



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

June 2, 2020

The Honorable Matthew T. Riiska
First Selectman
Town of Norfolk
19 Maple Avenue
Norfolk, CT 06058
firstselectman@norfolkct.org

RE: **PETITION NO. 1408** – FairWindCT, Inc., et al petition, pursuant to Connecticut General Statutes §4-176, for a declaratory ruling that: (a) the January 9, 2020 Development and Management Plan (D&M Plan) Modification submitted by BNE Energy, Inc. in Petition No. 983 conflicts with the Connecticut Siting Council's (Council) June 2, 2011 final decision on Petition No. 983; (b) the Council did not have jurisdiction over the D&M Plan Modification; (c) the Council did not have statutory authority to approve the D&M Plan Modification; (d) the D&M Plan Modification violated due process rights; and (e) the D&M Plan Modification violates the Connecticut Environmental Protection Act.

Dear First Selectman Riiska:

Pursuant to Connecticut General Statutes §4-176, the Connecticut Siting Council (Council) is in receipt of a petition from FairWindCT, Inc., et al for a declaratory ruling that: (a) the January 9, 2020 Development and Management Plan (D&M Plan) Modification submitted by BNE Energy, Inc. in Petition No. 983 conflicts with the Council's June 2, 2011 final decision on Petition No. 983; (b) the Council did not have jurisdiction over the D&M Plan Modification; (c) the Council did not have statutory authority to approve the D&M Plan Modification; (d) the D&M Plan Modification violated due process rights; and (e) the D&M Plan Modification violates the Connecticut Environmental Protection Act.

The Town of Norfolk is within 2,500 feet of the existing wind electric generating facility that is the subject of this petition for a declaratory ruling.

In accordance with Section 16-50j-40 of the Regulations of Connecticut State Agencies, on or about June 1, 2020, written notice of the intent to file the petition for a declaratory ruling was provided to all persons to whom notice is required by law, including, but not limited to, the chief elected official of any municipalities within 2,500 feet of the existing wind electric generating facility.

Should you have any questions or comments regarding the above-referenced petition for a declaratory ruling, please feel free to call me at 860-827-2951 or submit written comments to the Council by July 1, 2020.

Thank you for your consideration.

Sincerely,

s/ Melanie A. Bachman

Melanie A. Bachman
Executive Director

MAB/MP/emr

c: Michael Halloran, Zoning Enforcement Officer, Town of Norfolk (zeo@norfolkct.org)