

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Petition No. 1592

Santa Fuel, Inc., Petition for a Declaratory
Ruling, Pursuant to Connecticut General Statutes
§4-176 and §16-50k, for the Proposed Construction,
Maintenance and Operation of a 3.85-megawatt AC
Solar-photovoltaic Electric Generating Facility
Located at 159 South Road, Somers, Connecticut, and
Associated Electrical Interconnection.

Zoom Remote Public Hearing (Teleconference),
on Thursday, January 11, 2024, beginning at 6:30 p.m.

H e l d B e f o r e :

JOHN MORISSETTE, Member and Presiding Officer

1 **A p p e a r a n c e s :**

2 **Council Members:**

3 **JOHN MORISSETTE, (Hearing Officer)**

4
5 **BRIAN GOLEMBIEWSKI,**

6 **DEEP Designee**

7
8 **QUAT NGUYEN,**

9 **PURA Designee**

10
11 **DANIEL P. LYNCH, JR.**

12 **ROBERT SILVESTRI**

13 **DR. THOMAS NEAR**

14
15 **Council Staff:**

16 **MELANIE BACHMAN, ESQ.,**

17 **Executive Director and Staff Attorney**

18
19 **ROBERT MERCIER,**

20 **Siting Analyst**

21
22 **LISA FONTAINE,**

23 **Fiscal Administrative Officer**

1 **A p p e a r a n c e s:(cont'd)**

2 **For SANTA FUEL, INC.:**

3 **J.R. RUSSO & ASSOCIATES, LLC**

4 **P.O. Box 938**

5 **East Windsor, Connecticut 06088**

6 **By: TIMOTHY COON, P.E.,**

7 **Principal Engineer**

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1 (Begin: 6:30 p.m.)

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3 THE HEARING OFFICER: Thank you. Good evening, ladies
4 and gentlemen. This public comment session is
5 called to order this Thursday, January 11, 2024,
6 at 6:30 p.m. My name is John Morissette, member
7 and presiding officer of the Connecticut Siting
8 Council.

9 Other members of the Council are Brian
10 Golembiewski, designee for Commissioner Katie
11 Dykes of the Department of Environmental
12 Protection; Quat Nguyen, designee for Chairman
13 Marissa Paslick-Gillett of the Public Utilities
14 Regulatory Authority; we have Daniel P. Lynch,
15 Jr.; Robert Silvestri; and Dr. Thomas Near.

16 Members of the staff are Melanie Bachman,
17 Executive Director and staff attorney; Robert
18 Mercier, siting analyst; and Lisa Fontaine, fiscal
19 administrative officer.

20 If you haven't done so already, I ask that
21 everyone please mute their computer audio and/or
22 telephones now. This is a continuation of the
23 public hearing that began at 2 p.m., this
24 afternoon. A copy of the prepared agenda is
25 available on the Council's Petition 1592 webpage,

1 along with a record of this matter, the public
2 hearing notice, instructions for public access to
3 this public hearing, and the Council's citizens'
4 guide to Siting Council's procedures.

5 This hearing is held pursuant to the
6 provisions of Title 16 of the Connecticut General
7 Statute and of the Uniform Administrative
8 Procedure Act, upon a petition from Santa Fuel
9 Inc., for a declaratory ruling pursuant to
10 Connecticut General Statute Section 4-176, and
11 Section 16-50k, for the proposed construction,
12 maintenance, and operation of a 3.85 megawatts AC
13 solar photovoltaic electric generating facility
14 located at 159 South Road, Somers, Connecticut,
15 and the associated electrical interconnection.

16 This petition was received by the Council on
17 September 19, 2023. The Council's legal notice of
18 the date and time of this public hearing was
19 published in the Journal Inquirer on December 11,
20 2023. On this Council's request, the Petitioner
21 erected a sign in the vicinity of the proposed
22 site so as to inform the public of the name of the
23 petitioner, the type of this facility, the public
24 hearing date, and contact information for the
25 Council, including the website and phone number.

1 Please be advised that the Council does not
2 issue permits for stormwater management. If the
3 proposed project is approved by the Council, the
4 Department of Energy and Environmental Protection
5 stormwater permit is independently required. DEEP
6 could hold a public hearing on any stormwater
7 permit.

8 Please be advised that the Council's project
9 evaluation criteria under the statute does not
10 include consideration of property values. As a
11 reminder to all, off-the-record communication with
12 a member of the Council or a member of the
13 Council's staff on the merits of this petition is
14 prohibited by law.

15 This public comment session is reserved for
16 members of the public who signed up in advance to
17 make brief statements into the record. The
18 deadline for the public to sign up to speak during
19 the public comment session was Wednesday, January
20 10, 2024. No members of the public signed up to
21 speak.

