

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER ARTICLE

APPENDIX A
ZONING

No..... Date.....

Approved.....Mayor

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF WARWICK, SMART ENERGY HOLDINGS, LLC
AND KEVIN ROSSI, PETITIONERS

Be it ordained by the City of Warwick:

Section I. The Zoning Map and the Record Book of Lot Classifications which are a part of the Zoning Ordinance of the City of Warwick are hereby amended by changing the classification of the following described premises from Light Industrial (LI) to Light Industrial (LI) with waivers, restrictions, conditions and stipulations.

Lots 5 and 101 on Assessor’s Plat 263 as said plat appeared in the Tax Assessor’s office on December 31, 2017 is hereby changed from Light Industrial to Light Industrial with the following waivers, restrictions, conditions and stipulations. The Lot is set forth in the legal description and on the map attached hereto as Exhibit A.

The change of zoning is subject to the following conditions, waivers and stipulations:

1. Relief from dimensional requirements for less than required setback for an industrial use from an abutting Residential District in footnote 3 of the Dimensional Table, for less-than-required landscape buffer along a property line that abuts a residential district in section 505.1 and for fencing/screening not located on the abutting residential district property line is granted but only to the extent shown on the Plan submitted by Petitioners.
2. The use under Section 608 of the Table of Uses is limited to the solar generation of electrical power.
3. That the Applicant shall utilize measures that minimize impacts on neighboring properties to the maximum extent possible. To this end, the Applicant shall submit to the Planning Board,

1 a detailed report of the operational characteristics of the solar park, including the key features
2 of the inverters (overall size, height and noise level which shall be limited to 55db) and the
3 means and methods planned to minimize or avoid off-premises impacts to the abutting
4 residential and recreational uses. In addition to addressing noise concerns, the report shall
5 include security provisions to prevent unauthorized access, emergency access provisions,
6 security lighting, and any proposed identification signage.

- 7
- 8 4. That the proposed transformers/inverters for the solar farm shall maintain a noise level at
9 or below 55dB and there shall be no greater than a 3dB change in amplitude (the
10 minimum audible difference perceptible to the average person) measured along the entire
11 southern property line which abuts the existing residential properties. If necessary, and at
12 the City's request, the petitioner shall be responsible to fund and submit a *noise study*,
13 conducted by an environmental professional, measuring pre-background sound with the
14 post construction as-built conditions that illustrates adherence with this stipulation. Said
15 study shall be submitted to the Building Inspector and Administrative Officer to the
16 Planning Board within 90 days of the City's request.
- 17
- 18 5. That the solar park shall be maintained on a regular basis by the owner/operator and shall be
19 cleared of debris, weeds, trash, etc. Maintenance shall include, but not be limited to, painting,
20 structural repairs and maintaining the integrity of fencing. The equipment shall be
21 maintained in good repair and working order. Malfunctioning or inoperable equipment shall
22 be removed from the property immediately and disposed of in accordance with all applicable
23 federal, state, and local regulations.
- 24
- 25 6. That, a sign shall be posted on the facility and shall display the name of the owner and or
26 operator of the facility and provide a twenty-four (24) hour emergency contact number.
- 27
- 28 7. That the solar park shall not be used for displaying any advertising.
- 29
- 30 8. That the clearing of natural vegetation shall be strictly limited to what is necessary for the
31 construction, optimal operation, and maintenance of the solar park.
- 32
- 33 9. That at the abandonment of the use of this solar park, all equipment shall be removed from
34 the site, no more than six months after the date of discontinued operations. The
35 owner/operator shall notify the building official of the proposed date of discontinued
36 operation and plans for removal. At a minimum, decommissioning shall consist of: removal
37 of all solar park related structures, equipment, security barriers, and transmission lines from
38 the site; disposal of all solid and hazardous waste in accordance with applicable disposal
39 regulations; and stabilization and revegetation of the site as necessary to prevent erosion and
40 restore the natural habitat.
- 41
- 42 10. That the Applicant shall post a bond, in an amount to be determined by the Administrative
43 Officer, to provide a guarantee that the facility will be promptly removed after it reaches the
44 end of its useful life.
- 45

1 11. That there shall be strict compliance with the Final Plan, as approved by the Planning Board.
2 Any changes to the approved plan shall require review by the Administrative Officer and/or
3 the Planning Board.
4

5
6 Section II. The Clerk of the Zoning Board of Review is hereby authorized and directed to cause said
7 changes to be made on the Zoning Map and the Record Book of Lot Classifications.
8

9 Section III. This Ordinance shall take effect upon passage and publication as prescribed by law.
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19 SPONSORED BY: COUNCILMAN GALLUCCI
20

21 COMMITTEE: LAND USE
22
23
24



Smart Energy

Holdings

Petition Application

from

Smart Energy Holdings

for Zoning Petition

for

Plat No. 263 Lots 005 & 101 at 701 East Avenue Ward 8,

from

Light Industrial, to Light Industrial with Waivers for use Code
608 Electrical Power Plant; construction, and operation of a
Solar Energy Farm.

**PETITION REQUESTING AN AMENDMENT TO THE ZONING
ORDINANCE OF THE CITY OF WARWICK**

To the Honorable City Council of Warwick:

Respectfully represent: Smart Energy Holdings, LLC

who furnishes the following information in connection with (his-her) request for an Amendment to the Zoning Law.

Amendment to the Zoning Law:

1. Ownership of Premises: Kevin Rossi
18 Rossi Street (Name)
Warwick, RI (Address)

(Furnish name of title owner of property and address of owner)

2. Description of Premises: Plat No. 263 Lot(s) No. 005 and 101
Street East Avenue Ward 8

(Furnish Assessor's Plat and Lot numbers and Name of Street and Ward Number)

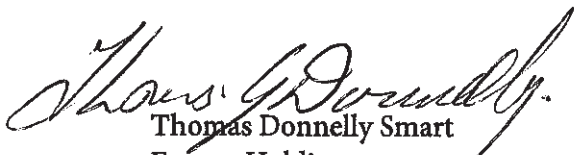
3. Present Zoning Classification: Light Industrial (LI)
4. Zoning Change Requested Light Industrial (LI), with waivers for Use Code 608.
Electric Power Plant
5. Reasons for Proposed Change: _____
To allow the construction and operation of a solar energy farm

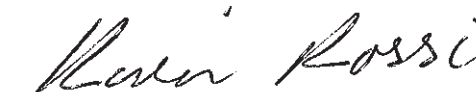
WHEREFORE, it is respectfully requested that the Zoning Law be amended by changing the Zoning Classification of the above described premises from _____

Ligt Industrial (LI) to Light Industrial (LI), with waivers for Use Code 608. Electric Power Plant

Respectfully Submitted,

(Signature of Owner and Petitioner)


Thomas Donnelly Smart
Energy Holdings
Petitioner


Kevin Rossi
Owner
Signed by Thomas Donnelly on behalf
of Kevin Rossi

Legal Description

Kevin Rossi

The following description describes those two parcels of land, being lot 101 and lot 5 on Warwick Assessor's Plat 263. Lot 101 is on the northerly side of East Avenue, and lot 5 abuts lot 1 and is northerly of East Avenue in the City of Warwick, County of Kent, State of Rhode Island.

Lot 101

Beginning at an existing granite RI highway bound which is eight and 50/100 (8.50) feet westerly of and opposite Centerline Baseline Sta. 468+34.92 as shown on that plan entitled "Plan of Land for Kevin Rossi Location East Avenue Warwick, Rhode Island 1"=60' Feb. 9, 2016 by Boyer Associates", said beginning is the northeasterly corner of the hereinafter described parcel also shown on that plan of land entitled "Land in Warwick, R.I. to be Conveyed to Nicholas E. Rossi by Providence & Worcester R.R. by Frank Pezzullo, Jr., R.S.L. scale - 1"=100' May 1983"; thence running in a general southerly direction along an arc of a curve having a radius of twenty-two thousand nine hundred nine and 88/100 (22,909.88) feet an arc distance of four hundred fifty and 00/100 (450.00) feet bounded easterly in part by land belonging to the State of RI & Providence Plantations and in part by said East Avenue to a point in said East Avenue; thence turning a chord angle of $61^{\circ}-42'-56''$ and running in a general westerly direction bounded southerly by said East Avenue a distance of sixty-five and 00/100 (65.00) feet to a point; thence turning an interior angle of $111^{\circ}-58'-12''$ and running in a general northerly direction bounded westerly in part by said East Avenue and in part by land n/f belonging to Joseph & Annmarie Casimiro a distance of two hundred eighty-five and 05/100 (285.05) feet to an iron pin; thence turning an interior angle of $251^{\circ}-47'-00''$ and running in a general westerly direction bounded southerly in part by said Casimiro land and in part by land n/f belonging to Anna Vizzaccaro, Trustee, a distance of thirty and 00/100 (30.00) feet to an iron pin; thence turning an interior angle of $110^{\circ}-28'-38''$ and running in a general northerly direction bounded westerly by other land belonging to Kevin Rossi, being A. P. 263, lot 5, a distance of one hundred twenty-three and 23/100 (123.23) feet to an existing granite RI highway bound, said existing granite RI highway bound being fifty-two and 97/100 (52.97) feet westerly of and opposite Centerline Baseline Sta. called ahead 468+34.92 as shown on said RI Highway Plat No. 2410; thence turning an interior angle of $94^{\circ}-37'-00''$ and running in a general easterly direction bounded northerly by said State of RI & Providence Plantations land a distance of forty-four and 47/100 (44.47) feet to the existing granite RI highway bound at the point and place of beginning. Said last described line forms a chord angle of $89^{\circ}-26'-14''$ with first described line.

Said parcel contains 0.45 acres.

