

**PETITION NO. 1056** - GRE 314 East Lyme, LLC petition for a } Connecticut  
declaratory ruling that no Certificate of Environmental }  
Compatibility and Public Need is required for the proposed } Siting  
construction and operation of a 5.0 MW Solar Photovoltaic }  
Renewable Energy Generating Project located on Grassy Hill } Council  
Road and Walnut Hill Road, East Lyme, Connecticut.

May 16, 2013

### Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction and operation of a 5.0 Megawatt Solar Photovoltaic Project located Grassy Hill Road and Walnut Hill Road in East Lyme, Connecticut would not have a substantial adverse environmental effect, would meet all applicable U.S. Environmental Protection Agency and Connecticut Department of Energy and Environmental Protection Ambient Air Quality Standards and Water Quality Standards, would be in accordance with stated goals of Public Act No. 11-80: *An Act Concerning the Establishment of the Department of Energy and Environmental Protection and Planning for Connecticut's Energy Future*; and therefore, would not require a Certificate of Environmental Compatibility and Public Need.

Unless otherwise approved by the Council, the facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and is subject to the following conditions:

1. The Petitioner shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of East Lyme for comment and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
  - a) a final plan(s) of site development to include specifications for the solar panels, supporting infrastructure, buildings, electrical equipment, equipment compound, access and maintenance roads, utility connections, and landscaping;
  - b) construction details for site clearing, grading, landscaping, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended;
  - c) construction work hours;
  - d) identification of any construction restrictions related to historic, archeological, and environmental resources;
  - e) narrative discussing the examination of potential revisions to the preliminary grading plan and solar field layout;
  - f) construction and permanent site access from 40 Grassy Hill Road; and
  - g) a decommissioning plan.
2. The Petitioner shall provide the Council with written notice of commencement of site clearing, solar panel installation, and commencement of site operation.
3. The Petitioner shall submit a first year operating report within three months after the conclusion of the first year of operation that includes a discussion of the number of hours of operation and the amount of energy generated by the facility.

4. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within four years of the effective date of this Decision and Order or within four years after all appeals of this Decision and Order have been resolved.
5. The Petitioner shall provide the Council with not less than 30 days written notice that the facility plans to cease operation.
6. The Petitioner, or its successor, shall cause all equipment and appurtenances of the project to be dismantled and removed from the host property within one year after the cessation of project operations.
7. Any request for extension of the time period referred to in Condition 6 shall be filed with the Council not later than 60 days prior to the expiration date of said time period and shall be served on all parties and intervenors and the Town of East Lyme. Any such request for extension shall state the reason(s) for which an extension is being sought.
8. This Declaratory Ruling may be transferred, provided both the facility owner/operator/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the facility owner/operator/transferor and the transferee shall provide the Council with a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.

By this Decision, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

**Petitioner**

GRE 314 East Lyme LLC

Lee Hoffman, Esq.  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702

Michael Silvestrini  
GRE 314 East Lyme LLC  
10 Main Street, Ste. E  
Middletown, CT 0645