



PAUL R. MICHAUD
Managing Attorney / Principal
515 Centerpoint Drive, Suite 503
Middletown, CT 06457
Direct Telephone: (860) 338-3728
Email: pmichaud@michaud.law
Web: www.mlgcleanenergy.com

January 20, 2025

VIA ELECTRONIC MAIL AND FEDERAL EXPRESS

Melanie Bachman
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

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. **Conditions No. 1, 2, 3, 4, 6, and 11.**

Dear Attorney Bachman:

On behalf of TRITEC Americas, LLC (“Petitioner”), Michaud Law Group submits this letter to the Connecticut Siting Council (the “Council”) in response to Council’s Final Decision dated June 21, 2024, in the above-referenced petition. Specifically, this letter is in response to Conditions 1, 2, 3, 4, 6, and 11 – the conditions Petitioner must complete “prior to the commencement of construction.”

Condition 1

In order to (1) accommodate the final interconnection plan and (2) to prevent risks of erosion or other impacts from stormwater, certain changes have been made regarding access to the array, the location of the stormwater basin outlet, and installation of electric conduits. Condition 1 states that “Approval of any project changes be delegated to Council Staff” and, accordingly, we are submitting the revised site plans are enclosed as Exhibit A for Council Staff review and approval; a brief summary of these changes is also provided below. While we believe these changes can be approved by Council Staff pursuant to Condition 1, please let us know if an amendment to the plans should be filed with the Council.

Regarding access, the entrance drive has been relocated from the west side of the array to an existing curb cut located north of the array, which was not included on the original survey. Additionally, the fence line in the northern section of the array has been shifted to the east to

accommodate the relocation of the access drive. The construction entrance has similarly been relocated from the west side of the array to the existing curb cut located north of the array. The stockpile and staging areas have been shifted to the east.

Second, in order to prevent stormwater impacts on an abutting property, the basin outlet has been relocated so that it is no longer flowing towards the lawn of the abutting property. Specifically, Petitioner's consultants have shifted the location of the stormwater basin outlet control structure, the outlet pipe, and the emergency spillway to the south side of the basin so that it outlets towards existing woods along the I-84 ROW.

Finally, based on discussions with Eversource, the interconnection point has been relocated from the south end of Metals Drive to a point further north on Metals Drive. This will require additional electric conduits routing through the wetland resulting in a total temporary wetland disturbance of approximately 2,500+/- SF (compared to the 1,067 SF that was contemplated by the original plans). TRITEC submitted a Self-Verification Notification pursuant to GP-6 of the Department of the Army Regional General Permit for the State of Connecticut on December 2, 2024. A copy of the application is enclosed as Exhibit B. The contractor will restore the wetland to existing conditions after the installation of the electrical conduits. Wetland Resource Protection Notes have been added to Sheet .10 of Exhibit A which indicate steps the contractor will be required to follow while working within the wetlands and for the restoration of the wetlands. These changes were discussed and agreed to during the pre-construction site walk with CTDEEP and the Conservation District.

Condition 2

Condition 2 requires Petitioner to "Submit a copy of the DEEP Stormwater Permit and final DEEP NDDB determination prior to commencement of construction." DEEP approved Petitioner's Stormwater Permit application on December 17, 2024. Note that the enclosed approval from DEEP references an incorrect address (37 Lovers Lane, Southington, CT). While the address on the approval is incorrect, Solli Engineering LLC has been in contact with DEEP. DEEP has acknowledged the error but noted that they are unable to remove the incorrect address from the approval. Because the latitude and longitude did, in fact, refer to 37 Hunters Lane, DEEP did add the correct address (37 Hunters Lane, Southington, CT) to their system and no additional filing is needed. DEEP issued the final NDDB Determination on August 19, 2024. Please refer to Exhibit C for the DEEP Stormwater Permit as well as a copy of the communications with DEEP regarding the address and Exhibit D for the Final DEEP NDDB Determination.

Condition 3

Condition 3 requires Petitioner to "Submit the final electrical interconnection plans for Council review and approval prior to commencement of construction, if the alternate electrical interconnection route is feasible." The final electrical interconnection plan is enclosed. Please see Sheet 2.12 of Exhibit A.

Condition 4

Condition 4 requires Petitioner to “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.” The final, stamped structural design is enclosed. Please see Exhibit E: Final Structural Design.

Condition 6

Condition 6 requires Petitioner to “Implement the eastern box turtle protection/conservation measures and Resource Protection Plan.” This plan will be implemented before, during, and following construction to protect the Eastern Box Turtles that may potentially be encountered at the Project Site. Please see Sheet .10 of Exhibit A: Box Turtle Protection Notes.


Condition 11

Condition 11 requires Petitioner to “Submit a final landscaping plan with additional plantings along the west side of the site.” Petitioner’s civil engineers have added Arborvitaes along the western fence line. Please refer to Sheet 2.11 of Exhibit A which includes the planting schedule and additional landscaping.

Petitioner certifies that this letter was emailed to the Council and any parties on the service list, and one hard copy of this letter was mailed to the Council by Federal Express.

Please feel free to contact me if you have any questions.

Very truly yours,



Paul R. Michaud

cc: Service List dated February 9, 2024