Lot 5

That certain parcel of land situated northerly of East Avenue in the City of Warwick, County of Kent, State of Rhode Island, bounded and described as follows:

3-19-18
RJR

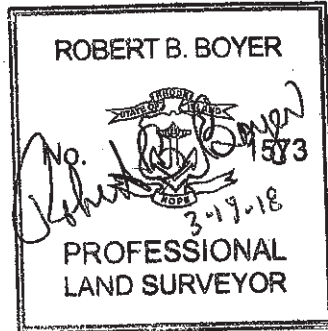
Beginning at an iron pin set in the northerly line of land n/f belonging to Anna Vizzaccaro, Trustee, said iron pin also being thirty and 00/100 (30.00) feet westerly of an iron pin set at the northeasterly corner of land n/f belonging to Joseph & Annmarie Casimiro; thence running in a general westerly direction bounded southerly by said Vizzaccaro land a distance of thirty-nine and 73/100 (39.73) feet to a point; thence turning an interior angle of $176^{\circ}-28'-28''$ and continuing in a general westerly direction bounded southerly in part by land n/f belonging to West Bay Community Action, Inc., and in part by land n/f belonging to Henry T. Cruciani et als a distance of ninety-five and 31/100 (95.31) feet to a point; thence turning an interior angle of $180^{\circ}-28'-45''$ and continuing in a general westerly direction bounded southerly in part by land n/f belonging to Paul & Cynthia LaFrance and in part by land n/f belonging to Anthony & Angela M. Pallotta a distance of two hundred two and 02/100 (202.02) feet to an existing granite RI highway bound; thence turning an interior angle of $180^{\circ}-00'-00''$ and continuing in a general westerly direction and running along the easterly line as shown of RI Highway Plat No. 2727 bounded southerly by State of RI & Providence Plantations land a distance of one hundred ninety and 00/100 (190.00) feet to an existing granite RI highway bound; thence continuing westerly in the same line a distance of thirteen and 00/100 (13.00) feet to the edge of the Pawtuxet River.

Thence turning an interior survey tie line of $95^{\circ}-02'-43''$ and running a distance of one thousand two hundred sixty-one and 34/100 (1,261.34) feet to a point in the easterly bank of said Pawtuxet River at the most northerly point of the herein described parcel; the distance along the easterly river bank, which is the westerly property line of the herein described parcel, is one thousand two hundred ninety feet, more or less (1,290'+/-) as shown on that plan entitled "Plan of Land for Kevin Rossi Location East Avenue Warwick, Rhode Island 1"=60' Feb. 9, 2016 by Boyer Associates"; thence turning an interior tie line angle of $26^{\circ}-09'-32''$ and running in a general southerly direction a distance of ninety-five and 00/100 (95.00) feet to an existing granite RI highway bound fifty-five and 00/100 (55.00) feet westerly of and opposite Centerline Baseline Sta. 456+06.00 as shown on said RI Highway Plat No. 2410; thence turning an interior angle of $179^{\circ}-08'-12''$ and continuing in a general southerly direction along an arc of a curve having a radius of twenty-two thousand eight hundred sixty-three and 38/100 (22,863.38) feet an arc distance of six hundred eighty-nine and 23/100 (689.23) feet to another existing granite RI highway bound being fifty-five and 00/100 (55.00) feet westerly of and opposite Centerline Baseline Sta. 462+96.89, said last two courses being bounded easterly, respectively, by said State of RI & Providence Plantations land; thence turning an interior chord angle of $178^{\circ}-41'-09''$ and continuing in a general southerly direction a distance of five hundred thirty-three and 58/100 (533.58) feet to an existing granite RI highway bound, said RI highway bound is fifty-two and 97/100 (52.97) feet westerly of and opposite Centerline Baseline Sta. 468+34.92 as called ahead on said RI highway plat No. 2410, said existing granite RI highway bound is the northwesterly corner of lot 101; thence turning an interior angle of $174^{\circ}-29'-49''$ and continuing in a general southerly direction bounded easterly by said lot 101 a distance of one hundred twenty-three and 23/100 (123.23) feet to the iron pin at the point and place of beginning. Said last described line forms an interior angle of $69^{\circ}-31'-22''$.

3-19-18
RBB

Said parcel contains 8.01 acres, more or less.

Said parcel is subject to easements of record.



3-19-18
RBB

ABUTTERS

WITHIN A 200' RADIUS

Parcel ID: 262-0118-0000
CAITO, KENNETH
21 RIVERDALE CT
WARWICK RI 02886

Parcel ID: 263-0007-0000
MORGAN H. MALONE
319 STEPHEN FRENCH ROAD
SWANSEA, MA 02777

Parcel ID: 262-0200-0000
DAY, MICHAEL
DREW-DAY, JESSICA
821 MOORESFIELD RD
SAUNDERSTOWN RI 02874

Parcel ID: 262-0126-0000
RIVERDALE PROPERTIES LLC
700 EAST AVE
WARWICK RI 02886

Parcel ID: 263-0010-0000
RAINVILLE, ANDREW P
RAINVILLE, DENISE A
71 A GENE ALLEN RD
FOSTER RI 02857

Parcel ID: 263-0015-0000
CENTRACCHIO, DOMENIC
CENTRACCHIO, FILOMENA
57 WEST PONTIAC ST
WARWICK RI 02886

Parcel ID: 263-0011-0000
MORROCCO REALTY LLC
P O BOX 8385
CRANSTON RI 02920

Parcel ID: 263-0035-0000
EAST AVE LLC
61 DEWEY ST SUITE D
WARWICK RI 02886

Parcel ID: 263-0095-0000
MORROCCO REALTY LLC
P O BOX 8385
CRANSTON RI 02920

Parcel ID: 263-0087-0000
WESTBAY COMMUNITY ACTION INC
729 EAST AVE
WARWICK RI 02886

Parcel ID: 262-0125-0000
S&S LLC
2289 FLAT RIVER ROAD
COVENTRY RI 02816

Parcel ID: 263-0003-0000
LAFRANCE, CYNTHIA
81 EDMOND DR
WARWICK, RI 02886

Parcel ID: 263-0001-0000
RHODE ISLAND DEPARTMENT OF
TRANSPORTATION
2 CAPITAL HILL RM 317
PROVIDENCE RI 02903

Parcel ID: 263-0009-0000
CRUCIANI HENRY T LIFE ESTATE
LAFRANCE, CYNTHIA L
30 LINDEN LN
WEST GREENWICH RI 02817

Parcel ID: 263-0012-0000
GUGLIELMO, ANTHONY
GUGLIELMO, PEGGY ANN
44 GLENDALE DR
WEST WARWICK RI 02893

Parcel ID: 263-0017-0000
THIBAULT, JACELYN
12 SUE ST
WARWICK RI 02886

Parcel ID: 263-0040-0000
TEDESCHI ERNEST J JR
TEDESCHI, DEBORAH I
126 PONTIAC ST
WARWICK RI 02886

Parcel ID: 263-0016-0000
BLAIR, LISA M
BLAIR, WILLIAM R
34 RAILROAD ROW
WARWICK RI 02886

Parcel ID: 263-0092-0000
STATE OF RI & PROV PLANTATIONS
2 CAPITOL HILL
317 STATE OFFICE BLDG
PROVIDENCE RI 02903

Parcel ID: 263-0094-0000
CASIMIRO, JOSEPH
CASIMIRO, ANNMARIE
223 HOWARD AVE
HOPE RI 02831

Parcel ID: 263-0006-0000
CORDEIRO YOLANDA LIFE ESTATE
CANTONE, RAYMOND
PO BOX 1328
WEST WARWICK RI 02893

Parcel ID: 263-0004-0000
CRUCIANI, HENRY & MARTHA LIFE ESTATE,
CYNTHIA LAFRANCE
81 EDMOND DR
WARWICK RI 02886

Parcel ID: 263-0002-0000
RHODE ISLAND DEPARTMENT OF
TRANSPORTATION
2 CAPITAL HILL RM 317
PROVIDENCE RI 02903

Parcel ID: 262-0233-0000
LITTHISACK, SOUKY V
1723 CRANSTON ST
CRANSTON RI 02920

Parcel ID: 263-0014-0000
NARCOVICH, DONNA
42 RAILROAD ROW
WARWICK RI 02886

Parcel ID: 263-0088-0000
VIZZACCARO ANNA TRUSTEE
WILLIAMS MARIA TRUSTEE
42 AZALEA DR
CRANSTON RI 02921

Parcel ID: 263-0023-0000
IZZO, MATTHEW J
223 GLEN HILLS DR
CRANSTON RI 02920

Parcel ID: 263-0013-0000
NULPH, RYAN P
65 WEST PONTIAC ST
WARWICK RI 02886

Parcel ID: 262-0235-0000
CRYSTAL SWAN INC
20 TULLY WAY
NORTH KINGSTOWN, RI 02852

Parcel ID: 262-0251-0000
SBJ RESCH FAMILY PARTNERSHIP LTD
2900 7TH AVENUE
TAMPA FL 33605

Parcel ID: 262-0124-0000
JOHNSON WAYNE S JR
PINEDA RACHEL J/T
726 EAST AVE
WARWICK RI 02886

Parcel ID: 263-0019-0000
LIMA, STEVEN C
MENDONCA, STEPHANIE M
24 RAILROAD ROW
WARWICK RI 02886

Parcel ID: 263-0105-0000
SANDERS, JEROME D
SANDERS, MISHELLE A
12 RAILROAD ROW
WARWICK RI 02886

Parcel ID: 262-0239-0000
LITTHISACK, SOUKY V
1723 CRANSTON ST
CRANSTON RI 02920

Parcel ID: 040-0340
Angelo A. Padula
26 Crossland Road
West Warwick, RI 02893

ROSSI, KEVIN
18 ROSSI STREET
WARWICK RI 02886

Parcel ID: 263-0008-0000
SANTILLI, JUDITH J
89 WEST PONTIAC ST
WARWICK RI 02886

Parcel ID: 273-0484-0000
STATE OF R I & PROV PLANTATIONS
2 CAPITOL HILL
317 STATE OFFICE BLDG
PROVIDENCE RI 02903

Parcel ID: 263-0020-0000
SUE STREET LLC
47 HIGHLAND AVE
COVENTRY, RI 02816

Parcel ID: 263-0102-0000
PALLOTTA, ANTHONY
PALLOTTA, ANGELA M
755 EAST AVE
WARWICK RI 02886

Parcel ID: 040-0048
ADA Properties, LLC
35 Red Barn Court
CRANSTON RI 02920

Parcel ID: 040-0365
Leonard A. Reali & Carol A. Reali
1375 New London Ave.
Cranston, RI 02920

