

PAUL M. GERAGHTY\*  
MICHAEL S. BONNANO  
JOHANNA McCORMICK  
MARK A. DUBOIS†  
JONATHAN E. FRIEDLER††

\*Also Admitted in New York  
† Board Certified, Trial Advocate  
†† Also Admitted in Massachusetts and North Dakota

pgeraghty@geraghtybonnano.com

October 27, 2020

Ms. Melanie Bachman  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

Re: Eversource Energy  
Sub-Petition No. 1293-LG-01 (Ledyard/Groton)  
dated September 30, 2020

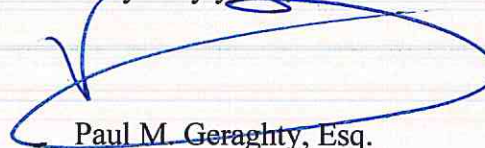
Dear Ms. Bachman:

As you know, this office represents Mr. John J. Creaturo and Genevieve Triplett of 43 Pheasant Run, Gales Ferry, Connecticut in connection with Eversource Energy's SubPetition No. 1293-LG-01. This letter is request that Mr. Creaturo and Ms. Triplett Connecticut be given Intervenor status for this SubPetition:

The request is made pursuant to C.G.S. § 16-50 and C.G.S. § 4-177a(a). An Intervenor Status Request Form is being submitted herewith. I have signed the Request form as counsel for Mr. Creaturo and Ms. Triplett. Please advise if you require a form executed by them personally.

We would respectfully request that correspondence be sent electronically to Mr. Creaturo at [stonefeeds@hotmail.com](mailto:stonefeeds@hotmail.com) and Ms. Triplett at [mysticpetshop@gmail.com](mailto:mysticpetshop@gmail.com) and with a copy to my office at [pgeraghty@geraghtybonnano.com](mailto:pgeraghty@geraghtybonnano.com).

Very truly yours,



Paul M. Geraghty, Esq.

Enclosure

cc: Client

Kathy M. Shanley, Manager Transmission Siting, Eversource Energy



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@po.state.ct.us](mailto:siting.council@po.state.ct.us)

Web Site: [www.ct.gov/csc](http://www.ct.gov/csc)

### INTERVENOR STATUS REQUEST FORM

Docket/Petition No.

1293-LG-01

Town/City

Ledyard

Date

10/27/2020

Name:

John J. Creaturo / Genevieve Triplett

Street Address:

43 Pheasant Run

City, State, Zip:

Gales Ferry, CT 06335

Contact Number:

860-572-4424

E-mail:

stonefeeds@hotmail.com

1. Manner in which intervenor's participation is in the interests of justice and will not impair the orderly conduct of the proceedings:

Mr. Creaturo and Ms. Triplett are the owners of 43 Pheasant Run, Gales Ferry, Connecticut. Their property consists of 42.74 acres through which an Eversource transmission line runs. See attached mark-up of Attachment C to SubPetition at Sheet 4 of 6. The Right of way is 200 feet in width and traverses through both wetlands habitat and areas of special environmental concern as designated by Eversource itself. Of paramount concern is that the original Decision on Petition No. 1293 was approved with the condition that Eversource provide the Council with site specific information for each area of its maintenance activity and abutters be given 30 days notice of such activity to provide their comments and concerns to the Council. Nevertheless, Eversource has begun work within the 30 day notice period and this SubPetition is still pending. Please see continuation sheet attached for further discussion of Applicants concerns.

Applicants believe Eversource can take numerous steps to reduce the adverse impact of the upgrade and seek to participate in an effort to ensure such steps are pursued.

Specifically, Applicant's refer to the report of Connecticut Botanical Society correspondence to the Siting Council dated September 15, 2020.



## **Intervenor Status Request Form (Attachment)**

### **Response to No. 1 (continued):**

Mr. Creaturo and Ms. Triplett have met with Eversource official on site to express what they view as issues with the above referenced application. Eversource proposes replacing the towers with new larger towers which will required significant pads to allow for both the work and the towers.

