



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

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**VIA ELECTRONIC MAIL**

February 3, 2023

TO: Service List, dated January 9, 2023

FROM: Melanie Bachman, Executive Director

RE: **PETITION NO. 1557** – LSE Hercules LLC (Lodestar Energy) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4-megawatt AC solar photovoltaic electric generating facility located at 95, 105 and 113 Raffia Road, Enfield, Connecticut, and associated electrical interconnection.

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Comments have been received from the Department of Energy and Environmental Protection on February 3, 2023. A copy of the comments is attached for your review.

MB/MP/laf

c: Council Members



February 3, 2023

Connecticut Siting Council  
10 Franklin Square  
New Britain, Connecticut 06051

RE: 4-MW Photovoltaic Generating Facility  
LSE Hercules LLC (Lodestar Energy)  
Enfield, Connecticut  
Petition No. 1557

Dear Members of the Connecticut Siting Council:

Staff of this department have reviewed the above-referenced Petition for Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need will be required for the construction of a 4.0-MW photovoltaic generating facility at 99-113 Raffia Road in Enfield. In addition, a field review of the site was conducted on January 23, 2023. Based on these efforts, the following comments are offered to the Council for your consideration in this proceeding.

As in other recent DEEP comments concerning photovoltaic generating facilities, we note that the construction of facilities such as that proposed in this petition will aid in the achievement of Connecticut's vision for a more affordable, cleaner, and more reliable energy future for the ratepayers of Connecticut. Bringing more zero carbon energy projects on line is instrumental in furthering this vision as these resources help diversify the regional fuel mix, and they aid in implementing Governor Lamont's Executive Order No. 3 that DEEP investigate pathways to achieve a 100% zero-carbon electric sector by 2040. Developing grid-scale renewables is also imperative to the state's success in achieving its statutory goal of reducing carbon emissions by 45% below 2001 levels by 2030 and by 80% below 2001 levels by 2050.

#### Site Description

The proposed Lodestar Energy 13.6-acre project site is a level, cleared, substantially disturbed site presently hosting a mulch processing operation. Most of the site is unvegetated, barren soil which, on the January 23 site visit, was characterized by numerous areas of standing water from heavy precipitation of the previous night, ubiquitous equipment tracks, many of which hosted puddles, and a muddy surface in all exposed areas. Mulch piles of 8-10 feet in height are distributed across the mulch yard. The very northern portion of the project footprint consists of grassed field, also very level. In light of the cleared, flat and disturbed nature of the site, it is a very appropriate setting for the proposed solar farm.

The topography drops off steeply to the east and southeast, descending to the Scantic River and its floodplain, with previous fill on the site extending the flat area in these directions. Descending the fill embankments reveals that concrete and asphalt fragments and bricks are very significant components of the historic fill materials. ATV and dirt bike trails are evident in the floodplain below the limits of the fill.

The tobacco barn in the southwestern corner of the site is presently used as a garage and for equipment storage. Two large front end loaders were parked in different portions of the site near the mulch piles.

Two commercial buildings hosting several businesses each are situated adjacent to the western border of the project site on the east side of Raffia Road. Though page 22 of the Environmental Assessment alludes to residential use also occurring in these structures, which would most likely refer to the second floor portion at the northern end of the southern building above Dunkin' Donuts, no residential entrance which would serve this area was apparent and the USPS postman said that building hosted commercial uses only. This is germane only in that such units would constitute the nearest residential uses to the project. Otherwise, the nearest residential homes are 81 Raffia Road, immediately north of the host property, and homes along the west side of Raffia Road.

To the north end of the project area, a portion of the edge forest habitat described in the Environmental Assessment (pp. 21-22) is found. Two notable 100' white pine are located at the field/forest boundary. They will presumably be among the trees being removed. Hopefully not being removed are a line of nine Norway spruce at the northern end of the commercial parking lot which provide significant visual screening for the proximal house to the north (81 Raffia Road) from both the commercial area and the proposed solar farm.

In terms of the tree clearing involved in the development of the Lodestar facility, it is noted that the extent of tree clearing is given as 3.50 acres on page 22 of the Environmental Assessment and as 1.21 acres on page 19 of the Petition narrative.

A puzzling reference is made on page 17 of the Petition in the discussion of Scenic Values (Heading H) that the project is "on unusable land both on and adjacent to the Enfield landfill". No mention of such previous use of the site was made at the December 8, 2022 pre-application meeting DEEP had with the Lodestar Energy team and DEEP knows of no previous waste disposal activities which have occurred at the site. The Enfield municipal landfill, which closed 25 years ago, was located on Town Farm Road, east of the proposed site on the other side of the Scantic River. That site currently hosts the municipal transfer station. Should Lodestar know of, or during construction encounter, solid waste disposed of on the project site, they should report the presence of the waste to DEEP's Waste Engineering and Enforcement Division, specifically to [david.mckeegan@ct.gov](mailto:david.mckeegan@ct.gov).

#### Construction Stormwater Management

Construction projects involving five or more acres of land disturbance, including this one, require either an individual NPDES discharge permit from DEEP or they may register for coverage under the Department's General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (DEEP-WPED-GP-015). Lodestar has submitted an application under the General Permit, and that submittal is currently under review.

### Miscellaneous Petition Commentary

There are a number of internal inconsistencies in the Petition materials in addition to the extent of tree clearing cited above.

Item #3 in the Decommissioning Plan speaks of the interconnection from the project being made to an Eversource distribution line on Ryan Avenue. No Ryan Avenue was noted in the project area in the site review and multiple references in the Petition describe the interconnection as being to a distribution line on Raffia Road. Is the mention of Ryan Avenue a relic wording from another decommissioning plan?

The perimeter fence surrounding the array is described as being a 7' fence on page 17 of the Petition and on page 2 of the Decommissioning Plan, but as a 6' fence on page 6 of the Petition and on page 6 of the Environmental Assessment.

In conformance with the guidance in Appendix I for Stormwater Management at Solar Array Construction Projects, at the December 8, 2022 pre-application meeting, Lodestar specified that both the width of the panels and the width of the interrow spacing between panels will be 13.7'. While not an inconsistency, it is worth pointing out that the interrow spacing will be considerably wider than the spacing shown in the two example photos contained on pages 7 and 8 of the Petition.

Thank you for the opportunity to review this petition and to submit these comments to the Council. Should you, other Council members or Council staff have any questions, please feel free to contact me at (860) 424-4110 or at [frederick.riese@ct.gov](mailto:frederick.riese@ct.gov).

Respectfully yours,



Frederick L. Riese  
Senior Environmental Analyst

CC: Katie Dykes, Commissioner