



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL & CERTIFIED MAIL RETURN RECEIPT REQUESTED

August 2, 2024

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

RE: **PETITION NO. 1617** - Woodstock 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 and associated equipment located at 11 Castle Rock Road, Woodstock, Connecticut, and associated electrical interconnection. **Final Decision.**

Dear Attorney Baldwin:

At a public meeting held on August 1, 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 (CGS) § 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 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;
4. Submit the final plans for the electrical intra-connection between the Eastern Array Area equipment pad and the Western Array Area equipment pad including the associated overhead crossing of Wetland 1 prior to commencement of construction;
5. Submit an agricultural co-use plan for the site, if a co-use is implemented, 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;
6. Submit an Emergency Response Plan for the proposed facility with contact information prior to facility operation;
7. Provide a copy of the Emergency Response Plan to local emergency responders prior to facility operation and provide emergency response training;
8. Submit a post-construction operational noise study and any required mitigation measures;

9. Shift the location of the eastern inverter bank an additional 100 feet toward the center of the solar array to increase the distance from the nearest residential property line;
10. Consider the installation of pad-mounted equipment on the customer side of the electric distribution level interconnection;
11. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
12. 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;
13. 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 Woodstock;
14. 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**;
15. 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;
16. The facility owner/operator shall file an annual report on a forecast of loads and resources pursuant to Conn. Gen. Stat. §16-50r;
17. 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 CGS §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 CGS §16-50v(b)(2) that may be associated with this facility, including contact information for the individual acting on behalf of the transferee; and
18. 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 March 4, 2024 and additional correspondence dated July 15, 2024.

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

Sincerely,



Melanie A. Bachman
Executive Director

MAB/MP/dll

Enclosure: Staff Report dated August 1, 2024

- c: The Honorable Chandler Paquette, First Selectperson, Town of Woodstock
(firstselectman@woodstockct.gov)
- The Honorable Maureen Nicholson, First Selectperson, Town of Pomfret
(Maureen.nicholson@pomfretct.gov)
- Will Skene, Fire Marshal, Town of Woodstock (woodstockctfm@gmail.com)
- Service List, dated March 5, 2024
- CGS §16-50j(g) State Agency Comment List

STATE OF CONNECTICUT)

: ss. Southington, Connecticut August 2, 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. 1617 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 August 2, 2024

COUNTY OF HARTFORD)

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1617 has been forwarded by Certified First Class Return Receipt Requested mail, on August 2, 2024, to each party and intervenor, or its authorized representative, as listed on the attached service list, dated March 5, 2024.

ATTEST:



Dakota LaFountain
Office Assistant
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	Woodstock 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>Bryan Fitzgerald Woodstock Solar One, LLC 124 LaSalle Rd, 2nd Floor West Hartford, CT 06107 bfitzgerald@verogy.com (203) 257-3375</p> <p>James Cerkanowicz Woodstock Solar One, LLC 124 LaSalle Road, 2nd Floor West Hartford, CT 06107 jcerkanowicz@verogy.com (860) 288-7215</p> <p>Bradley Parsons Woodstock Solar One, LLC 124 LaSalle Rd, 2nd Floor West Hartford, CT 06107 bparsons@verogy.com (203) 814-6866</p>

Petition No. 1617
Woodstock Solar One, LLC and VCP, LLC d/b/a Verogy, LLC
3.0-MW AC Solar Photovoltaic Electric Generating Facility
11 Castle Rock Road, Woodstock

Staff Report
August 1, 2024

Notice

On March 5, 2024, the Connecticut Siting Council (Council) received a petition from Woodstock Solar One, LLC and VCP, LLC d/b/a Verogy, LLC (WSO) 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 and associated equipment located at 11 Castle Rock Road, Woodstock, Connecticut and associated electrical interconnection (Petition or Project).

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40, on February 29, 2024, WSO notified Town of Woodstock (Town) officials, Town of Pomfret officials¹ (collectively municipalities), state officials and agencies, and abutting property owners of 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 action on a petition for a declaratory ruling within 60 days of receipt. During a regular meeting held on April 25, 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 September 1, 2024, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

The Council issued interrogatories to WSO on June 24, 2024. WSO submitted responses to the Council's interrogatories on July 15, 2024, one of which included photographic documentation of site-specific features intended to serve as a "virtual" field review of the Project site.

Municipal Consultation

On February 9, 2023, WSO contacted the Town regarding the Project. WSO provided additional information to the Town on December 6, 2023. WSO followed-up with the Town on February 7, 2024. The Town had no further questions regarding the Project.