22 Please be advised that written comments may
23 be submitted by any person within 30 days of this
24 public hearing.

25 Just a note on public hearings, public

1 hearings are quite different than in-person public
2 hearings. For in-person public hearings, members
3 of the public could sign up, step up to the podium
4 and offer their comments. For public hearings,
5 the public is required to sign up and speak in
6 advance in order to provide staff with the time
7 necessary to facilitate connection precautions to
8 prevent interruptions or in common terms, bombing
9 of the proceedings.

10 There are protocols, procedures and
11 consistency measures that are followed as part of
12 the public hearing process. Written comments may
13 be submitted within 30 days of this public
14 hearing.

15 At this time, I request the Petitioner to
16 make a brief presentation to the public describing
17 the proposed facility. Timothy Coon is going to
18 make that presentation. Timothy, good evening.

19 TIMOTHY COON: Good evening, Mr. Morissette.

20 Will you be showing the site plan?

21 THE HEARING OFFICER: Yes.

22 TIMOTHY COON: There we go. All right. I will try to
23 make this brief. My name is Tim Coon. I'm the
24 Professional Engineer with J.R. Russo & Associates
25 who prepared the site plans on behalf of Santa

1 Fuel, Inc.

2 Santa Fuel, as Mr. Morissette mentioned, is
3 proposing the construction of a 3.85 megawatt AC
4 ground-mounted solar photovoltaic electric
5 generating facility at the property at 159 South
6 Road in Somers.

7 The exhibit does show the outline of the
8 property. The project site consists of
9 approximately 22.1 acres of undeveloped land, part
10 of the larger 108.5 acre parcel owned by Nancy B.
11 Edgar Irrevocable Trust and Diane Bordeaux Lente.

12 The property is abutted to the north by
13 Geissler's Supermarket Plaza and other vacant land
14 of the Nancy B. Edgar Irrevocable Trust to the
15 east by undeveloped woodland owned by the Northern
16 Connecticut Land Trust, to the south by
17 residential properties along Steel Metal Lane and
18 Mountain View Road, and to the west by residential
19 properties along South Road, which is Route 83.

20 Currently, the northwestern portion of the
21 property and abutting land to the north of the
22 Nancy B. Edgar Irrevocable Trust are open fields.
23 These areas were formerly mined for gravel. The
24 gravel mining operation was initiated by the owner
25 in 1998 and terminated in 2009.

1 Upon completion of the mining operation,
2 these disturbed areas were restored and are
3 currently maintained as hayfield. The
4 southeastern portion of the property is
5 undeveloped woodland and the southwestern portion
6 of the property is an old apple orchard -- or I
7 should just say orchard. I don't know if they
8 were apple trees -- that is no longer maintained.

9 An existing single-family house with a couple
10 of barns in the form of fruit stands are located
11 adjacent to South Road on the western portion of
12 the parcel, and two dug ponds and their associated
13 wetlands are located on the -- to the northwestern
14 portion of the parcel. The area around these
15 ponds has become overrun -- overgrown with brush.

16 The project site consists of a 17.11-acre
17 fenced area surrounding the array and
18 approximately 5 additional acres outside the fence
19 that will be disturbed for the purpose of shade
20 management, construction of an access road,
21 stormwater management and vegetative screening.

22 The site is currently accessible from South
23 Road from a driveway to the existing house and via
24 an existing dirt farm road on the very northern
25 end of the parcel. The existing house and

1 outbuildings are anticipated to remain. The
2 project site will encompass approximately 13.75
3 acres of the existing hayfield, 3.05 acres of the
4 undeveloped woodland and 5.3 acres of the
5 overgrown orchard. The proposed solar array is
6 anticipated to include 8,710 photovoltaic tracking
7 modules within the fenced area.

8 A new 15-foot wide gravel driveway will be
9 installed south of the existing residence to
10 provide access to the site. The access road will
11 extend from South Road to equipment pads located
12 along the eastern edge of the array.

13 The array will be completely enclosed within
14 a seven-foot chain-link security fence with gated
15 access. A row of evergreen trees will be
16 installed along the southern and western limits of
17 the array to help mitigate potential visual
18 impacts from the street and nearby abutting
19 residences.

20 The solar panels will be mounted on a driven
21 post-racking system. The rows of the panels are
22 oriented along the north-south axis, and the
23 panels will rotate to track the sun from east to
24 west. The panels in the northern portion of the
25 project will be installed at the existing grade

1 without the need to disturb the existing soils and
2 vegetation.

