

City Planning Department



Memo

To: Cranston City Plan Commission
From: Joshua Berry, AICP, Senior Planner / Administrative Officer
Date: April 1, 2021
Re: "Natick Avenue Solar" Preliminary Plan – Major Land Development

Owner: Ronald Rossi
Applicant: Natick Solar, LLC
Location: 0 Natick Ave, AP 22-3, Lot 108 & 119
Zone: A-80 (single family dwellings on lots of minimum areas of 80,000 ft²)
FLU: Single family residential less than 1 unit/acre

This memo is not comprehensive to the review of the application but supplements the findings and analysis in the staff memos prepared for the January, February & March Plan Commission meetings. The sole purpose of this memo is to further explore issues identified during the March 2, 2021 Plan Commission and draft conditions for consideration.

Application materials can be found on the [City website](#) (no new information has been posted since the March 2nd meeting).

TEXT KEY (for Mark-Up Version)

- Condition language proposed in previous memos are in plain black text
- ~~Condition language to be removed is stricken in red text~~
- New proposed language is underlined in red text
- *Discussion text is italicized*

This memo will first provide a mark-up version of the conditions drafted for the Plan Commission's consideration, not all of which are supported by staff, with discussion consistent with the text key above.

The memo will conclude with the recommendation and clean version of the conditions, excluding the two conditions in the Mark-Up version which staff recommends are *not* incorporated.

I. Conditions of Approval (Mark-Up Version)

1. The applicant will work with the Tennessee Gas Pipeline to (TGP) to ensure that the project will be consistent with the terms and conditions of the easement.

2. The applicant shall use reasonable efforts to remove ledge or rock by mechanical means. Only ledge that is to be reused as part of the project on-site may be processed on-site, any ledge not being utilized as stated above shall not be processed before being removed from the site. Processing of ledge/rock crushing shall be limited to the hours of (9AM) and (5PM) Monday-Friday and shall be prohibited on weekends. Nothing herein shall prohibit the use of blasting to remove necessary ledge.

Discussion:

During the March 2nd meeting, the Plan Commission expressed a concern regarding the disturbance caused by the processing of ledge/other materials on-site. Commissioner Mason acknowledged this concern, but raised the point that it was unreasonable to disallow all processing of ledge/other materials on-site, especially that which would be used on-site as part of the project. The proposed condition has been modified to restrict the processing of ledge/material not being used on site.

Commissioner Lanphear has expressed concern regarding the days and hours which rock crushing would be allowed. The City Code currently allows construction to commence between the hours of 7AM and 10PM. Staff incorporated Commissioner Lanphear's suggestion to restrict such activity on weekends, but does not have firm information from which to propose specific additional time restrictions during the week. In the absence of such, staff offers normal work hours, 9AM to 5PM as a starting point for the restriction which may be modified at the discretion of the Plan Commission.

3. For any of the project's installation of the utility interconnection safety, recording, monitoring and functionality equipment that is to be located onsite (Assessor's Plat 22-3, Lot 108), the applicant will pursue a request of National Grid to approve underground installation of said infrastructure provided that: (1) such approval is able to be issued on the applicant's existing interconnection application for the project that is currently pending before National Grid (as opposed to resubmission of a new application) without jeopardizing applicant's interconnection queue status or otherwise causing significant additional delay (more than 2-3 months) to the applicant receiving any of its final National Grid approvals for the project (including Authorization to Interconnect); and (2) such underground installation is reasonably feasible to National Grid and applicant, taking into account relative impacts to (a) public health and safety, (b) system functionality, (c) interconnection reliability, (d) the project's viability, and (e) timing of the project's achievement of operation. The applicant shall provide written correspondences to and from National Grid relating to this condition to DPW and the Planning Department.

Discussion:

During the March 2nd meeting, staff voiced that it no longer supports this condition, recommending that the Plan Commission does not incorporate

it into the approval. The condition originated from the goal to avoid outcomes similar to Gold Meadow Farms Solar (Lippitt Ave) and Hope Farms Solar. Staff provided photos of those specific projects and discussed why the Natick Avenue Solar project was different and is not anticipated to have comparable outcomes, thereby satisfying the original intent for the condition. Staff believes the outcome for the Natick Ave Solar project would be different due to the length and perpendicular nature of the access road to Natick Avenue, as well as the fact that the applicant has provided interconnection plan details including the exact number (5) and location of the on-site poles, information that was not on the table for review and discussion for the other two mentioned projects.

