

TOWN OF STONINGTON



Planning and Zoning Commission

152 Elm Street

Stonington, Connecticut 06378

(860) 535-5095 • Fax (860) 535-1023

SENT VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ms. Melanie A. Bachman
Executive Director / Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition #1410 -- Greenskies Clean Energy, LLC petition for a declaratory ruling for construction of a 3.0-megawatt AC solar facility on Elm Ridge Golf Course, North Anguilla and Elm Ridge Rds., Stonington.

Dear Ms. Bachman:

The Stonington Planning & Zoning Commission has reviewed the documents submitted to the Connecticut Siting Council by Greenskies Clean Energy, LLC for the above referenced solar facility. Additionally, pursuant to the many requests we received from local residents to comment on this project, the Commission held a public meeting on 6/30/20 to hear homeowners' concerns regarding the proposed solar field installation. The petition was also reviewed by the Town's engineering consultant who offered several comments on the plans' stormwater elements. On the basis of the foregoing we offer the following comments:

The Town of Stonington recognizes the importance of investments in clean energy. As a coastal community that is increasingly at risk from climate change, reduction of fossil fuel reliance is an important goal for our state. The Town's Plan of Conservation and Development promotes energy conservation and includes a policy to "promote clean energy usage such as natural gas, solar, wind and water by residents and businesses." The Commission also recognizes particular benefits of the application, including a reduction in the golf course's irrigation withdrawals from Anguilla Brook.

However, the Commission has several concerns related to this specific proposal. The Commission's hope is that the Siting Council will assure that the environmental benefits of the proposed solar facility are not off-set by particular negative impacts listed in this letter.

Groundwater Concerns:

Perhaps the Commission's primary concern is the project's potential impact on the Town's groundwater resources. This site is partially located in the Town's Groundwater Protection Overlay District due to its location over the aquifer in the area of Anguilla Brook. This aquifer is

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the emergency supply for the Westerly Water Co. which provides drinking water for much of the eastern half of Stonington, as well as the Town of Westerly, RI.

The Commission's greatest concern is the emerging issue of the class of chemicals known as PFAS. PFAS are a class of chemicals with unique properties that impart oil and water repellency, temperature resistance and friction reduction to a wide range of products used by consumers and industry. We understand that certain solar panels may have protective coatings that could contain one or more PFAS. EPA has recognized this issue and is carefully reviewing it. According to Andy Gillespie, Associate Director for Ecology at EPA's National Exposure Research Laboratory, "There's literally so many thousands of these compounds, and we don't have methods to measure most of them. So, we are getting up on the research, and trying to figure out ways of identifying what's out there." (Source: EPA Confirms GenX-Related Compounds Used in Solar Panels, Dan Way, Carolina Journal, 8/27/18.) Connecticut DEEP and DPH are also conducting ongoing research regarding potential impacts from PFAS.

Area residents and the Town are concerned with the general lack of knowledge by the applicant, the CTDPH, the CTDEEP and the EPA as to how PFAS related chemicals could leach into the groundwater and potentially impact water quality in these wells. The domestic water source for several nearby abutting residential properties are private wells. These questions require further review and study before any additional Solar Generating Sites are approved over sensitive aquifers or in such close proximity to residences served by domestic wells.

Should the Siting Council decide to approve this Petition, we urge the Council to receive verification from the applicants that panels selected at this location are free of PFAS and/or other hazardous materials that could leach into the groundwater over the course of their use. Groundwater testing for related contamination should also be instituted to assure that this resource will not be harmed and that any discovered contamination can be mitigated as soon as possible.

Other Environmental Concerns:

The Commission urges the Siting Council to assure that there will be no harm to any potential vernal pools on this site or on the adjacent Stonington Land Trust properties to the south off North Anguilla Rd.

The applicant shared a closure plan for the project in the event it is abandoned when the land lease expires in 20 years. The applicant, and any successors to the lease, should be required to provide the Town with a Performance Bond insuring the proper and full completion of the closure plan. Bonding should include the cost of remediation for any required soil and water contamination issues caused by the project.

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The proposed project is located within an aquifer protection area, and as such, construction, operation, and maintenance should follow written Best Management Practices for such areas.

Plans should address the following issues related to stormwater management that were raised by the Town's engineering consultant, CLA Engineers (comments enclosed):

- Additional detail should be provided in the Erosion and Sedimentation Control Narrative, Construction Sequence, and Schedule.
- There will be large areas of exposed soil. Disturbed areas should be stabilized weekly.
- Additional erosion and sedimentation control measures should be provided upgrade of the Stormwater Management Basins at intervals to prevent stormwater concentration.
- Erosion and Sedimentation supplies should be maintained onsite for emergency or repair use.
- Copies of the plans submitted to CTDEEP as part of the General Permit Registration for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities should be provided to the Town.
- The Town should be notified of construction start.
- Stormwater Management Basins have been proposed at the low points in the solar array areas. These basins will be the first items constructed as outlined in the construction sequence and will function as sediment traps/basins. Sizing calculations have not been provided to indicate that there is adequate storage volume in the basins for this use in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- Portions of the down grade sides of the basins will be berms constructed of fill material of varying heights. There does not appear to be a berm cross section detail or material specified for the berm construction. Fill berms have been prone to failure in these types of situations. Cross section details and material specifications should be provided.

