



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

August 27, 2025

Melanie Bachman, Executive Director
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PETITION NO. 1683 – Greenskies Clean Energy LLC (Petitioner) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 2.75-megawatt AC solar photovoltaic electric generating facility and associated equipment located on one parcel (Parcel No. 079-015) northwest of the intersection of Quassapaug Road and Artillery Road, Woodbury, Connecticut, and associated electrical interconnection.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) supports the development of clean energy facilities on appropriate sites in Connecticut. The Council offers the following comments regarding Petition 1683.

Wetlands and Vernal Pool

The Petitioner states that “VHB mapped five wetlands and two watercourses within the Property” and that “the Project limits meet or exceed the CT DEEP Stormwater General Permit’s minimum suggested setbacks for both solar panels (100’) and overall disturbance (50’) to wetlands.” However, Appendix A Sheet C2.01 notes that Wetland 2 would be “constructed over” and there are no provisions to maintain a minimum 100-foot buffer around Wetland 2. The Council does not support the destruction of wetlands and recommends that the Petitioner develop a plan to restore Wetland 2 and maintain the 100-foot buffer around Wetland 2 or in the alternative, create a new wetland on the proposed site of equal or greater area in a location that would better support wetland functions and wildlife habitat.¹

The Petitioner also states that “VHB mapped one vernal pool within the Property on April 2, 2025”, which is an approximately 0.6-acre area that is classified as a Tier 1 cryptic vernal pool located within Wetland 4. Since successful protection efforts for vernal pool obligate species includes “supporting upland habitats, and corridors that connect vernal pools to other wetlands and water bodies,” and the proposed northern-most array separates the vernal pool within Wetland 4 from Wetland 1, the Council recommends that the Petitioner establish vegetated corridors between the wetlands and the vernal pool to allow for species migration, which might include installing a “6” Gap Below Lowest Tension Wire To Allow For Wildlife Passage”, consistent with the notation on Appendix A Sheet C5.01. Further, the Council recommends that the Petitioner incorporate best development practices for “site clearing, grading, and construction activities” referenced in the *Best development practices: Conserving pool-breeding amphibians in residential and commercial developments in the northeastern United States.*²

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¹ The success of any wetland creation largely depends on the hydrology of the created wetlands to support wetland vegetation and functions. The Council recommends that there be ongoing monitoring and maintenance of the project area to help ensure that the hydrology of the constructed wetlands is appropriate, that dead plant materials are removed and replaced, and that any invasive and/or undesirable plant species are removed.

Public Water Supply and Spill Prevention

The Council notes that the Figure 11 – Public Water Supply Map appears to depict the proposed site within an area designated as “Drinking Water Watersheds”. Although the Petitioner details certain provisions for the storage of flammable liquids, placement of spill kits in all vehicles and equipment on-site, and chemical use monitoring, the Council recommends that the Petitioner review and incorporate the protective measures identified in the Department of Public Health’s “General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area” guidance document.³ Further, the Council recommends that the Petitioner require that all refueling and/or servicing of vehicles and machinery be done on an impervious surface located at least 100 feet from any wetlands, and that the project plans specify spill prevention, containment and reporting procedures.

Wildlife

The Petitioner notes that one State-listed species, the Eastern box turtle (EBT), was noted in the Connecticut Department of Energy and Environmental Protection (DEEP) Natural Diversity Data Base (NDDB) determination letter dated August 30, 2024, as “documented nearby the proposed project area.” The NDDB determination letter also notes that impacts to EBT for work conducted during the dormant season (between November 1- March 31) are not anticipated, but certain protective measures are required “to prevent turtle access and entry into your work zone between April 1- October 31.” Although the Petitioner states that “the Project Plans include the recommended site design measures recommended in the NDDB Determination for this species”, the notes on Appendix A Sheet C4.01 – “Wildlife Protection” are confusing since the required protective measures should be employed during the active season, not outside of the active season as stated on the project plans. The Council recommends that the notes on the project plans clarify that the proposed protective measures are required for work outside of the EBT’s dormant season.

Visibility

The Petitioner states that “due to large amounts of adjacent woodland and rolling topography, the Project Area is currently visible only on the southern field from surrounding properties to the east.” Indeed, as depicted in Appendix I – Visual Impact Study, the proposed site would be visible from the area southeast of the proposed site. Since the Petitioner’s intent is for the proposed project to complement the existing rural and agricultural character of the area, the Council suggests that the Petitioner develop a plan to minimize the visual impact of the proposed facility from residents located southeast of the proposed site and areas along Quassapaug Road where the proposed facility would be visible.

The Council’s comments above address only certain elements of the materials provided by the Petitioner at the time of the filing. Additional information can become evident through comments offered by other parties and during the Siting Council’s administrative hearing process. The absence of comment(s) by this Council about any Petition or Application, or any aspects thereof, may not be interpreted as an endorsement of a proposed project, or its components or that this Council might not have comments or concerns on more specific issues raised during the hearing process.

Thank you for your consideration of the Council’s comments.

Sincerely,



Paul Aresta
Executive Director

² Calhoun, A. J. K. and M. W. Klemens. 2002. Best development practices: Conserving pool-breeding amphibians in residential and commercial developments in the northeastern United States. MCA Technical Paper No. 5, Metropolitan Conservation Alliance, Wildlife Conservation Society; <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/VernalPools/BestDevelopmentPractices20Oct2014.pdf>

³ Connecticut Department of Public Health; https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/drinking_water/pdf/BMPFactSheetpdf.pdf