K. JOSEPH SHEKARCHI
33 COLLEGE HILL ROAD SUITE 15-E
WARWICK, RI 02886

Parcel ID: 262-0231-0000
STATE OF R I & PROV PLANTATIONS
2 CAPITOL HILL
317 STATE OFFICE BLDG
PROVIDENCE RI 02903

Parcel ID: 263-0104-0000
MELINO, ROBERT J
4 RAILROAD ROW
WARWICK RI 02886

Parcel ID: 263-0093-0000
GREEN ROOM PROPERTIES
47 HIGHLAND AVE.
COVENTRY, RI 02816

TOWN OF WEST WARWICK
ATTN: TOWN MANAGER
1170 MAIN STREET
WEST WARWICK, RI 02893

Parcel ID: 040-0338
David Kennedy
4 Edmund Circle
Warwick, RI 02886

SMART ENERGY HOLDINGS, LLC
ATTN: BOB PATTON
22 LOWER FALLS ROAD
FALMOUTH, MAINE 04105

Parcel ID: 263-0022-0000
CITY OF WARWICK
3275 POST RD
WARWICK RI 02886

MAR 29 2018

William DePasquale, Jr., AICP
Planning Director




Scott Avedisian
Mayor

CITY OF WARWICK
Planning Department
3275 Post Road, Annex; Warwick, RI 02886
Tel. (401) 738-2009

MEMORANDUM
East Avenue Solar Park

TO: Joseph Solomon, Council President
Warwick City Council Members
Lyn Pagliarini, City Clerk

FROM: William J. DePasquale, Jr. AICP 
Administrative Officer
Planning Director

DATE: March 29, 2018

SUBJECT: Planning Board Recommendation, Request for a Zone Change
To allow for an Electric Power Plant (Use Code 608),
for the Solar Generation of Electric Power within a Light Industrial Zone.
Assessor's Plat 263, Assessor's Lots 05 and 101

APPLICANT: Smart Energy Holdings, LLC
Kevin Rossi, Property Owner

ZONING DISTRICT: Light Industrial (LI)

PROPOSED ZONE: Light Industrial (LI), with authorization for Use Code 608. Electric Power Plant (limited to the solar generation of power), with dimensional waivers from Warwick Zoning Ordinance, Dimensional Table, Footnote (3), for less-than-required setback for an industrial use from an abutting Residential District, and Section 505.1 Minimum landscaped buffer; (B) for less-than-required landscape buffer along a property line that abuts a residential district; and (C) for fencing/screening not located on the abutting residential district property line.

LAND AREA: 8.45+/-acres

WARD: 8

BACKGROUND

The Applicant is requesting City Council approval for a modification to the existing zoning on the site (Light Industrial), to allow Use Code 608. Electric Power Plant, for solar generation of electric power only, and dimensional waivers from Warwick Zoning Ordinance, Dimensional Table, Footnote (3), for less-than-required setback for an industrial use from an abutting Residential District, and Section 505.1 Minimum landscaped buffer; (B) for less-than-required landscape buffer along a property line that abuts a residential district; and (C) for fencing/screening not located on the abutting residential district property line.

The Applicant is proposing to merge two (2) existing lots, totaling 8.45+/- acres, to provide for the development of a 500 kilowatt solar park with approximately 40 rows and a total of 880 photovoltaic modules (solar panels) for the generation of electric power. The project will be constructed in two (2) phases, each phase will consist of the construction of 440 solar panels. The total solar park build-out will occupy approximately 2 acres of the 8.45+/- acre site.

The parcel is currently zoned Light Industrial (LI). Use Code 608. Electric Power Plant is not an allowed use (No) in a LI zone. The site abuts land owned by the State of Rhode Island to the East (the West Bay Bicycle Path), is bounded by the Pawtuxet River to the North and West, and abuts a Residential zone to the South. The project site is currently undeveloped, with topography that slopes toward the Pawtuxet River. Access to the development will be proved via a paved driveway on East Avenue. The site will be accessed for routine maintenance and in case of emergency.

FINDINGS OF THE BOARD

At the March 14, 2018 meeting of the Warwick Planning Board, this project received Master Plan Approval (copy attached).

At the March 14, 2018 meeting, the Planning Board found the proposed zoning amendment to be generally consistent with Article 1 "Purposes and General Statements of the City's Development Review Regulations, and:

1. 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.

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.*"

That Goal 1, of Part V, Sustainable Systems states that the City shall implement practices to conserve energy and use renewable energy.

2. That the following municipal Department Heads and City Commissions, or their designated staff, have reviewed the proposal and have no objections or stipulations: Public Works/Engineering, Sewer, Building, Water, Fire, Land Trust, Harbor Commission, Cemetery Commission, and Historic District Commission.

The Planning Board also found the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

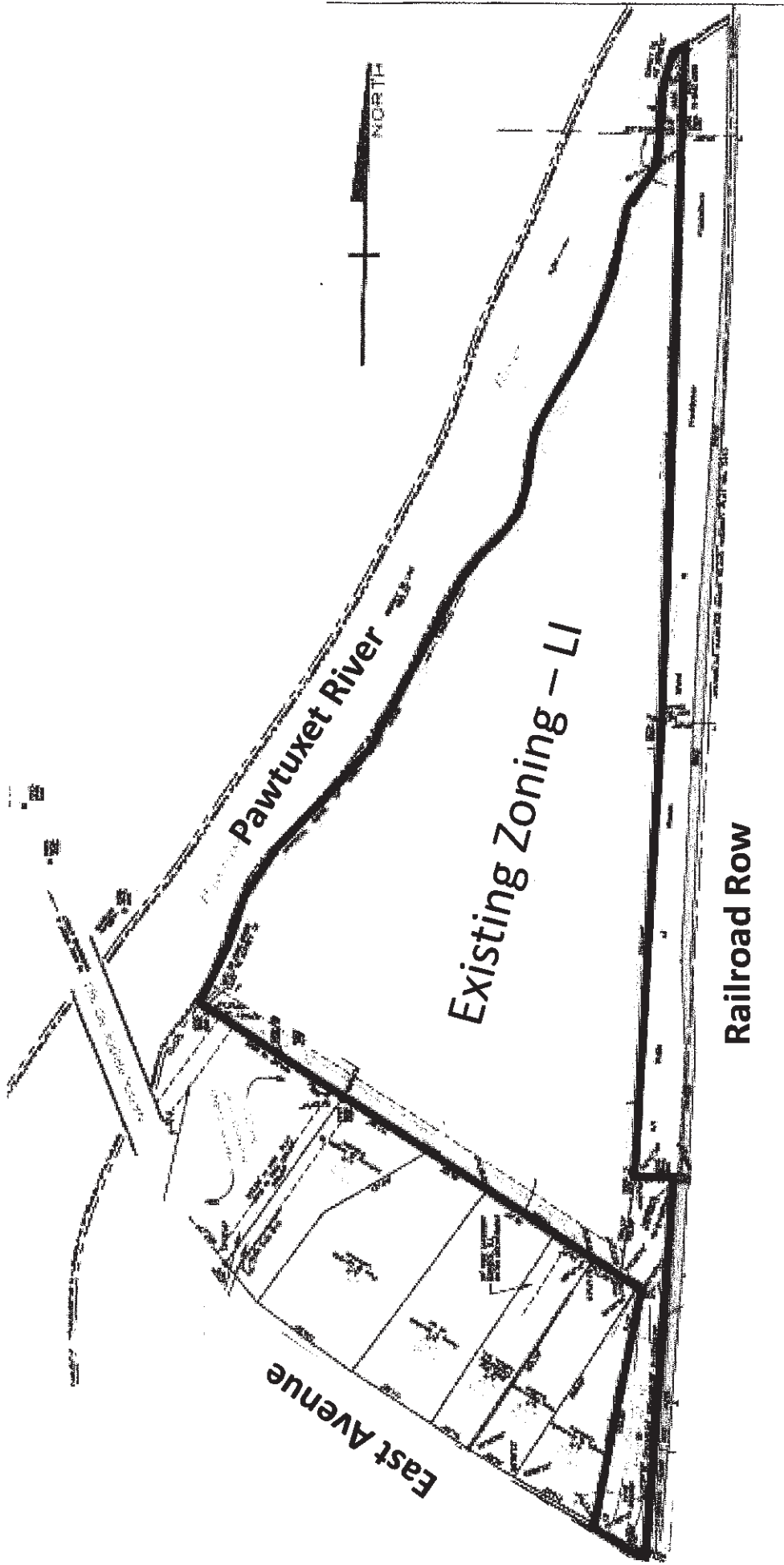
- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
 - A.) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick.
 - E.) The availability and capacity of existing and planned public and/or private services and facilities;
 - F.) The use of innovative development regulations and techniques.
- 103.10 Promote a high level of quality in design in the development of private and public facilities.
- 103.11 Promote the implementation of the Warwick Comprehensive community plan, as amended.

PLANNING BOARD RECOMMENDATION

On a motion made by Mr. Desmarais and seconded by Mr. Bergantino, the Planning Board voted eight (8) in favor, with none opposed, to forward a favorable recommendation to the Warwick City Council for the requested zone change, with the following stipulations:

1. That the use shall be restricted to the solar generation of electric power.
2. That the Applicant shall utilize measures that minimize impacts on neighboring properties to the maximum extent possible. To this end, the Applicant shall submit to the Planning Board, a detailed report of the operational characteristics of the solar park, including the key features of the inverters (overall size, height and noise level which shall be limited to 55db) and the means and methods planned to minimize or avoid off-premises impacts to the abutting residential and recreational uses. In addition to addressing noise concerns, the report shall include security provisions to prevent unauthorized access, emergency access provisions, security lighting, and any proposed identification signage.

