

**STATE OF CONNECTICUT SITING COUNCIL**

PETITION OF LSE PYXIS LLC  
FOR A DECLARATORY RULING  
THAT NO CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED IS  
REQUIRED FOR THE CONSTRUCTION,  
OPERATION, AND MAINTENANCE OF  
A 4 MW AC SOLAR PHOTOVOLTAIC  
FACILITY IN NORFOLK, CONNECTICUT

PETITION NO. 1544

JUNE 28, 2023

**PETITIONER LSE PYXIS LLC'S REQUEST FOR AMENDMENT TO RULING**

**I. INTRODUCTION**

Petitioner LSE Pyxis LLC (“Lodestar” or “Petitioner”) hereby requests an amendment to the Declaratory Ruling issued by the Connecticut Siting Council (“Council”) in Petition No. 1544, dated January 20, 2023 (the “Ruling”). The Ruling approved a 4.0 MW AC solar photovoltaic facility (the “Facility”) located at 599 Greenwoods Road East, Norfolk, CT. The amendment is requested to approve the relocation of the utility easement associated with the Facility from the existing location on the eastern boundary of land owned by the State of Connecticut to the western boundary of the adjoining parcel owned by Maasser Annual Reunion Assoc. Inc.

**II. COMMUNICATIONS**

Correspondence and other communication regarding this request for amendment should continue to be directed to the following parties:

Carrie Larson Ortolano, Esq.  
General Counsel  
LSE PYXIS LLC  
c/o Lodestar Energy LLC  
40 Tower Lane, Suite 201

Avon, CT 06001  
cortolano@lodestartenergy.com

Please also provide a copy of all such correspondence and/or communications to:

Jeffrey J. Macel  
LSE PYXIS LLC  
c/o Lodestar Energy LLC  
40 Tower Lane, Suite 201  
Avon, CT 06001  
[jmacel@lodestartenergy.com](mailto:jmacel@lodestartenergy.com)

### **III. DISCUSSION**

#### **A. The Updated Facility**

The Facility, as approved in the Ruling, will remain unchanged with the exception of the utility easement/point of interconnection (“POC”) associated with the Facility to connect the Facility to the Connecticut Light and Power Company d/b/a Eversource Energy’s distribution system on Greenwoods Road East (Route 44). As originally proposed, the utility easement was to be located and run across the eastern boundary of the property owned by the State of Connecticut, Department of Transportation (“CT DOT”). While CT DOT personnel had informed Lodestar personnel initially that they believed that the utility easement could be installed without obtaining any additional land rights from CT DOT, after careful review of the site, CT DOT has now indicated that a lengthy process would be required for Lodestar to obtain the legal real estate rights necessary to install the utility POC and associated poles on the CT DOT property.

During these discussions, Lodestar personnel reached out to the owners of the adjacent parcel to the east known as assessor’s parcel 03-07 in the Town of Colebrook and owned by the

Maasser Annual Reunion Assoc. Inc.<sup>1</sup> (the “Utility Easement Parcel”). The owner of the Utility Easement Parcel was amenable to permitting Lodestar to relocate the twenty (20) foot wide utility easement, including three (3) of the utility poles required by Eversource for the interconnection. As can be seen on the revised plans attached hereto as Exhibit 1, the relocated easement is only sixty-nine (69) feet to the east of the approved easement. The relocated easement will result in an additional .19 acres of overall clearing and Site disturbance.

**B. No Substantial Environmental Impact**

As shown in the addendum to the Environmental Assessment report attached hereto as Exhibit 2, the proposed relocation of the utility easement will have no adverse environmental impact and will comply with CT DEEP air and water quality standards.

While there is one (1) wetland identified in the vicinity on the relocated utility easement, the installation of the utility poles associated with the Utility Easement Parcel will not result in an adverse impact of this identified wetland. The addendum concludes that, given the minor change in the utility interconnection route and similar upland and wetland forest habitat found on other portions of the Property, the findings and recommendations contained in the October, 2022 Environmental Assessment remain unchanged. There will be no negative impacts to wildlife habitat and, in fact, once the utility right-of-way is established, it could become a beneficial habitat for smooth green snake. No surface water sources are located proximate to the utility easement. No prime farmland soils or core forest are present within the proposed utility relocation area. No noise emitting equipment will be located within the utility easement.

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<sup>1</sup> As the Council will recall and as shown on the revised plans attached hereto as Exhibit 1, the boundary between the State of Connecticut parcel and the Maasser property also serves as the Town boundary between the Town of Norfolk and the Town of Colebrook.

The previously prepared Wetland, Vernal Pool, and Rare Species Protection Program would apply to the revised utility interconnection route with respect to protection of wetland and rare species resources; no vernal pool habitat is associated with the wetland that intersects with the utility route. With implementation of this protection program, State-listed rare species would not be impacted by the revised utility interconnection route.

#### **IV. NOTICE AND CONSULTATION**

Lodestar has provided notice of this amendment filing to all abutters and officials included in the original petition filing and, in addition, has included the additional abutters to the Utility Easement Parcel. The updated certification of service and abutters certifications are attached hereto as Exhibits 3 and 4 respectively.

## V. CONCLUSION

The Facility, as revised by the minor relocation of the utility easement, continues to meet each of the criteria for issuance of a declaratory ruling under Conn. Gen. Stat. § 16-50k(a).

Lodestar therefore respectfully requests that the Council amend its declaratory ruling in Petition 1544 and approve the relocation of the proposed Facility.

Respectfully submitted,

Petitioner  
LSE PYXIS LLC

By: Carrie L. Ortolano  
Jeffrey J. Macel, Manager  
Carrie Larson Ortolano, General Counsel  
% Lodestar Energy LLC  
40 Tower Lane, Suite 201  
Avon, CT 06001

**EXHIBIT 1**

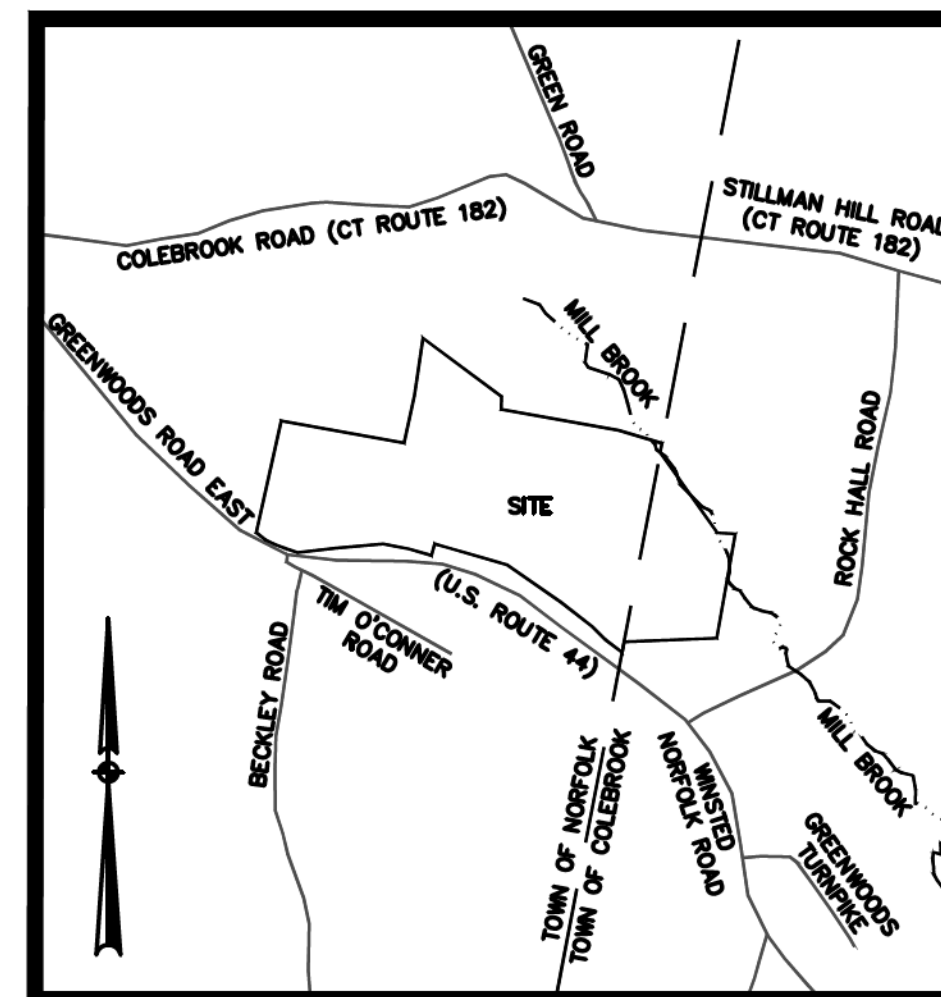
# Norfolk Landfill Solar

Town of Norfolk

599 Greenwoods Rd E (Rte. 44)

Norfolk, Connecticut

Map 4 Block 10 Lot 4 Zone: C



KEY PLAN MAP

1"=2000'



*Applicant*

*LSE Pyxis LLC*  
40 Tower Lane, Suite 201  
Avon, CT 06001

*Owner*

*Town Of Norfolk*  
P.O. Box 592  
Norfolk, CT 06058-0592

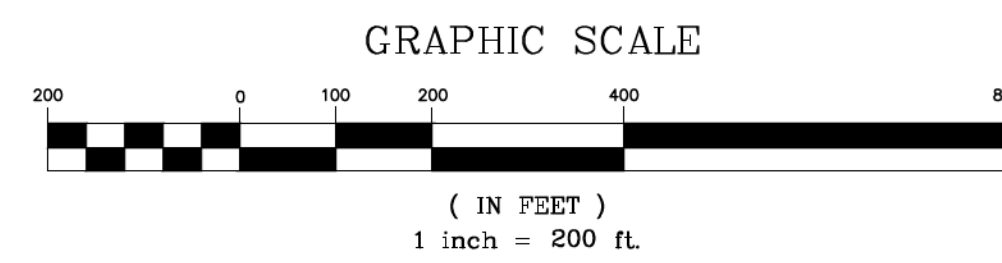
*Prepared By*



J.R. Russo & Associates, LLC  
1 Shoham Rd East, Windsor, CT 06098 • CT 860.623.0569 • MA 413.786.1158  
www.jrusso.com • info@russo.com

**DRAWING INDEX**

SHEET TITLE	SHEET NO.	LATEST REVISION
<b>CIVIL</b>		
COVER SHEET	1 of 9	06-15-2023
OVERALL PLAN	2 of 9	06-15-2023
EXISTING CONDITIONS PLAN	3 of 9	06-15-2023
EXISTING CONDITIONS PLAN	4 of 9	12-19-2022
ARRAY 1 SITE PLAN	5 of 9	06-15-2023
ARRAY 2 SITE PLAN	6 of 9	03-10-2023
EROSION CONTROL NOTES	7 of 9	02-14-2023
RESOURCE PROTECTION MEASURES	8 of 9	12-19-2022
DETAILS	9 of 9	12-19-2022



Prepared For  
**LSE Pyxis LLC**  
40 Tower Lane, Suite 201  
Avon, CT 06001

NO.	DATE	DESCRIPTION
6-15-23		ADD SMALL WETLAND AT SOUTHEAST CORNER
6-07-23		POINT OF INTERCONNECTION
3-10-23		POINT OF INTERCONNECTION; LABEL BASINS
12-19-22		ADD VERNAL POOL; PAGE NOS.
10-26-22		APPLICANT NAME
10-11-22		CALL OUT INTERCONNECTION
9-21-22		MODIFY BASINS; ADJUST ACCESS ROAD

REVISIONS  
BY: CJC/TAC    CHK: JEU

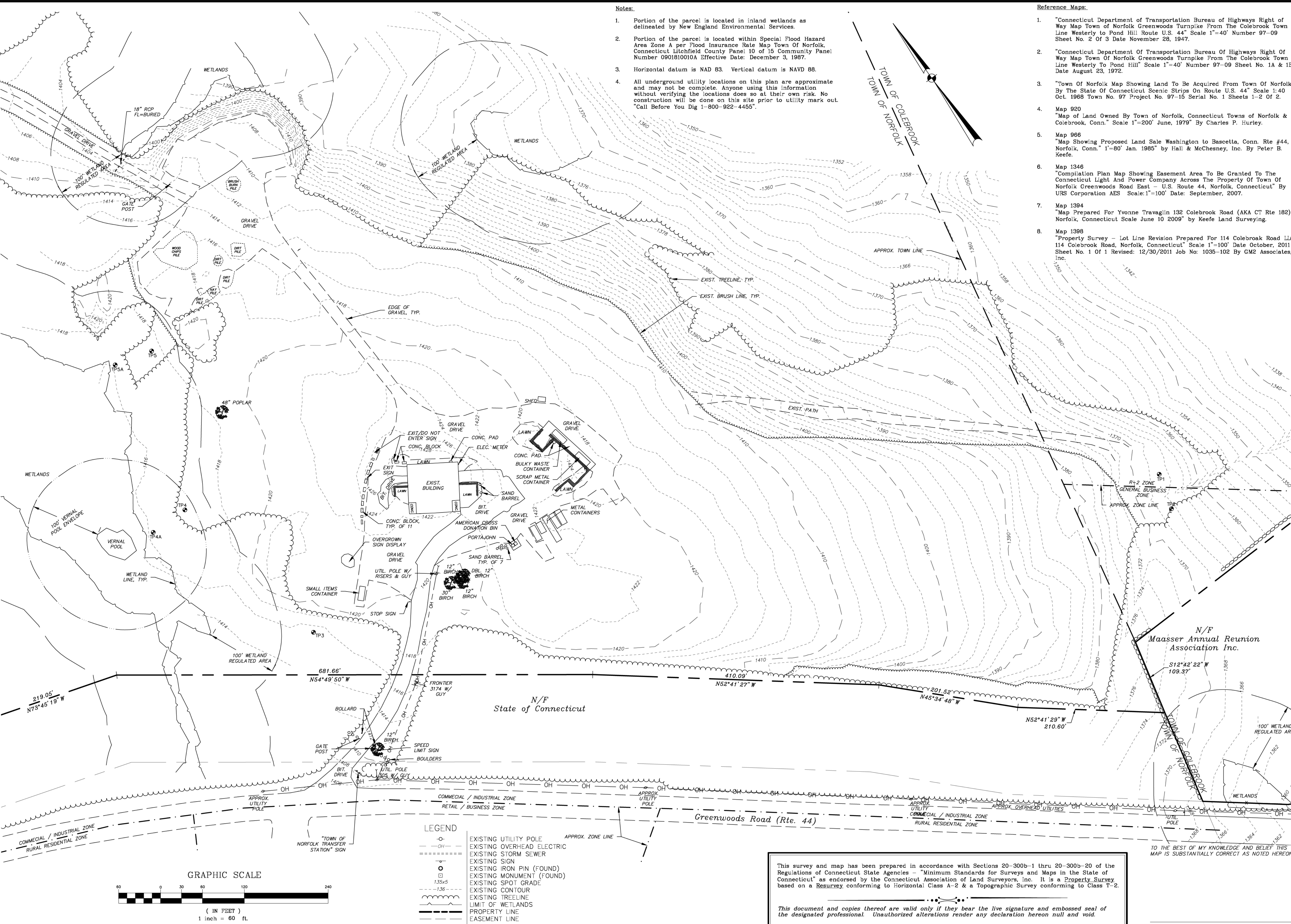
**Norfolk Landfill Solar**  
557 Greenwood Road  
Norfolk, CT  
Map 077 Block 48 Lot 007 Zone: R-2

Overall Site Plan

DATE	7-12-22
SCALE	1"=200'
JOB NUMBER	2021-077
SHEET	2 of 9



S:\acad\2021 Civil 3D\2021-077 Lodestar - 599 Greenwood Rd. E\Russo Drawings\2021-077.dwg



**Notes:**

1. Portion of the parcel is located in inland wetlands as delineated by New England Environmental Services.
2. Portion of the parcel is located within Special Flood Hazard Area Zone A per Flood Insurance Rate Map Town Of Norfolk, Connecticut Litchfield County Panel 10 of 15 Community Panel Number 0901810010A Effective Date: December 3, 1987.
3. Horizontal datum is NAD 83. Vertical datum is NAVD 88.
4. All underground utility locations on this plan are approximate and may not be complete. Anyone using this information without verifying the locations does so at their own risk. No construction will be done on this site prior to utility mark out. "Call Before You Dig 1-800-922-4455".

