



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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DATE: November 6, 2017

TO: Council Members

FROM: Melanie A. Bachman, Executive Director *MAB*

RE: **PETITION NO. 1221** - Windham Solar LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of two 1.0 Megawatt and one 1.5 Megawatt Solar Photovoltaic Electric Generating facilities located at 91 Plainfield Pike Road, Plainfield, Connecticut. **Motion to Reopen Declaratory Ruling based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).**

On November 2, 2017, pursuant to the provisions of Connecticut General Statutes §4-181a(b), Windham Solar, LLC (WS) filed a Motion to Reopen the Connecticut Siting Council's (Council) July 21, 2016 decision to deny a declaratory ruling to WS for the above-referenced proposed solar photovoltaic electric generating facilities in the Town of Plainfield based on changed conditions.

The petitioner presents the following changed conditions:

1. Authorization for a general permit from the U.S. Army Corps of Engineers for wetland impacts;
2. Acquisition of access and utility easements for the access road from the Lighthouse Church of God for the North project and from Leo Properties, LLC for the East and South projects;
3. Revised site plan and updated vernal pool assessment to avoid development within the critical terrestrial habitat associated with three on-site vernal pools;
4. Submission of a response from the DEEP NDDDB relative to protected species, dated August 21, 2017; and
5. Reduced footprint of the revised project resulting in a total output of 3 MW for which Eversource confirms that up to 4 MW of generation may be exported to the grid per system requirements.

The Motion to Reopen the Council's July 21, 2016 final decision will be placed on the Council meeting agenda scheduled for December 7, 2017 for Council consideration.

Pursuant to Connecticut General Statutes §4-181a(b), parties and intervenors to the original proceeding shall be notified of the Motion to Reopen and given an opportunity to participate. There were no parties and intervenors of record to the original proceeding when the final decision on the petition for a declaratory ruling was rendered and therefore, there are no parties or intervenors of record to be notified of this Motion to Reopen nor to comment on this Motion to Reopen.

MAB/MAP/lm