

KENNETH C. BALDWIN

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Also admitted in Massachusetts and New York

June 30, 2020

Via Electronic Mail

Melanie A. Bachman, Esq. Executive Director/Staff Attorney Connecticut Siting Council 10 Franklin Square New Britain, CT 06051

Re: Petition No. 1407 – Torrington Solar One, LLC and VCP, LLC d/b/a Verogy – Petition for a Declaratory Ruling that a Certificate of Environmental Compatibility and Public Need is not Required for the Construction, Operation and Maintenance of a 1.975 MWAC Solar Photovoltaic Project Off East Pearl Road in Torrington, Connecticut (the "Project")

Dear Attorney Bachman:

Thank you for sending me a copy of the June 26, 2020 comment letter that you received from Mayor Elinor Carbone in Torrington. As discussed at length in Petition No. 1407, Torrington Solar One LLC and VCP, LLC ("Verogy") have, for the last six (6) months, been speaking with Mayor Carbone, Councilwoman Anne Ruwet and several of the adjoining property owners along the north side of East Pearl Road about the Project. We appreciate the Mayor's comments and would like to respond to the concerns that she has raised.

Proximity to the Residential Homes Located on East Pearl Road and Gaylord Lane

As discussed at length in the Petition, Verogy commenced its formal public outreach effort in December of 2019 by meeting with municipal officials and reaching out to <u>all</u> abutting property owners. Verogy sent out a total of thirty (30) adjoining property owner notices. To date, Verogy has not heard from any of the adjacent property owners along Gaylord Lane regarding concerns related to the Project.

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Melanie A. Bachman, Esq. June 30, 2020 Page 2

The only adjoining landowners who expressed any concerns were the three (3) property owners on the north side of East Pearl Road, and Councilwoman Anne Ruwet, who lives nearby at 1600 Torringford Street. Councilwoman Ruwet is not an abutter but received a courtesy notice of the filing. Verogy met (virtually) and spoke individually with the each of these landowners about their concerns for the Project.

To address the neighbors' concerns for visual impact, Verogy made several modifications to the Project layout and site design including: a) pushing the solar arrays to the south, further from East Pearl Road and the neighbors to the north of East Pearl Road; b) increasing the height of the perimeter fence to eight (8) feet along East Pearl Road and installing privacy slats on the fence; c) relocating and reorienting the access driveway into the Project to the east, away from the three residential parcels north of East Pearl Road; and d) installing of a significant landscaped buffer along East Pearl Road. (See Petition pp. 6-8; Exhibit A and Exhibit G, Appendix A – Project Plan Sheets OP-1, SP-1 and GP-1).

2. Impact of the Arrays on the Adjacent Bishop Donnelly Athletic Fields

As discussed at length in the Petition and as shown on the Project Plans included in the Environmental Assessment (Exhibit G, Appendix A, Plan Sheet OP-1) the solar array was designed specifically to avoid impacting the adjacent athletic fields. In addition, the perimeter fence height adjacent to Bishop Donnelly Field was increased from six (6) feet to eight (8) feet and will include privacy slats.

3. Conflict with the Torrington Plan of Conservation and Development

The Mayor's comments claim that the proposed Verogy facility conflicts with the "Farmland Plan" in the Town's Plan of Conservation and Development ("POCD") because the Verogy parcel is within an identified "farmland cluster". The farmland cluster to which the Mayor refers includes ten (10) separate parcels totaling approximately 319 acres of "Active Farmland" in the eastern portion of the City. Based on our review of aerial photography of this farmland cluster, it is clear that the entirety of the approximately 319 acres are not being actively farmed. Regardless, the Project will utilize only 11.15 acres or 3.5% of this entire farmland cluster referenced in the POCD. The impact the Project will have on active farmland in Torrington will be minimal. A copy of the Farmland Plan Map from the POCD and Aerial Photograph of the same farmland cluster is included in Attachment 1. It is also important to note that the prior lease allowing the Ruwet Family to farm this small portion of the Catholic Cemetery Association property has been terminated.

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Finally, while not necessarily critical to the Siting Council's review process, it is also important to point out that Section 13 of the POCD outlines the City's Sustainability Objectives. One of these objectives relates to the City's commitment to "Green Energy". The Project, we believe, is consistent with this objective. Section 13 of the POCD is included in <u>Attachment 2</u>.

The Property is located in a Designated Historic District

Verogy acknowledged in its Petition and in the Environmental Assessment (Exhibit G, Section 3.7) that the Project Area is located within the Torringford Street Historic District. As such, Heritage Consultants completed both a Phase 1A Historic and Archeological Survey and a Phase 1B Professional Cultural Resources Assessment and Reconnaissance Survey for the Property. Both surveys were sent to the Connecticut State Historic Preservation Officer (SHPO) for review.

On June 29, 2020 the SHPO determined that, based on revised plans that show the installation of vegetative screening on the west side of the solar field near the Project Interconnection at Torringford Street, the Project would have <u>no adverse effect</u> on historic resources. Included in <u>Attachment 3</u> is a copy of the SHPO's June 29, 2020 determination letter; and revised Photosimulation (Photo 4) and Project Plan Sheets OP-1, SP-1, GP-1, DN-1 and DN-2 showing the additional vegetative screening proposed along Torringford Street as requested by the SHPO.

If you have any questions or need any additional information, please contact me.

Sincerely,

Kenneth C. Baldwin

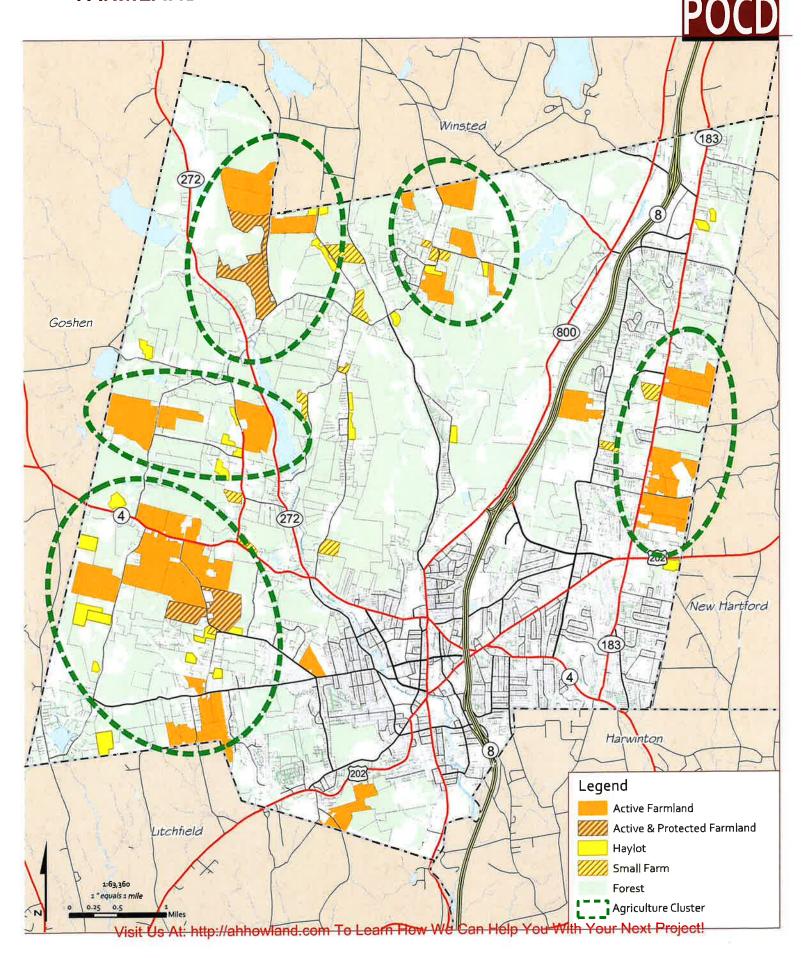
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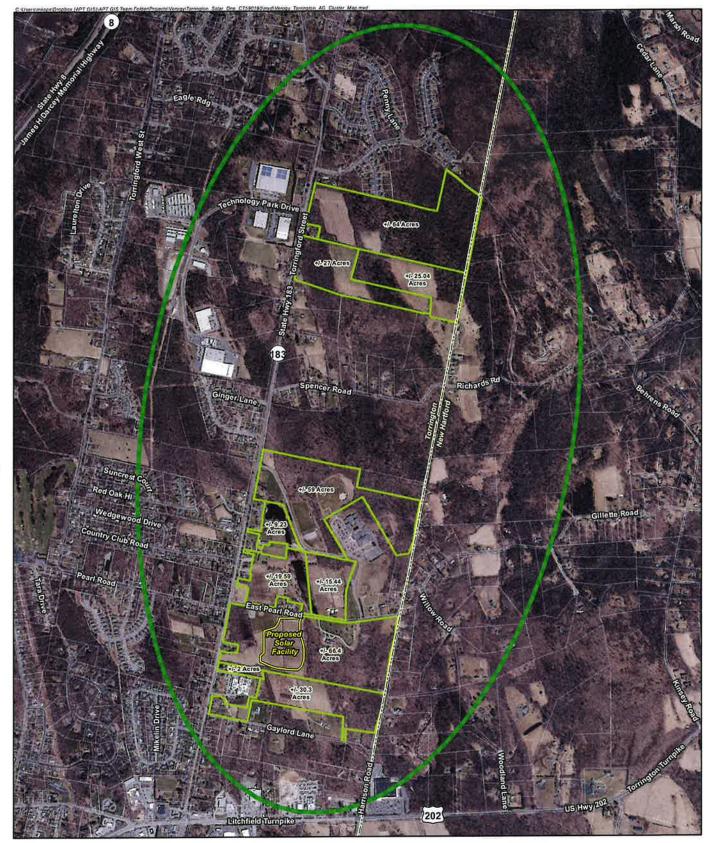
KCB/kmd Attachments Copy to:

Elinor Carbone, Mayor (via electronic and U.S. Mail)

ATTACHMENT 1

FARMLAND PLAN





Legend



--- Town Line

Map Noles: Base Map Source: CTECO 2019 Aeriel Photograph Oata Source: City of Tornington Plan of Consorvalion and Development, Jaunuary 19, 2010, Farmiand Plan, Page 6.7 Map Scale: Jinch = 1,500 feel Map Dale: June 2020



Active Farmland Map

Proposed Solar Facility -Torrington Solar One East Pearl Road Torrington, Connecticut

Torrington Solar One, LLC



ATTACHMENT 2

INFRASTRUCTURE

SUSTAINABILITY OBJECTIVES

POCD

"Sustainable development is a dynamic process which enables all people to realize their potential, and to improve their quality of life, in ways which simultaneously protect and enhance the Earth's life support systems."

Forum for the Future Annual Report (2000)



Overall Principles of Sustainability

For Torrington, the following principles of sustainability will be used:

- meet human needs fairly and efficiently, giving priority to basic needs of citizens and the needs of the community (needs such as housing, jobs, food, mobility, municipal services, affordable taxes, and quality of life),
- reduce dependence upon fossil fuels, underground metals and minerals in ways can we meet needs for energy, heating and cooling buildings, moving about from home to work to shopping while reducing dependence upon fossil fuels,
- reduce dependence upon chemicals and synthetic compounds. Landscape, garden, farm, build, use or create products and services at home and work, that reduce or eliminate use of chemical and synthetic substances, and
- reduce encroachment upon nature by planning and designing development that minimizes encroachment on undeveloped land, woods, and wildlife habitat, and protects the quality of water.

Low Impact Development

Low impact development (LID involves site design strategies intended to maintain or replicate a site's natural hydrology systems through the use of small-scale controls integrated throughout the site to manage runoff as close to it's source as possible.

LID may involve the use of environmentally friendly site design elements (e.g. rain gardens, swales and pervious pavement), to manage water quantity and quality.





Conserve water (above); Recycle (below)



Throughout this Plan of Conservation and Development, Torrington is seeking to respect and address these principles. Doing so is not just a locally altruistic gesture towards a global concern, but rather commonly involves an action that is of local benefit as well as making some contribution at a larger scale.

Provided Courtesy of: Arthur H. Howland & Associates, P.C., Civil Engineers & Land Surveyors, Call Us! (860) 354-934 Ve Offer Full Service Civil Engineering, Land Surveying, Soil Science & Land Use Permitting!

Optiwind

On June 25, 2009, the Torrington Planning and Zoning Commission granted a Special Exception Permit for the installation of a wind turbine on Klug Hill Road. When built, this will be the first wind turbine in Torrington.

The turbine will be located on property used for dairy farming. It will reduce energy costs for the farm.

There are an estimated 72 TW (terawatts) of commercially-viable wind energy on earth.

This roughly seven times the current global demand for electricity.

Every year, an average
Optiwind 300 turbine will
save over 450 tons of carbondioxide emissions.

Over its life, that is the equivalent of planting over 1.25 million new trees.



FuelCell Energy

FuelCell Energy manufactures fuel cell power plants that generate electricity with up to twice the efficiency of conventional fossil fuel plants – and with virtually no air pollution.

FuelCell Energy owns and operates a manufacturing plant in Torrington with a capacity of 50 MW per year.



www.fuelcelleneigy.com

Conserve Energy

At present energy supply is significantly hydrocarbon dependent while prices for these commodities have more than doubled in the past year. Historically petroleum prices have undergone spikes and it remains possible that current price levels will subside during the Plan's 10-year period.

Nevertheless the realities remain: supply is not infinite and hydrocarbon emissions pollute the environment. As such it is important that Torrington be mindful of the manner in which it consumes energy and, in the long-term, optimizing available resources is a sensible strategy.

Use and Encourage the Use of Green Energy

In 2006 Torrington committed to becoming a Connecticut Clean Energy Community. The Connecticut Clean Energy Communities Program, funded by the Connecticut Clean Energy Fund, provides communities with an opportunity to support clean renewable energy. In the process, communities can earn free clean energy systems. Torrington has committed to purchase 20 percent of it's energy from clean generators by the year 2010. Torrington should also review regulations to eliminate restrictions on the use or generation of green energy.

U.S. Energy Supply (not to scale)



Green Power is a subset of renewable energy and represents those renewable resources (solar, wind, biogas, biomass, low-impact hydro and geothermal) that provide the highest environmental benefit. Torrington should evaluate local land use regulations and create regulations that permit alternative energy production (such as solar and wind energy), when appropriate.

Reduce Energy Use

The City should be aggressive in the use of current and developing technology to conserve and reduce pollution and employ new sources of renewable energy as they become available.

Funding will be required for a wide variety of initiatives to optimize and increase energy efficiency including, but not limited to:

- developing a City Energy Plan,
- guidelines and regulations for municipal construction projects consistent with these goals, including new construction and renovation of the City infrastructure, such as buildings, streetlights, parking lot lights, to lower water and power consumption and reduction of maintenance costs,
- conversion to sources of renewable resources where available,
- purchase of vehicles with decreased energy consumption and renewable fuel sources,
- implementing educational outreach programs, and
- developing a long-term plan to reduce greenhouse gas emissions.

Become An Energy Star

The first step in a community-wide energy efficiency project is to identity which municipal activities and facilities use the most energy. An energy audit will pinpoint those areas and suggest the most effective measures for cutting energy costs.

Torrington should conduct an energy audit of City-owned buildings and take corrective measures to reduce energy use. In addition Torrington should consider reducing the energy budget to force changes in energy use. An energy audit can often find a way to reduce energy consumption by 10 percent.

One area where energy use can be reduced involves street lighting. Most communities currently use old, inefficient light fixtures with drop-down lens fixtures that spill and waste light to the sides and upward to the sky. In addition, street lighting is one of a community's more expensive utility bills.

Through a community-wide streetlight initiative to remove unneeded lights, and upgrade older fixtures, Torrington can save money, reduce energy use, and cut down on night time light pollution.

Conserve Water

Torrington, along with many communities in New England, has faced a drought advisory at various times during the past ten years which has forced residents to conserve water. While Torrington normally receives between 48-50 inches of rainfall annually, small changes in precipitation, along with additional impervious coverage can reduce the ability to recharge aquifers. There are also concerns about the future availability of water and this will continue to be an issue that Torrington will have to monitor.





Running water (above) ; Drought (below)



Changes in how properties are used, even little things such as creating a lawn rather than retaining a natural wooded environment, reduces the amount of water that is deposited into the aquifers. This water typically runs-off the land and can be lost as a future drinking water resource. This is an important issue because approximately 50 percent of Torrington's land area is served by private wells. Reducing irrigation use and providing infiltration of runoff are two ways that the water balance can be restored.