**Reference Maps:**

1. "Connecticut Department of Transportation Bureau of Highways Right of Way Map Town of Norfolk Greenwoods Turnpike From The Colebrook Town Line Westerly to Pond Hill Route U.S. 44" Scale 1"=40' Number 97-09 Sheet No. 2 Of 3 Date November 28, 1947.
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4. Map 920 "Map of Land Owned By Town of Norfolk, Connecticut Towns of Norfolk & Colebrook, Conn." Scale 1"=200' June, 1979" By Charles P. Hurley.
5. Map 966 "Map Showing Proposed Land Sale Washington to Bascetta, Conn. Rte #44, Norfolk, Conn." 1"=80' Jan. 1985" by Hall & McChesney, Inc. By Peter B. Keefe.
6. Map 1346 "Compilation Plan Map Showing Easement Area To Be Granted To The Connecticut Light And Power Company Across The Property Of Town of Norfolk Greenwoods Road East - U.S. Route 44, Norfolk, Connecticut" By URS Corporation AES Scale: 1"=100' Date: September, 2007.
7. Map 1394 "Map Prepared For Yvonne Travaglin 132 Colebrook Road (AKA CT Rte 182) Norfolk, Connecticut Scale June 10 2009" by Keefe Land Surveying.
8. Map 1398 "Property Survey - Lot Line Revision Prepared For 114 Colebrook Road LLC, 114 Colebrook Road, Norfolk, Connecticut" Scale 1"=100' Date October, 2011 Sheet No. 1 Of 1 Revised: 12/30/2011 Job No: 1035-102 By GM2 Associates, Inc.



Prepared For  
**LSE Pyxis LLC**  
 40 Tower Lane, Suite 201  
 Avon, CT 06001

NO.	DATE	DESCRIPTION
6-15-23		ADD SMALL WETLAND AT SOUTHEAST CORNER
12-19-22		ADD VERNAL POOL, PAGE NOS.
10-26-22		APPLICANT NAME

**REVISIONS**  
 BY: CJC/TAC    CHK: JEU

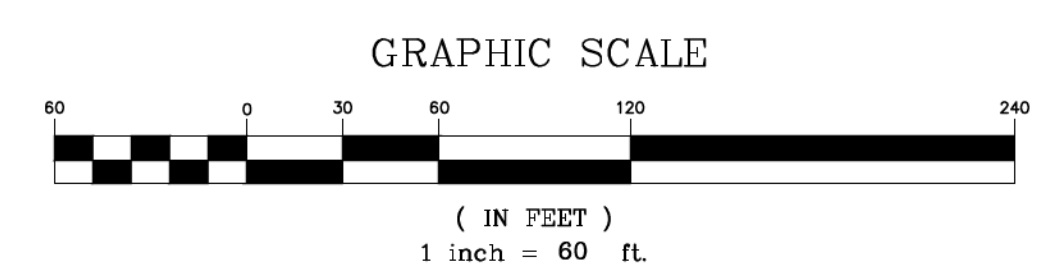
**Norfolk Landfill Solar**  
 599 Greenwood Rd E (Rte. 44)  
 Norfolk, CT  
 Map4 Block 10 Lot 4 Zone: C

**Existing Conditions Plan**

DATE	7-12-22
SCALE	1"=60'
JOB NUMBER	2021-077
SHEET	3 of 9

**LEGEND**

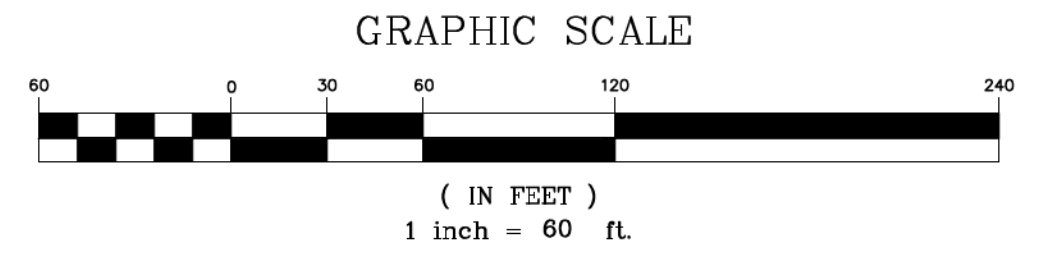
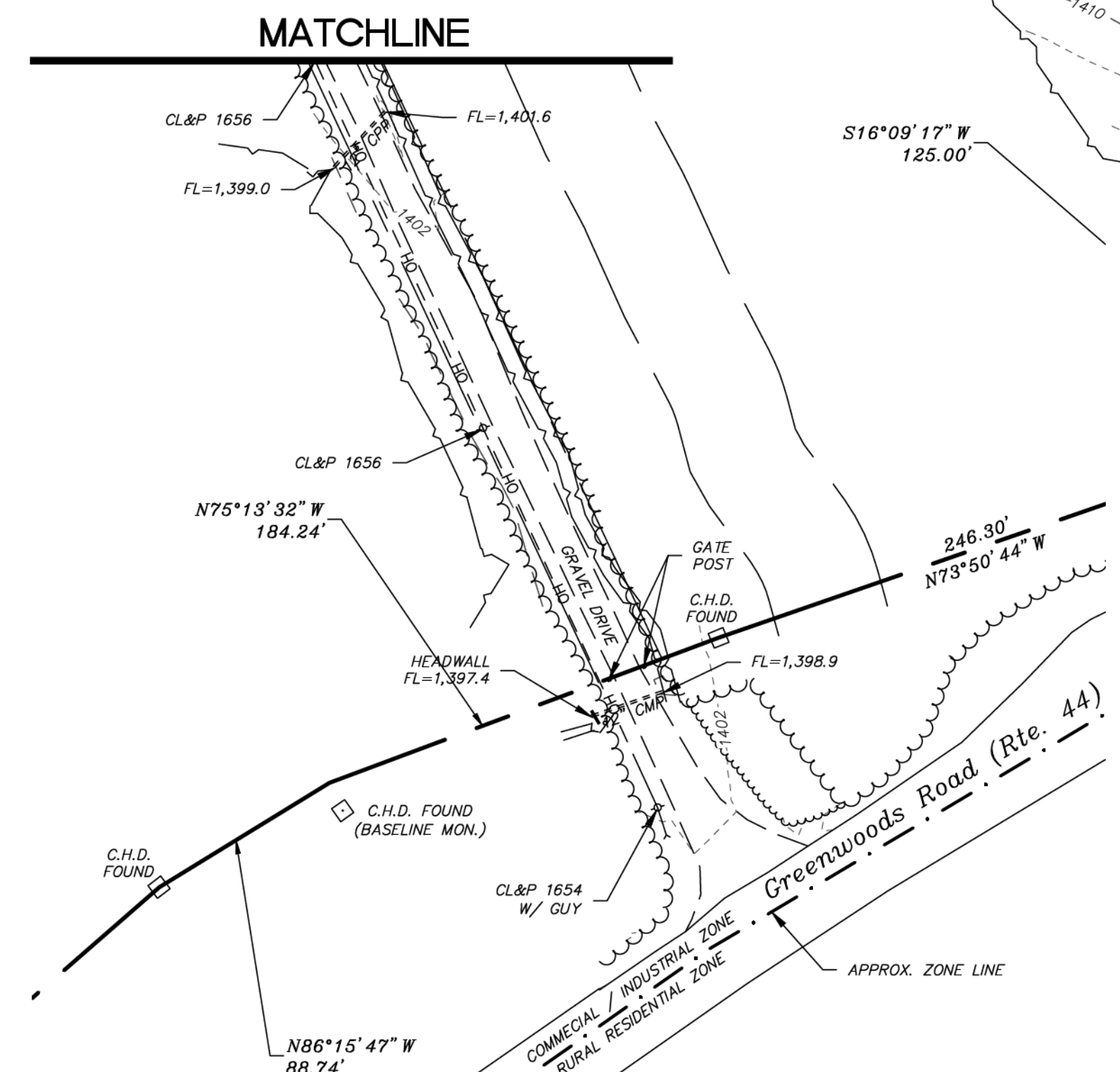
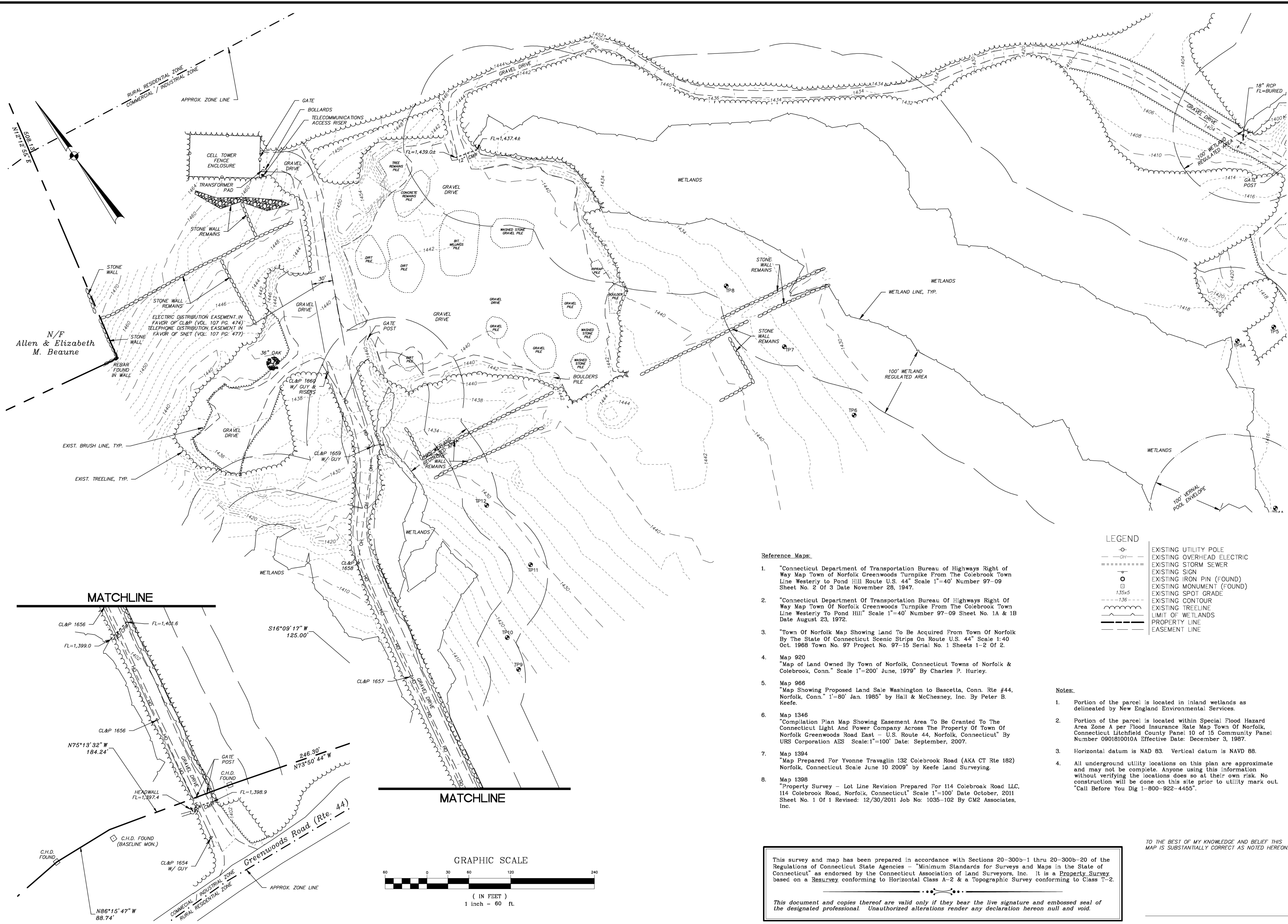
	EXISTING UTILITY POLE
	EXISTING OVERHEAD ELECTRIC
	EXISTING STORM SEWER
	EXISTING SIGN
	EXISTING IRON PIN (FOUND)
	EXISTING MONUMENT (FOUND)
	EXISTING SPOT GRADE
	EXISTING CONTOUR
	EXISTING TREELINE
	LIMIT OF WETLANDS
	PROPERTY LINE
	EASEMENT LINE



This survey and map has been prepared in accordance with Sections 20-300b-1 thru 20-300b-20 of the Regulations of Connecticut State Agencies - "Minimum Standards for Surveys and Maps in the State of Connecticut" as endorsed by the Connecticut Association of Land Surveyors, Inc. It is a Properly Survey based on a Resurvey conforming to Horizontal Class A-2 & a Topographic Survey conforming to Class T-2.

