

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Greenskies Clean Energy, LLC petition for a declaratory ruling for the proposed construction, maintenance and operation of a 3.0-megawatt-AC solar photovoltaic electric generating facility on two parcels at the Elmridge Golf Course located to the east and west of North Anguilla Road at the intersection with Elmridge Road, Stonington, Connecticut, and associated electrical interconnection.

Petition No. 1410

September 24, 2020

PRE-FILED TESTIMONY OF MARY ANN CANNING MCCOMISKEY

Q1. Please state your name for the record.

A1. My name Mary Ann Canning McComiskey.

Q2. What is your involvement with this project?

A2. I am an officer of PRESS (Proponents for Responsible Emplacement of Stonington Solar), a community group that is opposed to the project proposed by Greenskies Clean Energy at the Elmridge golf course. I am also an abutter of this proposed site, which is in the middle of a residential area of single-family homes. My address is 5 Fairway Court.

Q3. What is the purpose of your testimony?

A3. This testimony describes PRESS's opinions and concerns with respect to this proposed project, as well as some of my personal concerns.

Q4. Please explain PRESS's concerns about the project.

A4. First, I will note that as an abutter to this project, I have some personal concerns. However, PRESS's interests exceed my personal concerns and extend to the potential impact on our entire community and beyond. While I expect many folks will accuse me of being guilty of "Not in my back yard," the truth is I, and PRESS, believe a solar facility of this size does not belong in anyone's backyard. PRESS supports clean energy, including solar, presenting no opposition to another approved solar facility in our town (Taugwonk). It is the location of this

particular site that has moved us to request that the Sitting Council deny the project, as its placement is inappropriate based on potential negative environmental impacts and serious impact on the character of the area

Q5. Why does the location of this proposed project concern PRESS?

A5. The parcel on which Greenskies seeks to build is “green space” in all its glory, and PRESS feels it is equally important to advocate for this natural resource, as it is to advocate for solar energy. The Town of Stonington’s Open Space plan (August 2007), https://www.stonington-ct.gov/sites/g/files/vyhlf3851/f/file/file/open_space_plan.pdf, emphasizes that residential and commercial development be sensitive to the natural characteristics of the area, that efforts be made to convert managed open space parcels critical to sustaining natural resources to committed open space areas by acquiring land or easements and that they enhance and maintain important aesthetic Town characteristics through preservation of viewsheds, scenic roads and important public access locations. The Town’s Plan of Conservation and Development (2015), https://www.stonington-ct.gov/sites/g/files/vyhlf3851/f/file/file/2015_pocd_final_version.pdf, also stresses the importance of low-impact development, the importance of protecting water quality and quantity, protecting wetlands and open space. The approval of a large-scale solar utility facility in this location does not align with these goals.

The Environmental Protection Agency and The Dept of Energy’s National Renewable Energy Laboratory support our position in their publication “Screening Sites for Solar PV Potential, www.epa.gov/sites/production/files/2015-04/documents/solar_decision_tree.pdf. This guideline, intended for use by State and local governments in determining suitability for development placement, identified targeted sites as brown fields, Superfund SITES, RCRA sites, mining sites, landfills, abandoned parcels, parking lots and commercial/industrial sites, instead

of green space”, and “when aligned with the communities’ vision for the site.” Using Stonington’s Open Space Plan and the aforementioned guidelines, the Elmridge Golf Course site fails to meet any of these recommendations.

This site is positioned squarely in the middle of an area so highly regarded for preservation, both for its historic, bucolic beauty and natural resources which include wildlife and fisheries, that the Stonington Land Trust has purchased a large expanse of property abutting the golf course, Anguilla Grande Preserve, (<https://www.stoningtonlandtrust.org/anguillagrande-preserve>), and the Avalonia Land Conservancy has purchased two large parcels within a mile from the golf course, <https://avalonia.org/preserves/perry-natural-area/>, on North Anguilla Road. There is also a large recreation area that is used most of the year for little league, softball and soccer less than a quarter mile from the golf course. The Stonington Land Trust has expressed an interest in exploring the possibility of acquiring the development rights to the course to assure that the land use is compatible with the area, were the owner amenable. In short, this area is free from commercial and industrial development and the Town’s plans, developed with considerable resources, intend for it to stay that way.

