

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

CERTIFIED

Petition No. 1425

Gaylord Mountain Solar Project 2019, LLC, Petition
for a Declaratory Ruling, Pursuant to Connecticut
General Statutes §4-176 and §16-50k, for the Proposed
Construction, Maintenance and Operation of a
1.9-Megawatt AC Solar Photovoltaic Electric Generating
Facility Located at 360 Gaylord Mountain Road in
Hamden, Connecticut, and Associated Electrical
Interconnection

Zoom Remote Public Hearing (Teleconference),
on Tuesday, November 17, 2020, beginning at 6:30 p.m.

H e l d B e f o r e :

JOHN MORISSETTE, Member and Presiding Officer

1 **A p p e a r a n c e s :**

2 **Council Members:**

3 **JOHN MORISSETTE, (Hearing Officer)**

4
5 **QUAT NGUYEN,**

6 **PURA Designee**

7
8 **ROBERT HANNON,**

9 **DEEP Designee**

10
11 **Ed Edelson**

12 **Michael Harder**

13 **Daniel P. Lynch, Jr.**

14
15
16 **Council Staff:**

17
18 **MELANIE BACHMAN, ESQ.,**

19 **Executive Director and Staff Attorney**

20
21 **FRED CUNLIFFE,**

22 **Siting Analyst**

23
24 **LISA FONTAINE,**

25 **Fiscal Administrative Officer**

1 **A p p e a r a n c e s:(cont'd)**

2 **For Gaylord Mountain Solar Project 2019, LLC :**

3 **ROBINSON & COLE, LLP**

4 **280 Trumbull Street**

5 **Hartford, Connecticut 06103-3597**

6 **By: KENNETH C. BALDWIN, ESQ.**

7 **KBaldwin@rc.com**

8 **860.275.8200**

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1 THE HEARING OFFICER: Good evening, everyone. This
2 remote public comment session is called to order
3 this Tuesday, November 17, 2020, at 6:30 p.m. My
4 name is John Morissette, Member and Presiding
5 Officer of the Connecticut Siting council.

6 Other members of the Council are Robert
7 Hannon, designee for Commissioner Katie Dykes,
8 Department of Energy and Environmental Protection;
9 Mr. Nguyen, designee for Chairman Marissa Paslick
10 Gillett, Public Utility Regulatory Authority;
11 Ed Edelson; Michael Harder; and Daniel P. Lynch
12 Jr.

13 Members of the council staff are Melanie
14 Bachman, Executive Director and Staff Attorney;
15 Fred Cunliffe, Supervising Siting Analyst; Lisa
16 Fontaine, Fiscal Administrator Officer.

17 As you are aware, there is currently a
18 statewide effort to prevent the spread of the
19 coronavirus. This is why the Council is holding
20 this remote public hearing, and we ask for your
21 patience.

22 If you haven't done so already, I ask that
23 everyone please mute their computer audio and/or
24 telephones now.

25 This is a continuation of the remote public

1 hearing that began at 2 p.m. this afternoon. A
2 copy of the prepared agenda is available on the
3 Council's Petition Number 1425 webpage along with
4 a record of this matter, the public hearing notice
5 and instructions for public access to this remote
6 public hearing and the Council's citizens guide to
7 Siting Council procedures.

8 This hearing is being held through the
9 provision of Title 16 of the Connecticut General
10 Statutes and of the Uniform Administrative
11 Procedure Act upon a petition from Gaylord
12 Mountain Solar Project 2019, LLC, for a
13 declaratory ruling pursuant to Connecticut General
14 Statute Section 4-176, and Section 16-50K for the
15 proposed construction, maintenance and operation
16 of a 1.9-megawatt AC solar photovoltaic electric
17 generating facility located at 360 Gaylord
18 Mountain Road in Hamden, Connecticut.

