



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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May 24, 2013

Andrew W. Lord, Esq.  
Murtha Cullina LLP  
CityPlace I, 29<sup>th</sup> Floor  
185 Asylum Street  
Hartford, CT 06103

RE: **DOCKET NO. 431** – South Norwalk Electric and Water Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of an electrical substation and its connection to an existing 115 kV transmission line, located at 180 Dr. Martin Luther King, Jr. Drive, Norwalk, Connecticut.

Dear Attorney Lord:

At a public meeting of the Connecticut Siting Council (Council) held on May 16, 2013, the Council considered and approved the partial Development and Management (D&M) Plan submitted for this project on May 10, 2013 with the following conditions:

- The Certificate Holder shall include privacy slats in the fence portion of the full D&M plan.
- The Certificate Holder shall submit a signed letter from Licensed Environmental Professional to certify that the soil has been properly remediated.

This approval applies only to the D&M Plan submitted on May 10, 2013 and additional information received on May 13 and 14, 2013. Any changes to the D&M Plan require advance Council notification and approval.

Please be advised that deviations from this plan are enforceable under the provisions of the Connecticut General Statutes § 16-50u. Enclosed is a copy of the staff report on this D&M Plan, dated May 16, 2013.

Thank you for your attention and cooperation.

Very truly yours,

Robert Stein  
Chairman

RS/MP/cm

Enclosure: Staff Report, dated May 16, 2013

c: Parties and Intervenors  
The Honorable Richard Moccia, Mayor, City of Norwalk  
Michael Greene, Director of Planning and Zoning, City of Norwalk

**Docket No. 431**

**SNEW**

**Staff report for partial D&M Plan**

**May 16, 2013**

*Introduction*

On May 10, 2013, South Norwalk Electric and Water (SNEW) submitted a partial Development and Management Plan (D&M Plan) limited to tree clearing and soil remediation for the SoNo Substation project that was approved by the Council on March 21, 2013. The substation site is located on two adjoining parcels totaling 1.07 acres. To the east of the site is Dr. Martin Luther King Jr. Drive. Abutting the site to the west is the Metro-North Railroad (MNRR) tracks. (Residential properties are located on the opposite side of the tracks.) To the south is a United Parcel Service building and parking lot. To the north is Dr. Martin Luther King Jr. Drive passing over the MNRR tracks.

*Soil Remediation Issues*

The southern parcel of this site previously contained a two-story residential structure and a small garage. The garage was used as an auto repair shop from the 1950s through the 1960s and an auto body shop from the 1960s to 1995. The home and garage were demolished in 2010. Based on the parcel's past use as an auto body shop, SNEW contracted with Hygenix, Inc., a local Licensed Environmental Professional (LEP) firm, to conduct a phase one and two Environmental Site Assessments. The assessments revealed several contaminants which exceed the applicable soil criteria. The contaminants of concern are lead, arsenic, and to a lesser degree, petroleum hydrocarbons and trace volatile organic compounds.

Hygenix has a plan to excavate the soils and fill material on the property that exceed the Residential Direct Exposure criteria and GA-Pollutant Mobility Criteria that will bring the site into compliance with the State Remediation Standard Regulations, RCSA §22a-133k-1 through 22a-133k-3. This approach includes the removal of all the contaminated fill material on the property. This will require clean replacement fill for almost the entire west side of this parcel. Upon completion of all required soil remediation and demonstration of compliance with groundwater monitoring requirements, a final verification will be submitted by a LEP. As a condition of approval, staff recommends that a letter from an LEP be submitted to the Council to certify that the soil has been properly remediated.

### *Tree Clearing and associated Visual Impacts*

Tree clearing is necessary to accommodate the substation footprint as well as the loop-through transmission connections. Currently, there are trees on the western portion of the site adjacent to the MNRR corridor. According to the attached tree removal drawing, the northern portion of the site (in dark green) would not have any clearing of vegetation. (See Appendix C of this report.) The central portion of the site (in orange) would be cleared for substation grading purposes and to accommodate the transmission connections. The southern portion (in light green) would have limited tree clearing per MNRR and The Connecticut Light and Power Company existing management practices.

All 56 trees in the orange area would be removed. In the light green zone, approximately 35 trees would be removed and 84 would remain. In the dark green zone, all 32 trees would remain. Thus, in total, 44 percent of the existing trees would be removed; thus, 56 percent would remain. There are no plans to landscape the western side of the site given the close proximity to the railroad tracks and the need for clearance for transmission connections.

Thus, staff believes that visual impact mitigation is necessary to soften the direct views of the substation on the west-central (orange zone) portion of the site from the residences on the opposite side of the tracks. Since the tree removal is necessary and landscaping is impractical close to the tracks, privacy slats on the substation's chain link fence would shield the views of much of the substation equipment, except for the structures/equipment that are taller than the fence.

SNEW has agreed to include privacy slats as part of its upcoming full D&M plan which would include the fence plan. As a condition of approval, staff recommends that SNEW include privacy slats as part of the fence plan in the full D&M plan.



