



**STATE OF CONNECTICUT**  
**DEPARTMENT OF AGRICULTURE**  
Office of the Commissioner



Bryan P. Hurlburt  
Commissioner

860-713-2501  
www.CTGrown.gov

October 6, 2021

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

Re: Greenskies Proposed Solar Energy Project – Treat Farm, 361 Old Tavern Rd., Orange

Dear Executive Director Bachman:

Pursuant to 16-50k(a) of the Connecticut General Statutes, we have reviewed the above cited project with respect to agricultural impacts, specifically, to determine whether "...such project will not materially affect the status of such land as prime farmland..."

The farm where this project will be located, Treat Farm, includes a single parcel which is 85.73 acres in size. The parcel contains 61.29 acres of prime farmland, and there are approximately 8.2 acres (approximately 13 percent of the prime farmland on the parcel) of prime farmland within the project fence line.

In the attached letter to the Department of Agriculture (DoAg), dated September 7, 2021, the developer (Greenskies) states that they would take the following actions to minimize impacts to prime farmland:

- 1) Greenskies has stated they will be using 14-foot row spacing to allow for production agriculture to continue during the life of the project. While the details of this plan have yet to be fully developed, Greenskies has been working with USDA's Natural Resources Conservation Service (NRCS) in New Haven to develop a "farm plan" for the prime farmland within the project fence line;
- 2) Greenskies states that they will make the approximately 8.2 acres of prime farmland within the project fence line available to new or smaller growers/farmers, and work with NRCS on a marketing campaign to attract growers/farmers to utilize such land (see attached letter for details);
- 3) Greenskies has also discussed irrigation approaches with NRCS. One concept discussed in correspondence to DoAg, would involve engineering a system to collect water at the toe of each row of panels and send it into a collection area. Another concept being discussed would utilize storm water basins as an irrigation source; and

- 4) Greenskies has represented to the Department of Agriculture that they will incorporate pollinator habitat as part of the project, and also place bee hives at the project fence line.

Lastly, the farm owners have stated through the developer that their intended goal (over the next couple of years) is to transition to growing more produce on the farm and move away from growing hay and Christmas trees. They have provided an overall plan for this transition, which is included in the attached letter.

As a result of the co-use and continuing farming activities above, and the successful implementation of them throughout this site, the Department of Agriculture concludes this project will not materially affect the status of project land as prime farmland. The Department of Agriculture will continue to monitor the proposed project, and should changes to the proposal raise concerns to the Department, we reserve the right to modify our position on this project, including opposing it, in the future, as detailed plans are provided by the developers.

If you have any questions, please feel free to contact Stephen Anderson of my staff. Steve can be reached at [Stephen.Anderson@ct.gov](mailto:Stephen.Anderson@ct.gov), or at (860) 713-2592.

Sincerely,



Bryan P. Hurlburt  
Commissioner

Enc.

Cc: Katie Dykes, Commissioner, Department of Energy and Environmental Protection  
Lee Hoffman, Pullman & Comley

**VIA ELECTRONIC MAIL**

September 7, 2021

Stephen Anderson  
State of Connecticut Department of Agriculture  
450 Columbus Blvd., Suite 701  
Hartford, CT 06103

**Re: Solar Energy Project Considerations, 361 Old Tavern Road Orange, Connecticut**

Dear Mr. Anderson:

We are working with the owners of the Treat Farm, located at 361 Old Tavern Road in Orange, Connecticut (<https://www.treat.farm/>) in connection with the development of a solar project on a portion of their site. The contemplated project will only occupy approximately eight percent of the acreage of the Treat Farm, and will have agricultural co-uses attached to it. By placing a solar project on approximately ten percent of the Treat Farm, the Treat and Wilson families will be able to continue their farming operations on the remainder of their site. I am writing this letter to describe the project in better detail and ask that the Department evaluate this proposal as the project begins its permitting process before the Connecticut Siting Council.