In addition to the attributes of the project that distinguish it from other sites and other on-site interconnection plans, staff has learned more about what undergrounding the on-site utilities entails and is not convinced that it would necessarily result in a preferred outcome for this project. National Grid designers assigned to this project explained that one of the five on-site poles, the one closest to Natick Avenue, would be required even if the utility lines were undergrounded, and that 3-4 equipment pads would need to be located along the project access road. Adding to the aesthetic impacts of the equipment, yellow bollards are required to prevent vehicle collisions. The National Grid representatives conveyed that the underground conduits would need to be 5'-6' deep, resulting in more ground disturbance in this area (possibly including blasting) than would be required to install poles.

During the March 2nd meeting, staff raised the question whether there would be sufficient space for the equipment considering the setbacks. There is a 10' minimum (25' preferred) setback for the equipment to property lines and any objects (for cooling/ventilation purposes), and a 6' setback for the bollards from the equipment. Assuming a 6' pad, the 10' setback to property lines and 6' setback of the bollards (which are 6 inches in diameter) the equipment and bollards would take up 22.5' and would leave roughly 27.5' remaining for the access road. The property is 50' wide in that area.

The Plan Commission requested photos to assist them in better understanding this issue. Staff has verified the image below with National Grid to be a fair representation of the equipment required for an underground interconnection. This particular example is an Eversource connection, not National Grid, but has been confirmed as "maybe not exact, by very similar" to what the equipment might look like for this project. The transformer (4th piece of equipment from the left) for the Natick Ave project will be located interior to the site, but it would need to be replaced by a pad-mounted recloser.

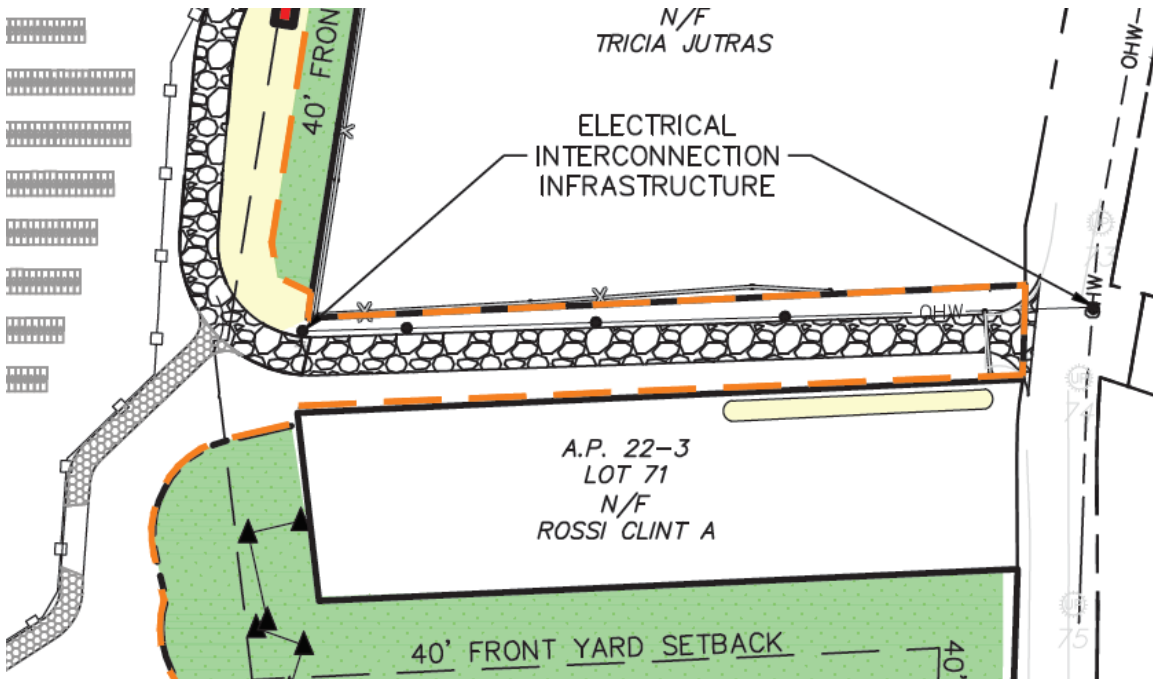
*Although the Commission members expressed concern with the condition, it was not clear what aspects of the condition were unsatisfactory. Without direction, staff does **not** propose substantive changes to the condition, but continues to **recommend that the Commission delete this condition.***

Should the Commission still want to incorporate the condition, staff has attached an email in which National Grid answers staff's questions regarding specific language in the condition.

EQUIPMENT EXAMPLE FOR ON-SITE UNDERGROUND INTERCONNECTION



PROPOSED ON-SITE INTERCONNECTION PLAN SNIPPET



VIEW OF ENTRY ROAD



4. The entire perimeter fencing shall provide for at least a 6-inch gap between the ground and the bottom of the fencing to provide adequate wildlife passage for smaller species consistent with the RIDEM approval. The fencing and the fencing gap shall remain for the life of the solar facility. Barbed wire or similar is strictly prohibited.

