



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**

June 21, 2024

Paul R. Michaud
Michaud Law Group LLC
515 Centerpoint Drive
Suite 503
Middletown, CT 06457
pmichaud@michaud.law

RE: **PETITION NO. 1612** – 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 37 Hunters Lane, Southington, Connecticut, and associated electrical interconnection. **Final Decision.**

Dear Attorney Michaud:

At a public meeting held on June 20, 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, with the following conditions:

1. Approval of any project changes be delegated to Council staff;
2. Submit a copy of the DEEP Stormwater Permit and final DEEP NDDB determination prior to commencement of construction;
3. Submit the final electrical interconnection plans for Council review and approval prior to commencement of construction, if the alternate electrical interconnection route is feasible;
4. Submit the final structural design for the racking system stamped by a Professional Engineer duly licensed in the State of Connecticut prior to commencement of construction;
5. Install perimeter fencing with a six-inch gap at the bottom to allow for small wildlife passage;
6. Implement the eastern box turtle protection/conservation measures and Resource Protection Plan;
7. 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;

8. Submit a construction Spill Prevention Control and Countermeasure Plan with contractor information and appropriate reporting forms;
9. Submit an Emergency Response Plan for the proposed facility with contact information prior to facility operation;
10. Provide a copy of the Emergency Response Plan to local emergency responders prior to facility operation and provide emergency response training;
11. Submit a final landscaping plan with additional plantings along the west side of the site;
12. Install transformers with low level oil monitors and alarms;
13. Submit a post-construction operational noise study that documents compliance with state standards and the identification of any noise mitigation measures that are employed to adhere to the standards;
14. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
15. 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;
16. 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 Southington;
17. 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**;
18. 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;
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 February 2, 2024 and additional information dated May 13, 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/IN/dll

Enclosure: Staff Report dated June 20, 2024

- c: Service List, dated February 9, 2024
The Honorable Paul Chaplinsky Jr., Chairperson, Town of Southington
(pchaplinsky@southington.org)
Mark Sciota, Town Manager, Town of Southington (sciotam@southington.org)
James Paul, Fire Marshal, Town of Southington (jpaul@southington.org)

STATE OF CONNECTICUT)

: ss. Southington, Connecticut June 21, 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. 1612 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 June 21, 2024

COUNTY OF HARTFORD)

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1612 has been forwarded by Certified First Class Return Receipt Requested mail, on June 21, 2024, to each party and intervenor, or its authorized representative, as listed on the attached service list, dated February 9, 2024.

ATTEST:



Lisa Fontaine
Fiscal Administrative Officer
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	TRITEC Americas, LLC	Paul R. Michaud Bernadette Antaki Dylan J. Gillis Michaud Law Group LLC 515 Centerpoint Drive, Suite 503 Middletown, Connecticut 06457 Phone: 860-338-3728 pmichaud@michaud.law bantaki@michaud.law dgillis@michaud.law



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Petition No. 1612
TRITEC Americas, LLC
0.999 MW AC Solar Photovoltaic Electric Generating Facility
37 Hunters Lane, Southington, Connecticut

Staff Report
June 20, 2024

Notice

On February 9, 2024, TRITEC Americas, LLC (TRITEC) submitted a notice of election to waive exclusion from the Connecticut Siting Council's (Council) jurisdiction, pursuant to Connecticut General Statutes (CGS) §16-50k(e), and a petition for a declaratory ruling pursuant to CGS §4-176 and §16-50k for the construction, operation and maintenance of a 0.999-megawatt (MW) AC solar photovoltaic electric generating facility and associated electrical interconnection located at 37 Hunters Lane, Southington, Connecticut (Petition or Project).

CGS §16-50k(e) states, "Any person intending to construct a facility excluded from one or more provisions of this chapter may, to the extent permitted by law, elect to waive such exclusion by delivering notice of such waiver to the council. Such provisions shall thereafter apply to each facility identified in such notice from the date of its receipt by the council." Under CGS §16-50i(a)(3), the Council has jurisdiction over electric generating facilities utilizing renewable energy sources with a generating capacity *of more than one megawatt*. (Emphasis added).