3. That the proposed transformers/inverters for the solar farm shall maintain a noise level at or below 55dB and there shall be no greater than a 3dB change in amplitude (the minimum audible difference perceptible to the average person) measured along the entire southern property line which abuts the existing residential properties. If necessary, and at the City's request, the petitioner shall be responsible to fund and submit a *noise study*, conducted by an environmental professional, measuring pre-background sound with the post construction as-built conditions that illustrates adherence with this stipulation. Said study shall be submitted to the Building Inspector and Administrative Officer to the Planning Board within 90 days of the City's request.
4. That the solar park shall be maintained on a regular basis by the owner/operator and shall be cleared of debris, weeds, trash, etc. Maintenance shall include, but not be limited to, painting, structural repairs and maintaining the integrity of fencing. The equipment shall be maintained in good repair and working order. Malfunctioning or inoperable equipment shall be removed from the property immediately and disposed of in accordance with all applicable federal, state, and local regulations.
5. That, a sign shall be posted on the facility and shall display the name of the owner and operator of the facility and provide a twenty-four (24) hour emergency contact number.
6. That the solar park shall not be used for displaying any advertising.
7. That the clearing of natural vegetation shall be strictly limited to what is necessary for the construction, optimal operation, and maintenance of the solar park.
8. That at the abandonment of the use of this solar park, all equipment shall be removed from the site, no more than six months after the date of discontinued operations. The owner/operator shall notify the building official of the proposed date of discontinued operation and plans for removal. At a minimum, decommissioning shall consist of: removal of all solar park related structures, equipment, security barriers, and transmission lines from the site; disposal of all solid and hazardous waste in accordance with applicable disposal regulations; and stabilization and revegetation of the site as necessary to prevent erosion and restore the natural habitat.
9. That the Applicant shall post a bond, in an amount to be determined by the Administrative Officer, to provide a guarantee that the facility will be promptly removed after it reaches the end of its useful life.
10. That there shall be strict compliance with the Final Plan, as approved by the Planning Board. Any changes to the approved plan shall require review by the Administrative Officer and/or the Planning Board.



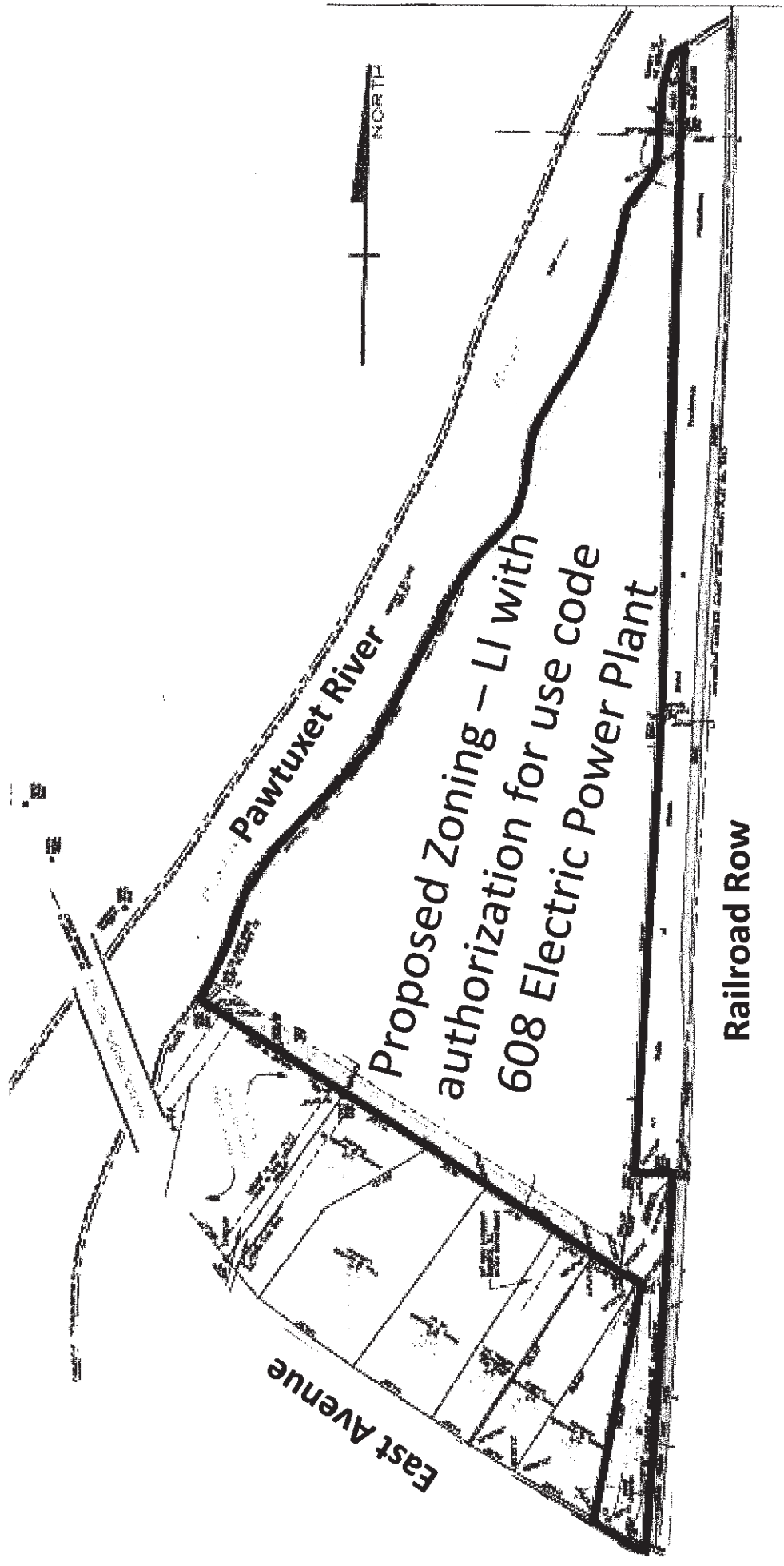
Pawtuxet River

Existing Zoning - LI

Railroad Row

East Avenue

NORTH



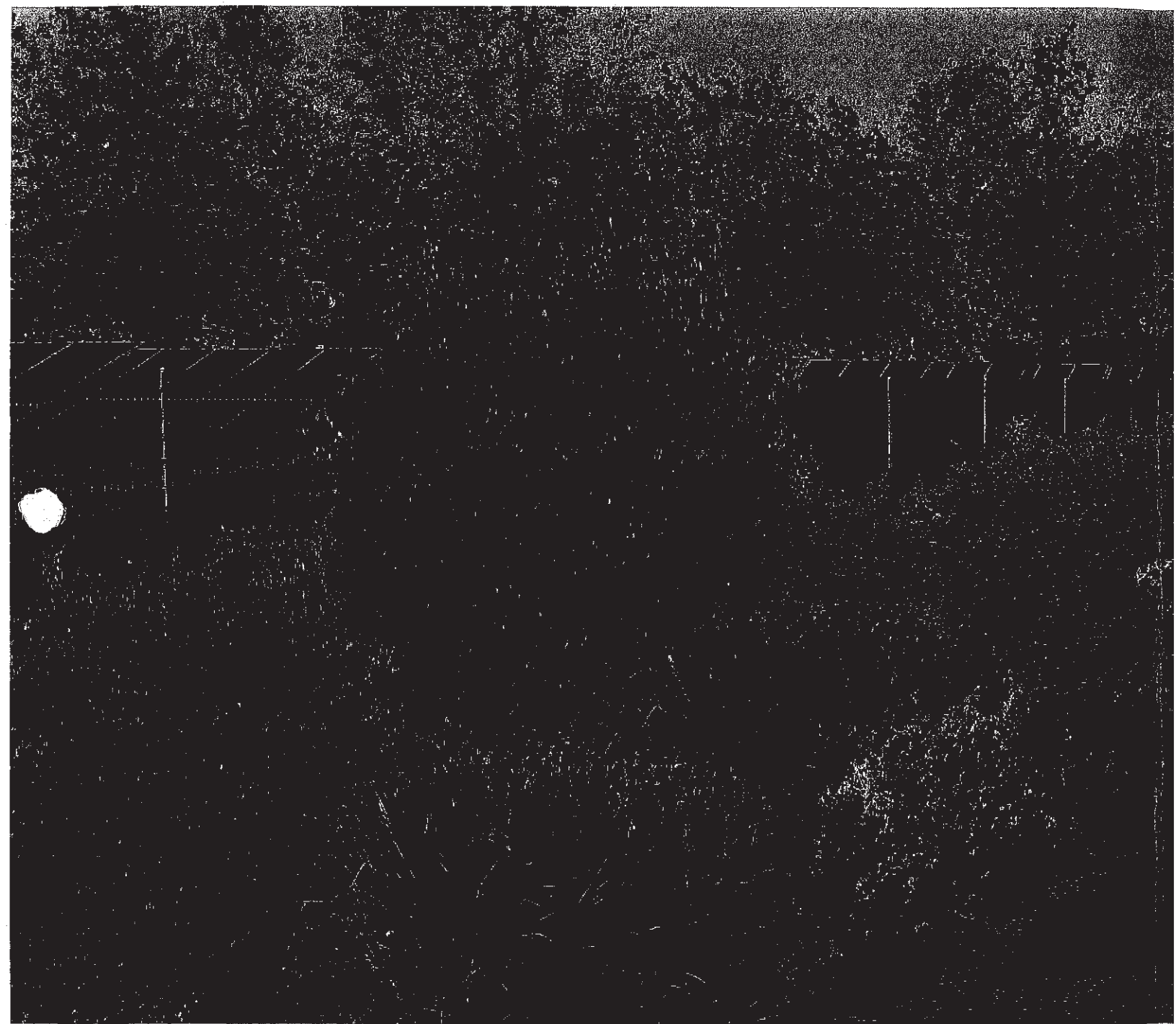
Pawtuxet River

Proposed Zoning - LI with
authorization for use code
608 Electric Power Plant

Railroad Row

East Avenue











*Michael Matteson
Fire Marshal
Bureau of Fire Prevention*

Memo

To Trish Reynolds, Business Development Planner
From Michael Matteson, Fire Marshal
Date March 05, 2018
Re Major Land Development Project/Master Plan Approval/Administrative
Subdivision and Recommendation for a Zone Change (with waiver)

Assessor's Plat 263, LotS 005 and 101; 701 EAST AVENUE

No objections at this time.