*Appendix A – Existing Conditions*



Appendix B – Tree Count

**Tree Tally for Vegetation Management Zones at the Substation Site**

Species	Gold Area (Middle Zone)*		Lt. Green Zone (Southern Zone)		Dark Green (Northern Zone)* existing vegetation to remain
	trees to be removed		to be removed*	to remain**	
Tree of Heaven		18	19	47	6
Black locust		14	8	13	6
Box elder		16	0	0	8
Norway maple		7	1	2	4
Black oak		1	0	9	0
Hickory spp.		0	4	0	0
Crabapple spp.		0	0	0	5
Black cherry		0	1	7	3
Autumn olive		0	0	3	0
Red cedar		0	1	1	0
Sassafrass		0	0	2	0
Grey birch		0	1	0	0
Subtotal		56	35	84	32
		<b>Total removed: 91</b>		<b>Total remaining: 116</b>	

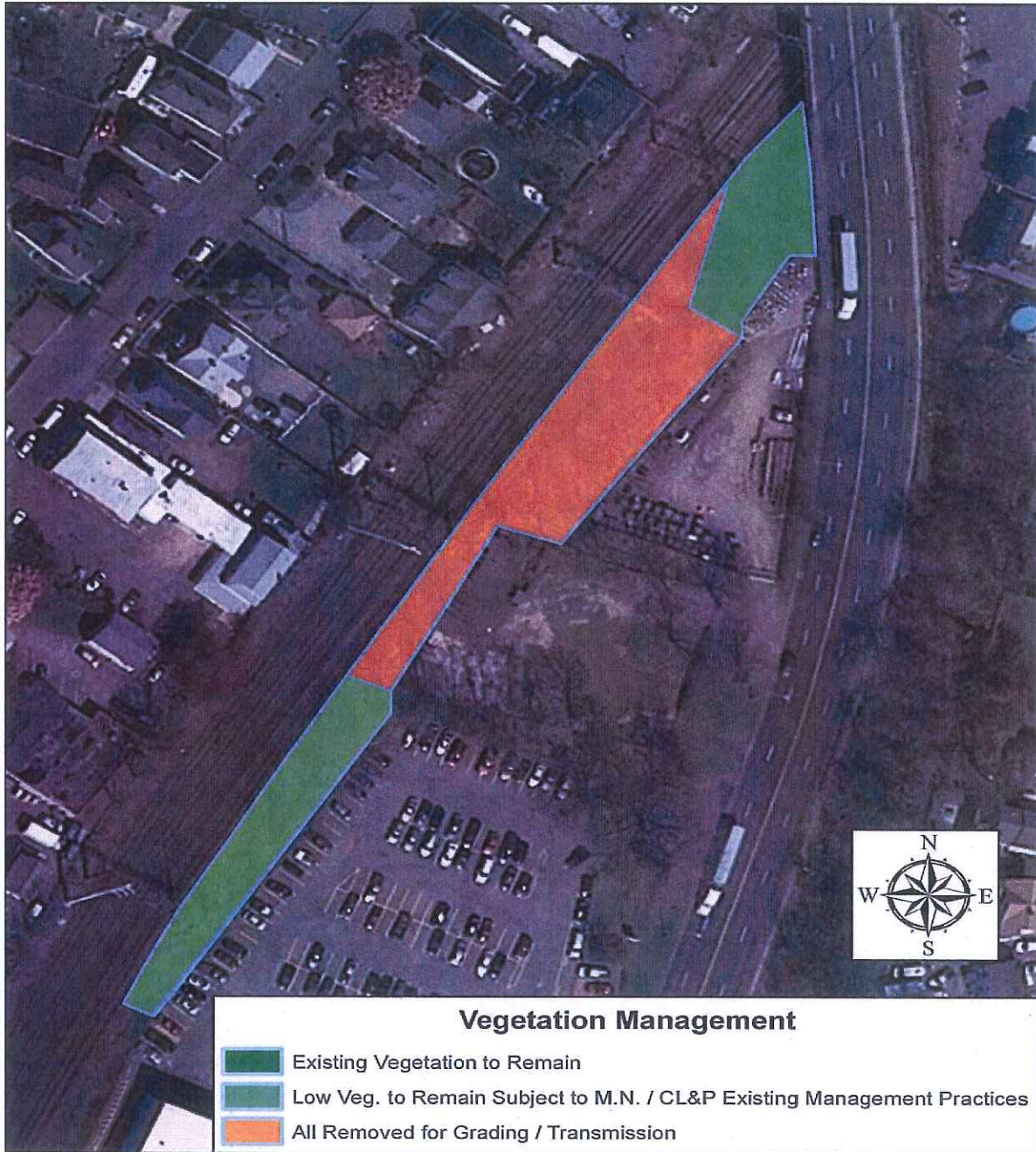
Tree is any stem or trunk greater than 2" diameter-at-breast (dbh) height

\*Tree is any stem or trunk less than 2" diameter-at-breast (dbh) height & greater than 5' in height



*Appendix C – Tree Removal Areas*

**Tree Removal: 180-184 Dr. Martin Luther King Jr. Dr**



Date: 5/13/2013

Tree Removal - Site Prep