Energy Star

The Energy Star program is a dynamic government/ industry partnership that offers businesses and consumers energy-efficient solutions, making it easy to save money while protecting the environment for future generations.



www_energystar_gov

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LEED

LEED (Leadership in Energy and Environmental Design) is an internationally recognized certification system that measures how well a building or community performs across all the metrics that matter most: energy savings, water efficiency, CO₂ emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts.

Developed by the U.S. Green Building Council (USGBC), LEED provides building owners and operators a concise framework for identifying and implementing practical and measurable green building design, construction, operations and maintenance solutions.

www_usgbc_org

Volatile Organic Compounds

(VOCs) are emitted as gases from certain solids or liquids. VOCs include a variety of chemicals, some of which may have short- and longterm adverse health effects.

The ability of organic chemicals to cause health effects varies greatly from those that are highly toxic, to those with no known health effect.

www.epa.gov

LEED and Green Buildings

There is growing interest in creating buildings that are more environmentally responsible. While efforts to date have largely been voluntary on the part of owners and builders, Torrington should become a leader in this area.

The most recognized program in the United States promoting the design, construction, and operation of buildings that are environmentally responsible is the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. This program was put together by the United States Green Building Council (USGBC), a non-profit organization working to promote buildings that are environmentally responsible, profitable and healthy places to live and work. More information is available at www.usgbc.org.

At the present time LEED is a voluntary national rating system for developing high-performance, sustainable buildings. Based on published standards, LEED emphasizes state-of-the-art strategies for sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality.

Torrington should adopt some level of LEED certification for new buildings and major renovations of both public and private buildings. Torrington should also evaluate local regulations to find ways to incorporate low impact development techniques into new site development. These techniques may also be an appropriate to retrofit existing public and private stormwater systems.

Create Green Municipal Facilities

Torrington residents have indicated that they want an environmentally-sound community. Recent actions by community leaders have indicated that this is the responsible thing to do.

Reducing energy requirements, using natural and renewable products in building construction, reducing light pollution, lessening chemical lawn care techniques and improving indoor air quality through non-Volatile Organic Compounds (VOC) products are things that we expect others to do. Torrington could also promote groundwater recharge and potentially reduce flooding though the use of rain gardens and rain barrels on public properties.

Torrington should use these techniques when building or improving City-owned facilities.

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LEED and Green Neighborhoods

Just as standards have been developed for green buildings, standards are also being developed for environmentally responsible, sustainable developments. These standards are also part of the LEED program

While not yet finalized, the LEED for Neighborhood Development Rating System integrates the principles of smart growth, urbanism, and green building into national standards for neighborhood design.

Some of the criteria being considered include:

Theme	Sample Elements (partial)
Smart Location & Linkage	 proximity to wastewater infrastructure natural resource conservation floodplain avoidance brownfield redevelopment reduced automobile dependence
Neighborhood Pattern & Design	 compact development diversity of uses / housing types walkable streets / transit facilities access to public spaces community outreach and involvement
Green Construction & Technology	 pollution prevention resource efficiency in buildings building reuse and adaptive reuse minimize site disturbance best management practices
Innovation & Design Process	innovation exemplary performance

At some time in the future, Torrington should consider incorporating some level of LEED certification for new development or include it as a consideration in discretionary zoning approvals.

Provide Education

Torrington should work with other communities and organizations to promote energy conservation and environmental issues. The community should also partner with organizations that provide educational tools and guidance about best practices. One organization, the International Council for Local Environmental Initiatives (ICLEI), has developed a Cities for Climate Protection campaign as a resource and Torrington should consider joining this or similar programs.

Benefits of Developing a LEED for Neighborhood Development Community

Encourage healthy living
LEED for Neighborhood
Development emphasizes
the creation of compact,
walkable, vibrant, mixed-use
neighborhoods with good
connections to nearby
communities.

Research has shown that living in a mixed-use environment within walking distance of shops and services results in increased walking and biking, which improve human cardiovascular and respiratory health and reduce the risk of hypertension and obesity.

www.usgbc.org

Cities for Climate Protection

The Cities for Climate Protection (CCP) Campaign is an ICLEI program that assists cities to adopt policies and implement quantifiable measures to reduce local greenhouse gas emissions, improve air quality, and enhance urban livability and sustainability.



ICLEI was established as the International Council for Local Environmental Initiatives. The organization is now officially ICLEI-Local Governments for Sustainability.

www.iclei.org

Simple Steps Towards Sustainability

Simple tasks, such as replacing employee garbage cans with recycling bins can reduce the amount of recyclable paper that is mixed with regular waste.





First Green Roof

Torrington recently received an application proposing a 32,000 square foot green roof. This proposal is part of the proposed Torrington Senior Living project on Litchfield Street.

Expand Recycling Programs and Promote Waste Reduction

An often overlooked element of community infrastructure involves the waste generated by businesses, residents and community facilities. Waste prevention and recycling programs are integral to a community that is environmentally, economically, and socially sustainable over the long-term.

In 1993 the State of Connecticut increased the recycling/source reduction goal from 25 percent to 40 percent. This goal intends to encourage consumers to reduce the waste they generate by making simple shopping decisions such as not buying over-packaged products, avoiding disposables, and selecting durable, reusable items.

Few communities have developed a plan to achieve or surpass this goal. Torrington should identify stakeholders and develop a plan to become a leader in waste reduction and recycling efforts and litter prevention.



Frequency of garbage removal (above), Solar-powered garbage can (below)





Recycling fundraising programs

Torrington's operations involve purchasing decisions and Torrington should expand efforts to purchase products made from recycled material. Torrington could also do more to emphasize the reduction of waste in municipal and community facilities and to expand educational programs about the value of recycling.

Prepare for Climate Change

While there is disagreement about the impacts and causes of Climate Change, there appears to be growing consensus in the scientific community that change is happening. Forecasts indicate that climate change will affect all areas of the United States, but each area will have to prepare for different impacts.

It is anticipated that communities in the Northeastern United States will be dealing with:

- More frequent days with temperatures above 90° Fahrenheit,
- A longer growing season,
- Less winter precipitation falling as snow and more as rain,
- Reduced snowpack and increased snow density,
- Earlier breakup of winter ice on lakes and rivers, and
- Earlier spring snow melt resulting in earlier peak river flows.

What we can do to prepare...

Ultimately, the issues concerning climate change are beyond the scope and control of the City of Torrington. Some people even debate whether climate change is a real problem. While the problem as a whole may be something we cannot impact by ourselves, we can adopt local policies that create some meaningful change, and that improve the community's quality of life.

The following table identifies areas where small local decisions could positively impact climate change. If other communities follow suit, the impact of these changes multiply. It is these multipliers that have the ability to impact the larger system.

POTENTIAL ACTIONS

Reduce emissions

- post "Do not idle" signs at municipal facilities, especially in areas where diesel engines are prone to run for an extended period of time.
- evaluate City-owned traffic signals to determine if they are optimally programmed.
- evaluate streetlights and reduce the total number.
- purchase hybrid vehicles.

Plant Trees

Promote the use of Green Energy

- develop a public tree planting program.
- develop Green Energy regulations to promote the use in areas where it will work.
- purchase Green Energy for public buildings.
- promote the use of the CT Clean Energy Program
- conserve energy.

Improve Stormwater Management

- voluntarily comply with the NPDES Phase II stormwater program requirements.
- identify and reduce unnecessary impervious surfaces.

CASE STUDY

Reducing Greenhouse Gas Emissions

The Town of Windsor has made great strides in cutting greenhouse gas emissions and conserving energy, from purchasing hybrid vehicles to saving money and energy at Town-owned buildings.

In 2004, Windsor completed a greenhouse gas inventory for all Town-owned buildings and vehicles.

The Town purchased its first hybrid vehicle and did a complete retrofit of interior lighting with occupancy sensors at the Public Works Complex, resulting in a savings of approximately 20, 200 kwh per year.

www.ctclimatechange.com



Connecticut Climate Change





Plant trees (above); Emissions (below



Create Alternative Transportation Choices

- repair, maintain and improve sidewalks and extend to areas where appropriate.
- create City-wide bicycle routes and a "share the Road" bicycle safety program.
- encourage the installation of bicycle racks at all Cityowned facilities and require bicycle racks for new commercial development.
- work with local transit providers to expand transit programs, awareness and ridership.

