



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

www.ct.gov/csc

VIA ELECTRONIC MAIL

September 6, 2017

Briony Angus, AICP
Senior Project Manager/Associate
Tighe & Bond
213 Court Street, Suite 100
Middletown, CT 06457

RE: **PETITION NO. 1224** - Woods Hill Solar, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 17.61 Megawatt AC Solar Photovoltaic Electric Generating facility located at 90 and 101 Woods Hill Road, Pomfret, Connecticut. **Development & Management Plan.**

Dear Ms. Angus:

At a public meeting of the Connecticut Siting Council (Council) held on August 31, 2017, the Council considered and approved the Development and Management (D&M) Plan submitted for this project on July 24, 2017 with the following conditions:

1. A 7-foot fence without barbed wire be installed unless required by any applicable codes; and
2. Compliance with the reporting requirements under Section 16-50j-62 of the Regulations of Connecticut State Agencies.

This approval applies only to the D&M Plan submitted on July 24, 2017 and supplemental data dated August 23, 2017. 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 May 13, 2016 and in the D&M Plan dated July 24, 2017 with the following conditions:

Enclosed is a copy of the staff report on this D&M Plan, dated August 31, 2017.

Thank you for your attention and cooperation.

Sincerely,

Robert Stein
Chairman

RS/CMW/lm

Enclosure: Staff Report dated August 31, 2017

c: The Honorable Craig Baldwin, First Selectman, Town of Pomfret
Walter P. Hinchman, Planning and Zoning Chairman, Town of Pomfret
Lee Hoffman, Esq., Pullman & Comley LLC
Juanita Cristina and Sheila Nabozny, property owners
Charles Tyler, property owner



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

www.ct.gov/csc

Petition No. 1224

Woods Hill Solar Project

90 and 101 Woods Hill Road, Pomfret

Development and Management Plan

Staff Report

August 31, 2017

On May 12, 2016, the Connecticut Siting Council (Council) issued a Declaratory Ruling to Woods Hill Solar, LLC (WHS) that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 17.61 megawatt (MW) alternating current (AC) solar photovoltaic generating facility located at 90 and 101 Woods Hill Road, Pomfret, Connecticut. Since the Council's issuance of the declaratory ruling, WHS has optimized its system based on layout and equipment selection and, as a result, the project is now capable of a capacity of 20 MW AC. As required by the Council's decision on this petition, WHS submitted a Development and Management (D&M) Plan for the project on July 24, 2017. Copies of the D&M Plan were provided to the Towns of Pomfret, Brooklyn and Killingly on or about July 24, 2017. No comments have been received to date.

The Council's May 12, 2016 decision required the D&M Plan to include:

- a) A final site plan including, but not limited to, the electrical interconnection design;
- b) The vernal pool report; and
- c) The State Historical Preservation Office determination.

The project is located on two parcels at 101 Woods Hill Road (Parcel A) and 90 Woods Hill Road (Parcel B). Parcel A is an approximately 113 acre property currently owned by Juanita Cristina and Sheila Nabozny located southeast of the terminus of Woods Hill Road. Parcel B is an approximately 115 acre property currently owned by Charles and William Tyler located northwest of the terminus of Woods Hill Road. Parcel A is zoned Commercial Business (CB) and Rural Residential (RR). Parcel B is zoned CB. The two parcels together, referred to as the site, would total approximately 228 acres. The site consists of cleared agricultural land that is used for agricultural purposes.

Although the eastern portion of Parcel B and the northern portion of Parcel A contain tracts of prime farmland and statewide important farmland, neither parcel is subject to any agricultural restriction. There are no encumbrances on development uses as a result of acquisition of development rights by the state of Connecticut. According to the Town of Pomfret Tax Assessor records, the Public Act 490 land use code indicates both Parcel A and Parcel B are classified as "Tillable D – good to fair." The Phase I Environmental Site Assessments conducted for each parcel by Tighe & Bond concluded that both parcels contain potential contaminants of concern, including pesticides and herbicides based on past agricultural use, and the presence of minor amounts of solid waste (wood, plastic and metal).