Greenskies wishes to pursue a petition for declaratory ruling before the Siting Council in connection with this proposed project. As you know, section 16-50k(a) of the Connecticut General Statutes requires that for a solar photovoltaic facility with a capacity of two or more megawatts to pursue such a petition, the Department of Agriculture must represent, in writing, to the Connecticut Siting Council that such project will not materially affect the status of such land as prime farmland. It is our hope that once the Department has reviewed the information contained in this letter, it would agree that the project will not materially affect the current status of land as prime farmland.

The project site is a working farm, and the proceeds the farm will receive from a solar lease will allow it to continue to be a working farm for the foreseeable future. For ease of review, we have attached maps showing the existing conditions at the Treat Farm, the agricultural uses that will occur at the Treat Farm once the solar array is installed, and a map depicting the overall site itself as well as the footprint of the solar facility. We are providing this information in accordance with the CT Department of Agriculture's Solar Energy Project Considerations guidance, dated January 16, 2020. Our answers to the Department's request for information are provided in the responses below.

- 1) **Farm/Property Information** - Provide a description of the farm property, including but not limited to the following (include appropriate maps and surveys to allow evaluation):
  - a. Farm owner(s), farm name and location:

*The property is known as “Treat Farm” at 361 Old Tavern Road Orange, Connecticut. The landowner is Addie Associates LLC.*

- b. Total acreage, identification of prime, statewide and/or locally important farmland soils & acreage:

*The parcel is 85.73 acres, of which 61.29 acres consists of prime farmland soils. Within the proposed project fence line, there is approximately, 6.7 acres of prime farmland soils. Exhibit A presents a map of the project footprint.*

- c. Current production agriculture on the farm and the approximate location of crops, farm buildings, etc. used to support the farming operation:

*There are a total of nine fields on Treat Farm. Exhibit B provides the map of the use of each farm field at Treat Farm. Field #2 has not been farmed at all and fields # 1, 7, and 8 have only been used for haying. Approximately 12.1 acres of the current site is used for food production, and it is anticipated that after the solar array is constructed, approximately 21 additional acres will be placed production for growing produce.*

## 2) Energy Project Information

- a. Describe the energy project, including but not limited to, the size of the project in megawatts (MW), the footprint being proposed as it relates to prime farmland on the property, # of panels (if known), and a description of infrastructure needed to support the project.

*The overall, proposed system size of the energy project is 2.5 megawatt alternating current (AC). As shown in Exhibit A, the project footprint is 6.7 acres, and all of the project will be located on prime farmland soils. The solar project consists of approximately 5,760 modules. Required infrastructure includes stormwater management features, and one concrete equipment pad. The access to the solar project will be through Treat Farm entrance from Old Tavern Road.*

- b. Describe what the energy will be used for and how it will benefit the farming operation.

*This project is zero emissions renewal energy project and virtual net metering project. The energy will be used by the City of New London through a virtual net metering contract. As mentioned above, the lease payments the Treat Farm will receive for the solar project are anticipated to be larger than the net revenues the Treat Farm receives from its recreational corn maze. With this increased revenue, the Treat Farm anticipates that it can expand its production of produce into other fields on the farm, including fields 1, 5, 7, 8 and 9.*

- c. Are there future plans to increase energy capacity beyond what is proposed? If so, please describe these future plans, and any impacts the increase may have on prime farmland or the overall farming operation

*No.*

### 3) **Agricultural Resource Impacts**

- a. Describe any production agriculture currently being conducted within the footprint of the solar project.

*There are a total of nine fields on the Treat Farm. Exhibit B provides the map of the current use of each farm field at Treat Farm. The proposed solar array will be located on fields 2, 3, and 4 which are a mixture of non-farmed land, a seasonal corn maze, and produce. Corn for the corn maze is currently grown in the center field #3 because of the required agriculture setback for sweet corn from property lines of 500-ft due to the use of crow cannons and pesticide spraying.*

*The farm has also been growing Christmas trees in the south field #5 but this activity will be discontinued because it is not generating a profit. The landowners indicate that this transition from Christmas trees to vegetable produce will not be immediate and will take a couple years until all of the current Christmas trees are sold in field #5.*

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- b. Describe overall how the project will impact production agriculture currently being conducted on the farm.

