

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

DOCKET #364

ORIGINAL

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OCT 22 2008

IN THE MATTER OF: CONNECTICUT
SITING COUNCIL

CONNECTICUT LIGHT AND POWER
APPLICATION FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE
WATERFORD SUBSTATION
325 WATERFORD PARKWAY NORTH
WATERFORD, CT

INTERVENOR POST HEARING BRIEF
IN OPPOSITION OF PROPOSED SUBSTATION
SUBMITTED BY
CONSTANCE CASEY
51 GURLEY ROAD
WATERFORD, CT

AHLAM SHALHOUT
98 OIL MILL ROAD
WATERFORD, CT

OCTOBER 21, 2008

STATEMENT OF THE FACTS:

A. Site #1

1. Proposed facility at Site #1 is 100 feet west of unnamed stream and 200 feet east of Oil Mill Brook which flow south into the Niantic River.
2. Proposed facility is approximately 1600 feet north of the Niantic River in the heart of the Niantic River Watershed .
3. Ground elevation at proposed facility is 50 feet above sea level.
4. Unnamed stream flooded in the first week of January 2007 in excess of 100 feet beyond it's banks.
5. Proposed facility is zoned Rural Residential RU-120.

B. Site #2

1. The footprint of the proposed substation easily fits on Site #2.
2. Ground elevation is approximately 128 feet above sea level.
3. Site #2 is a 10.5 acre, undeveloped, vacant property zoned General Industrial IG with sufficient buffer to adjacent properties.
4. Site #2 is directly centered in the business triangle borders of Routes 95, 395 and 85 in the Waterford load center.
5. Water and sewer hook up is readily available.
6. Vegetation is largely comprised of a Christmas Tree Farm.
7. Building a substation will affect fewer resident than Site #1
All adjacent houses are for sale.
8. The Jordan Brook watershed is further from stream beds resulting in better natural filtration of potential pollutants.

STATEMENT OF THE ISSUES:

A. Site #1

1. Will imbibed bead containment system withstand the conflation of flooding of unnamed stream with a transformer leak?
2. Does Applicant reserve its right to claim the law on land-use agency input which applies to a substation?

B. Site #2

1. Were field studies performed equivalent to Site #1?
2. Will Christmas tree vegetation require removal to construct substation?
3. Does Applicant prefer to use Industrial zoned, undeveloped, vacant property to build proposed substation?
4. Would placement of substation be more appropriate on Route 85?
5. Has Applicant contacted any residents or property owners to inform them of the proposed substation?

ARGUMENT:

A. Site #1

1. Imbibed bead system of containment is designed to hold 110% of transformer fluid capacity. Should water from flooded unnamed stream infiltrate containment area at the same time a transformer leak occurs, containment may exceed capacity allowing the

insulating fluids to leak beyond the containment area
contaminating attendant waterways.

2. Any expansion would encroach on the proposed two acre
buffer area that includes wetlands and unnamed stream.

Testimony given on September 23, 2008 acknowledges any plans
for expansion would require refile application with the CSC.

However, in The Day article dated April 30, 2008, the Applicant
was quoted stating that CL&P reserves it's right to claim the law
on land-use agency input does not apply to an existing substation.

B. Site #2

1. No formal exhibits were presented to accommodate data
proposed excluding Site #2 as a deficient site for the substation.

The real estate broker and property owner has no recollection
of outreach from the Applicant regarding their interest in the
property for potential substation plans.

2. Christmas trees planted on the tree farm are predominantly
located outside the area of the proposed substation footprint
placement.

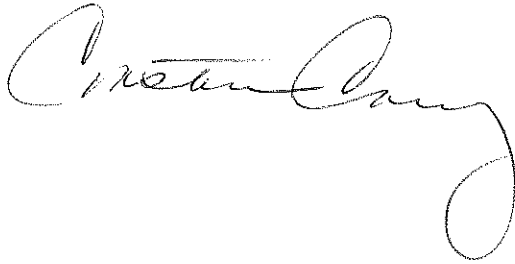
3. As stated in the Applicant's application, page I-1, undeveloped
or vacant properties greater than two acres in size, providing
suitable buffer to surrounding properties are selected as potential
sites. Industrial zoned sites "are preferred over non industrial
sites."

4. Given the proposed development of Rt. 85 for two new retail centers and an expansion of an existing retail center, placement of substation on Route 85 would be in close proximity to the load center. Direct access to feeder lines on Cross Road leads to the Boston Post Road business district.
5. Properties adjacent to Site #2 are for sale. The decision to sell these properties are due to the commercialization of Rt. 85 with heavy traffic, retail centers, and commercial businesses surrounding the residential properties which is in direct opposition to proposed Site #1.

CERTIFICATE OF SERVICE:

I hereby certify that on this 21st of October, 2008, a copy of the foregoing was mailed, postage prepaid, at all the parties and intervenors on the Service List.

Respectfully Submitted,
Constance Casey

A handwritten signature in cursive script, appearing to read "Constance Casey". The signature is written in black ink and is positioned below the typed name.