3 However, in the southern array area, there
4 are sections that will be regraded to reduce the
5 existing slopes to 15 percent or less to
6 facilitate construction of the racking system.

7 In areas to be regraded, the topsoil will be
8 stripped and set aside. The subsoils will be
9 regraded to the appropriate slope and then the
10 topsoils will be re-spread and seeded with a
11 pollinator seed mix.

12 Other excavation and grading will be limited
13 to the construction of the access road, equipment
14 pads, trenching for conduit installation, and
15 construction of the two infiltration basins which
16 are located along the down-gradient western edge
17 of the array. These basins will collect and
18 infiltrate the runoff from the array area and
19 infiltrate into the ground with overflows either
20 to the adjacent ponds or the State's drainage
21 system in the street.

22 The infiltration basins have been designed in
23 accordance with DEEP stormwater guidelines. The
24 proposed array will connect to the existing
25 transmission line that runs along Mountain View

1 Road. This will require an extension of the
2 circuit from the existing termination point at the
3 intersection of Mountain View Road and South Road
4 approximately 670 feet north to the proposed point
5 of interconnection on a new pole to be installed
6 near the site driveway.

7 The extension of the existing circuit to the
8 interconnection point is anticipated to utilize
9 existing Eversource poles located on the west side
10 of South Road. A series of new poles for the
11 necessary re-closers and metering equipment will
12 be installed from the new pole near the site
13 entrance up along the edge of the side access
14 driveway to a new customer riser pole. From there
15 the new power line will run underground to the
16 proposed pad-mounted transformers and switchgear
17 on the eastern edge of the array.

18 Construction of the project is anticipated to
19 begin in the summer of 2024. The project
20 construction period is estimated at 4 to 6 months
21 from the notice to proceed. Once operational, the
22 project will have a design life of, at a minimum,
23 25 years.

24 At the end of the operational life of the
25 project, the petitioner will remove all equipment

1 and the land can be reverted back to its
2 agricultural use or use for some other purpose.
3 The project will not result in any disturbance
4 within 50 feet of any of the nearby wetlands.

5 The project site is not located within any
6 potential locations of endangered species. An
7 archaeological study performed at the site
8 concluded that there will be no negative impacts
9 on cultural resources. And a letter from the DEEP
10 concluded that the project will not have a
11 material effect on the adjacent core forest to the
12 east.

13 In conclusion, the project will provide a
14 step toward the State's goal of achieving cleaner,
15 less expensive and more reliable sources of energy
16 without a substantial adverse effect on the
17 environment. That concludes my presentation.

18 **THE HEARING OFFICER:** Thank you, Mr. Coon.

19 Before closing this hearing, the Connecticut
20 Siting Council announces that briefs and proposed
21 findings of fact may be filed with the Council by
22 any party or intervener no later than February 10,
23 2024. The submission of briefs or proposed
24 findings of fact are not required by this Council,
25 rather we leave it to the choice of the parties

1 and interveners.

2 Anyone who has not become a party or
3 intervener, but who desires to make his or her
4 views known to the Council may file written
5 statements with the Council within the 30 days of
6 the date hereof.

7 The Council will issue draft findings of fact
8 and thereafter parties and interveners may
9 identify any errors or inconsistencies between the
10 Council's draft findings of fact and the record.
11 However, no new information, no new evidence, no
12 argument and no reply briefs without our
13 permission will be considered by the Council.

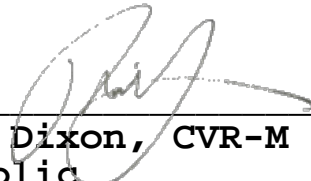
14 Copies of the transcript of this hearing will
15 be filed with the Somers Town Clerk's Office.

16 I hereby declare this hearing adjourned and
17 thank you everyone for your participation. And
18 have a good evening. Thank you.

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20 (End: 6:42 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 14 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the remote teleconference public hearing of THE CONNECTICUT SITING COUNCIL in Re: PETITION NO. 1592, SANTA FUEL, INC., PETITION FOR A DECLARATORY RULING, PURSUANT TO CONNECTICUT GENERAL STATUTES §4-176 AND §16-50K, FOR THE PROPOSED CONSTRUCTION, MAINTENANCE AND OPERATION OF A 3.85-MEGAWATT AC SOLAR-PHOTOVOLTAIC ELECTRIC GENERATING FACILITY LOCATED AT 159 SOUTH ROAD, SOMERS, CONNECTICUT, AND ASSOCIATED ELECTRICAL INTERCONNECTION, which was held before JOHN MORISSETTE, Member and Presiding Officer, on January 11, 2024.


Robert G. Dixon, CVR-M 857
Notary Public
My Commission Expires: 6/30/2025