The golf business currently occupying this site was granted as a variance in the 1960s. As a public golf course, it was viewed as consistent use as it preserved the landscape and rural beauty of the site. Golf courses across the state have seen a significant increase in business due to both COVID 19 and a renewed interest in golf among young adults. The recent pandemic has magnified the importance of opportunities within communities for people to enjoy the great outdoors. A change of use for this property would ultimately be most ideal as open space or park grounds, not a solar utility facility. The residents of Stonington have worked for many generations to cultivate an appreciation for our unspoiled beauty. They have continually

demonstrated that commitment by generous contributions of money and land donations to serve that purpose. In is my opinion that other land uses have not been fully explored by or with the owner. He has persisted in his quest to install solar even after being told his site did not meet minimum requirements. Perhaps with the new perspective the pandemic has offered he may now be willing to entertain options that meet his economic goals to insure the “fortunes of his descendants” with ones more consistent with the community goals.

Q6. What other concerns does PRESS have?

A6. PRESS is very worried about the potential impact on the aquifer protection area and watershed protection overlay that exists on the golf course in close proximity to the solar arrays. While Greenskies has asserted that the aquifer would not be impacted, that seems disingenuous, as PRESS has been unable to locate any known site on such a delicate environmental area. This is undoubtedly because the long-term impact of these facilities on ground water and the surrounding environment is not well known. Between the installation, operation and decommissioning, the possibility of contaminating our aquifer seems unreasonably risky when there are other sites, within the State of Connecticut, and perhaps even within Stonington, to build such a facility. If a development other than an electric generating facility were proposed for this property, the developer would have to go through a special permitting process under our zoning regulations, which is managed by our Planning and Zoning Commission, which is designed to make sure that the activities on the site do not interfere with the health of our groundwater. It seems foolhardy and totally unnecessary to take a chance on a natural resource that supports life for the surrounding community. While many neighbors have access to the public water utility sourced by the aquifer, multiple wells exist among abutters. In the event that any unanticipated contamination did occur the ability to remediate it would be nearly impossible, and even if possible, incredibly expensive. CT DEEP's

own website and video speak specifically to the importance of protecting our aquifers, located at <https://portal.ct.gov/DEEP/Aquifer-Protection-and-Groundwater/Aquifer-Protection/Aquifer-Protection-Program>.

I also note that PRESS's concerns about this as a potential site was only heightened by the knowledge that another solar company apparently rejected it because of environmental concerns, including but not limited to a federal and state protected species habitat and the "undulating nature of the land." *See* Petition No. 1425, Petition at 47.) Issues and concerns around storm water management at another facility in East Lyme that was developed by this conglomerate is further evidence of the seeming indifference to environmental concerns by this developer and their willingness to move forward with respect to the inappropriateness of this site.

Q7. Do you have any other opinions or concerns about this project?

A7. While the developer minimizes the visual impact to the residents and community, it is not inconsequential. In addition to the impact previously described, several of the abutters will have a clear and unobstructed view of this utility facility from their homes. The presentation that the developers gave to our town zoning board asserted that building this facility would result in minimal visual impact and they were more concerned about protecting the fleeting view from the road than for homeowners. My own view, which was a primary reason we purchased the property, will be significantly impacted, as evidenced by the attached videos of both the parcel and photos of the view and distance from the modules. I took that video and those photos, which are attached to my testimony as Exhibits A and B, in our yard this May when we were made aware of this proposal.

Q8. Do you have any other concerns to share?

A8. I ask that the Council take note of the erroneous assumptions included in the decommissioning plan filed by Greenskies. As Steve Trinkaus explains in his prefiled testimony, based on real-world estimates of the costs of recycling solar panels and renting the heavy equipment needed to remove the solar array and related components, Greenskies may have underestimated the expense by more than \$1 million. PRESS does not want to see the Town of Stonington forced to pay for that in 20 years. We ask that the Council require Greenskies to submit a decommissioning plan based on actual estimates from identified companies providing those services in this area.

Finally, the ongoing development and rapid submission of this petition by Greenskies during the COVID19 pandemic has had a significant impact on our ability, as a community, to process and consider this proposal. Even with early stay at home orders and social distancing limits, organizers of a citizen group have been successful in getting over 117 people to sign a petition in opposition to this petition. Those signatures indicate that this proposal has heavy opposition in the Town.

PRESS therefore asks that the Council deny Greenskies' petition. However, should our worst fears be realized, and this request be approved by the Siting Council, we respectfully request that the Council condition any approval on Greenskies working with PRESS and with all abutters on view mitigation measures, including using more decorative fencing and plants and trees that are native to the area and actually camouflage the eyesore of the solar panel installation.

Thank you for the opportunity to address this Council. It is my fervent hope that the Council members will seriously consider the considerations detailed above.

The statements above are true and accurate to the best of my knowledge.