*There will be no negative impact to production agriculture from the proposed project. The project will allow for the Treat Farm to place additional acreage into production for growing produce. In addition, as discussed in greater detail below, the project is working with USDA NRCS to develop an agricultural co-use to be contained within the fenceline of the project. This will be in addition to the acreage that will be developed by the Treat Farm.*

*The total acreage of Treat Farm under crop production is currently approximately 26 acres. Crops includes hay, Christmas trees, corn and produce. Current acreage of produce production is approximately 11 acres. After the project is constructed, the total acreage under produce production will be approximately 16.7 acres throughout Treat Farm fields.*

*The development of the project will result in a net increase of approximately 5.5 acres of produce production and will represent a net increase of 49% in produce production for Treat Farm.*

- c. Provide a description of any plans by the farm owner(s) to foster production agriculture within or as a result of the development (e.g., grazing animals in and around the solar project, providing pollinator habitat).

*Greenskies, in agreement with the landowner, has already started working with USDA NRCS New Haven Conservation District to develop a crop production plan within the proposed project fence line of solar project to replace corn maze. In May 2021, Greenskies, the landowner and USDA NRCS met on the farm to formulate the "farm plan." GCE is now a registered customer of USDA NRCS and will receive technical services on this solar project.*

*One of the things being contemplated for this site is to widen the area between each row of panels. This wider interspacing of rows to approximately 14 feet of row spacing will allow for the growth of a variety of vegetables/produce. GCE also plans to have pollinator habitat and a few bee hives on the perimeter of the project fence. USDA NRCS has suggested "Alley Cropping" which is used when trees are present and provide shade to row crops similar to the solar modules.*

*In addition, NRCS has informed Greenskies that there is the potential to create strips at the toe of each row of panels. Each strip would be very slightly graded as a trough that pitches toward a collection area. Under each strip would be drain tile that goes to a collection area. Adjacent to the collection area would then be a shallow well that would form the supply for the irrigation of crops. This method has the added benefit of providing water filtration through the soil.*

*Because of the relative ground elevation for the proposed solar project and its proximity to the wetlands, we anticipate that the proposed stormwater basins for the solar project will hold water for a period of time following rainfall events. Water drawn from these basins will offer a good water source for the crop production within the solar project. Removing the water from the basins will be beneficial to their function as it will open up more storage space for future rainfall events. USDA NRCS has suggested a gravity feed system from the stormwater basins to a trough for irrigation. Thus, in times of drought, irrigation will be available from either five stormwater basins or a solar well to prevent crop failure.*

*Exhibit B provides proposed agricultural uses of each of 9 farm fields. For fields #2, #3, and #4, cropping between the rows is feasible and an important step in forwarding both renewable energy and sustainable farming. USDA NRCS and Greenskies have agreed that this co-use presents a unique opportunity that has never been undertaken in Connecticut before. Greenskies is excited to take advantage of this unique opportunity.*

*Greenskies cannot undertake this plan alone. To assist it in this endeavor, Greenskies plans to launch a marketing campaign to attract new or smaller growers/farmers to this project. There are numerous channels where GCE will post the availability of 8.5 acres for several small growers to lease the parcel inside the project's fence. GCE and USDA NRC have preliminary identified the following resources:*

