



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL

January 3, 2024

The Honorable Tim Keeney
First Selectperson
Town of Somers
Town Hall
600 Main Street
P. O. Box 308
Somers, CT 06071
tkeeney@somersct.gov

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.

Dear First Selectperson Keeney:

The Connecticut Siting Council (Council) is in receipt of the Town of Somers's January 2, 2024 correspondence concerning the above-referenced petition. Thank you for taking the time to provide the Council with the comments.

At a public meeting held on December 5, 2023, the Council voted to hold a remote public hearing via Zoom Conferencing on January 11, 2024 for the benefit of the public.

Pursuant to Regulations of Connecticut State Agencies §16-50j-40, a copy of the petition is to be submitted to the municipality where the facility is to be located for review. Before reaching a final decision on a petition, the Council carefully considers all of the facts contained in the evidentiary record that is developed by the Council, the petitioner, parties and intervenors in the proceeding and all of the concerns received from members of the public who speak at the public hearing or submit written statements to the Council.

In the event that the Town of Somers does not seek formal party or intervenor status under Connecticut General Statutes §16-50n, which provides full participation at the public hearing, including, but not limited to, cross examination of witnesses, parties and intervenors, your comments shall nevertheless become part of the official record in this proceeding in the form of a limited appearance defined under subsection (f) of Connecticut General Statutes §16-50n.

Copies of your correspondence will be distributed to the service list for the proceeding and will be administratively noticed in the record. Please note that you can view all of the documents related to this proceeding on our website at portal.ct.gov/csc under the "Pending Matters" link. You may also keep apprised of Council events on the website calendar and agenda.

Thank you for your interest and concern in this very important matter.

Sincerely,



Melanie A. Bachman
Executive Director

MAB/RDM/dll

c: Service List, September 19, 2023
Council Members

TOWN OF SOMERS

600 Main Street
Somers, Connecticut 06071
www.somersct.gov

FIRST SELECTMAN
Tim Keeney

TEL. (860) 763-8200
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SELECTMAN
William Meier, III
Robert Schmidt

VIA ELECTRONIC MAIL

January 2, 2024

Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
Melanie.Bachman@ct.gov

PETITION NO. 1592 – Santa Fuel, Inc. 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.

Dear Attorney Bachman,

The Town of Somers is in support of the above-referenced petition of Santa Fuel, Inc. proposing the described solar facility to be located in Somers, CT. We recognize that renewable energy projects such as this are vital in achieving the state's efforts in meeting its renewable energy goals. We also recognize that such an undertaking is complex and needs to be executed in a responsible and prudent manner. With that goal in mind, the Town of Somers offers the following comments.

The applicant presented the project to the Somers Town Conservation Commission at its August 2, 2023, meeting seeking the Commission's comment and input. At that meeting, the Petitioner proposed to maintain existing vegetation on the site to the extent possible regarding potential erosion issues. The Conservation Commission requested that the Petitioner update its plans to reflect that they

would seed with a pollinator mix in any areas that might be disturbed and require reseeding. Also, at the request of the Petitioner, the Commission voted to send a

letter of support to the Siting Council. In that letter dated September 19, 2023, the Town's Wetland Agent, Joanna Shapiro stated that with the minor plan modification that was requested, the Conservation Commission was generally supportive of the project.

On September 5, 2023, the Petitioner met with the Somers Town Zoning Commission to present the project. While the Petitioner has stated in their petition dated September 14, 2023, with the Siting Council that the Town Zoning Commission did not have specific issues with the proposed plan, a review of the minutes of that Commission meeting actually show that concerns were raised by the Commission regarding the location of the array and its proximity to the road and hence its visibility to neighboring residents. The Commission also expressed the desire for the public to be informed and have the opportunity to comment on the project. The Zoning Commission suggested that the Town's elected officials respond to the Siting Council and request they hold a public hearing on the application. On October 17, 2023, in a letter to the Siting Council, First Selectman Timothy Keeney requested and was subsequently granted a Public Hearing on the matter scheduled for January 11, 2024.

Also, in October 2023, First Selectman Keeney along with senior members of his staff met with the Petitioners at Somers Town Hall to obtain an overview of the project, have a discussion, and ask questions. At the meeting, the Town expressed their concerns for the abutting neighbors with respect to the location of the inverters and transformers and their noise potential; closeness of a portion of the array to state route 83; visibility of the panels from the road and from abutting neighbors; the location of the interconnection and the distance required to reach it. Dialogue with the Petitioners was positive.

Additionally, the Town has reviewed the state agency comments that have been provided to the Siting Council. The Town totally agrees with the comments provided by Mr. Paul Aresta, Executive Director of The State's Council on Environmental Quality in his letter dated September 28, 2023. The certain elements covered in the letter where the Town is in full agreement and strongly endorses the proposed actions follow:

- Farmland of Statewide Importance and Soils – “.the Council recommends that the Petitioner employ best practices during construction and operation that might allow for the future restoration of farmland soils to a more productive agricultural state by retaining the topsoil and minimizing grading, trenching, and compaction of farmland soils.”
- Core Forest – “The Council notes that the area east of the proposed project site is identified by the Department of Energy and Environmental Protection (DEEP) as forestland habitat and that the removal of edge forest could result in a reduction of core forest located further east of the proposed project site. The Council does not

support the destruction or reduction of core forests, which provide many ecological benefits, including the ability to sequester and store carbon, and habitat for many species of wildlife that cannot tolerate significant disturbance.”

- Visual Impact – “The Petitioner states that ‘in order to mitigate potential visual impacts of the southern portion of the array to these nearby residences, a row of evergreens is proposed along the southern and western limits of the array.’ The Council supports efforts to minimize the visual impact of the proposed project and recommends that the Petitioner consider utilizing native, deer-resistant species that would be of sufficient size to effectively screen the proposed facility.”

Finally, the Town has reviewed and agrees with the comments provided by CT DEEP in their October 18 2023 letter from Jordan Herpich, Environmental Analyst 1 to the members of the Siting Council that, “the project description section of the decommissioning plan states that the operational life of the project will be 25 years with an option to extend, while the cost section of the decommissioning plan states that the lifetime of the project is 40 years.” The Town further noted that while the decommissioning plan describes in length the steps to be taken in the decommissioning process, it does not identify the party or parties responsible for the decommissioning effort. The plan also does not address what would happen if such an effort were not undertaken and the solar field abandoned. As such, the Town would request that the Petitioner post a performance bond that covers the projected cost of decommissioning which the Petitioner has calculated to total \$235,981.

As previously stated, the Town maintains its support for the Santa Fuel, Inc. Petition No. 1592 because the project will help to meet the state’s renewable energy goals. It also prevents land parcels such as this in the Town of Somers from being permanently developed while growing our tax base.

Thank you for the opportunity for the Town of Somers to submit our comments and for your consideration of them.

Very Truly Yours,



Timothy Keeney
First Selectman