



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL

January 23, 2025

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. 1592A** – 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. Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b)

Dear First Selectperson Tim Keeney:

The Connecticut Siting Council (Council) is in receipt of the Town of Somers' January 22, 2025 correspondence concerning the above-referenced petition for a declaratory ruling (petition). Thank you for taking the time to provide the Council with the comments.

At a public meeting held on October 10, 2024, the Council voted to hold a public hearing via Zoom remote conferencing on January 30, 2025 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 (CGS) §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 CGS §16-50n(f).

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 <https://portal.ct.gov/csc> under the "Pending Matters" link. You may also keep apprised of Council events on the website calendar and meeting agenda.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Melanie A. Bachman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melanie A. Bachman
Executive Director

MAB/RDM/dll

c: Service List, dated October 17, 2024
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 22, 2025

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

PETITION NO. 1592A – 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. Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Link to [PETITION NO. 1592](#)

Dear Attorney Bachman,

On March 15, 2024, the Council issued Findings of Fact, an Opinion, and a Decision and Order, denying PETITION NO. 1592 from Santa Fuel, Inc 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 in Somers, Connecticut.

Overall, the Town of Somers felt that the Council had exhibited an adept level of professionalism and due diligence in their questioning of the Petitioner. Further, the Town of Somers agreed with and supports the Council's denial of the petition.

During its meeting held on October 10, 2024, the Council voted to grant Santa Fuel, Inc.'s September 18, 2024 Motion to Reopen and Modify the Council's March 15, 2024 final decision not to issue a declaratory ruling for the above-referenced matter based on changed conditions to consider the construction, maintenance and operation of a 3.85-megawatt AC solar photovoltaic electric generating facility located at 159 South Road in Somers, pursuant to Connecticut General Statutes (C.G.S.) §4-181a(b).

The Council also voted to hold a public hearing on January 30, 2025.

In early January 2025, Tim Coon on behalf of Santa Fuel, Inc., provided the Town with Revised Site Plans for the proposed Somers Solar Facility for our review. He noted that the plans were revised to address comments and concerns expressed by both the Town and Connecticut Siting Council last year. The following is a summary of changes that they are proposing will be made to the Project:

- The array was shifted to the north;
- 442 panels were eliminated from the southern and southwestern portions of the array;
- Stormwater management basin #2 (southern basin) was relocated further away from South Road;
- The proposed row of evergreen trees between the array and the residence at 187 South Road has been relocated to the edge of the clearing limits and extended around the corner and along the western edge of the fence line between the array and South Road;
- The point of interconnection has been relocated from the South Road frontage to the Mountain View Road frontage. A dead-end access drive with turn-around has been added at this location to provide the required access for maintenance of the utility poles. Due to sight-line limitations at this location, a permanent sight line easement across other land of the Project Site owner will be required to the required sight distance.
- Equipment pad #2 (northern pad) has been shifted to the north, further away from the eastern property line;
- Sound barrier walls have been added adjacent to the inverters at the two equipment pads to reduce noise levels at the adjacent property line to the east.
- The existing gated access drive at the northern end of the property will now be used as the main access drive to the solar facility; and
- The chain link fence has been replaced with an agricultural style fence.

The Modified Project reflects:

- An increase in the buffer and vegetation between the array and the existing residential property at 187 South Road. The separation distance from perimeter fence to the property line at 187 South Road has been increased from 57 feet to 172 feet.
- An increase in the buffer and vegetation between the array and South Road. The separation distance from perimeter fence to South Road right-of-way has been increased from 123 feet to 178 feet.
- The nearest grading associated with the construction of Stormwater Basin #2 has increased from approximately 34 feet from the edge of South Road to 198 feet.
- The shift and elimination of solar panels in the southwest corner of the array allows for the retention of more of the existing trees and vegetation within the expanded buffer between the solar array and both South Road and the residential property at 187 South Road.

He offered to meet with Town officials to go over the revised plans, and to address any questions regarding the plan or proposed modifications. The Town invited him and Santa Fuels representatives to attend their January 16, 2025 meeting of The Board of Selectmen.

At the Town's January 16, 2025, Board of Selectmen Meeting, Tim Coon of J.R. Russo appeared alone and on behalf of Santa Fuel to present the Revised Site Plan and the changes proposed to the Somers Solar Facility at 159 South Road.

Mr. Coon stated that the plans have been revised to address comments and concerns expressed by the Town and Connecticut Siting Council. He covered the changes as outlined in his email to First Selectman Keeney dated January 2, 2025. He answered questions from the Selectmen relating to water quality, storm water discharging, soil testing, access road changes and interconnection point changes. When asked about the issue of having utility poles being replaced with an underground service, he stated he believes that Santa is approaching Eversource on that issue.

Additional items covered were the addition of more sound barriers around inverters and chain link fence replaced with an agricultural style one. Mr. Coon was asked who makes sure that all of these proposed changes do, in fact happen. He answered that he believes it is under the jurisdiction of the CT Siting Council. He

was further asked about how they went about doing that; with a physical inspection and/or a final sign-off by Santa? He wasn't sure of the process.

At the conclusion of his presentation, the Selectmen thanked Mr. Coon for appearing before them and discussing the proposed project.

As previously stated, the Town maintains its support for the Santa Fuel, Inc. Petition No. 1592A because the project will help to meet the state's renewable energy goals. It also provides a modest tax benefit to the Town.

Prior to the Council's final decision and approval of this Petition, the Town of Somers would like to have some level of assurance that these proposed changes by the Petitioner will in fact be made and post construction, have been made. Further, we would like to know how that process will be carried out.

Once again, 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