

DRAFT

**Petition No. 1395A
Windham Solar LLC
31 Benz Street, Ansonia**

**Partial Development & Management Plan II
Staff Report
October 18, 2024**

On June 21, 2021, the Connecticut Siting Council (Council) issued a Declaratory Ruling to Windham Solar LLC (WS), pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance, and operation of an approximately 1.99-megawatt (MW) alternating current (AC) solar photovoltaic electric generating facility located at 31 Benz Street in Ansonia and an associated electrical interconnection (Project). In its Declaratory Ruling, the Council required WS to submit a Development and Management (D&M) Plan in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies (RCSA).

On June 28, 2021, in compliance with RCSA §16-50j-61(d), WS submitted Partial D&M Plan I¹ to the Council and the service list. Partial D&M Plan I included site plans and documentation specific to the pre-construction phase of the Project.

On July 30, 2021, the Council approved Partial D&M Plan I with conditions, including, but not limited to submission of a copy of the letter required by DEEP for connection to the city stormwater system and specifications for the landscaping vegetation. Project site clearing/preparation began on October 28, 2021.

On June 28, 2024, WS requested an extension of time to complete construction to June 21, 2025. On June 28, 2024, the Council granted the request.

On August 15, 2024, in compliance with RCSA §16-50j-61(d), WS submitted Partial D&M Plan II to the Council and the service list. Partial D&M Plan II includes a final site plan and equipment; final structural design for the racking system, sheep grazing plan, and solar panel Toxicity Characteristic Leaching Procedure test results. Partial D&M Plan II also includes evidence of compliance with the conditions of the Council's July 30, 2021 Partial D&M Plan I approval, including, but not limited to a copy of the January 18, 2024 letter for connection to the city stormwater system and specifications for the landscaping vegetation.² As part of its D&M Plan I approval, the Council also recommended submission of swale and wood chip berm detail.

The Council submitted interrogatories to WS on August 29 and September 23, 2024. WS submitted responses to the interrogatories on September 17 and October 3, 2024.

On September 13, 2024, the Council requested an extension of the Partial D&M Plan II decision deadline to October 30, 2024. On September 18, 2024, WS granted the Council's request.

¹ Regulations of Connecticut State Agencies §16-50j-60(b) states, "A *partial* or full D&M plan shall be prepared in accordance with this regulation..." (Emphasis added).

² Additionally, no blasting occurred on site and rock processing occurred during approved weekday work hours.

Condition No. 1 of the Council's Declaratory Ruling requires the following information to be included in the D&M Plan:

- a) **A final site plan including, but not limited to, final facility layout, access roads, electrical interconnection including riser pole locations, fence design, equipment pads, and stormwater management control structures;**

Partial D&M Plan II includes the final site plan, which established the boundaries of the site, perimeter fencing, access road, and the solar array equipment.

After the Council's July 30, 2021 approval of Partial D&M Plan I, which included a final site plan and site clearing/preparation/stormwater management structure installation. No equipment associated with the solar facility was installed.

Due to advancements in solar module technology, WS plans to install 1,976 Canadian Solar 680 Watt solar modules and 1,976 Canadian Solar 685 Watt solar modules (total 3,952 modules) instead of the 4,860 Trina 475 Watt solar modules approved by the Council in its June 21, 2021 Declaratory Ruling.

Due to a redesign of the electrical interconnection, WS plans to relocate the eastern transformer/switchgear/inverter pad to a location northwest of the on-site building and consolidate the two approved overhead interconnection lines (one for each solar array), to one interconnection line located along the existing driveway to the on-site building. The revised interconnection would require 4 utility poles to conform to the United Illuminating Company's technical design standards and would support a GOAB, recloser and disconnect switch. Customer-side meters and reclosers will be pad-mounted.

The higher wattage solar modules and electrical interconnection redesign will be located within the approved limit of disturbance (LOD). No revisions to the DEEP Stormwater Permit are required.

Landscaping vegetation will include 245 Dark American Arborvitae six to eight foot tall at time of planting installed around the solar facility perimeter fence. A seven-foot high chain link fence, compliant with the National Electrical Code, will enclose the solar array area.

