

December 11, 2025

VIA EMAIL

Town of Coventry Planning Commission
c/o Doug McLean, Director of Planning and Development
Town of Coventry
1675 Flat River Road
Coventry, RI 02816
dmclean@coventryri.gov

Re: Comprehensive Permit for Preliminary Plan Review – Village at Tiogue located at Tiogue Ave., and Tiffany Rd., Assessor’s Plat 32, Lots 149, 150, 151, and 153 (“Property”)

Dear Hon. Planning Commission Members,

As you know, this office represents 232 Realty Associates, LLC in its Comprehensive Permit Application for the development known as the Village at Tiogue (“Project”). This correspondence is in response to the November 13, 2025 staff report, the November 10, 2025, TRC report, and feedback from the November Planning Commission meeting on this Project. The public comments did not finish at the November hearing, and the applicant intends to respond to all relevant public comments, besides comments already addressed in this correspondence and prior submissions, after the first round of public comments is completed in December and in advance of the next hearing on this Project by the Planning Commission.

A. Affordable Housing Plan

The staff report states that the applicant “has not presented staff with findings or evidence to demonstrate that the proposed development is consistent with local needs as identified in the Town of Coventry Affordable Housing Production Plan of June 2005 or satisfactorily addressed the issues where there may be inconsistencies.”

First, the 20-year-old Affordable Housing Production Plan no longer governs land use decisions in the Town. This comment refers to the first standard to be met for a comprehensive permit project, which provides:

Whether the proposed development is consistent with local needs as identified in the local comprehensive community plan with particular emphasis on the community’s affordable housing plan and/or has satisfactorily addressed the issues where there may be inconsistencies. If the local board finds that the proposed

development is inconsistent with the community's affordable housing plan, it must also find that the municipality has made significant progress in implementing its housing plan.

R.I. Gen. Laws § 45-53-4.

An "affordable housing plan" is defined in the applicable statutory scheme as: "a component of a housing element, as defined in § 45-22.2-4(1), that addresses low- and moderate-income housing needs in a city or town that is prepared in accordance with guidelines adopted by the state planning council, and/or to meet the provisions of § 45-53-4(e)(1) and (f)." R.I. Gen. Laws § 45-53-3(3). Moreover, an "approved affordable housing plan" is defined as: "an affordable housing plan that is part of an approved and unexpired local comprehensive plan as provided for in § 45-22.2-8, § 45-22.2-9, or § 45-22.2-12." R.I. Gen. Laws § 45-53-3(4).

While it appears the Town locally passed a Comprehensive Plan update in 2023, the state has yet to approve that plan and does not even note that the same is under review. To the extent the 2023 Comprehensive Plan validly applies to land use decision, the housing element supersedes the 2005 plan referenced in the staff report. The applicant has already set forth its consistency analysis with respect to the 2023 housing plan in detail in its submission cover letter for this Project, dated September 15, 2025.

B. Affordable housing Units

There is a note in the staff report that the applicant has not provided sufficient information to demonstrate that the low- and moderate-income housing units will be built and occupied in a proportional manner with the construction and occupancy of the market rate units, referencing one of the standards for review of a comprehensive permit project in state law. There is no "information to provide." This is always a condition of approval, which the applicant understands and agrees with, which needs to be complied with during the building process of the units. The condition typically states that 1 out of every 4 units constructed must be an affordable unit. The applicant agrees with this condition.

C. Density

Many of the comments revolved around the density of this Project. As noted in the staff report, the Project is entitled to a 5 unit per acre density bonus based on all acreage minus wetlands, roadway infrastructure, easements and rights-of-way of record. DiPrete Engineering has done that analysis and provided it both in the narrative and yield plan. Under R.I. Gen. Laws § 45-53-4, at a minimum, the Project density is allowed, by right, at 162 units. The Project proposes an additional 14 units above the minimum density allowed.

D. Waiver of Fees

The requested municipal government subsidies---the waiver of impact fees on the affordable unit, and reduction in sewer assessments for the units in Area 1-- are properly before the Planning Commission as part of the Comprehensive Permit process as the Commission is the only board with any jurisdiction to hear any matter related to this Project. *See* November 10, 2025 letter for more detail.