Promote local food production

- continue to promote the Torrington Farmers Market year-round.
- develop a farmers marketplace in Downtown.
- work with farmers to increase farm viability.

Enhance Water Quality

- incorporate Low Impact Development techniques into local land-use regulations for new development.
- upgrade the public stormwater system so that it will appropriately address water quality.
- encourage property owners to use native landscaping materials and limit pesticide/herbicide usage.



Corn field (above); Water quality (below)





Support Local Farms

ATTACHMENT 3



Department of Economic and Community Development

State Historic Preservation Office

June 29, 2020

Mr. David R. George Heritage Consultants PO Box 310249 Newington, CT 06131

Subject: Cultural Resource Reconnaissance Survey Addendum

Torrington Solar One Torringford Street Torrington, Connecticut

ENV-20-0696

Dear Mr. George:

The State Historic Preservation Office (SHPO) has reviewed the additional information submitted in regards to the above project. The proposed activities are under the jurisdiction of the Connecticut Siting Council and are subject to review by this office pursuant to the Connecticut Environmental Policy Act (CEPA). The proposed undertaking includes the construction of a solar facility, which is to occupy an approximately 13.5 acre limit of work (LOW) within a larger 66.4 acre parcel, consisting primarily of agricultural fields. In a letter dated June 11, 2020, this office was notified that a Phase IB Cultural Resources Reconnaissance Survey of the proposed interconnect, a 720 foot long corridor along the eastern portion of Torringford Street, was conducted.

Phase IB consisted of subsurface testing of areas that would be subject to ground disturbing impacts as part of the proposed undertaking. A total of 15 of 15 planned shovel tests were excavated successfully throughout the proposed work area. One artifact, a porcelain sherd of indeterminable date and origin, was recovered from the disturbed plow zone. No other cultural material from either prehistoric or historic periods, evidence of cultural features, or soil anomalies were identified.

As a result of the additional information submitted, SHPO concurs with the findings of the report that additional archeological investigations of the project areas are not warranted.



Department of Economic and Community Development

State Historic Preservation Office

As mentioned in a letter from this office dated June 1, 2020, the solar facility is proposed to be installed within the boundaries of the Torringford Street Historic District (NR# 91000991), characterized as having, "a strong sense of time and place because most of its historic resources, both built and natural, remain intact" including "A number of fields remain[ing] in their traditional agricultural use..." with "steep grades, marshes, cultivated fields, and forests surviv[ing] along almost the entire length of the street." This office recommended that "all feasible alternatives be explored to avoid permanently altering the agricultural setting, as well as considering designs that minimize the facility visually by taking advantage of existing topography, screening, layout, etc." Since that time, revised plans have been submitted, which state that the site will not be graded, and that vegetative screening will be installed on the western portion of the solar field, facing Torringford Street.

Therefore, contingent on the above measures being undertaken, the proposed undertaking will have <u>no adverse effect</u> to historic resources. Should the scope of work change, this office should be contacted for additional consultation.

This office appreciates the opportunity to review and comment upon this project. For additional information, please contact Marena Wisniewski, Environmental Reviewer, at (860) 500-2357 or marena.wisniewski@ct.gov.

Sincerely,

Mary B. Dunne

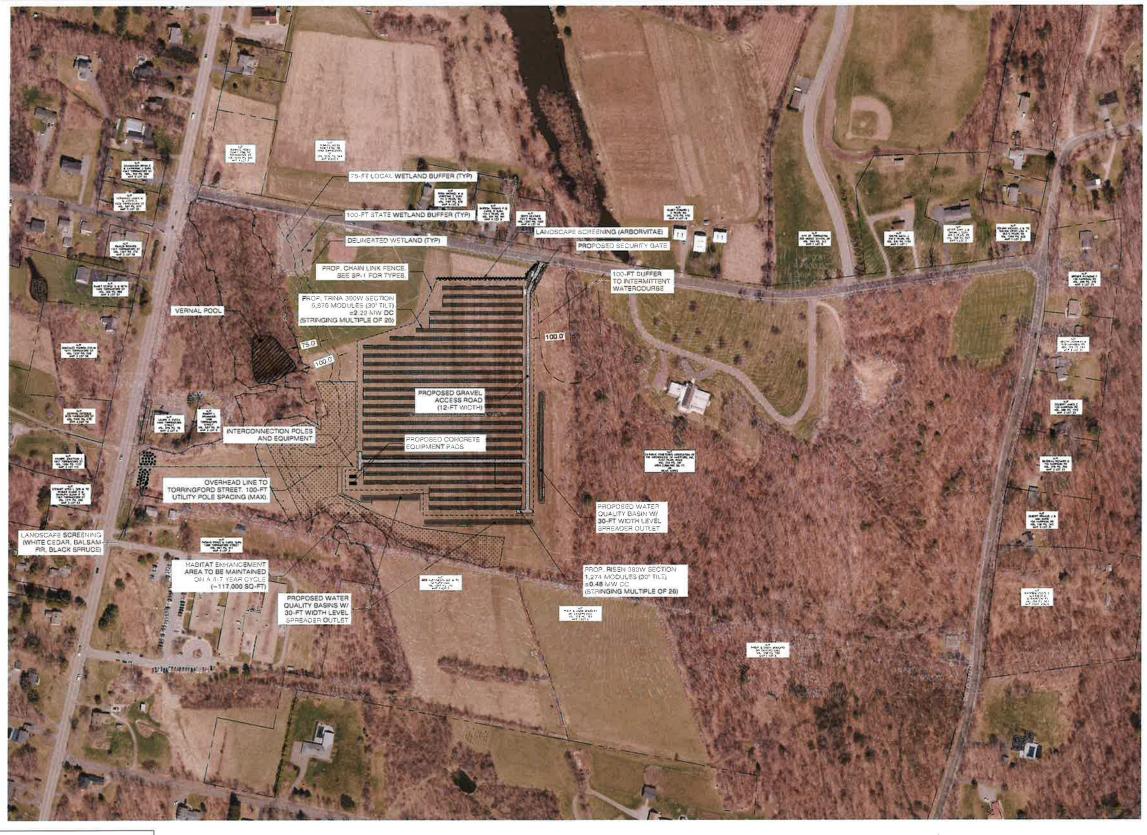
State Historic Preservation Officer

Torrington Solar One, LLC





Torrington Solar One, LLC



DESIGN TABLE

MODULE MODEL - TRINA TSM-DE15MC (390W) & RISEN RSM144-6 (380W) PROP. TILT - 30 DEGREES

INTER-ROW SPACING + 16.0 FEET

PROP. AZIMUTH - ED DEGREES

SOLAR ONE, LLC
150 TRUMBULL STREET
4TH FLOOR
HARTFORD, CT, 06103

TORRINGTON



567 VAUXHAUL STREET EXTENSION - SUITE 316
WATERFORD, CT 06385 PHONE (860) 663-166
WWW ALLPOINTSTECH COM FAX: 1860 663-093

CSC PERMIT SET		
10	DATE	REVISION
0	06/15/20	INTERCONNECT SCREENING
1		
2		
3		
4		
5		
6		



DESIGN PROFESSIONAL OF RECORD

PROF: BRADLEY J. PARSONS P.E.
COMF: ALL-POINTS TECHNOLOGY
CORPORATION
ADD: SI7 VAUXHALL ST EXT - STE 311
WATERFORD, CT 06385

