



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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January 20, 2017

Brad N. Mondschein, Esq.
Pullman & Comley LLC
90 State House Square
Hartford, CT 06103-3702

RE: **PETITION NO. 1247** – C-TEC Solar, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 3.75 MW solar photovoltaic electric generating facility located at 65 Thompson Road (formerly known as 1 Ballard Road), Thompson, Connecticut.

Dear Attorney Mondschein:

At a public meeting of the Connecticut Siting Council (Council) held on January 19, 2017, the Council considered and approved Phases II and III of the Development and Management (D&M) Plan submitted for this project on December 15, 2016 with the condition that a D&M Plan Revision shall be submitted for the Future Phase with the final site layout and fence design.

This approval applies only to the D&M Plan submitted on December 15, 2016 and supplemental data dated December 28, 2016. Requests for any changes to the D&M Plan shall be approved by Council staff in accordance with Regulations of Connecticut State Agencies (RCSA) §16-50j-62(b). Furthermore, the project developer is responsible for reporting requirements pursuant to RCSA §16-50j-62.

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 Council's decision on the petition dated September 6, 2016 and in Phases II and III D&M Plan dated December 15, 2016 and supplemental data dated December 28, 2016.

Enclosed is a copy of the staff report on this D&M Plan, dated January 19, 2017.

Thank you for your attention and cooperation.

Sincerely,

Robert Stein
Chairman

RS/MP/cm

Enclosure: Staff Report dated January 19, 2017

c: The Honorable Ken L. Beausoleil, First Selectman, Town of Thompson
Mary Ann Chinatti, Director of Planning and Development, Town of Thompson



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Petition No. 1247

C-TEC Solar, LLC

D&M Plan – Phases II & III

**65 Thompson Road, Thompson
(formerly known as 1 Ballard Road)**

Staff Report

January 19, 2017

On September 1, 2016, the Connecticut Siting Council (Council) issued a Declaratory Ruling to C-TEC Solar, LLC (C-TEC) that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.75 megawatt (MW) direct current (DC) or approximately 2.70 MW alternating current (AC) solar photovoltaic generating facility at 65 Thompson Road (formerly known as 1 Ballard Road), Thompson, Connecticut. In its decision, the Council required C-TEC to submit a Development and Management Plan (D&M Plan). The Council approved C-TEC's Phase I D&M Plan for this project on December 8, 2016. C-TEC submitted the Phase II D&M Plan and the Phase III D&M Plan on December 15, 2016.

The 2.70 MW AC output that was approved by the Council was based on a total of approximately 11,200 solar modules. However, in its Phase II D&M Plan, C-TEC separated the solar facility into two sections: the Planned Phase and Future Phase. If the Phase II D&M Plan and Phase III D&M Plan are approved by the Council, C-TEC would initially go forward with the Planned Phase and defer the Future Phase until a later date. (C-TEC is in the process of finalizing financing for the Future Phase.) In the Planned Phase, C-TEC will install a total of 7,144 solar modules on fixed racks oriented to the south at an angle of 25 degrees above the horizontal. The Planned Phase will span most of the existing approved project footprint, except the eastern portion. The Planned Phase would be 1.68 MW AC.

The Future Phase would cover the eastern portion of the site and consist of the remaining approximately 4,056 solar modules. C-TEC does not plan to submit another D&M Plan phase for the Future Phase, but to the extent requiring Council approval, proposes to submit any D&M Plan changes to the Council should that occur in the future.

In compliance with Condition 3(a) of the Council's Declaratory Ruling, in the Phase II D&M Plan, C-TEC has included final detailed site plans for the (Planned Phase) facility including the access road, fencing, and electrical interconnection design. In compliance with Condition 1 of the Council's Phase I D&M Plan approval, C-TEC has verified that the Phase II D&M Plan has an accurate delineation of the 100-year flood zone consistent with Federal Emergency Management Agency data.

C-TEC's Phase II D&M Plan includes its Erosion and Sedimentation Control Plan. Erosion control measures are depicted on the south side of the plans in areas where stormwater could leave the site. (The majority of the south side of the site contains a three to four foot high berm from previous mining excavation.) In compliance with Condition 5 of the Council's Phase I D&M Plan approval, C-TEC has agreed to install straw wattles at the toe of the slope along the entire area of disturbance for the project.