The following minimum requirements must be provided regarding streets, roadways, turning and parking in proposed private developments and complexes:



An adequate number of fire hydrants spaced 300 Ft. apart and providing a minimum of 1000 GPM. Sprinklered buildings require a hydrant within 100 Ft. of the Fire Department Connection (FDC).



All two way travel lanes to have a minimum of 24 Ft. of unobstructed width and an unobstructed vertical clearance of 13'6" to allow for unimpeded access by fire apparatus.



All corners shall be negotiable by vehicles having an outer tire turning radius of 50 Ft., Left or Right.



Dead-end roads longer than 150 Ft. must provide turning capabilities for fire apparatus per NFPA 1 (RIFC), 2012 Edition.

Notes: SEE ATTACHED PAGE 2

There shall be no architectural, landscaping or natural barriers to prevent easy access of fire apparatus.

111 Veterans Memorial Drive
Warwick, RI 02886
Tel. 401-468-4050
Fax 401-468-4051



*Michael Matteson
Fire Marshal
Bureau of Fire Prevention*

The proposed development outlined in MASTER PLAN NARRATIVE FOR A SOLAR PARK AT 701 EAST AVENUE submitted on January 12, 2018 has been reviewed and approved with the following conditions as outlined in the report:

- A minimum 12' gravel access drive from East Avenue.
- Electrical equipment areas and turnaround areas will be provided for maintenance vehicles, sewer and fire apparatus for access.
- A 6' high chain link fence is proposed with gated access from East Avenue.
- An Access Box (Knox or similar) will be coordinated with the Local Fire Department AHJ

The following conditions/proposals require additional information:

Disturbed ground surface areas located between and below proposed panels will be loamed and seeded with a low maintenance grass - Type of grass? Average height for the average grow season and at what height will it be a risk of ignition from the electrical system proposed? May require additional cuttings during the grow seasons.

- a) Does the proposal meet NFPA 1:11.12.3.2* - Noncombustible Base. A gravel base or other Non-combustible base acceptable to the AHJ shall be installed and maintained under and around the installation.


A.11.12.3.2 - Though dirt with minor growth is not considered noncombustible, the AHJ might approve dirt bases as long as any growth is maintained under and around the installation to reduce the risk of ignition from the electrical system. This could be a serious consideration for large ground-mounted photovoltaic systems. Not only should the base be considered under the systems, but also around the systems to the point that the risk of fire from growth or other ignition sources will be reduced.

Before issuance of any permits for the project, the Warwick Fire Department will review all plans for compliance with all life safety codes and issues as outlined in NFPA 1 - FIRE CODE, 2012 Edition and NFPA 70 - National Electrical Code, 2011 edition: ARTICLE 690 -Solar Photovoltaic (PV) Systems and ARTICLE 490 - Equipment, Over 600 Volts, Nominal.

There shall be no architectural, landscaping or natural barriers to prevent easy access of fire apparatus.

111 Veterans Memorial Drive
Warwick, RI 02886
Tel. 401-468-4050
Fax 401-468-4051

MEMO

To: Trish Reynolds, Principal Planer
From: Daniel O'Rourke, Chief of Water Division 
Date: January 16, 2018
Re: Assessor Plat 263, Lots 005, 101, 701 East Avenue

We have reviewed the proposed plan for the development of the "Solar Array". As you are aware, there is a thirty foot easement for our existing 42" transmission water main. Any placement of fencing or shrubbery must be far enough away as to not interfere with the integrity of the water line.

In addition, please be advised that should the need arise for water for the site(s), the area is serviced by Kent County Water Authority.

If you have any questions or need additional information, please contact me at extension 9734.

Cc: Brad Mellen- Water Division
Deb Cardoso- Water Division

RICHARD J. CRENCA
DIRECTOR OF PUBLIC WORKS



SCOTT AVEDISIAN
MAYOR

CITY OF WARWICK
DEPARTMENT OF PUBLIC WORKS
925 SANDY LANE • WARWICK, RHODE ISLAND 02889
TEL (401) 738-2003 • FAX (401) 732-5208

TO: William DePasquale, Director of Planning
FROM: Eric Hindinger - DPW Engineering
DATE: 28 February 2018
RE: 18-004 Solar Array ~ East Ave (WDPW No. 18-004)
East Ave
Master Plan – Major Land Development
AP 263 / Lots 5 & 101

This office has reviewed the Master Plan submission for the Major Land Development for the referenced project and finds that the submission substantially conforms to the DPW's requirements. However, the following comments/recommendations should be incorporated into future submissions:

1. All plans submitted must comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island Effective Date: November 25, 2015". All survey monumentation must be set prior to recording of the Final Subdivision Plan.
2. The design for the Stormwater Collection system must meet the requirements of the Rhode Island Stormwater Design and Installation Standards Manual, December 2010. Design Engineer must meet with the City of Warwick DPW Engineering Staff to review the proposed drainage system prior to submission to RI DEM or RI DOT.
3. The Operation and Maintenance Plan for the proposed stormwater collection system must be included in the Preliminary submission to the Planning Department.
4. All state permits, including but not limited to RI DEM and RI DOT Physical Alteration Permit, must be obtained prior to Preliminary Plan submission.

Please call me @ 738-2000 x6537 if you have any questions regarding this memorandum.

Note that these comments are from the Engineering Division of the Department of Public Works. Other City Departments may have comments referring to this submission. Please check with the necessary agencies to ensure that all required elements have been satisfied prior to proceeding further. The DPW reserves the right to revise or revoke our comments or opinions in the event that subsequent examination reveals any data indicated on any plan, form, sketch, etc. to be incorrect or additional information is introduced that necessitates revisions.

CC: Eric Earls, City Engineer
Marcus Channell, City Surveyor
Lidia Cruz Abreu, Planning Department

Reynolds Patricia

From: DeCorte Alfred T
Sent: Thursday, February 01, 2018 2:07 PM
To: Reynolds Patricia
Subject: Solar Farm 701 East Ave.

Trish,

I have reviewed the plans submitted and offer the following comments,

1. It appears that the proposed project conforms to the required zoning setbacks for principle use.
2. The greatest concern, which will be addressed during permitting if the project is approved, is the close proximity to the delineated AE Flood zone line with the installation of the solar panels. Some of the ballasted racking system will have to be designed so as not to be carried away by the current during flood stage.
3. A Class 1 survey will be required at the time of permitting.
4. What are the sound levels of the inverters? The adjacent residences may be affected by the noise.

Alfred T. DeCorte

**DIRECTOR OF CODE ENFORCEMENT/BUILDING OFFICIAL
CITY OF WARWICK
3275 POST ROAD
WARWICK, RHODE ISLAND 02886**

William DePasquale, Jr., AICP
Planning Director



Scott Avedisian
Mayor

CITY OF WARWICK
Planning Department
3275 Post Road, Annex; Warwick, RI 02886
Tel. (401) 738-2009

**BOARD AND COMMISSION
Review**

TO: Historic District Commission
FROM: Trish Reynolds, Principal Planner
Planning Department
DATE: March 5, 2018
APPLICANT: Smart Energy Holdings, LLC
SUBJECT: Zone Change

PROPOSED ZONE CHANGE:
From Light Industrial to:

Light Industrial, with a waiver for **Use Code 608. Electric Power Plant, exclusively for the generation of Solar Power**, and dimensional waivers from **Warwick Zoning Ordinance, Dimensional Table, Footnote (3)** for less than required setback for an industrial use from an abutting Residential district, and **Section 505. Landscaping and screening requirements for nonresidential uses, (B) and (C)**, for less than requirement landscape screening due to the location of an existing easement, and screening fencing to be located off the property line.

The Applicant is proposing to merge two (2) lots, to provide for the development of a 500 kilowatt solar park. The solar park will be constructed in two phases and will occupy 2 acres of the total 8.45 acres. The parcel is in a flood zone, the proposal is located in the upland area.

Date: 3/5/18 Signature: Jusan Baker
Historic District Commission

Comment:

This project is not within any of Warwick's three historic districts.

William DePasquale, Jr., AICP
Planning Director



Scott Avedisian
Mayor

CITY OF WARWICK
Planning Department
3275 Post Road, Annex; Warwick, RI 02886
Tel. (401) 738-2009

BOARD AND COMMISSION

Review

TO: Warwick Land Trust
Warwick Cemetery Commission
Conservation Commission

FROM: Trish Reynolds, Principal Planner
Planning Department

DATE: March 5, 2018
APPLICANT: Smart Energy Holdings, LLC
SUBJECT: Zone Change

PROPOSED ZONE CHANGE:

From Light Industrial to
Light Industrial, with a waiver for Use Code 608. Electric Power Plant, exclusively for the general of Solar Power, and dimensional waivers from **Warwick Zoning Ordinance, Dimensional Table, Footnote (3)** for less than required setback for an industrial use from an abutting Residential district, and **Section 505. Landscaping and screening requirements for nonresidential uses, (B) and (C)**, for less than requirement landscape screening due to the location of an existing easement, and screening fencing to be located off the property line.

The Applicant is proposing to merge two (2) lots, to provide for the development of a 500 kilowatt solar park. The solar park will be constructed in two phases and will occupy 2 acers of the total 8.45 acres. The parcel is in a flood zone, the proposal is located in the upland area.