Visibility Concerns:

The design, scope and siting of visual mitigation appears to have only considered a minimalist approach. Stonington residents deserve a more complete study before this application, and the considerable visual intrusion it causes to abutters, is considered for approval. The Commission requests enhanced screening and landscaping from adjacent residential properties.

The applicant presented various visual renderings from several perspectives but did not include renderings or adequate visual screening for abutting properties on Fairway Court. This is a deficiency that requires further study and mitigation. Fairway Court residents deserve a response to their concerns before any action is contemplated on this project proposed site.

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The Commission requests that the applicants more fully explore alternative locations on the 245-acre Elm Ridge Golf Course property, including those closer to Rt. 95 with minimal visual impact to residences. There are several alternative areas on the golf course which could have been utilized for the proposed Solar Field installations. These alternate sites would allow for a far lesser visual and environmental impact on abutting properties. The applicant cited wetlands as a reason for not pursuing these sites. The mere existence of wetlands on the northern portion of the golf course is an insufficient reason to discount its potential value as an alternative to the proposed siting concept. Alternative locations on the golf course should be fully explored at the local level before this application is considered by the Siting Council.

We fully understand the jurisdictional authority, responsibilities and role of the Connecticut Siting Council in deciding on this application. However, the issues outlined above are serious concerns of the Commission and its residents and constitute deficiencies in the application. Accordingly, the Commission requests that an extension of time be granted by the Council to permit the additional study of our concerns and to give all area residents who wish to be heard more time to review the application before any approval is considered by the Council. Residents have expressed to the Commission that neighborhood communication and organization has been made more difficult due to the current pandemic.

Respectfully,

A handwritten signature in blue ink, appearing to read "David Rathbun".

David Rathbun, Chairman

Stonington Planning and Zoning Commission

Cc: The Honorable Ned Lamont, Governor

Enc: Correspondence from CLA Engineers, Inc. dated 6/30/20

CLA Engineers, Inc.

Civil • Structural • Survey

317 MAIN STREET • NORWICH, CT 06360 • (860) 886-1966 • (860) 886-9165 FAX

June 30, 2020

Mr Keith Brynes, AICP, CZET
Acting Director of Planning
Planning Department
Town of Stonington
152 Elm Street
Stonington, CT 06378

RE: Engineering Review
Elmridge Golf Course PV Solar Facility
229 Elmridge Road, Stonington, CT
CLA-6437M

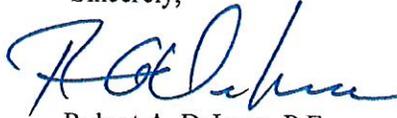
Dear Keith:

We have reviewed the documents submitted to the Siting Council by Greenskies Clean Energy, LLC for the above referenced solar facility. We offer the following comments:

1. Additional detail should be provided in the Erosion and Sedimentation Control Narrative, Construction Sequence, and Schedule.
2. There will be large areas of exposed soil. Disturbed areas should be stabilized weekly.
3. Additional erosion and sedimentation control measures should be provided upgrade of the Stormwater Management Basins at intervals to prevent stormwater concentration.
4. Erosion and Sedimentation supplies should be maintained onsite for emergency or repair use.
5. Copies of the plans submitted to CTDEEP as part of the General Permit Registration for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities should be provided to the Town.
6. The Town should be notified of construction start.
7. Stormwater Management Basins have been proposed at the low points in the solar array areas. These basins will be the first items constructed as outlined in the construction sequence and will function as sediment traps/basins. Sizing calculations have not been provided to indicate that there is adequate storage volume in the basins for this use in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
8. Portions of the down grade sides of the basins will be berms constructed of fill material of varying heights. There does not appear to be a berm cross section detail or material specified for the berm construction. Fill berms have been prone to failure in these types of situations. Cross section details and material specifications should be provided.

9. It appears that Stormwater Management Basin #2 may require a CTDEEP Dam permit due to the height of the fill berm and the impounded volume.
10. Test pits were excavated in the vicinity of each Stormwater management Basin. The test pit logs include "water observed at depth:" line items. It appears that these depths are water observed at the time of excavation and may not reflect the seasonal high groundwater depths. The drainage calculations assume that there is no standing water in the Stormwater Management Basins. It appears that there is potential for standing water in Stormwater Management Basin #2 based on the bottom elevation proposed, this would impact the available storage for the proposed peak flow mitigation.
11. The west site is entirely within the Town Groundwater Protection Overlay and a portion of the east site lies within the Overlay. During construction equipment refueling should take place outside of this Overlay area or if refueling must take place within this Overlay area suitable portable spill containment measures be provided.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. DeLuca".

Robert A. DeLuca, P.E.

c: B. McKrell
C. Palmer