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40, on November 5, 2023, TRITEC notified Town of Southington (Town) officials, state officials and agencies, and abutting property owners of the notice of election to waive exclusion from Council jurisdiction and the proposed Project. No comments were received.

Pursuant to CGS §4-176(e) of the Uniform Administrative Procedure Act, 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 March 28, 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 August 7, 2024, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

The Council issued interrogatories to TRITEC on April 22, 2024. TRITEC submitted responses to the Council's interrogatories on May 13, 2024, including but not limited to, a revised site plan.

Municipal Consultation

TRITEC held a video conference with Town officials on November 3, 2023. It held a second video conference on November 16, 2023 that was attended by four abutting property owners. Town officials and abutting property owners provided comments regarding the visibility of the facility and noise emissions from the equipment.

On February 13, 2024, 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 March 10, 2024. No comments were received.

State Agency Comments

On February 13, 2024, pursuant to RCSA §16-50j-40, the Council sent correspondence requesting comments on the proposed Project from the following state agencies by March 10, 2024: Department of Energy and Environmental Protection (DEEP); Department of Agriculture (DOAg); Department of Public Health (DPH); Council on Environmental Quality (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, on March 1, 2024, CEQ submitted comments related to an existing Environmental Land Use Restriction (ELUR) Area on the proposed site, impact on wetlands, erosion and sedimentation controls, and visibility.¹

No other state agencies provided written comments on the Project.

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.²

Public Act 17-218

Public Act 17-218³ 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."

The proposed solar facility has a generating capacity of 0.999 MW; therefore, it is exempt from the provisions of Public Act 17-218.

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,

¹ [pe1612_ceqcommentsrecd_a.pdf\(ct.gov\)](#)

² *Corcoran v. Connecticut Siting Council*, 284 Conn. 455 (2007)

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

including, but not limited to, pathways to achieve a 100 percent zero carbon electric supply by 2040. Furthermore, the Governor'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 bid into the Non-Residential Renewable Energy Solutions (NRES) Program in February of 2024. If selected, the facility would enter into an NRES agreement with the City of Meriden for the total Project capacity. If the facility is not selected, TRITEC would resubmit its bid in the next NRES auction, sell wholesale electricity or pursue other revenue mechanisms.

The NRES program is a successor program to the Low Emission Renewable Energy Credit and Zero Emission Renewable Energy Credit (LREC/ZREC) and Virtual Net Metering (VNM) programs to further develop the state's Class I renewable energy objectives and to encourage the participation by customers in underserved and environmental justice communities through 20-year contracts.

After the 20-year NRES contract expires, TRITEC would examine market conditions to determine if the facility will continue to operate using other revenue mechanisms or be decommissioned.

TRITEC does not intend to participate in an ISO New England, Inc. (ISO-NE) Forward Capacity Auction.

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, TRITEC proposes to construct the solar facility on an approximate 6.6-acre site within a 24.25-acre host parcel, located at 37 Hunters Lane in Southington. Interstate 84 (I-84) abuts the host parcel to the east and southeast and Hunters Lane to the north.

The host parcel is zoned residential (R-12). It consists of wooded areas in the north, east and central portions and buildings associated with a retirement community located in the southern and southwestern portion. An existing 12 foot wide 565 foot long gravel driveway extends from Hunters Lane to the residential buildings. Land use surrounding the site consists primarily of residential uses to the north and west, industrial uses to the east, and undeveloped fields and forest to the south.

The host parcel is currently used as a retirement community called Bayberry Woods. Portions of the host parcel are also used to operate a honeybee farm with multiple apiaries which are managed by a third party.

The host parcel is subject to an ELUR, established during the Town approval process for the existing residential development to prevent development of additional retirement homes on the property. It does not restrict the development of the proposed solar facility on the parcel.

