



## CITY OF WARWICK

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**FRANK J. PICOZZI, MAYOR**

Date

VPC, LLC (d/b/a Verogy)  
124 LaSalle Road, 2<sup>nd</sup> floor  
West Hartford, CT 06107

RE: Assessor's Plat 275 Assessor's Lots 38 & 52  
Property Address

The following is the decision on your application for Master Plan Approval of a Major Land Development heard by the Warwick Planning Board at the regularly scheduled meeting held on April 12, 2023.

The Applicant is proposing to construct a 998.5 kilowatt Direct Current solar development on Knight Street. The proposed solar development will occupy approximately 3.9+/- acres of the 16.3 acre parcel. The entirety of the project is zoned Light Industrial (LI) with a portion of the site (Lot 38), located within the Pontiac Village Historic Overlay District (H).

After completion of the Public Hearing, for which notice was served and a record was kept, the Warwick Planning Board taking into consideration its knowledge and expertise, and after considering all of the representations and presentations made at the Public Meeting, found this proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposal is generally consistent with the *City of Warwick, Comprehensive Plan 2033*, as follows:
  - a. That the proposal is generally consistent with the City of Warwick, *Comprehensive Plan 2033*, (Comprehensive Plan), Part V, Sustainable Systems which calls for regulations to support renewable energy installations; and to choose sustainable materials, methods and practices, when possible.
  - b. That Part V, Sustainable Systems, states that “*access to affordable, clean energy is critical to the City and its residents. Energy use, cost and conservation are integrally tied to many of the traditional elements of the Comprehensive Plan, including housing, transportation, economic development, community services, and natural resources...Energy conservation and efficiency are cost effective and reduce air pollution and negative impacts on other natural resources. Techniques for promoting energy demand reduction and efficiency include....the use of renewable and alternative energy sources.*”
  - c. That Goal 1, of Part V, Sustainable Systems states that the City shall implement practices to conserve energy and use renewable energy.

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**PLANNING DEPARTMENT • TOM KRAVITZ, DIRECTOR**  
**3275 POST ROAD • WARWICK, RI 02886 • 401-738-2009**

- d. That Chapter 11 Sustainability and Resilience includes a Recommended Policy (D) “Replace fossil fuels with renewable energy sources” and a corresponding Action, “Provide regulations for renewable energy installations on private property (11.16).”
2. That the proposal is not in compliance with the standards and provisions of the City’s Zoning Ordinance in consideration of the following:
  - a. The property is zoned Light Industrial with a Historic Overlay (Lot 38).
  - b. The project requires Zoning Board of Review approval for a Special Use Permit (SUP) to allow the proposed “Contaminated Site solar energy system, ground mounted.”
  - c. That prior to Preliminary Plan Application, in accordance with Section 311 Overlay district regulations – Historic (H), the project requires a Certificate of Appropriateness from the Historic District Commission.
3. That there will be no significant negative environmental impact from the proposed development provided the Applicant conforms to all conditions of approval, including satisfying all landfill closure conditions imposed by the Rhode Island Department of Environmental Management’s Office of Land Revitalization and Sustainable Materials Management Division.
4. That the development, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable in consideration of the following:
  - a. The development, as proposed, is contained on Assessor’s Plat 275, Lots 38 & 52 and the Applicant has sufficiently demonstrated that the lot can appropriately support development while remaining in conformance with pertinent regulations and building standards.
5. That the proposed development possesses adequate and permanent access to Knight Street, which is a public street.

Based on the foregoing findings of fact, on a motion by XXX, seconded by XXX, the Warwick Planning Board voted X in favor to grant Master Plan approval. The Planning Board’s approval included the following stipulations:

1. That all Plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island", effective date November 25, 2015.
2. That the Applicant shall submit a Preliminary Land Development Plan that complies with Appendix C of the City’s Development Review Regulations Governing Subdivisions, Land Development Projects, and Development Plan Review, last amendment dated March 14, 2001.
3. That a Storm Water Management Plan shall be submitted in accordance with the Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, that is designed to demonstrate zero-net rate of runoff from the proposed development.

4. That an Operation and Maintenance Plan for the proposed stormwater collection system be included with the Preliminary submission to the Planning Department.
5. That, the Applicant shall submit an independent, pre-development sound study to establish a baseline of general background noise in perimeter areas adjacent to the property. The sound study shall be averaged over several weeks. A post startup sound study shall be executed to ensure no increase in noise occurs from the facility. Noise mitigation must be employed if there is an increased decibel level of 3dB.
6. That the Applicant shall provide a decommissioning plan and cost estimate with the Preliminary Plan application, and surety funds provided with the Final Plan Application to ensure adequate removal at the end of the useful life or abandonment.
7. That all RIDEM, RIDOT, and other related state permits must be obtained prior to the Preliminary phase submission, (except those permits related to the environmental cap that must be issued at a later date).
8. That an adequate number of fire hydrants be provided throughout the development spaced 300 Ft. apart and providing a minimum of 1000 GPM. In addition, the Fire Department shall review all plans for compliance with all life safety codes and issues.
9. All corners shall be negotiable by vehicles having an outer tire turning radius of 50 Feet, Left or Right.
10. A Clear Area of ten feet (10') around ground-mounted photovoltaic installations shall be provided.
11. A noncombustible base acceptable to the Authority Having Jurisdiction (AHJ) shall be installed and maintained under and around the installation.
12. As part of Preliminary Plan application, an updated narrative shall be submitted addressing project conformance with each required performance measures contained within Section 509 of the Warwick Zoning Ordinance.
13. That the Preliminary phase submission include a landscape plan prepared by a registered landscape architect, approved by the City's Landscape Coordinator, that meets all requirements under Section 505 of the City's Zoning Ordinance, and includes the following:
  - a. Access gate shall be 7' Ht. black ornamental style with 2'x2' brick pillars in place of steel gate posts. The remainder of exterior fencing shall be 7' Ht. black, coated, chain link and steel posts.
  - b. All proposed evergreen planting buffers shall be arranged in a tight 10' staggered layout not in a straight line.
  - c. All proposed evergreen plantings shall be 5' minimum at installation.
  - d. Western property line planting buffer shall extend south to the end of the proposed fencing.
  - e. It is our understanding that there will be a 2' soil cap on top of the existing grade and that the solar panel height is 10' maximum giving the project an elevation of 12'. A berm shall be installed along the Knight Street property line ending at the Knight St. and Bleachery

Court intersection. The berm shall be 5' in height from the top of the highest point of proposed grade on site. On top of the berm, a tight 10' staggered evergreen buffer shall be installed.

- f. The existing vegetation along Knight St. from the intersection of Knight St. and Bleachery Court to the eastern property line shall remain. If this vegetation is to be removed/ cleared then the applicant must extend the berm and evergreen planting buffer to the end of the furthest property line on Knight Street.
  - g. Pollinator mix is required, shall be supported by a maintenance plan with annual reports by the applicant's landscape architect until the pollinator mix approved by RIDEM is established. Disturbed topsoil shall remain onsite unless removal is required by remediation permits.
  - h. The Landscape Plan shall include all existing trees (at the time of application), requiring removal that are of 20 inches in diameter or larger with a plan for 1 to 1 replacement.
14. That the Preliminary Plan submittal shall include a signage plan, to include all sign locations, sizes, and style. Signage shall be subject to approval by the Historic District Commission. Signage shall include clearly marked procedures for shutting down the solar system. A sign shall be posted at the entry displaying the name of the owner and the operator of the system with a twenty-four (24) hour emergency contact number.

Sincerely,

Philip Slocum, Chair  
Warwick Planning Board