Date: 3/5/18 Signature: Susan Cabeceras
Land Trust

Date: 3/5/18 Signature: Susan Cabeceras
Cemetery Commission

Date: 3/5/18 Signature: Susan Cabeceras
Conservation Commission



CITY OF WARWICK
OFFICE OF THE CITY CLERK
3275 POST ROAD
WARWICK, RHODE ISLAND 02886
TEL. (401) 738-2000, ext. 6214
FAX (401) 732-7640

SCOTT AVEDISIAN
MAYOR

JUDY WILD
CITY CLERK

TO: Janine Burke - Sewer
Allan Booth - Tax Assessor

Kyla Jones - Tax Collector
Col. Stephen McCartney - Police

FROM: Lyn Pagliarini City Clerk

Date: March 29, 2018

Subject: Zone Change Application

Subject: Zone Change 701 East Avenue

Name of Applicant: Smart Energy Holdings, LLC - Kevin Rossi property owner

Plat: 263

Lots: 005 and 101

Address: 701 East Avenue

Please review and comment on the attached application and return to the Clerk's office no later than **April 2, 2018**. Your comments are required so that the City Council may consider this application on **April 23, 2018**. Should you have "no comment" on the attached plan, you are still required to sign off on this memo with a notation that your department does not have any concerns with the application.

Comments:

No OBJECTIONS TO ZONE CHANGE.

Date:

3/30/18

Director's signature:

Janine Burke Wells

For use by Tax Assessor/Collector and Planning Director only (if applicable):

Assessed value of property: _____ Annual taxes: _____

Appraised value of property: _____



CITY OF WARWICK
OFFICE OF THE CITY CLERK
3275 POST ROAD
WARWICK, RHODE ISLAND 02886
TEL. (401) 738-2000, ext. 6214
FAX (401) 732-7640

SCOTT AVEDISIAN
MAYOR

JUDY WILD
CITY CLERK

TO: Janine Burke - Sewer
Allan Booth - Tax Assessor
Kyla Jones - Tax Collector
Col. Stephen McCartney - Police

FROM: Lyn Pagliarini City Clerk

Date: March 29, 2018

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Comments:

NO CONCERNS,

Date:

4/2/2018

Director's signature:

Kal Dupuis

For use by Tax Assessor/Collector and Planning Director only (if applicable):

Assessed value of property: 109,100 Annual taxes: 3,240.42

Appraised value of property: 109,100 (WITHOUT ZONE CHANGE)



CITY OF WARWICK
OFFICE OF THE CITY CLERK
3275 POST ROAD
WARWICK, RHODE ISLAND 02886
TEL. (401) 738-2000, ext. 6214
FAX (401) 732-7640

SCOTT AVEDISIAN
MAYOR

JUDY WILD
CITY CLERK

TO: Janine Burke - Sewer
Allan Booth - Tax Assessor

Kyla Jones - Tax Collector
Col. Stephen McCartney - Police

FROM: Lyn Pagliarini City Clerk

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Please review and comment on the attached application and return to the Clerk's office no later than **April 2, 2018**. Your comments are required so that the City Council may consider this application on **April 23, 2018**. Should you have "no comment" on the attached plan, you are still required to sign off on this memo with a notation that your department does not have any concerns with the application.

Comments:

No comment

Date:

3/29/2018

Director's signature:

Col. Stephen McCartney

For use by Tax Assessor/Collector and Planning Director only (if applicable):

Assessed value of property: _____ Annual taxes: _____

Appraised value of property: _____



CITY OF WARWICK
OFFICE OF THE CITY CLERK
3275 POST ROAD
WARWICK, RHODE ISLAND 02886
TEL. (401) 738-2000, ext. 6214
FAX (401) 732-7640

SCOTT AVEDISIAN
MAYOR

JUDY WILD
CITY CLERK

TO: Janine Burke – Sewer
Allan Booth - Tax Assessor

Kyla Jones - Tax Collector
Col. Stephen McCartney -Police

FROM: Lyn Pagliarini City Clerk

Date: March 29, 2018

Subject: Zone Change Application

Subject: Zone Change 701 East Avenue

Name of Applicant: Smart Energy Holdings, LLC – Kevin Rossi property owner

Plat: 263
Lots: 005 and 101
Address: 701 East Avenue

Please review and comment on the attached application and return to the Clerk's office no later than **April 2, 2018**. Your comments are required so that the City Council may consider this application on **April 23, 2018**. Should you have "no comment" on the attached plan, you are still required to sign off on this memo with a notation that your department does not have any concerns with the application.

Comments: *Please see balances due (attached)*

Date: 4/2/18

Director's signature: *Kyla Jones*

For use by Tax Assessor/Collector and Planning Director only (if applicable):

Assessed value of property: _____ Annual taxes: _____

Appraised value of property: _____



History

Year/Type/Bill No.
 2017 RE-R 17001603

Detail

Property Information

Orig Bill

Parcel ID 263-0005-0000

Apply Pmt

Alt Parc 263-0005-0000

Scan Bill

Prop Loc EAST AVE

Quick Entry

Installment Information

Effective Date

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal
07/16/17	774.18	0.00	774.18	0.00	0.00
10/16/17	774.18	0.00	774.18	0.00	0.00
01/16/18	774.18	0.00	774.18	0.00	0.00
05/01/18	774.18	0.00	0.00	0.00	774.18
Fees/Pen	0.00	0.00	0.00	0.00	0.00
Totals	3,096.72	0.00	2,322.54	0.00	774.18

Utility Acct

Customer

Name

Parcel

Prop ID

Misc Receipt

View-Rev

Validator

Bill Dates

Bill Audits

Bill Events

Reprint

Preferences

Diagnostics

Notes/Alerts

DEC 31 Owner: ROSSI, KEVIN

Due 04/02/2018

Next Int

Int Paid

Total Paid

0.00
0.00
0.00
2,322.54

- View prior unpaid bills
- View ancestor prior unpaid bills

Batch Information

Batch # 29616	Department 22	Batch Total 0.00
Deposit	Current Receipt 0.00	Receipt Count 0



- History
- Detail
- Orig Bill
- Apply Pmt
- Scan Bill
- Quick Entry
- Effective Date
- Utility Acct
- Customer
- Name
- Parcel
- Prop ID
- Misc Receipt
- View-Rev
- Validator
- Bill Dates
- Bill Audits
- Bill Events
- Reprint
- Preferences
- Diagnostics

Year/Type/Bill No.
 2017 RE-R 17001604

Property Information
 Parcel ID 263-0101-0000
 Alt Parc 263-0101-0000
 Prop Loc EAST AVE

Installment Information

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal
07/16/17	35.94	0.00	35.94	0.00	0.00
10/16/17	35.92	0.00	35.92	0.00	0.00
01/16/18	35.92	0.00	0.00	3.23	39.15
05/01/18	35.92	0.00	0.00	3.23	39.15
Fees/Pen	0.00	0.00	0.00	0.00	0.00
Totals	143.70	0.00	71.86	6.46	78.30

Notes/Alerts
 DEC 31 Owner: ROSSI, KEVIN

Due 04/02/2018	42.38
Next Int	7.18
Int Paid	0.00
Total Paid	71.86

- View prior unpaid bills
- View ancestor prior unpaid bills

Batch Information
 Batch # 29616 Department 22 Batch Total 0.00
 Deposit Current Receipt 0.00 Receipt Count 0



Narrative Report
Bike Path Solar Project
Rossi Property
East Ave, Warwick, RI

RECEIVED

MAR 12 2018

CITY OF WARWICK
PLANNING DEPARTMENT

This narrative report accompanies an application for a Major Land Development/Subdivision application on two parcels of land located on East Avenue, identified as Assessor's Parcel ID 263/ 0101/ 0000/, measuring approximately 0.45 acres with frontage at approximately 701 East Avenue, and Assessor's Parcel ID 263/ 0005/ 0000/, which is back land measuring approximately 8 acres. The proposed development consists of the construction and operation of a 500 kilowatt solar park in two phases of approximately 250 kilowatts each, for the generation of electric power, with a total of approximately 40 rows of photovoltaic modules (solar panels), associated site improvements, and electrical utility connections to be installed.

The total solar build-out will occupy approximately 2 acres of this roughly 8.4 acre site. The first phase is proposed to be constructed in the summer of 2018. The second phase is scheduled to be constructed in the summer of 2020. The delay is due to certain rules imposed by the Narraganset Electrical Company in administering its Renewable Energy Growth Program, which requires a two-year waiting period between solar projects generating from the same site.

The bulk of the land is a wedge-shaped parcel located primarily behind homes which are on the south side of East Avenue. The site is accessed from East Avenue via a 60' +/- wide parcel with a paved driveway. The back parcel abuts the Pawtuxet River to the north, a paved public bike path to the south, and the back yards of several properties to the west. The land features a relatively flat area at about the same elevation as the paved bike path, and from there it slopes north to the banks of the Pawtuxet River. The solar installation will be installed on the high flat area, and more than 200' away from the river.

The land has been owned by the Rossi family for more than 75 years. In the 1980's, the area intended for use for the solar installation is reported to have been filled and levelled using large stone, concrete and gravel associated with the nearby I-95/I-295 highway construction project. A portion of the property outside the intended solar site has evidence of concrete, block and other fill materials that have not been levelled.

Installation of a standard racking system and supports for solar panels involves driving steel beams vertically into the ground, with the remaining system attached to these vertical members. Due to the existence of introduced, impenetrable structure on this site, driving vertical steel beams will be problematic. As a result the solar project will be designed and built using a ballasted racking system that will rest on top of the ground surface, with no ground penetrations at all. This ballasted construction method is the same as used throughout New England on solar projects that are constructed on top of landfills capped with a rubber cover.

The landowner has spent considerable time keeping the land clear, tidy, and well-kept. A small non-conforming garage is located on the property, which was built some years back, and which is shown on the Bike Path Solar project plans. It is the project's intent that once the solar project is built, this garage will be utilized to store materials and maintenance equipment used to support the solar project.