19 This petition was received by the Council on
20 August 7, 2020. The Council's legal notice of the
21 date and time of this remote public hearing was
22 published in the New Haven Register on October 2,
23 2020. Upon this Council's request the petitioner
24 erected a sign at the proposed permanent access
25 drive to the site of Gaylord Mountain Road so as

1 to inform the public of the name of the
2 Petitioner, the type of facility, the remote
3 public hearing date and contact information for
4 the Council, the website and phone number.

5 This remote public comment session is
6 reserved for members of the public who signed up
7 in advance to make brief statements into the
8 record. These public statements are not subject
9 to questions from the parties or the Council, and
10 members of the public making statements may not
11 ask questions of the parties or the Council.

12 Public statements will become part of the
13 record for the Council's consideration. Please be
14 advised that written comments may be submitted by
15 any person within 30 days of this public hearing.

16 As a reminder to all, off-the-record
17 communication with a member of the Council or a
18 member of the Council's staff upon the merits of
19 this petition is prohibited by law.

20 I wish to note that parties and interveners
21 including their representatives and witnesses are
22 not allowed to participate in the public comment
23 session. I also wish to note for those who are
24 here and for the benefit of your friends and
25 neighbors who are unable to join us for this

1 public comment session that you or they may send
2 written comments to the Council within 30 days
3 hereof. Such written comments will be given the
4 same weight as spoken here at the hearing.

5 Please be advised that any person may be
6 removed from the remote public comment session at
7 the discretion of the Council. Please be aware of
8 that. We will remove folks if it's unruly.
9 Please be advised that the Council cannot answer
10 questions from the public about the proposal.

11 The written verbatim transcript of this
12 remote public hearing will be posted on the
13 Council's Petition Number 1425 webpage and
14 deposited at the Hamden and Bethany town clerk's
15 office for the convenience of the public.

16 At this time I request that the petitioner
17 make a brief presentation to the public describing
18 the proposed facility.

19 Mr. Gustafson, please proceed?

20 **MATTHEW GUSTAFSON:** Thank you.

21 Can everyone hear me all right?

22 **THE CHAIR:** Yes. Thank you.

23 **MATTHEW GUSTAFSON:** All right. Thank you.

24 For introduction, again my name is Matthew
25 Gustafson. I'm an environmental consultant with

1 All Points Technology working on behalf of Gaylord
2 Mountain Solar Project 2019, LLC, for the Petition
3 Number 1425, a declaratory ruling for the proposed
4 construction, maintenance and operation of the
5 1.9-megawatt AC solar photovoltaic electric
6 generating facility located at 360 Gaylord
7 Mountain Road in Hamden, Connecticut.

8 The proposed project, as stated is located at
9 360 Gaylord Mountain Road. The site consists of
10 an irregular shaped parcel totaling approximately
11 33.6 acres consisting primarily of undeveloped
12 forest land; to develop portions of the property
13 to the west consisting of an electrical
14 transmission corridor and power facility.

15 The proposed project as it stands will be
16 entirely located within the eastern portions of
17 the site consisting of mature upland forest with
18 small areas of wetland included. A total of five
19 wetland areas were identified on or near. The
20 site's general topography ranges from moderate to
21 steeply sloping, west to east facing slopes.

22 The facility itself will consist of
23 approximately 6,290 400-watt photovoltaic modules.
24 These modules will be mounted to a racking system
25 and mounted to the ground using a ground screw

1 mounted racking system.

2 The facility is surrounded by a proposed
3 seven-foot tall farm fence with a gravel, a
4 permanent gravel access proposed off Gaylord
5 Mountain Road at the far southeast site corner
6 extending west into the project area.

7 The proposed electrical interconnection will
8 tie into an existing distribution pole along the
9 right-of-way, and a permanent site entrance off
10 Gaylord Mountain Road. A temporary construction
11 access road is proposed to the northwest of the
12 facility to limit construction traffic through the
13 main access. This proposed construction access
14 will generally follow existing topography across
15 the slope to limit impact with existing gravel
16 access road currently servicing the
17 telecommunication facility off Gaylord Mountain
18 Road to the north.

