



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

VIA ELECTRONIC MAIL

March 28, 2022

Paul R. Michaud, Esq.  
Principal/Managing Attorney  
Michaud Law Group LLC  
101 Centerpoint Drive, Suite 230  
Middletown, CT 06457  
[pmichaud@michaud.law](mailto:pmichaud@michaud.law)

RE: **PETITION NO. 1492** – CT NSB ProjectCo 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 1.99-megawatt AC solar photovoltaic electric generating facility located at 486 Fitch Hill Road, Montville (Uncasville), Connecticut, and associated electrical interconnection.

Dear Attorney Michaud:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than April 19, 2022. Please submit an original and 15 copies to the Council's office and an electronic copy to [siting.council@ct.gov](mailto:siting.council@ct.gov). In accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies, the Council requests all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

**Please be advised that the original and 15 copies are required to be submitted to the Council's office on or before the April 19, 2022 deadline.**

Copies of your responses are required to be provided to all parties and intervenors listed in the service list, which can be found on the Council's website under the "Pending Matters" link.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

A handwritten signature in black ink, appearing to read "Melanie A. Bachman".

Melanie A. Bachman  
Executive Director

C: Service List

MB/RM

**Petition No. 1492**  
**CT NSB ProjectCo LLC**  
**486 Fitch Hill Road, Montville**

**Interrogatories**

**Project Development**

1. The Petition (p. 4) states the ZREC contract is for a period of 15 years. Can this contract be extended/renewed? If not and the solar facility has not reached the end of its lifespan, will the Petitioner decommission the facility at that time or seek other revenue mechanisms for the power produced by the facility?
2. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?
3. Referring to Petition p. 3, did the Town present recommendations during project outreach? If so, describe the recommendations and how these recommendations were addressed and/or included within the project design? What were the concerns of the abutting property owners and how were these concerns addressed?
4. What is the estimated cost of the project?

**Proposed Site**

5. Provide a map clearly depicting the boundaries of the **solar project site** and the boundaries of the host parcel. Under RCSA §16-50j-2a(29), “**Site**” means a contiguous parcel of property with specified boundaries, including, but not limited to, **the leased area, right-of-way, access and easements** on which a facility and associated equipment is located, shall be located or is proposed to be located.
6. In the lease agreement with the property owner:
  - a. What is the term of the lease?
  - b. Could the lease term be extended? If so, at what time intervals?
  - c. Are there any provisions related to decommissioning and/or site restoration at the end of the project’s useful life? If so, please describe and/or provide any such provisions.
7. Is the site parcel, or any portions thereof, part of the Public Act 490 Program? If so, how does the municipal land use code classify the parcel(s)? How would the project affect the use classification?
8. Has the State of Connecticut Department of Agriculture purchased any development rights for the project site or any portion of the project site as part of the State Program for the Preservation of Agricultural Land?
9. Provide the distance, direction and address of the nearest off-site residence from the solar field perimeter fence.

**Energy Output**

10. What is the anticipated capacity factor of the project? Would the capacity of the system decline over time? If so, estimate annual losses.
11. Would the total project output be dedicated to virtual net metering?
12. Is the project being designed to accommodate a future potential battery energy storage system? If so, where would it be located?
13. Would the Petitioner participate in the ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?

### **Site Components and Solar Equipment**

14. The Site Plans identify two separate solar array systems. Will these systems operate independently such that if an interconnection failure or maintenance shut down occurs at one, the other will continue to operate?
15. Why is there a mix of 400-watt and 570-watt PV panels for this project? Can the 400-watt panels be replaced with 570-watt panels to reduce the project footprint?
16. Is the wiring from the panels to the inverters installed on the racking system? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?
17. What is the grass aisle width between the solar panel rows from top panel edge to bottom panel edge?
18. Referring to Site Plan OP-2, what is the Town of Montville's Zoning Building Setback Line? Can the Project be altered so that the solar array remains out of the Zoning Building Setback Line?
19. Referring to Site Plan OP-2, a shading limit is shown south of the solar array area. Does this limit represent shading after or before site clearing?
20. Would the tracker racking system move in an up and down or side to side motion?
21. Referencing petition p. 8, the narrative mentions a single pad for a transformer but also states there are eight pads. Clarify what equipment would be included on each pad.

### **Interconnection**

22. Is the project interconnection required to be reviewed by ISO-NE?
23. What is the line voltage of the electrical interconnection?
24. Would any off-site upgrades to the electrical distribution system be required? If so, describe.
25. Site Plan SP-04 indicates 15 utility poles are required for this project. Provide the following.
  - a) What is the height of the proposed utility poles?
  - b) How many utility poles would be owned by Eversource?



- c) Why are there parallel sets of utility poles near Fitch Hill Road with a branching overhead wire configuration? (one western interconnect pole has three wires connecting to three poles and a second western interconnect pole has four wires connecting to four poles)
- d) Provide a one-line drawing of the pole configuration and indicate the locations for reclosures, meters and other pole-mounted equipment.
- e) Indicate where the demarcation point(s) of change of control/responsibility from the Petitioner to Eversource would be located on the electrical interconnection for the project.
- f) Is it possible to reduce the number of utility poles required for the Project by undergrounding more on the interconnection line?
- g) Can the interconnection line be moved to the southeast to avoid/reduce clearing within the wetland?
- h) Can pad mounted transformers be used to reduce the number of utility poles? What would be the cost of a pad mounted interconnection design?
- i) Is it possible to extend the utility poles along the proposed access drive towards the barns to avoid wetland clearing?

