



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL & CERTIFIED MAIL RETURN RECEIPT REQUESTED

April 12, 2024

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
kbaldwin@rc.com

RE: **PETITION NO. 1602** – Glastonbury Solar One, LLC and VCP, LLC d/b/a Verogy, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 3.0-megawatt AC solar photovoltaic electric generating facility located at 17 Wickham Road, Glastonbury, Connecticut, and associated electrical interconnection. **Final Decision.**

Dear Attorney Baldwin:

At a public meeting held on April 11, 2024, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal meets air and water quality standards of the Department of Energy and Environmental Protection and would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need, and with the following conditions:

1. Approval of any Project changes be delegated to Council staff;
2. Submit a copy of the DEEP Stormwater Permit prior to the commencement of construction;
3. Submit a final structural design for the racking system stamped by a Professional Engineer duly licensed in the State of Connecticut;
4. Submit a final Eastern Box Turtle Protection Plan to comply with DEEP-recommended protection/conservation measures;
5. Submit a Final Landscaping Plan including, but not limited to, plantings along the northern and southwestern portions of the site;
6. Submit an agricultural co-use plan for the site, if applicable, with a document that shall indemnify and hold harmless the Council, its agents, representatives and employees from any and all losses, claims, actions, costs and expenses, judgments, subrogations, or other damages resulting from any injury to a person or to property arising out of the presence of third-parties within the fenced solar facility site;
7. Provide a copy of the Emergency Response Plan to local emergency responders prior to facility operation and provide emergency response training;
8. Consult with Eversource to determine the feasibility of using pad-mounted equipment or other interconnection design to reduce the number of poles and submit the results to the Council prior to commencement of construction;

9. Submit a revised Spill Prevention and Materials Storage Plan to include an incident report template and a plot plan depicting refueling and material storage areas prior to commencement of construction;
10. Shift the location of the inverter/equipment pads approximately 100 feet to the south;
11. Submit a post-construction operational noise study and any mitigation measures, if necessary;
12. Submit a copy of the consent letter from the Homeowners Association to the Council prior to the commencement of construction if the Option 1 Layout is selected although the Council prefers the Option 2 Layout;
13. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
14. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
15. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Town of Glastonbury;
16. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed **along with a representative photograph of the facility**;
17. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
18. The facility owner/operator shall file an annual report on a forecast of loads and resources pursuant to Conn. Gen. Stat. §16-50r;
19. This Declaratory Ruling may be transferred or partially transferred, provided both the facility owner/operator/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. The Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer. Both the facility owner/operator/transferor and the transferee shall provide the Council with a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility, including contact information for the individual acting on behalf of the transferee; and

20. This Declaratory Ruling may be surrendered by the facility owner/operator upon written notification to the Council.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated December 15, 2024 and additional information dated March 15, 2024.

Enclosed for your information is a copy of the staff report on this project.

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/MP/dll

Enclosure: Staff Report dated April 11, 2024

c: The Honorable Thomas P. Gullotta, Chairperson, Town of Glastonbury
(thomas.gullotta@glastonbury-ct.gov)
Jonathan Luiz, Town Manager, Town of Glastonbury (jonathan.luiz@glastonbury-ct.gov)
Michael Makuch, Fire Marshal, Town of Glastonbury (michael.makuch@glastonbury-ct.gov)

STATE OF CONNECTICUT)

: ss. Southington, Connecticut April 12, 2024

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Decision and Staff Report in Petition No. 1602 issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:



Melanie A. Bachman
Executive Director
Connecticut Siting Council

STATE OF CONNECTICUT)

: ss. New Britain, Connecticut April 12, 2024

COUNTY OF HARTFORD)

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1602 has been forwarded by Certified First Class Return Receipt Requested mail, on April 12, 2024, to each party and intervenor, or its authorized representative, as listed on the attached service list, dated December 15, 2023.

ATTEST:



Dakota LaFountain
Clerk Typist
Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Petitioner	<input checked="" type="checkbox"/> E-mail	Glastonbury Solar One, LLC	<p>Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 kbaldwin@rc.com (860) 275-8345</p> <p>Bradley Parsons Glastonbury Solar One, LLC 124 LaSalle Road, 2nd Floor West Hartford, CT 06107 bparsons@verogy.com (203) 814-6866</p> <p>Bryan Fitzgerald Glastonbury Solar One, LLC 124 LaSalle Road, 2nd Floor West Hartford, CT 06107 bfitzgerald@verogy.com (203) 257-3375</p> <p>James Cerkanowicz Glastonbury Solar One, LLC 124 LaSalle Road, 2nd Floor West Hartford, CT 06107 jcerkanowicz@verogy.com (860) 288-7215</p>



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Petition No. 1602
Glastonbury Solar One, LLC and VCP, LLC d/b/a Verogy, LLC
3.0 MW AC Solar Photovoltaic Electric Generating Facility
17 Wickham Road, Glastonbury

Staff Report
April 11, 2024

Introduction

On December 15, 2023, the Connecticut Siting Council (Council) received a petition from Glastonbury Solar One, LLC and VCP, LLC d/b/a Verogy, LLC (GSO) for a declaratory ruling pursuant to Connecticut General Statutes (CGS) §4-176 and §16-50k for the construction, operation and maintenance of a 3.0-megawatt (MW) alternating current (AC) solar photovoltaic electric generating facility located at 17 Wickham Road, Glastonbury, Connecticut, and associated electrical interconnection (Petition or Project).