On March 6, 2024, the Council sent correspondence to the municipalities stating that the Council has received the Petition and invited the municipalities to contact the Council with any questions or comments by April 4, 2024. No comments were received.

State Agency Comments

On March 6, 2024, pursuant to RCSA §16-50j-40, the Council sent correspondence requesting comments on the proposed Project from the following state agencies by April 4, 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);

¹ The Town of Pomfret is located within 2,500 feet of the proposed facility site.

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 March 27, 2024 related to groundwater, vernal pools and farmland soils.²

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.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." WSO has secured written confirmations 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 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, 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

² https://portal.ct.gov/-/media/csc/3_petitions-medialibrary/petitions_medialibrary/mediapetitionnos1601-1700/pe1617/proceduralcorrespondence/pe1617_ceqcommentsrecd_a.pdf

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

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

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.

At least sixty percent of the total capacity of the facility would be supplied to low-and-moderate income customers and/or low-income service organizations. The remainder would be distributed at Eversource's discretion.

At the conclusion of the 20-year SCEF contract, WSO would continue to operate the facility and seek other revenue mechanisms.

WSO would not participate in an ISO New England, Inc. (ISO-NE) Forward Capacity Auction (FCA) because Eversource would own the capacity rights to the facility under the SCEF Program. However, at the conclusion of the 20-year SCEF contract, WSO 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, WSO proposes to construct the solar facility on an approximate 14-acre site within a 38.3-acre host parcel located at 11 Castle Rock Road in Woodstock. The host parcel has frontage on Castle Rock Road to the south, and has been leased by Pineroft Farm to grow corn. The host parcel is within the Community zoning district.

Land use surrounding the site is residential to the east and northeast; undeveloped to the north and west; and residential and agricultural to the south (on the opposite side of Castle Rock Road). Norwich Worcester Turnpike (Route 169) is located farther to the east.

The proposed site is located in the open fields in the eastern and western portions of the host parcel. The site slopes downwards from southwest to the northeast with elevations ranging from approximately 500 feet above mean sea level (amsl) to 422 feet amsl. Slopes within the site are mostly within the range of 3 to 8 percent.

WSO selected the site due to availability, proximity to an electrical interconnection, and minimal impact to environmental resources and the surrounding area. 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

The lease agreement with the property owner includes provisions related to decommissioning and site restoration at the end of the Project's useful life. The lease term is for 20 years with options for three 5-year extensions. At the end of the lease, WSO will decommission the Project and restore the site to substantially the same condition as the existing conditions.

Proposed Facility and Associated Equipment

The proposed 3.0 MW AC solar facility consists of two array areas: Eastern Array Area (1.75 MW AC) and Western Array Area (1.25 MW AC), totaling 8,390 solar panels rated at 465 Watts. The panels would be installed on a fixed tilt racking system facing south at a 25-degree angle. The panels would be attached to the racking system supported by driven posts and would be approximately 12 feet above grade at the highest point and 2 feet above grade at the lowest point. The vegetated aisles between the panel rows would be approximately 15.6 feet wide.

Other equipment includes twenty-four 125 kW inverters and two 1,500 kVA transformers. One concrete pad (with a transformer) would be installed in the southeastern portion of each solar array area. The concrete pads would have dimensions of 15.5 feet by 13.5 feet and 8.5 feet by 7.5 feet, respectively. A bank of 12 inverters would be mounted on steel posts adjacent to each equipment pad.

Panel row wiring would extend along the racking system to reduce potential damage from weather events, maintenance activities or animals. In areas where wiring is not run along the racking, it would be installed underground in conduit.

The electrical intra-connection would generally extend in an east-west direction from the Western Array Area equipment pad to the Eastern Array Area equipment pad. The central portion of this route would be aboveground to cross Wetland 1, located between the array areas. The wetland crossing would utilize a pipe bridge or overhead poles to support the cable.

The proposed electrical interconnection would run from the Eastern Array Area equipment pad to the existing 23-kV distribution system along Castle Rock Road. It would consist of five new 40-45 foot high utility poles spaced 30-feet apart. Two poles would be owned by Eversource, and three poles would be owned by WSO. One Eversource-owned pole would include a utility recloser and the other Eversource-owned pole would include a utility primary meter. The three WSO-owned poles would contain a gang operated air break (GOAB) disconnect switch, recloser, and customer meter, respectively. Five poles is the minimum number required to facilitate this interconnection.

WSO has not had any discussion with Eversource regarding the possibility of reducing/minimizing the number of poles required for the electric distribution level interconnection but has had similar discussions with Eversource for other projects. The Council notes that pad-mounted equipment should be standard operating procedure for both the customer-side and the utility side of the electric distribution level interconnection for solar facilities.