### **Public Safety**

- 26. Would the Petitioner conduct outreach/training to local emergency responders in the event of a fire or other emergency at the site?
- 27. In the event of a fire or emergency, describe procedures that will allow emergency responders to shut down the facility.
- 28. If there are private water wells on site or in the vicinity of the site, how would the Petitioner protect the wells and/or water quality from construction impacts related to post driving/drilling?
- 29. Referencing Petition Environmental Assessment - p. 33, provide the calculated noise level from Project operations to the nearest property line.
- 30. Referencing Petition p. 8, what is the name and location of the Operations and Maintenance (O&M) company for the site? What procedures would be followed by the O&M company in regard to a safety related concern?

### **Environmental**

- 31. What is the maximum ground slope within the solar array area?
- 32. Referencing Petition Environmental Assessment - p. 20, provide a species detail sheet for the Ernst Pollinator-friendly Solar Farm Seed Mix proposed for the site (it is not provided on Sheet DN-1).
- 33. Referencing Petition Environmental Assessment- Appendix B, would the Petitioner be willing to adhere to one or both of the recommended tree clearing restrictions to protect the Northern Long-eared bat? How would a tree clearing restriction impact the Project schedule and/or site phasing?
- 34. Referencing Petition Attachment G, Environmental Assessment p. 24, describe the wildlife value of a small core forest block. (the link in the footnote does not connect)

35. Referencing Petition Environmental Assessment, p. 15, why was the agricultural field considered undeveloped habitat for vernal pool species? Do active agricultural fields provide suitable habitat for spotted salamanders and/or wood frog?
36. Has the Petitioner met with the DEEP Stormwater Division? If yes, when? Describe any recommendations, comments or concerns about the project provided by the Stormwater Division. At what point would the Petitioner apply for a Stormwater Permit?
37. What is the anticipated depth to groundwater in the area of the Stormwater Basin P-2B?
38. Would Stormwater Basin P-2B intercept groundwater in the Spring so that it partially fills with water? If yes, how is the reduced storage capacity of the basin accounted for in the stormwater management design? Could intercepted groundwater within the basin act as a decoy pool for vernal pool species?
39. Is it possible to relocate Stormwater Basin P-2B further up the slope to reduce the potential groundwater interception and to provide a greater buffer to the adjacent wetland?
40. What is the Town of Montville's wetland setback regulation/standard?
41. The limit of disturbance for the proposed access drive through the agricultural field is close to and directly abuts the wetland boundary. Can the access road be relocated to create a larger buffer to the adjacent wetland?
42. What construction methods would be used to prevent/reduce impacts to wetland areas for installation of the overhead interconnection line?
43. Referencing Petition Environmental Assessment- Appendix F, the visibility map shows year-round visibility from Fitch Hill Road. Would the year-round view be of the solar array or the interconnection line?
44. Please submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identify locations of site-specific and representative site features. The submission should include photographs of the site from public road(s) or publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of site-specific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

- a. wetlands, watercourses and vernal pools;
- b. forest/forest edge areas;
- c. agricultural soil areas;
- d. sloping terrain;
- e. proposed stormwater control features;
- f. nearest residences;
- g. Site access and interior access road(s);
- h. utility pads/electrical interconnection(s);
- i. clearing limits/property lines;
- j. mitigation areas; and
- k. any other noteworthy features relative to the Project.



A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location number and viewpoint direction, and clearly identify the locations of site-specific and representative site features shown (e.g., physical staking/flagging or other means of marking the subject area).

The submission shall be delivered electronically in a legible portable document format (PDF) with a maximum file size of <20MB. If necessary, multiple files may be submitted and clearly marked in terms of sequence.

### **Facility Construction**

45. Referring to Site Plan EC-1, Construction Sequence, Phase 1, - what is the anticipated time interval required to stabilize the sediment basins/swales prior to the commencement of Phase 2?
46. Where would the construction staging area be located?
47. Has a comprehensive geotechnical study been completed for the site to determine if site conditions support the overall Project design? If so, summarize the results. If not, has the Petitioner anticipated and designed the Project with assumed subsurface conditions? What are these assumed conditions?
48. Has the Petitioner consulted with the DEEP Dam Safety program regarding permitting requirements, if any, for the proposed stormwater basins?
49. How would the posts that support the racking system be driven into the ground? In the event that ledge is encountered, what methods would be utilized for post installation?

### **Maintenance/Decommissioning**

50. What is the cleaning interval of the solar panels? What substances would be used to clean the panels?
51. At what snow depth on the panels would energy output be negatively affected? At what snow depth would snow be removed from the panels?
52. Would the Petitioner store any replacement modules on-site? If so, indicate the storage location.
53. Is livestock grazing proposed for the site? If yes, provide a livestock management plan and the location of any related outbuildings.
54. Has the manufacturer of the proposed solar panels conducted Toxicity Characteristic Leaching Procedure (TCLP) testing to determine if the panels would be characterized as hazardous waste at the time of disposal under current regulatory criteria? If so, submit information that indicates the proposed solar modules would not be characterized as hazardous waste. If not, would the Petitioner agree to install solar panels that are not classified as hazardous waste through TCLP testing?