This document and copies thereof are valid only if they bear the live signature and embossed seal of the designated professional. Unauthorized alterations render any declaration hereon null and void.

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.



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LEGEND

- o- EXISTING UTILITY POLE
- OH- EXISTING OVERHEAD ELECTRIC
- SS- EXISTING STORM SEWER
- S- EXISTING SIGN
- IP- EXISTING IRON PIN (FOUND)
- M- EXISTING MONUMENT (FOUND)
- SP- EXISTING SPOT GRADE
- C- EXISTING CONTOUR
- TW- EXISTING TREELINE
- WL- LIMIT OF WETLANDS
- PL- PROPERTY LINE
- EL- EASEMENT LINE

Notes:

- Portion of the parcel is located in inland wetlands as delineated by New England Environmental Services.
- Portion of the parcel is located within Special Flood Hazard Area Zone A per Flood Insurance Rate Map Town of Norfolk, Connecticut Litchfield County Panel 10 of 15 Community Panel Number 0901B10010A Effective Date: December 3, 1987.
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This survey and map has been prepared in accordance with Sections 20-300b-1 thru 20-300b-20 of the Regulations of Connecticut State Agencies - "Minimum Standards for Surveys and Maps in the State of Connecticut" as endorsed by the Connecticut Association of Land Surveyors, Inc. It is a Property Survey based on a Resurvey conforming to Horizontal Class A-2 & a Topographic Survey conforming to Class T-2.

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TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

**RUSSO**  
SURVEYORS & ENGINEERS  
SERVING CT & MA

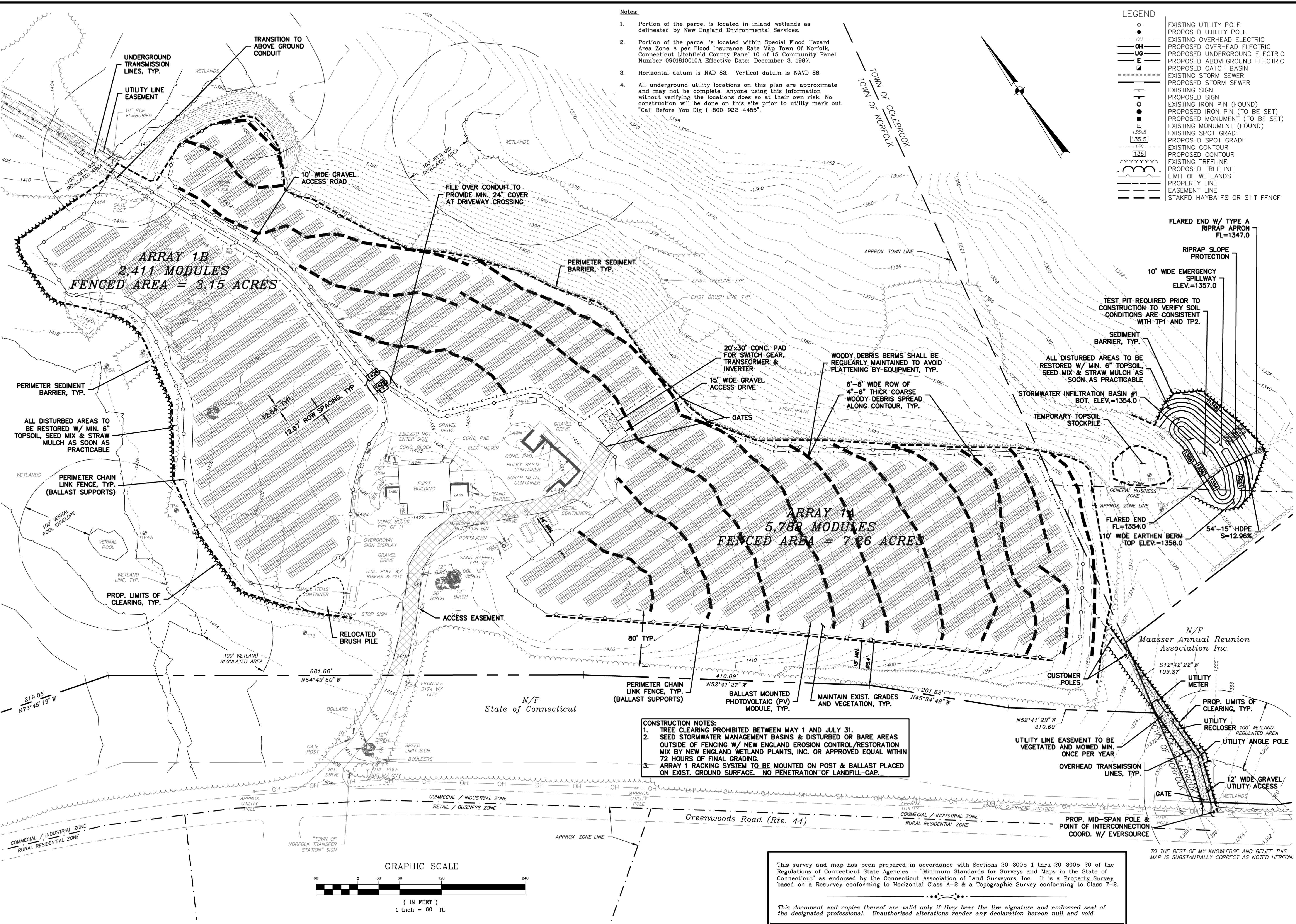
J.R. Russo & Associates, LLC  
1110 Main Rd East Windsor CT 06088 • CT 860.020.0599 • MA 403.780.1938  
www.russos.com • info@russos.com

Prepared For  
**LSE Pyxis LLC**  
40 Tower Lane, Suite 201  
Avon, CT 06001

REVISIONS	
12-19-22	ADD VERNAL POOL - PAGE NOS.
10-26-22	APPLICANT NAME
BY: CJC/TAC	CHK: JEU

**Norfolk Landfill Solar**  
599 Greenwoods Rd E (Rte. 44)  
Norfolk, CT  
Map 4 Block 10 Lot 4 Zone: C

Existing Conditions Plan	
DATE	7-12-22
SCALE	1"=60'
JOB NUMBER	2021-077
SHEET	4 of 9



- Notes:**
1. Portion of the parcel is located in inland wetlands as delineated by New England Environmental Services.
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**LEGEND**

—○—	EXISTING UTILITY POLE
—●—	PROPOSED UTILITY POLE
—OH—	EXISTING OVERHEAD ELECTRIC
—UG—	PROPOSED OVERHEAD ELECTRIC
—E—	PROPOSED UNDERGROUND ELECTRIC
—S—	PROPOSED ABOVEGROUND ELECTRIC
—C—	PROPOSED CATCH BASIN
—SS—	EXISTING STORM SEWER
—SS—	PROPOSED STORM SEWER
—S—	EXISTING SIGN
—S—	PROPOSED SIGN
—IP—	EXISTING IRON PIN (FOUND)
—IP—	PROPOSED IRON PIN (TO BE SET)
—M—	PROPOSED MONUMENT (TO BE SET)
—G—	EXISTING SPOT GRADE
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—T—	PROPOSED TREELINE
—W—	LIMIT OF WETLANDS
—P—	PROPERTY LINE
—E—	EASEMENT LINE
—S—	STAKED HAYBALES OR SILT FENCE

- CONSTRUCTION NOTES:**
1. TREE CLEARING PROHIBITED BETWEEN MAY 1 AND JULY 31.
  2. SEED STORMWATER MANAGEMENT BASINS & DISTURBED OR BARE AREAS OUTSIDE OF FENCING W/ NEW ENGLAND EROSION CONTROL/RESTORATION MIX BY NEW ENGLAND WETLAND PLANTS, INC. OR APPROVED EQUAL WITHIN 72 HOURS OF FINAL GRADING.
  3. ARRAY 1 RACKING SYSTEM TO BE MOUNTED ON POST & BALLAST PLACED ON EXIST. GROUND SURFACE. NO PENETRATION OF LANDFILL CAP.

This survey and map has been prepared in accordance with Sections 20-300b-1 thru 20-300b-20 of the Regulations of Connecticut State Agencies - "Minimum Standards for Surveys and Maps in the State of Connecticut" as endorsed by the Connecticut Association of Land Surveyors, Inc. It is a Property Survey based on a Resurvey conforming to Horizontal Class A-2 & a Topographic Survey conforming to Class T-2.

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**LSE Pyxis LLC**  
 40 Tower Lane, Suite 201  
 Avon, CT 06001

REVISIONS	BY:	CHK:
6-15-23 ADD SMALL WETLAND AT SOUTHEAST CORNER	CJC/TAC	JEU
6-07-23 INTERCONNECTION & CL&P EASEMENT		
3-31-23 CL&P EASEMENT		
3-10-23 POINT OF INTERCONNECTION, LABEL BASINS		
1-24-23 ADDRESS DEEP STORMWATER COMMENTS		
12-14-22 ADD VERNAL POOL, PAGE NOS.		
10-26-22 APPLICANT NAME		
10-11-22 POLES & ELECTRIC EASEMENT		
9-21-22 MODIFY BASINS, ADJUST ACCESS ROAD		

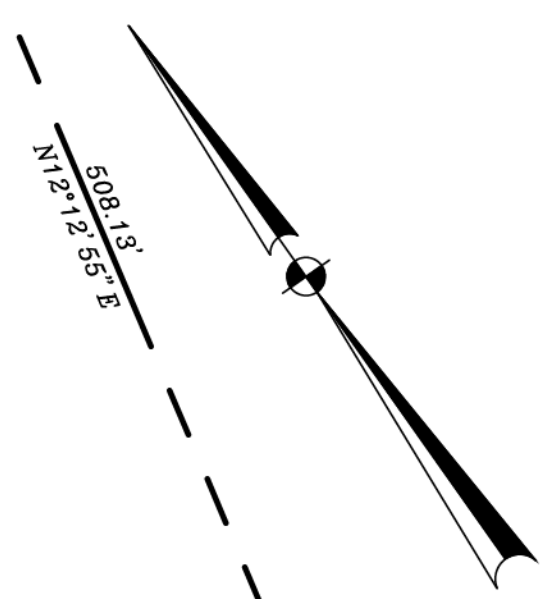
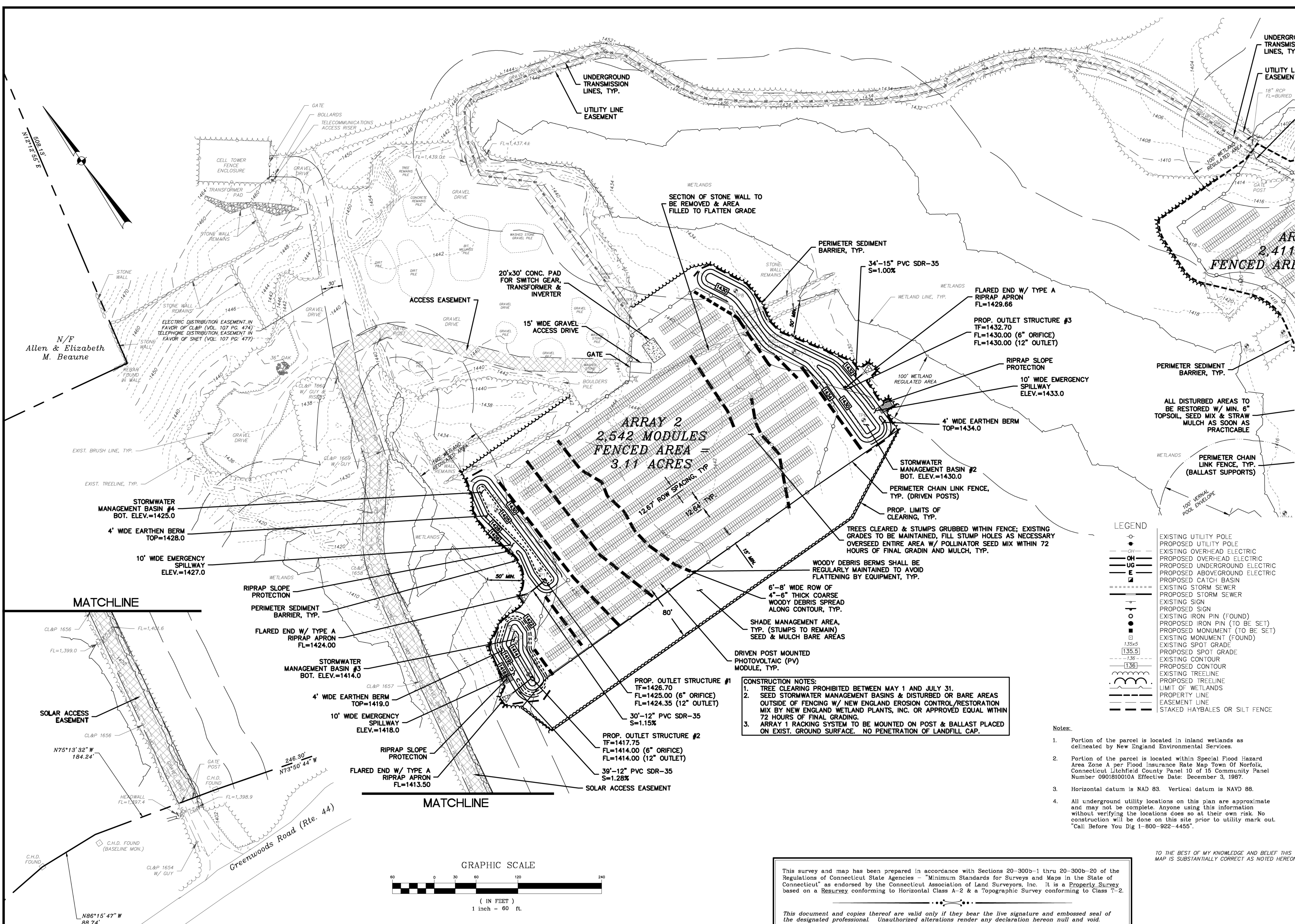
BY: CJC/TAC CHK: JEU

**Norfolk Landfill Solar**  
 599 Greenwood Rd E (Rte. 44)  
 Norfolk, CT  
 Map4 Block 10 Lot 4 Zone: C

<b>Array 1 Site Plan</b>
DATE
7-12-22
SCALE
1"=60'
JOB NUMBER
2021-077
SHEET
5 of 9

S:\acad\2021 Civil 3D\2021-077 Lodestar - 599 Greenwood Rd. E\Russo Drawings\2021-077.dwg

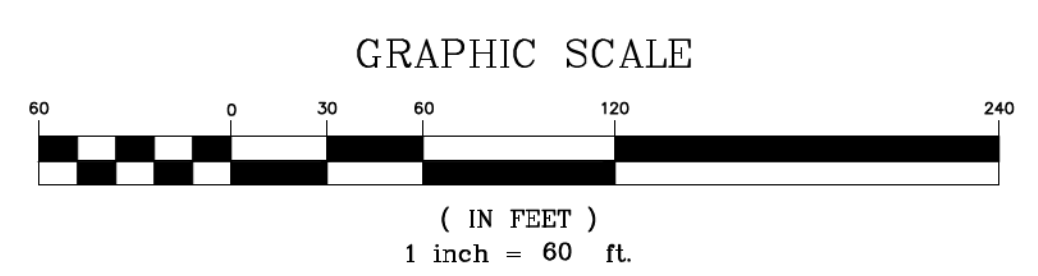
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N/F Allen & Elizabeth M. Beaune

MATCHLINE

MATCHLINE



**CONSTRUCTION NOTES:**  
1. TREE CLEARING PROHIBITED BETWEEN MAY 1 AND JULY 31.  
2. SEED STORMWATER MANAGEMENT BASINS & DISTURBED OR BARE AREAS OUTSIDE OF FENCING W/ NEW ENGLAND EROSION CONTROL/RESTORATION MIX BY NEW ENGLAND WETLAND PLANTS, INC. OR APPROVED EQUAL WITHIN 72 HOURS OF FINAL GRADING.  
3. ARRAY 1 RACKING SYSTEM TO BE MOUNTED ON POST & BALLAST PLACED ON EXIST. GROUND SURFACE. NO PENETRATION OF LANDFILL CAP.

