



MEETING MINUTES

Town of West Warwick Planning Board

Meeting Date: Monday December 2, 2019

Time: 6:00 p.m.

Location: West Warwick Town Hall
Town Council Chambers
1170 Main Street
West Warwick, RI 02893

Members Present: Joseph DiMartino, Chair
Felix Appolonia, Vice Chair
Joshua Barrette
Anthony Petrarca
Jessica Rubery (Alt. member)
Joe Garcia (Alt. member)

Members Absent: Joe Gardosik

Planning Staff: Mark Carruolo, Town Planner
Elaine Mansour, CDBG Manager

Legal Counsel: Albert DiFiore, Esquire

All witnesses sworn in by Legal Counsel or the Chairperson.

Item 1 Approval of Minutes

Review and approval of the October 7, 2019 meeting minutes.

Motion to approve the October 7, 2019 minutes by Mr. Petrarca, seconded by Mr. Barrette. All in favor.

Item 2 Public Informational Meeting **Solar Farm – 215 James P. Murphy Hwy.**

Applicant: Mr. Andrew Labell - North Bridge Development LLC.
Location: 215 James P. Murphy Highway
Assessor's Plat: 12
Lot: 2
Zoning District: Business Park (BP)

Land Area: 23.27 acres
Number of lots: NA
Engineer: Core States Group

The applicant is proposing to install a 4.6 MW solar field on the vacant lot located at 215 James P. Murphy Highway in the Business Park (BP) zoning district. This application is classified as a Major Land Development project according to Zoning Section 5.21 “Green, renewable or alternative energy installations and facilities (green project).”

Planning Office Findings

The Planning Office finds the proposal to be generally consistent with Section 17-5 “General Purposes” of the Towns Subdivision and Land Development regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the Town’s Zoning Ordinance.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 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.
- 5) That the proposed development possesses adequate physical access to a public street.
- 6) That the proposed development provides for the safe circulation of pedestrian and vehicular traffic, adequate detention of surface water runoff, suitable building sites, and the preservation of natural, historical and cultural features; and
- 7) That the proposed development will not result in any increased flooding and soil erosion.

Planning Office Recommendation

After conferring with the Technical Review Committee (TRC) and the Planning Board Legal Counsel, the Planning Office recommendation is to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall provide an operation and maintenance plan for the facility which shall include measures for maintaining safe access to the facility as well as general procedures for operational maintenance of the facility.
- 2) That the owner shall be required to work with local officials (Police, Fire & Building Official) to develop an emergency response plan which shall include but not be limited to, means of emergency access to the facility, clearly defined means of shutting down the facility, and contact information for local authorities responsible for responding to inquiries and emergencies.
- 3) That the owner shall provide proof of liability insurance in an amount reasonable to address any failure of the facility.

- 4) That all storm-water/runoff shall be contained on-site and within the development (zero net runoff) and the applicant shall provide a drainage report and drainage design stamped by a Rhode Island Registered Professional Engineer to be approved by the Town Engineer prior to preliminary approval.
- 5) That the owner shall provide to the Town written approval from the provider that the facility has been approved by National Grid as an energy provider as required in Zoning Section 5.21.8.
- 6) That a Soil and Sediment Control Plan shall be required at preliminary approval in conformance with Development Review Regulations Section 17-18(F) (1) "Erosion and Sediment Control Plan required."
- 7) That the applicant shall provide an excavation/construction plan, which may be combined with the Soil and Sediment Control Plan, designed to mitigate the impact of construction on the abutting properties which shall include but not be limited to, construction access, best practices for dust control and vibration and hours of operation; said plan shall be approved by the Town Engineer prior to final approval.
- 8) That all exterior lighting shall be contained on site and directed away from and/or shielded from the abutting residential properties.
- 9) That the preliminary plan shall include a detailed landscaped plan prepared by a RI Registered Landscape Architect and said plan shall include a buffer detail designed to provide screening from the abutting properties.
- 10) That the owner shall provide to the Town of West Warwick financial surety (bond which shall remain in effect for the life of the project) in an amount sufficient to insure the removal of the solar project in the event that the project is abandoned and/or decommissioned and the owner neglects to remove the project within 180 days after the date of discontinued operations per zoning sections 5.21.14.1- 4.
- 11) That the applicant shall apply for a road opening permit from the WWDPW prior the constructing the access road to the development.
- 12) That the applicant/owner of the development will provide WWPD access to any security cameras that provide vantage point of James P. Murphy Hwy. if feasible.