The Project site would be located in the central and eastern portions of the host parcel. The site slopes downgradient to the east with elevations ranging from approximately 208 to 196 feet above mean sea level. Slopes within the solar array area do not exceed 8 percent.

TRITEC selected the site due to limited environmental impact, topography, suitability, availability, 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 facility⁴.

The lease agreement term is 21 years with the possible options for two one-year extensions and two five-year extensions. The lease agreement also includes provisions for agricultural co-use. TRITEC is considering fruit crops along the proposed facility fence line.

The lease agreement with the property owner includes provisions related to decommissioning and site restoration at the end of the Project's useful life. At the end of the lease, TRITEC will decommission the Project and restore the site to its pre-existing condition.

Proposed Facility and Associated Equipment

The proposed 0.999 MW AC solar facility consists of 2,590 solar panels rated at 540 Watts. Other equipment includes eight 125-kW inverters and one 2,000 kVA transformer and switchgear. One 20-foot by 30-foot concrete pad would be installed on the eastern side of the array, within the fenced area and adjacent to the proposed access drive, to support electrical equipment.

The solar panels would be installed on a single-axis tracker system powered by 25 - 30 tracker motors. The tracker system would be mounted on posts driven into the ground to a depth of 9 - 12 feet. The motors would be located about 5 feet above grade and powered through a low-voltage service line extending from the electrical equipment pad.

At maximum tilt, the panels would be approximately 6 feet above grade at the highest point and 3 feet at the lowest point. The panel rows would be separated by an approximate 9-foot wide vegetated aisle.

The inverters would be installed on posts on the concrete electrical pad in the eastern portion of the site. The proposed transformer would be installed on the concrete pad.

Panel row wiring would extend along the racking system, protected by conduit to reduce potential damage from weather events, maintenance activities or animals. Wiring would transition to conduit and extend to the electrical equipment pad. From the transformer pad, an underground line would extend north along the eastern property boundary to TRITEC's utility pole where it would transition to an overhead line, extending east to the interconnection point on Metals Drive, approximately 450 feet northeast of the equipment pad.

The proposed interconnection would consist of 5 new utility poles, with 3 poles on the utility side and 2 poles on the customer side. Eversource requires one pole for each piece of equipment (manual disconnect switch, recloser, primary meter).

The proposed underground portion of the interconnection route traverses a wetland area. To avoid wetland impacts, TRITEC is exploring the feasibility of obtaining an easement across the northwest portion of the abutting property at 8 Metals Drive to reach the public-right of way on Metals Drive.

⁴ *Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007); CGS §16-50p(g) (2023).

Eversource is conducting an interconnection study. The facility interconnection would provide energy to the Canal St 15Q-2X electric distribution substation. Any necessary off-site upgrades to facilitate the interconnection to the substation would be detailed within the interconnection study. A review by ISO-NE is not required.

The projected capacity factor for the proposed solar facility is approximately 25.3 percent. The power output would decline over time with an anticipated annual power output loss of approximately 0.5 percent. The site is not designed to accommodate a battery storage system.

Access to the site will be via a new 12-foot wide, 890-foot long gravel drive extending east from the existing access road to the equipment pad in the eastern portion of the site. The eastern end of the driveway would include an 18 foot by 20 foot parking area. A seven-foot tall chain link fence with a 16 foot wide double swing access gate would enclose the facility. TRITEC would design the fence with a six-inch gap along the bottom to allow for small wildlife passage.

The nearest off-site residence from the proposed perimeter fence is approximately 429 feet to the west at 115 Roxbury Road. The nearest property line from the perimeter fence is 38 feet to the east at the property boundary with 8 Metals Drive. The nearest off-site residence from the proposed solar array is 403 feet to the west at 95 Roxbury Road.

Construction of the facility would disturb approximately 6.6 acres, inclusive of the solar array, equipment pads, access drive, and electrical interconnection.