- *Yale Sustainable Food Program - SARE ([SARE Home Page - SARE](#)) and EQIP Conservation Innovation Grants ([Conservation Innovation Grants | NRCS \(usda.gov\)](#)) are possible sources of funding for 3-5 year projects.*
- *Gather New Haven [Farm-Based Wellness Program | Gather New Haven](#)*
- *Common Ground High School (farm based public school) [Common Ground – High School, Urban Farm, and Environmental Education Center \(commongroundct.org\)](#)*
- *New Haven Food Policy Division [Food System Policy Division \(newhavenct.gov\)](#)*
- *CT Northeast Organic Farmers Association [CT NOFA – The Northeast Organic Farming Association of Connecticut](#)'s mission is to ensure the growth and viability of organic agriculture, organic food, and organic land care in Connecticut.*
- *the New CT Farmer Alliance <https://www.newctfarmers.com/>*
- *G.R.O.W.E.R.S. Inc <http://growersinc.org/about/> a multi-path approach to providing horticultural education, employment opportunities and therapy for adults with developmental and physical disabilities.*
- *CT Farmlink Program to post the available farmland for leasing farmers*

*When speaking with potential new farmers, Greenskies and USDA NRCS will focus on high value crops per sq ft or “cut and come again” crops like herbs and cut flowers. Regardless of the crop selected, Greenskies will ensure that the farmers working the land have adequate water for irrigation and access to the interior of the project fence.*

*For the perimeter of the solar array, Greenskies also intends to incorporate a soil improvement plan into the project plans including natural pollinator habitat enhancement measures through use of a native pollinator seed mix. This will retain soil and prevent erosion, fix nitrogen, prevent soil compaction, and improve water infiltration of soils.*

*The Treat Farm has plans to convert fields 1, 5, 7 and 8 to crop production. The produce would be sold at the farm stand, and the solar farm will actually help expand their farming operations.*

#### 4) Alternatives to Locating the Energy Project on Prime Farmland

- a. Provide a description of any alternatives considered by the farm owner(s) to developing the project on prime farmland soils (e.g., the option of selling agricultural development rights for the farm instead of developing for solar, or as a mitigation measure to reduce the size of the solar development).

*The only alternative would be to continue the current farming operation. The current owners of the Treat Farm have no desire to sell their development rights for the property, and the only land on the site that is not either prime farmland or statewide important farmland soil are wetland hydric soils with forested wetlands.*

- b. Describe any alternatives examined which might enable placement of some or all of the solar panels in locations other than on prime farmland (e.g., elsewhere on the property or on farm buildings).

*GCE and the landowner examined the entire project site. Due to other site constraints (e.g. wetlands high groundwater table, residences), there are currently no other viable on-site alternatives for the solar energy facility. The site constraints are detailed in the attached map of the proposed project site Exhibit C Wetlands map.*

- c. Provide a description of any other form of mitigation considered by the farm owner(s) (e.g., farmland restoration, or a future commitment to preserve the farm)

*The current landowner does not wish to undertake a farmland restoration program. By receiving lease revenues from the proposed project, the preservation of that the Treat Farm will be ensured. As explained in greater detail above, there are not significant areas within the Treat Farm property that would be suitable for farmland restoration, given the large swaths of wetlands, two watercourses and a pond on the site.*

*Given that the landowner is committed to long-term agricultural operations at the adjacent site, Greenskies and the landowner have worked collaboratively to continue diverse crop production within the solar array and outside the solar array. Greenskies has also included pollinator habitat and bee hives on the perimeter of the solar array. As designed, the proposed solar facility will benefit and contribute to the preservation of farmland soils.*

*Pollinator habitat will also stabilize and improve soil quality over time through planting of native species adjacent to the solar array fence. Greenskies is willing to*



*consult with the Department on the seed mix for the array areas, which will be most beneficial to soil health for agriculture at the conclusion of the project.*

*In addition, at the time that the project is decommissioned, Greenskies is of the opinion that the soil quality will be better at the end of the life of the project than it would be if the site is to remain in its current state.*

Based on the foregoing, Greenskies commits to undertake the following activities in support of its agricultural co-use plans for the project:

1. Greenskies will launch a marketing campaign to attract new small growers to the site. Greenskies does not anticipate that a single grower will use the leased area. Rather, Greenskies anticipates that multiple growers who need land to grow their crops will use the project site. USDA NRCS is optimistic that such growers can be found and has stated that “it would not be too difficult to find an enthusiastic person who is up for the challenge and hard work, especially being so close to New Haven.”
2. Because “there are too many options and we need growers/new farmers committed to a vision who will make it happen” as stated by the USDA NRCS District Conservationist, Greenskies and NRCS will interview the interested growers to identify what their crop/produce goals are and their experience with growing their crops/produce.
3. Once the growers are selected after interviewing, Greenskies will work with the growers to ascertain how many rows/amount of land each grower can effectively manage to attain their goals. If necessary, Greenskies can connect the new farmers with NRCS to assist in the preparation of their business plans. See <https://www.farmers.gov/your-business/beginning-farmers/business-plan>. NRCS and UCONN can help prepare their crop growing plan.
4. Once Greenskies and NRCS have identified/selected the number of initial growers/farmers to use the leased area and know what type of crop/produce/cut flowers etc. will be planted in the 14-ft row spacing and how many rows each grower would like, Greenskies will overlay that information with the design of the project. There are approximately 34 rows spanning the entire solar array, however, not all the rows are designed exactly the same. Because the proposed design is not homogenous, the number of panels per row differs for some of the rows. After the number of growers/farmers have been identified, Greenskies and NRCS will develop the overall conservation plan/co-use plan for the leased solar area. From there, Greenskies will inform each grower of the rows available for use to that grower.

Based on the foregoing, Greenskies would reiterate its request to the Department that it provide a letter to the Siting Council indicating that if Greenskies proceeds with its project in the fashion outlined above, it will not have an adverse impact on agriculture.

We look forward to working with the Department on this matter. Should you have any questions, please contact me at your convenience. Thank you in advance for your consideration.

Sincerely,



Bonnie Potocki  
Project Developer  
Greenskies

T (860) 398-5408 Main | (860) 740-5289 Direct | F (860) 516-3139  
Bonnie.Potocki@greenskies.com

## EXHIBITS

- A. Prime Farmland Soil Map
- B. Current and Proposed Crop Production Maps
- C. Wetlands Map