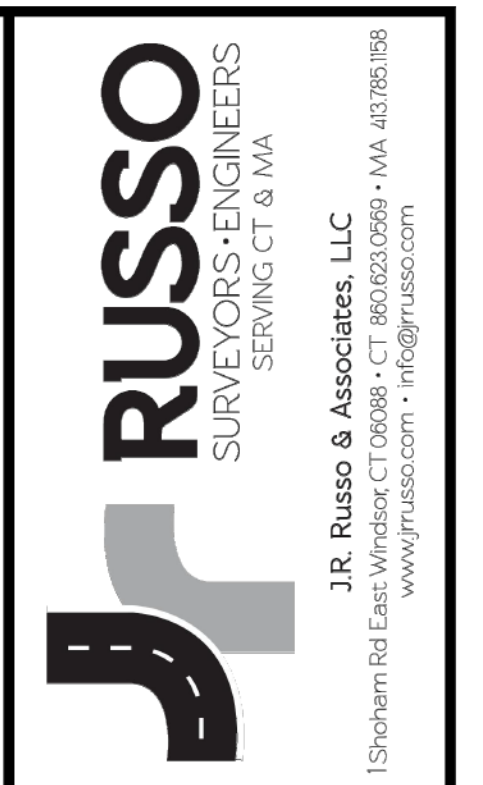
Notes:

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Prepared For  
**LSE Pyxis LLC**  
40 Tower Lane, Suite 201  
Avon, CT 06001

NO.	DATE	REVISIONS
3-10-23		POINT OF INTERSECTION: LABEL BASINS
1-24-23		ADDRESS DEEP STORMWATER COMMENTS
12-14-22		ADJUST BASIN OUTFALL #1 & #2, PAGE NOS.
10-26-22		APPLICANT NAME
9-21-22		MODIFY BASINS, ADJUST ACCESS ROAD

**Norfolk Landfill Solar**  
599 Greenwood Rd E (Rte. 44)  
Norfolk, CT  
Map4 Block 10 Lot 4 Zone: C

DATE	7-12-22
SCALE	1"=60'
JOB NUMBER	2021-077
SHEET	6 of 9

**PERMANENT SEEDING (PS)**

**SPECIFICATIONS**

**Time Of Year**  
Seeding dates in Connecticut are normally April 1 through June 15 and August 15 through October 1. Spring seedings give the best results and spring seedings of all mixes with legumes is recommended. There are two exceptions to the above dates. The first exception is when seedings will be made in the areas of Connecticut known as the Coastal Slope and the Connecticut River Valley. The Coastal Slope includes the coastal towns of New London, Middlesex, New Haven, and Fairfield counties. In these areas, with the exception of crown vetch (when crown vetch is seeded in late summer, at least 35% of the seed should be hard seed (unscarified), the final fall seeding dates can be extended and additional 15 days. The second exception is frost crack or dormant seeding, the seed is applied during the time of year when no germination can be expected, normally November through February. Germination will take place when weather conditions improve, mulching is extremely important to protect the seed from wind and surface erosion and to provide erosion protection until the seeding becomes established.

**Site Preparation**  
Grade in accordance with the Land Grading measure which is in the Connecticut Guidelines For Soil Erosion and Sediment Control latest edition.

Install all necessary surface water controls.

For areas to be mowed remove all surface stones 2 inches or larger. Remove all other debris such as wire, cable tree roots, pieces of concrete, clods, lumps, or other unsuitable material.

**Seed Selection**  
**Basins & Disturbed Areas outside of fenced array.** New England Erosion Control/Restoration Mix by New England Wetland Plants Inc. or Approved Equal.  
**Disturbed Areas within fenced area.** Northeast Solar Pollinator Buffer Mix - ERNMX-610 by Ernst Conservation Seeds or approved equal.

**Seedbed Preparation**  
Apply topsoil, if necessary, in accordance with the Topsoiling measure which is in the Connecticut Guidelines For Soil Erosion and Sediment Control latest edition.

Apply ground limestone and fertilizer according to soil test recommendations (such as those offered by the University of Connecticut Soil Testing Laboratory or other reliable source).

Where soil testing is not feasible on small or variable sites, or where timing is critical, fertilizer may be applied at the rate of 300 pounds per acre or 7.5 pounds per 1,000 square feet of 10-10-10 or equivalent and limestone at 4 tons per acre or 200 pounds per 1,000 square feet.

Work lime and fertilizer into the soil to a depth of 3 to 4 inches with a disc or other suitable equipment.

Inspect seedbed just before seeding. If the soil is compacted, crusted or hardened, scarify the area prior to seeding.

**Seed Application**  
Apply selected seed at rates per manufacturer's recommendations uniformly by hand, cyclone seeder, drill, cultipacker type seeder or hydroseeder including seed, fertilizer. Normal seeding depth is from 0.25 to 0.5 inch. Increase seeding rates by 10% when hydroseeding or frost crack seeding. Seed warm season grasses during the spring period only.

**Mulching**  
See guidelines in the Mulch For Seed measures.

**MAINTENANCE**  
Inspect temporary soil protection area at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater during the first growing season.

Where seed has been moved or where soil erosion has occurred, determine the cause of the failure and repair as needed.

**SPECIFICATIONS**

**Site Preparation**  
Install needed erosion control measures such as diversions, grade stabilization structures, sedimentation basins and grassed waterways in accordance with the approved plan.

Grade according to plans and allow for the use of appropriate equipment for seedbed preparation, seeding, mulch application and mulch anchoring.

**Seedbed Preparation**  
Loosen the soil to a depth of 3-4 inches with a slightly roughened surface. If the area has been recently loosened or disturbed, no further roughening is required. Soil preparation can be accomplished by tracking with a bulldozer, discing, harrowing, raking or dragging with a section of chain link fence.

Apply ground limestone and fertilizer according to soil test recommendations (such as those offered by the University of Connecticut Soil Testing Laboratory or other reliable source).

If soil testing is not feasible on small or variable sites, or where timing is critical, fertilizer may be applied at the rate of 300 pounds per acre or 7.5 pounds per 1,000 square feet of 10-10-10 or equivalent.

**Seeding**  
Apply seed uniformly by hand, cyclone seeder, drill, cultipacker type seeder or hydroseeder. The temporary seed shall be Rye (grain) applied at a rate of 120 pounds per acre. Increase seeding rates by 10% when hydroseeding.

**Mulching**  
See guidelines in the Mulch For Seed measures.

**MAINTENANCE**  
Inspect temporary seeding area at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater for seed and mulch movement and rill erosion.

Where seed has been moved or where soil erosion has occurred, determine the cause of the failure and repair as needed.

**MULCH FOR SEED (MS)**

**SPECIFICATIONS**

**Materials**  
**Types of Mulches** within this specification include, but are not limited to:

**1. Hay:** The dried stems and leafy parts of plants cut and harvested, such as alfalfa, clovers, other forage legumes and the finer stemmed, leafy grasses. The average stem length should not be less than 4 inches. Hay that can be windblown should be anchored to hold it in place.

**2. Straw:** Cut and dried stems of herbaceous plants, such as wheat, barley, cereal rye, or broom. The average stem length should not be less than 4 inches. Straw that can be windblown should be anchored to hold it in place.

**3. Cellulose Fiber:** Fiber origin is either virgin wood, post-industrial/pre-consumer wood or post consumer wood complying with materials specification (collectively referred to as "wood fiber"), newspaper, kraft paper, cardboard (collectively referred to as "paper fiber") or a combination of wood and paper fiber. Paper fiber, in particular, shall not contain boron, which inhibits seed germination. The cellulose fiber must be manufactured in such a manner that after the addition to and agitation in slurry tanks with water, the fibers in the slurry become uniformly suspended to form a homogeneous product. Subsequent to hydraulic spraying on the ground, the mulch shall allow for the absorption and percolation of moisture and shall not form a tough crust such that it interferes with seed in germination or growth. Generally applied with tackifier and fertilizer. Refer to manufacturer's specifications for application rates needed to attain 80%-95% coverage without interfering with seed germination or plant growth. Not recommended as a mulch for use when seeding occurs outside of the recommended seeding dates.

**Tackifiers** within this specification include, but are not limited to: Water soluble materials that cause mulch particles to adhere to one another, generally consisting of either a natural vegetable gum blended with gelling and hardening agents or a blend of hydrophilic polymers, resins, viscosifiers, slicking aids and gums. Good for areas intended to be mowed. Cellulose fiber mulch may be applied as a tackifier to other mulches, provided the application is sufficient to cause the other mulches to adhere to one another. **Emulsified asphalts are specifically prohibited for use as tackifiers due to their potential for causing water pollution following its application.**

**Nettings** within this specification include, but are not limited to: Prefabricated openwork fabrics made of cellulose cords, ropes, threads, or biodegradable synthetic material that is woven, knotted or molded in such a manner that it holds mulch in place until vegetation growth is sufficient to stabilize the soil. Generally used in areas where no mowing is planned.

**Site Preparation**  
Grade according to plans and allow for the use of appropriate equipment for seedbed preparation, seeding, mulch application and mulch anchoring.

**Application**  
**Timing:** Applied immediately following seeding. Some cellulose fiber may be applied with seed to assist in marking where seed has been sprayed, but expect to apply a second application of cellulose fiber to meet the requirements of **Mulch For Seed** in the Connecticut Guidelines For Soil Erosion and Sediment Control latest edition.

**Spreading:** Mulch material shall be spread uniformly by hand or machine resulting in 80%-95% coverage of the disturbed soil when seeding within the recommended seeding dates. Applications that are uneven can result in excessive mulch smothering the germinating seeds. For hay or straw anticipate an application rate of 2 tons per acre. For cellulose fiber follow manufacturer's recommended application rates to provided 80%-95% coverage.

When seeding outside the recommended seeding dates, increase mulch application rate to provide between 95%-100% coverage of the disturbed soil. For hay or straw anticipate an application rate to 2.5 to 3 tons per acre.

When spreading hay mulch by hand, divide the area to be mulched into approximately 1,000 square feet and place 1.5-2 bales of hay in each section to facilitate uniform distribution.

For cellulose fiber mulch, expect several spray passes to attain adequate coverage, to eliminate shadowing, and to avoid slippage.

**Anchoring:** Expect the need for mulch anchoring along the shoulders of actively traveled roads, hill tops and long open slopes not protected by wind breaks.

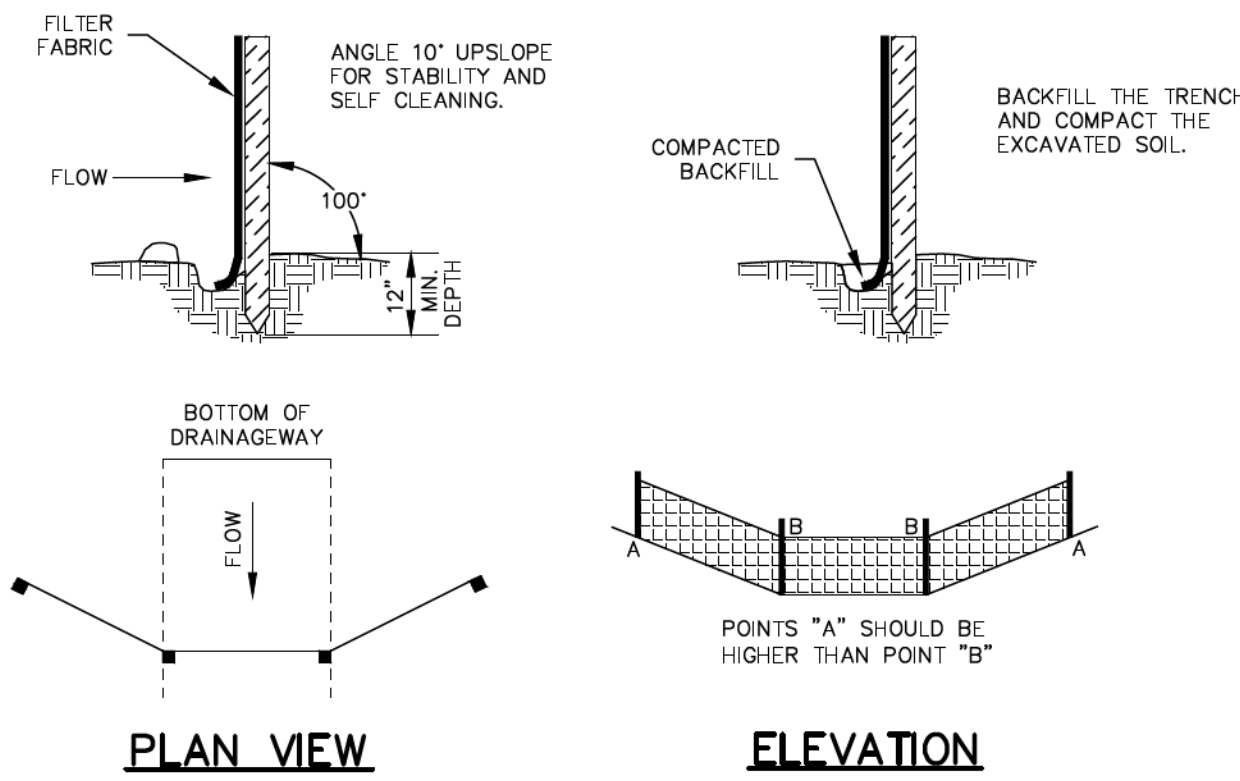
When using netting, the most critical aspect is to ensure that the netting maintains substantial contact with the underlying mulch and the mulch, in turn, maintains continuous contact with the soil surface. Without such contact, the material is useless and erosion can be expected to occur.