Discussion:

This stipulation requiring the fence and gap for the life of the facility was a recommendation made by a Commission member during the March 2nd meeting. Staff is recommending that barbed wire be explicitly prohibited due to potential aesthetic impacts.

5. Planting Area E ~~will~~ shall be trimmed to a height no less than 18'.
6. Planting Area D shall be extended to the area indicated as Planting Area F on the Landscape Plans, between the proposed fence and the access road. The mixture of plants will be consistent with Area D but no white pines will be included. This change shall be reflected in the Final Plan submission and shall be subject to the City-hired Landscape Architect's approval at the time of submission to verify the terms of this condition.
7. The Landscape Plan shall be recorded with and made part of the approved and recorded Final Plan.

Discussion:

Staff recommends this condition for transparency and to definitively establish the Landscape Plan as an integral component of the Final Plan. The transect lines do not need to be part of the Final Landscape Plan.

8. The applicant's civil engineer shall certify in writing that the site has been cleared and graded in substantial conformance with the Final Plan. Said certification shall be submitted to the Planning Director.

Discussion:

Commissioners Vincent and Lanphear expressed concern about the relationship between the landscape screening and the grading. There were questions regarding the ability to accurately anticipate the future grades and a concern that deviation from the proposed grades may impact the Landscape Plan. Commissioner Vincent proposed the concept for this condition to be drafted by staff which would ensure that the grading would be in compliance with the Final Plan before the installation of the landscaping.

9. After the clearing and grading has been certified to be in compliance with the Final Plan but prior to commencement of any construction of the solar panel and equipment, a City-hired Landscape Architect, paid for by the applicant, shall inspect the site with the applicant's Landscape Architect and other necessary professionals to verify the constructability of the Landscape Plan with consideration to the site conditions and to help coordinate the placement of the plantings & overall implementation of the Landscape Plan.

Discussion:

Commissioners Vincent and Lanphear conveyed the desire for the City-hired Landscape Architect to be on-site after the site is cleared and graded to verify the constructability of the landscaping and to assist the applicant's team with the effective and compliant implementation of the Final Plan. The intent behind this condition is to bridge the gap between the flexibility that the current Landscape Plan offers with the utilization of 50' planting patterns and the desired level of certainty regarding planting locations and effectiveness of the buffer. This condition should help the City identify any potential issues and ensure the plan will be constructed in compliance with the approved plan instead of potentially having to respond/course correct after installation.

10. At the expense of the applicant, a City's chosen landscape architect shall conduct annual inspections of the site for the next three years to monitor consistency of the installation with the approved plans. Once the landscaping has been installed, the applicant shall submit an 'as-built' plans to the Planning Department demonstrating the final planting locations and materials. The as-built plans shall be accompanied by documentation itemizing any/all deviations from the final approved landscaping plans. An inspection shall be conducted by a City-hired Landscape Architect after installation of the plantings upon receipt

of the as-built plan, who will submit a report on the findings of the inspection to the Planning Department. The City-hired Landscape Architect shall conduct two more annual inspections for a total of three (3) inspections. After each inspection, any trees or shrubs found to be dead or with unsatisfactory growth shall be replaced, and in seeded areas, thin cover or bare ground greater than 10 square feet shall be reseeded.

Discussion:

The Plan Commission expressed concern regarding the responsibility to inspect and maintain the landscape buffer (inclusive of the undisturbed buffer and planted landscape areas). The last sentence of the condition was offered by from the City-hired Landscape Architect, Sara Bradford, RLA.

The condition, even as revised, does not address the maintenance of the proposed plantings beyond the inspection period. Staff recommends that this condition remain specific to the inspections, and that an additional condition specifically address maintenance beyond the required inspections.

11. During the inspection process described in these conditions, should the City-hired Landscape Architect find that additional plantings are necessary to provide an effective and sustainable buffer while taking into account that the plantings will need time to grow and mature, the City-hired Landscape Architect shall have the authority to require the installation of additional plantings to be paid for by the applicant/owner, not to exceed a total of 10% of the plantings quantified in the approved Final Plan. This authority shall be applicable during the pre-installation inspection and shall expire after the confirmation of compliance with the third annual inspection. If changes/plantings are required, the applicant shall submit a revised as-built plan reflecting the changes. Any additional plants shall be subject to the same warranty as those shown on the approved Final Plan.

Discussion:

Commissioner Lanphear proposes the City-hired Landscape Architect to be able to make changes to the plans based on his/her findings. Being able to make modifications, within limitation, should provide an extra level of confidence to the Plan Commission that an effective buffer can and will be achieved. The Landscape Plan currently proposes 282 trees and 184 shrubs, so this condition would allow a maximum additional 28 trees and 18 shrubs to supplement the existing plan. Staff believes that the as-built plan needs to reflect the changes.