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40 on or about December 12, 2023, GSO notified abutting property owners, Town of Glastonbury (Town) officials, and state officials and agencies of the proposed Project.

Since the Petition was submitted to the Council, GSO received comments from two abutting property owners regarding drainage, landscaping, and visibility of the solar panels. GSO has met with the two abutting property owners, at 86 and 89 Glen Place, regarding their concerns.

Pursuant to CGS §4-176(e) of the Uniform Administrative Procedure Act (UAPA), an administrative agency is required to take an action on a petition for a declaratory ruling within 60 days of receipt. During a regular meeting held on February 1, 2024, pursuant to CGS §4-176(e), the Council voted to set the date by which to render a decision on the Petition as no later than June 12, 2024, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

The Council issued interrogatories to GSO on February 23, 2024. GSO submitted responses to the Council's interrogatories on March 15, 2024, one of which included photographic documentation of site-specific features intended to serve as a "virtual" field review of the Project.

Municipal Consultation

GSO met with the Town Manager on October 26, 2023 to discuss the Project. On November 8, 2023, GSO mailed a fact sheet and related information to all abutting property owners describing the proposed Project. On January 9, 2024, GSO appeared before the Town Council and received comments from the Town Council and the public.

On December 18, 2023, the Council sent correspondence to the Town stating that the Council has received the Petition and invited the Town to contact the Council with any questions or comments by January 14, 2024. On December 20, 2023, the Council on Environmental Quality (CEQ) requested an extension of the comment period deadline, which was granted to January 26, 2024. This extension of the comment period deadline also applied to comments submitted by any interested person.

On January 26, 2024, the Town Council expressed concerns regarding care of the sheep to be used for lawn maintenance; landscaping to protect the views of the neighbors; drainage to protect water runoff from impacting neighboring properties; and not preserving traditional farming practices on the host parcel. In response to the Town Council concerns, GSO notes:

1. care of the sheep is included in the current site Grazing Plan which was reviewed and approved by the Department of Agriculture (DOAg);
2. a Preliminary Landscape Plan has been prepared in consultation with abutting property owners to address visibility concerns;
3. stormwater design plans would comply with DEEP Stormwater regulations and reduce the rate of runoff to adjacent properties; and
4. sheep grazing is considered an agricultural activity.

State Agency Comments

On December 18, 2023, pursuant to RCSA §16-50j-40, the Council sent correspondence requesting comments on the proposed Project from the following state agencies by the extended deadline date of January 26, 2024: DEEP; DOAg; Department of Public Health (DPH); (CEQ); Public Utilities Regulatory Authority (PURA); Office of Policy and Management (OPM); Department of Economic and Community Development (DECD); Department of Emergency Services and Public Protection (DESPP); Department of Labor (DOL); Department of Administrative Services (DAS); Department of Transportation (DOT); the Connecticut Airport Authority (CAA); and the State Historic Preservation Office (SHPO).

In response to the Council's solicitation, CEQ submitted comments on January 24, 2024 regarding wildlife, erosion and sedimentation (E&S) controls, farmland, and spill prevention and materials storage plan.¹ On January 26, 2024, DEEP provided comments regarding visibility and noise.² No other state agency comments were received.

While the Council is obligated to consult with and solicit comments from state agencies by statute, the Council is not required to abide by the comments from state agencies.³

Public Act 17-218

Public Act (PA) 17-218⁴ requires “for a solar photovoltaic facility with a capacity of two or more megawatts, to be located on prime farmland or forestland, excluding any such facility that was selected by DEEP in any solicitation issued prior to July 1, 2017, pursuant to section 16a-3f, 16a-3g or 16a-3j, the DOAg represents, in writing, to the Council that such project will not materially affect the status of such land as prime farmland or DEEP represents, in writing, to the Council that such project will not materially affect the status of such land as core forest.” GSO has secured written confirmation from both DOAg and DEEP.