The solar array would be installed on existing grades to the extent feasible. Grading would be required to construct the access drive and a stormwater detention basin. Construction of the site would result in a net cut of 1,650 cubic yards and a net fill of 1,500 cubic yards. Grading required for development of the Project would result in a net export of 150 cubic yards of soil that would either be spread on-site or disposed of off-site.

Construction would occur over an approximately 3 to 4 month period. Typical construction hours and workdays of the week are Monday – Friday, 7:00 AM to 3:30 PM.

The estimated cost of the Project is in excess of \$3.2 million.

Public Safety

The Project would comply with the current National Electrical Code (NEC), National Electrical Safety Code, CT State Fire Prevention Code, and National Fire Protection Association codes and standards, as applicable.

The nearest federally-obligated airport is the Waterbury Oxford Airport located approximately 14.7 miles south of the site. The 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, other sections can still operate.

A manual disconnect switch would be located on-site. TRITEC would provide facility operation and safety training for local emergency responders. TRITEC would also submit an Emergency Response Plan for the facility site if the Project is approved. An electrical fire at the site typically would be allowed to burn out with water use directed at areas adjacent to the fire.

The transformer would contain a nontoxic insulating oil. The proposed transformer would not be able to detect oil leaks; however TRITEC is actively searching for a transformer with a leak and containment detection system.

The seven-foot high chain link perimeter fence complies with NEC fencing requirements⁵. Town emergency response personnel would have access to the facility site via a Knox padlock on the access gate.

The proposed facility would be in compliance with DEEP Noise Control Standards. Noise modeling indicates noise from operation of the noise generating equipment at the site would be approximately 37.9 dBA at the nearest residential property line (8 Metals Drive). Construction noise is exempt from DEEP Noise Control Standards.

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

Blasting is not required. If bedrock is encountered, the racking posts will be installed with a rock drill.

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 within a public water supply watershed.

The facility would not use or discharge water during operation.

Groundwater in the area is classified as GB, unsuitable for drinking without treatment. Vibration from the installation of the racking system is not expected to cause sediment releases, and thus, no disruption to well water flow or quality is expected. Site investigations revealed several groundwater quality testing wells on site.

TRITEC performed a wetland survey in 2022 that identified two woodland wetland systems on the host parcel and an intermittent watercourse system. No vernal pools were identified on the host parcel during the survey. One wetland (Wetland 1) is located approximately 100 feet to the north of the proposed access drive and the other wetland (Wetland 2) is located approximately 52.5 feet to the west of the proposed access drive entrance. The intermittent stream is a man-made drainage ditch located in the southern portion of the property. This intermittent watercourse is approximately 32 feet south of the nearest limit of disturbance.

⁵ 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."

Installation of the underground interconnection conduit would directly impact approximately 1,067 square feet of Wetland 1. Work would be performed in accordance with a Resource Protection Plan. Excavated wetland soils would be stockpiled and backfilled, followed by restoration with a New England wet seed mix. There would be no direct impacts to Wetland 2 or the intermittent watercourse. The construction limit of disturbance would be approximately 50 feet from both Wetland 2 and the intermittent watercourse for the installation of landscaping and the access drive. Approximately 0.35 acres of disturbance would occur within 100 feet of Wetlands 1 and 2 and 0.56 acres within 100 feet of the intermittent stream.

In compliance with the DEEP Stormwater Permit Appendix I, TRITEC would maintain a minimum 50-foot wetland buffer from stormwater control features and a minimum 100-foot wetland buffer from the solar panels.

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 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 6.6 acres of ground disturbance and thus, a DEEP-issued Stormwater Permit is required prior to commencement of construction. The Stormwater Permit and associated SWPCP incorporates Project designs consistent with the applicable *Connecticut Guidelines for Soil Erosion and Sediment Control* and the *Connecticut Stormwater Quality Manual*.

