



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

April 26, 2024

Matthew J. Davis
Director
Department of Land Use & Development
Town of Montville
310 Norwich-New London Turnpike
Uncasville, CT 06382
mdavis@montville-ct.org

RE: **PETITION NO. 1601** – TRITEC Americas, LLC notice of election to waive exclusion from Connecticut Siting Council jurisdiction, pursuant to Connecticut General Statutes §16-50k(e), and petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 0.999-megawatt AC solar photovoltaic electric generating facility located at 958 Route 163, Montville, Connecticut, and associated electrical interconnection.

Dear Matthew J. Davis:

The Connecticut Siting Council (Council) is in receipt of the Town of Montville's additional correspondence dated April 25, 2024 concerning the above-referenced petition. Thank you for taking the time to provide the Council with the comments.

As referenced in your correspondence, the Town submitted earlier comments related to the petition on December 28, 2023. Please be advised that the Council's final decision on a jurisdictional facility, such as the solar facility that is the subject of Petition No. 1601, shall not be limited by the petitioner already having acquired land or an interest therein and the Council has no authority to compel a parcel owner to sell or lease property, or portions thereof, for the purpose of siting a facility.¹

Please also be advised that this petition was submitted to the Council on November 14, 2023. As referenced in your correspondence, the 180-day statutory deadline for a final decision on this petition is May 12, 2024. **No extensions of the final decision deadline can be granted without the consent of the petitioner, who is copied on this correspondence.**

Finally, on April 25, 2024, the petitioner submitted supplemental information associated with the proposed solar facility site that is responsive to the Town's concerns, which can be accessed at the following link: [petitioner-supplemental-information_a.pdf \(ct.gov\)](#).

This petition will be placed on a future Council meeting agenda for discussion and decision. Please note that you can view all of the documents related to this petition 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.

¹ Conn. Gen. Stat. §16-50p(g)(2023); *Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007).

Before reaching a final decision on any petition, the Council must carefully consider all of the facts contained in the record that is developed by the Council, the petitioner, parties and intervenors to the petition, and consider all of the concerns received from members of the public who submit written statements to the Council.

Copies of your correspondence will be distributed to the service list for the petition.

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, written in a professional style.

Melanie A. Bachman
Executive Director

MAB/RDM/dll

c: Service List dated November 15, 2023
Council Members

From: Matthew Davis <mdavis@montville-ct.org>
Sent: Thursday, April 25, 2024 1:09 PM
To: pmichaud@michaud.law; CSC-DL Siting Council <Siting.Council@ct.gov>
Cc: Leonard Bunnell Sr. <lbunnell@montville-ct.org>; Meredith Badalucca <mbadalucca@montville-ct.org>; Stacy Radford <sradford@montville-ct.org>
Subject: CT SC Petition #1601 re: 958 SR 163 Montville CT

Good afternoon-

As of 3/4/24 I have taken over as Director of Land Use and Development here in Montville and have been actively getting up to speed on a number of matters.

As to the above, I've reviewed the SC webpage and Petitioner's replies to the Council interrogatories. I'm concerned about the response to interrogatory #10 on the first set of your replies. The response was factually correct as of 2/7/24, however, our office was contacted today by a party asking about this property and in regards to a broker listing for a lot that does not yet exist and would be subject to subdivision approval. No subdivision application is pending.

The Town's 12/28/23 comments, submitted via email by my predecessor, have not been addressed in light of the (somewhat vague) listing. The Town still has valid concerns about subdivision of this land in various technical respects and how those technical design requirements may impact the solar array design depicted in the Petition.

At the very least, it would seem prudent to cease from marketing any prospective lot that would come out of the "site" depicted on the plans provided with the Petition, at least until the Petition is approved.

If the Petition is approved and design adjustments must be made to the previously withdrawn subdivision design to accommodate, the current property owner will need to redesign the subdivision accordingly and accept any risks or complications that might arise as a consequence of any such re-design. I have been advised that the prior (withdrawn) subdivision design was in part, a result of negotiations between the property owner's engineer and a proximal land owner/attorney, whose client at the time was and may still be, an abutter.

In that the Council decision is due by 5/12/24, it would seem prudent to extend that date until we can resolve this and eliminate any potential conflicts created by what seems to be, a pre-mature listing of an undefined parcel configuration that is subject to subdivision approval by the Montville Planning and Zoning Commission.

I apologize for the late communication, however we just learned this morning of the listing.

https://www.realtor.com/realestateandhomes-detail/958-Route-163_Oakdale_CT_06370_M31856-00938?from=srp-list-card

Sincerely,

Matthew J. Davis
Director of Land Use and Development
Montville CT
860-848-6779