The comprehensive permit process is a permitting process by which there is only one authority---the planning commission, acting as the local review board pursuant to R.I. Gen. Laws § 45-53 *et. seq.* While the staff report recognizes that the Planning Commission can grant waivers and adjustments, it fails to note that municipal government subsidies are also available to applications, which include the reduction or waiver of fees. *See* R.I. Gen. Laws § 45-53-4(b)

“(b) Municipal government subsidies, including adjustments and zoning incentives, are to be made available to applications under this chapter to offset the differential costs of the low- or moderate-incoming housing units in a development under this chapter.”

The applicant has two waiver requests pending before the Commission related to fees: 1) waiver of impact fees on the affordable units and 2) reduction of the sewer assessments on any units located on a private road. The latter waiver is detailed at length in my November 10, 2025, correspondence.

E. Roadway Design

All roadways are designed with 12’ travel lanes and 1’ of berm resulting in a total of 26’ wide paved roadway.

Project Roadways

Area 1

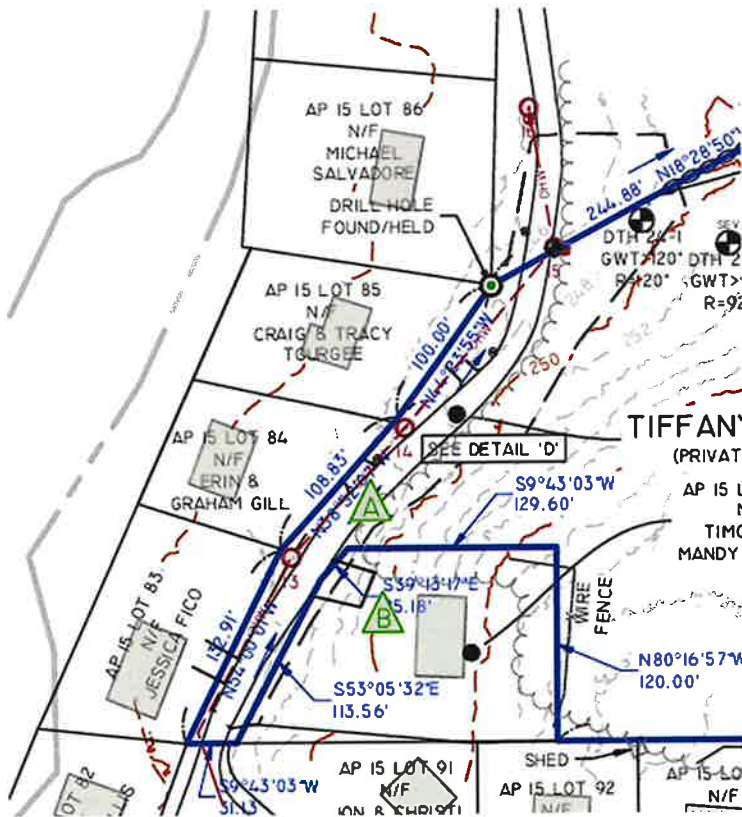
Area 1 proposes a private roadway off of Tiogue Avenue, ending in a cul de sac, with bituminous berms on each side and no sidewalks. As private roadways, no specific adjustments are needed, since the Land Development and Subdivision Regulations do not provide detail or requirements for private roadways.

Connection of Areas 2 and 3

At the suggestion of staff and the Commission, we have submitted a plan showing the proposed roadway connection for further discussion with both the TRC and Planning Commission. The roadway is proposed as public, with the adjustments sought as detailed in the project cover letter and narrative for pavement and right-of-way width reductions, berms instead of concrete curb, and sidewalks on one side of the street, consistent with both the roads in the surrounding area, and prior waivers granted on non-affordable projects by the Town.

Tiffany Rd. (within Property boundaries)

My client is the record owner of a portion of Tiffany Road which runs through the bounds of the Property, as shown on the survey:



See Sheet 5 of the plan set.