- b) **Details of construction phasing that includes, at a minimum, one growing season upon completion of the stormwater basins, swales, perimeter erosion and sedimentation controls, and solar field grading, prior to the commencement of solar array construction. One growing season is defined as April 1 through June 15 or August 15 through October 15;**

Partial D&M Plan I included construction phasing details.

Phase 1 construction included clearing and site stabilization procedures. These construction activities have been completed.

Phase 2 construction includes the installation of the solar racking system and solar modules, trenching for conduit, and installation of the concrete electrical pads and equipment. Construction areas would be isolated by silt fence and wood chip berms. Wood chip berms capture sediment while allowing water to pass through. Seeding and mulch application will occur during construction to stabilize disturbed areas. Once construction is completed, the site will be final seeded. A gravel trench above each stormwater basin will act as a forebay to capture sediment before stormwater enters the basin.

c. Submit a box turtle protection program;

Partial D&M Plan I included a box turtle protection plan with an on-site environmental monitor, contractor education, protective barriers, site sweeps, and project reporting.

d) 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;

Partial D&M Plan II includes the final structural design for the racking system stamped by a Professional Engineer duly licensed in the State of Connecticut.

e) Final plans for hosting sheep grazing at the site, if applicable, including, but not limited to, provisions for emergency evacuation;

Partial D&M Plan II includes a Sheep Grazing Management Plan. Rotational sheep grazing would be conducted during spring and summer months using temporary paddocks. Typical stocking rates would be 5-10 sheep per acre. Water will be obtained from an existing on-site connection.

Details regarding emergency evacuation of the sheep remain outstanding.

f. Installation of a black vinyl-coated solar field perimeter fence along Benz Street with a six inch gap at the bottom for wildlife movement if WS opts not to host sheep grazing at the site under (e);

Partial D&M Plan I included details for a seven-foot high chain link perimeter fence without a six inch gap at the bottom to protect the sheep and a black vinyl coated treatment where the fence faces Benz Street.

g. Construction hours shall occur Monday through Saturday with any Sunday work to be requested, as necessary;

Partial D&M Plan I included work hours from 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 5:00 p.m. on Saturday.

h) Submit an updated DEEP NDDB determination letter prior to commencement of construction;

Partial D&M Plan I included an updated DEEP NDDB determination letter. The DEEP-recommended procedures were incorporated into the box turtle protection plan.

j. Consult with the DEEP Dam Safety Division regarding permitting requirements, if any, for the proposed stormwater basins prior to site construction;

Partial D&M Plan II includes the DEEP General Permit issued for facility construction.

k. Solar module specifications that indicate the selected solar module will not contain PFAS and will not be characterized as hazardous waste through applicable TCLP testing at the time of this decision; and

Partial D&M Plan II includes laboratory reports that demonstrate the selected solar panels 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 useful life.

- k) Identification of the location for the on-site disposal of excess cut material from site grading activities. If a rock processor is to be used on-site, submit details regarding the location of the processor and associated erosion/sedimentation controls and sediment traps, and details of water use to control dust emissions**

Partial D&M Plan I specified the use and location of a rock processor and associated erosion/sedimentation controls that were employed during site preparation activities in 2021.