OWNER: CATHOLIC CEMETERIES OF ARCHOIGCESE OF HARTFORD ADDRESS: 700 MIDDLETOWN AVENUE NORTH HAVEN, CT 06473

TORRINGTON SOLAR ONE, LLC

SITE EAST PEARL ROAD ADDRESS TORRINGTON, CT

APT FILING NUMBER: CT590190

DRAWN BY: KAM

DATE: 05/28/2020 CHECKED BY: BJP

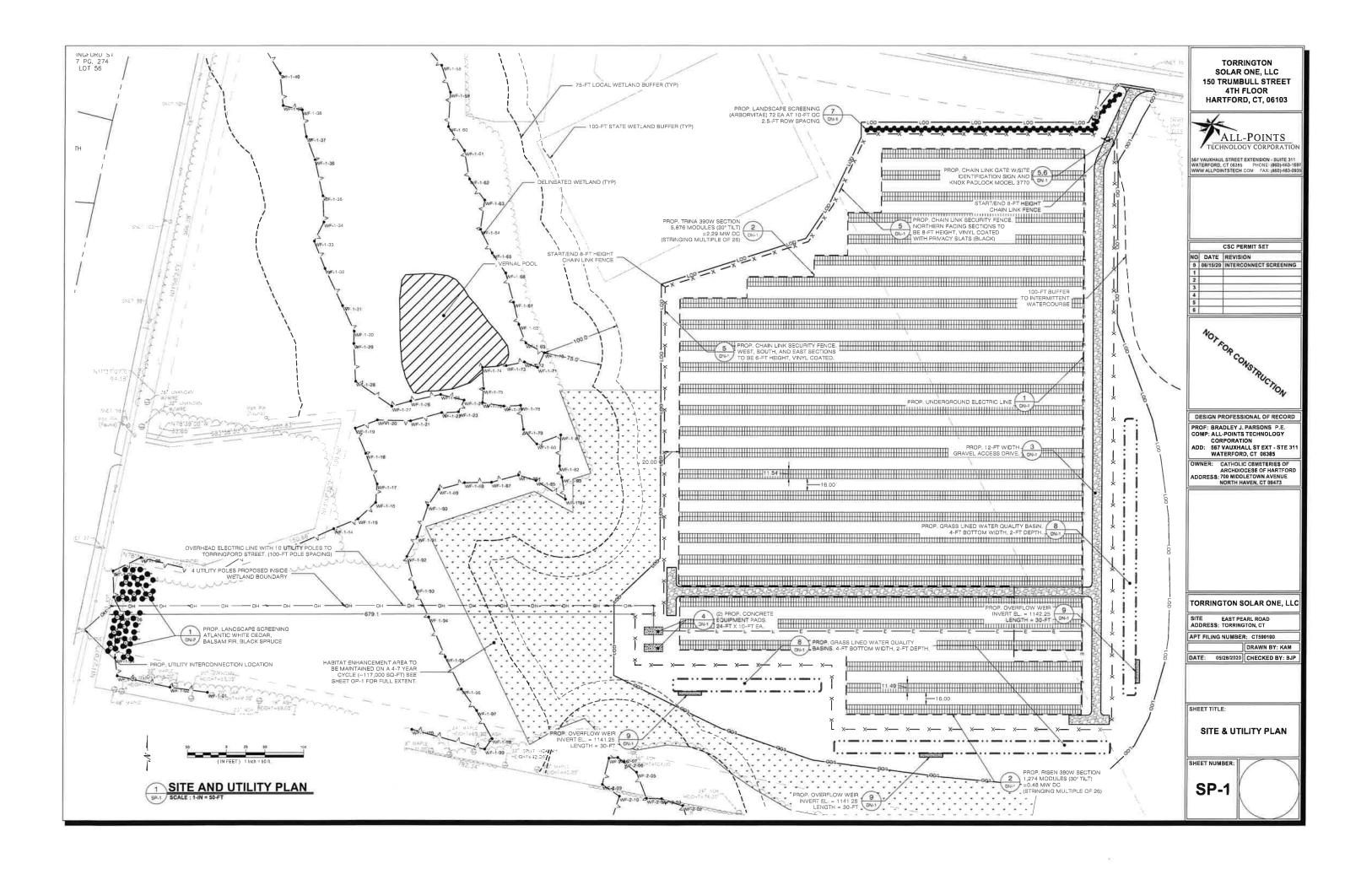
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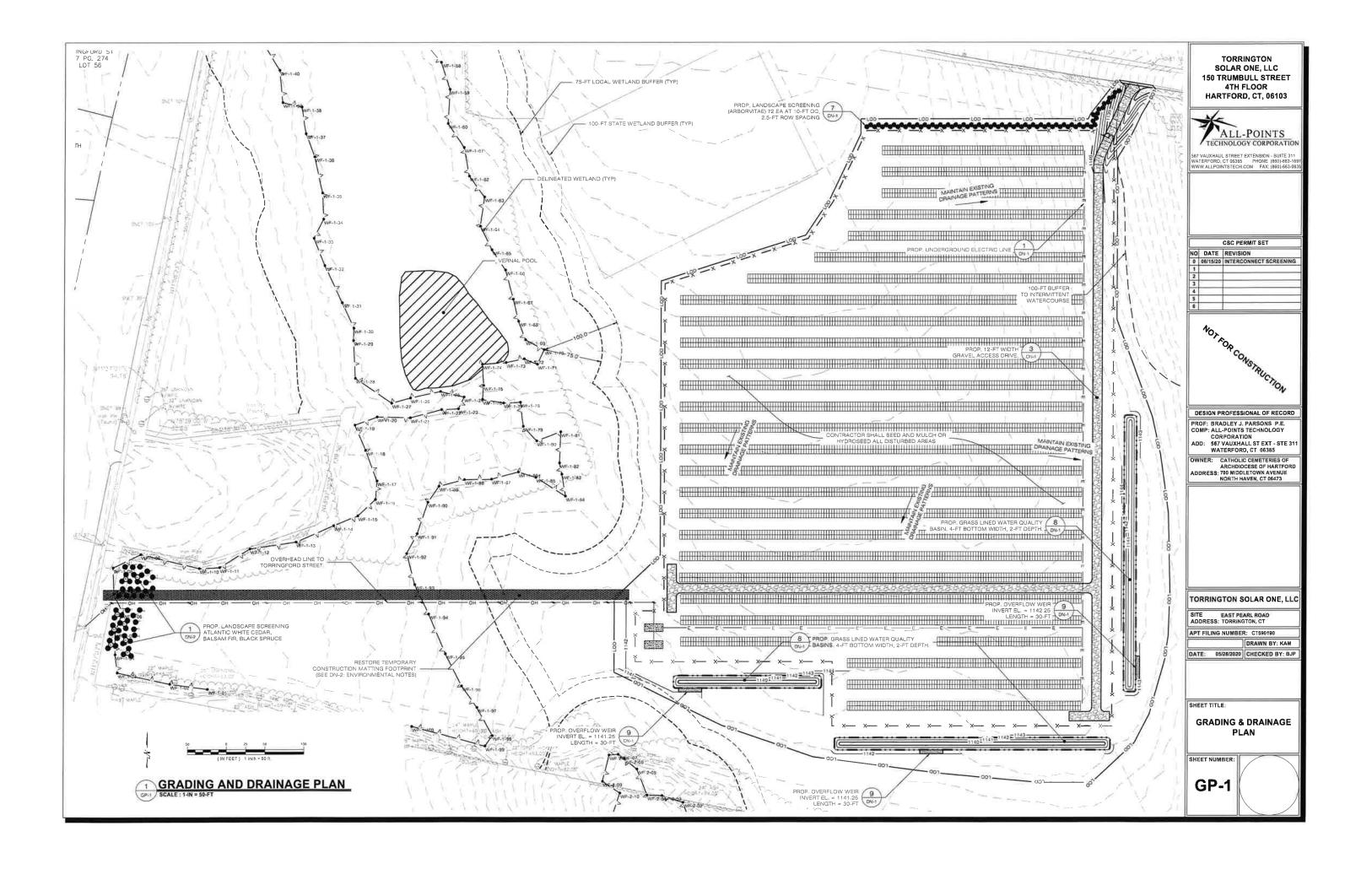
OVERALL SITE PLAN

