



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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Hearing Program

Petition No. 1598

Tuesday, April 9, 2024

2:00 p.m.

Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer

B. Administrative Notice taken by Council

**FEDERAL**

1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at [http://www.niehs.nih.gov/health/materials/electric\\_and\\_magnetic\\_fields\\_associated\\_with\\_the\\_use\\_of\\_electric\\_power\\_questions\\_and\\_answers\\_english\\_508.pdf](http://www.niehs.nih.gov/health/materials/electric_and_magnetic_fields_associated_with_the_use_of_electric_power_questions_and_answers_english_508.pdf)
2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
5. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, last updated December 28, 2022, available at <https://www.nps.gov/subjects/nationalregister/index.htm>
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11. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, Office of Solid Waste and Emergency Response, *Handbook on Siting Renewable Energy Projects While Addressing Environmental Issues*, available at [https://www.epa.gov/sites/production/files/2015-04/documents/handbook\\_siting\\_repowering\\_projects.pdf](https://www.epa.gov/sites/production/files/2015-04/documents/handbook_siting_repowering_projects.pdf)
12. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND NATIONAL RENEWABLE ENERGY LABORATORY, *Best Practices for Siting Solar Photovoltaics on Municipal Solid Waste Landfills*, February 2013, available at <https://www.nrel.gov/docs/fy13osti/52615.pdf>
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15. UNITED STATES FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC No. 70/7460-1M*, November 16, 2020, available at [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/Advisory\\_Circular\\_70\\_7460\\_1M.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/Advisory_Circular_70_7460_1M.pdf)
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## **REGIONAL**

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24. ISO-NEW ENGLAND, INC., *2022 Regional Electricity Outlook*, July 2022, available at <https://www.iso-ne.com/about/regional-electricity-outlook/>
25. ISO-NEW ENGLAND, INC., *ISO New England's Internal Market Monitor 2022 Annual Markets Report*, June 5, 2023, available at <https://www.iso-ne.com/static-assets/documents/2023/06/2022-annual-markets-report.pdf>
26. ISO-NEW ENGLAND, INC., *Final 2023 PV Forecast*, April 28, 2023, available at [https://www.iso-ne.com/static-assets/documents/2023/04/2023\\_pv\\_forecast\\_final.pdf](https://www.iso-ne.com/static-assets/documents/2023/04/2023_pv_forecast_final.pdf)
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**STATE**

**Connecticut Siting Council**

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35. CONNECTICUT SITING COUNCIL, Petition No. 1558 – Community Power Group LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 4-megawatt AC solar photovoltaic electric generating facility located at 24 Middle Road, Ellington, Connecticut, and associated electrical interconnection. Record and Final Decision, available at [https://portal.ct.gov/CSC/3\\_Petitions/Petition-Nos-1501-1600/PE1558](https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1501-1600/PE1558)
36. CONNECTICUT SITING COUNCIL, Petition No. 1572 – East Windsor Solar Two, LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 4.0-megawatt AC solar photovoltaic electric generating facility located at 31 Thrall Road, East Windsor, Connecticut, and associated electrical interconnection. Record and Final Decision, available at [https://portal.ct.gov/CSC/3\\_Petitions/Petition-Nos-1501-1600/PE1572](https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1501-1600/PE1572)

**Department of Energy and Environmental Protection**

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38. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *The Connecticut Stormwater Quality Manual*, 2004, and appendices, available at <https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Stormwater-Manual>
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**Department of Public Health**

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**Department of Transportation**

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#### **TECHNICAL**

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### **ENVIRONMENTAL**

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### **MAPS**

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88. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Northern Long-eared bat Observations by Town*, last updated July 24, 2023, available at <https://portal.ct.gov/-/media/DEEP/NDDDB/NoLongEaredBat-Map.pdf>
89. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Critical Habitats Interactive Map*, available at <https://ct-deep-gis-open-data-website-ctdeep.hub.arcgis.com/datasets/critical-habitats/explore?location=41.654537%2C-72.831884%2C16.73>
90. CONNECTICUT FOREST & PARK ASSOCIATION, *Blue-Blazed Hiking Trails Interactive Map*, available at <https://www.ctwoodlands.org/blue-blazed-hiking-trails/blue-blazed-hiking-trails-interactive-map>
91. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <https://ct.audubon.org/conservation/important-bird-areas>
92. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION - Connecticut Official State Maps, available at [https://portal.ct.gov/DOT/PP\\_Bureau/Documents/Maps](https://portal.ct.gov/DOT/PP_Bureau/Documents/Maps)
93. MAIL-A-MAP STREET MAP, Windsor, available at [http://mailamap.com/street\\_maps](http://mailamap.com/street_maps)
94. UNITED STATES GEOLOGICAL SURVEY, National Map Viewer, available at <https://apps.nationalmap.gov/viewer/>
95. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *State Park and Forests Interactive Map*, available at <https://ctdeep.maps.arcgis.com/apps/webappviewer/index.html?id=950da678b13b458ba4cbe5687e902c19&deepNav=%7C>
96. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *2022 Forest Action Plan Priority Areas Map*, available at <https://ctdeep.maps.arcgis.com/apps/webappviewer/index.html?id=d4d74b090d8047ca80bb4b9ff6baa819>