Pursuant to CGS §16-50x, the Council has exclusive jurisdiction over the construction, maintenance and operation of solar photovoltaic electric generating facilities throughout the state. PA 17-218 requires developers of solar facilities with a generating capacity of more than 2 MW to obtain a written determination from DOAg or DEEP that the project would not materially affect the status of land as prime farmland or core forest prior to submission of a petition for a declaratory ruling to the Council. PA 17-218

¹ https://portal.ct.gov/-/media/CSC/3_Petitions-medialibrary/Petitions_MediaLibrary/MediaPetitionNos1601-1700/PE1602/StateAgencyComments/PE1602_STATEMEMO-CommentsRecd_a.pdf

² https://portal.ct.gov/-/media/CSC/3_Petitions-medialibrary/Petitions_MediaLibrary/MediaPetitionNos1601-1700/PE1602/StateAgencyComments/PE1602_DEEP-CommentsRecd_a.pdf

³ *Corcoran v. Connecticut Siting Council*, 284 Conn. 455 (2007)

⁴ Codified at Conn. Gen. Stat. §16-50k(a) and §16a-3k (2023).

does not confer the Council's exclusive jurisdiction over the construction, maintenance and operation of solar photovoltaic electric generating facilities throughout the state upon DOAg or DEEP. PA 17-218 also does not permit DOAg or DEEP to impose any enforceable conditions on the construction, maintenance and operation of solar photovoltaic electric generating facilities under the exclusive jurisdiction of the Council.

Public Benefit

The Project would be a distributed energy resource facility as defined in CGS § 16-1(a)(49). CGS § 16a-35k establishes the State's energy policy, including the goal to "develop and utilize renewable energy resources, such as solar and wind energy, to the maximum practicable extent." The state Comprehensive Energy Strategy (CES) examines future energy needs and identifies opportunities to reduce ratepayer costs, ensure reliable energy availability, and mitigate public health and environmental impacts. CES Strategy No. 3 is "Grow and sustain renewable and zero-carbon generation in the state and region." The state Integrated Resource Plan assesses the state's future electric needs and a plan to meet those future needs, including, but not limited to, pathways to achieve a 100 percent zero carbon electric supply by 2040. Furthermore, Governor Lamont's Executive Orders and Council on Climate Change examine existing policies and identify new strategies to combat climate change. The proposed facility will contribute to fulfilling the State's Renewable Portfolio Standard and Global Warming Solutions Act as a zero emission Class I renewable energy source.

The Project was selected in the statewide Shared Clean Energy Facility (SCEF) Program, which is a competitive procurement process administered by the state's electric distribution companies to develop utility scale renewable energy. New or incremental Class I renewable generation projects ranging in size from 100 to 5,000 kW (AC) are eligible to bid into the SCEF Program for a Tariff Terms Agreement (TTA) with a 20-year term. The electricity and renewable energy credits produced by the facility would be sold to Eversource in accordance with the TTA.

Sixty percent of the total capacity of the facility would be supplied to low-and-moderate income customers. Twenty percent of the total capacity of the facility would be supplied to Small Business Customers and the remaining twenty percent of capacity would be supplied to eligible customers through voluntary enrollment.

After the 20-year SCEF contract expires, GSO may continue to operate the facility if other revenue mechanisms are available at that time.

GSO would not participate in the ISO New England, Inc. (ISO-NE) Forward Capacity Auction (FCA) because Eversource would own the capacity rights of the facility under the SCEF Program. However, at the conclusion of the SCEF contract, GSO might participate in the ISO-NE FCA or other capacity program that is available at that time.

Proposed Site

Pursuant to CGS §16-50x, the Council has exclusive jurisdiction over the proposed solar electric generating facility "site." Under RCSA §16-50j-2a(29), "site" means a contiguous parcel of property with specified boundaries, including, but not limited to, the leased area, right-of-way, access and easements on which a facility and associated equipment is located, shall be located or is proposed to be located. The Council does not have jurisdiction or authority over any portion of the host parcel beyond the boundaries of the project "site." This includes portions of the parcel retained by the landowner and portions of the parcel the landowner may lease to third parties. Once a facility is decommissioned, the Council no longer has jurisdiction or authority over the project "site."

Under a lease agreement with the property owner, GSO proposes to construct the solar facility on an approximate 15-acre site on a 46.96-acre parcel located at 17 Wickham Road in Glastonbury owned by the

Catholic Cemeteries Association of the Archdiocese of Hartford, Inc. (CCA). The host parcel has frontage on Hebron Avenue (Route 94) to the north and Wickham Road to the east. Holy Cross Cemetery is located along Wickham Road in the eastern portion of the parcel. Agricultural fields and a small farm stand with associated parking and access off of Route 94 are located in the western portion of the parcel.

The initial term of the lease agreement is for 20 years. The lease contains three options for a five-year extension.

The host parcel is within the Rural Residence zoning district. Land use surrounding the host parcel is residential to the south and west. Residential properties are also located to the east, on the opposite side of Wickham Road. A synagogue, health care center, assisted living facility, and childcare center are located to the north and on the opposite side of Route 94.

The proposed site is located in the existing field in the western portion of the host parcel. The site slopes downwards from northwest to the east with ground elevations ranging from approximately 190 feet above mean sea level (amsl) to 160 feet amsl. Slopes within the site are generally 0 to 5 percent with some areas ranging up to 10 percent.