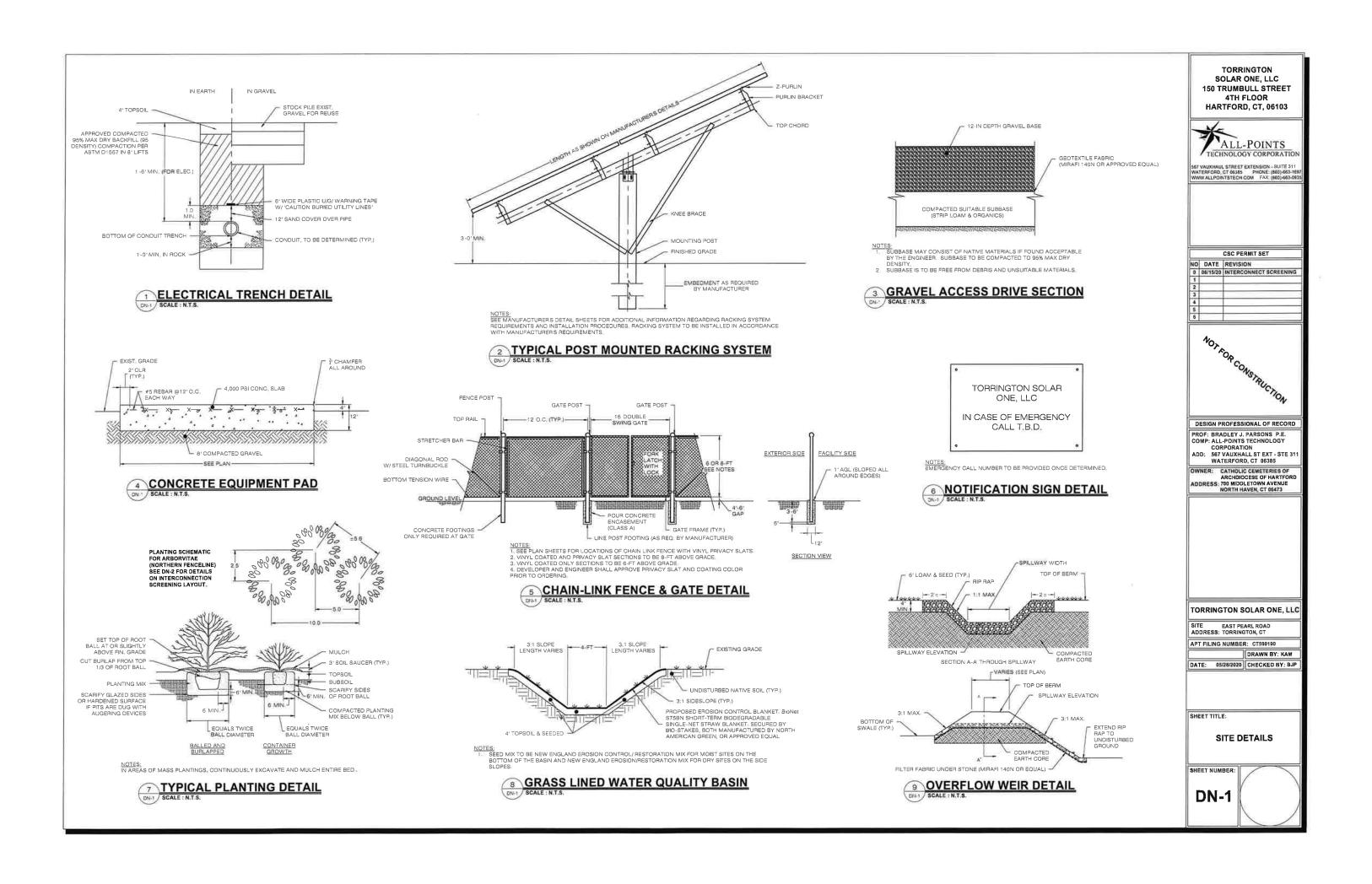
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OP-1









ENVIRONMENTAL NOTES

WETLAND AND VERNAL POOL PROTECTION PLAN

AS A RESULT OF THE PROPOSED DEVELOPMENTS LOCATION IN THE VICINITY OF WETLANDS AND VERNAL POOL HABITATS, THE FOLLOWING BEST MANAGEMENT PRACTICES ('BMPS') ARE RECOMMENDED TO AVOID UNINTENTIONAL IMPACT TO WETLAND HABITATS OR MORTALITY TO VERNAL POOL HERPETOFAUNA (I.E., SPOTTED SALAMANDER, WOOD FROG. TURTLES, ETC.) DURING CONSTRUCTION ACTIVITIES. THIS PLAN INCLUDES ELEMENTS THAT WILL PROTECT HERPETOFAUNA SHOULD CONSTRUCTION ACTIVITIES OCCUR DURING PEAK AMPHIBIAN MOVEMENT PERIODS (EARLY SPRING BREEDING [MARCH 1ST TO MAY 15TH] AND LATE SUMMER DISPERSAL (JULY 15TH TO SEPTEMBER 15TH)) AS WELL AS WETLANDS REGARDLESS OF THE TIME OF YEAR, COMPLETE DETAILS OF THE RECOMMENDED BMPS ARE PROVIDED BELOW, WHICH WILL BE INCORPORATED INTO THE CONSTRUCTION DRAWINGS TO ENSURE THE CONTRACTOR IS FULLY AWARE OF THE PROJECTS ENVIRONMENTALLY SENSITIVE SETTING.

N ADDITION, A PORTION OF THE PROPOSED SOLAR FACILITY LITELTY INTERCONNECTION IS LOCATED WITHIN WETLANDS THAT WERE PREVIOUSLY DISTURBED BY AGRICULTURAL ACTIVITIES. AS A RESULT, MINOR PERMANENT WETLAND IMPACTS ARE ASSOCIATED WITH DISTRIBUTION POLE INSTALLATION WORK AND TEMPORARY DISTURBANCE TO WETLANDS WILL RESULT FROM SWAMP MAT INSTALLATION TO ACCESS THE DISTRIBUTION POLE WORK AREAS, THE FOLLOWING PROTECTIVE MEASURES AND RESTORATION ACTIVITIES SHALL BE FOLLOWED TO HELP AVOID DEGRADATION OF AND PROPERLY RESTORE THESE WETLANDS.

A WETLAND SCIENTIST FROM ALL-POINTS TECHNOLOGY CORP. ("APT") EXPERIENCED IN COMPLIANCE MONITORING OF CONSTRUCTION ACTIVITIES WILL SERVE AS THE ENVIRONMENTAL MONITOR FOR THIS PROJECT TO ENSURE THAT THE FOLLOWING BMPS ARE IMPLEMENTED PROPERLY. THE PROPOSED WETLAND AND VERNAL POOL PROTECTION PROGRAM CONSISTS OF SEVERAL COMPONENTS INCLUDING: ISOLATION OF THE TOWER/COMPOUND PERIMETER; PERIODIC INSPECTION AND MAINTENANCE OF EROSION CONTROLS AND ISOLATION STRUCTURES; HERPETOFAUNA SWEEPS; EDUCATION OF ALL CONTRACTORS AND SUB-CONTRACTORS PRIOR TO INITIATION OF WORK ON THE SITE; PROTECTIVE MEASURES; AND, REPORTING.

EROSION AND SEDIMENTATION CONTROLS

- 2 PLASTIC METTING WITH LARGE MESH OPENINGS (> 1/4") USED IN A VARIETY OF FROSION CONTROL PRODUCTS (LE., EROSION CONTROL BLANKETS, FIBER FILES IE METHICS, REINFORCED SILT FENCE, HAS BEEN FOUND TO ENTANCIE WILDLIFE, INCLUDING REPTILES, AMPHIBIANS, BIRDS AND SMALL MAMMALS, NO PERMANENT EROSION CONTROL PRODUCTS OR REINFORCED SILT FENCE WILL BE USED ON THE PROJECT. TEMPORARY EROSION CONTROL PRODUCTS THAT WILL BE EXPOSED AT THE GROUND SURFACE REPRESENT A POTENTIAL FOR WILDLIFE ENTANGLEMENT WILL USE EITHER EROSION CONTROL BLANKETS AND FIBER ROLLS COMPOSED OF PROCESSED FIBERS MECHANICALLY BOUND TOGETHER TO FORM A CONTINUOUS MATRIX (NETLESS) OR NETTING WITH A MESH SIZE < 1/4" SUCH AS THAT TYPICALLY USED IN COMPOST FILTER SOCKS TO AVOIDMINIMIZE WILDLIFE
- bINSTALLATION OF EROSION AND SEDIMENTATION CONTROLS, REQUIRED FOR EROSION CONTROL COMPLIANCE AND CREATION OF A BARRIER TO 5.INSTALLATION OF EROSION AND SEDIMENTATION CONTROLS, HEQUINED FOR EROSION CONTROL COMPLIANCE AND CREATION OF A BARHIER TO POSSIBLE MIGRATIMOSIOSPERSING HERPETOFALUMA, SHALL BE PERFORMED BY THE CONTRACTOR FOLLOWING CLEARING ACTIVITIES AND PRIOR TO AND EARTHWORK, THE ENVIRONMENTAL MONITOR WILL INSPECT THE WORK ZONE AREA PRIOR TO AND FOLLOWING EROSION CONTROL BARRIER INSTALLATION TO ENSURE THE AREA IS FREE OF HERPETOFAUNA AND SATISFACTORILY INSTALLED, THE INTENT OF THE BARRIER IS TO SEGREGATE THE MAJORITY OF THE WORK ZONE FROM MIGRATING/DISPERSING HERPETOFAUNA. OFTENTIMES COMPLETE ISOLATION OF A WORK ZONE IS NOT FEASIBLE DUE TO ACCESSIBILITY NEEDS AND LOCATIONS OF STAGING/MATERIAL STORAGE AREAS, ETC. IN THOSE CIRCUMSTANCES, THE BARRIERS WILL BE POSITIONED TO DEFLECT MIGRATING/DISPERSAL ROUTES AWAY FROM THE WORK ZONE TO MINIMIZE POTENTIAL ENCOUNTERS WITH HERPETOFAUNA.
- C.IF A STAGING AREA FOR EQUIPMENT, VEHICLES OR CONSTRUCTION MATERIALS IS REQUIRED FOR THIS PROJECT, SUCH AREA(S) SHALL BE LOCATED OUTSIDE OF ANY WETLAND RESOURCE BUFFER ZONE AND SURROUNDED BY SILT FENCE TO ISOLATE THE AREA FROM POSSIBLE MIGRATING HERPETOFALINA.
- d. ALL EROSION CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS OF COMPLETION OF WORK AND PERMANENT STABILIZATION OF SITE SOILS SO THAT HERPETOFAUNA MOVEMENTS BETWEEN UPLANDS AND WETLANDS ARE NOT RESTRICTED.