TRITEC met with the DEEP Water Permitting & Enforcement Division on December 12, 2023, to discuss the Project. DEEP did not recommend changes to the stormwater analysis prepared by TRITEC. The analysis concluded that one permanent stormwater detention basin, located in the eastern corner of the site, is necessary to improve post-construction site conditions over existing drainage conditions. TRITEC has not filed an application for a Stormwater Permit to date.

To meet the requirements of the Stormwater Permit, TRITEC would install silt fencing with wings and compost filter socks enclosing the Project area to retain sediment that may result during construction work. After construction, the solar array area will be seeded with a meadow ground cover (Fuzz & Buzz mix). Areas outside of the array will be seeded with a pollinator buffer mix.

Forests and Parks

Approximately 2.6 acres of woodland would be cleared to develop the site, mostly within the southeast portion of the site and along the site perimeter. No core forest would be affected by the Project.

There are no state parks or forests within 1.0 mile of the site.

Fish, Aquaculture and Wildlife

The site is located within a DEEP Natural Diversity Database (NDDB) buffered area. The results of a DEEP NDDB review request submitted by TRITEC indicate that there are two State Special Concern species documented near the proposed Project site: eastern box turtle and Nuttall's milkwort. The presence of the Nuttall's milkwort must be field verified by a certified botanist with results presented to DEEP before August 25, 2024, in order to receive a final NDDB determination.

DEEP recommended protective measures during construction for the eastern box turtle including, but not limited to, conducting all disturbance work between April 1 and November 1 or in the alternative, establishing appropriate work procedures to reduce the potential for turtle mortality. These work procedures include exclusionary fencing, contractor training, and sweeps of the work area. In addition, once operational, DEEP recommended the avoidance of vegetative mowing from May 15 to September 15, or in the alternative, precautionary measures during mowing. TRITEC would adhere to DEEP's recommended protective measures.

The northern long-eared bat (NLEB), a federally-listed and state-listed Endangered Species occurs in Connecticut. However, there are no known occurrences of NLEB in Southington. By letter dated May 3, 2024, the U.S. Fish and Wildlife Service determined that the Project would not likely have an adverse effect on the NLEB, and no additional action is necessary.

Disturbed areas within the solar array would be seeded with an Ernst Fuzz and Buzz seed mix. Areas outside the solar array would be seeded with an Ernst Northeast Solar Pollinator Buffer Mix beneficial to pollinators.

The seven-foot tall chain link perimeter fence would have a six-inch gap at the bottom to allow for small animal movement.

Agriculture

The host parcel contains approximately 3.6 acres of prime farmland soil and is currently used for agricultural activities, including, but not limited to, hay farming and beekeeping by a third party. Development of the project would impact about 1.7 acres of the 3.6 acres of prime farmland soil. TRITEC would maintain existing grades as much as possible.

The site currently supports apiaries maintained by Necker's Farm. TRITEC may establish additional agricultural co-uses of the site that include growing fruit crops such as blueberries, raspberries and blackberries, managed by local farmers.

Scenic, Historic and Recreational Values

After reviewing the Phase IA Cultural Resources Assessment Survey of the site, SHPO submitted correspondence to TRITEC on March 22, 2024, stating that no historic properties would be affected by this Project.

Forest and shrub areas along the perimeter of the site would be maintained to the extent feasible. The facility would be significantly screened by existing vegetation and tree coverage. Two residential buildings on the host parcel would have year-round views of the facility. Seasonal views would extend off site to residential properties to the west and a commercial building to the east.

TRITEC would install landscaping consisting of one row of evergreens on the southwest side of the site to provide screening from the adjacent residential development on the host parcel. TRITEC is willing to

extend the row of evergreen trees north up to the access road to provide additional screening for the residential buildings on the host parcel.

No state designated scenic roads are proximate to the site.

The Farmington Canal Heritage Trail is located approximately 0.3 mile east of the site. Panthorn Park is located approximately 0.3 miles southwest of the site. No visibility of the site is expected from these areas.