**MAINTENANCE**  
Inspect mulch for seed area at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater until the grass has germinated to determine maintenance needs.

Where mulch has been moved or where soil erosion has occurred, determine the cause of the failure and repair as needed.

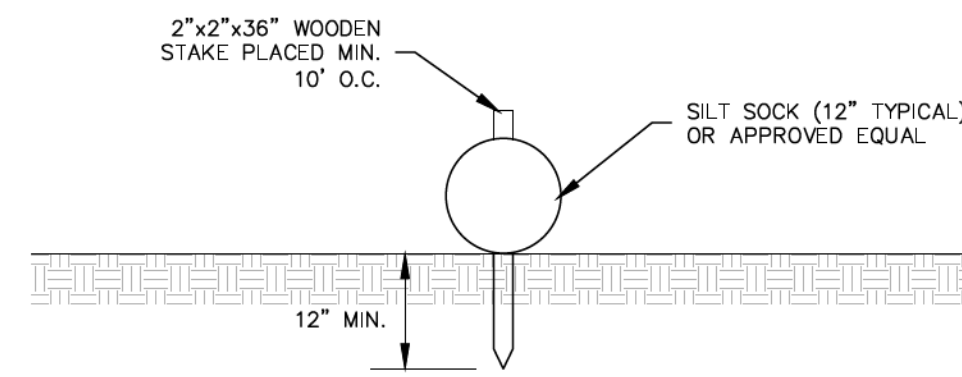
**SOIL EROSION & SEDIMENT CONTROL NOTES**

- All soil erosion and sediment control work shall be done in strict accordance with the Connecticut Guidelines For Soil Erosion and Sediment Control latest edition.
- Any additional erosion/sediment control deemed necessary by the engineer during construction, shall be installed by the developer. In addition, the developer shall be responsible for the repair/replacement and/or maintenance of all erosion control measures until all disturbed areas are stabilized to the satisfaction of the town staff.
- All perimeter erosion and sediment control measures including silt fence, and silt sock shall be installed and stabilized prior to any other disturbance including clearing, grubbing and grading. All perimeter erosion and sediment control measures shall be maintained until construction is completed and/or area is stabilized.
- In all areas, removal of trees, bushes and other vegetation as well as disturbance of the soil is to be kept to an absolute minimum while allowing proper development of the site. During construction, expose as small an area of soil as possible for as short a time as possible.
- The developer shall practice effective dust control per the soil conservation service handbook during construction and until all areas are stabilized or surface treated. The developer shall be responsible for the cleaning of nearby streets of any debris from these construction activities.
- All fill areas shall be compacted sufficiently for their intended purpose and as required to reduce slipping, erosion or excess saturation. Fill intended to support buildings, structures, conduits, etc., shall be compacted in accordance with local requirements or codes.
- Topsoil is to be stripped and stockpiled in amounts necessary to complete finished grading of all exposed areas requiring topsoil. The stockpiled topsoil is to be located as designated on the plans. Topsoil shall not be placed while in a frozen or muddy condition, when the subgrade is excessively wet, or in a condition that may otherwise be detrimental to proper grading or proposed sodding or seeding.
- Any and all fill material is to be free of brush, rubbish, timber, logs, vegetative matter and stumps in amounts that will be detrimental to constructing stable fills. Maximum side slopes of exposed surfaces of earth to be 3:1 or as otherwise specified by local authorities.
- Soil stabilization should be completed within 5 days of clearing or inactivity in construction.
- Waste Materials - All waste materials (including wastewater) shall be disposed of in accordance with local, state and federal law. Litter shall be picked up at the end of each work day.
- The Contractor shall maintain on-site additional erosion control materials as a contingency in the event of a failure or when required to shore up existing BMPs. At a minimum, the on-site contingency materials should include 30 feet of silt fence and 5 straw haybales with 10 stakes.

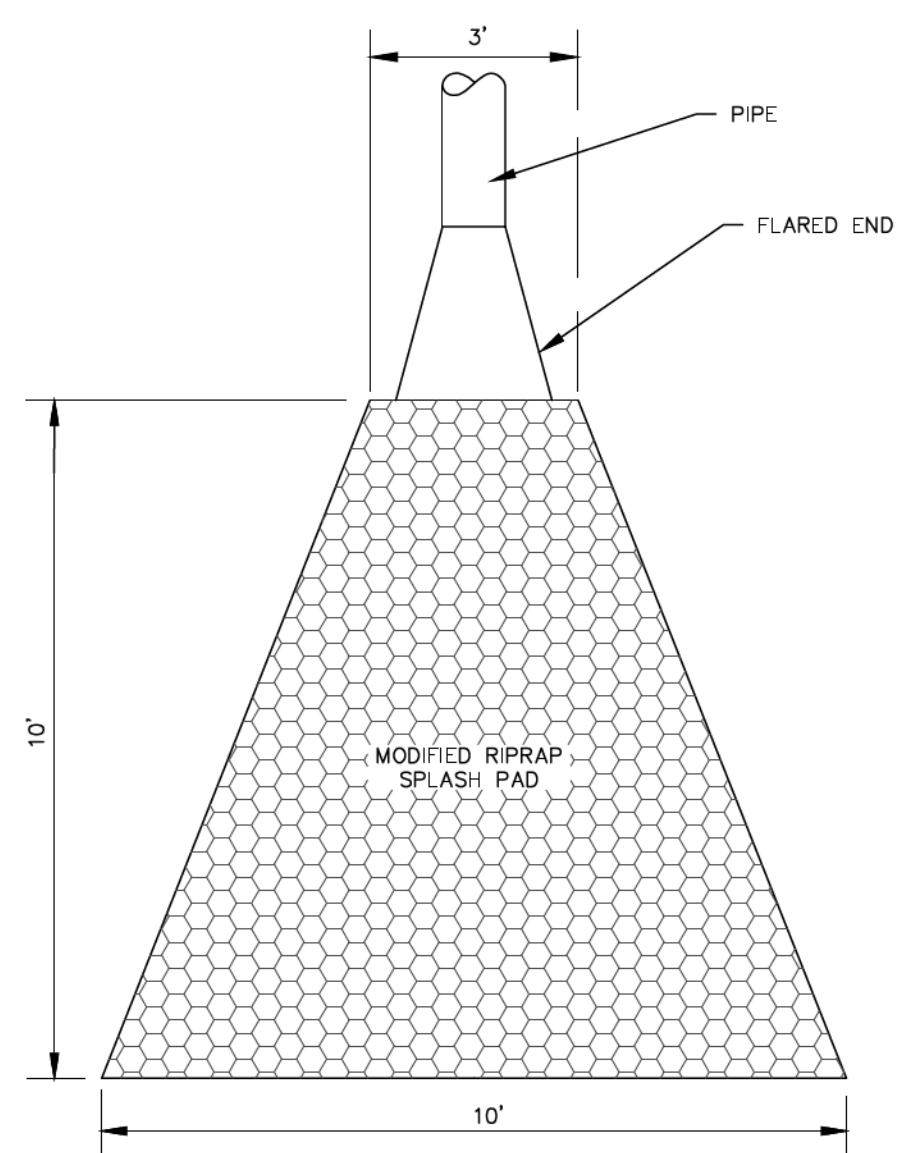


SOURCE: U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE, STORRS, CONNECTICUT

**GEOTEXTILE SILT FENCE (GSF)**  
NOT TO SCALE

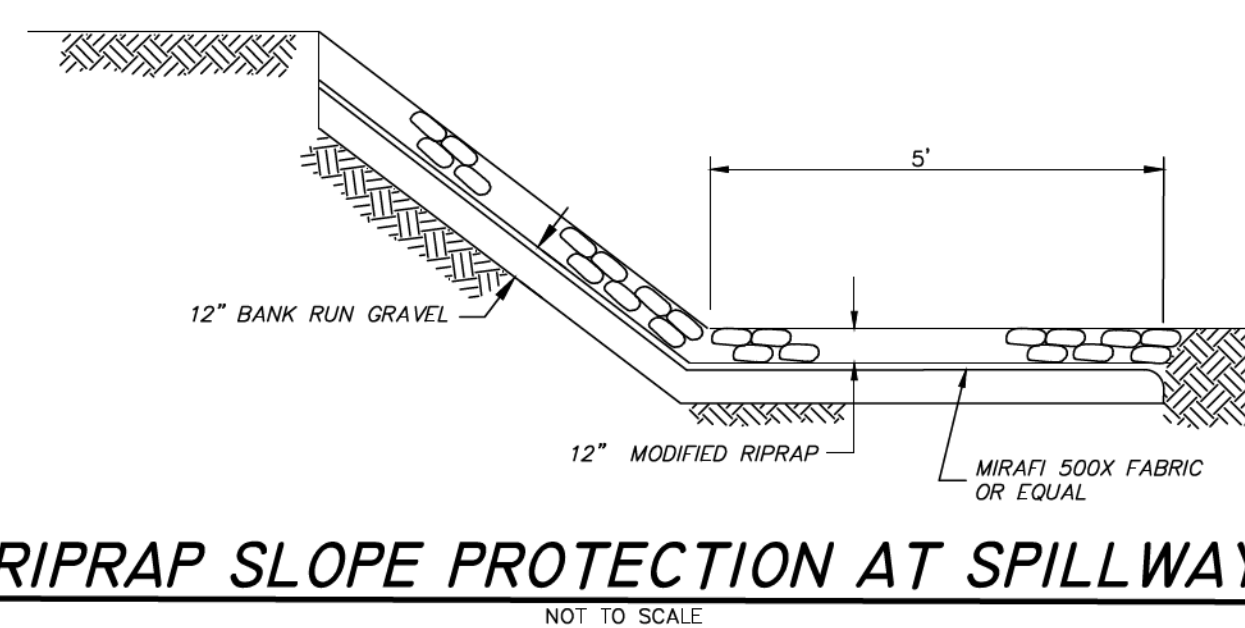


**SILT SOCK (ALTERNATE SEDIMENT BARRIER)**  
NOT TO SCALE

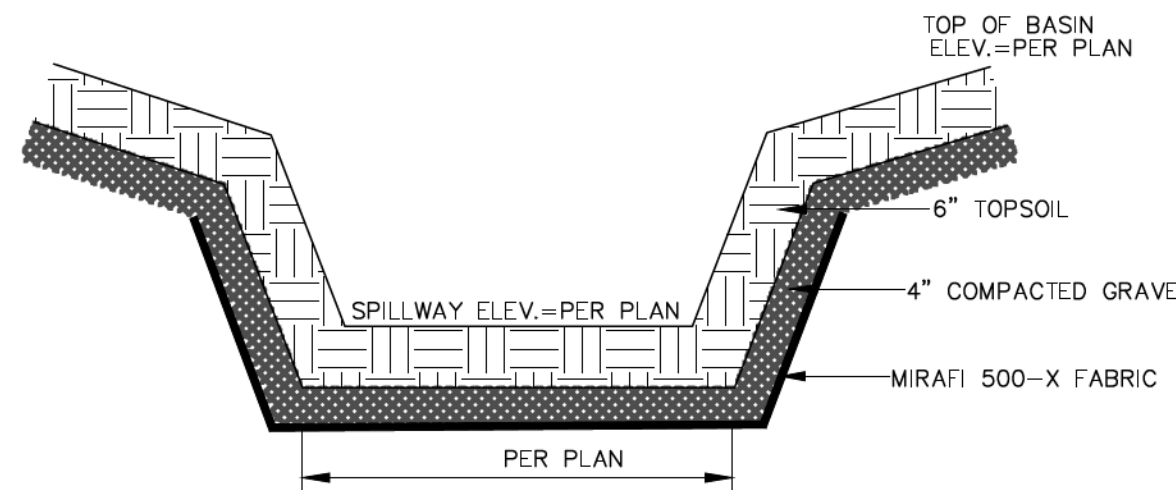


NOTE: MODIFIED RIPRAP APRON (12" THICK) ON 6" GRANULAR BASE (M.02.01) ON MIRAFI 140N FABRIC OR EQUAL.

**TYPE A RIPRAP APRON (OP)**  
N.T.S.



**RIPRAP SLOPE PROTECTION AT SPILLWAY**  
NOT TO SCALE



**EARTHEN SPILLWAY**  
NOT TO SCALE

**CHECKLIST FOR EROSION CONTROL PLAN**

PROJECT: Norfolk Landfill Solar  
LOCATION: 599 Greenwood Road East, Norfolk, CT  
PROJECT DESCRIPTION: Construction of two solar arrays  
PARCEL AREA: 181.0± acres  
RESPONSIBLE PERSONNEL: Kevin Mideo, Lodestar Energy (410) 274-2716  
EROSION AND SEDIMENT CONTROL PLAN PREPARER: J.R. Russo & Associates, LLC

CHECKLIST:

Work Description Erosion & Sediment Control Measures	Location	Date Installed	Initials	Date Removed	Initials
Install perimeter sediment barriers	As shown on plan.				