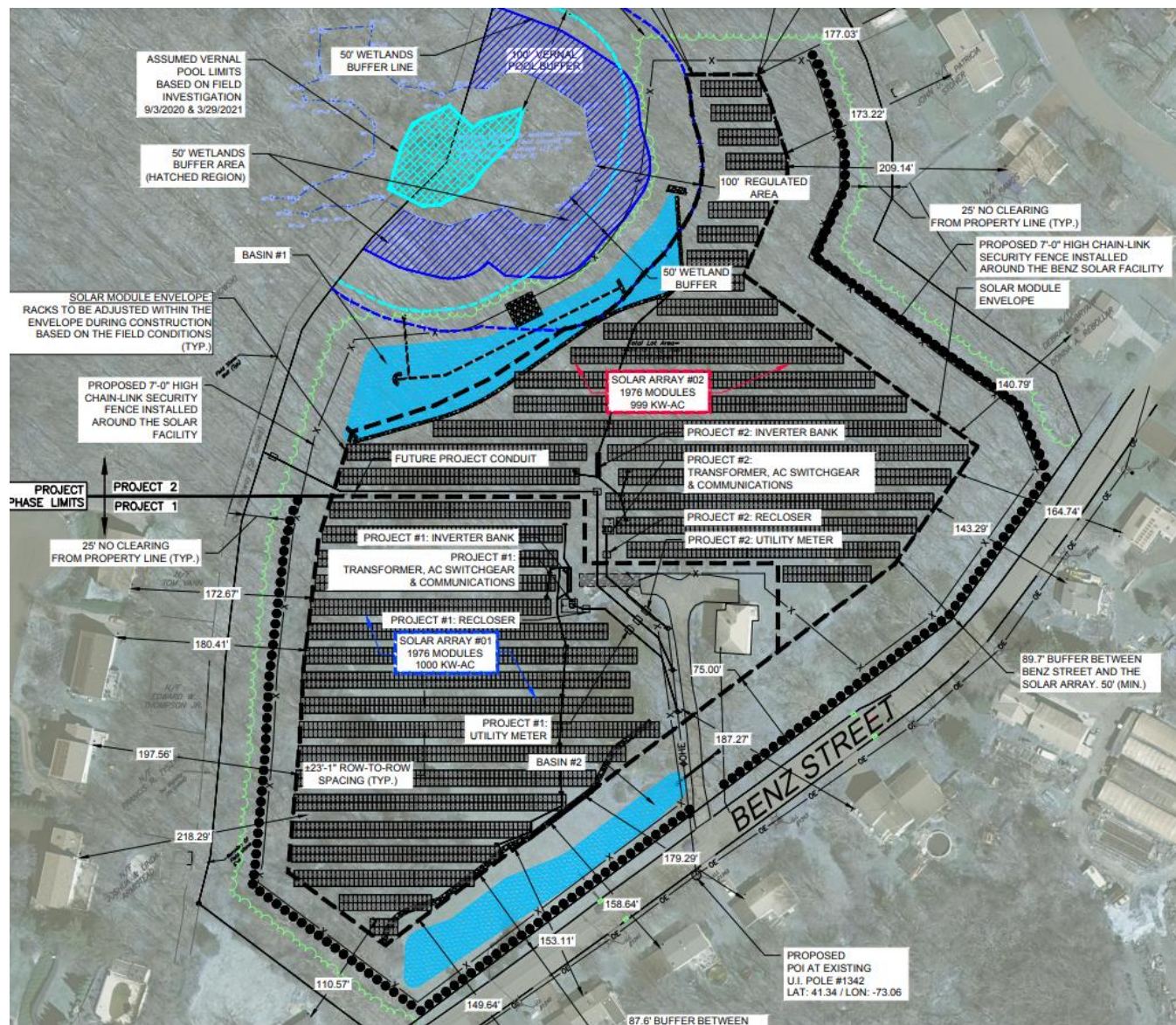
Conclusion

Partial D&M Plan II is consistent with the Council's D&O for Petition No. 1395A.

If approved, staff recommends following conditions:

1. Provide details for emergency evacuation of the sheep; and
2. Install signage on the solar facility site perimeter fence with contact information for the sheep grazer.

Site Layout



LEGEND:

	EXISTING PROPERTY LINE		50' WETLAND BUFFER AREA
	PROPOSED PROJECT FENCE		WETLAND DELINEATION LINE
	PROPOSED GRAVEL ACCESS ROAD		24 x 2 SOLAR MODULE BOCK
	PROPOSED AC DISTRIBUTION		18 x 2 SOLAR MODULE BOCK
	PROPOSED OVERHEAD ELECTRIC		6 x 2 & 12 x 2 SOLAR MODULE BOCK
	ARBORVITAE SCREENING TREES		
	BASIN OUTLET		