



January 26, 2020

Laura L. Francis
First Selectman
Town of Durham
30 Townhouse Road
P.O. Box 428
Durham, CT 06422

Re: Submission of Technical Information Concerning a Proposal to Construct a Ground-Mounted Solar Photovoltaic Power Generating Facility off Haddam Quarter Road and Johnson Lane in Durham, Connecticut

Dear Ms. Francis:

Louth Callan Renewables (“Louth Callan”) proposes to construct a 2.375 MW ground-mounted solar photovoltaic electric generating facility (“Facility”) in the Town of Durham, Connecticut. This notice letter is submitted pursuant to Connecticut General Statutes (“Conn. Gen. Stat.”) § 16-50~~l~~, which establishes local input requirements for the siting of an electric generating facility under the exclusive jurisdiction of the Connecticut Siting Council (the “Council”). This statutory provision requires the submission of technical information to officials in the municipality where the proposed facility will be located and any municipality within 2,500 feet of the proposed facility location at least sixty (60) days prior to submission of an application to the Council.

Correspondence and/or communications regarding the information contained in this report should be addressed to:

Daniel Band
Director of Development
Louth Callan Renewables
921 Thrall Avenue
Suffield, CT 06078

A copy of all such correspondence or communications should also be sent to Louth Callan’s attorneys:

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

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Louth Callan intends to submit an application to the Council for a Certificate of Environmental Compatibility and Public Need (“Certificate”) for the construction, maintenance and operation of a ground-mounted solar voltaic electric generating facility with a generating capacity of two (2) or more megawatts (MW) at the Property. It is possible, however, that during the course of this municipal consultation process, the output of the Facility will be reduced and fall below the 2 MW threshold. If this occurs, Louth Callan will Petition the Council for Declaratory Ruling that the proposed facility will not have a significant adverse environmental effect and that a Certificate is not required.

For your reference and orientation a Site Vicinity Map and Site Schematic showing the locations and preliminary layout of the Facility is included in Attachment 1.

Facility Description

The Facility will be developed on an approximately 20-acre portion (the “Project Area”) of a 48.44-acre parcel bounded on the north by Haddam Quarter Road, on the east and west by residential land uses and on the south by Johnson Lane in Durham, Connecticut (Durham Parcel # 18-22) (the “Property”). The Property is owned by the Newton Family Trust. The Project Area is currently undeveloped agricultural land and wooded areas located to the south of Hersig Brook. The parcel slopes gently down from south to north toward Hersig Brook.

Connecticut Siting Council Jurisdiction

Municipal jurisdiction over the siting of the proposed Facility described in this report is pre-empted by provisions of the Public Utilities Environmental Standards Act (“PUESA”), Conn. Gen. Stat. § 16-50g *et seq.* The PUESA gives exclusive jurisdiction over the location, type and modification of electric generating facilities, to the Council (Conn. Gen. Stat. § 16-50x(a); 16-50i(a)(3)). Accordingly, the Facility described in this report is exempt from the Town’s land use (zoning and inland wetlands) regulations.

Upon receipt of an application, the Council will assign a docket number and, following a completeness review, set the schedule for the docket, including a hearing date. At that time, the Town may choose to become an intervenor or party in the proceeding. Other procedures followed by the Council include serving the applicant and other participants with interrogatories, holding a pre-hearing conference, and conducting a public hearing. The public hearing would be held at a location in the Town. Following the public hearing, the Council will issue findings of fact, an opinion and a decision and order. Prior to construction, the Council may also require the Applicant to submit a development and management plan (“D&M Plan”) which is, in essence, a final site development plan showing the details of the facility incorporating any conditions imposed by the Council. These procedures are also outside the scope of the Town’s jurisdiction

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and are governed by the Connecticut General Statutes, the Regulations of Connecticut State Agencies, and the Council's Rules of Practice. If the Council approves the siting of the Facility described in this report, Louth Callan will submit to the Building Official an application for approval of local building and/or electrical permits. Under Section 16-50x of the General Statutes, which provides for the exclusive jurisdiction of the Council, the building official must honor the Council's decision.

Municipal Consultation Process

Pursuant to Conn. Gen. Stat. §16-50l of the General Statutes, Town officials are entitled to receive technical information regarding the proposed Facility at least 60 days prior to the filing of an application with the Council. In accordance with these provisions, this Technical Report is provided to the Town of Durham, the host municipality, and includes: information on the benefit of the Facility; details of the Facility, including site selection criteria considered by Louth Callan; and a discussion of potential environmental effects associated with the Facility. The municipality may conduct public information meetings, as it deems necessary, to develop and advise Louth Callan of its recommendations concerning the Facility. If such meetings are held, Louth Callan will notify all abutting landowners, and publish notice of the public information meeting in a newspaper of general circulation in the municipality, at least 15 days prior to the public information meeting.