MAINTENANCE OF MEASURES:

Location	Description or Number	Date	Initials

Project Dates:  
Date of groundbreaking for project:  
Date of final stabilization:

**POST CONSTRUCTION MAINTENANCE NOTES:**

The property owner shall be responsible for performing the following post construction maintenance schedule:

- Inspect stormwater management basins annually for evidence of hydrocarbons and remove by vac-truck. Repair eroded areas and replace riprap and vegetation as required. Dredge bottom to remove accumulated sediment every 10 years or when significant volume reduction is observed. Mow basins on a regular basis to prevent woody growth.
- Conduct a pre-construction meeting on-site with the contractor to review the design and requirements of the Stormwater Pollution Control Plan.
- Install perimeter silt fence/silt sock (GSF) downgradient of the construction activities as shown on the project plans.
- Clear trees & grub stumps. Stumps outside of fence to remain.
- Grind brush & stumps and spread woody debris along contours across site as intermediate sediment barriers as shown on plans.
- Strip topsoil in the vicinity of the proposed stormwater management basins. Stockpile suitable amount of topsoil for reuse on-site in areas shown. Stockpiles shall be surrounded by sediment barriers (GSF).
- Construct and stabilize stormwater management basins and swales. Seed & mulch to establish vegetation as soon as practicable.
- Construct access road.
- Install foundations and solar panels.
- Install electrical equipment and distribution lines.
- Install security fence.
- Restore all disturbed areas with topsoil, seed mix and mulch as soon as practicable.
- Remove silt fence after site is fully stabilized.

Construction of this site is anticipated to begin in the spring of 2023 and be complete by January 2024, pending approvals. Temporary erosion control measures shall be installed prior to any soil disturbance and maintained throughout construction until soils have been stabilized with permanent vegetation.

The Contractor shall keep the area of disturbance to a minimum and establish vegetative cover on exposed soils as soon as practical. All soil and erosion control measures shall be installed and maintained in accordance with these plans and the "Connecticut DEP Guidelines for Soil Erosion and Sediment Control", as amended. The Contractor shall verify all conditions noted on the plans and shall immediately notify the Engineer of any discrepancies.

The developer shall be responsible for the repair/replacement/maintenance of all erosion control measures until all disturbed areas are stabilized. Accumulated sediment shall be removed as required to keep silt fence functional. In all cases, deposits shall be removed when the accumulated sediment has reached one-half above the ground height of the silt fence. This material is to be spread and stabilized in areas not subject to erosion, or to be used in areas which are not to be paved or built on. Silt fence (GSF) is to be replaced as necessary to maintain proper filtering action. Silt fence (GSF) are to remain in place and shall be maintained to insure efficient sediment capture until all areas above the erosion checks are stabilized and vegetation has been established.

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Prepared For  
**LSE Pyxis LLC**  
40 Tower Lane, Suite 201  
Avon, CT 06001

NO.	DATE	DESCRIPTION
1	2-15-23	CONSTRUCTION SEQUENCE
2	1-24-23	ADDRESS DEEP STORMWATER COMMENTS
3	12-19-22	FACE NOS.
4	10-26-22	APPLICANT NAME
5	9-21-22	PERMANENT SEED MIXES

**REVISIONS**

BY: CJC/TAC CHK: JEU

Norfolk Landfill Solar  
599 Greenwood Rd E (Rte. 44)  
Norfolk, CT  
Map4 Block 10 Lot 4 Zone: C

**Erosion Control Notes**

DATE	7-12-22
SCALE	As Shown
JOB NUMBER	2021-077
SHEET	7 of 9

**ENVIRONMENTAL NOTES - RESOURCE PROTECTION MEASURES**

**WETLAND, VERNAL POOL, AND RARE SPECIES PROTECTION PROGRAM**

The proposed solar facility is located proximate to sensitive resources including wetland resource areas, vernal pools, and rare species. As a result, the following protective measures shall be followed to help avoid degradation of nearby wetland/watercourses and to avoid incidental impact to vernal pool indicator species and rare species.

Smooth Green Snake (*Ophedryx vernalis*), Red Bat (*Lasurus borealis*), and Hoary Bat (*Lasurus cinereus*), all State Special Concern species afforded protection under the Connecticut Endangered Species Act, are known to occur on or in proximity to the proposed facility. These rare species protection measures are consistent with protection measures recommended by the Connecticut Department of Energy and Environmental Protection ("DEEP") NDDB letter of October 18, 2021 (NDDB No. 20210495; expiration date: October 18, 2023). Details of rare species protection measures to be implemented in association with construction of the facility are provided below.

It is of the utmost importance that the Contractor comply with the requirement for implementation of these protective measures and the education of its employees and subcontractors performing work on the project site. The wetland protection measures shall be implemented and maintained throughout the duration of construction activities until permanent stabilization of site soils has occurred. Vernal pool protection measures should be implemented during peak amphibian movement periods: early spring breeding (March 1st to May 15th) and late summer dispersal (July 15th to September 15th).

All-Points Technology Corporation, P.C. ("APT") will serve as the Environmental Monitor for this project to ensure that these protection measures are implemented properly. APT will provide an education session for the Contractor prior to the start of construction activities on nearby sensitive wetland resources/vernal pools resources and rare species that may be encountered. The Contractor shall contact Dean Gustafson, Senior Biologist at APT, at least 5 business days prior to the start of any construction activities to schedule a pre-construction meeting. Mr. Gustafson can be reached by phone at (860) 552-2088 or via email at dgustafson@allpointstech.com.

This protection program consists of several components: education of all contractors and sub-contractors prior to initiation of work on the site; protective measures; periodic inspection of the construction project and reporting.

**1. Contractor Education**

- a. Prior to work on site, the Contractor shall attend an educational session at the pre-construction meeting with APT. This orientation and educational session will consist of an introductory meeting with APT to emphasize the environmentally sensitive nature of the project, the various wetland, vernal pool and rare species resources, and the requirement to diligently follow the Protective Measures as described in sections below. Workers will also be provided information regarding the identification of other turtles, snakes, and common herpetofauna (amphibians and reptiles) species that could be encountered. The meeting will further emphasize the non-aggressive nature of these species, the absence of need to destroy such animals and the need to follow Protective Measures as described in following sections. The Contractor will designate one of its workers as the "Project Monitor", who will receive more intense training on the identification and protection of herpetofauna.
- b. The importance of protecting nearby wetland and vernal pool resources will also be stressed as part of this educational session.
- c. The education session will also focus on means to discriminate between rare species and other common native species to avoid unnecessary "false alarms". Encounters with any species of turtles, snakes and amphibians will be documented.
- d. The Contractor will designate a member of its crew as the Project Monitor to be responsible for the periodic "sweeps" for herpetofauna within the construction zone each morning and for any ground disturbance work. This individual will receive more intense training from APT on the identification and protection of herpetofauna in order to perform sweeps. Any herpetofauna discovered would be translocated outside the work zone in the general direction the animal was oriented.
- e. The Contractor will be provided with cell phone and email contacts for APT personnel to immediately report any encounters with any rare species. Educational poster materials will be provided by APT and displayed on the job site to maintain worker awareness as the project progresses.
- f. APT will also post Caution Signs throughout the project site for the duration of the construction project providing notice of the environmentally sensitive nature of the work area, the potential for encountering various amphibians and reptiles and precautions to be taken to avoid injury to or mortality of these animals.
- g. If any rare species are encountered, the Contractor shall immediately cease all work, avoid any disturbance to the species, and contact APT.

**2. Isolation Measures + Sedimentation and Erosion Controls**

- a. Plastic netting used in a variety of erosion control products (i.e., erosion control blankets, fiber rolls [wattles], reinforced silt fence) has been found to entangle wildlife, including reptiles, amphibians, birds, and small mammals, but particularly snakes. No permanent erosion control products or reinforced silt fence will be used on the project. Temporary erosion control products will use either erosion control blankets and fiber rolls composed of processed fibers mechanically bound together to form a continuous matrix (netting) or netting composed of planar woven natural biodegradable fiber to avoid/minimize wildlife entanglement.
- b. The extent of the erosion controls will be as shown on the site plans. The Contractor shall have additional sedimentation and erosion controls stockpiled on site should field or construction conditions warrant extending devices. In addition to the Contractor making these determinations, requests for additional controls will also be at the discretion of the Environmental Monitor.
- c. Installation of sedimentation and erosion controls, required for erosion control

compliance and creation of a barrier to possible migrating/dispersing turtles, shall be performed by the Contractor following clearing activities and prior to any earthwork. The Environmental Monitor will inspect the work zone area prior to and following erosion control barrier installation to ensure the area is free of amphibians and reptiles and document barriers have been satisfactorily installed. The intent of the barrier is to segregate the majority of the work zone and isolate it from nesting/foraging/migrating/dispersing turtles, snakes and other herpetofauna. Oftentimes complete isolation of a work zone is not feasible due to accessibility needs and locations of staging/material storage areas, etc. Although the barriers may not completely isolate the work zone, they will be positioned to deflect migrating/dispersal routes away from the work zone to minimize potential encounters with turtles, snakes and other herpetofauna.

d. Excitatory fencing shall be at least 20 inches tall and must be secured to and remain in contact with the ground and be regularly maintained by the contractor (at least bi-weekly and after major weather events) to secure any gaps or openings at ground level that may let animals pass through.

e. The Contractor is responsible for daily inspections of the sedimentation and erosion controls for tears or breaches and accumulation levels of sediment, particularly following storm events that generate a discharge as defined by and in accordance with applicable local, state and federal regulations. The Contractor shall notify the Environmental Monitor within 24 hours of any breaches of the sedimentation and erosion controls and any sediment releases beyond the perimeter controls that impact or have the potential to impact wetlands, watercourses or within 100 feet of wetlands and watercourses. The Environmental Monitor will provide periodic inspections of the sedimentation and erosion controls throughout the duration of construction activities only as it pertains to their function as isolation measures for the protection of wetlands, vernal pools, and rare species. Such inspections will generally occur once per month. The frequency of monitoring may increase depending upon site conditions, level of construction activities in proximity to sensitive receptors, or at the request of the permittee. If the Compliance Monitor is notified by the Contractor of a sediment release, an inspection will be scheduled specifically to investigate and evaluate possible impacts to wetland and/or vernal pool resources.

f. Third party monitoring of sedimentation and erosion controls will be performed by other parties, as necessary, under applicable local, state and/or federal regulations and permit conditions.

g. The extent of the sedimentation and erosion controls will be as shown on the site plans. The Contractor shall have additional sedimentation and erosion controls stockpiled on site should field or construction conditions warrant extending the controls as directed by APT or other regulatory agencies.

h. No equipment, vehicles or construction materials shall be stored outside of the sedimentation and erosion controls within 100 feet of wetlands or watercourses.

i. All sedimentation and erosion controls shall be removed within 30 days of completion of work and permanent stabilization of site soils so that reptile and amphibian movement between uplands and wetlands is not restricted.

**3. Petroleum Materials Storage and Spill Prevention**

a. Certain precautions are necessary to store petroleum materials, refuel and contain and properly clean up any inadvertent fuel or petroleum (i.e., oil, hydraulic fluid, etc.) spill to avoid possible impact to nearby resources.

b. A spill containment kit consisting of a sufficient supply of absorbent pads and absorbent material will be maintained by the Contractor at the construction site throughout the duration of the project. In addition, a waste drum will be kept on site to contain any used absorbent pads/material for proper and timely disposal off-site in accordance with applicable local, state, and federal laws.

c. The following petroleum and hazardous materials storage and refueling restrictions and spill response procedures will be adhered to by the Contractor.

**I. Petroleum and Hazardous Materials Storage and Refueling**

- 1. Refueling of vehicles or machinery shall occur a minimum of 100 feet from wetlands or watercourses and shall take place on an impervious pad with secondary containment designed to contain fuels.
- 2. Any fuel or hazardous materials that must be kept on site shall be stored on an impervious surface utilizing secondary containment a minimum of 100 feet from wetlands or watercourses.
- 3. The contractor shall inspect all equipment at the beginning and end of each day for any fuel or hydraulic leaks and if discovered shall take immediate steps to make repairs and clean up any discharges as detailed in the following sections.

**II. Initial Spill Response Procedures**

- 1. Stop operations and shut off equipment.
- 2. Remove any sources of spark or flame.
- 3. Contain the source of the spill.
- 4. Determine the approximate volume of the spill.
- 5. Identify the location of natural flow paths to prevent the release of the spill to sensitive nearby waterways or wetlands.
- 6. Ensure that fellow workers are notified of the spill.

**III. Spill Clean Up + Containment**

- 1. Obtain spill response materials from the on-site spill response kit. Place absorbent materials directly on the release area.
- 2. Limit the spread of the spill by placing absorbent materials around the perimeter of the spill.

- 3. Isolate and eliminate the spill source.
- 4. Contact the appropriate local, state and/or federal agencies, as necessary.
- 5. Contact a disposal company to properly dispose of contaminated materials in accordance with all local, state, and federal regulations.

**IV. Reporting**

- 1. Complete an incident report.
- 2. Submit a completed incident report to the Connecticut Siting Council and other applicable local, state, and federal officials.

**4. Herbicide, Pesticide and Salt Usage**

a. The use of herbicides and pesticides at the facility shall be minimized. In the event herbicides and/or pesticides are required at the facility (i.e., to assist in management of invasive species within habitat enhancement areas), they will be used in accordance with Integrated Pest Management ("IPM") principles with particular attention to minimizing applications within 100 feet of wetland or watercourse resources. No applications of herbicides or pesticides are allowed within actual wetland or watercourse resources.

b. Maintenance of the facility during the winter months shall minimize the application of chloride-based deicers salt with use of more environmentally friendly alternatives to minimize impact to nearby wetland and vernal pool resources.

**5. Vernal Pool Protection Measures**

a. A thorough cover search of the construction area will be performed by APT's Environmental Monitor for herpetofauna (amphibians and reptiles) prior to and following installation of the silt fencing barrier to remove any species from the work zone prior to the initiation of construction activities. Any herpetofauna discovered would be carefully translocated outside the work zone in the general direction the animal was oriented. Periodic inspections will be performed by APT's Environmental Monitor throughout the duration of the construction.

b. At direction by the Environmental Monitor and as deemed necessary, install small cover objects (e.g., boards, woody debris, haybales) along the face of the silt fence within the construction zone to provide refuge for trapped animals and facilitate capture and translocation outside of the construction zone.

c. Any stormwater management features, runs or artificial depressions that could hold water created intentionally or unintentionally by site clearing/construction activities will be properly filled in and permanently stabilized with vegetation to avoid the creation of vernal pool "decoy pools" that could intercept amphibians moving toward the vernal pools. Stormwater management features such as level spreaders will be carefully reviewed in the field to ensure that standing water does not endure for more than a 24-hour period to avoid creation of decoy pools, and may be subject to field design changes. Any such proposed design changes will be reviewed by the design engineer to ensure stormwater management functions are maintained.

d. If stormwater management features are found to maintain standing water during the late winter and early spring for a period of more than a day or two (i.e., wet bottomed basins), an excitatory barrier shall be installed by the contractor around the basin perimeter to prevent amphibian access. Permanent isolation barriers can consist of a low block wall (minimum 2.5 feet in height) or Animax brand permanent fencing.