C-TEC notes that the existing access drive does not require upgrades in order to support construction traffic. Notwithstanding, the access drive will be upgraded with an approximately 2-inch overlay per C-TEC's geotechnical engineer, and the section of the drive near the electrical compound will require the full depth upgrade (i.e. 6-inch sub-base with a 4-inch top course). In compliance with Condition 6 of the Council's Phase I D&M Plan approval, a Professional Engineer, duly licensed in the State of Connecticut, has certified that the existing 36-inch underground pipes that cross the access drive can support the construction traffic.



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Affirmative Action / Equal Opportunity Employer

The Planned Phase solar facility would be surrounded by an eight-foot chain link fence with a less than two inch anti-climb mesh. The top of the solar panels would reach a height of approximately 7-feet 10-inches above grade, so the panels are not expected to protrude above the top of the fence. C-TEC's electrical equipment compound, to be located near the northeast corner of the Planned Phase footprint area, would have its own similar fence design. C-TEC will also leave an approximately six inch gap at the bottom of the fence to allow turtles and other wildlife to pass through and reduce the risk of entrapment as opposed to the originally proposed up to 1.5-inch gap between the bottom of the fence and grade.

There is no proposed grading in the area of the solar arrays because the existing grade is a flat, gradual grade. C-TEC has included the proposed grading for the access drive and the stormwater basin in the Phase III D&M Plan. The infiltration basin has been designed to mitigate the post-construction versus pre-construction stormwater impacts associated with a 100-year storm. Also, permanent waterbars have been proposed on the access driveway to mitigate the stormwater and provide stabilization for the access drive.

Council staff notes that, on Sheet SP-1 of the Phase II D&M Plan, the fence for the Planned Phase would cross the Future Phase solar panel footprint area. This is not expected to be a concern for the purposes of Planned Phase and would ensure the security of Planned Phase solar footprint area, but the fence would have to be modified in the future to accommodate the Future Phase. Thus, if the Phase II and Phase III D&M Plans are approved by the Council, staff suggests including a condition that a D&M Plan Revision be submitted for the Future Phase with the final site layout and fence design for Council staff approval.

Electrical utilities will be underground to reach the fenced equipment compound and then would run overhead along the access drive to reach Route 193. Electric utilities will then run overhead to cross Route 193 and connect to a pole on the north side of Route 193. The overhead feeder is sized to carry both the Planned and Future Phase power outputs. C-TEC consulted with Eversource regarding an underground (or trenched) crossing of Route 193, but it was determined to be impractical.

In compliance with Condition 3(b) of the Council's Declaratory Ruling, in the Phase III D&M Plan, C-TEC included the final details of its Vernal Pool Buffer Enhancement Plan (VPBEP) for the vernal pool area northwest of the site. The vernal pool enhancement area will be approximately 0.3 acres. The VPBEP includes the planting of a total of at least 60 trees and 100 shrubs. This will include 30 Quaking Aspen and at least 30 Eastern White Pines. For shrub plantings, C-TEC will plant 20 of each of the following: Sweet Fern, Gray dogwood, Black chokeberry, Bayberry, and Staghorn Sumac. The trees will have an initial height of four to six feet. The shrubs will have an initial height of three to four feet. C-TEC has proposed additional Eastern White Pines to mitigate visual impacts where portions of the northwestern corner of the facility could be visible on the Airline Trail.

In compliance with Condition No. 3(c) of the Council's Declaratory Ruling, in the Phase III D&M Plan, C-TEC notes that All Points Technology Corporation will perform the environmental monitoring relative to the implementation of the VPBEP. The Phase III D&M Plan includes the contact information for Dean Gustafson, Professional Soil Scientist and Senior Wetland Scientist.

If the Phase II D&M Plan and the Phase III D&M Plan are approved by the Council, such work is expected to be completed by April 30, 2017. The planned construction hours are Monday through Saturday from 7:00 a.m. to 7:00 p.m.

All of the D&M Plan requirements set forth in the Council's Decision for Petition No. 1247 are in compliance; therefore, Council staff recommends approval with the following conditions:

1. A D&M Plan Revision shall be submitted for the Future Phase with the final site layout and fence design; and
2. Changes to the D&M Plan shall be delegated to Council staff.