STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

Greenskies Clean Energy, LLC petition for a declaratory ruling for the proposed construction, maintenance and operation of a 3.0-megawatt-AC solar photovoltaic electric generating facility on two parcels at the Elmridge Golf Course located to the east and west of North Anguilla Road at the intersection with Elmridge Road, Stonington, Connecticut, and associated electrical interconnection.

Petition No. 1410

September 24, 2020

PROPONENTS FOR RESPONSIBLE EMPLACEMENT OF STONINGTON SOLAR, INC. RESPONSES TO INTERROGATORIES ISSUES BY PETITIONER GREENSKIES CLEAN ENERGY LLC

Proponents for Responsible Emplacement of Stonington Solar, Inc. ("PRESS") hereby responds to the interrogatories issued by the Connecticut Siting Council:

1. Aside from the three (3) officers named in the PRESS Request (i.e., Ms. Mary Ann Canning McComiskey, Ms. Rhandi Lee and Mr. John Pistolese), how many members belong to PRESS?

RESPONSE: PRESS does not have members beyond the three individuals named, who also serve as officers.

2. Please provide a list of all PRESS members.

RESPONSE: See above.

3. Please provide a list of all PRESS members' respective addresses.

RESPONSE: Not applicable.

4. Please identify, by name and address, the PRESS members whose residences abut the proposed Project.

RESPONSE: Mary Ann Canning McComiskey, 5 Fairway Court, Pawcatuck, CT 06379.

5. Are any members of PRESS professionally-certified engineer(s) and/or environmental expert(s)? If so, please identify said members, including his/her/their qualifications, as applicable.

RESPONSE: No.

- 6. Please confirm whether the following individuals are members of PRESS:
 - a. Mr. and Mrs. Randall and Lydia Miner
 - b. Ms. Rachel Miner-Dyer

RESPONSE: None of the above are members of PRESS.

7. Did Petitioner offer to meet with PRESS?

RESPONSE: No.

- 8. If the answer to Interrogatory No. 7 above is "Yes", did such a meeting occur? **RESPONSE:** Not applicable.
- 9. If the answer to Interrogatory No. 8 above is "No", please explain why such a meeting did not occur.

RESPONSE: No meeting was ever proposed to PRESS, which did not exist until after Greenskies filed its petition.

10. Please identify any individual(s) and/or expert(s) PRESS retained and/or consulted in connection with the PRESS Request, including his/her respective qualifications, as applicable.

RESPONSE: Steven Trinkaus, P.E. See prefiled testimony filed on today's date, which attaches his CV.

11. Has PRESS engaged any professionally-certified engineer(s) and/or environmental expert(s) to review Petition No.1410, including all narrative(s), appendices, and engineering plans/drawings contained therein?

RESPONSE: Yes.

12. If the answer to Interrogatory No. 11 above is "Yes", please provide the name(s) of said engineer(s) and/or expert(s), including respective qualifications, as applicable.

RESPONSE: Steven Trinkaus, P.E. See prefiled testimony filed on today's date, which attaches his CV.

13. Please identify the land uses, if any, that PRESS considers to be appropriate and/or suitable for the proposed Project Site.

RESPONSE: As discussed in the prefiled testimony submitted today, PRESS believes that the best use of the golf course land would be preservation as open space or passive recreation, given its historic use, proximity to the Stonington Land Trust land known as the Anguilla-Grande Preserve, and proximity to Anguilla Brook, as well as its status as within the groundwater overlay protection area. Such use would also be consistent with the Town of Stonington's Open Space plan (August 2007), https://www.stonington-ct.gov/sites/g/files/vyhlif3851/f/file/file/open_space_plan.pdf.

- 14. Of the following land uses, which (if any) would PRESS believe to be appropriate and/or suitable for the proposed East Project Area:
 - a. Public utility substations;
 - b. Agriculture and the keeping and breeding of livestock (with a 200' setback for manure storage and stables);
 - c. Duplex housing;
 - d. Public utility structures and facilities;

- e. Communication and water towers;
- f. Municipal facilities;
- g. Public and private elementary and secondary schools;
- h. Trailer parks and trailer camps (with 50 feet of buffer and 30 feet of screening);
- i. Lumbering and mills;
- j. Excavation operations;
- k. Cemeteries;
- 1. Crematoriums and funeral homes
- m. Congregate living facilities;
- n. Hospitals; and/or
- o. Convalescent homes

RESPONSE: PRESS objects to the false dichotomy that Greenskies is trying to draw with this interrogatory. None of these uses are being proposed for the East Project Area; a solar array is being proposed, and that is what prompted PRESS to become a party to these proceedings. PRESS is aware of the various uses for the property that would be permissible based on a plan reading of Stonington's zoning regulations. However, as Greenskies is well aware, if the site were to be developed for any of these uses, all design aspects of the development would have to comply with the Town's zoning and subdivision regulations, with approvals obtained from the Planning and Zoning Commission and the Inland Wetland and Watercourses Commission and likely input from the Conservation Commission. The *only* type of development for this site that the Town doesn't get to review and approve is one that is delegated to the authority of the Siting Council. Oversight of the normally very thorough process is currently denied to the Town given the restrictions of the petition process for all solar facilities – but that would not be the case with any of the uses listed by Greenskies.