The aerial mapping further demonstrations that Thompson Brook which is an environmentally sensitive area that contains brown trout. It should be noted that Eversource itself has designated this area as environmentally sensitive and posted the area with signs indicating such. Thompson Brook crosses the right of way at about the mid-point. As shown on the aerial mapping of the right of way included in the Sub-Petition at Attachment C Maps Sheet 4 of 6. In order to install the new lines Eversource proposes cutting back the tree line to the limits of the right of way. This is a major concern in that it is believed cutting back the trees in such a large area of the stream, it will be exposed to direct sun light thereby causing a rise in the water temperature and effecting trout population. Moreover, the 2017 approval provided there would be no cutting of mature trees. This not what the SubPetition states will be the case.

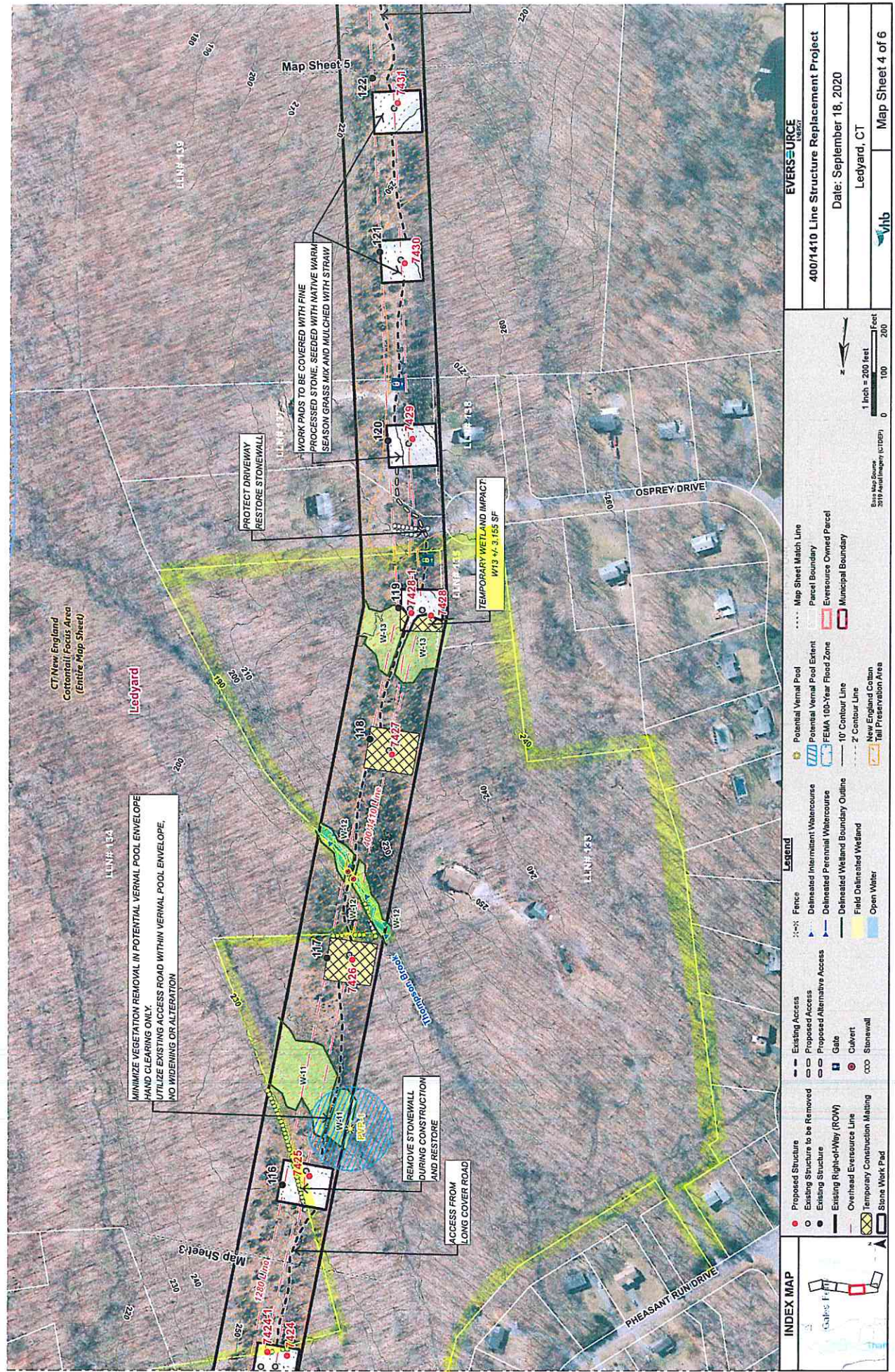
Additionally, as the project is proposed that certain stone walls which form the boundary between the Applicants' property and the Avalonia Land Trust would be impacted. The land trust property intersects at an angle with the Applicants' and encompasses more of the right of way.