Operations and Maintenance

The inverters have an operational life of approximately ten years and would be replaced at least once during Project operation. The tracker motors have an operational life of 30 years.

A post-construction Operations and Maintenance (O&M) Plan has been developed that includes provisions for periodic inspections of physical site features and structural and electrical components.

An evaluation of the facility and performance of preventative maintenance measures would be conducted in accordance with manufacturer's specifications. The evaluation would include the electrical system/components, physical infrastructure, and site vegetation. Replacement modules would not be stored on-site.

When necessary, the solar modules would be cleaned using non-toxic substances.

Site vegetation would be maintained by mowing/trimming. Vegetation control would be conducted in accordance with DEEP-recommended protection measures for eastern box turtles. Herbicides would be used as necessary and in accordance with applicable regulations.

Permanent exterior lighting is not proposed.

Decommissioning

The Project has an operational life of up to 30 years. At the end of the Project's useful life, it would be decommissioned by removing all equipment, including the tracking system, panels, inverters, and electrical system.

It is anticipated that the steel racking system, electrical components and wiring and solar modules would be recycled as applicable. All recyclable materials would be transported to appropriate recycling facilities. Any non-recyclable materials will be properly disposed of in accordance with applicable permits and regulations.

The transformer and interconnection equipment pads, access drive and fencing would be removed. Disturbed areas would be backfilled with soil and seeded.

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

Conclusion

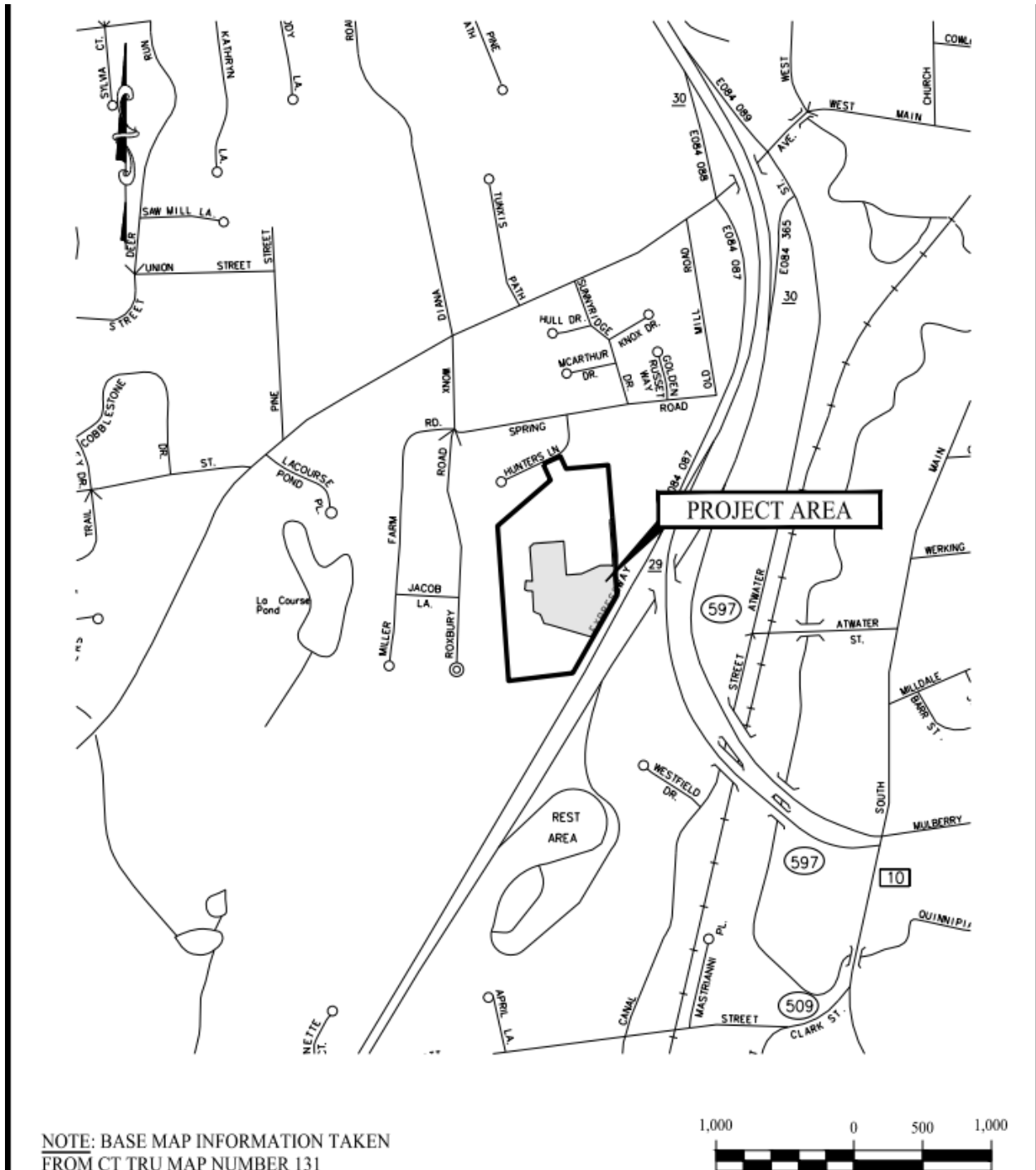
The Project is a grid-side distributed energy resource with a capacity of not more than sixty-five megawatts, meets DEEP air and water quality standards, and would not have a substantial adverse environmental