WETLAND RESTORATION MEASURES

- a. SWAMP MATS. TRUCK MATS OR SIMILAR DEVICES SHALL BE USED DURING THE INSTALLATION OF THE UTILITY INTERCONNECTION LINE WITHIN WETLAND AREAS... THESE DEVICES SHALL BE KEPT FREE OF TRACKED SEDIMENTS...
- b. VEGETATION CLEARED TO FACILITATE THE INSTALLATION OF SWAMP MATS/TUCK MATS ETC. SHALL HAVE THE STUMPS LEFT IN PLACE TO MINIMIZE SOIL DISTURBANCE AND ALLOW FOR NATURAL REVEGETATION POST REMOVAL OF THE MATTING.
- C. SOIL EXCAVATED FROM THE UTILITY POLE PITS SHALL BE REMOVED FROM WETLAND AREAS AND SPREAD/STABILIZED WITHIN UPLAND AREAS OR
- d.MATTING USED TO ACCESS THE UTILITY INTERCONNECTION WORK SHALL BE REMOVED IMMEDIATELY AFTER COMPLETION. ANY EXPOSED SOILS/DISTURBED AREAS RESULTING FROM THESE MATTING ACTIVITIES SHALL BE SEEDED WITH A NEW ENGLAND WET SEED MIX (NEW ENGLAND WET SEED MIX (NEW ENGLAND WET SEED MIX (NEW ENGLAND PLANTS, INC., OR APPROVED EQUIVALENT) AT THE MANUPFACTURERS RECOMMENDED SEED RATE, MULCH DISTURBED WETLAND AREAS WITH NON-WOVEN NATURAL FIBER EROSION CONTROL BLANKET OR 2 TO 3 INCHES OF CLEAN STRAW MULCH,

CONTRACTOR EDUCATION

- a...PRIOR TO WORK ON SITE AND INITIAL DEPLOYMENT/MOBILIZATION OF EQUIPMENT AND MATERIALS, THE CONTRACTOR SHALL ATTEND AN EDUCATIONAL SESSION ATTHE PRE-CONSTRUCTION MEETING WITH THE ENVIRONMENTAL MONITOR. THIS ORIENTATION AND EDUCATIONAL SESSION WILL CONSIST OF INFORMATION SUCH AS, BUT NOT LIMITED TO: REPRESENTATIVE PHOTOGRAPHS OF TYPICAL HERPETOFAUNA THAT MAY BE ENCOUNTERED, RARE THAT COULD BE ENCOUNTERED (IF POSSIBLE), TYPICAL SPECIES BEHAVIOR, AND PROPER PROCEDURES TO PROTECT SUCH SPECIES IF THEY ARE ENCOUNTERED, THE MEETING WILL FURTHER EMPHASIZE THE NON-AGGRESSIVE NATURE OF THESE SPECIES, THE ABSENCE OF NEED TO DESTROY SUCH ANIMALS AND THE NEED TO FOLLOW PROTECTIVE MEASURES AS DESCRIBED IN SECTION 4 BELOW, THE CONTRACTOR WILL DESIGNATE ONE OF RKERS AS THE 'PROJECT MONITOR', WHO WILL RECEIVE MORE INTENSE TRAINING ON THE IDENTIFICATION AND PROPER HANDLING OF
- B. THE CONTRACTOR WILL DESIGNATE A MEMBER OF ITS CREW AS THE PROJECT MONITOR TO BE RESPONSIBLE FOR THE DAILY "SWEEPS" FOR HERPETOFAUNA WITHIN THE WORK ZONE EACH MORNING, DURING ANY AND ALL TRANSPORTATION OF VEHICLES ALONG THE ACCESS DRIVE, AND FOR ANY GROUND DISTURBANCE WORK, THIS INDIVIDUAL WILL RECEIVE MORE INTENSE TRAINING FROM THE ENVIRONMENTAL MONITOR ON THE IDENTIFICATION AND PROTECTION OF HERPETOFAUNA IN ORDER TO PERFORM SWEEPS, ANY HERPETOFAUNA DISCOVERED WILL BE REPORTED TO THE INVIRONMENTAL MONITOR PHOTOGRAPHED IS POSSIBLE, AND RELOCATED OUTSIDE THE WORK ZONE IN THE GENERAL DIRECTION THE ANIMAL WAS
- C. THE ENVIRONMENTAL MONITOR WILL ALSO POST CAUTION SIGNS THROUGHOUT THE PROJECT SITE AND MAINTAIN THEM FOR THE DURATION OF CONSTRUCTION TO PROVIDE NOTICE OF THE ENVIRONMENTALLY SENSITIVE NATURE OF THE WORK AREA, THE POTENTIAL FOR ENCOUNTERING VARIOUS AMPHIBIANS AND REPTILES AND PRECOUNTIONS TO BETAKEN TO AVOID INJURY TO OR MORTALITY OF THESE ANIMALS.
- d. THE CONTRACTOR WILL BE PROVIDED WITH THE ENVIRONMENTAL MONITOR'S CELL PHONE AND EMAIL CONTACT INFORMATION TO IMMEDIATELY

PETROLEUM MATERIALS STORAGE AND SPILL PREVENTION

- a. CERTAIN PRECAUTIONS ARE NECESSARY TO STORE PETROLEUM MATERIALS, REFUEL AND CONTAIN AND PROPERLY CLEAN UP ANY INADVERTENT FUEL OR PETROLEUM (I.E., OIL, HYDRAULIC FLUID, ETC.) SPILL DUE TO THE PROJECT'S LOCATION IN PROXIMITY TO SENSITIVE WETLAND RESOURCES.
- b. A SPILL CONTAINMENT KIT CONSISTING OF A SUFFICIENT SUPPLY OF ABSORBENT PADS AND ABSORBENT MATERIAL WILL BE MAINTAINED BY THE CONTRACTOR AT THE CONSTRUCTION SITE THROUGHOUT THE DURATION OF THE PROJECT. IN ADDITION, A WASTE DRUM WILL BE KEPT ON SITE TO CONTAIN ANY USED ABSORBENT PADS/MATERIAL FOR PROPER AND TIMELY DISPOSAL OFF SITE IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND
- c, THE FOLLOWING PETROLEUM AND HAZARDOUS MATERIALS STORAGE AND REFUELING RESTRICTIONS AND SPILL RESPONSE PROCEDURES WILL BE ADHERED TO BY THE CONTRACTOR
- PETROLEUM AND HAZARDOUS MATERIALS STORAGE AND REFUELING
- REFUELING OF VEHICLES OR MACHINERY SHALL TAKE PLACE ON AN IMPERVIOUS PAD WITH SECONDARY CONTAINMENT DESIGNED TO CONTAIN
- ANY REFUELING DRUMS/TANKS OR HAZARDOUS MATERIALS THAT MUST BE KEPT ON SITE SHALL BE STORED ON AN IMPERVIOUS SURFACE UTILIZING SECONDARY CONTAINMENT A MINIMUM OF 100 FEET FROM WETLANDS OR WATERCOURSES