C. CGS §16-50k Core Forest and Prime Farmland Determinations

1. Department of Energy and Environmental Protection No Material Impact to Core Forest Determination Letter, dated October 4, 2023
2. Department of Agriculture C.G.S. §16-50k No Material Impact to Prime Farmland Determination Letter, dated October 3, 2023
3. Department of Agriculture C.G.S. §16-50k Revised No Material Impact to Prime Farmland Determination Letter, dated November 27, 2023

D. State Agency comments

1. Council on Environmental Quality Comments, dated December 13, 2023
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II. Appearance by Petitioner: Windsor Solar One, LLC (**WSO**)

Representative: Lee D. Hoffman, Esq.  
Pullman & Comley, LLC

A. Administrative Notice.

B. Exhibits for Identification.

1. Petition for a Declaratory Ruling filed by Windsor Solar One, LLC, received November 13, 2023, and attachments.
2. Abutter Notice Letters, received December 19, 2023
3. Petitioner Responses to Council Interrogatories, Set One, dated January 23, 2024
4. Petitioner Sign Posting Affidavit, dated January 23, 2024
5. Petitioner Responses to Town of Windsor Interrogatories, dated February 1, 2024
6. Petitioner Responses to Leslie Harrison Interrogatories, dated February 1, 2024
7. Petitioner Responses to William and Jennifer Williams Interrogatories, dated February 1, 2024
8. Petitioner Pre-Filed Testimony of James Cerkanowicz, dated February 1, 2024
9. Petitioner Late-Filed Exhibits, dated March 7, 2024
  - a. Visual Simulations of the Proposed Facility from River Street
  - b. Preliminary DEEP Natural Diversity Database Determination Letter
  - c. Phase 1B Cultural Resources Survey and Additional Documentation
  - d. Revised Site Plans
  - e. Revised Project Layout – Figures 5 & 5A
  - f. Acoustical Study
  - g. Stormwater Report – Revised Sedimentation Basin Worksheet
10. Petitioner Late-Filed Exhibits, dated March 28, 2024
  - a. Revised Spill Prevention and Materials Storage Plan
  - b. Revised Site Plan L-6.1 – Planting Plan
  - c. Erik Bednarek Resume
  - d. Additional Photo Simulations based on revised Planting Plan

C. Swear Witnesses

1. James Cerkanowicz, Manager of Permitting, Verogy
2. Brad Parsons, Director of Design and Permitting, Verogy
3. Bryan Fitzgerald, Director of Development, Verogy
4. Steve Kochis, Project Manager, VHB
5. Jeffrey Shamas, Director of Environmental Services, VHB
6. Michael Kluchman, Senior Landscape Architect, VHB
7. Chris Bajdek, Director of Noise & Vibration, VHB
8. Erik Bednarek, Professional Landscape Architect, VHB

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Town of Windsor
3. Keith and Lisa Bress
4. Grouped Resident Intervenors

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III. Appearance by Party:

Town of Windsor (**TOWN**)

Representative:

Robert M. DeCrescenzo, Esq.  
Stefan Sjoberg, Esq.  
Updike, Kelly & Spellacy, P.C.

A. Administrative Notice.

B. Exhibits for Identification.

1. Town of Windsor Request for Party Status, dated December 8, 2023
2. Town of Windsor Responses to Petitioner Interrogatories, dated February 1, 2024
6. Town of Windsor Pre-Filed Testimony of Eric Barz, dated February 2, 2024

C. Swear Witnesses

1. Eric Barz, Town Planner, Town of Windsor
2. Todd Sealy, Assistant Town Planner, Town of Windsor
3. Suzanne Choate, P.E., Town Engineer, Town of Windsor

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Keith and Lisa Bress
4. Grouped Resident Intervenors

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IV. Appearance by Party:

Keith and Lisa Bress (**BRESS**)

Representative:

Lisa Bress

A. Administrative Notice.

1. “10 Steps You Can Take to Support Local Biodiversity – Advice from Dr. Doug Tallamy.” Department of Entomology, Penn State College of Agricultural Sciences, 27 Apr. 2021, [ento.psu.edu/news/10-steps-youcan-take-to-support-local-biodiversity-2013-advice-from-dr-doug-tallamy](http://ento.psu.edu/news/10-steps-youcan-take-to-support-local-biodiversity-2013-advice-from-dr-doug-tallamy).
2. Chiu, Allyson. “Living near Green Spaces Could Add 2.5 Years to Your Life, New Research Finds.” *The Washington Post*, 28 June 2023, [www.washingtonpost.com/climate-solutions/2023/06/28/aging-greenspaces-nature-health/](http://www.washingtonpost.com/climate-solutions/2023/06/28/aging-greenspaces-nature-health/).
3. “The Dark Side of Solar Energy: The Hidden Environmental Costs.” *Energy5*, 21 June 2023, [energy5.com/the-darkside-of-solar-energy-the-hidden-environmental-costs](http://energy5.com/the-darkside-of-solar-energy-the-hidden-environmental-costs).
4. Gearino, Dan. “Do Solar Farms Lower Property Values? A New Study Has Some Answers.” *Inside Climate News*, 15 Mar. 2023, [insideclimatenews.org/news/15032023/solar-property-values/#:~:text=They%20found%20that%20the%20value,following%20construction%20of%20the%20project](http://insideclimatenews.org/news/15032023/solar-property-values/#:~:text=They%20found%20that%20the%20value,following%20construction%20of%20the%20project).
5. Hager, Christina. “‘unconscionable,’ Plainville Residents Say Solar Farm Is Causing Flooding That’s Ruining Their Homes.” *CBS News*, CBS Interactive, 30 Jan. 2024, [www.cbsnews.com/boston/news/plainville-solar-farm-development-flooding/](http://www.cbsnews.com/boston/news/plainville-solar-farm-development-flooding/).
6. Hernandez, RR, et al. “Environmental Impacts of Utility-Scale Solar Energy.” eScholarship, University of California, 3 Feb. 2016, [escholarship.org/uc/item/62w112cg](http://escholarship.org/uc/item/62w112cg).
7. Hummel, Jim. “Bitter Fight over a Solar Farm in Johnston Has Lasted Years. Is It a Sign of Things to Come?” *Yahoo! News*, Yahoo!, 24 Jan. 2024, [www.yahoo.com/news/bitter-fight-over-solar-farm-101456867.html](http://www.yahoo.com/news/bitter-fight-over-solar-farm-101456867.html).
8. Litt, Andrea R., et al. “Effects of invasive plants on arthropods.” *Conservation Biology*, vol. 28, no. 6, 26 July 2014, pp. 1532–1549, <https://doi.org/10.1111/cobi.12350>.
9. Milesi, Cristina, et al. “Mapping and modeling the biogeochemical cycling of turf grasses in the United States.” *Environmental Management*, vol. 36, no. 3, 27 July 2005, pp. 426–438, <https://doi.org/10.1007/s00267-004-0316-2>.
10. Owens, Avalon C.S., et al. “Light pollution is a driver of insect declines.” *Biological Conservation*, vol. 241, Jan. 2020, p. 108259, <https://doi.org/10.1016/j.biocon.2019.108259>.
11. Picone, Peter M, et al. “Connecticut Native Tree and Shrub Availability List.” UConn College of Agriculture, Health and Natural Resources, University of Connecticut, May 2023, [ipm.cahn.uconn.edu/wpcontent/uploads/sites/3216/2023/05/CT-Native-Plant-Availability-List\\_UConn\\_CTDEEP\\_May2023.pdf](http://ipm.cahn.uconn.edu/wpcontent/uploads/sites/3216/2023/05/CT-Native-Plant-Availability-List_UConn_CTDEEP_May2023.pdf).
12. Sullivan, Robert G, et al. “Visual Impacts of Utility-Scale Solar Energy Facilities on Southwestern Desert Landscapes.” Bureau of Land Management Visual Resources, The U.S. Department of the Interior, Bureau of Land Management (BLM) Wyoming State Office, [blmwyomingvisual.anl.gov/docs/Solar\\_Visual\\_Impacts.pdf](http://blmwyomingvisual.anl.gov/docs/Solar_Visual_Impacts.pdf). Accessed 7 Feb. 2024.

13. Williams, Florence. *The Nature Fix: Why Nature Makes Us Happier, Healthier, and More Creative*. W.W. Norton & Company, 2018.

B. Exhibits for Identification.

1. Bress Request for Party Status, dated December 11, 2023
2. Pre-Filed Testimony of Lisa Bress, dated February 1, 2024

C. Swear Witnesses

1. Lisa Bress

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Town of Windsor
4. Grouped Resident Intervenors

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V. Appearance by Grouped Resident Intervenors: Leslie Harrison and William and Jennifer Williams **(RES)**

Representative: Leslie Harrison

A. Administrative Notice.

B. Exhibits for Identification.

1. Leslie Harrison Request for Intervenor Status, dated December 11, 2023
2. William and Jennifer Williams Request for Intervenor Status, dated December 13, 2023

C. Swear Witnesses

1. Leslie Harrison
2. William Williams
3. Jennifer Williams

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Town of Windsor
4. Keith and Lisa Bress

VI. Closing by Connecticut Siting Council.