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 NRES Program.

If approved, staff recommends inclusion of the following conditions:

1. Approval of any project changes be delegated to Council staff;
2. Submit a copy of the DEEP Stormwater Permit and final DEEP NDDDB determination prior to commencement of construction;
3. Submit the final interconnection route prior to commencement of construction;
4. Submit the final structural design for the racking system stamped by a Professional Engineer duly licensed in the State of Connecticut prior to commencement of construction;
5. Install perimeter fencing with a six-inch gap at the bottom to allow for small wildlife passage;
6. Implement the eastern box turtle protection/conservation measures and Resource Protection Plan;
7. 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;
8. Submit a construction Spill Prevention Control and Countermeasure Plan with contractor information and appropriate reporting forms;
9. Submit an Emergency Response Plan for the proposed facility with contact information prior to facility operation; and
10. Provide a copy of the Emergency Response Plan to local emergency responders prior to facility operation and provide emergency response training.

Site Location



NOTE: BASE MAP INFORMATION TAKEN
FROM CT TRU MAP NUMBER 131

Existing Conditions

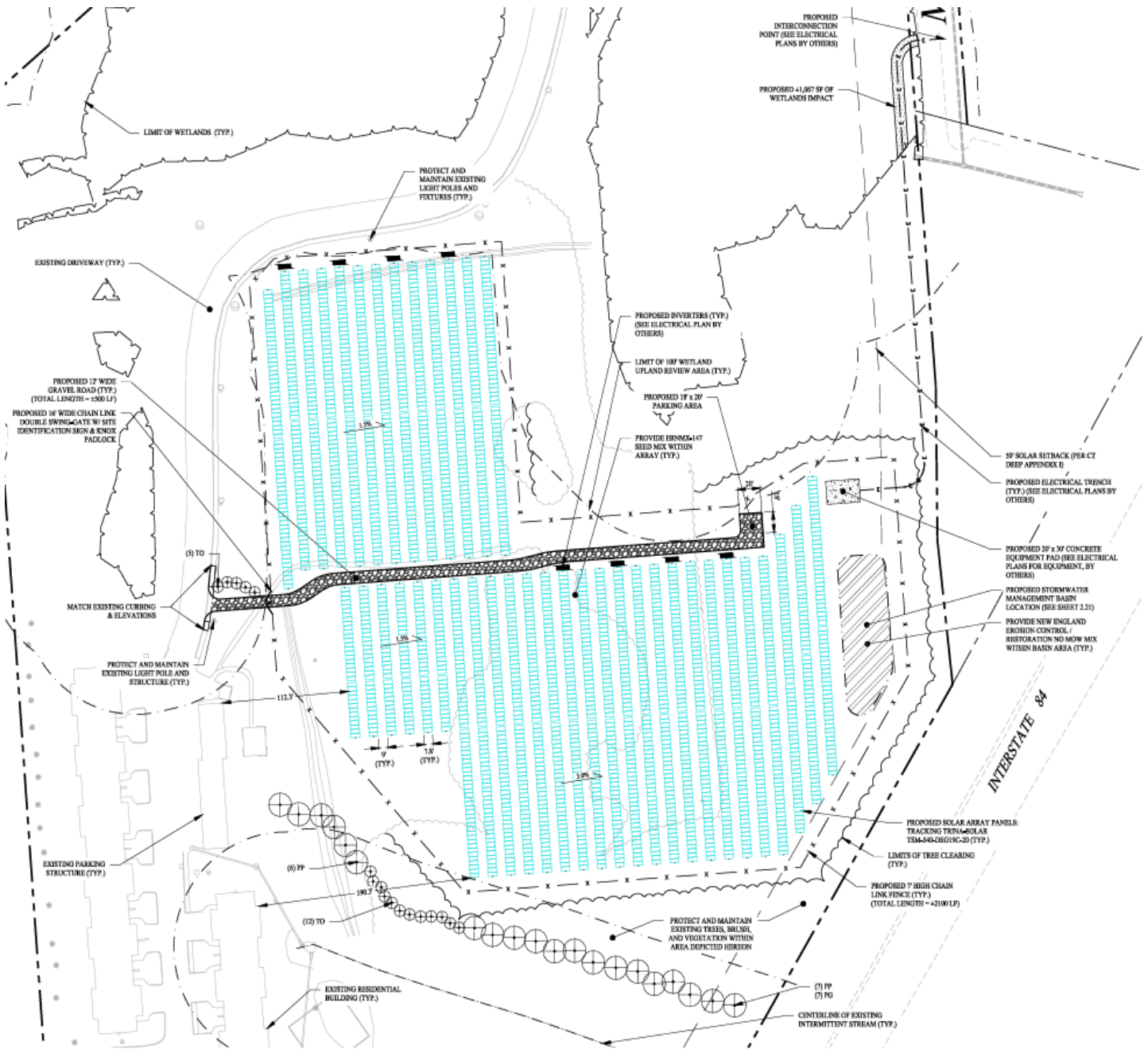


ECOLOGICAL COMMUNITY	
SYM.	NAME
UPLAND	
U1	SUCCESSIONAL OLD FIELD
U2	RED MAPLE WOODLAND
U3	MOWED LAWN
WETLAND/WATERCOURSE	
W1	RED MAPLE HARDWOOD SWAMP
W2	WET MEADOW
WC1	INTERMITTENT STREAM/DRAINAGE DITCH

NOTE: BASE MAP INFORMATION TAKEN FROM
 ECOLOGICAL COMMUNITIES MAP PREPARED BY
 WILLIAM KENNY ASSOCIATES



Site Plan



Site Plan with potential alternate utility route



LEGEND

	PROPERTY LINE
	RIGHT-OF-WAY LINE
	ADJOINING LOT LINE
	50' SOLAR SETBACK (PER CT DEEP APP)
	LIMIT OF WETLANDS
	UPLAND REVIEW AREA - 100 FT BUFF
	STORMWATER BASIN AREA
	ELECTRIC CONDUIT (BY OTHERS)
	TRINA 540W TRACKING MODULES
	CHAIN LINK FENCE
	NEW ENGLAND EROSION CONTROL / RESTORATION NO MOW MIX
	EVERGREEN TREE
	INVERTER
	EXISTING STREAM
	GRAVEL ROAD
	LIMITS OF TREE CLEARING
	CONCRETE PAD