**6. Smooth Green Snake Protection Measures**

a. Smooth green snakes are typically found in open areas where grass and shrubs are found, often near early successional wetlands. Monitoring during the removal of any existing anthropogenic cover features (i.e., log piles, rock piles, etc.), which may be used for cover by snakes already in the construction area will be performed by the Compliance Monitor. All anthropogenic cover features should be removed prior to any construction activities.

**7. Rare Bat Tree Clearing Restriction**

a. Tree clearing is restricted to occur only between August 15<sup>th</sup> through April 30<sup>th</sup>, during the bats' non-roosting period, when bats would not be present on the site. Do not remove trees between May 1 through July 31.

**8. Reporting**

- a. A Compliance Monitoring Report (brief narrative and applicable photos) documenting each APT inspection will be submitted by APT to the contractor and permittee for compliance verification. Any observations of rare species, vernal pool indicator species, wetland impacts, or corrective actions will be included in the reports.
- b. Following completion of the construction project, APT will provide a Final Compliance Monitoring Report to the permittee documenting implementation of this wetland, vernal pool, and rare species protection program, monitoring and any species observations. The permittee shall provide a copy of the Final Compliance Monitoring Report to the Connecticut Siting Council for compliance verification.
- c. Any observations of rare species will be reported to DEEP by APT on the appropriate special animal reporting form, with photo-documentation (if possible) and specific information on the location and disposition of the animal.



J.R. Russo & Associates, LLC  
SURVEYORS & ENGINEERS  
SERVING CT & MA  
11Shopham Rd East Windsor CT 06088 • CT 860.620.0599 • MA 402.801.1938  
www.russosurveyors.com • info@russosurveyors.com

Prepared For  
**LSE Pyxis LLC**  
40 Tower Lane, Suite 201  
Avon, CT 06001


REVISIONS  
BY: CJC/TAC CHK: JEU

*Norfolk Landfill Solar*  
599 Greenwood Rd E (Rte. 44)  
Norfolk, CT  
Map4 Block 10 Lot 4 Zone: C

Resource Protection Measures
DATE 12-16-22
SCALE As Shown
JOB NUMBER 2021-077
SHEET 8 of 9



**EXHIBIT 2**





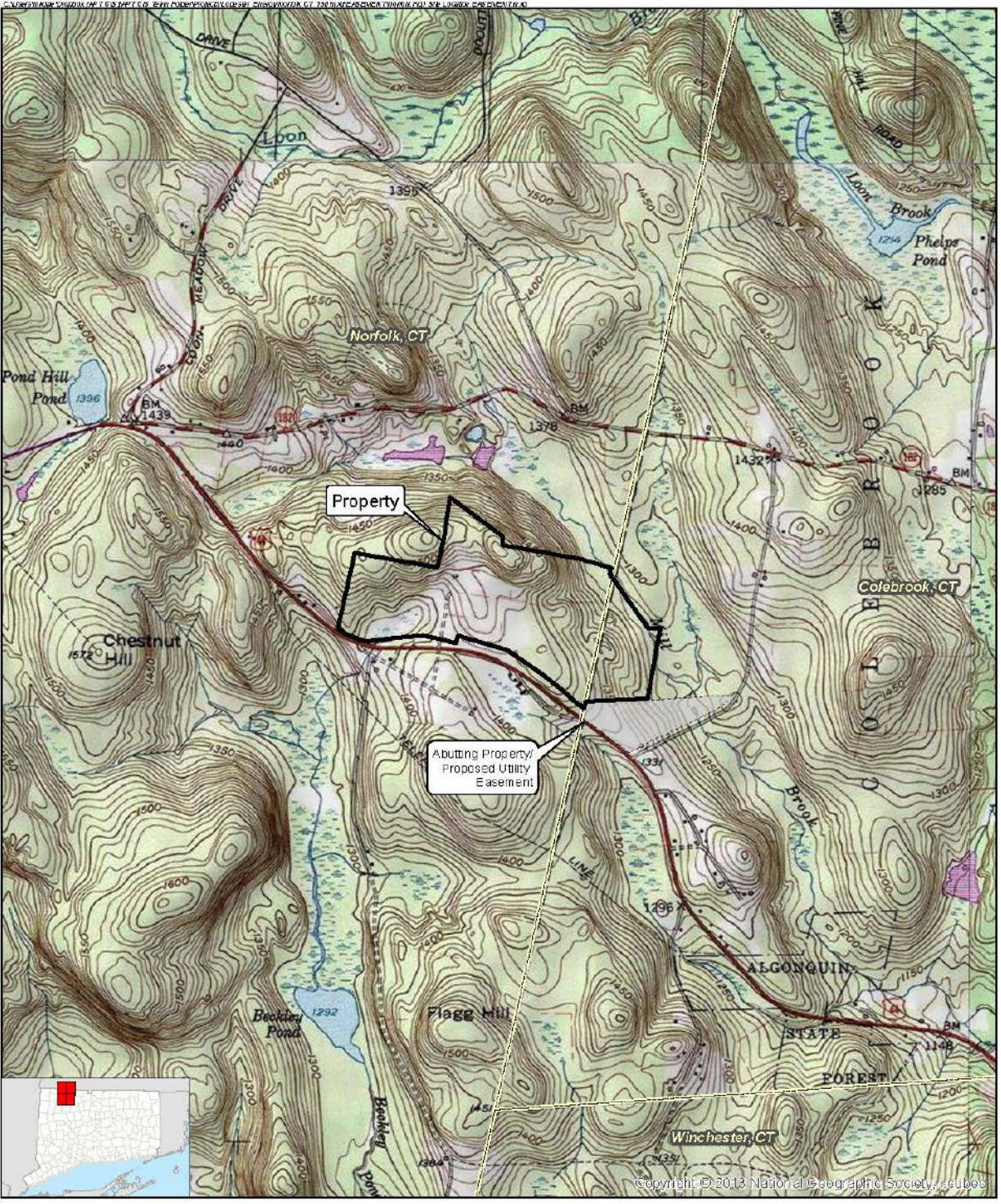
## ENVIRONMENTAL ASSESSMENT ADDENDUM

**Connecticut Siting Council**  
**Petition No. 1544, LSE Pyxis LLC Norfolk Solar Project**  
**599 Greenwoods Road East, Norfolk, Connecticut**  
**Proposed Relocation of Interconnection Route**




June 20, 2023

All-Points Technology Corporation, P.C. ("APT") prepared this Environmental Assessment ("EA") Addendum on behalf of LSE Pyxis LLC (the "Petitioner") for the proposed relocation of the utility interconnection associated with a solar-based electric generating facility (the "Project") at 599 Greenwoods Road East (U.S. Route 44) in Norfolk, Connecticut ("Property"; see Figure 1, *Location Map*). This EA addendum supplements information contained in APT's October 2022 Environmental Assessment report, submitted in association with Petition No. 1544 to the Connecticut Siting Council. The Project was approved by the Council on January 19, 2023 through a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of the electric generating facility.

As originally designed, the Project's electrical service interconnection line was to originate off Greenwoods Road East at the southeastern corner of the Property, east of the former landfill and north of Route 44, over property owned by the Connecticut Department of Transportation ("CDOT"). The proposed relocation would shift the interconnection slightly to the east, across an adjoining property owned by the Maasser Annual Reunion Association, Inc. and identified as 112 Rock Hall Road, Colebrook, Connecticut. A 20-foot-wide utility easement would be established to carry the electrical lines overhead and meet the original utility route on the Project Site; a gravel-based maintenance access would also be established within this corridor (see Figure 2, *Project Overview Map*). The location and orientation of the new easement was established based on requirements from Eversource Energy. There are no other proposed changes to the approved Project.



**Legend**

-  Property
-  Proposed Utility Easement Property
-  Municipal Boundary

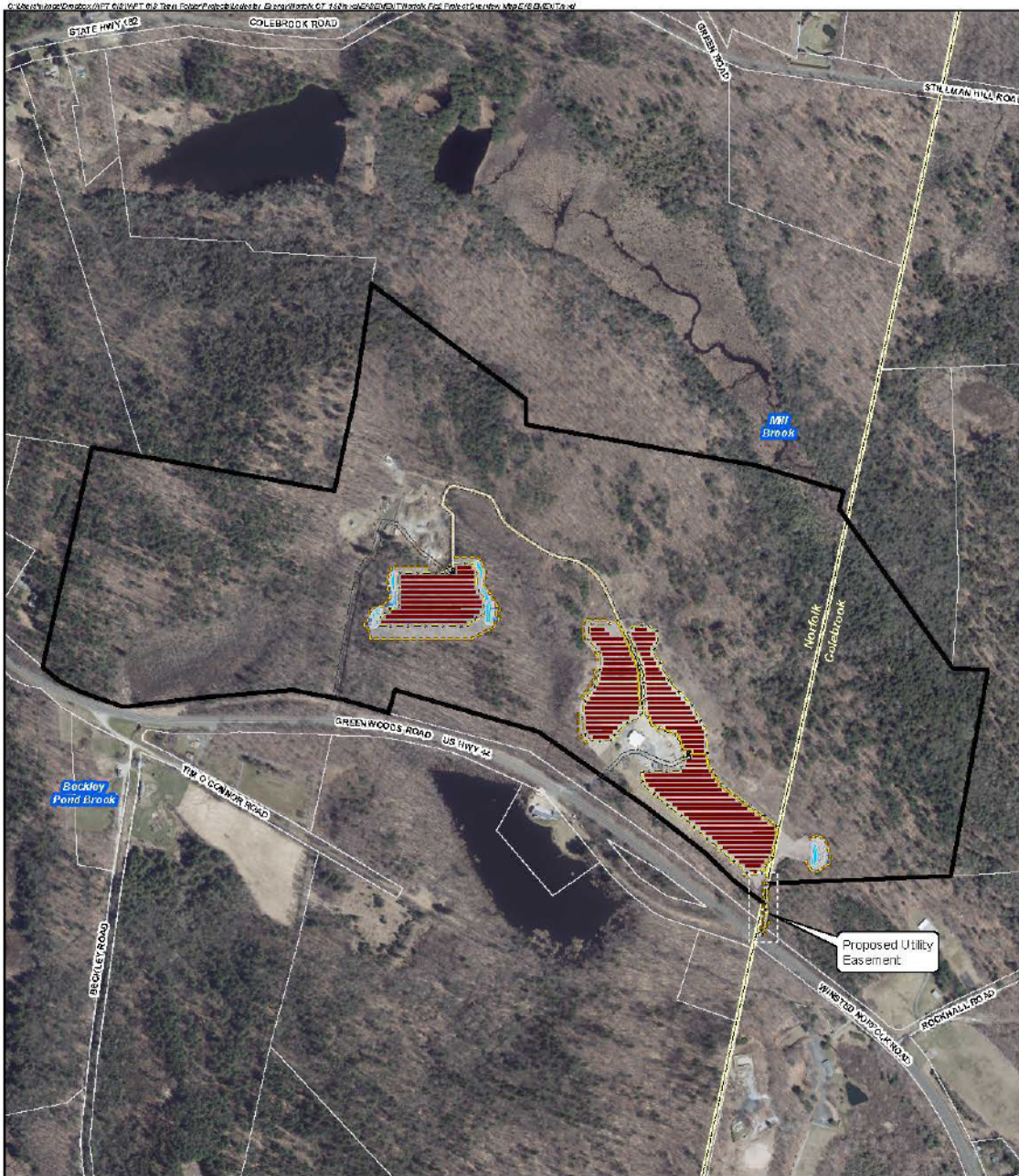
*Map Notes:*  
 Base Map Source: USGS 7.5 Minute Topographic  
 Quadrangle Maps, Norfolk, CT (1969), South Sandisfield, MA-CT  
 (1968), Putnam Center, MA-CT (1969), and Westfield, CT (1964)  
 Map Scale: 1 inch = 2,000 feet  
 Map Date: June 2009



**Figure 1  
 Location Map**

**Proposed Solar Energy Facility  
 and Overhead Utility Easement  
 599 Greenwoods Road East  
 Norfolk, Connecticut**





- Legend**
- Property
  - Access and Utility Easement
  - Utility Pole
  - Contour
  - Approximate Parcel Boundary
  - Solar Module
  - Access Drive
  - Municipal Boundary
  - Drainage Basin
  - Drain Pipe
  - Drainage Structure
  - Fence
  - Concrete Equipment Pad
  - Proposed Trestle
  - Riprap Slope Protection
  - Electrical Utility (Overhead and Above Ground Conduit)
  - Limit of Disturbance
  - Underground Electrical Utility

Map Notes:  
 Base Map Source: 2019 Aerial Photograph (CTEGC)  
 Map Scale: 1 inch = 100 Feet  
 Map Date: June 2023



**Figure 2  
 Project Overview Map**

**Proposed Solar Energy Facility  
 and Overhead Utility Easement  
 599 Greenwood Road East  
 Norfolk, Connecticut**



APT inspected the new interconnection route on May 1, 2023 to evaluate potential environmental effects. We have determined that the proposed utility easement relocation would not have an undue adverse effect on the existing environment and ecology and the Project would maintain compliance with the DEEP air and water quality standards. Figure 3, *Existing Conditions*, depicts current conditions in the proposed revised utility easement and Figure 4, *Proposed Conditions*, depicts post-development conditions. Our findings and recommendations are discussed on the following pages.

### **Wetland Resources**

One (1) wetland was identified adjacent to the southeastern boundary of the utility interconnection easement area. Characterized as a seasonally saturated forested wetland complex, this feature begins within a slight topographic depression and continues downslope. Active hydrology was observed during the field investigation, notably downslope as the complex narrows forming a channel that conveys flows under Greenwoods Road East (Route 44) via a 36" reinforced concrete culvert. An abrupt change in vegetative communities from the upland to wetland forest is present with a dominant overstory of red and silver maple. The understory contains a higher density of shrubs with high bush blueberry, winterberry and serviceberry present along with invasive Japanese barberry. Hydrophytic vegetation also dominates the herbaceous layer with sensitive fern and sphagnum moss noted.