The Project interconnection was reviewed and approved by ISO-NE via a transmission impact study. WSO has an interconnection agreement with Eversource.

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

The projected capacity factor for the proposed solar facility is approximately 19.7 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.

Access to the site will be via two new gravel approximately 15-foot wide, Y-shaped gravel access drives off of Castle Rock Road. The proposed access drives for the Eastern Array Area and the Western Array Area would be approximately 100 feet and 190 feet long, respectively. Each access drive would also have an approximately 60-foot long turnaround.

The solar facility would be enclosed by a seven-foot-high agricultural style fence around each of the two solar array areas with vehicle access controlled by locked entrance gates.

Construction of the facility would disturb approximately 19 acres, inclusive of the solar array areas, equipment pads, access road, and electrical interconnection. The two solar array areas have a combined area of approximately 14 acres.

The nearest property line from the proposed solar field perimeter fence is approximately 18 feet to the southwest at Castle Rock Road. The nearest residence from the proposed solar field perimeter fence is approximately 370 feet to the southeast at 11 Castle Rock Road.

The solar racking system would be installed on existing grades.

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, access, and temporary sediment traps and conveyance swales. Phase 2 would include site infrastructure, final site stabilization, and removal of temporary erosion and sedimentation controls.

Construction is anticipated to begin in late 2024, with final site stabilization, testing and commissioning expected to be completed in spring 2025. Typical construction hours and workdays 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 to \$7 million.

Public Health and Safety

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

The nearest federally obligated airport is Toutant Airport located approximately 5.5 miles to the west-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 FAA is not required for use of a crane at this site per the FAA Notice Criteria Tool.

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. Each solar array area 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. WSO would provide facility operation and safety training for local emergency responders. In the event of an electrical fire or brush fire that threatens electrical equipment, water would be used around the fire area to reduce the risk of it spreading. There are no municipal fire hydrants proximate to the site.

The proposed transformers would be filled with a nontoxic insulating oil. WSO would install remote monitoring of leak detection for the transformers.

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

The proposed seven-foot-high agricultural style solar array perimeter fencing complies with NEC fencing requirements.⁶

The proposed facility would be in compliance with DEEP Noise Control Standards. Noise modeling using the inverse square law indicates noise from the operation of the Project would be approximately 57 dBA from the nearest equipment pad (associated with the Eastern Array Array) to the nearest property line located 86 feet to the south on the opposite side of Castle Rock Road. 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 anticipated. If bedrock is encountered, the racking posts would be installed with a rock drill or rock screws.

Environmental Effects and Mitigation Measures

Air and Water Quality

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

No tree clearing is required for the proposed Project. Thus, no carbon debt analysis has been performed.

The site is not located within a DEEP-designated Aquifer Protection Area. The site is located within a Public Water Supply Watershed. The pile driven posts for the rack systems are not expected to impact groundwater. WSO has also provided a Spill Prevention and Materials Storage Plan for the Project to protect groundwater.

The facility would not use or discharge water during operation.

WSO performed a wetland survey in October 2023 that identified three wetlands on the host parcel. Wetland 1 runs in a generally north-south direction and is located between the Eastern and Western Array Areas. Wetland 2 is located north of the Eastern Array Area and is located along the northern property boundary. Wetland 3 runs in a generally north-south direction and is located east of the Eastern Array Area.

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."

No vernal pools were identified during the survey.

WSO would establish erosion and sedimentation controls in accordance with the applicable *Connecticut Guidelines for Soil Erosion and Sediment Control* (E&S Guidelines).

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 19 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 E&S Guidelines and *Connecticut Stormwater Quality Manual*.

WSO met with the DEEP Concierge Team, including the Stormwater Division on March 26, 2024 to discuss the Project. DEEP Stormwater Division did not have any specific comments.

WSO prepared a stormwater analysis that concluded no permanent stormwater basins would be required for the Project. The Eastern and Western Array Areas would utilize three and two temporary sediment traps, respectively, during construction.

In compliance with DEEP Stormwater Permit Appendix I, *Stormwater Management at Solar Array Construction Projects*, WSO would maintain a minimum 50-foot wetland buffer from stormwater control features and a minimum 100-foot wetland buffer from the solar panels.

Forests and Parks

No tree clearing would be required to develop the site. By letter dated, February 26, 2024, pursuant to PA 17-218, DEEP determined that the proposed Project will not materially affect the status of core forest.⁷

There are no state parks or forests within 0.5 mile of the site.