INITIAL SPILL RESPONSE PROCEDURES

- STOP OPERATIONS AND SHUT OFF EQUIPMENT
- REMOVE ANY SOURCES OF SPARK OR FLAME.
- CONTAIN THE SOURCE OF THE SPILL.
- DETERMINE THE APPROXIMATE VOLUME OF THE SPILL
- IDENTIFY THE LOCATION OF NATURAL FLOW PATHS TO PREVENT THE RELEASE OF THE SPILL TO SENSITIVE NEARBY WATERWAYS OR WETLANDS.
- ENSURE THAT FELLOW WORKERS ARE NOTIFIED OF THE SPILL SPILL CLEAN UP & CONTAINMENT

- OBTAIN SPILL RESPONSE MATERIALS FROM THE ON-SITE SPILL RESPONSE KIT. PLACE ABSORBENT MATERIALS DIRECTLY ON THE RELEASE AREA LIMIT THE SPREAD OF THE SPILL BY PLACING ABSORBENT MATERIALS AROUND THE PERIMETER OF THE SPILL.
- ISOLATE AND ELIMINATE THE SPILL SOURCE
- CONTACT THE APPROPRIATE LOCAL, STATE AND/OR FEDERAL AGENCIES, AS NECESSARY
- CONTACT A DISPOSAL COMPANY TO PROPERLY DISPOSE OF CONTAMINATED MATERIALS

REPORTING

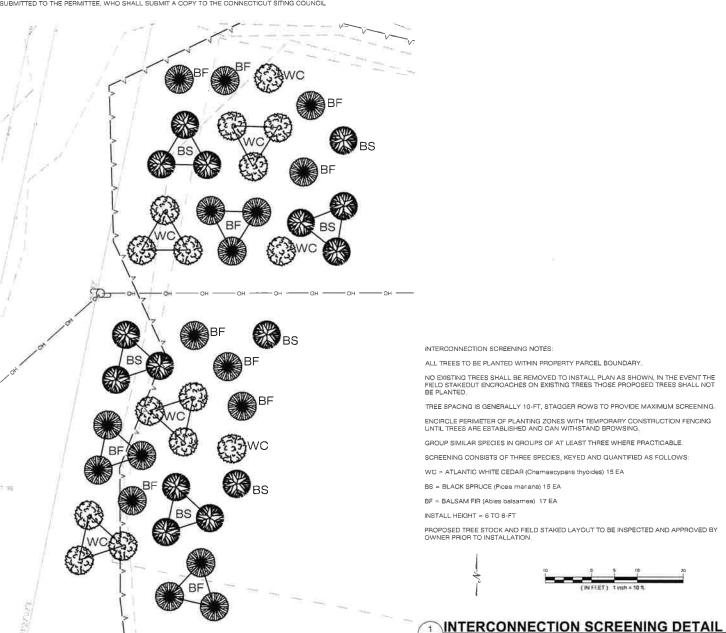
- COMPLETE AN INCIDENT REPORT
- SUBMIT A COMPLETED INCIDENT REPORT TO LOCAL, STATE AND FEDERAL AGENCIES, AS REQUIRED.

PROTECTIVE MEASURES

- a, A THOROUGH COVER SEARCH OF THE CONSTRUCTION AREA WILL BE PERFORMED BY THE ENVIRONMENTAL MONITOR FOR HERPETOFAUNA PRIOR TO AND FOLLOWING INSTALLATION OF EROSION CONTROL MEASURES/SILT FENCING BARRIERS TO REMOVE ANY SPECIES FROM THE WORK ZONE PRIOR TO THE INITIATION OF CONSTRUCTION ACTIVITIES, ANY HERPETOFAUNA DISCOVERED WOULD BE RELOCATED OUTSIDE THE WORK ZONE IN THE GENERAL DIRECTION THE ANIMAL WAS ORIENTED, PERIODIC INSPECTIONS WILL BE PERFORMED BY THE ENVIRONMENTAL MONITOR THROUGHOUT THE DURATION OF CONSTRUCTION.
- b, THE CONTRACTORS PROJECT MONITOR WILL INSPECT THE WORK AREA EACH MORNING AND ESCORT INITIAL VEHICLE ACCESS INTO THE SITE EACH MORNING ALONG THE ACCESS DRIVE TO VISUALLY INSPECT FOR ANY HERPETOFAUNA, ANY HERPETOFAUNA DISCOVERED WOULD BE RELOCATED OUTSIDE THE WORK ZONE IN THE GENERAL DIRECTION THE ANIMAL WAS ORIENTED.
- c, ANY HERPETOFAUNA REQUIRING RELOCATION OUT OF THE WORK ZONE WILL BE CAPTURED WITH THE USE OF A NET OR CLEAN PLASTIC BAG THAT HAS BEEN MOISTENED WITH CLEAN WATER FOR CAREFUL HANDLING AND PLACEMENT OUT OF THE WORK ZONE IN THE GENERAL DIRECTION IT WAS OBSERVED HEADING.
- d, ANY STORMWATER MANAGEMENT FEATURES, RUTS OR ARTIFICIAL DEPRESSIONS THAT COULD HOLD WATER CREATED INTENTIONALLY OR UNINTENTIONALLY BY SITE CLEARING/CONSTRUCTION ACTIVITIES WILL BE PROPERLY FILLED IN AND PERMANENTLY STABILIZED WITH VEGETATION TO AVOID THE CREATION OF VERNAL POOL. TDECOY POOLS' THAT COULD INTERCEPT AMPHIBIANS MOVING TOWARD THE VERNAL POOLS STORMWATER MANAGEMENT FEATURES SUCH AS LEVEL SPREADERS WILL BE CAREFULD TO AVOID TO TONSOURE THAT STANDING WATER DOES NOT ENDURE FOR MORE THAN A 24 HOUR PERIOD TO AVOID CREATION OF DECOY POOLS AND MAY BE SUBJECT TO FIELD DESIGN CHANGES, ANY SUCH PROPOSED DESIGN CHANGES WILL BE REVIEWED BY THE DESIGN ENGINEER TO ENSURE STORMWATER MANAGEMENT

REPORTING

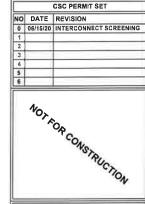
- E, INSPECTION REPORTS (BRIEF NARRATIVE AND APPLICABLE PHOTOS) WILL BE PREPARED BY THE ENVIRONMENTAL MONITOR DOCUMENTING EACH INSPECTION AND SUBMITTED TO THE PERMITTEE FOR COMPLIANCE VERIFICATION, ANY NON-COMPLIANCE OBSERVATIONS OF EROSION CONTROL MEASURES OR EVIDENCE OF EROSION OR SEDIMENT RELEASE WILL BE IMMEDIATELY REPORTED TO THE PERMITTEE AND ITS CONTRACTOR
- IL ANY INCIDENTS OF RELEASE OF SEDIMENT OR OTHER MATERIALS INTO WETLAND RESOURCE AREAS SHALL BE REPORTED BY THE PERMITTEE WITHIN 24 HOURS TO THE PERMITTEE.
- g, ANY OBSERVATIONS OF RARE SPECIES WILL BE REPORTED TO THE CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTIONS NATURAL DIVERSITY DATA BASE PROGRAM
- h, FOLLOWING COMPLETION OF THE PROJECT, A SUMMARY REPORT WILL BE PREPARED BY THE ENVIRONMENTAL MONITOR DOCUMENTING COMPLIANCE WITH THE WETLAND AND VERNAL POOL PROTECTION PLAN AND SUBMITTED TO THE PERMITTEE, WHO SHALL SUBMIT A COPY TO THE CONNECTICUT SITING COUNCIL



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SITE EAST PEARL ROAD ADDRESS: TORRINGTON, CT

APT FILING NUMBER: CT590190 DRAWN BY: KAM

DATE: 05/28/2020 CHECKED BY: BJP

SHEET TITLE:

ENVIRONMENTAL NOTES

DN-2

SHEET NUMBER