**EXHIBIT A  
Project Map**

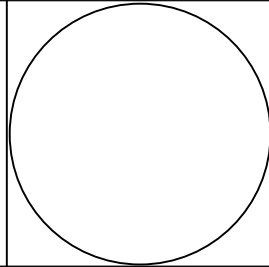


1 PROPOSED PROJECT AREA  
S.01 1"=300'

**Greenskies**  
 127 WASHINGTON AVENUE  
 NORTH HAVEN, CT 06457  
 PH - 860.398.5408  
 FAX - 860.398.5423

REVISIONS:		
NO.	DATE	DESCRIPTION

**PROJECT MAP**  
**TREAT FARM**  
**361 OLD TAVERN ROAD**  
**ORANGE, CT 06477**

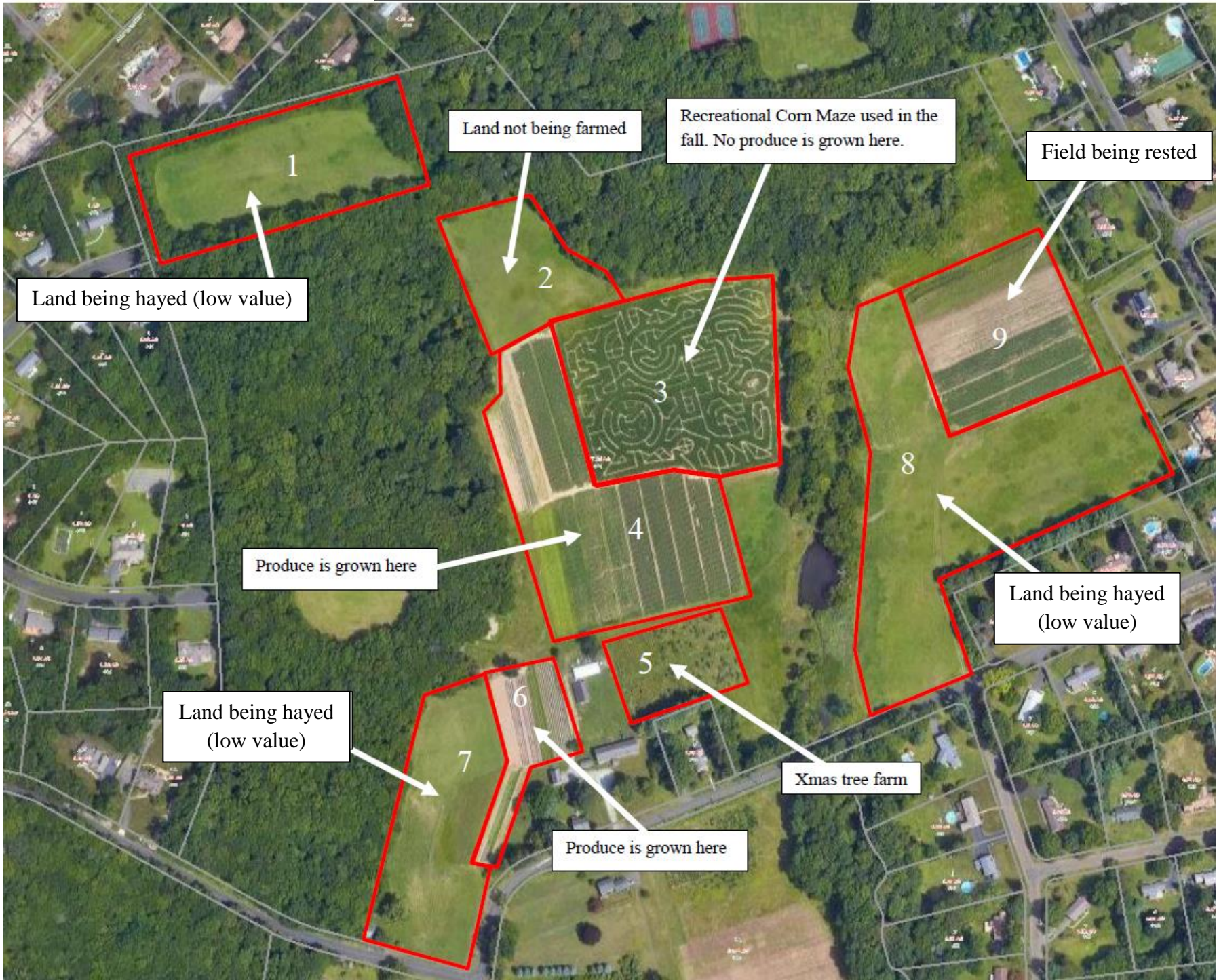


BATCH NO.:	VISUAL MAP
DRAWN BY:	KK
SCALE:	AS NOTED
DATE:	16 JUNE 2021

**PV.01**

**EXHIBIT B  
Current and Proposed Crop Production Maps**

**EXISTING CONDITIONS TREAT FARM ORANGE CT**



**POST SOLAR INSTALL**



Land to be farmed for produce