This wetland, with its proximity to Route 44, has been subject to historic anthropogenic disturbances due to the roadway development and high level of human activity. The utility interconnection and maintenance access will avoid direct disturbances to the wetland. Secondary wetland impacts could occur during clearing activities, installation of utility poles and lines, and construction of the gravel maintenance road. Such secondary impacts would be considered short-term and would be mitigated with installation of erosion controls and stabilization of soils during construction through strict adherence to the 2002 *Connecticut Guidelines for Soil Erosion and Sediment Control*. In addition, the Wetland, Vernal Pool, and Rare Species Protection Program provided in the Resource Protection Measures sheet of the previously approved Project site plans would be implemented for this interconnection area to avoid unintentional impacts to wetlands during these construction activities. Therefore, the proposed interconnection would not result in a likely adverse impact to wetlands.

### **Habitat Type**

One (1) distinct habitat type, Upland Forest, occupies the utility interconnection easement area. It consists of a mixed-aged forest that ranges from mature secondary growth to young regenerating forest

at the transition to the actively used lands around the former landfill and transfer station. Evidence of a historic farm road is present within a portion of the proposed interconnection area as evident by the lack of mature vegetation and compacted subsoil.

Dominant tree species include red oak, black oak, American beech, red maple, gray birch, white birch, white pine, red pine, striped maple, black cherry and musclewood. The understory is generally open, with interspersed red maple, white and red pine saplings. Noted shrub species include invasive non-native species Japanese barberry and multiflora rose. Groundcover is generally sparse, and includes trout lily and Canada mayflower.

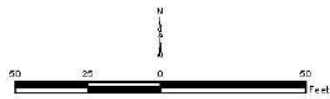
Project development within the Upland Forest would occupy 'edge' portions of this habitat. Potential short-term impacts to this habitat will be minimized through the proper installation of erosion controls and stabilization of soils during construction through strict adherence to the 2002 *Connecticut Guidelines for Soil Erosion and Sediment Control*. While the Project necessitates removal of a section of this forest for the utility interconnection, substantial areas of similar forested habitat remain within the Property and beyond.





- Legend**
- Property
  - Approximate Parcel Boundary
  - Proposed Utility Pole
  - Proposed Utility Easement (Limit of Clearing)
  - Proposed Access Drive
  - Proposed Overhead Utilities
  - Deleted Wetland Boundary
  - Approximate Wetland Area

Map Notes:  
 Site Map Source: 2019 Aerial Photograph (CTEDC)  
 Map Scale: 1 inch = 60 feet  
 Map Date: June 2023



**Figure 4**  
**Proposed Conditions**

**Proposed Solar Energy Facility and Overhead Utility Easement**  
**599 Greenwood Road East**  
**Norfolk, Connecticut**



## **Rare Species**

The Petitioner previously consulted with the Connecticut Department of Environmental Protection Natural ("DEEP") Diversity Data Base ("NDDB") program. The agency identified multiple species and a natural community are potentially present on or near the Site (Determination Number 202110495). Given the minor change in the utility interconnection route and similar upland and wetland forest habitat found on other portions of the Property, the findings and recommendations contained in the October 2022 Environmental Assessment remain unchanged. The species that favor these habitats include hoary and red bats. Once the utility right-of-way is established, it could become a beneficial habitat for smooth green snake.

The previously prepared Wetland, Vernal Pool, and Rare Species Protection Program would apply to the revised utility interconnection route with respect to protection of wetland and rare species resources; no vernal pool habitat is associated with the wetland that intersects with the utility route. With implementation of this protection program, State-listed rare species would not be impacted by the revised utility interconnection route.

## **Other Resources**

No surface water sources are located proximate to the utility easement. No prime farmland soils or core forest are present within the proposed utility relocation area. No noise emitting equipment will be located within the utility easement.

## **Conclusion**

As demonstrated in the Environmental Assessment and this Addendum, the Project will comply with the DEEP air and water quality standards. Further, it will not have an undue adverse effect on the existing environment and ecology.



**EXHIBIT 3**

## **CERTIFICATION OF SERVICE**

I hereby certify that on June 26, 2023, Petitioner provided notice of its Motion to Amend Petition 1544 For A Declaratory Ruling That A Certificate of Environmental Compatibility And Public Need Is Not Required for the installation of an alternating current and a ground mounted solar photovoltaic electric generating facility at 599 Greenwoods Road East, Norfolk, Connecticut, to the following (a copy of the sample letter is attached hereto):

### **Town of Norfolk Officials:**

Town of Norfolk  
Matthew T. Riiska, First Selectman  
19 Maple Avenue  
Norfolk, CT 06058

Town of Norfolk  
Linda S. Perkins, Town Clerk  
19 Maple Avenue  
Norfolk, CT 06058

Town of Norfolk  
Inland Wetlands and Watercourses Agency  
c/o Hartley Mead, Chair  
19 Maple Avenue  
Norfolk, CT 06058

Town of Norfolk  
Planning and Zoning Commission  
c/o Tom Fahsbender, Chair  
19 Maple Avenue  
Norfolk, CT 06058

Town of Norfolk  
Conservation Commission  
c/o Susannah Wood, Chair  
19 Maple Avenue  
Norfolk, CT 06058

### **Town of Colebrook Officials:**

Town of Colebrook  
Christopher Johnstone, First Selectman  
562 Colebrook Road  
Colebrook, CT 06021

Town of Colebrook  
Debra McKeon, Town Clerk  
562 Colebrook Road  
Colebrook, CT 06021

Town of Colebrook  
Inland Wetlands and Watercourses Agency  
c/o Duncan Wilber, Chair  
562 Colebrook Road  
Colebrook, CT 06021

Town of Colebrook  
Planning and Zoning Commission  
c/o Martha Neal, Chair  
562 Colebrook Road  
Colebrook, CT 06021

Town of Colebrook  
Conservation Commission  
c/o Joyce Hemingson, Chair  
562 Colebrook Road  
Colebrook, CT 06021

**State and Regional Officials:**

State of Connecticut  
Office of the Attorney General  
c/o The Honorable William Tong  
55 Elm Street  
Hartford, CT 06106

State of Connecticut  
Department of Emergency Services and Public Protection  
c/o James C. Rovella, Commissioner  
1111 Country Club Road  
Middletown, CT 06457

State of Connecticut  
Department of Public Health  
c/o Commissioner, Manisha Juthani, MD  
410 Capitol Avenue  
Hartford, CT 06106

State of Connecticut  
Council on Environmental Quality  
c/o Keith R. Ainsworth, Acting Chair  
79 Elm Street  
Hartford, CT 06106

State of Connecticut  
Department of Energy & Environmental Protection  
c/o Katie Dykes, Commissioner  
79 Elm Street  
Hartford, CT 06106

State of Connecticut  
Public Utility Regulatory Authority  
c/o Marissa Gillett, Chair  
Ten Franklin Square  
New Britain, CT 06051

State of Connecticut  
Office of Policy and Management  
c/o Jeffrey R. Beckham, Secretary  
450 Capitol Avenue  
Hartford, CT 06106

State of Connecticut  
Department of Economic and Community Development  
c/o Alexandra Daum, DECD Commissioner  
450 Columbus Boulevard  
Hartford, CT 06103

State of Connecticut  
Department of Agriculture  
c/o Bryan P. Hurlburt, Commissioner  
450 Columbus Boulevard, Suite 701  
Hartford, CT 06103

State of Connecticut  
Department of Transportation  
c/o Garrett Eucalitto, Commissioner  
2800 Berlin Turnpike  
Newington, CT 06111

State of Connecticut  
Department of Consumer Protection  
c/o Bryan T. Cafferelli, Commissioner  
450 Columbus Boulevard, Suite 901

Hartford, CT 06103

State of Connecticut  
Department of Administrative Services  
c/o Michelle Gilman, Commissioner  
450 Columbus Boulevard, Suite 901  
Hartford, CT 06103

State of Connecticut  
Department of Labor  
c/o Danté Bartolomeo, Commissioner  
200 Folly Brook Boulevard  
Wethersfield, CT 06109

Northwest Hills Council of Governments  
c/o Robert A. Phillips, Executive Director  
59 Torrington Road, Suite A-1  
Goshen, CT 06756

State Historic Preservation Office  
c/o Jonathan Kinney, State Historic Preservation Officer  
450 Columbus Boulevard, Suite 5  
Hartford, CT 06103

State Representative Maria P. Horn  
Legislative Office Building, Room 4000  
300 Capitol Avenue  
Hartford, CT 06106

State Senator Lisa Seminara  
Legislative Office Building, Room 3400  
300 Capitol Avenue  
Hartford, CT 06106

### **Federal Officials**

U.S. Department of Transportation  
Federal Aviation Administration  
c/o Polly Trottenberg, Acting Administrator  
800 Independence Avenue, S W  
Washington, DC 20591

Federal Communications Commission  
c/o Jessica Rosenworcel, Chairwoman  
445 12th Street SW  
Washington, DC 20554

U.S. Senator Christopher Murphy  
Colt Gateway, Suite 401  
120 Huyshope Avenue  
Hartford, CT 06106

U.S. Senator Richard Blumenthal  
90 State House Square, 10th Floor  
Hartford, CT 06103

U.S. Representative Jahana Hayes  
Connecticut 5<sup>th</sup> District  
108 Bank Street  
2<sup>nd</sup> Floor  
Waterbury, CT 06702

**Petitioner**  
**LSE PYXIS LLC**

*Carrie L. Ortolano*

By: \_\_\_\_\_  
Jeffrey J. Macel, Manager  
Carrie Larson Ortolano, General Counsel  
% Lodestar Energy LLC  
40 Tower Lane, Suite 201  
Avon, CT 06001



June 26, 2023

*Via USPS Overnight Delivery*

**Re: LSE Pyxis LLC (“Lodestar Energy”) – Motion to Amend Petition 1544 for Declaratory Ruling for Solar Energy Project at 599 Greenwoods Road East (Route 44), Norfolk, Connecticut**

Dear Neighbor:

LSE Pyxis LLC (“Lodestar Energy”) filed a Motion to Amend Petition 1544 for a Declaratory Ruling (“Petition”). Petition 1544 (the location, construction, operation and maintenance of an approximately four (4) megawatt solar photovoltaic (“PV”) project, including all associated equipment and related site improvements (the “Project”), to be located at, 599 Greenwoods Road East (Route 44), Norfolk, Connecticut) was approved with the Connecticut Siting Council (“Council”) on January 20, 2023.

The Project will consist of ground-mounted solar PV panels, centralized inverters and transformers, electrical lines, a step-up transformer and fence, a station controller, a perimeter fence and an access road and substation. The motion to amend includes relocating the proposed utility interconnection on Greenwoods Road East approximately 75 feet to the east from the originally proposed location.

Pursuant to Connecticut General Statutes § 16-50g *et seq.*, the location and/or certain features of the Project may change through the Council’s regulatory approval process. Electricity generated by the Project will be supplied to the electric grid and will supply 100% renewable energy in furtherance of Connecticut’s renewable energy goals.

This notice is being sent to you because you are listed as an owner of land that abuts the Property, you are a state agency or municipality to whom notice is required, or in the alternative, as a courtesy. If you have any questions, please feel free to contact Jeff Macel using the contact information below. You may also contact the Council directly at (860) 827-2935.

Sincerely,

Jeffrey J. Macel  
Member

LSE Pyxis LLC, c/o its Manager, Lodestar Energy LLC (“Lodestar Energy”)

[jmacel@lodestarenergy.com](mailto:jmacel@lodestarenergy.com)

860-881-0777



**EXHIBIT 4**

## ABUTTER'S CERTIFICATION OF SERVICE

I hereby certify that on June 26, 2023, Petitioner provided notice of its motion to amend Petition 1544 For A Declaratory Ruling That A Certificate of Environmental Compatibility And Public Need Is Not Required for the installation of an alternating current and a ground mounted solar photovoltaic electric generating facility at 599 Greenwoods Road East (Route 44), Norfolk, Connecticut, to the following abutting property owners via U.S.P.S. Priority Mail, deliver confirmation requested (a copy of the sample letter is attached hereto):

### ABUTTER'S LIST

Abutter	Assessor's Map/Block/Block Cut	Mailing Address
John & Kathleen Bascetta	5-10/43//	P.O. Box 644 Norfolk, CT 06058-0644
Jeremy & Megan Schneider	5-10/37//	399 Greenwoods Road East Norfolk, CT 06058
Allen M. & Elizabeth M. Beaune	5-10/26//	132 Colebrook Road Norfolk, CT 06058
Old Newgate Coon Club, Inc.	Town of Norfolk 4-12-2 (Town of Colebrook – 13-2)	133 Colebrook Road Norfolk, CT 06058
Christine L. Stauffer	(Town of Colebrook) 13-01	21 Brightwood Drive Woodbridge, CT 06525
Maasser Annual Reunion Assoc. Inc.	(Town of Colebrook) 07-03	c/o Richard Noujaim 395 Hayden Hill Road Torrington, CT 06790
State of Connecticut Dept. of Transportation	4-10/9/	2800 Berlin Turnpike Newington, CT 06111
Northwestern CT Sportsmens Assoc Inc.	4/-10/10//, 4-10-5 and 4-10-7	P.O. Box 618 Winsted, CT 06098
Menser & Leigh Whalen Williams	4-10/6//	P.O. Box 96 Norfolk, CT 06058-0096
Terry E. Anstett, Jr.	4-10/3/	P.O. Box 414 Norfolk, CT 06058-0414
Gene Schroeder, John Hubbard & Paul Schroeder	5-10/1//	82 Harrison Avenue Torrington, CT 06790
Rock Hall Associates LLC	(Town of Colebrook) 07/04	1 Torrington Office Plaza, # 307 Torrington, CT 06790
The Association Of The Northwestern CT Sportsmans Inc	(Town of Colebrook) 07-02	PO Box 618 Winsted, CT 06098-0618
Jeffrey W. and Mary Stauffer	(Town of Colebrook) 13-28	49 Rock Hall Road Colebrook, CT 06021

**Petitioner**  
**LSE Pyxis LLC**

By: Carrie L. Ortolano  
Carrie Larson Ortolano General Counsel  
LSE Pyxis LLC  
% Lodestar Energy LLC  
40 Tower Lane, Suite 201  
Avon, CT 06001



June 26, 2023

*Via USPS Overnight Delivery*

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Sincerely,

Jeffrey J. Macel  
Member

LSE Pyxis LLC, c/o its Manager, Lodestar Energy LLC (“Lodestar Energy”)

[jmacel@lodestarenergy.com](mailto:jmacel@lodestarenergy.com)

860-881-0777