GSO selected the site due to availability, compatibility with adjacent uses, and proximity to an electrical interconnection. Pursuant to CGS §16-50p(g), 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.⁵

Proposed Facility and Associated Equipment

The proposed 3.0 MW AC solar facility consists of a total of 6,840 solar panels rated at 520 Watts. Other equipment includes twenty-four 125 kW inverters and two 1,500 kVA transformers. Two approximately 70-foot by 15-foot concrete equipment pads, each with a transformer, one bank of 12 inverters and associated switchgear, would be installed near the northeastern corner of the solar array.

The panels would be installed on a single-axis tracker system supported by posts. The tracker system will move along the north-south axis to a maximum angle of 60 degrees. At maximum tilt, the panels would be approximately 9.75 feet above grade at the highest point and 3 feet above grade at the lowest point. The vegetated aisles between the panel rows would be approximately 10 feet wide.

Panel row wiring would extend along the racking system to reduce potential damage from weather events, maintenance activities, or animals. Any wiring that is not attached to the racking would be installed inside conduit. Facility wiring would be weatherproof and rated up to 194° Fahrenheit.

The proposed interconnection would consist of four new utility poles at the site, at a height of approximately 40-45 feet above grade, with 2 poles on the utility side and 2 poles on the customer side.

The total cost of the overhead interconnection design is \$216,597 per the Interconnection Agreement with Eversource. GSO has not discussed a pad-mounted interconnection design with Eversource.

The Project interconnection has been approved by Eversource and ISO-NE at 23-kV. No off-site upgrades to the electric distribution system are required.

The projected capacity factor for the proposed solar facility is approximately 19.3 percent. The power output would decline over time with an anticipated annual power output loss of approximately 0.3 percent. A battery storage system is not proposed at this time.

⁵ *Corcoran v. Connecticut Siting Council*, 284 Conn. 455 (2007); CGS §16-50p(g) (2023).

Access to the site would be via an existing gravel and dirt farm access road off of Route 94 that extends to the solar array access gate. GSO would reuse existing gravel and dirt access roads to the extent feasible to minimize development of new access roads. The existing gravel access road is approximately 10 feet to the property line of 1238 Hebron Avenue. GSO would construct a new T-shaped approximately 20-foot wide by 300-foot long gravel access drive inside the fenced facility.

The facility would be enclosed by a seven-foot tall agricultural fence with vehicle access controlled by a locked gate. An existing seven-foot tall agricultural fence is installed along the southern portion of the host parcel perimeter. The proposed fence would match the existing fence and would fill in locations where there is currently no fencing.

Alternatively, GSO could install an 8-foot chain link fence at an incremental cost.

Construction of the facility would disturb approximately 17.5 acres, inclusive of the solar array, equipment pads, access road, and electrical interconnection.

The nearest property line from the proposed solar field perimeter fence is approximately 20 feet to the north at 1150 Hebron Avenue. The nearest residence from the proposed solar field perimeter fence is approximately 155 feet to the north at 1150 Hebron Avenue.

The solar tracking system would be installed on existing grades. Earthwork is required for the temporary sediment basins along the eastern side of the Project site.

A site construction phasing plan has been developed that includes two main construction phases. Phase 1 includes all work necessary to establish erosion and sediment control measures including temporary sediment traps. Phase 2 would include site infrastructure and access road installation, final site stabilization, and removal of temporary sediment traps.

Construction is anticipated to begin in spring 2024, with final site stabilization, testing and commissioning expected to be completed in fall 2024. Typical construction hours and work days of the week are as follows: Monday – Friday, 7:00 AM to 6:00 PM; and Saturday, 8:00 AM to 5:00 PM.

The estimated cost of the Project is approximately \$6 million to \$7 million.

Public Safety

The Project would comply with the current National Electrical Code (NEC), National Electrical Safety Code, CT State Fire Prevention Code and Connecticut State Building Code as applicable.

The nearest federally-obligated airport is Hartford-Brainard Airport located approximately 4.25 miles to the northwest. The Federal Aviation Administration (FAA) notice criteria tool determined notice to the FAA is not required for the solar facility. The FAA does not require a glare analysis for solar installations that are located on non-airport land. Notice to the FAA may be required if a crane is utilized at the site during construction.

The proposed facility would be remotely monitored through a 24/7 data acquisition system. If a problem with the facility is detected, system diagnostics would remotely shut down the inverters. The solar array is divided into separate electrical units by the inverters so if one section has a fault condition and shuts down, the other sections can still operate.

A manual disconnect switch would be located on-site. GSO would provide facility operation and safety training for local responders. An electrical fire at the site would typically be allowed to burn out.

The entrance to the facility would be gated, limiting access to authorized personnel. Emergency responders would be provided access to a Knox Box.

The proposed facility would be in compliance with DEEP Noise Control Standards. Noise modeling indicates noise from the operation of the Project would be approximately 51.3 dBA from the equipment pads to the nearest residential property line located 145 feet to the north at 1238 Hebron Avenue. Construction noise is exempt from DEEP Noise Control Standards.

