



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone:

June 19, 2020

Ms. Melanie Bachman
Acting Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Dear Ms. Bachman:

Subject: Petition 1407
 Construction of 1.975 MWAC
 Solar Photovoltaic facility
 Town of Torrington

The Department of Transportation has reviewed the above-mentioned Petition and offers the following comment.

The proposed 1.975 MW AC solar Photovoltaic Facility abuts CT Route 183. It appears that access to the site is from East Pearl Road (Town Road) and therefore no encroachment permit will be required. However, page 5 of the project description states electrical interconnection for the project will originate from Route 183 (Torrington Street) with 2 connection points and 4 new poles. Therefore, the applicant must attain an encroachment permit pursuant to the Highway Encroachment Permit Regulations in conjunction with the Connecticut General Statutes prior to performing any work within the state highway right of way.

The District 4 Permit Office will need to review three complete sets of construction plans which show all work within the state highway right of way, all site work, any required easements and standard details for highway construction prior to issuing the encroachment permit.

The District 4 Permit Office will determine what is necessary including but not limited to bond amount, insurance coverage, maintenance and protection of traffic, inspection, roadway and pavement restoration requirements. Please see attached D.O.T. Screening Checklist.

Should you have any questions, please contact Ms. Latoya Smith, Utility Engineer (Utilities) at Latoya.Smith@ct.gov.

Very truly yours,

Andrzej Mysliwicz
Transportation Supervising Engineer
Division of Facilities and Transit
Bureau of Engineering and Construction

Enclosure

Latoya Smith:ls

bcc: Mark Rolfe

Gregory M. Dorosh - Leo Fontaine-Andrzej Mysliwiec-Derek Brown-Latoya Smith

James Chupas- John DeCastro-Christopher Brochu

Edgar T. Hurle-Kevin Carifa-Desmond P. Dickey

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :
 :
 :
 A PETITION FOR A DECLARATORY RULING : PETITION NO. ____
 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 : MAY 29, 2020

PETITION FOR A DECLARATORY RULING:
INSTALLATION HAVING NO
SUBSTANTIAL ADVERSE ENVIRONMENTAL EFFECT

I. Introduction

Pursuant to Section 16-50k(a) and Section 4-176(a) of the Connecticut General Statutes (“CGS”) and Section 16-50j-38 *et seq.* of the Regulations of Connecticut State Agencies (“RCSA”), Torrington Solar One, LLC and VCP, LLC d/b/a Verogy (collectively “Verogy” or “Petitioner”) hereby petitions the Connecticut Siting Council (the “Siting Council”) for a declaratory ruling that a Certificate of Environmental Compatibility and Public Need (“Certificate”) is not required for the construction, maintenance and operation of a 1.975 megawatt (“MW”) alternate current (“AC”) ground-mounted solar photovoltaic (“PV”) facility off East Pearl Road in Torrington, Connecticut (the “Project”).

CGS § 16-50k(a) provides, in relevant part:

Notwithstanding the provisions of this chapter or title 16a, the council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling . . . the construction or location of any . . . grid-side distributed resources project or facility with a capacity of not more than sixty-five megawatts, as long as: (i) Such project meets air and water quality standards of the Department of Environmental Protection [and], (ii) the council does not find a substantial adverse environmental effect. . . .

As described more fully below, the construction, operation and maintenance of the proposed Project satisfies the criteria of CGS § 16-50k(a) and will not have a substantial adverse environmental effect.

II. Petitioner

The Petitioner is a Connecticut limited liability company with an administrative office at 150 Trumbull Street, 4th Floor, Hartford, CT 06103.