This condition was reviewed by the Sara Bradford, RLA, who suggested the last sentence of the condition be added.

12. The landscaping shall be installed, the first annual inspection shall be completed and any additional plantings required by the City-hired Landscape Architect must be installed, and an as-built must be submitted to the Planning

Department and Building & Inspections Department prior to the issuance of a Certificate of Completeness.

Discussion:

Staff finds it appropriate to require the landscaping be installed and inspected prior to the finalization of the City's permitting process.

13. For each inspection (4 in total - the pre-installation inspection per condition #9 and 3 annual inspections per condition #10), the City-hired Landscape Architect shall submit a report to the Planning Department and Building & Inspections Department summarizing his/her inspection and findings/observations. These reports shall be public documents. The Planning Department shall share the pre-installation inspection report and the annual inspection reports for year 2 and year 3 at the next available Plan Commission meeting as an item under the Director's Report (not a Public Hearing). The Planning Director will have the authority to request the City-hired Landscape Architect to be present at the meetings (at the applicant's/owner's expense) based on the contents of these reports.

The City-hired Landscape Architect will present the contents of the year 1 annual inspection report to the Plan Commission as an Informational Meeting item (not a Public Hearing) at the applicant's/owner's expense. Upon recognition that the as-built plan is consistent with the Final Plan, and any required changes as applicable, as determined by the City-hired Landscape Architect during the Information Meeting, the Planning Department will record the as-built plan with Land Evidence as a Minor Change to the Final Plan.

Discussion:

Staff proposes this condition for transparency and clarity throughout the inspection phase of the project. It is important to document the inspections in the case file and to inform the Plan Commission of the findings. The year 1 annual inspection is perhaps the most critical as it will be the first inspection after installation of the plantings and is the most likely time that the City-hired Landscape Architect may invoke her authority to request additional plantings per condition #12.

Once the as-built is confirmed as compliant/satisfactory, staff wants to memorialize it by recording it as a Minor Change to the Final Plan. This would be at no additional cost or burden to the applicant, and may prove helpful should maintenance issues arise.

14. An interest-bearing escrow account in the amount of thirty-five thousand dollars \$35,000 shall be established for maintenance of the landscaping for the life of the project (initial lease period and all extensions). The account will only be utilized if the applicant/ owner is not maintaining the landscape buffer (the undisturbed areas and planted landscape areas) pursuant to conditions set forth by this approval and is not satisfactorily responsive to the City's correspondence requiring the site be brought into compliance as determined by the City Planning Director or the City Arborist. The owner shall grant the City

and/or City-hired personnel access to the property to conduct such work as applicable. If funds are withdrawn by the City in accordance with this condition, the account shall be replenished by the applicant/owner within 60 days of written notice by the City. All efforts will be made by the City, including imposing liens, if necessary, to replenish the account. Upon the completion of decommissioning of the solar project the remaining balance in the escrow account will be returned to the applicant/owner.

Discussion:

*This is a new condition proposed by a collaborative effort between Sara Bradford, RLA and staff which works in coordination with the other conditions, to provide a fail-safe for the abutters for landscaping maintenance. This money provides the City with the means to maintain the undisturbed buffers and landscape plantings in the event that the applicant/owner do not do so on their own accord (staff is **NOT** suggesting that there is reason to believe that the applicant/owner would not adequately maintenance the landscaping, but is instead seeking to provide the abutters another level of assurance that the City will protect their interests).*

There was an idea offered by Commissioner Vincent to create an account using a portion of the annual taxes generated by the project. Staff supports the idea in concept, but the Plan Commission does not have the authority to condition how a project's tax revenue is allocated.

15. For the life of the project, the applicant/owner shall maintain required plantings and buffers, as reflected in the Final Plan and Minor Changes. The applicant shall submit a Vegetative Maintenance Plan as part of the Final Plan application submittal to be reviewed by a City-hired Landscape Architect at the applicant's expense.

Discussion:

Given the concern regarding buffer maintenance (the undisturbed buffer areas and planted landscape areas), staff proposed that a Vegetative Maintenance Plan be part of the Final Plan application. Staff finds it consistent to keep the City-hired Landscape Architect involved for the review of said plan.

16. The site applicant shall have install and maintain a minimum of 4"-6" of suitable seed bed material where placed on existing subsoil, and a install and maintain a minimum of 6" requirement where placed upon of suitable seed bed material on areas without existing subsoil. The character of the material as 'plantable soil' shall be as indicated in the planting detail. The area within the fence shall be seeded with 'low sow growing mix' and disturbed areas outside the fenced area (except as otherwise specified by the DEM approval) will be seeded with a more pollinator and wildlife beneficial mix designated as 'solar surround mix' as noted in the Landscape Plans. These requirements shall be clearly reflected in the Final Landscape Plan. This condition supersedes Master Plan Condition of Approval #11.

