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February 17, 2026

VIA ELECTRONIC MAIL AND FEDEX

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

Re: Petition 1688 – Greenskies Clean Energy 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 1.2-megawatt AC solar photovoltaic electric generating facility located at 81 and 93 Lake Street in Manchester, Connecticut

Dear Ms. Bachman:

I am writing on behalf of my client, Greenskies Clean Energy LLC (the “Petitioner”), in connection with the above-referenced Petition. I have enclosed one original and 15 copies of the Petitioner’s post-hearing brief with this letter.

Should you have any questions concerning this submittal, please contact me or Kate Boucher of this office at your convenience.

Sincerely,

Lee D. Hoffman

cc: Petition 1688 Service List

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

Greenskies Clean Energy LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 1.2-megawatt AC solar photovoltaic electric generating facility and associated equipment located at 81 and 93 Lake Street, Manchester, Connecticut, and associated electrical interconnection.	PETITION NO. 1688
	FEBRUARY 17, 2026

POST-HEARING BRIEF

Greenskies Clean Energy LLC (“Greenskies” or the “Petitioner”) hereby submits this brief to the Connecticut Siting Council (the “Council”) in connection with its Petition for Declaratory Ruling (“Petition”) filed on August 22, 2025 that no Certificate of Environmental Compatibility and Public Need is required to construct, maintain and operate a 1.2-megawatt solar photovoltaic electric generating facility (the “Project”) to be located at 81 and 93 Lake Street in Manchester, Connecticut (the “Property”). The record in this matter demonstrates a public need for the Project and its construction, maintenance and operation will not cause an adverse environmental effect.

Greenskies has received required approvals from relevant state agencies and completed best practice studies to support development of the Project. There is no record evidence to the contrary. As the Council is aware, public comments are not evidence in a contested proceeding such as the instant one, and the evidentiary record is bereft of supporting evidence for the public commenters in this proceeding. Given the record before it, the Council must issue a declaratory ruling approving the Project.

I. INTRODUCTION

The Property spans approximately 30 acres (inclusive of solar panels, transformers, electrical switchgear, monitoring equipment, and access roadways).¹ The approximately 25-acre parcel at 93 Lake Street is primarily wooded, and extends significantly beyond the project area, as it is currently developed with a residential structure, a cell tower, and associated gravel and paved access roads. Three access easements are present on the host parcel including: a 50-foot-wide right-of-way in favor of Algonquin Gas Company, located in the eastern portion of the host parcel, a 20-foot wide right-of-way along the eastern host parcel boundary in favor of the 109 Lake Street residence, and a 20-foot wide right-of-way in the southwest portion of the host parcel associated with the cellular base station. The Petitioner has ensured that the proposed Project will have no impacts on the Algonquin pipeline and will coordinate with the owner of the cell tower to formalize written agreements regarding use of the site.²

II. PROCEDURAL HISTORY

Greenskies initially contacted the Towns of Manchester and Bolton (the “Municipalities”) regarding its preliminary Project plans in the spring of 2025.³ The Petitioner offered to address any of the Municipalities’ specific concerns, and incorporating feedback into Project plans whenever possible. The Municipalities did not provide any written comments.⁴ Immediately prior to filing, consistent with Conn. Gen. Stat. § 16-50*l*, notices were sent to all owners of property which abuts the proposed Project.⁵ Any alleged defects in the Petitioner’s notice provision were

¹ Petition at 1.

² Response to Interrogatory 18.

³ See Petition at 14; *see also* Petition, Appendix M – Public Outreach.

⁴ Petition, Appendix M – Public Outreach.

⁵ *Id.*

corrected by the Council's extension of the public comment deadline, as evidenced by public comments submitted by Manchester legislators.

Greenskies submitted its Petition to the Council on August 22, 2025, and responded to the Council's interrogatories on December 11, 2025. The Town of Manchester Planning and Zoning Commission/Inland Wetlands Agency requested that the Council hold a public hearing, and the Council obliged that request. Despite the fact that an agency of the Town requested the hearing, the Town of Manchester did not intervene or participate in the evidentiary hearing process. The Council held the requested evidentiary hearing on December 18, 2025, during which Project abutter Laurie Robinson attempted to intervene. The Council denied Ms. Robinson's initial motion to intervene at the hearing, denied her request for reconsideration on January 8, 2026, and denied her request for party status on January 20, 2026. The Council closed the evidentiary record on December 18, 2025 and issued a schedule regarding the submission of post-hearing briefs, which was ultimately extended through February 16, 2026. As February 16th was a federal and state holiday, this Brief is being submitted today.