Correspondence and/or communications regarding this petition should be addressed to:

William Herchel, Chief Executive Officer
Bryan Fitzgerald, Director of Development
VCP, LLC d/b/a Verogy
150 Trumbull Street, 4th Floor
Hartford, CT 06103
wherchel@verogy.com
bfitzgerald@verogy.com
(860) 288-7215

A copy of all such correspondence or communications should also be sent to the Petitioner's attorney:

Kenneth C. Baldwin Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
kbaldwin@rc.com
(860) 275-8200

III. Project Description

The Project will be developed on an approximately 11.15-acre portion (the "Project Area") of a 66.4-acre parcel bounded on the north by East Pearl Road, on the west by Torrington Street, on the east by Harrison Road and on the south by agricultural and residential land fronting on Gaylord Lane in Torrington, Connecticut (the "Property"). The Property is owned by the Catholic Cemeteries Association of the Archdiocese of Hartford. The easterly portion of the

Property is developed and occupied by Saint Peters Cemetery and undeveloped woodland areas. The westerly portion of the Property is largely undeveloped and maintains a wooded wetland area, a vernal pool and intermittent watercourses. The central portion of the Property, including the Project Area, is currently used for agricultural and recreational purposes (Bishop Donnelly Field). The parcel slopes gently down from north to south and is surrounded by low density residential and agricultural land uses.

A. Site Selection

The site selection for the Project was based on a detailed evaluation of several key criteria including:

- Site suitability (solar resource size, grade and surrounding topography);
- Site availability (ability to lease or purchase land);
- Proximity to critical infrastructure (suitable electrical grid access);
- Compatibility with surrounding land use.

Once the initial site evaluation was completed, the Petitioner assessed potential effects of the Project on the environment and sensitive site resources, including but not limited to scenic views and vistas, historic and archeological resources, wetlands, water quality and water resources, rare and endangered species and air quality. Prior to the commencement of this process, the Petitioner met with local officials in Torrington and New Hartford and discussed the Project with some of the closest adjacent residential property owners. As discussed in detail below, after this evaluation, the Petitioner determined that the Property was suitable for development of the Project and that the Project will provide a significant benefit to the public.

B. Project Description

The Project will consist of the installation of approximately 7,150 PV modules, sixteen (16) solar inverters, two (2) pad-mounted switch gears, two (2) transformers and two (2) interconnection points. The Project will use a fixed tilt steel panel racking system attached to either pile-driven or ground screw foundations to allow for optimal utilization of the Project Area. An access road will extend into the Project Area from East Pearl Road.

The Project Area will be surrounded by a chain link fence with black vinyl coating. In response to specific requests by municipal officials and several adjacent property owners to the north, the perimeter security fence along East Pearl Road and adjacent to the recreational fields to the northwest of the Project Area will be raised to a height of eight (8) feet and maintain black vinyl privacy slats. The security fence around the remaining portion of the Project Area will be six (6) feet tall. In addition to the privacy slat, the Petitioner will install a significant landscaped buffer along East Pearl Road to restrict views into the Project Area. The fence will be raised 6” above ground level in all locations to accommodate wildlife movement. A copy of the Project development plan illustrating the above-described attributes is included as Exhibit A.

The Project is expected to produce in excess of 3,559,609 Kilowatt-Hours (kWh) of energy in the first year of operation, enough energy to power 426 homes. Energy produced by the Project will be sold to Eversource at market rates specified in the applicable utility tariff with Eversource for any self-generation facility. Alternatively, in the event virtual net metering capacity becomes available, energy produced by the Project may be delivered to Eversource through the Virtual Net Metering Rider (effective September 24, 2019, by PURA Decision dated October 21, 2019, under Docket No. 13-08-14RE05) (“VNM Rider”) or any successor rider thereto. Any participation in the virtual net metering program would be subject to all VNM Rider

and other program requirements and is contingent upon the availability of virtual net metering capacity. The Project will have a design life of 35 years and efficiency loss of approximately 0.5% per year.

Construction of the Project is expected to begin in the third quarter of 2020 with mobilization of equipment and minor land clearing and grading efforts. Site work and land preparation is expected to be completed by November 10, 2020 with construction and installation of the solar arrays and equipment completed in December of 2020. Final site stabilization, testing, and commissioning is expected to be completed by December 31, 2020. The Project construction schedule is subject to change. At the end of its useful life, the Project will be decommissioned in accordance with the requirements of the Petitioner's land lease agreement and the Decommissioning and Restoration Plan attached hereto as Exhibit B.