Discussion:

These small modifications were recommended by Commissioner Lanphear during the March 2nd meeting and supplemented in correspondence afterward with staff. The changes are consistent with the other conditions in requiring the applicant/owner to maintain the standards embodied in the Landscape Plan throughout the life of the solar installation.

17. The applicant shall be responsible to reinstall all street lights disturbed by the interconnection.
18. Control of growth under the panels shall be limited to mechanical methods (mowing). No herbicides or other chemical means may be used to control growth under the panels.
19. Upon request by a property owner who owns a well and/or septic system within 1,000 feet of a blast site, the applicant shall inspect the structural integrity of the septic tanks and wells and test well capacity & water quality before blasting operation begins. The applicant shall notice all property owners within 1,000 by certified mail, return receipt requested () days prior to the blasting. The property owners must submit their request in writing to the applicant/owner and with a copy to the Planning Director no less than () days prior to the blasting. Test/inspection results will be sent to the property owners and Planning Director. No blasting shall take place until all wells/septic tanks for which a timely request for inspection/testing was made, are inspected/tested and results are provided to the property owners and City.

Discussion:

Staff has previously stated that it opposes interjecting the City into a process that is beyond its regulatory jurisdiction and opposed conditions which are problematic to enforce. This above language is a response to a recommendation of the Plan Commission to explore a condition regarding the testing of wells and septic systems. The first sentence above is derived from a Preliminary Plan approval for a solar project in North Smithfield, which staff has modified to include the necessary language to incorporate septic systems, although their inclusion may not be common practice. The North Smithfield Planner conveyed that the condition was a result of the concern with the Cherry Brook Watershed, which supplies the drinking water for Woonsocket and North Smithfield. The applicant on that particular project, Green Development, LLC, offered to test wells within 1,000 feet which is simply double the standard required by the Fire Marshall's office. The North Smithfield Planner did not report that there was a scientific or data-driven rationale to double the standard, but that it was a courtesy offered by the applicant. The Planner was unaware if the condition was complied with as the Department was not involved with the documentation of compliance with the condition. Cranston's Planning staff added language to the

condition to address logistical issues and introduce standards to the process. Despite efforts to clarify how this condition could work, **staff still believes that this condition is problematic and does not support the condition.** It is unclear how many days would be appropriate for giving notice to abutters. It is unknown how long it would take for the applicant/owner to schedule and complete tests. There could be disputes about the quality of the tests, or who conducts the tests, or access to the abutter's properties, or other unforeseen issues could arise.

Staff holds that the existing process for blasting and testing of wells and other improvements is sufficient, and is not aware of evidence to suggest otherwise. The State Fire Marshall's Office requires the blasting company test wells within 500' of the blasting site. Staff does not have the resources or expertise to justify doubling the requirement and get involved with a well-established process. 1,000 feet is ten times the notification radius for this project, and was derived from a project with a **417.5 acre** project site and under a completely different community context.

20. The project shall be in compliance with expired Code Section 17.24.020 – Solar Power Performance Standard which was in effect upon vesting of this project application.
 - A. Site Preparation. Clearing of natural vegetation shall be limited to what is necessary for the construction and operation of the solar power facility. Top soil will not be removed from the site. Top soil will not be disturbed except as required for installation of the facility.
 - B. Lighting. Lighting of solar power facilities shall be limited to requirements for safety and operation and shall not shine light onto abutting properties.
 - C. Noise. Applicants for a building permit to construct a solar power facility must submit a noise study as part of their application. The noise study assesses the potential impacts at any off-site noise receptors (e.g. residences) due to sound emitted by the solar power facility's electrical equipment including, but not limited to, inverters and transformers. The noise study is required to demonstrate that the facility, as designed, does not exceed a forty (40) decibel noise level (approximately the noise level experienced in a quiet office or library). The city's review engineer will assess the noise study to determine acceptable distance from the solar facility to any off-site receptor.
 - D. Decommissioning and Abandonment. A solar power facility which has reached the end of its useful life or has been abandoned consistent with abandonment section shall be removed. The owner or operator shall physically remove the facility no more than one hundred fifty (150) days after the date of the discontinued operations.
 - E. Removal shall consist of:
 1. Physical removal of all installations, electrical equipment, all appurtenant structures including but not limited to, equipment shelters,

storage facilities, transformers, substations, security barriers, fences, overhead and underground electric lines.

