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December 11, 2020

Via Electronic Filing

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

Re: PETITION 1422 - Petition by Greenskies Clean Energy LLC for a Declaratory Ruling, Pursuant to Connecticut General Statutes §4-176 and §16-50k, for the Proposed Construction, Operation and Maintenance of a 4.99 MW AC Ground-mounted Solar Photovoltaic Electric Facility Located on Barber Hill Rd in East Windsor, Connecticut

Dear Ms. Bachman:

I am writing on behalf of my client, Greenskies Clean Energy, LLC in response to the December 1, 2020 request by the Town of East Windsor (“the Town”) for a public hearing in this Petition. The Town’s letter was brief, so I will try to keep this letter brief as well.

The Town’s letter requests a public hearing stating that several residents in close proximity “may have concerns with the project,” and if a public hearing were held signage and notifications associated with a public hearing “would at least provide an additional opportunity” for residents to raise concerns regarding the project.

This Petition has been pending with the Council since July 20, 2020, and the public, as well as the Town of East Windsor, has had several chances to provide commentary in the nearly five months since the Petition was filed. More importantly, and as is delineated more fully in Exhibit A attached hereto, the public outreach for this project began six months before the Petition was even filed. In addition to communicating with Town officials as early as January of 2020, the Petitioner voluntarily sent notices regarding its project to a group of the project’s neighbors on March 10, 2020, inviting those neighbors to a public information session. Unfortunately, the public information session was cancelled due to concerns over COVID, but the project instead made a public presentation over Zoom at a meeting of the Town’s Planning and Zoning Commission on July 14, 2020, and voluntarily notified the project’s neighbors about the meeting on July 7, 2020. As is indicated elsewhere on Exhibit A, the project has regularly communicated with its neighbors on a one-on-one basis.

Exhibit B (attached hereto) documents exactly how broad Greenskies’s outreach was. As the Council is aware, Appendix K of the Petition shows the first notification that was voluntarily

Page 2

sent to neighbors by the project on March 17, 2020. This distribution, depicted on page 5 of Exhibit B, was sent to neighboring homes that were not necessarily the abutters that are required to be notified pursuant to the Council's regulations. Put another way, Greenskies exceeded its regulatory requirement for notification. Greenskies made a second notification which notified all required abutters of the Petition on June 2, 2020, and filed proof of its notification with the Council on August 3, 2020.¹ These abutters are depicted on the map on page 4 of Exhibit B, and the totality of neighborhood notification is depicted on page 3 of Exhibit B.

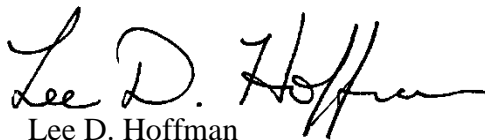
Finally, it should be noted that none of the concerns raised by the Town deal with the water or air resources of the state of Connecticut. For a petition for declaratory ruling brought pursuant to section 16-50k of the General Statutes, section 16-50k(a) provides that the environment is the sole issue for which the Council is to focus:

the council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling ... of any customer-side distributed resources project or facility or 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 Energy and Environmental Protection, (ii) the council does not find a substantial adverse environmental effect, and (iii) [for certain solar photovoltaic facilities, the project will not materially affect prime farmland and/or core forest.]

The Town's letter does not bring up any environmental concerns for the Council to consider. Rather, the Town's letter alludes to local issues that could be resolved through a tax stabilization agreement with the Town. While Greenskies understands that the Town may have such concerns, those concerns would not be appropriate to be addressed by the Council in a public hearing, and thus Greenskies does not believe that such a hearing is warranted.

Should you have any questions about this submittal, please contact me at your convenience.

Sincerely,


Lee D. Hoffman

Enclosures

cc: Service List
Jason Bowsza, First Selectman, Town of East Windsor

¹ See https://portal.ct.gov/-/media/CSC/3_Petitions-medialibrary/Petitions_MediaLibrary/MediaPetitionNos1421-1430/PE1422/PetitionerSubmissions/PE1422-20200803-ResponsetoIncompleteLtr.pdf.