We have proposed a 22 ft. paved roadway in this section (from the Project entrance to Trafford Park Drive), with no sidewalks as there are none in the area.

Tiffany Road Improvements—Off-Site

We are doing our due diligence on Areas 2 (between Trafford Park and Old North) and 3 (between Old North and New London) of Tiffany Road (shown in pink/purple and yellow, respectively), as discussed at the last Commission meeting. As noted in my November 5, 2025 letter, there are three distinct portions of Tiffany, and we provided a visual for the Commission as to the same:



Area 1 (in orange) is the portion which is owned by my client and within the Property dimensions as shown on the survey discussed above.

We are currently researching the current right-of-way widths for Areas 2 and 3 of Tiffany Road, and the impediments for widening and improving the same. We intend to present the findings and plans ahead of the next Planning Commission meeting on this Project.

F. Design of Each Area of the Project

The Commission asked for a breakdown of each area as currently proposed:

Area 1

Assessor's Plat 32, Lots 149, 150 (portion of) and 151 (4.88 acres)

Area 1 contains 58 single-family attached dwelling units---2-story town-home style dwelling units of 2-3 bedrooms with an attached 1 car garage and driveway parking for one to two additional vehicle(s). In addition to the driveways, there are eleven (11) visitor parking spaces. The units have approximately 1,400 sf of finished living space. There are 14 affordable units proposed to be deed-restricted rental 2-3-bedroom units for a period of 30 years and are integrated throughout the area.



The staff report calls these multi-family, but they are attached single family dwellings as defined in state law. See R.I. Gen. Laws § 45-23-33 (“attached single-family dwelling” means a dwelling unit constructed side by side or horizontally and separated by a party wall and lot line.”). The applicant is not, however, proposing that these will be located on individual lots.

Additionally, there are open space areas, a portion of which contains a historic cemetery.

Maintenance obligations of all private infrastructure—roadway and drainage structures/basin, will be done by the Property owner. There will be no HOA for this area, since it will be owned by one entity. The maintenance obligations of the drainage infrastructure are detailed as part of the RIDEM permit and will be incorporated in the draft agreements provided to the Town. The applicant will propose language on this issue for the Solicitor's review.

Area 2¹

Area 2 contains 8.44 +/- acres and is proposed to have 57 units, with 16 of the units proposed as single-family attached units like in Area 1, and 41 units as single-family detached units. Of the 57 units, 16 are proposed to be deed-restricted affordable 2–3-bedroom units for a period of 30 years.

The 16 single-family attached units will be comparable in size and bedrooms to those proposed in Area 1. The single-family attached units will have a 1 car garage and a driveway that can accommodate an additional one to two parking spaces. The 41 single-family cottages will be one or two stories with front porches and 2-3 bedrooms per unit. The units would have approximately 1,600 sf of finished living space with an additional 800 sf unfinished basement. The single-family cottages will have parking for two vehicles.

Area 3

Area 3 contains 13.67 +/- acres with 61 single-family homes proposed on individual lots, with 14 of those units/lots being deed-restricted affordable home-ownership units for a period of 30 years. The lot sizes are a minimum of 5,000 sf. The homes will be one- and two-story dwellings ranging from 1,000 to 2,000 sf of living space. Each lot will accommodate 2-4 cars, depending on the final design.

Details regarding maintenance and ownership of the private infrastructure (drainage) in the now combined Areas 2 and 3 will be provided for the Commission's consideration prior to the next Planning Commission hearing on the Project, taking into account the Commission's feedback thus far on this issue and the Commission's feedback at the December meeting.

¹ Areas 2 and 3 are now merged based on TRC and the Commission's desire to connect the roadways.

G. Streetlights

The applicant is happy to provide streetlights and has begun conversing with Anthony Fire District. After additional design feedback from the Planning Commission at the December meeting, the applicant will provide an updated plan showing the number, spacing and location of streetlights, forward it to the Fire Chief and provide the same to the Planning Commission for the following meeting on the Project.

H. Mailboxes

The applicant will show mailbox locations as part of the next round of plan revisions for the Commission's review, which exact locations will ultimately be determined by the final approval of the USPS prior to construction.