Within 60 days of the initial consultation, the municipality shall issue its recommendations on the Facility. Within 15 days of the filing of the application, Louth Callan must provide the Council with copies of all materials provided to the municipality, a summary of the consultation effort and all recommendations issued by the Town(s).

In addition, Conn. Gen. Stat. §16-50x(d) states that the Town's Planning and Zoning Commission and Inland Wetlands Agency may issue orders to "regulate and restrict" the proposed location of the proposed solar electric generating facility. All such orders must be in writing and recorded in the records of the community. Notice of the issuance of such orders must also be provided to the applicant or other parties affected by the orders. The "regulate and restrict" orders must be filed with the Council not more than 65 days after the filing of the Facility application. These orders are subject to appeal to the Council within 30 days after the giving of the notice by the municipality. The Council may affirm, modify or revoke the orders or make any order in substitution of the municipal order by a vote of six of its members.

Benefits of the Proposed Facility

The Facility will generate much, if not all, of its power at peak times, when the demand for electricity is greatest, and will thereby provide the electrical system with flexible peaking capacity that is necessary to keep the electrical grid stable.



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Further, the Facility will support the State’s energy policies, including the goal to develop and utilize renewable energy resources, such as solar and wind energy, to the maximum practicable extent. The Facility will provide clean, renewable, solar-powered electricity and assist the State in meeting its legislatively-mandated obligations under the Renewable Portfolio Standard.

The Facility will also assist the State of Connecticut in reducing greenhouse gas emissions and reducing criteria air emissions pollutants associated with the displacement of older, less efficient, fossil fuel generation. As part of larger state, national and global strategies, reductions in greenhouse gas emissions from this Facility will have long-term secondary biological, social and economic benefits.

Finally, the Facility as designed will help both the Town of Durham and Regional School District 13 (RSD-13) if ultimately as planned it qualifies for the Virtual Net Metering program. This program, administered by Eversource Energy (“Eversource”), allows for the energy created by a distributed energy project – such as this one – to be used for “beneficial” off-site accounts. As part of this project, Louth Callan would enter into Power Purchase Agreements with both the Town and RSD-13 that allows them to purchase energy at a lower cost than they currently do through Eversource.

No Substantial Environmental Effects

Based on preliminary field surveys, Louth Callan has designed the Facility so that it will have no direct impact on inland wetlands or watercourses on the Property. Louth Callan anticipates that all other physical environmental effects associated with the proposed Facility would be minimal.

To further assess the environmental impacts of the proposed Facility, Louth Callan will be working with its consultant team to evaluate environmental conditions on or near the Property to determine if the Facility will have any significant adverse environmental effects. This will include an evaluation of visual effects, potential impacts of stormwater and soil erosion related to site construction activity, the use and potential storage of hazardous materials, and impacts on air quality among others. This evaluation will also include information from the Connecticut Department of Energy and Environmental Protection (“DEEP”), the Connecticut Department of Agriculture (“DoAG”), the U.S. Fish and Wildlife Service (“USFWS”) and the State Historic Preservation Officer (“SHPO”).



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Site Selection

Before signing a lease for a project site, Louth Callan conducts a rigorous vetting process to better ensure the particular parcel under consideration has the right characteristics needed to support a solar facility. Among the criteria we look at are: 1) proximity to utility infrastructure with adequate capacity to serve the project (both distribution lines and the electric substations); 2) favorable size and physical characteristics including relatively flat topography, limited wetlands or watercourses features, absence of endangered plant or wildlife species, and uninterrupted access to the sun; and 3) compatibility with state and local requirements for solar development. The Property is largely consistent with all of these criteria.

Please contact me if you have any additional questions regarding the proposed facility or if you require assistance with other aspects of the municipal consultation and/or regulate and restrict order processes.

