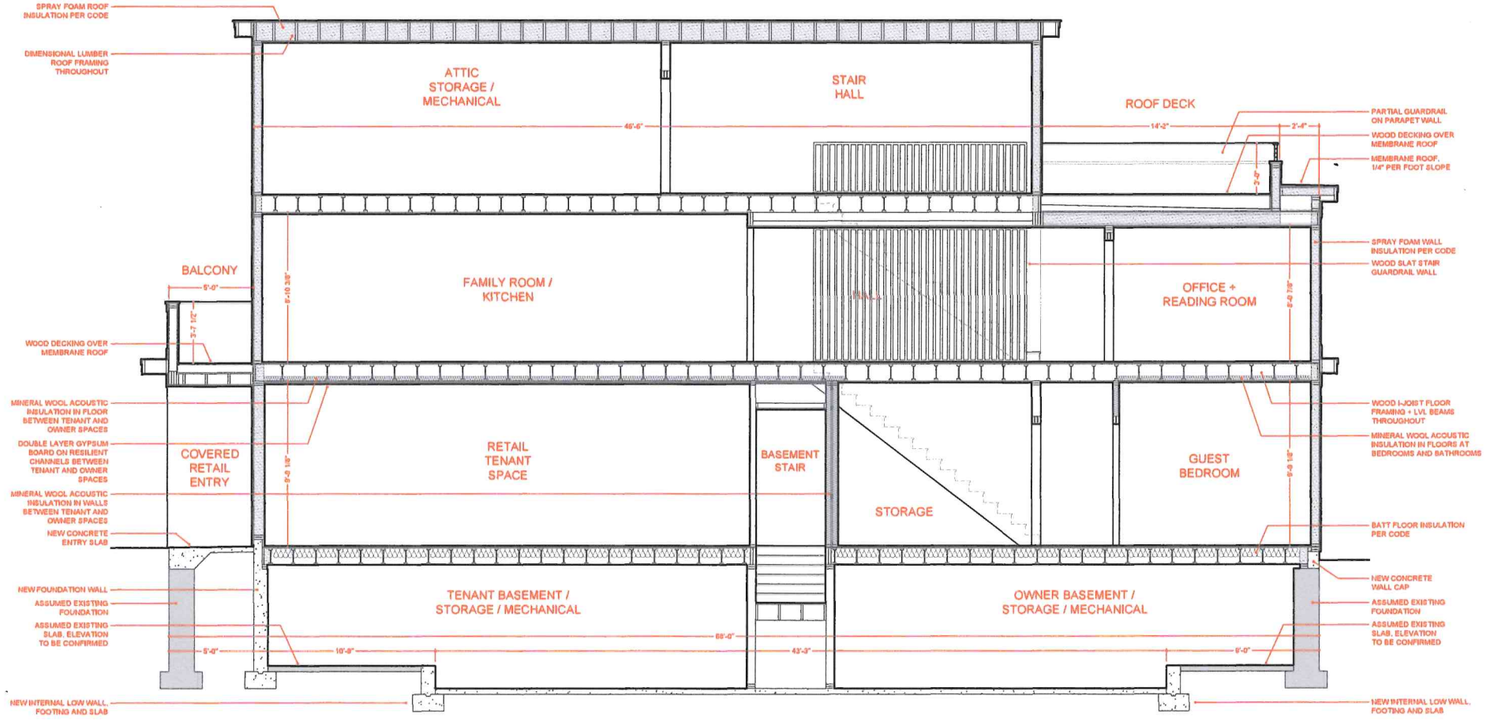
Revisions

SECTIONS
Scale 1/4"=1'-0"

A4.1
Issue Date 09.04.25



1 - BUILDING SECTION



2 - BUILDING SECTION

cote architecture
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583 HOPE STREET

Bristol, RI

Project North

Revisions

SECTIONS

Scale 1/4"=1'-0"

A4.2

Issue Date 09.04.25