GSO is willing to shift the inverter/equipment location farther to the south. This would increase the distance from the equipment to the residential property to the north (1238 Hebron Avenue) to approximately 250 feet. The projected noise would decrease to approximately 47.4 dBA due to the increased distance.

The site is not located within a Federal Emergency Management Agency designated 100-year or 500-year flood zone.

Electric and Magnetic Fields (EMF) produced from solar facility electrical components would dissipate quickly with distance and therefore would be similar to pre-existing EMF background levels at the property lines.

The proposed seven-foot high agricultural style solar array perimeter fence and an eight-foot high chain link fence comply with NEC fencing requirements.⁶

Environmental Effects and Mitigation Measures

Air and Water Quality

The Project would not produce air emissions as a result of operation.

The site is not within a DEEP-designated Aquifer Protection Area or a Public Water Supply Watershed.

The facility would not use or discharge water during site operations.

Fuel is anticipated to be stored on site during construction. GSO developed a Spill Prevention, Control and Countermeasure Plan for the Project.

GSO performed a wetland and watercourse survey in September 2023 that identified a palustrine, forested wetland in the southern portion of the host parcel. The wetland is located approximately 100 feet southeast of the Project limits of disturbance (LOD). No vernal pools were identified at the site.

The construction LOD would be greater than 50 feet from the wetland at its closest point. In compliance with the DEEP Stormwater Permit Appendix I, GSO would maintain a 50-foot wetland buffer from stormwater control features and a 100-foot wetland buffer from the solar panels. There would be no forest clearing within 100 feet of the wetland.

Stormwater

Pursuant to CGS Section 22a-430b, DEEP retains final jurisdiction over stormwater management and administers permit programs to regulate stormwater discharges. DEEP regulations and guidelines set forth

⁶ Section 691.4(2) of the National Electrical Code (NEC), 2020 Edition notes that, "Access to PV electric supply stations shall be restricted by fencing or other adequate means in accordance with 110.31..." Section 110.31 notes that for over 1,000 Volts, "...a wall, screen, or fence shall be used...A fence shall not be less than 7 feet in height or a combination of 6 feet or more of fence fabric and a 1 foot or more...utilizing barbed wire or equivalent."

standards for erosion and sedimentation control, stormwater pollution control and best engineering practices.

The DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (General Permit) requires implementation of a Stormwater Pollution Control Plan (SWPCP) to prevent the movement of sediments off construction sites into nearby water bodies and to address the impacts of stormwater discharges from a proposed project after construction is complete. In its discretion, DEEP could require an Individual Permit for discharges and hold a public hearing prior to approving or denying any General or Individual Permit (Stormwater Permit) application.

Construction of the Project would require approximately 17.5 acres of ground disturbance and thus, a DEEP-issued Stormwater Permit is required prior to commencement of construction activities. The Stormwater Permit includes erosion control measures that comply with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control* and the *2004 Connecticut Stormwater Quality Manual*.

GSO met with the DEEP Stormwater Division on September 6, 2023 to discuss the Project. There were no specific comments on the proposed Project.

GSO prepared a stormwater analysis that concluded no permanent stormwater basins would be required for the Project. The Project would not result in an increase in peak stormwater runoff rates.

GSO submitted an application to DEEP for a Stormwater Permit on January 9, 2024.

Forests and Parks

Construction of the site would not require tree clearing.

By letter dated October 4, 2023, pursuant to PA 17-218, DEEP determined that the proposed Project will not materially affect the status of core forest.⁷

No public parks abut the site. The Meshomasic State Forest (MSF) is located approximately 2.8 miles to the southeast of the proposed facility site. The proposed facility is not expected to be visible from the MSF due to the distance.

Fish, Aquaculture and Wildlife

DEEP issued a Natural Diversity Data Base Determination letter on October 6, 2023 indicating that the eastern box turtle, a state special concern species, may occur at the site. DEEP recommended species conservation and protective measures that include, but are not limited to, native vegetation growth under solar panels, seasonal restriction on initial ground disturbance, contractor education, exclusionary fencing, and seasonal restriction on mowing. GSO included conservation measures into its facility design and would coordinate work with DEEP as necessary.

The northern long-eared bat (NLEB), a federally-listed and state-listed Endangered Species is known to occur in Connecticut. No impact to NLEB is expected because no tree clearing is proposed. Additionally, the nearest known occurrences of NLEB are in East Granby⁸, approximately 16.5 miles away.

⁷ https://portal.ct.gov/-/media/csc/3_petitions-medialibrary/petitions_medialibrary/mediapetitionnos1601-1700/pe1602/proceduralcorrespondence/pe1602---deep-determination-letter.pdf

⁸ <https://portal.ct.gov/-/media/DEEP/NDDDB/NoLongEaredBat-Map.pdf>

No wildlife gap is proposed at the bottom of the proposed 7-foot agricultural style fence in order to protect the sheep from predators. However, the approximately 4-inch by 4-inch mesh size of the fence would allow small wildlife movement.