19 The proposed facility will occupy an
20 approximate 8.6 acres of the site and an
21 additional 3.7 acres of disturbance beyond the
22 fence limits, totaling an approximate 12.3 acres
23 of the site.

24 Construction activities associated with the
25 project will include tree clearing, installing

1 stormwater controls, installation with a
2 vegetative earthen berm for aesthetical screening,
3 racking and module installation, electrical
4 trenching and new and temporary access road
5 development.

6 The removal of trees beyond the fenced are
7 requires to facilitate construction and for
8 shading purposes.

9 As is mentioned previously all trees removed
10 will be flush cut and stumped to minimize ground
11 disturbance. Existing grades in the proposed
12 solar array will remain to the extent feasible.

13 With that said, I think that covers generally
14 what the project will entail as well as generally
15 where the site is located. So I'll keep it brief
16 and hand it back over to the Council.

17 Thank you for your time.

18 **THE CHAIR:** Thank you, Mr. Gustafson.

19 At this time I will now call for statements
20 by public officials. Mayor Leng?

21
22 (No response.)

23
24 **THE CHAIR:** Mr. Sharkey, would you like to address the
25 Council as well?

1 (No response.)

2
3 THE CHAIR: Okay. We'll move on.

4 We will now call Diane Hoffman to make a
5 public statement. Diane Hoffman?

6 DIANE HOFFMAN: Thank you, yes. Can you hear me?

7 THE CHAIR: Yes, I can. Thank you.

8 DIANE HOFFMAN: Okay. Thank you. Honorable members of
9 the Connecticut Siting Council, as residents of
10 Hamden, Elizabeth Langhorne and I greatly
11 appreciate this opportunity to speak. We have
12 been able to review the petition and the
13 environmental assessment for this project and have
14 attended public working group meetings, the GC3.

15 We heartily support solar projects to produce
16 energy, but oppose this project because it entails
17 clearcutting twelve acres of forest.

18 As we all know, forests sequester carbon and
19 mitigate the growing effects of climate change.
20 The report from the GC3 forest subgroup presents
21 as a top priority the adoption of a state policy
22 of no net loss of forests.

23 In the case of this proposed facility the
24 Hamden Tree Commission writes, this proposal to
25 clearcut and chip over 12 acres of mature mesic

1 hardwood forest that is on steep slopes and
2 contains wetlands will have substantial adverse
3 permanent environmental impacts.

4 According to the regional water authority
5 letter, the soils at this site are highly
6 erodible. The petitioner's environmental report
7 suggests that the developers can easily control
8 erosion and stormwater on site, but that has not
9 been the case with solar.

10 Indeed, DEEP has recently updated guidance
11 specifically for solar and we believe that as more
12 is learned DEEP guidance will likely be updated
13 again regarding the amount of impervious surface
14 that is of concern for solar projects.

15 The value of forest ecosystem services must
16 also must be considered. The forest is not just a
17 bunch of trees, but a biological community of
18 interacting organisms and their physical
19 environment.

20 One of the most important ecosystem services
21 provided by a forest is the protection of drinking
22 water supplies. The forest and its wetlands
23 filter runoff that helps clean the water we drink.
24 This solar project is in a drinking water supply
25 watershed.

1 The watershed of Eaton Brook, which flows to
2 the Mill River which flows downstream to the Lake
3 Whitney reservoir, this reservoir is an active
4 drinking water source for RWA customers including
5 myself and Elizabeth.

6 The best way to protect drinking water is to
7 protect forest. The environmental report for this
8 solar project does not even mention what watershed
9 the project is located in, or that it is in a
10 source water protection area. This is a huge
11 omission.

12 As the RWA wrote in their testimony, this
13 solar project will result in an irretrievable loss
14 of forestland that protects the affected RWA
15 sources of supply in the Mill River watershed.

