

Memorandum

To: Town of Coventry Planning Board
From: Moses Ryan Ltd., on behalf of applicant Benson Essex, LLC
Date: June 10, 2026
Re: Density Calculation for Comprehensive Permit Application for Mishnock Woods (1055 Tiogue Avenue (Assessor's Plat 28, Lot 3))

This memorandum is submitted on behalf of the Applicant, Benson Essex, LLC, in support of its Comprehensive Permit application for the Mishnock Woods project (the "Project"). The Project proposes a 400-unit multi-family residential development, with twenty-five percent (25%) of units (100 units) dedicated as low- and moderate-income (LMI) housing.

The Project is fully consistent with state law, local planning objectives, and established development precedent for the subject property. The Project's proposed density is a rational and appropriate application of the Rhode Island Low and Moderate Income Housing Act (the "LMIHA"), RIGL § 45-53-1 *et seq.*, and within the Planning Commission's authority to grant, especially when considering the property's unique zoning designation and the Town of Coventry's Comprehensive Plan.

The Property is uniquely zoned in a Planned District

Review of this Project will include analysis of the proposed density and applicable density bonus available through the LMIHA. The subject property is located in a Planned Development (PD) District, which is a floating zone that, by design, contains no specific dimensional or density requirements. The PD's flexibility is intentional, allowing the Town to approve well-conceived, large-scale projects. However, the absence of a "by-right" density in the ordinance creates a unique scenario when applying the density bonus provisions of the LMIHA. See RIGL § 45-53-4(c)(1)(A) (granting a bonus of "more dwelling units than allowed by right under [the property's] zoning"). The property has no underlying zoning aside from the PD. To resolve this ambiguity, a rational baseline density must be established for the subject property based on the relevant evidence: the Town's own prior actions and stated planning goals for this specific property.

The prior "Brookside" Final Plan approval establishes a development baseline.

The most direct, site-specific evidence of the Town's interpretation of appropriate development intensity for this parcel is its previous Final Plan approval of the "Brookside Center Development." The Brookside approval authorized a major mixed-use project on this same property, consisting of 104 residential units (with 4 deed restricted affordable units) and 49,250 square feet of commercial space. This prior approval functions as an established baseline, representing a definitive finding by the Town that the property can support, at minimum, a development of that scale and intensity. The PD zoning was established on this parcel in connection with this project approval, thus linking the density to the PD and bolstering that this should be considered the underlying zoning. The 104 residential units, combined with the significant commercial component, establish a floor for any future density calculations.

The General Assembly has declared that the lack of affordable housing is an “acute shortage” and a matter of “statewide concern,” making it “imperative that action is taken immediately.” RIGL § 45-53-2. As such, it would be an illogical conclusion against public policy and the spirit of the statute to determine that there is no underlying zoning and residential density on a parcel that has been approved for 104 residential units (plus additional commercial density). As such, 104 residential units should be considered the very minimum dwelling units allowed by right at this property.

The Comprehensive Plan authorizes high-density residential use.

The Coventry Comprehensive Plan designates this property as “High Density Residential (HDR),” a classification that explicitly supports dense multi-family development in appropriate locations. Crucially, the planning report submitted by Pimentel Consulting, Inc., dated June 2, 2026 (the “Pimentel Report”) notes that the Comprehensive Plan allows for densities in a Planned Development of up to twenty (20) dwelling units per acre. *See Pimentel Report at 12.*

Applying this standard to the 18.59-acre buildable area of the subject property yields a potential base density of 371 dwelling units (18.59 acres × 20 units/acre). This figure represents the density envisioned by the Town’s own guiding land use document for a project of this type in this location.

The proposed 400 units is a reasonable application of the LMIHA’s density bonus.

Under LMIHA RIGL § 45-53-4(c)(1)(A)(i), a Comprehensive Permit project with 25% LMI units on a site served by public water and sewer (as provided here) is entitled to a density bonus of at least five (5) units per acre.

Using the Comprehensive Plan’s density of 371 units, this would entitle the Project to a bonus of at least ninety-two (92) units (18.59 acres x 5 units/acre). The current proposal relies on only a fraction of that possible available bonus. Even using the more conservative Brookside plan’s density of 104 units, the Planning Commission has full discretion to grant density bonuses in excess of state mandated five (5) units per acre. Such a grant would be logical here application given the site’s suitability, the Comprehensive Plan, and the overall goals of the LMIHA.

Conclusion

Under the LMIHA, the base density of the Project should be considered at least 104 units and up to 371 units and approval of 400 total units for the Project as proposed through a density bonus is legally sound per the prior development approval for the site and the Town’s own Comprehensive Plan.