Agriculture

The host parcel contains approximately 44.9 acres of prime farmland soils according to mapping maintained by the United States Department of Agriculture (USDA) Natural Resource Conservation Service. Under PA 17-218, “prime farmland” means land that meets the criteria for prime farmland as described in 7 Code of Federal Regulations (C.F.R.) 657, as amended from time to time. 7 C.F.R. 657 defines prime farmland in relevant part as “land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses.”

Construction of the Project would prevent the growth of crops on approximately 13.8 acres of the 23.1 acres previously used by Rose’s Berry Farm for fruit production. Of the 13.8 acres, approximately 12.5 acres are prime farmland soils. The lease for the farm area within the boundaries of the site expired at the end of 2023. GSO intends to utilize existing grades within the solar array area to minimize disturbance to prime farmland soils.

The remaining approximately 9.3 acres that was used for fruit production outside of the site may continue to be used by the property owner or leased for farming purposes at the property owner’s discretion.

By letter dated December 7, 2023, pursuant to PA 17-218, DOAg determined that the proposed Project would not materially affect the status of prime farmland as long as an agricultural co-use plan is implemented.⁹ GSO submitted a Sheep Grazing Plan for the site that includes four temporary paddocks within the solar array. The density of sheep flock would be determined by site specific forage quantity and weather conditions. No outbuildings to support livestock grazing are proposed. Sheep would not be on-site during winter months.

The solar field would be seeded with the Ernst Fuzz and Buzz seed mix developed to promote pollinator species and to provide sufficient forage for livestock.

The host parcel is enrolled in the Public Act 490 Program for agricultural land tax abatement. It is possible that, post-construction, the Project site would no longer be eligible to participate in the Public Act 490 Program. GSO would meet within the Town Assessor’s office to determine how the Town would treat the Project site for tax purposes.

Scenic, Historic and Recreational Resources

SHPO submitted correspondence to GSO on March 11, 2024, indicating that the proposed Project would not affect historic properties or archaeological resources.

The nearest state-designated scenic road is Tryon Street (Route 160) in Glastonbury, located approximately 4 miles southwest of the site. The facility would not be visible from this scenic road. There are no known locally-designated scenic roads in Glastonbury.

There are no “blue-blazed” trails maintained by the Connecticut Forest and Parks Association located proximate to the site.

⁹ https://portal.ct.gov/-/media/csc/3_petitions-medialibrary/petitions_medialibrary/mediapetitionnos1601-1700/pe1602/proceduralcorrespondence/pe1602---doag-determination-letter.pdf

The nearest publicly-accessible recreational area is the athletic fields in front of Hebron Avenue School, located approximately 950 feet northeast of the proposed facility. It is unlikely that the facility would be visible even seasonally from the athletic fields due to distance, topography and existing vegetation.

Visibility

There is existing vegetative screening along the eastern and western portions of the site. There is no existing vegetative screening along Route 94 to the north. There is limited existing screening along the southeastern portion of the site near the end of the Glen Place cul-de-sac, and there is an existing gap in the vegetation near the residence at 85 Glen Place. GSO has developed a Preliminary Landscaping Plan including red maples, white pines, and western red cedars along the northern limits of the site to provide screening along Route 94. The preliminary landscaping plan also includes white pines, western red cedar, Inkberry Holly, American Holly, and Blue Holly along the southwestern limits of the site to provide additional screening along Glen Place.

GSO is also willing to modify the solar panel layout to increase the distance from the solar panels to the 85 Glen Place property line. Specifically, Option 1 would increase the distance from the 85 Glen Place property line from 100 feet to 185 feet. Option 1 would also move the panels to about 50 feet from the western property line, which is a decrease from the originally proposed 100 feet. However, Option 1 would require the Homeowners Association (HOA) to provide a letter with consent to installing the panels within 100 feet of the property line in order for GSO to construct this layout and comply with DEEP Stormwater requirements.

Option 2 would increase the distance from the solar panels to the 85 Glen Place property line from 100 feet to 144 feet. Option 2 would keep the panel distance at approximately 100 feet from the western property line, and no letter from the HOA would be required.

Options 1 and 2 were presented to abutting property owners at 86 and 89 Glen Place on March 6, 2024.

Operation and Maintenance

An evaluation of the facility and performance of preventative maintenance measures would be conducted in accordance with manufacturer's specifications and would occur at least once per year. Replacement modules would not be stored on-site.

The proposed transformers would be filled with a nonhazardous mineral oil, and due to the limited volume of oil, are not required to have secondary containment. GSO would include remote monitoring of leak detection to the facility.

The daily rotation of the solar panels would typically allow accumulated snow to slide off of the panels. Notwithstanding, should snow build up on the panels, the tracking system has sensors that can detect the snow build-up and move the panels to maximum tilt to allow snow to slide off of the panels.

Module cleaning, when necessary, would utilize water and soft bristle brooms. No chemicals would be used.

Sheep grazing would be used as primary vegetative management. Mowing would be performed as necessary to prevent fields from becoming overgrown. The stormwater management system would be inspected at least once per year.