III. LEGAL STANDARD

Pursuant to Conn. Gen. Stat. § 16-50k(a), the Council must approve by declaratory ruling “any customer-side distributed resources project or facility or grid-side distributed resources project or facility with a capacity of not more than sixty-five megawatts, as long as: (i) Such project meets air and water quality standards of the Department of Energy and Environmental Protection, (ii) the council does not find a substantial adverse environmental effect”.⁶ In considering whether such effect exists, pursuant to Conn. Gen. Stat. § 16-50p, the Council must find and determine (1) the basis of public need for the facility, and (2) the nature of the probable impact of the facility

⁶ Because the Project is proposed to be less than 2MW, other provisions in Conn. Gen. Stat. § 16-50k do not apply.

alone and cumulatively with other existing facilities, including but not limited to (i) electromagnetic fields that, whether alone or cumulatively with other effects, impact on, and conflict with the policies of the state concerning the natural environment, (ii) ecological balance, (iii) public health and safety, (iv) scenic, historic and recreational values, (v) agriculture, (vi) forests and parks, (vii) air and water purity, and (viii) fish, aquaculture and wildlife. For the reasons discussed below, the Petitioner respectfully submits that there is an uncontroverted public need for the Project, and the Project will not create a substantial adverse environment effect.

IV. ARGUMENT

A. Public Need

Pursuant to Conn. Gen. Stat. § 16-50p, a public benefit exists when a facility is necessary for the reliability of the electric power supply of the state or for the development of a competitive market for electricity. Special Session Public Act 05-1, *An Act Concerning Energy Independence*, portions of which were codified in the Public Utility Environmental Standards Act (“PUESA”), established a rebuttable presumption that there is a public benefit for electric generating facilities selected by the Public Utilities Regulatory Authority in Requests for Proposals (“RFPs”). As the Project was selected in a competitive Non-residential Renewable Energy Solutions Program RFP and subsequently approved by PURA, it is thus presumed to have a public benefit.⁷

In addition, the Project will also help foster Connecticut’s goal to develop “renewable energy resources, such as solar and wind energy, to the maximum practicable extent” pursuant to Conn. Gen. Stat. § 16a-35k. ISO New England recently shared that distributed solar reduced the amount of electricity consumed by New Englanders in 2024 by about 5%.⁸ If approved, the Project

⁷ Petition at 1.

⁸ See <https://isonewswire.com/2025/07/09/solar-power-reduced-new-england-power-grid-demand-by-5-in-2024/>; see also Petition at 13.

will support Connecticut’s growing competitive renewable energy market by adding critical energy infrastructure, aid in efforts to forecast generating capacity requirements on both a state and regional level, reduce dependence on imported and nonrenewable energy sources, increase the State’s energy supply, and enhance grid reliability. In light of all of these considerations, the public need for the facility is not in dispute.

B. The Project Will Not Result in Adverse Impacts on Air or Water Quality

The Project meets the air and water quality standards of the Department of Energy and Environmental Protection (“DEEP”). The Project will not result in any emissions during its twenty-plus year operation and will result in very minor air emissions during construction, which will be mitigated with appropriate controls.

Moreover, construction, operation and maintenance of the Project produces no adverse impacts to water quality. Stormwater controls have been designed in full compliance with Appendix I of the DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities – Stormwater Management for Solar Array Construction Project as well as the 2024 Connecticut Stormwater Quality Manual.⁹ As noted in the September 23, 2025 comments from DEEP, “four permanent stormwater basins are proposed and will be strategically located within the Project site to maintain existing drainage patterns and water quality.” Further, DEEP has affirmed that the Project will not impact wetlands.¹⁰ Finally, consistent with the October 7, 2025 comments from the Department of Public Health, the Petitioner is preparing a Spill Prevention Plan alongside its Stormwater General Permit

⁹ Petition at 8.

¹⁰ DEEP Comments dated September 23, 2025 (noting that proposed solar panels and associated equipment will remain at least 100 feet away from the wetland and watercourses. There are no vernal pools delineated in the field at the Project site).