2. Disposal of all solid and hazardous waste in accordance with the law.

3. Stabilization or revegetation of the site as necessary to minimize erosion.

F. Abandonment. A solar facility shall be considered abandoned when it fails to operate for more than one year. If the owner or operator fails to remove the installation within one hundred fifty (150) days of abandonment, or the proposed date of decommissioning, the city may enter the property and physically remove the installation.

G. Financial Surety. Before receiving a building permit, owners or operators of a solar power facility shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the city must remove the facility and remediate the landscape. In no event will the amount exceed one hundred twenty-five (125) percent of the cost of removal and compliance as determined by a qualified engineer hired by the city and paid for by the owner operator. The qualified engineer shall include an estimate of all costs associated with removal and remediation and a mechanism for figuring increased removal costs due to inflation.

Discussion:

This condition has no material effect on the applicant as it is cut and pasted from the applicable expired City Code Section to which this application was vested. Staff typically does not find it necessary to condition projects to be compliant with the Code because that is duplicitous, but in this particular instance the applicable section of Code has been revised and is anticipated to be replaced in MuniCode at any moment. The inclusion of this condition is intended to help the City to enforce the applicable Code sections as they become less accessible.

21. A copy of the conditions of approval and the Final Approved Plans shall be made part of any building permit application filed with the City.

Discussion:

Staff recommends this condition to ensure the Building & Inspections Department is fully aware of the conditions and approved Final Plans for their permit review, inspection and enforcement functions.

II. Recommendation

Staff finds this proposal consistent with the standards for required Findings of Fact set forth in RIGL Section 45-23-60, the Comprehensive Plan in effect at the time of vesting of the application, as well as with the City of Cranston's Subdivision and Land Development Regulations. Therefore, staff recommend that the City Plan Commission adopt the

Findings of Fact documented in the staff memo dated 1/29/21 and approve the Preliminary Plan submittal, subject to the conditions denoted below:

III. Conditions of Approval (Clean Version)

1. The applicant will work with the Tennessee Gas Pipeline to (TGP) to ensure that the project will be consistent with the terms and conditions of the easement.
2. The applicant shall use reasonable efforts to remove ledge or rock by mechanical means. Only ledge that is to be reused as part of the project on-site may be processed on-site, any ledge not being utilized as stated above shall not be processed before being removed from the site. Processing of ledge/rock crushing shall be limited to the hours of (9AM) and (5PM) Monday-Friday and shall be prohibited on weekends. Nothing herein shall prohibit the use of blasting to remove necessary ledge.
3. The entire perimeter fencing shall provide for at least a 6-inch gap between the ground and the bottom of the fencing to provide adequate wildlife passage for smaller species consistent with the RIDEM approval. The fencing and the fencing gap shall remain for the life of the solar facility. Barbed wire or similar is strictly prohibited.
4. Planting Area E shall be trimmed to a height no less than 18'.
5. Planting Area D shall be extended to the area indicated as Planting Area F on the Landscape Plans, between the proposed fence and the access road. The mixture of plants will be consistent with Area D but no white pines will be included. This change shall be reflected in the Final Plan submission and shall be subject to the City-hired Landscape Architect's approval at the time of submission to verify the terms of this condition.
6. The Landscape Plan shall be recorded with and made part of the approved and recorded Final Plan.
7. The applicant's civil engineer shall certify in writing that the site has been cleared and graded in substantial conformance with the Final Plan. Said certification shall be submitted to the Planning Director.
8. After the clearing and grading has been certified to be in compliance with the Final Plan but prior to commencement of any construction of the solar installation and equipment, a City-hired Landscape Architect, paid for by the applicant, shall inspect the site with the applicant's Landscape Architect and other necessary professionals to verify the constructability of the Landscape Plan with consideration to the site conditions and to help coordinate the placement of the plantings & overall implementation of the Landscape Plan.
9. At the expense of the applicant, a City's chosen landscape architect shall conduct annual inspections of the site for the next three years to monitor consistency of the installation with the approved plans and sustainability of

the buffer. Once the landscaping has been installed, the applicant shall submit an 'as-built' plan to the Planning Department accurately depicting the final planting locations and materials. The as-built plan shall be accompanied by documentation itemizing any/all deviations from the final approved landscaping plan. An inspection shall be conducted by a City-hired Landscape Architect after installation of the plantings upon receipt of the as-built plan, who will submit a report on the findings of the inspection to the Planning Department. The City-hired Landscape Architect shall conduct two more annual inspections for a total of three (3) inspections. After each inspection, any trees or shrubs found to be dead or with unsatisfactory growth shall be replaced, and in seeded areas, thin cover or bare ground greater than 10 square feet shall be reseeded.