Exhibit A

MULNITE FARMS SOLAR - PUBLIC OUTREACH RECORD

Date	Attendees (External)	Attendees (GCE)	Mode of Communication	Subject of Discussion
1/9/2020 – 2/13/2020	Ruben Flores-Marzan Jason Bowsza Judi Mosso Amanda Calve Melissa LaBelle	Christopher Ross Gina Wolfman Ryan Linares	Email	Introduction via email and request to set up a meeting in person to discuss project.
2/18/2020	Jason Bowsza Helen Totz Leonard Norton Joseph Sauerhoffer Ruben Flores-Marzan	Christopher Ross Gina Wolfman Ryan Linares	In person meeting at Town Hall (11 Rye St, Broad Brook CT)	Introduction to project and GCE team.
2/25/2020	Leonard Norton Joseph Sauerhoffer	Christopher Ross Steve Kochis (VHB) Jared Whittier (VHB)	In person meeting at East Windsor Public Works (6 Woolam Rd, East Windsor CT)	Discussion regarding the potential to improve drainage conditions along Barber Hill Rd as part of the stormwater design.
3/10/2020	None	None	Mail	Invitation to select abutters to attend an informational workshop on 3/23 at the Town Hall.
3/16/2020 – 3/19/2020	Christine Ruth (11 Barber Hill Rd)	Christopher Ross	Email	Email exchange regarding the project, informational meeting, and COVID concerns.
3/17/2020	Brian Taylor (22 Barber Hill Rd)	Christopher Ross	Email	Email exchange regarding the project, informational meeting, and COVID concerns.
3/17/2020	None	None	Mail	Letter notifying select abutters of the cancellation of the informational meeting until further notice due to COVID, offer to speak directly via email or phone.
4/28/2020	Jason Bowsza Leonard Norton Ruben Flores-Marzan	Christopher Ross Jean-Paul LaMarche Steve Kochis (VHB)	Email	Invitation for site walk with town officials.
5/4/2020	Jason Bowsza Leonard Norton Joseph Sauerhoffer	Christopher Ross, Steve Kochis (VHB) Jared Whittier (VHB)	In person meeting at Barber Hill Rd, East Windsor CT (Mulnite Farms)	Site walk with town officials.
5/4/2020	Charles Szymanski (57 Rockville Rd)	Christopher Ross	In person meeting at Barber Hill Rd, East Windsor CT (Mulnite Farms)	Informal discussion regarding project, potential concerns regarding stormwater



5/14/2020	Charles Szymanski (57 Rockville Rd)	Christopher Ross	Mail	Letter sent to Mr. Szymanski seeking to address concerns regarding stormwater
5/14/2020	Ruben Flores-Marzan Amanda Calve Jason Bowsza	Christopher Ross Jean-Paul LaMarche Steve Kochis (VHB)	Email	Email exchange regarding request to reschedule informational meeting, request denied due to state COVID guidelines.
5/22/2020 – 5/28/2020	Charles Szymanski (57 Rockville Rd)	Christopher Ross	Email	Email exchange discussing meeting with Steve Kochis (VHB) to address stormwater concerns.
5/27/2020 – 7/9/2020	Ruben Flores-Marzan Margaret Hoffman Theresa Reagan	Christopher Ross Jean-Paul LaMarche	Email	Update on project status, discussion regarding a Zoom presentation for the East Windsor Planning and Zoning Commission.
6/1/2020	Charles Szymanski (57 Rockville Rd)	Christopher Ross Steve Kochis (VHB)	In person meeting at Barber Hill Rd, East Windsor CT (Mulnite Farms)	Meeting to discuss stormwater design of project
6/18/2020 – 7/22/2020	Jason Bowsza Leonard Norton Joseph Sauerhoffer Helen Totz	Christopher Ross Jean-Paul LaMarche Ryan Linares	Email	Email exchange regarding the discussion of a tax stabilization plan, set up Zoom meeting to discuss on 7/27/2020.
7/7/2020	None	None	Mail	Letter informing select abutters of GCE's presentation to the East Windsor Planning and Zoning Commission on July 14, 2020.
7/8/2020 – 7/10/2020	Brian Taylor (22 Barber Hill Rd)	Christopher Ross	Email	Email exchange regarding presentation on 7/14
7/8/2020 – 7/14/2020	Charles Szymanski (57 Rockville Rd)	Christopher Ross	Email	Email exchange regarding presentation on 7/14
7/14/2020	East Windsor Planning and Zoning Commission, Town Officials, Residents	Christopher Ross	Zoom	Presentation to the East Windsor Planning and Zoning Commission.
7/8/2020 – 7/22/2020	Christine Ruth (11 Barber Hill Rd)	Christopher Ross	Email	Email exchange regarding 7/14 presentation, phone call scheduled for 7/29/2020
7/19/2020 – 7/31/2020	Ken Mortensen (62 Rockville Rd)	Christopher Ross	Email	Email exchange regarding 7/14 presentation, scheduled a time to discuss the project over phone.