16 In addition, the Trade Commission testimony
17 addressed countless other ecosystem services and
18 made the point that this parcel is a critical
19 component of a forested corridor that connects the
20 Naugatuck State Forest and adjacent regional water
21 authority watershed with Sleeping Giant State Park
22 and Mill River watershed.

23 The entire discussion this afternoon focused
24 on how to get approval for a, quote, challenging
25 site, unquote, which is in fact an inappropriate

1 site for solar. The Q and A ignored the
2 importance of value of the benefits of trees being
3 removed and the goals of the state and local
4 community in the face of an existing climate
5 crisis.

6 This project does not belong in a forest. As
7 stated by Mr. Kops, there exists appropriate sites
8 that would be acceptable to the Town of Hamden and
9 residents and would not involve sacrificing
10 twelve acres of trees. So very local, statewide,
11 and indeed global reasons we oppose the solar
12 project and call upon you to reject the
13 petitioner's request.

14 Thank you.

15 I'd also like to make just one other comment
16 if I could?

17 THE CHAIR: Yes, Ms. Hoffman. Please continue.

18 DIANE HOFFMAN: Thank you. I received a message that
19 the lack of information on the signage means some
20 people who were, you know, and wanted to speak
21 tonight and are most interested in speaking were
22 not aware of the cutoff, and thus will not have an
23 opportunity to speak, and they're wondering if
24 this can be addressed? They would like to
25 actually speak orally -- so you can hear her.

1 THE CHAIR: That's unfortunate -- but unfortunately
2 they missed the deadline, and the sign does comply
3 with the regulations of the Council. And it was
4 posted where the Council actually had requested it
5 and had the words and information that is acquired
6 by statute.

7 However, please note that anybody can file
8 written comments within 30 days of this hearing
9 and will be accepted and given the same weight as
10 verbal testimony.

11 DIANE HOFFMAN: Okay. Thank you.

12 THE CHAIR: Thank you, Ms. Hoffman.

13 That concludes the public statement section
14 of this public comment session. The Council
15 announces that it will continue the evidentiary
16 session of this public hearing on Tuesday,
17 December 15, 2020 and 2:00 p.m. via Zoom remote
18 conferencing. A copy of the agenda for the
19 continued remote evidentiary hearing session will
20 be available on the Council's Petition Number 1425
21 webpage along with the record in this matter, the
22 public hearing notice, instructions for public
23 access to the remote evidentiary hearing session
24 and the Council's citizens guide to Siting Council
25 procedures.

1 Please note that anyone who has not become a
2 party or intervenor, but who desires to make his
3 or her views known to the Council may file written
4 statements with the Council until the public
5 comment record closes.

6 Copies of the transcript of this hearing will
7 be filed at the Hamden and Bethany's town clerk
8 office.

9 I hereby declare this hearing adjourned.
10 Thank you for your participation.

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12 (End: 6:46 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 16 Pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Zoom Remote Public Hearing (Teleconference) in Re: CONNECTICUT SITING COUNCIL PETITION NO. 1425, GAYLORD MOUNTAIN SOLAR PROJECT 2019, LLC, PETITION FOR A DECLARATORY RULING, PURSUANT TO CONNECTICUT GENERAL STATUTES §4-176 AND §16-50K, FOR THE PROPOSED CONSTRUCTION, MAINTENANCE AND OPERATION OF A 1.9-MEGAWATT AC SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITY LOCATED AT 360 GAYLORD MOUNTAIN ROAD IN HAMDEN, CONNECTICUT, AND ASSOCIATED ELECTRICAL INTERCONNECTION, which was held before JOHN MORISSETTE, Member and Presiding Officer, on November 17, 2020.



Robert G. Dixon, CVR-M 857
Notary Public
BCT Reporting, LLC
55 Whiting Street, Suite 1A
Plainville, CT 06062
My Commission Expires: 6/30/2025