Solar

Solar

Sweet Corn

Solar

Land to be farmed for produce

Land to be farmed for produce

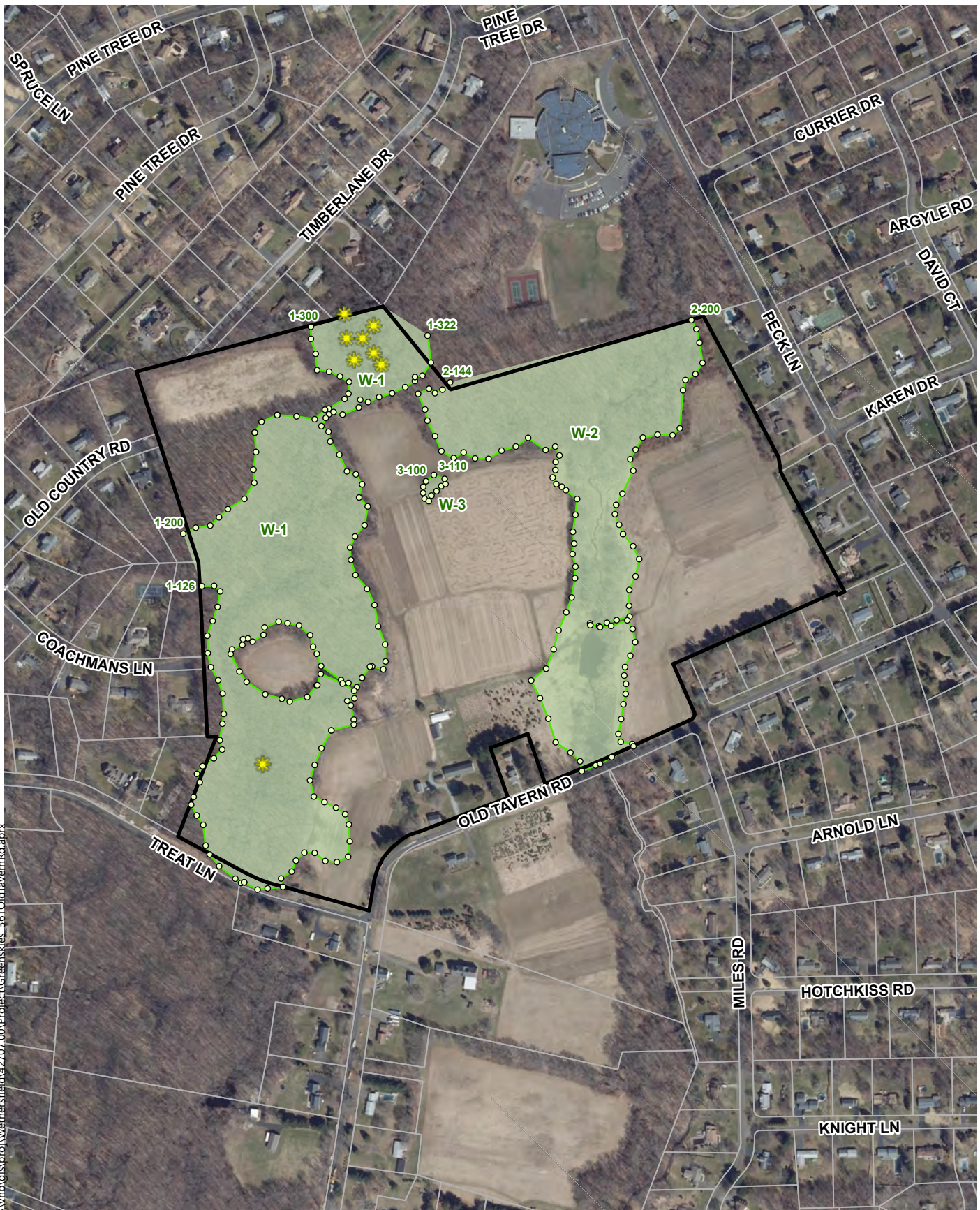
Land to be farmed for produce

Produce is grown here

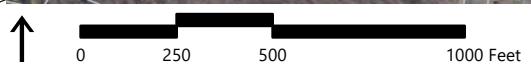


**EXHIBIT C  
Wetlands Map**





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**Greenskies Solar**

Orange, Connecticut

- Project Site
- Delineated Wetland Edge
- Wetland Delineation Flags
- Wetland Resource Area
- Potential Vernal Pool
- Parcel Boundary

**Wetland Delineation Map**

Source: VHB, CTDEEP, ArcGIS Online