7/27/2020	Jason Bowsza Leonard Norton Joseph Sauerhoffer Helen Totz	Christopher Ross Ryan Linares	Zoom	Zoom meeting to discuss a potential tax stabilization plan for the project.
7/30/2020	Ken Mortensen (62 Rockville Rd)	Christopher Ross	Phone	Phone call to discuss project details.
7/29/2020	Christine Ruth Mark Anderson (11 Barber Hill Rd)	Christopher Ross	Phone	Phone call to discuss project details.
8/13/2020 – 11/4/2020	Jason Bowsza Leonard Norton Joseph Sauerhoffer Helen Totz	Christopher Ross Jean-Paul LaMarche Ryan Linares James Desantos	Email	Email exchange following up on the 7/27 meeting with town officials regarding a tax stabilization plan.
8/31/2020 – 10/27/2020	Christine Ruth Mark Anderson (11 Barber Hill Rd)	Christopher Ross	Email	Email exchange discussing landscape plan and new visual simulations along Barber Hill Rd.
8/31/2020 – 10/14/2020	Ken Mortensen (62 Rockville Rd)	Christopher Ross	Email	Email exchange discussing Landscape plan and new visual simulation, establish a time to meet in person to discuss landscape plan.
9/10/2020 – 9/21/2020	Charles Szymanski (57 Rockville Rd)	Christopher Ross	Email	Email exchange to schedule meeting to discuss landscape plan.
9/14/2020	Christine Ruth Mark Anderson (11 Barber Hill Rd)	Christopher Ross	In person meeting at Barber Hill Rd, East Windsor CT (Mulnite Farms)	Meeting to present visual simulations, discuss landscape plan.
9/22/2020	Charles Szymanski (57 Rockville Rd)	Christopher Ross	In person meeting at Barber Hill Rd, East Windsor CT (Mulnite Farms)	Meeting to present visual simulations, discuss landscape plan.
10/15/2020	Ken Mortensen (62 Rockville Rd) Jason Bowsza	Christopher Ross	In person meeting at Barber Hill Rd, East Windsor CT (Mulnite Farms)	Meeting to present visual simulations, discuss landscape plan, and answer general questions about the project.
10/28/2020	Christine Ruth Mark Anderson (11 Barber Hill Rd)	Christopher Ross	Phone	Update on landscape plan.