Decommissioning

The Project is designed for an operational life of at least 35 years. At the end of the Project's useful life, it would be decommissioned, and the site would be restored to its original condition. Project decommissioning would include removal and disposal or recycling of all above-surface facility components.

All recyclable materials would be transported to appropriate recycling facilities. Any non-recyclable materials will be properly disposed of in accordance with state and federal laws. The equipment pads and access roads and fencing would be removed. After component removal, the site will be regraded and seeded. The access drive and fence may remain in place, if requested by the property owner.

The selected solar panels for the Project meet current Toxicity Characteristic Leaching Procedure (TCLP) criteria¹⁰ for characterization as nonhazardous waste in the event the solar panels are not recycled at the end of the Project's life.

Conclusion

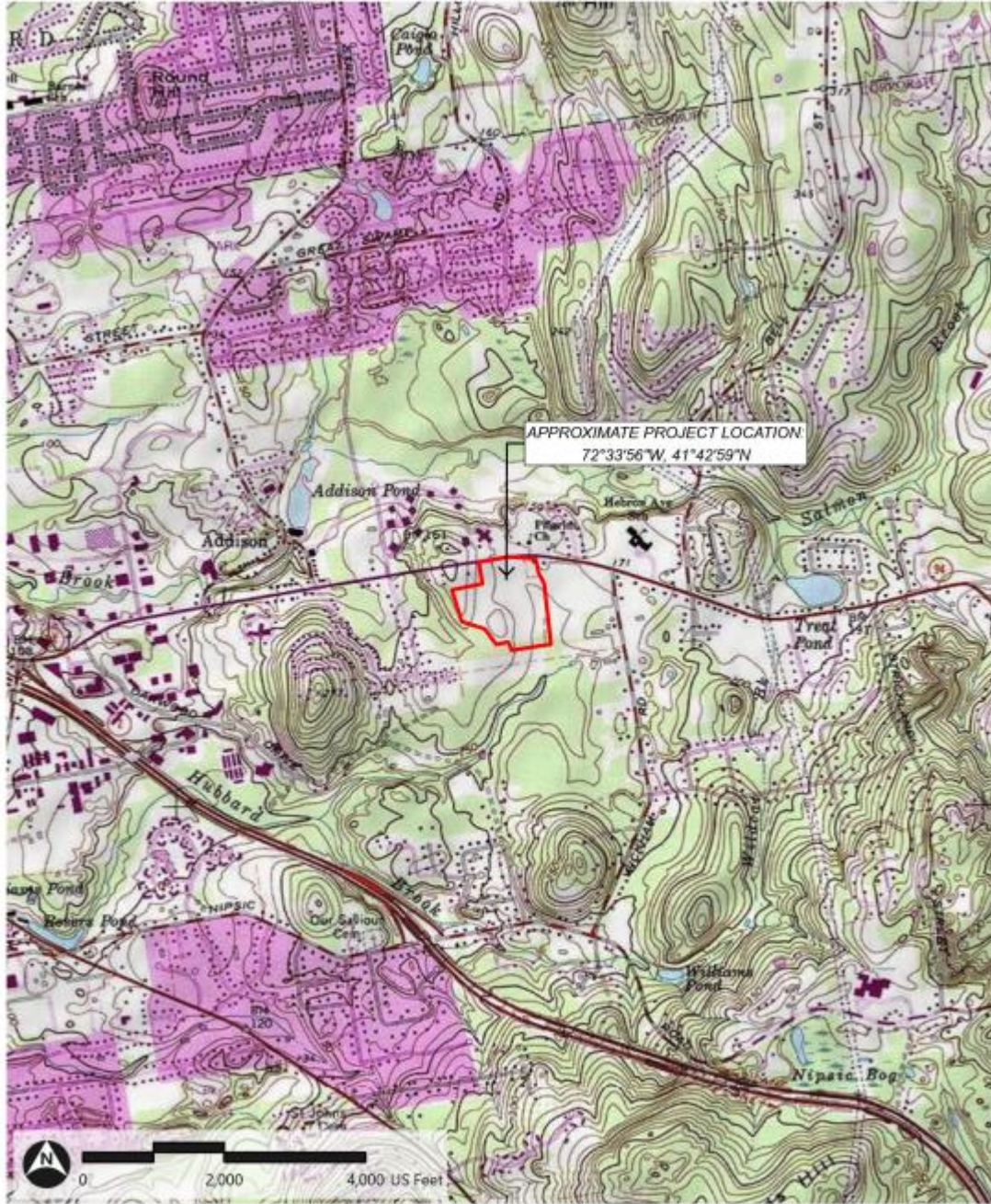
The Project is a grid-side distributed resource with a capacity of not more than sixty-five megawatts, meets air and water quality standards of the DEEP, and would not have a substantial adverse environmental effect. The proposed Project will not produce air emissions, will not utilize water to produce electricity, was designed to minimize environmental impacts, and furthers the State's energy policy by developing and utilizing renewable energy resources and distributed energy resources. Furthermore, the Project was selected under the state's SCEF Program.