10. During the inspection process described in these conditions, should the City-hired Landscape Architect find that additional plantings are necessary to provide an effective and sustainable buffer, while taking into account that the plantings will need time to grow and mature, the City-hired Landscape Architect shall have the authority to require the installation of additional plantings to be paid for by the applicant/owner, not to exceed a total of 10% of the plantings quantified in the approved Final Plan. This authority shall be applicable during the pre-installation inspection and shall expire after the confirmation of compliance with the third annual inspection. If changes/plantings are required, the applicant shall submit a revised as-built plan reflecting the changes.
11. The landscaping shall be installed, the first annual inspection shall be completed and any additional plantings required by the City-hired Landscape Architect must be installed, and an as-built must be submitted to the Planning Department and Building & Inspections Department prior to the issuance of a Certificate of Completeness.
12. For each inspection (4 in total - the pre-installation inspection per condition #9 and 3 annual inspections per condition #10), the City-hired Landscape Architect shall submit a report to the Planning Department and Building & Inspections Department summarizing his/her inspection and findings/observations. These reports shall be public documents. The Planning Department shall share the pre-installation inspection report and the annual inspection reports for year 2 and year 3 at the next available Plan Commission meeting as an item under the Director's Report (not a Public Hearing). The Planning Director will have the authority to request the City-hired Landscape Architect to be present at the meetings (at the applicant's/owner's expense) based on the contents of these reports.

The City-hired Landscape Architect will present the contents of the year 1 annual inspection report to the Plan Commission as an Informational Meeting item (not a Public Hearing) at the applicant's/owner's expense. Upon recognition that the as-built plan is consistent with the Final Plan, and any required changes as applicable, as determined by the City-hired Landscape Architect during the Information Meeting, the Planning Department will record the as-built plan with Land Evidence as a Minor Change to the Final Plan.

13. An interest-bearing escrow account in the amount of thirty-five thousand dollars \$35,000 shall be established for maintenance of the landscaping for the life of the project (initial lease period and all extensions). The account will only be utilized if the applicant/ owner is not maintaining the landscape buffer pursuant to conditions set forth by this approval and is not satisfactorily responsive to the City's correspondence requiring the site be brought into compliance as determined by the City's Planning Director of the City's Arborist. The owner shall grant the City and/or City-hired personnel access to the property to conduct such work as applicable. If funds are withdrawn by the City in accordance with this condition, the account shall be replenished by the applicant/owner within 60 days of written notice by the City. All efforts will be made by the City, including imposing liens, if necessary, to replenish the account. Upon the completion of decommissioning of the solar project the remaining balance in the escrow account will be returned to the applicant/owner.
14. For the life of the project, the applicant/owner shall maintain required plantings and buffers, as reflected in the Final Plan and Minor Changes. The applicant shall submit a Vegetative Maintenance Plan as part of the Final Plan application submittal to be reviewed by a City-hired Landscape Architect at the applicant's expense.
15. The applicant shall install and maintain a minimum of 4"-6" of suitable seed bed material where placed on existing subsoil, and install and maintain a minimum of 6" of suitable seed bed material on areas without existing subsoil. The character of the material as 'plantable soil' shall be as indicated in the planting detail. The area within the fence shall be seeded with 'low sow growing mix' and disturbed areas outside the fenced area (except as otherwise specified by the DEM approval) will be seeded with a more pollinator and wildlife beneficial mix designated as 'solar surround mix' as noted in the Landscape Plans. These requirements shall be clearly reflected in the Final Landscape Plan. This condition supersedes Master Plan Condition of Approval #11.
16. The applicant shall be responsible to reinstall all street lights disturbed by the interconnection.
17. Control of growth under the panels shall be limited to mechanical methods (mowing). No herbicides or other chemical means may be used to control growth under the panels.
18. The project shall be in compliance with expired Code Section 17.24.020 – *Solar Power Performance Standard* which was in effect upon vesting of this project application.
 - A. Site Preparation. Clearing of natural vegetation shall be limited to what is necessary for the construction and operation of the solar power facility. Top soil will not be removed from the site. Top soil will not be disturbed except as required for installation of the facility.