MULNITE FARMS SOLAR – DIRECT MAIL OUTREACH

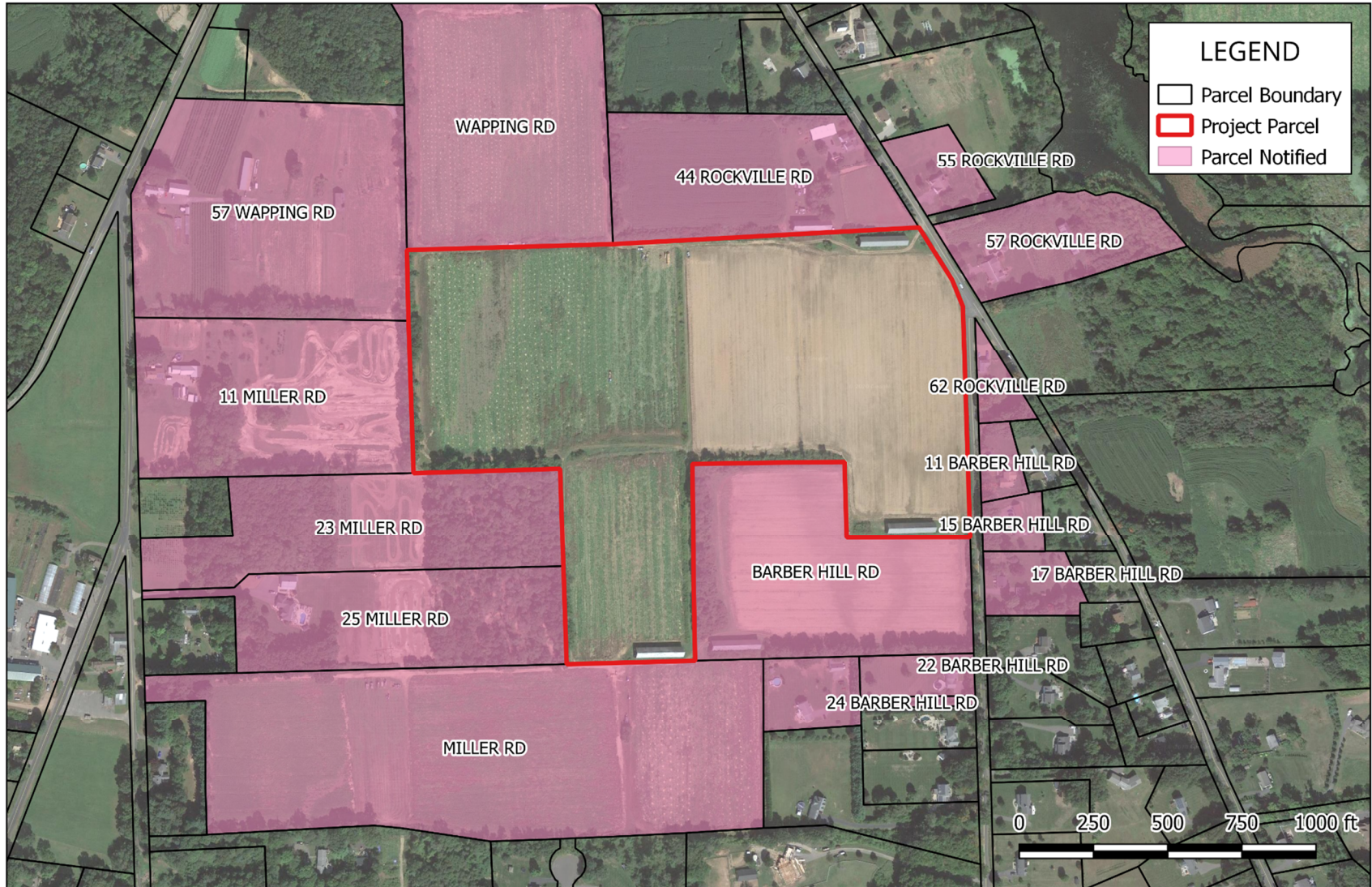
Abutters/Neighbors	Notification per CSC Requirements	Voluntary Notification by GCE	Communication Log
LEONARD MULNITE, TRUSTEE 28 MILLER RD BROAD BROOK CT 06016	✓		<ul style="list-style-type: none"> • Certified letter per CSC requirements
LEONARD MULNITE, TRUSTEE 28 MILLER RD BROAD BROOK CT 06016	✓		<ul style="list-style-type: none"> • Certified letter per CSC requirements
JOSEPH KAZMIR 25 MILLER RD BROAD BROOK CT 06016	✓	✓	<ul style="list-style-type: none"> • Certified letter per CSC requirements • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
SCOTT, PAULA & MARILYN STOLINAS 11 MILLER RD BROAD BROOK CT 06016	✓	✓	<ul style="list-style-type: none"> • Certified letter per CSC requirements • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
SCOTT, PAULA & MARILYN STOLINAS 11 MILLER RD BROAD BROOK CT 06016	✓	✓	<ul style="list-style-type: none"> • Certified letter per CSC requirements • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
JUDITH, GEORGE & BARBARA GILSON 57 WAPPING RD BROAD BROOK CT 06016	✓	✓	<ul style="list-style-type: none"> • Certified letter per CSC requirements • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
MULNITE FARMS, INC. 28 MILLER RD BROAD BROOK CT 06016	✓		<ul style="list-style-type: none"> • Certified letter per CSC requirements
LEO & NANCY SZYMANSKI 44 ROCKVILLE RD. BROAD BROOK CT 06016	✓		<ul style="list-style-type: none"> • Certified letter per CSC requirements



<p>THOMAS & JULIA RIORDAN 24 BARBER HILL RD, BROAD BROOK, CT 06016</p>		✓	<ul style="list-style-type: none"> • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
<p>BRIAN & CARLY TAYLOR 22 BARBER HILL RD, BROAD BROOK, CT 06016</p>		✓	<ul style="list-style-type: none"> • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
<p>LAWRENCE & JOAN BIELEN 17 BARBER HILL RD, BROAD BROOK, CT 06016</p>		✓	<ul style="list-style-type: none"> • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
<p>COLEEN NORTON 15 BARBER HILL RD, BROAD BROOK, CT 06016</p>		✓	<ul style="list-style-type: none"> • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
<p>CHRISTINE RUTH & MARK ANDERSON 11 BARBER HILL RD, BROAD BROOK, CT 06016</p>		✓	<ul style="list-style-type: none"> • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
<p>KENNETH MORTENSEN 62 ROCKVILLE RD, BROAD BROOK, CT 06016</p>		✓	<ul style="list-style-type: none"> • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to PZC Zoom presentation
<p>CHARLES & GAIL SZYMANSKI 57 ROCKVILLE RD, BROAD BROOK, CT 06016</p>		✓	<ul style="list-style-type: none"> • Letter invitation to informational meeting • Letter cancelling informational meeting due to COVID • Letter invitation to site walk with engineer to address stormwater concerns • Letter invitation to PZC Zoom presentation