Fish, Aquaculture and Wildlife

The proposed site is not within a DEEP-designated Cold Water Habitat area.

The site is not located within a DEEP Natural Diversity Database (NDDB) buffered area.

⁷ https://portal.ct.gov/-/media/csc/3_petitions-medialibrary/petitions_medialibrary/mediapetitionnos1601-1700/pe1617/determinations/woodstock-solar-one.pdf

The northern long-eared bat (NLEB), a federal-listed and state-listed Endangered Species, occurs in Connecticut. There Project is not located within 0.25 mile of a known NLEB hibernaculum. No known maternity roost trees are located in the vicinity of the Project. With no tree clearing proposed, the Project is not expected to affect NLEB habitat.

Disturbed areas within the solar array areas would be seeded with Fuzz & Buzz seed mix (or equivalent) which contains pollinator-friendly species and provides sufficient forage for livestock.

The solar facility perimeter fence would not have a wildlife gap at the bottom in order to protect the sheep from predators.

Agriculture

The host parcel contains approximately 29.7 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 facility would prevent the growth of crops on approximately 16 acres of a total 23.6 acres currently being farmed for corn production. All 16 acres are prime farmland soils.

By letter dated January 19, 2024, 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.⁸ WSO submitted a Sheep Grazing Plan for the site that included four temporary paddocks or two within each solar array area. 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 host parcel is enrolled in the Public Act 490 Program for agricultural land tax abatement. It is possible that, post-construction, the portion of the parcel that contains the solar facility might not be eligible to participate in the program. If the proposed facility is approved, WSO would meet with the Town to determine how the Project site would be treated for tax purposes.

Scenic, Historic and Recreational Values

SHPO submitted correspondence to WSO on April 9, 2024, indicating that no historic properties would be affected by the proposed Project. Existing stone walls at the site are typically located along the property lines. WSO has no plans to remove any stone walls.

The nearest state-designated scenic road is Deerfield Road (Route 97) in Pomfret, located approximately 1.66-miles to the south of the site. The proposed facility is not expected to be visible from Route 97 due to existing vegetation on the parcels between Route 97 and the host parcel. The nearest nationally designated scenic road is Norwich Worcester Turnpike (Route 169), located approximately 550 feet to the east of the

⁸ https://portal.ct.gov/-/media/csc/3_petitions-medialibrary/petitions_medialibrary/mediapetitionnos1601-1700/pe1617/determinations/verogy-woodstock-nma-letter-w-enclosures-11924-signed.pdf

site. The proposed facility would be visible from an approximately 250-foot portion of the Route 169 due to the topography. There are no known locally-designated scenic roads proximate to the site. There are no “blue-blazed” trails maintained by the Connecticut Forest and Parks Association located proximate to the site.

The nearest publicly-accessible recreational area is the Holzer Preserve in Pomfret, located approximately 0.6-mile southeast of the site. The Project is not likely to be visible from this recreational area due to distance, topography and intervening vegetation.

Visibility

There is existing vegetation to the north of the Eastern and Western Array Areas. There is also existing vegetation to the west and south of the Western Array Area. Some views of the Eastern Array area (solar panels and equipment) may be possible through the trees from abutting properties located approximately 334 feet to the east of this array fence line at its closest point. Some limited views of the Eastern Array Area are also possible through a gap in the vegetation along the southeastern portion of the Eastern Array Area near Castle Rock Road where the proposed access to this array area is located.

WSO has minimized the number of utility interconnection poles to reduce visual impacts to the abutting residential property to the east of the facility and also to the south on the opposite side of Castle Rock Road.

Operations and Maintenance

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 and would occur at least once per year. The evaluation would include the electrical system/components, physical infrastructure, and site vegetation.

The inverters have an operational life of approximately 15 to 20 years and would be replaced as necessary. Replacement modules would not be stored on-site.

Snow on the panels will be allowed to slide off. When necessary, module cleaning would utilize water and soft bristle brooms. No chemicals would be used.

Vegetation management would be performed by grazing sheep. Mowing or trimming would be performed on an as needed basis. The stormwater management system would be inspected at least once per year.

Decommissioning

The Project has an operational life of at least 35 years. At the end of the Project’s useful life, it would be decommissioned by removing all equipment, including racking, panels, inverters, and electrical interconnect system.

It is anticipated that the 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 would be properly disposed of in accordance with applicable permits and regulations.

The transformers and equipment pads 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.