If approved, staff recommends the following conditions:

1. Approval of any Project changes be delegated to Council staff;
2. Submit a copy of the DEEP Stormwater Permit prior to the commencement of construction;
3. Submit a final structural design for the racking system stamped by a Professional Engineer duly licensed in the State of Connecticut;
4. Submit a final Eastern Box Turtle Protection Plan to comply with DEEP-recommended protection/conservation measures;
5. Submit a Final Landscaping Plan including, but not limited to, plantings along the northern and southwestern portions of the site;
6. Submit an agricultural co-use plan for the site, if applicable, with a document that shall indemnify and hold harmless the Council, its agents, representatives and employees from any and all losses, claims, actions, costs and expenses, judgments, subrogations, or other damages resulting from any injury to a person or to property arising out of the presence of third-parties within the fenced solar facility site; and
7. Provide a copy of the Emergency Response Plan to local emergency responders prior to facility operation and provide emergency response training.

¹⁰ <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-261/subpart-C/section-261.24>

Project Location

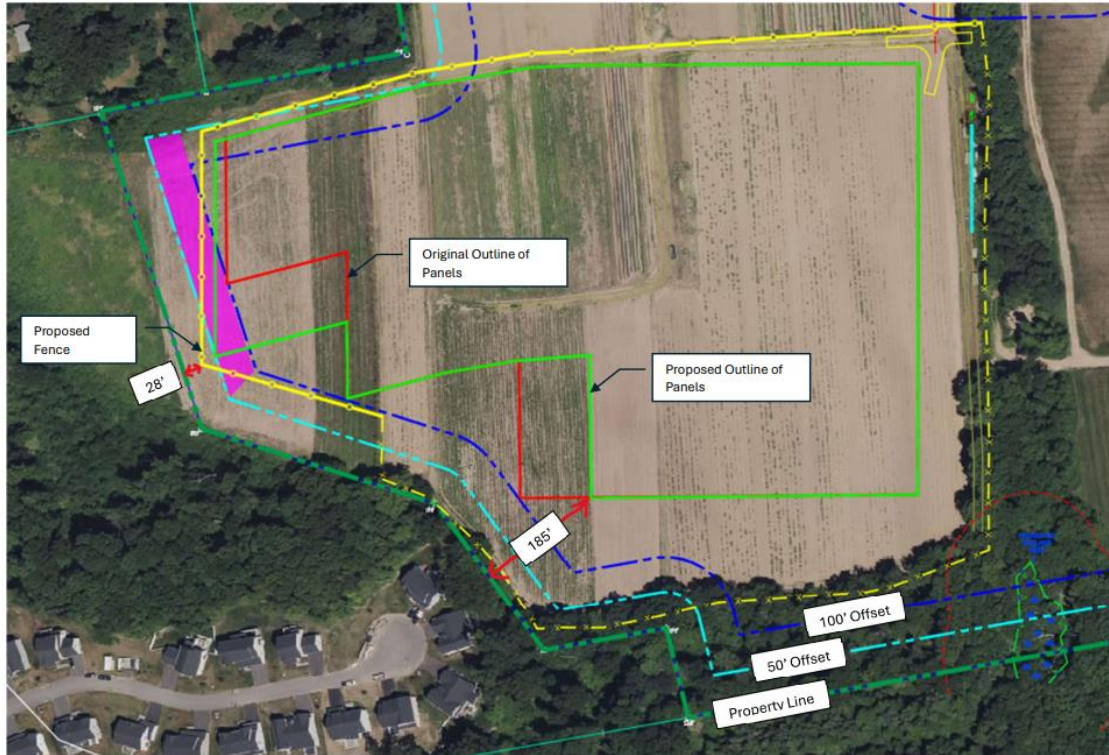


— Project Area

Existing Conditions



Option 1 – Layout



Summary: In this Option #1 layout, the distance of the panels to the nearest property line at the end of Glen Place (behind unit #85) has been increased from 100' (red line=Original layout) to 185' (green line=Option #1 layout). At the western property line, the closest panels would be 50' from the property line (down from 100'), and the fence line is approx. 28' away at its closest point. This option would require the HOA to provide a letter acknowledging its consent to the small area of panels (within purple shaded area) being less than 100' from that property line, in order for Glastonbury Solar One to build this layout and comply with CT DEEP Stormwater.

Option 2 - Layout



Summary: In this Option #2 layout, the distance of the panels to the nearest property line at the end of Glen Place (behind unit #85) has been increased from 100' (red line=Original layout) to 144' (green line=Option #2 layout). At the western property line, the closest panels would still be at least 100' from that property line (i.e. no change) and the fence line is 57' away at its closest point. This option would NOT require any letter of consent from the HOA but is still increasing the distance to the property line behind unit #85, with less panels being moved off the "knoll" to west end of the array.

Alternate Location of Equipment including Inverters