I. Open Space

A plan showing the open space areas will be provided with the next round of technical edits to the plans. The record plan which will clearly define the extent of open space areas or conservation easements provided at final plan submission.

The currently designed open space areas are shown on the submitted Overall Development Plan. The applicant intends to record a deed restriction in these areas which allows for access, maintenance and repair of any drainage infrastructure in these areas, as well as maintenance of the gravel access road for the cemetery, but otherwise restricts these areas to no further development, prohibits any additional structures from being constructed in these areas, and maintains existing vegetation in these areas in their natural state.

J. Landscaping

We will provide a landscaping plan showing the proposed location of street trees after feedback from the Commission as to the remainder of the design of the Project, prior to the next hearing.

K. Access Road to Historical Cemetery

We have agreed to the latest TRC suggestion for a 5' gravel access to the cemetery, and such shall be shown on the next set of revised plans.

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L. State Permits

Various public comments, both at the meeting and in writing, call into question why the Planning Commission is proceeding without approval from the Rhode Island Department of Environmental Management (RIDEM). As this Commission is aware, state permits are not required for this Project until final plan submission. However, on December 3, 2025, we received RIDEM approval of our wetlands and drainage (RIPDES) applications. *See* attached approval.

The applicant looks forward to continuing to present before the Commission on December 18, 2025.

Sincerely,

/s/ Joelle C. Rocha

Joelle C. Rocha

Enclosure



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street
Providence, Rhode Island 02908

December 3, 2025

232 Realty Associates LLC
c/o Robert DeBlois, Member
420 Scrabbletown Road, Suite G
Coventry, RI 02852

Freshwater Wetlands Permit

Re: Application No. 24-0307 (IA 6825), RIPDES File No. RIR102771 in reference to the location below:

232 Tiogue Avenue, approximately 2000 feet south of Tiogue Avenue (RI Route 3), approximately 2000 feet southwest of the intersection of Old North Road and Tiogue Avenue, Assessor's Plat 32, Lots 149, 150, 151 and 153, Coventry, RI.

Dear Mr. DeBlois:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for a Freshwater Wetlands Permit** as described in Rule 3.11 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act, 250-RICR-150-15-3 ("Rules"). This review included a site inspection of the above referenced property ("subject property") and an evaluation of the proposed new residential development, including both multi-family residences and single-family residences, with paved roads, paved driveways, utility lines, stormwater management system, vegetative clearing, and site grading, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on September 22, 2025.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of jurisdictional areas are proposed. However, pursuant to Rule 3.7 of the Rules, this project meets all Standards, and a **Freshwater Wetlands Permit** may be issued under the following terms and conditions:

Terms and Conditions for Wetlands Application No. 24-0307: and RIPDES No. RIR102771:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen. Laws § 2-1-18 et seq.
2. This determination also includes your final authorization to discharge storm water associated with construction activity under the **2020 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP")**. For future references and inquiry, your permit authorization number is **RIPDES No. RIR102771**. This RIPDES CGP permit is not transferable to any person except after written notice to the Director, in the form of a Permit Transfer Form available on the RIDEM Stormwater Construction Permitting website.
3. This permit is specifically limited to the project, site alterations and limits of disturbance as detailed on the site plans submitted with your application and received by the DEM on September 22, 2025.

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A copy of the site plans stamped approved by the DEM can be found on the Permit Search page on the OWR Application Portal by searching for any of the permit numbers listed above. Changes or revisions to the project that would alter freshwater wetlands are not authorized without a permit from the DEM.