If the property owner were to apply to the town to develop this parcel, PRESS, Town residents, and like the Stonington Land Trust would participate in any Town proceedings (e.g.,

meetings/hearings before the Planning and Zoning Commission, Inland Wetland and

Watercourses Commission, and Conservation Commission, and the Town's planning staff)

regarding development of this parcel due to its relatively large area, location in a groundwater

overlay protection district, and proximity to Anguilla Brook and the protected Anguilla-Grande

Reserve. That public input process would help ensure that the parcel would be developed using

environmentally friendly practices and in accordance with the Open Space Plan.

15. Does PRESS believe that a maximum height of 30 feet for a structure is fair and

reasonable for structures that may be placed on the East Project Area?

RESPONSE: See response to interrogatory #14.

16. Of the following land uses, which (if any) would PRESS consider to be

appropriate and/or suitable for the proposed West Project Area:

Agriculture and the keeping and breeding of livestock (with a 200' a.

setback for manure storage and stables);

Public utility structures and facilities; b.

communication and water towers; C.

d. Kennels:

Lumbering and lumber mills; e.

f. municipal facilities; and/or

public or private elementary and secondary schools. g.

RESPONSE: See response to interrogatory #14.

17. Does PRESS believe that a maximum height of 30 feet for a structure is fair and

reasonable for structures that may be placed on the proposed West Project Area?

RESPONSE: See response to interrogatory #14.

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18. On page 3 of the PRESS Request, Intervenor states, in pertinent part, that: "Greenskies' site plans and the assumptions included in those and related plans do not comply with the water quality standards of the State of Connecticut[.]" Which water quality standards of the State of Connecticut does the proposed project not comply with?

RESPONSE: The basis for that assertion in PRESS's request for party status is the opinion of Steven Trinkaus, P.E.. See prefiled testimony filed on today's date, explaining that the site plans and accompanying stormwater report do not comply with the requirements of the 2004 Connecticut Stormwater Quality Manual ("2004 Manual"), the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control ("2002 Guidelines"), the Connecticut General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities ("General Permit"), or the recently proposed updates to the General Permit, including Appendix I.

19. Does PRESS know the type(s)/amount(s) of chemicals that are used in connection with the golfing operations presently conducted on the Project Site? If so, please identify by type and amount.

RESPONSE: No.

20. Please identify, by type and amount, the chemicals that leach on the Project Site as a result of the golf course operations presently conducted thereon.

RESPONSE: PRESS does not have this information.

21. To the best of PRESS' knowledge, is the resulting contamination from a solar facility "less than," "equal to," or "greater than" that of the current golf course operation? Please include the reasoning/rationale for your answer.

RESPONSE: PRESS does not have this information.

22. Referring to page 3 of the PRESS Request, please provide calculations to support PRESS's contention that, "Petitioner's plans will not adequately control and treat stormwater."

RESPONSE: Objection. Surely the developer of the project can do its own calculations. The basis for that assertion in PRESS's request for party status is the opinion of Steven Trinkaus, P.E., and he did not need to do calculations to see that problem in his review of the project. See prefiled testimony filed on today's date.

23. Please provide calculations to support PRESS's assertion that, "the location and sizing of the single stormwater basin for each array is inadequate to protect the surrounding properties from impacts of stormwater runoff and do not comply with the requirements of CT DEP 2004 Storm Water Quality Manual." *See* PRESS Request, p. 3.

RESPONSE: Objection. Surely the developer of the project can do its own calculations. The basis for that assertion in PRESS's request for party status is the opinion of Steven Trinkaus, P.E., and he did not need to do calculations to see that problem in his review of the project. See prefiled testimony filed on today's date.

24. Please identify the waterbody(ies) that currently receive(s) runoff from the referenced "residential neighborhood...consist[ing] of more than 50 residences." *See* PRESS Request, p. 2.

RESPONSE: PRESS does not have this information, though it notes that any runoff from the neighborhood would be under the control of local authorities, who also would have issued the necessary permits when the housing development was built. As set forth above, local

review and approval for such permits is thorough and would have considered discharges of runoff.

25. On page 3 of the PRESS Request, Intervenor states: "Greenskies has also not

presented any plan with respect to fire safety, and unless there is a water source at each site, it is

likely that a fire involving the panels would quickly burn, releasing chemicals into the water."

a. How does PRESS believe that electrical fires should be extinguished in

accordance with applicable standards and/or regulations?

b. If the answer to (a) above is that electrical fires should not be extinguished via the use of water, please explain the importance/relevance of having "a water

source at each site."

c. Please qualify "quickly". Does PRESS have any knowledge/information concerning the (general) rate at which panels burn? If so, please provide such

information, including the source(s) therefor.

RESPONSE: PRESS relies on the expertise of the local fire marshal and will not opine on

the appropriate methods for extinguishing fires that could break out in the proposed

development, except to note that any such fire likely would not be limited to the solar panels

but would spread to the vegetation Greenskies proposes to install, and a vegetation fire could of

course be suppressed by water if there was a source on site.

PROPONENTS FOR RESPONSIBLE EMPLACEMENT OF STONINGTON SOLAR, INC.

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CERTIFICATION

I hereby certify that a copy of the foregoing document was delivered by e-mail to the

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