



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Meeting Minutes

Meeting of July 16, 2020

A tele-conference meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, July 16, 2020. The meeting was called to order with a quorum present by Presiding Officer Robert Silvestri at 1:00 p.m.

Council Members Present:

Robert Silvestri
Presiding Officer
Edward Edelson
Michael Harder
Daniel P. Lynch, Jr.

Linda Guliuzza
(designee for Chairman Gillett)
Robert Hannon
(designee for Commissioner Dykes)
John Morissette

Staff Members Present:

Melanie Bachman
Executive Director/Staff Attorney
Fred Cunliffe
Supervising Siting Analyst
Ifeanyichukwu Nwankwo
Siting Analyst

Christina Walsh
Supervising Siting Analyst
Robert Mercier
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Lisa Fontaine

1. Minutes of June 4, 2020.

Mr. Edelson moved to approve the Minutes of June 4, 2020; as amended; seconded by Mr. Hannon. The motion passed unanimously.

2. **DOCKET NO. 488 – Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at one of two sites: Kent Tax Assessor ID #M10, Block 22, Lot 38 Bald Hill Road or 93 Richards Road, Kent, Connecticut. Joint Motion for In-Person Hearing and Site Inspection.**

Mr. Harder moved to deny the Joint Motion for In-Person Hearing and Site Inspection based on the applicability of Governor Lamont's Executive Order No. 7B to public hearings held under Public Utility Environmental Standards Act, the Connecticut Supreme Court decision in *Grimes v. Conservation Commission of Litchfield* that field reviews are not an integral part of the hearing process and the proposed alternatives are not workable solutions under the Governor's Emergency Orders; seconded by Ms. Guliuzza. The motion passed with Mr. Lynch abstaining.

3. **PETITION NO. 1397 - Constitution Solar, 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 20-megawatt AC solar photovoltaic electric generating facility on approximately 149 acres comprised of four separate parcels located off of Cornell Road in Plainfield, Connecticut and associated electrical interconnection. Decision.**

Mr. Morissette moved to approve this petition with the conditions noted in the staff report and with the additional condition that the petitioner submit a Development and Management Plan for the project per Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies and including the identification of the location where excess cut would be disposed of and the examination of the feasibility of removing solar panels from the stormwater basins; seconded by Mr. Hannon. The motion passed with Mr. Silvestri voting no.

4. **PETITION NO. 1401 - Revity 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 12.25-megawatt AC solar photovoltaic electric generating facility on approximately 74.9 acres located at 424 Snake Meadow Road, Plainfield, Connecticut and 0 Valley Road, Sterling, Connecticut, and associated electrical interconnection to Eversource Energy's Fry Brook Substation. Decision.**

Mr. Edelson moved to approve this petition with the conditions noted in the staff report and with the additional condition that the petitioner submit a Development and Management Plan (D&M Plan) for

the project per Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies, that includes consultation with the Department of Energy and Environmental Protection Dam Safety Program to determine if the stormwater basins qualify as dams and consideration of an additional buffer distance between the proposed access drive and Wetland 9; seconded by Mr. Harder. The motion passed unanimously.

5. **PETITION NO. 1405 - The Connecticut Light and Power Company d/b/a Eversource Energy petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed Horton Cove Circuit Separation Project consisting of a partial rebuild and separation of approximately 1 mile of its existing No. 100 69-kilovolt (kV) and Nos. 1410, 1280, and 1355 115-kV electric transmission line structures within existing Eversource electric transmission line right-of-way between a location east of Depot Road to a point east of Point Breeze Road, Montville, Connecticut, and related electric transmission line structure improvements. Decision.**

Mr. Morissette moved to approve this petition with the conditions noted in the staff report and that the final staging area location(s) restoration plans include an invasive species control plan; seconded by Mr. Edelson. The motion passed unanimously.

6. **PETITION NO. 1408 - FairWindCT, Inc., et al petition, pursuant to Connecticut General Statutes §4-176, for a declaratory ruling that: (a) the January 9, 2020 Development and Management Plan (D&M Plan) Modification submitted by BNE Energy, Inc. in Petition No. 983 conflicts with the Connecticut Siting Council's (Council) June 2, 2011 final decision on Petition No. 983; (b) the Council did not have jurisdiction over the D&M Plan Modification; (c) the Council did not have statutory authority to approve the D&M Plan Modification; (d) the D&M Plan Modification violated due process rights; and (e) the D&M Plan Modification violates the Connecticut Environmental Protection Act. Request for Party Status.**

Mr. Hannon moved to grant Party Status to BNE Energy, Inc.; seconded by Mr. Harder. The motion passed unanimously.

7. **PETITION NO. 1410 - 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 3.0-megawatt-AC solar photovoltaic electric generating facility on two parcels at the Elmridge Golf Course located to the east and west of North Anguilla Road at the intersection with Elmridge Road, Stonington, Connecticut, and associated electrical interconnection. Request for Party Status.**

Mr. Lynch moved to grant Party Status to Douglas Hanson; seconded by Mr. Harder. The motion passed unanimously.

8. **TS-VER-031-200619 - Cellco Partnership d/b/a Verizon Wireless request for an order to approve tower sharing at an existing telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut. Decision.**

Mr. Lynch moved to approve this tower share request with the condition that approval of any minor changes be delegated to Council staff; seconded by Mr. Morissette. The motion passed unanimously.

9. **Administrative Matters.**

• ***Regular Items***

The following calendar dates were discussed:

- Docket No. 488, Thursday, July 23, 2020, **evidentiary hearing session** beginning at 2:00 p.m. and **public comment session** beginning at 6:30 p.m. via Zoom remote conferencing.
- Docket No. 487, Tuesday, July 28, 2020, **continued evidentiary hearing session** beginning at 1:00 p.m. via Zoom remote conferencing.
- Energy/Telecommunications telemeeting, Thursday, July 30, 2020, beginning at **1:00 p.m. – CANCELED**
- Petition No. 1347A, Tuesday, August 4, 2020, **continued evidentiary hearing session** beginning at 1:00 p.m. via Zoom remote conferencing.

Adjournment.

Mr. Harder moved to adjourn the meeting; seconded by Mr. Lynch. The motion passed unanimously.

Presiding Officer Silvestri adjourned the meeting at 2:02 p.m.

Respectfully submitted,

s/Melanie A. Bachman

**Melanie A. Bachman
Executive Director**

MAB/laf