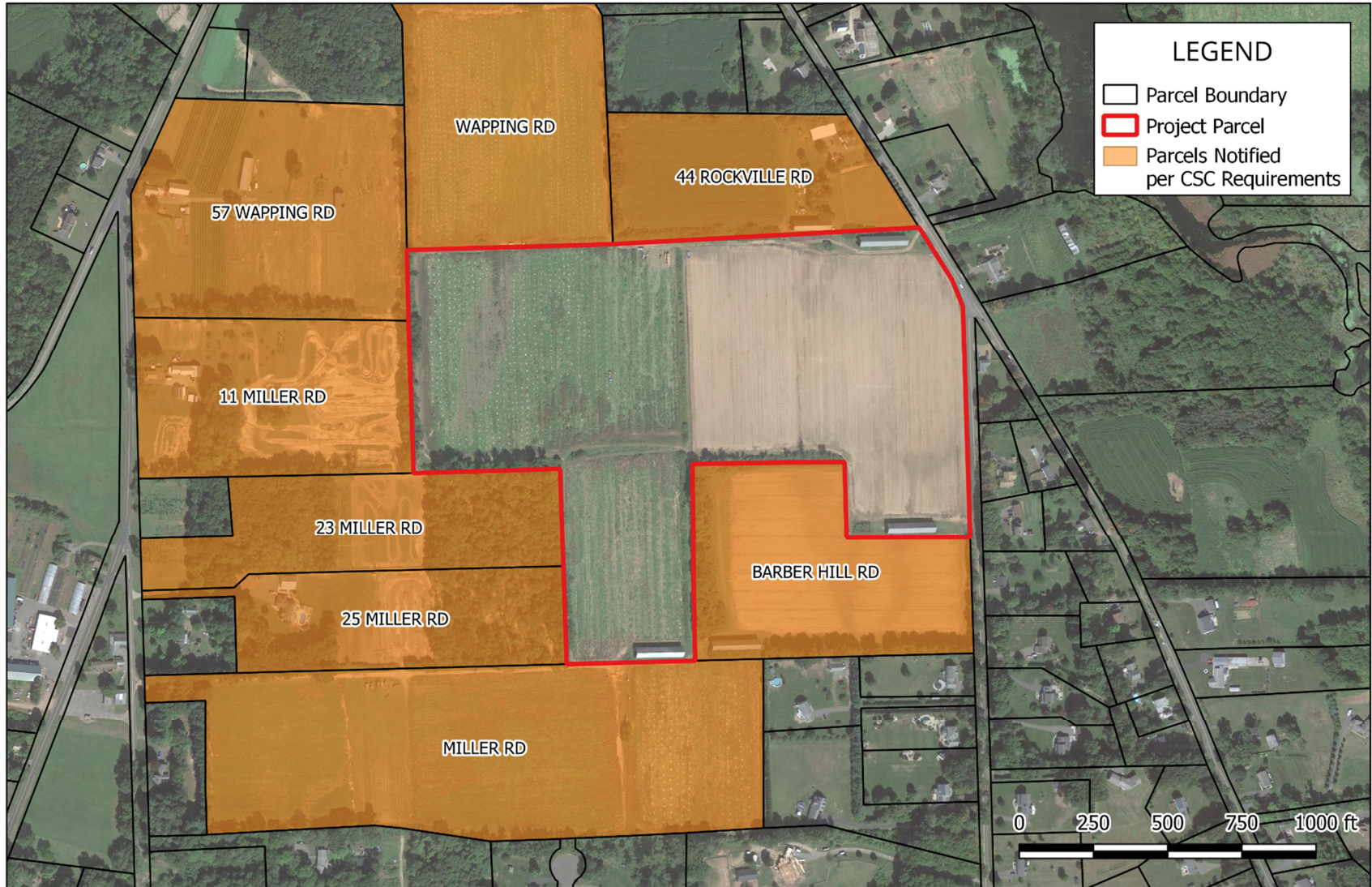


ALL NOTIFIED NEIGHBORS





DIRECT ABUTTERS NOTIFIED PER CSC REQUIREMENTS





NEIGHBORS NOTIFIED VOLUNTARILY BY GREENSKIES