William DePasquale, Jr., AICP
Planning Director

Scott Avedisian
Mayor

CITY OF WARWICK
Planning Department
3275 Post Road, Annex; Warwick, RI 02886
Tel. (401) 738-2009

March 26, 2018

Smart Energy Holdings, LLC
22 Lower Falls Road
Falmouth, Maine

Kevin Rossi
18 Rosso Street
Warwick, RI 02886

RE: Assessor's Plat 263
Assessor's Lots 05 and 101
East Avenue

Dear Applicant:

The following is the decision on your application for Master Plan Approval of a Major Land Development Project/Subdivision, heard by the Warwick Planning Board at the regularly scheduled meeting held on March 14, 2018. The proposed development consists of merging two (2) existing lots to create one (1) lot to provide for the development of a 500 kilowatt solar park, with approximately 40 rows and a total of 880 photovoltaic modules (solar panels). The project will be constructed in two (2) phases, each phase will consist of the construction of 440 solar panels

The total solar park build-out will occupy approximately 2 acres of the 8.45+/- acre site. The site abuts land owned by the State of Rhode Island to the East (West Bay Bike Path), is bounded by the Pawtuxet River to the North and West, and abuts a Residential zone to the South. The project site is currently undeveloped, with topography that slopes toward the Pawtuxet River. The parcel is within a Light Industrial (LI) zone.

After completion of the Public Informational Meeting, 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 Informational Meeting, found this proposal to be generally consistent with Article 1 "Purposes

and General Statements” of the City’s Development Review Regulations, and that this proposal meets the Standard Provisions of RIGL 45-23-60, and made the following findings of fact:

1. 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.

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.*”

That Goal 1, of Part V, Sustainable Systems states that the City shall implement practices to conserve energy and use renewable energy.

That Warwick City Council approved PCR-80-16, a resolution which states “the City of Warwick recognizes the benefits of renewable energy and wishes to increase the presence of renewable energy projects with the development of solar energy projects in Warwick.”

2. That the proposal is not in compliance with the standards and provisions of the City’s Zoning Ordinance therefore requiring City Council approval for the use, Use Code 608. Electric Power Plant, for the solar generation of electricity, in a Light Industrial zone, and dimensional waivers from the Warwick Zoning Ordinance, Dimensional Table, Footnote (3), for less-than-required setback for an industrial use from an abutting Residential District, and Section 505.1(B) for less-than-required minimum landscape buffer along a property line that abuts a residential district and Section 505.1(C) for fencing/screening not located on the abutting residential district property line.
3. That there are no indications of significant negative environmental impacts from the proposed development at the Master Plan phase. The Master Plan indicates a wetlands area on the site, and therefore the proposal requires approval from the Rhode Island Department of Environmental Management (RIDEM). Approximately 75 percent of the lot is located within a flood zone (AE) that is associated with the Pawtuxet River. The proposed location of the solar panels is in close proximity to the delineated AE flood zone boundary.
4. That the development 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. The Applicant is proposing to merge two (2) existing lots, to create one (1) lot, and is proposing to utilize the available upland area on the parcel.

5. That the proposed development possesses access to a public street, East Avenue. Access to the development will be provided via a paved driveway on East Avenue. The site will be accessed for routine maintenance and in case of emergency. The existing site driveway encroaches on Assessor's Plat 263, Assessor's Lot 92, property owned by the State of Rhode Island.
6. That the subject parcel fronts on East Avenue, and is identified as Assessor's Plat: 263 Assessor's Lots: 05 and 101. The parcel is currently undeveloped, with the exception of an existing garage on site which will be utilized for storage of materials and maintenance equipment for the proposed solar park use. That the subject parcel abuts the Pawtuxet River to the North and West and the West Bay Bicycle Path to the East.
7. That there is an existing 30' Water Department easement on AP 263, AL 05, with an existing 42" transmission water main.
8. That the Applicant held a neighborhood meeting on February 22, 2018 to present the proposal to the project abutters. The meeting was attended by 12 people, all in support of the proposal.
9. That there is no sewer access proposed or required for this use.

Based on the foregoing findings of fact, on a motion by Mr. Desmarais, seconded by Mr. Catalano, the Warwick Planning Board voted unanimously to grant Master Plan approval, with the following stipulations:

1. That the all plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island, effective date November 25, 2015. All survey monumentation (if necessary) shall be set prior to recording of the Final Subdivision Plan.
2. That, prior to Final Approval, the Property Owner shall merge Assessor's Plat 263, Assessor's Lots 05 and 101, and record a subdivision as per The City of Warwick's Development Review Regulations. This plan shall include a Record Plat name and Record Lot designations.
3. That the parcel shall receive City Council approval for the use (Electric Power Plant for the solar generation of electricity within a Light Industrial zone) and dimensional waivers from the Warwick Zoning Ordinance, Dimensional Table, Footnote (3) for less-than-required setback for an industrial use from an abutting Residential District, and Section 505.1(B) for less-than-required minimum landscape buffer along a property line that abuts a residential district and Section 505.1(C) for fencing/screening not located on the abutting residential district property line.

4. That a Storm Water Management Plan shall be submitted in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, and designed to demonstrate a zero-net runoff from the proposed development.
5. That the Project Engineer shall meet with the City of Warwick Department of Public Works (DPW) Engineering staff to review the proposed drainage system prior to submission to Rhode Island Department of Environmental Management (RIDEM) or Rhode Island Department of Transportation (RIDOT).
6. That the Operation and Maintenance Plan for the proposed stormwater collection system shall be included in the Preliminary submission.
7. That all necessary state permits, including, but not limited to RIDEM and RIDOT Physical Alteration Permit (PAP), shall be obtained prior to submission to the Planning Board for Preliminary approval.
8. That the Project Engineer shall submit as part of the Preliminary submittal, an elevation certificate for the development area, and shall flag the edge of the flood zone in the field prior to the issuance of a building permit. Based on the location of the flood zone in the field, the Building Official may require specialized construction for the installation.
9. That all corners shall be negotiable by vehicles having an outer tire turning radius of 50' to allow for unimpeded access by fire apparatus.
10. That dead-end roads longer than 150 feet shall provide turning capabilities for fire apparatus as per NFPA 1 (RIFC) 2012 edition. There shall be no landscaping or natural barriers to prevent easy access of fire apparatus.
11. That a gravel or other non-combustible base shall be installed and maintained under and around the installation.
12. That before issuance of any permits, the Fire Department shall review all plans for compliance with all life safety codes and issues as outlined in NFPA – FIRE CODE, 2012 Edition and NFPA 70 – National Electrical Code, 2011 Edition; ARTICLE 690 – Solar Photovoltaic Systems; and ARTICLE 490 – Equipment, Over 600 Volts, Nominal.
13. That the location of the transformers/inverters shall be indicated on the Preliminary plan and located as far from the abutting Residential zone as practicable. The transformers/inverters shall maintain a noise level at or below 55dB and there shall be no greater than a 3dB change in amplitude (the minimum audible difference perceptible to the average person) measured along the entire southern property line which abuts the existing residential zone or the eastern property line which abuts the state owned property, the West Bay Bicycle Path. If necessary, and at the request of the City, the Applicant shall be responsible to fund and submit a *noise study*, conducted by an environmental professional, measuring pre-background sound with the post construction as-built conditions that illustrate adherence with this stipulation. Said study shall be submitted to

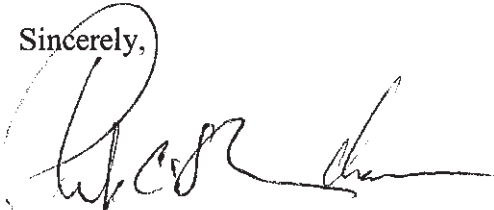
the Building Inspector and Administrative Officer to the Planning Board within 90 days of the City's request.

14. That the Preliminary submittal shall include a Landscape Plan, prepared and stamped by a registered Rhode Island Landscape Architect. The Landscape Architect shall contact the Planning Department prior to beginning the design process. Said plan shall be subject to approval by the Administrative Officer and provide, at a minimum, fencing and gate details, and screening/fencing for the neighboring residential properties.
15. That the Project Engineer shall indicate the location of the security fence and access gate on the site plan.
16. That no fencing or landscaping shall be installed on the Water Department easement as to not interfere with the integrity of the 42" water transmission line.
17. That the Applicant shall install educational signage along the bike path regarding the benefits of renewable energy/solar power. Wording and sign location to be approved by the Administrative Officer.
18. That the area of pavement (Assessor's Plat 263, Assessor's Lot 101) encroaching on the abutting State property shall be removed. The site access driveway shall be repaved to city standards to provide adequate access for emergency vehicles.
19. That the solar park shall be maintained on a regular basis by the owner/operator and shall be cleared of debris, weeds, trash, etc. Maintenance shall include, but not be limited to, painting, structural repairs and maintaining the integrity of fencing. The equipment shall be maintained in good repair and working order. Malfunctioning or inoperable equipment shall be removed from the property immediately and disposed of in accordance with all applicable federal, state, and local regulations.
20. That a sign shall be posted on the facility and shall display the name of the owner and or operator of the facility and provide a twenty-four (24) hour emergency contact number.
21. That the solar park shall not be used for displaying any advertising.
22. That the Applicant shall utilize measures that minimize impacts on neighboring properties to the maximum extent possible. As part of the Preliminary submittal, the Applicant shall submit a detailed report of the proposed operational characteristics of the solar park, including key features of the inverters (overall size, height and noise level which shall be limited to 55 dBs); and the means and methods planned to minimize or avoid off-premises impacts to the adjoining residential and recreational uses. In addition to addressing noise concerns, the report shall include security provisions to prevent unauthorized access, emergency access provisions, security lighting, and details of any proposed identification signage.

23. That the clearing of natural vegetation shall be strictly limited to what is necessary for the construction, optimal operation, and maintenance of the solar park. The Applicant shall submit a site plan indicating the areas of vegetation to be cleared.
24. That at the abandonment of the use of this solar park, all equipment shall be removed from the site, no more than six months after the date of discontinued operations. The owner/operator shall notify the building official of the proposed date of discontinued operation and plans for removal. At a minimum, decommissioning shall consist of: removal of all solar park related structures, equipment, security barriers, and transmission lines from the site; disposal of all solid and hazardous waste in accordance with applicable disposal regulations; and stabilization and revegetation of the site as necessary to prevent erosion and restore the natural habitat.
25. That the Applicant shall post a bond, in an amount to be determined by the Administrative Officer, to provide a guarantee that the facility will be promptly removed after it reaches the end of its useful life.