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 Mary Ann Canning McComiskey (Sep 24, 2020 11:58 EDT)

Mary Ann Canning McComiskey

Sep 24, 2020

Date

ATTACHMENTS

Exhibit A - Video of view from 5 Fairway Court, taken in May 2020

Exhibit B - Photos of view from 5 Fairway Court, taken in May 2020

CERTIFICATION

I hereby certify that a copy of the foregoing document was delivered by e-mail to the following service list:

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/s/ Emily A. Gianquinto
Emily Gianquinto

EXHIBIT A

*(Exhibit A is a video clip
filed under separate cover)*

EXHIBIT B



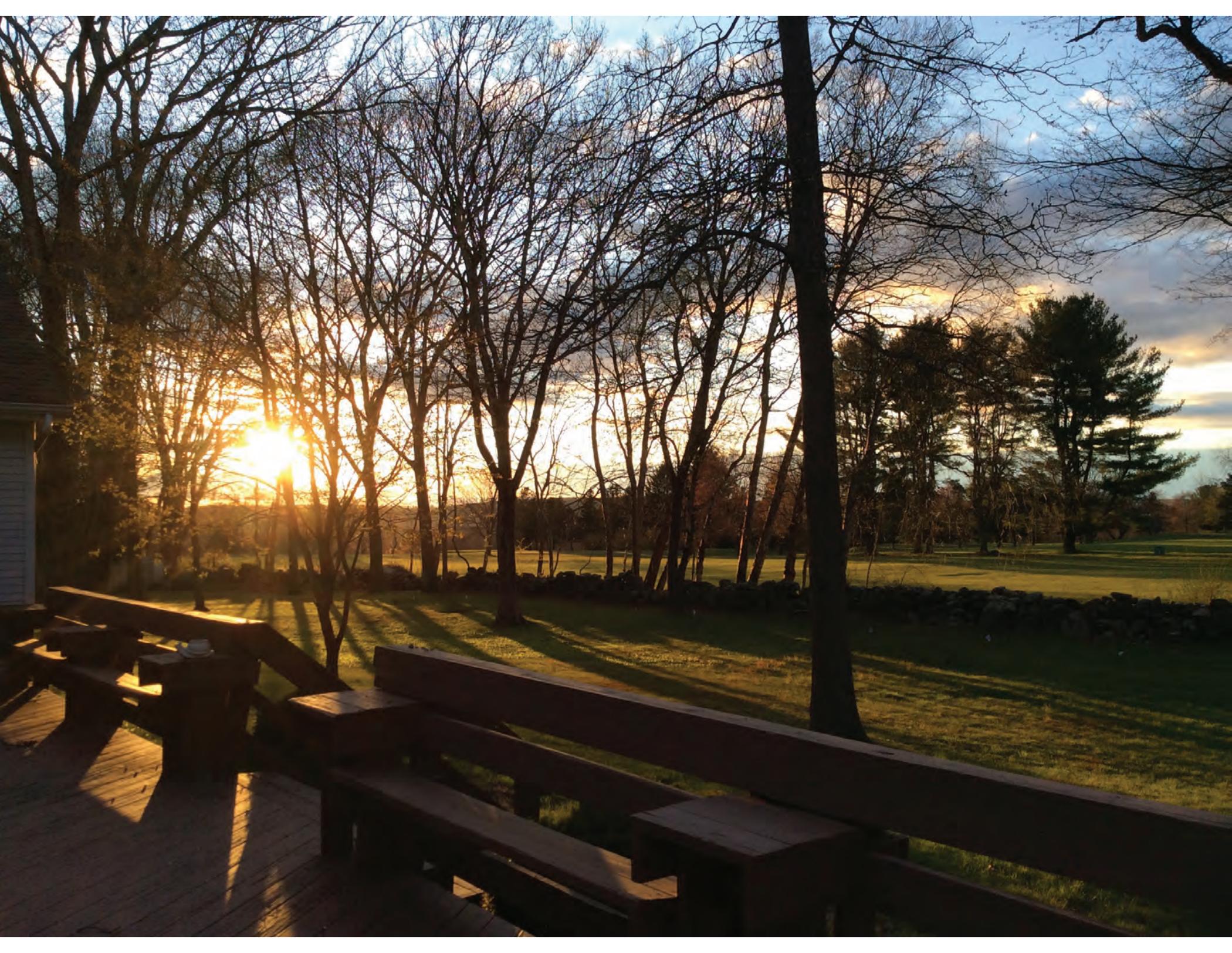












2020-09-24 McComiskey pre-filed testimony

Final Audit Report

2020-09-24

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