C. Interconnection

Electrical interconnection for the Project will originate along Tarringford Street and extend approximately 720 feet to the east to the Project Area. (See Exhibit A). The proposed interconnection will require the installation of four (4) new distribution poles in an existing wetland area in the southwest portion of the Property. As discussed in further detail below, the impact of distribution pole installation on these wetland areas would be minimal. The Project will interconnect to the Connecticut Light and Power Company d/b/a Eversource Energy ("Eversource"), 23kV Greenwoods Road 44J3 circuit distribution system located on Tarringford Street.¹

The interconnection facility design and construction will be performed in accordance with the Eversource Guidelines for Generator Interconnection and State of Connecticut, ISO-New

¹ Eversource will be responsible for all necessary permits/approvals (if any) for this interconnection construction.

England (“ISO-NE”), and Federal Energy Regulatory Commission (“FERC”) requirements as applicable. As part of the interconnection process, the Petitioner has successfully completed a utility-sponsored Scoping Meeting, Interconnection Application Request and an Application Review, Impact Study, and has executed a Standard Fast Track and Study Process Generator Interconnection Agreement.

IV. Project Benefits

The Project will generate much, if not all, of its power at peak times, when the demand for electricity is greatest, and will thereby provide the electrical system with flexible peaking capacity that is necessary to keep the electrical grid stable.

Further, the Project supports the State’s energy policies as set forth in CGS § 16a-35k, including the goal to “develop and utilize renewable energy resources, such as solar and wind energy, to the maximum practicable extent.” The Project will provide clean, renewable, solar-powered electricity and assist the State in meeting its legislatively-mandated obligations under the Renewable Portfolio Standard.

The Project will also assist the State of Connecticut in reducing greenhouse gas emissions and reducing criteria air emissions pollutants associated with the displacement of older, less efficient, fossil fuel generation. As part of larger state, national and global strategies, reductions in greenhouse gas emissions from this Project will have long-term secondary biological, social and economic benefits. Similarly, the advancement of renewable resources at a distributed level contribute to our Nation’s desire for energy independence and reduces our dependency upon foreign countries where geo-political issues may not align with National policy.

V. Local Outreach and Public Notice

In December of 2019, the Petitioner informed municipal officials in Torrington and New

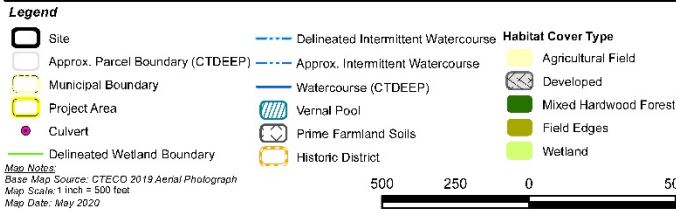


Figure 2
Existing Conditions Map
 Proposed Solar Facility - Torrington Solar One
 East Pearl Road
 Torrington, Connecticut
 Torrington Solar One, LLC



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, 06051

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

Email: Siting.council@ct.gov

<https://www.ct.gov/csc>

Screening Checklist

Connecticut Department of Transportation

Potential Transportation Infrastructure Impacts

Connecticut Siting Council Petition # 1407

Location: Off of East Pearl Road, Torrington, CT

1. Is the proposed facility abutting –the-right of way of a State maintained highway?

No

Yes – Specify the location and show location on a detail site plan.

2. Is the access for construction and maintenance of the proposed facility needed directly from a State maintained highway.

No

Yes – Identify specify needs and access location.

3. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?

No

Yes-Please provide an area and site plan.

4. Is the proposed facility within a two mile radius of any lands classified as preserved scenic land in accordance with CGS Section 13a-85a, "Acquisition of land adjacent to state highways for preservation and enhancement of scenic beauty and development of rest and recreation areas", or any designated scenic road in accordance with CGS Section 13b-31c, "Designation of scenic roads"?

No

Yes