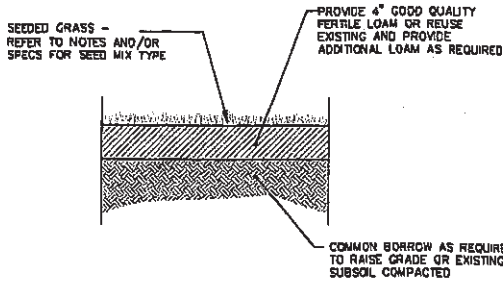
After approval of the Master Plan, on a motion made by Mr. Desmarais and seconded by Mr. Bergantino the Planning Board voted unanimously to forward a favorable recommendation to the City Council for the requested zone change and dimensional relief as presented in the Master Plan, and as integral to the project.

Sincerely,



Philip Slocum, Chair
Warwick Planning Board

RECORDED
Mar 27 2018 08:38A
Lyn Paoliarini, City Clerk
City of Warwick, RI



SEEDING NOTES

- LOAM SHALL BE SPREAD TO A MINIMUM DEPTH OF 4" OVER ALL AREAS DESIGNATED ON PLANS.
- SHAPE AND SMOOTH THE SURFACE TO THE LINES AND GRADES AS SHOWN ON PLANS.
- FERTILIZE WITH 10-10-10 OR EQUIVALENT ANALYSIS, AT LEAST 40% OF THE FERTILIZER NITROGEN SHALL BE IN A SLOW RELEASE FORM. INCORPORATE THE FERTILIZER INTO THE TOP 3 TO 4 INCHES OF THE PLANTING SOIL. APPLY AT THE RATE OF 8 POUNDS PER 1,000 SQUARE FEET AT SEEDING.
- LIME: SPREAD EVENLY AND WORK INTO THE SOIL DURING PREPARATION OF SEED BED AT THE RATE OF ONE TON PER ACRE. INCORPORATE INTO THE SOIL BY DICING OR OTHER APPROVED METHOD. DISTRIBUTE LIME UNIFORMLY AND WORK INTO TOP 4 INCHES OF TOP SOIL (MINIMUM) AND UNIFORMLY BLEND BY DICING OR ROTOTILLING.
- APPLICATION OF SEED:
 - RATE OF APPLICATION OF SEED SHALL BE 8 POUNDS PER 1,000 SQUARE FEET OR AS INDICATED ON PLANS.
 - SEEDING SHALL BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND INSTRUCTIONS, AND ONLY DURING THE FOLLOWING DATES:
 SPRING SEEDING: MARCH 15 TO MAY 31
 FALL SEEDING: AUGUST 15 TO OCTOBER 15

- THE CONTRACTOR SHALL KEEP ALL SEEDING IN GOOD CONDITION, RESEEDING IF AND WHEN 8 WEEK PERIOD OR UNTIL A GOOD, HEALTHY, ESTABLISHED OVER THE ENTIRE AREA. THE CONTRACTOR ALSO MAINTAIN THESE AREAS IN AN APPROVED PROVISIONAL ACCEPTANCE.
- DURING THIS PERIOD, WATER TURF AS NECESSARY. AN ADEQUATE SUPPLY OF MOISTURE WITHIN 1 ADEQUATE SUPPLY OF MOISTURE IS EQUIVALENT ABSORBED WATER PER WEEK THAT IS DELIVERED IN INTERVALS IN THE FORM OF NATURAL RAIN OR REQUIRED BY PERIODIC WATERING.
- OVERSEED WHEN NECESSARY TO PROMOTE GRASS.
- REPLANT AREAS VOID OF TURF ONE SQUARE FOOT.
- SEED:
 - SEED ALL AREAS DESIGNATED ON PLAN AS DISTURBED EXISTING AREAS WITH THE FOLLOWING:

NOTE:

THE CONTRACTOR WILL BE RESPONSIBLE FOR WATERING LAWN DURING THE COURSE OF THE GROWING SEASON FOR A PERIOD OF ONE (1) YEAR.

SEED MIX

(LOW GROW SEED MIX)

TYPE	% BY WEIGHT
HARD FESCUE	40
SHEEP FESCUE	40
BLUE FESCUE	20

APPLICATION RATE = 4-8 lbs. / 1,000 sq ft

LOAM-SEED DETAIL

NOT TO SCALE

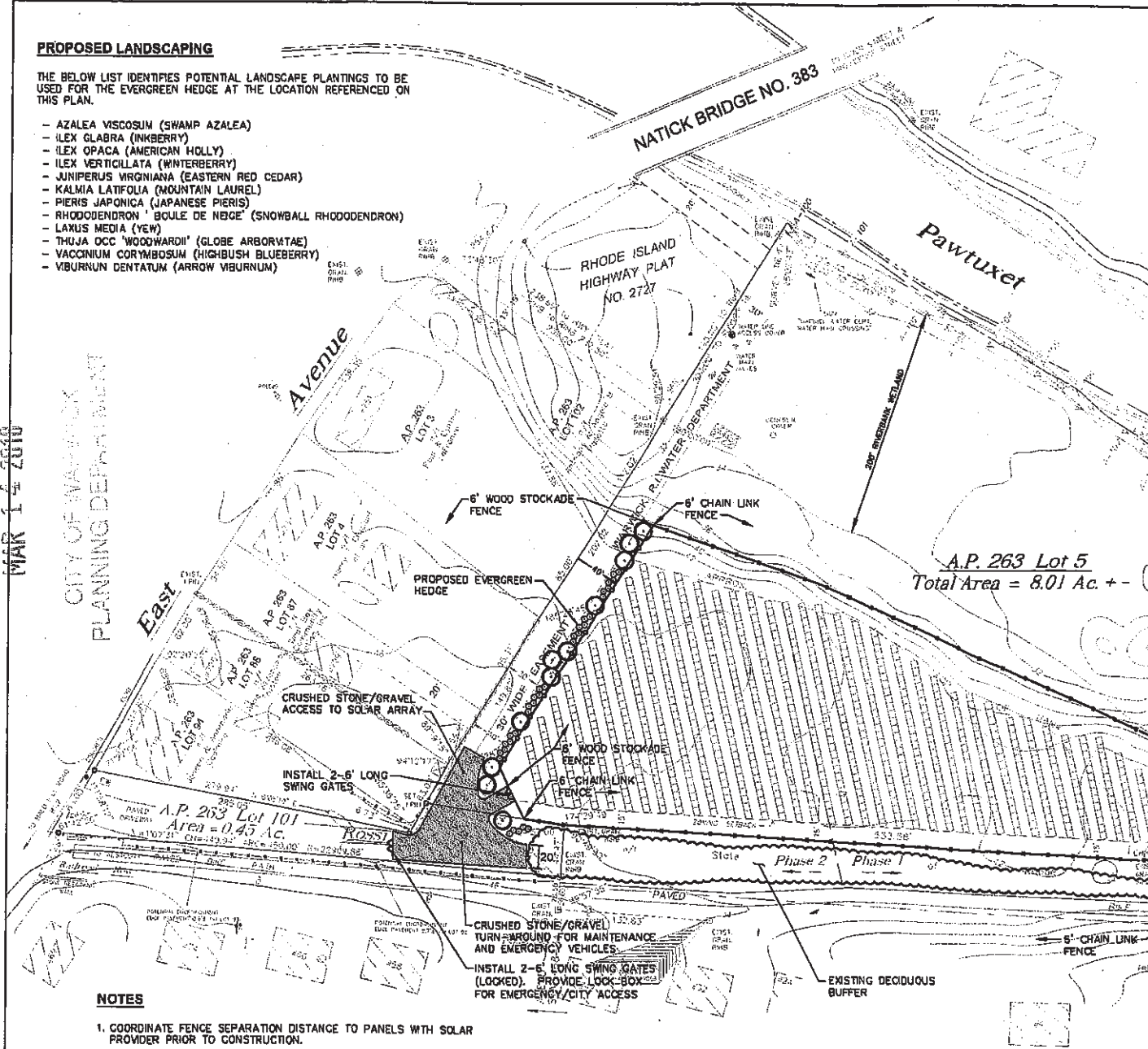
PROPOSED LANDSCAPING

THE BELOW LIST IDENTIFIES POTENTIAL LANDSCAPE PLANTINGS TO BE USED FOR THE EVERGREEN HEDGE AT THE LOCATION REFERENCED ON THIS PLAN.

- AZALEA VISCOSUM (SWAMP AZALEA)
- ILEX GLABRA (INKBERRY)
- ILEX OPACA (AMERICAN HOLLY)
- ILEX VERTICILLATA (WINTERBERRY)
- JUNIPERUS VIRGINIANA (EASTERN RED CEDAR)
- KALMIA LATIFOLIA (MOUNTAIN LAUREL)
- PIERIS JAPONICA (JAPANESE PIERIS)
- RHODODENDRON 'BOULE DE NEIGE' (SNOWBALL RHODODENDRON)
- LARUS MEDIA (YEW)
- THUJA OCC 'WOODWARDII' (GLOBE ARBORVITAE)
- VACCINIUM CORYMBOSUM (HIGHBUSH BLUEBERRY)
- VIBURNUM DENTATUM (ARROW VIBURNUM)

MAR 14 2010

CITY OF WATKINS
PLANNING DEPARTMENT



NOTES

- COORDINATE FENCE SEPARATION DISTANCE TO PANELS WITH SOLAR PROVIDER PRIOR TO CONSTRUCTION.
- FENCE SHALL HAVE APPROPRIATE SIGNAGE PER LOCAL, STATE AND FEDERAL REQUIREMENTS.

LANDSCAPE PLAN
SCALE: 1"=60'

RECEIVED