Further Applicants and their predecessor in title have used the right of way in conjunction with the power lines to raise Christmas trees, bees and goats. Both the proposed pads and scope of the widening would have an adverse impact on these operations as well as the environmental wellbeing of this sensitive area.

Finally, the property owners would seek removal of any work pads after completion of improvements. Applicants also seek to minimize the size of pads for any towers replaced.



Attachment to Intervenor Status Request Form (Creaturo / Triplett)



INDEX MAP

Legend

- Proposed Structure
- Existing Structure to be Removed
- Existing Structure
- Existing Right-of-Way (ROW)
- Overhead Eversource Line
- Temporary Construction Mailing
- Stone Work Pad
- Existing Access
- Proposed Access
- Proposed Alternative Access
- Fence
- Delineated Intermittent Watercourse
- Delineated Perennial Watercourse
- Delineated Wetland Boundary Outline
- Field Delineated Wetland
- Open Water
- Potential Vernal Pool
- Potential Vernal Pool Extent
- FEMA 100-Year Flood Zone
- 10' Contour Line
- 2' Contour Line
- New England Contour
- Trail Preservation Area
- Map Sheet Match Line
- Parcel Boundary
- Eversource Owned Parcel
- Municipal Boundary

EVERSOURCE

ENERGY

400/1410 Line Structure Replacement Project

Date: September 18, 2020

Ledyard, CT

Map Sheet 4 of 6



2. Manner and extent to which intervenor proposes to participate:

Applicants wish to provide testimony as to the historical use of the property and engage expert testimony on the work to be completed in the project area which will minimize the environmental impact on the surrounding properties, including the protection of Thompson Brook and preservations of trees in the project area.

That contrary to the approval for Petition No. 1293 dated March 31, 2017 Eversource is proposing removal or trimming of mature trees which trimming will negatively effect the trees and tree canopy, as well as Thompson Brook, as trees which are outside the easement, but which branch into the easement are proposed to be cut.

3. Statutory authority for intervenor request:

Connecticut General Statutes Sec. 4-177a(b)

Connecticut General Statutes Sec. 16-50n

4. Nature of evidence intervenor intends to present:

Mr. Creaturo and Ms. Triplett intend to present testimony and that of expert witnesses. They will also offer documentary evidence regarding the adverse environmental impact the proposed work as presently proposed will have on Thompson Brook, viable plant habitat and trees within in the area.

Copies of this request are required to be electronically mailed to all participants on the service list, which can be found on our website in Pending Proceedings under the appropriate docket or petition number, at least five days before the date of the public hearing.

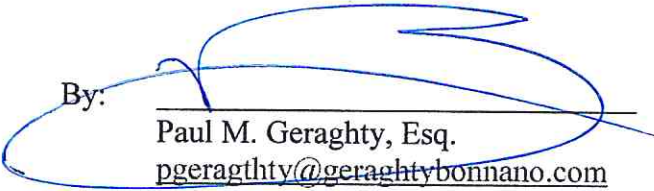
Signature

Date

John J. Creaturo / Genevieve Triplett

10/27/20

By:

  
Paul M. Geraghty, Esq.  
[pgeraghty@geraghtybonnano.com](mailto:pgeraghty@geraghtybonnano.com)  
Geraghty & Bonnano, LLC  
38 Granite Street, P. O. Box 231  
New London, CT 06320  
860-447-8077 / Fax 860-447-9833

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

EVERSOURCE ENERGY Petition for a	)	
Declaratory ruling, that no Certificate of	)	SubPetition No.1293-LG-01
Environmental Compatibility and Public Need	)	Ledyard / Groton
is required for all transmission facility asset	)	
condition maintenance improvements to comply	)	
with the updated National Electric Safety Code	)	OCTOBER 27, 2020
clearance requirements.	)	
\.....		