On August 9, 2017, WHS requested permission from the Council to begin construction activities at the site, including clearing areas of the site, mobilizing construction equipment and initial construction activities, with the understanding that such activities may be subject to change when the Council is able to act on the D&M Plan. Due to the Council's regular meeting schedule for August 2017, the Council would not have been able to make a decision on the D&M Plan until its August 31, 2017 regular meeting. Therefore, on August 9, 2017, Council staff granted WHS its request to begin limited construction activities at the site.



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer

Final Site Plan

The solar field will include a total of 75,240 solar photovoltaic modules (with 10 inverters). The racks will be oriented south at a fixed 25 degree angle to the ground surface. The panels would extend to a height of approximately 7 feet above ground level and racks would be spaced approximately 25 feet apart from post to post. Spacing between rows of solar panels will be approximately 15 feet.

The facility on both parcels will be surrounded by an eight-foot tall chain link fence with one-foot of barbed wire on top. The fence will have a 1 ¼ inch mesh. Sixteen-foot wide access roads will extend from Woods Hill Road to the facility within Parcel A and Parcel B. Anti-tracking pads will be used at the entrance of the access roads from Woods Hill Road during construction. The pads will consist of two to four inches of ¾ inch crushed stone.

The project will include ten 2 MW inverters installed at various locations within the project area. Underground conduits will generally run along access roads from the equipment pads at the facility to the interconnection location. Electrical interconnection will extend from the switchgear pad in the northern portion of the project to the adjacent existing Eversource electric transmission line right-of-way. Power from the solar facility will be carried via a 23-kV electric distribution line to Eversource's Tracy Road Substation. Eversource is responsible for permitting and constructing the electric distribution line from the point of interconnection to Tracy Road Substation.

Six-foot tall Eastern red cedar trees will be installed along Woods Hill Road near the construction entrances on both parcels. Additionally, the trees would be installed along the property boundary of Parcel A and the property at 23 Woods Hill Road.

Erosion and sedimentation controls will be installed along the western edge of the project area on Parcel B and the southwestern, southern and eastern edges of the project area on Parcel A.

Construction phasing is proposed which allows for a maximum of five acre increments to be cleared, grubbed and stabilized before moving to another section of the site.

Vernal pool report

There are four wetlands and one intermittent watercourse within the vicinity of the project. A fifth wetland was identified nearby but is not near the project's limit of work. Wetland 1, located in the northwestern portion of Parcel B, is a large forested, hillside seepage wetland. Wetland 2, in the northern portion of Parcel B, is a small isolated forested wetland. Wetland 3, located in the southern portion of Parcel A, is a narrow hillside seepage wetland and intermittent watercourse. Wetland 4, in the northern part of Parcel A, is a small area in an abandoned access road on the parcel boundary. Wetland 5 is in the eastern portion of Parcel A and is a large forested wetland well outside of the proposed construction area for the facility. Wetland 5 contains two vernal pools.

Consistent with the Council's May 12, 2016 decision, a Supplemental Vernal Pool Evaluation Report dated May 10, 2016 was submitted to the Council. In March 2016, all site wetlands were surveyed for the presence of egg masses under optimal sunny conditions. The two vernal pools in Wetland 5 were confirmed active pools. Two vernal pool indicator species, the wood frog and spotted salamander, were confirmed breeding in both vernal pools. Both vernal pools are greater than 1,000 feet from the limits of disturbance for the project and; therefore, would not be affected by the project.

State Historic Preservation Office determination

In accordance with the Council's decision of this petition, WHS provided correspondence from the State Historic Preservation Office stating that it concurs with the Phase IA Assessment and Phase IB Recommendations provided by WHS and no additional archeological examination is required.

Typical construction hours are expected to be Monday through Friday from 7:30 a.m. through 5:00 p.m.

All of the D&M Plan requirements set forth in the Council's Decision for Petition No. 1224 are in compliance; therefore, Council staff recommends approval with the following condition:

- a) Compliance with the reporting requirements under Section 16-50j-62 of the Regulations of Connecticut State Agencies.