- B. Lighting. Lighting of solar power facilities shall be limited to requirements for safety and operation and shall not shine light onto abutting properties.
 - C. Noise. Applicants for a building permit to construct a solar power facility must submit a noise study as part of their application. The noise study assesses the potential impacts at any off-site noise receptors (e.g. residences) due to sound emitted by the solar power facility's electrical equipment including, but not limited to, inverters and transformers. The noise study is required to demonstrate that the facility, as designed, does not exceed a forty (40) decibel noise level (approximately the noise level experienced in a quiet office or library). The city's review engineer will assess the noise study to determine acceptable distance from the solar facility to any off-site receptor.
 - D. Decommissioning and Abandonment. A solar power facility which has reached the end of its useful life or has been abandoned consistent with abandonment section shall be removed. The owner or operator shall physically remove the facility no more than one hundred fifty (150) days after the date of the discontinued operations.
 - E. Removal shall consist of:
 - 1. Physical removal of all installations, electrical equipment, all appurtenant structures including but not limited to, equipment shelters, storage facilities, transformers, substations, security barriers, fences, overhead and underground electric lines.
 - 2. Disposal of all solid and hazardous waste in accordance with the law.
 - 3. Stabilization or revegetation of the site as necessary to minimize erosion.
 - F. Abandonment. A solar facility shall be considered abandoned when it fails to operate for more than one year. If the owner or operator fails to remove the installation within one hundred fifty (150) days of abandonment, or the proposed date of decommissioning, the city may enter the property and physically remove the installation.
 - G. Financial Surety. Before receiving a building permit, owners or operators of a solar power facility shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the city must remove the facility and remediate the landscape. In no event will the amount exceed one hundred twenty-five (125) percent of the cost of removal and compliance as determined by a qualified engineer hired by the city and paid for by the owner operator. The qualified engineer shall include an estimate of all costs associated with removal and remediation and a mechanism for figuring increased removal costs due to inflation.
19. A copy of the conditions of approval and the Final Approved Plans shall be made part of any building permit application filed with the City.

Berry, Joshua

From: Albanese, Marisa <Marisa.Albanese@nationalgrid.com>
Sent: Friday, January 29, 2021 3:23 PM
To: Berry, Joshua
Cc: Pezzullo, Jason
Subject: RE: EXT || Cranston - Natick Ave Solar

Hi Josh – I talked with our project manager for this work. I'll follow up with some folks on Monday but wanted to send you some info to digest. Please see comments in red.

From: Berry, Joshua [mailto:JBerry@CranstonRI.org]
Sent: Friday, January 29, 2021 10:22 AM
To: Albanese, Marisa <Marisa.Albanese@nationalgrid.com>
Cc: Pezzullo, Jason <jpezzullo@CranstonRI.org>
Subject: EXT || Cranston - Natick Ave Solar

Marisa,

Thanks so much for taking my call.

As we discussed, the City is working on drafting a condition for the Preliminary Plan to require that the onsite portion of the interconnection be underground so long as it does not cause a significant delay to the project.

To that end, I have a few questions that I was hoping you could answer:

- If the applicant requested a revision to their existing interconnection plan to underground the onsite portion of the interconnection only, would that request cause the applicant to lose their queue status? **Their queue position would remain the same.**
- Could you provide an estimate on how much of a delay this would impose?
- **I don't have an update on the design yet, but a new study could take another 55 business days if that's what our design engineers feel they need (could be less).**
I have been told that that pad mount metering is approximately a 6 month lead time when ordered. So if it were changed to underground today and we use the max amount of time, we're looking at an April time frame for the study to be complete and turned back to design. I'll find out an estimated timeframe from our design team.
- Is there any reason to believe that the undergrounding of utilities at this location would not be viable, would compromise public health and safety, would compromise system functionality or interconnection reliability? **To my knowledge, undergrounding utilities is a viable option. We would confirm during the study phase. If undergrounding is not a viable option we would revert to the design currently under review. Undergrounding infrastructure does not compromise public health nor does it compromise the system functionality or interconnection reliability.**
- Would you be able to provide a rough estimate of the additional costs this would impose on Reivity? (in terms of design and installation) **Equipment alone could run mid six figures, but there are other variables that could add costs as well. And Reivity would have to pay for a new study.**

- Do you feel that this request would impact the timing of the project achievement of operation? **The project currently has its own issues with obtaining easements; those don't lessen by installing UG equipment at the site. However, the pad mounted metering definitely will push out the completion date. Based on what we are seeing with other projects, meters that were ordered in September-October have yet to be delivered.**
- **Reivity still has other issues they need to tackle such as coming up with a plan to replace streetlights where we install new poles. Since the city owns its lights, NGRID cannot work on those assets. The streetlights would have to be removed by a contractor. We would have to complete some "make ready" work such as secondary wiring to accommodate the lights. Then Reivity would need a contractor to install them.**
- **Also, there are easements that need to be obtained for pole locations, the underground assets, guy wires and stump poles.**
- **Having said all that, some of these items can be addressed concurrently. Reivity can continue to obtain easements as needed along Natick Ave while we work on the study and re-design. They can also work on the streetlight replacement plan**

If there is any other information you think is relevant, I would certainly appreciate it. We are doing our best to learn about this process and coordinate effectively with NG and applicants.

Thank you so much for your time.

Kind regards,

Joshua Berry, AICP
Senior Planner
City of Cranston, City Planning Department
869 Park Ave, Cranston, RI 02910
P: (401) 780-3139

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