**MOTION FOR HEARING**

Pursuant to Connecticut General Statutes § 4-176(e) and § 4-177c, and the CT Siting Council's Decision on the original Petition herein dated March 31, 2017, John J. Creaturo and Genevieve Triplett ("Applicants"), through counsel, respectfully request that the Connecticut Siting Council ("Council") schedule a formal hearing on SubPetition No. 1293-LG-01 ("Petition"), filed by EVERSOURCE ENERGY. In support of this Motion, Applicants state as follows:

1. Petitioners are the owners of property at 43 Pheasant Run, Gales Ferry, consisting of 42.74 acres through which an Eversource transmission line runs which is the subject of this SubPetition. ("Project").

2. The Applicants believe that the work, as proposed, will have a negative impact upon the Applicants' property and the surrounding area including Thompson Brook which traverses the project area.

3. Additionally it appears that Eversource Energy has begun work within the thirty (30) day notice period available to abutters to provide comments and concerns regarding the project to the Council.

4. Applicants filed a Request for Intervenor Status on October 27, 2020, seeking to participate fully in the proceedings, including the submission of evidence concerning the possible

environmental impacts on the project area including Thompson Brook, the surrounding wetlands, valuable plant habitat in the project area and the impact of the proposed tree trimming work on the health and long term viability of the trees affected.

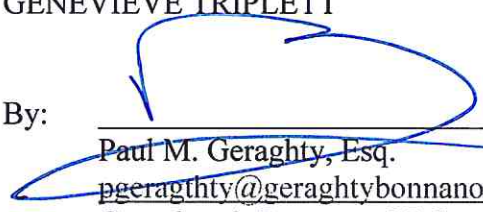
5. Applicants believe Eversource can take numerous steps to reduce the adverse impact of the upgrade work and seek to participate in an effort to ensure such steps are pursued. Specifically, Applicant's refer to the report of Connecticut Botanical Society correspondence to the Siting Council dated September 15, 2020.

6. A formal hearing, consisting of an evidentiary hearing and public hearing, is necessary to (a) vet the SubPetition fully, (b) aid the Council in determining whether the proposed work minimizes the environmental impact on the Project area and the abutting properties, and (c) allow Applicants and other interested parties to voice their positions both for and against the Petition.

WHEREFORE, John J. Creaturo and Genevieve Triplett respectfully request that the Council schedule a full evidentiary hearing on the SubPetition.

Respectfully submitted by,  
JOHN J. CREATURO and  
GENEVIEVE TRIPLETT

By:



Paul M. Geraghty, Esq.  
[pgeraghty@geraghtybonnano.com](mailto:pgeraghty@geraghtybonnano.com)  
Geraghty & Bonnano, LLC  
38 Granite Street, P. O. Box 231  
New London, CT 06320  
860-447-8077



## CERTIFICATION

I hereby certify that on this 27<sup>th</sup> day of October, 2020 that the foregoing was delivered by electronic mail and regular mail, postage prepaid, in accordance with § 16-50j-12 of the Regulations of Connecticut State Agencies, to all parties and intervenors of record, as follows:

The Citing Council [siting.council@ct.gov](mailto:siting.council@ct.gov)

with paper copy to

*Connecticut Siting Council*

*State of Connecticut*

*Ten Franklin Square*

*New Britain, CT 06051*

Eversource Energy

Brian Lucas, Eversource Project Manager

Transmission Projects

P. O. Box 270

Hartford, CT 06141

JOHN J. CREATURO and

GENEVIEVE TRIPLETT

By:

  
Paul M. Geraghty

[pgeraghty@geraghtybonnano.com](mailto:pgeraghty@geraghtybonnano.com)