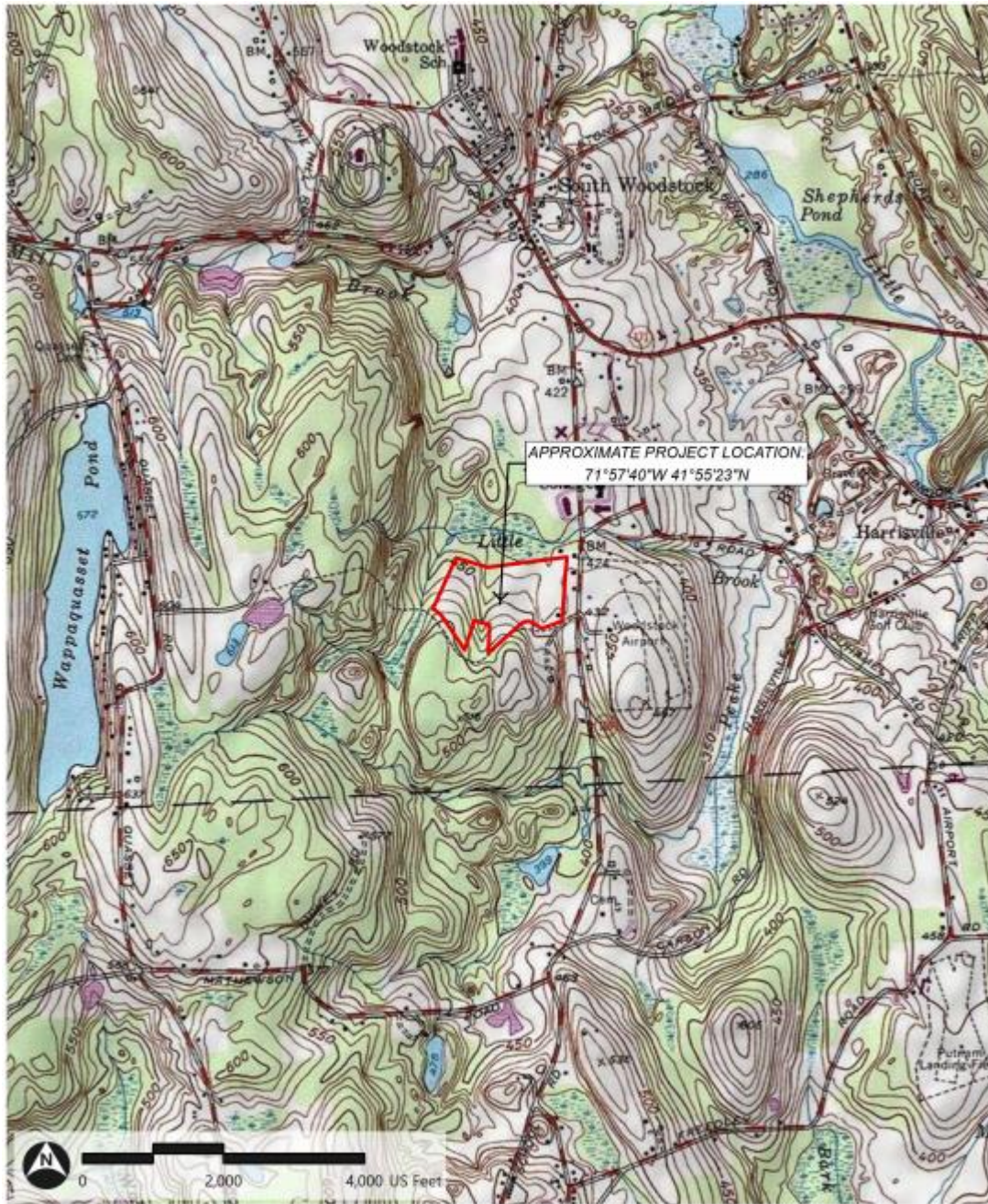
Conclusion

The Project is a grid-side distributed 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 in 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 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;
4. Submit the final plans for the electrical intra-connection between the Eastern Array Area equipment pad and the Western Array Area equipment pad including the associated overhead crossing of Wetland 1 prior to commencement of construction;
5. Submit an agricultural co-use plan for the site, if a co-use is implemented, 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;
6. Submit an Emergency Response Plan for the proposed facility with contact information prior to facility operation;
7. Provide a copy of the Emergency Response Plan to local emergency responders prior to facility operation and provide emergency response training; and
8. Submit a post-construction operational noise study and any required mitigation measures.

Site Location



Existing Conditions



- ▭ Project Site
- ★ Potential Vernal Pool
- 10' Contour
- Wetland Delineation Flag
- Delineated Wetland Edge
- - - Estimated Offsite Wetlands
- Delineated Wetland

Source: CTDEEP, VHB