4. Where the terms and conditions of the permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
5. You must notify this Program in writing of the anticipated start date, and of your contractor's contact information, by submitting the Notice of Start of Construction on the OWR Application Portal from the Requests Tab referencing this Freshwater Wetlands permit number prior to commencement of any permitted site alterations or construction activity. You must also notify this Program upon completion of the project by submitting a Notice of Termination from the Requests Tab on the OWR Application.
6. A copy of the stamped approved site plans and a copy of this permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this permit and the stamped approved plans must be made available for review by any DEM or Town representative upon request.
7. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Coventry and a scanned copy of the recorded permit obtained from the Town sent to DEM.FWW@dem.ri.gov.
8. The effective date of this permit is the date this letter was issued. This permit expires five (5) years from the date of this letter unless renewed pursuant to the Rules.
9. Any material utilized in this project must be clean and free of matter that could pollute any jurisdictional area.
10. Prior to commencement of site alterations, you shall erect or post a sign resistant to the weather and at least twelve (12) inches wide and eighteen (18) inches long, which boldly identifies the initials "DEM" and the application number of this permit. This sign must be maintained at the site in a conspicuous location until such time that the project is complete.
11. Both the owner and the contractor retained to undertake the construction activity are required to comply with all terms and conditions of the CGP. This includes maintaining the Soil Erosion and Sediment Control (SESC) Plan, performing the required inspections and maintenance of the selected Best Management Practices (BMPs), and retaining inspection records. Further information on the requirements of the CGP is available at:
<http://www.dem.ri.gov/programs/benvirom/water/permits/ripdes/pdfs/cgp092620.pdf>.
12. Temporary erosion and sediment controls detailed or described on the approved site plans shall be properly installed at the site prior to or commensurate with site alterations. Such controls shall be properly maintained, replaced, supplemented, or modified as necessary throughout the life of this project to minimize soil erosion and to prevent sediment from being deposited in any freshwater wetland, buffer, floodplain, area subject to storm flowage, or area subject to flooding or other jurisdictional areas not subject to disturbance under this permit.

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13. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
14. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, stormwater treatment facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent freshwater wetland, buffer or floodplain, area subject to storm flowage, or area subject to flooding or other jurisdictional areas until documentation is provided that this responsibility has been assigned to another entity.
15. The long-term operation and maintenance plan shall be strictly followed. The long-term operation and maintenance plan shall be that entitled: "Stormwater System Operation & Maintenance 232 Tiogue Avenue & 0 Tiffany Rd. Coventry, RI Assessors Plat 32, Lots 149, 150, 151, 153" dated December 10, 2024 and prepared by DiPrete Engineering at Two Stafford Court, Cranston, RI 02920.
16. You are obligated to install, utilize and follow all best management practices detailed or described on the approved site plans in the construction of the project to minimize or prevent adverse impacts to any adjacent freshwater wetland, buffer or floodplain, area subject to storm flowage or jurisdictional area, and the functions and values provided by such freshwater wetlands, buffer or floodplain, area subject to storm flowage or jurisdictional area.

Pursuant to the provisions in 250-RICR-150-15-3.8.13 and 250-RICR-150-15-3.14.4(A), as applicable, any properly recorded and valid Freshwater Wetlands Permit is automatically transferred to the new owner upon sale of the property.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees (250-RICR-30-00-1) require that RIPDES CGP permit holders to pay an Annual Fee of \$100.00. An invoice will be sent to the owner on record in May/June of each year if the construction was still active as of December 31st of the previous year. The owner will be responsible for the Annual Fee until the construction activity has been completed, the site has been properly stabilized, and a completed Notice of Termination (NOT) has been received by the RIPDES Program.

You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on site. Should you wish to have the types and extent of freshwater wetlands verified, you may submit the appropriate application in accordance with 250-RICR-150-15-3.9.3.

This permit does not remove your obligation to obtain any local, state, or federal approvals or permits required by ordinance or law and does not relieve you from any duties owed to adjacent landowners with specific reference to any changes in drainage.

Please contact Claire Swift of this office (telephone: 401-537-4183) should you have any questions regarding this letter.

Sincerely,

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martin wencek
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Martin D. Wencek, Environmental Scientist IV
Office of Water Resources
Freshwater Wetlands Program
MDW/CVS/cvs

ec: Neal Personeus, DEM Stormwater Program
Chuck Phelps, Town of Coventry Building Official
Brenna Guay, DiPrete Engineering

TOWN OF COVENTRY, R.I.
Dec 05, 2025 12:27P
JOANNE P AMITRAND, TOWN CLERK