



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

### Meeting Minutes

#### Meeting of December 17, 2020

A tele-conference meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, December 17, 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.

Quat Nguyen  
(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  
Ifenyichukwu Nwankwo  
Siting Analyst

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

#### Recording Secretary:

Lisa Fontaine

#### 1. Minutes of December 3, 2020.

Mr. Edelson moved to approve the Minutes of December 3, 2020; seconded by Mr. Morissette. The motion passed unanimously.

2. **PETITION NO. 1406 - Doosan Fuel Cell America, Inc. petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a grid-side 9.66-megawatt fuel cell facility and associated equipment to be located at 600 Iranistan Avenue, Bridgeport, Connecticut, and associated electrical interconnection to the United Illuminating Company's existing Congress Street Substation. Decision.**

Mr. Morissette moved to approve this petition with the conditions noted in the staff report and the additional condition that noise abatement measures be installed during construction; seconded by Mr. Edelson.

Upon further discussion, Mr. Morissette withdrew his motion for approval and moved to deny this petition without prejudice on the bases that the Project plans provided lack site detail, natural gas safety issues, safety implications of the proposed facility's location in relation to other existing infrastructure, potential vapor plume hazards to the adjacent highway, and potential post-construction noise issues; seconded by Mr. Edelson. The motion passed with Mr. Nguyen abstaining and Mr. Hannon voting no.

3. **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. Decision.**

Mr. Lynch is recused from this matter.

Mr. Edelson moved to deny this petition on the following bases:

1. the Council has jurisdiction over BNE Energy's (BNE) January 9, 2020 D&M Plan Modification;
2. the Council has statutory authority to approve BNE's January 9, 2020 D&M Plan Modification;
3. the Council's March 6, 2020 approval of BNE's January 9, 2020 D&M Plan Modification did not violate Petitioners' due process rights;
4. the Council's March 6, 2020 D&M Plan Modification approval did not violate the Connecticut Environmental Protection Act; and
5. the Council's March 6, 2020 D&M Plan Modification approval did not violate state noise law.

The motion was seconded by Mr. Morissette and passed with Mr. Lynch recusing and Mr. Harder voting no.

4. **PETITION NO. 1422 - 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 4.99-megawatt AC solar photovoltaic electric generating facility to be located at Mulnite Farms, Inc. off Barber Hill Road west of the intersection with Rockville Road, East Windsor, Connecticut and associated electrical interconnection. Town of East Windsor Request for Hearing. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mr. Edelson moved to approve the Town of East Windsor's Request for a Public Hearing; seconded by Mr. Lynch. The motion passed unanimously.

5. **PETITION NO. 1426 - East Windsor Solar One, 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 4.9-megawatt AC solar photovoltaic electric generating facility located west of the Ellington town boundary at 341 East Road, East Windsor, and associated electrical interconnection. Town of East Windsor Request for Hearing. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mr. Edelson moved to approve the Town of East Windsor's Request for a Public Hearing; seconded by Mr. Morissette. The motion passed unanimously.

6. **PETITION NO. 1427 – SunJet Energy, 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 1.0-megawatt or less AC solar photovoltaic electric generating facility and associated electrical interconnection located at 0 Matthews Street and 125 Hill Street, Bristol, Connecticut. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mr. Lynch moved to set the date by which to render a decision in accordance with Connecticut General Statutes § 4-176(e), Section 16-50j-40(c) of the Regulations of Connecticut State Agencies and Governor Lamont's June 29, 2020 Executive Order No. 7DDD as no later than May 9, 2021; seconded by Mr. Edelson. The motion passed unanimously.

7. **PETITION NO. 1429 - 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 1768 Line Lattice Tower Replacement Project consisting of the reconductoring and replacement of electric transmission line structures along approximately 7 miles of its existing No. 1768 115-kilovolt (kV) double-circuit electric transmission line within existing Eversource electric transmission line right-of-way between East Granby Junction in East Granby and the Suffield, Connecticut/Agawam, Massachusetts border, and related electric transmission line structure improvements. Decision.**

Mr. Morissette moved to approve this petition with the condition that the petitioner submit a Partial Development and Management Plan for the portions of facility construction that will occur within wetlands and watercourses for Council approval prior to the commencement of facility construction; seconded by Mr. Edelson. The motion passed unanimously.

8. **Administrative Matters.**

The following calendar dates were discussed:

- Petition No. 1425, Thursday, January 7, 2021, **continued evidentiary hearing session** beginning at 2:00 p.m. via Zoom remote conferencing.
- Energy/Telecommunications telemeeting, Thursday, January 14, 2021, beginning at **1:00 p.m.**
- Docket No. 495, Thursday, January 21, 2021, **evidentiary hearing session** beginning at 2:00 p.m. and **public comment session** beginning at 6:30 p.m. via Zoom remote conferencing.
- Energy/Telecommunications telemeeting, Thursday, January 28, 2021, beginning at **1:00 p.m.**

**Adjournment.**

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

Presiding Officer Silvestri adjourned the meeting at 2:17 p.m.

**Respectfully submitted,**

*s/Melanie A. Bachman*

**Melanie A. Bachman  
Executive Director**

MAB/laf