Discussion

Attorney Tom Cronin is representing. Mr. DiFiore read the exhibits into the record. Andrew Labell and Peter Arpin are also present. Lot is zoned BP and located at the end of James P. Murphy Highway at the cul-de-sac. The proposal is for a 4.6 megawatt solar field surrounded by fencing, access is solely from JP Murphy Highway. TRC comments noted all lighting should be directed inward and the WWPD shall have access to any surveillance cameras.

Mr. Arpin stated there have been a number of developers that have tried to develop the land over the years. He feels the Business Park has been stagnant and stated this would be good for the area. Mr. Barrette asked if they have received approval from National Grid and was told they have Preliminary approval and will need final. Mr. Barrette also stated this cul-de-sac has been a troublesome area, he is

asking what the fence height will be and Mr. Arpin said it is undetermined at this time. He also wanted to know if there is an emergency shut off if there were a brush fire and what happens to the area after its life expectancy? Mr. Cronin stated the ordinance calls for a decommissioning bond and money which would be in place prior to any permits being issued. He also noted the fence height would be 6 or 7 feet high.

Alan Roscol, PE in MA....work is supervised by Tom Pickering who is a registered PE in RI. Motion to accept Mr. Roscol as an expert witness by Mr. Appolonia, seconded by Mr. Barrette. All in favor.

Mr. Roscol stated the rows are East/West and the panels are angled South. Mr. DiMartino is concerned with the increase of water runoff due to the removal of trees and Mr. Roscol stated accommodations for water retention will be presented at the preliminary stage.

Mr. Appolonia noted a 175ft buffer which was in place for the previously proposed water park and Mr. Cronin stated the plan currently shows a 50ft buffer from the property line to the fence but if the board wants to expand it they will take the board's recommendation.

Mark Fleury, 76 Nottingham Dr: His main concern is the neighborhood and he stated there may be a deeded restriction which needs to be researched. Mr. Carruolo stated he would research this.

Mr. Barrette is concerned with possible noise from the transformers and Mr. Labell said National Grid requires developers to add protection against noise.

The buffer is the biggest concern with regard to the neighborhood border.

David Hull of 51 Lancer Lane: He said the area is super wet and the hill pitches downward to his property. He is concerned as to how this will affect him. Mr. Roscol said they will be putting in drainage swales, etc.

Motion to close the public hearing by Mr. Barrette, seconded by Ms. Rubery. All in favor.

Motion to approve the Master Plan with stipulations and add any additional ones subject to any deed restricted buffer by Mr. Petrarca, seconded by Mr. Barrette.

Planning Board Vote

Joseph DiMartino	Yes
Felix Appolonia	Yes
Anthony Petrarca	Yes
Joshua Barrette	Yes
Jessica Rubery (Alt.)	Yes
Joe Garcia (Alt.)	Yes

Motion passes.

Item 3
Administrative Subdivision/Approval for Informational Purposes

Plan Attached

Project name: Administrative Subdivision/ABAA Investments LLC.
Applicant: ABAA Investments, LLC.
Location: Cowesett Avenue
Assessor's Plat: 28 Lots: 396 & 397

For informational purposes, no discussion took place.

Item 4
Public Comment

None

Motion to adjourn at 6:45pm by Mr. Appolonia, seconded by Mr. Barrette. All in favor.