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January 21, 2022

**VIA ELECTRONIC MAIL**

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

**Re: PETITION NO. 1426 - East Windsor Solar One, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4.9-megawatt AC solar photovoltaic electric generating facility located west of the Ellington town boundary at 341 East Road, East Windsor, Connecticut and associated electrical interconnection.**

**PETITION NO. 1426 – DG Connecticut Solar, III, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4.9-megawatt AC solar photovoltaic electric generating facility located west of the Ellington town boundary at 341 East Road, East Windsor, Connecticut and associated electrical interconnection.**

Dear Ms. Bachman:

As more specifically provided below, DG Connecticut Solar III, LLC is the current owner of the project, however, as counsel for the developer and EPC responsible for the project, I am writing in response to your letter of January 18, 2022 regarding the above-referenced Petition. That letter requests a response on three main issues: verification of compliance with applicable noise standards by the project, the need for reporting on construction activities, and confirmation of the ownership of the project that is the subject of this Petition. Each of these items is discussed in turn.

**Potential Noise Issues**

As an initial matter, it should be noted that neither First Selectman Bowsza nor the residents located at 67 and 69 Middle Road have contacted the undersigned or representatives of the project

concerning any noise issues. Your correspondence to the undersigned was the first that the project was made aware that there were any noise complaints. You may recall that as part of its initial public outreach, East Windsor Solar One, LLC developed a website relaying information about the project and provided interested parties with methods to contact the project's development team through a fillable form, electronic mail or by telephone. Despite the change in ownership of the project, that website is still running and can be found at: <https://www.verogy.com/east-windsor-solar-one/>. No comments regarding noise issues have been received through any of the contact methods found on that website.

Once the project received your January 18, 2022 letter, Verogy, as the developer and EPC for the project, developed a response to address the concerns listed in that correspondence. On January 19, 2022, two Verogy representatives visited the site to ascertain the cause of any potential exceedances of noise standards. At the time of the site visit, the system was undergoing maintenance after initial commissioning. Nonetheless, seven of the eight inverters for the smaller of the three systems, which are the inverters located closest to the barn and closest to 67 and 69 Middle Road, were on and running at the time of the site visit. The site visit was performed at noon under sunny conditions with wind blowing approximately 10-12mph to the east. Noise levels were measured at the property line, directly perpendicular to the active inverters, using a 3M SoundPro meter, which indicated a noise reading of 44.7 dBA. Attached for your review are photos of the meter reading as well as a map that depicts the site, the location of the properties at 67 and 69 Middle Road, and where the noise measurement was taken.

Based on this reading, the sound levels at the project's property line are below the stated noise level of 55 dBA, as articulated in the Petition, as well as below the applicable CT DEEP Noise Control Standards of 61 dBA during the daytime and 51 dBA at night. Although these measurements demonstrate that the project is within all applicable noise limits, both Verogy representatives acknowledge that sounds from the inverters were heard at the property line of the project. As such, the project is currently reviewing options to potentially install a sound barrier to further dampen the sound emanated by the Project.

It is expected that this sound barrier would be installed inside of the project's fence line close to the electrical equipment. For the project to construct such a sound barrier, however, the project would need to amend its D&M Plan and seek the Council's permission to construct such a barrier. Therefore, once the project has developed a proposal for the sound barrier, the project will present that proposal to the Council, the Town of East Windsor, and the abutters for their review, and will seek approval of that proposal from the Council. It would be anticipated that such a barrier would be constructed in the spring, assuming it is approved by the Council.

### **Construction Reporting**

Your January 18, 2022 letter also correctly references the fact that the project requested that construction reporting be made quarterly for this project in August of 2021, however, no

construction reporting has been provided to the Council. The project regrets this error. To rectify that error, the project is now providing the Council with the activities it undertook for each month since it sent in its notification of construction. Because the Council never approved the request for quarterly reporting, this report will provide the Council with a summary of construction activities for each month, beginning with August 2021.

August 2021

- Site mobilization and construction preparation
- Perimeter controls were established
- Construction entrance and access road installation
- Temporary basin construction completed
- Monthly and weekly monitoring of stormwater discharges were completed

September 2021

- Racking installation started
- Electrical installation started
- Perimeter fencing installation started
- Landscape planting started
- Monthly and weekly monitoring of stormwater discharges were completed

October 2021

- Racking installation continued
- Electrical conduit and wiring ongoing
- Electrical gear and inverters ongoing
- Perimeter fencing installation completed
- Landscape planting completed
- Solar Module installation started
- Monthly and weekly monitoring of stormwater discharges were completed

November 2021

- Racking installation completed
- Electrical conduit completed
- Electrical wiring ongoing
- Electrical gear and inverters ongoing
- Monthly and weekly monitoring of stormwater discharges were completed

December 2021

- Solar Module installation ongoing
- Electrical wiring complete
- Electrical gear and inverters complete

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- Commissioning started
- Monthly and weekly monitoring of stormwater discharges were completed

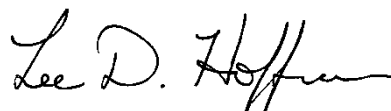
The project will provide the Council with a monthly update of activities for the month of January on or before February 10, 2022. At the time of that submittal, or shortly thereafter, the project will also provide the Council with confirmation that construction activities at the project site are complete.

### **Ownership of the Project**

This letter will confirm the correspondence of June 16, 2021 and January 10, 2022, referenced in your January 18<sup>th</sup> letter, that the owner of the project is DG Connecticut Solar III, LLC. This change in ownership is the result of DG Connecticut Solar III, LLC's acquisition of the assets of East Windsor Solar One, LLC. The undersigned remains counsel to Verogy, which, as the project's EPC contractor, has agreed to undertake the efforts necessary to comply with the Council's May 10, 2021 Declaratory Ruling and July 30, 2021 approval of the D&M Plan.

It is my hope that this letter resolves all of the issues identified in your January 18, 2022 letter. If that is not the case, or if you have any questions concerning the foregoing, please contact me at your convenience. I certify that copies of this submittal have been made to all parties on the Petition's Service List as of this date, as well as to the individuals listed below.

Sincerely,



Lee D. Hoffman

Enclosures

cc: Hon. Jason Bowsza, First Selectman, Town of East Windsor ([jbowsza@eastwindsorct.com](mailto:jbowsza@eastwindsorct.com))  
Senator Saud Anwar, 3<sup>rd</sup> District ([saud.anwar@cga.ct.gov](mailto:saud.anwar@cga.ct.gov))  
Representative Jaime Foster, 57<sup>th</sup> District ([Jaime.foster@cga.ct.gov](mailto:Jaime.foster@cga.ct.gov))  
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