Application and such plan will be submitted in tandem with that application.¹¹ There can thus be no doubt that the project meets DEEP's air and water quality standards.

C. The Project Will Not Result in Adverse Auditory, Visual, Health or Safety Impacts or Adverse Impacts to Historic Resources

The Project has been designed to comply with applicable state noise regulations at the Property boundaries.¹² Moreover, Property landowners and tenants have filed comments in support of the Project. DEEP noted in its comments that it believes that noise impacts will not be a factor for the Project.¹³ In addition, the Project has been designed to meet to exceed all applicable local, state, and federal health and safety standards.¹⁴ The Project will not overburden Lake Street, as after a brief construction period, the facility will be managed remotely except for routine maintenance.¹⁵

The layout will avoid regions close to neighbors to reduce potential visual impacts, and steer clear of wetland buffers and environmentally sensitive areas.¹⁶ Moreover, Abutters will be provided with visual screening measures to reduce visibility of the Project¹⁷ and consulted about their preferred screening methods, including vegetation.¹⁸

Finally, the Petitioner prepared a comprehensive investigation of historical resources on the Property that examined historic maps and aerial imagery as well as previously identified cultural resources located in proximity. This investigation failed to identify any properties listed on the National Register of Historic Places in the vicinity and concluded that there will be no

¹¹ Response to Interrogatory 2.

¹² Petition at 16.

¹³ DEEP Comments at 4.

¹⁴ Petition at 15.

¹⁵ Petition at 8-9.

¹⁶ Petition at 6.

¹⁷ Petition at 17-18; Evidentiary Hearing Transcript at 40.

¹⁸ Evidentiary Hearing Transcript at 50-51.

impact to previously identified cultural resources by the proposed Project. The State Historic Office of Preservation has agreed with the investigation's findings and concluded no historic properties will be affected by the proposed solar facility and no additional archaeological investigation is warranted.¹⁹ In sum, the Project will not create adverse auditory, visual, health or safety impacts, or any adverse impacts to historic resources.

D. The Project Will Not Adversely Impact Wildlife, Forestry, or Ecological Balance

Regarding wildlife, a final DEEP Wildlife Division determination letter identified the Eastern Box Turtle as a state-listed species of special concern, as potentially present at or near the host parcel(s). The Petitioner will implement the best management practices for turtle protection consistent with DEEP's recommendations.²⁰ The Project is proposed on property that is largely cleared, and as a result only an extremely small amount of tree clearing is proposed along the western edge of the project.²¹ Greenskies will work throughout construction to minimize compaction of soils as much as is reasonably possible, including using an ecologically sustainable seed mix that ensures perennial deep rooted plants and grasses that will improve the infiltration and soil quality of the soils during the life of the Project.²²

V. CONCLUSION

The Council must consider all of the foregoing in rendering its decision on this Petition. The State's statutory goals and the underlying purpose of PUESA recognize the public need for renewable energy facilities. The solar arrays are temporary, lasting for twenty to thirty years before they are decommissioned and the land is returned to its former use. In this case, at the conclusion of the lease, the Property will revert to the landowner, and Greenskies is committed to

¹⁹ Petition at Appendix F.

²⁰ Petition at 25-26.

²¹ Evidentiary Hearing Transcript at 22-23; Petition at 27.

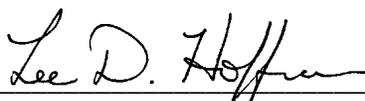
²² Response to Interrogatory 2.

– and legally required to – decommission and return the property to the original state or work with the landowner to reach an agreement to keep drainage basins in place or to return the parcel to the original conditions.²³ In order to reach Connecticut’s ambitious zero carbon goal by 2040, renewable energy projects such as the instant one before the Council must be considered necessary components of our grid. This Project will help achieve this goal.

Greenskies has worked diligently and cooperatively with its host communities by mitigating project impacts with environmentally beneficial solutions and will continue to do so throughout the construction of the Project. No record evidence was submitted to the contrary. Moreover, none of the public comments received by the Council in this Petition refute this. As the Project is in compliance with PUESA’s standards and consistent with prior precedent, Greenskies respectfully submits that the Council should issue a Declaratory Ruling approving this Project.

Respectfully submitted,

GREENSKIES CLEAN ENERGY

By: 

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²³ *Id.*