Sincerely,

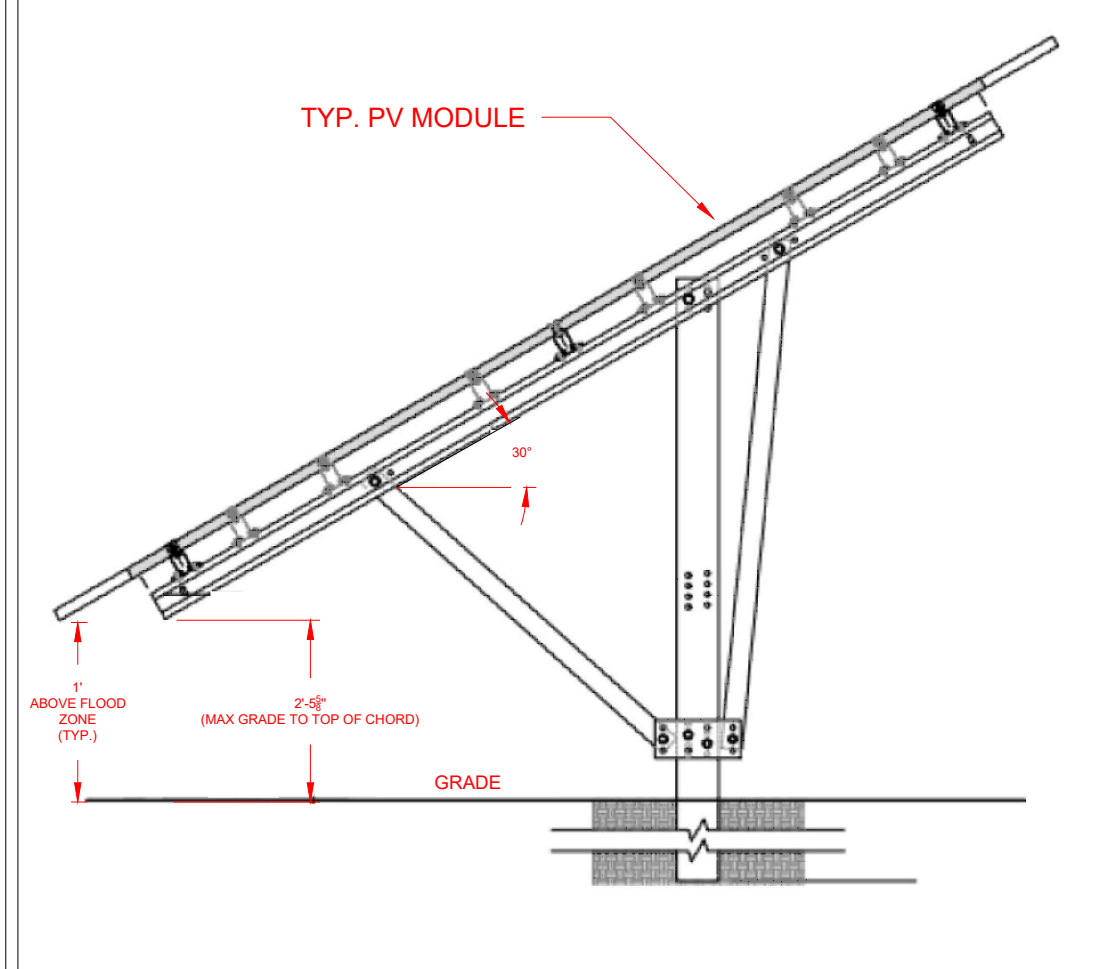
A handwritten signature in black ink that reads "Daniel Band". The signature is written in a cursive, slightly slanted style.

Daniel Band
Director of Development
Louth Callan Renewables
dan@louthcallanrenewables.com

Enclosures

Copy to:

Frank DeFelice, Chairman, Durham Planning and Zoning Commission
Richard Eriksen, Chairman, Durham Inland Wetlands, Water Courses Agency
Robin Newton, Durham Town Planner
Joseph Carta, Durham Wetlands Enforcement Officer



1 OVERALL SITE PLAN
PV E1.1 SCALE: 1"=110'

2 RACKING DETAILS
PV E1.1 SCALE: NTS

| Rev | Description | Date | Drawn By | Engineering Stamp | Company Contact Info | Project | Sheet Name |
|-----|-------------|----------|----------|-------------------|---|--|-------------------|
| A | SITE LAYOUT | 01/20/21 | GR | | LOUTH CALLAN RENEWABLES 921 THRALL AVE SUFFIELD, CT 06078 (860) 814-4379 info@louthcallanrenewables.com | HADDAM QUARTER Rd, DURHAM, CT 06422 | OVERALL SITE PLAN |
| | | | | | | Location | Designed By |
| | | | | | | | GREG RUSSELL |
| | | | | | | | Sheet Title |
| | | | | | | | PV E1.1 |

