



NEW MILFORD FARMLAND & FOREST PRESERVATION COMMITTEE

September 18, 2017

Robert Stein, Chairman
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

RE: PETITION NO. 1312 – Candlewood 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 a 20 megawatt AC (26.5 megawatt DC) solar photovoltaic electric generating facility located on a 163 acre parcel at 197 Candlewood Mountain Road and associated electrical interconnection to Eversource Energy's Rocky River Substation on Kent Road in New Milford, CT

Dear Chairman Stein:

This letter is intended to clarify any misinterpretation of the Committee's December 7, 2016 memorandum to Mayor Gronbach and the Town Council regarding Ameresco's proposed solar farm at Candlewood Mountain Road. It has been reported to the Committee that the applicant, as well some of our local elected officials and members of the public have referred to the memorandum as a "letter of support". It should be pointed out that nowhere in the memorandum is the word "support" used. For your convenience I have attached a copy of the memorandum.

It should also be pointed out that our Committee is an advisory committee with no regulatory authority. Ameresco sought our endorsement as part of their outreach process. In debating the proposal, the Committee reached several conclusions based on the information provided by Ameresco, including, but not limited to:

- the proposed project was on private property and subject to development.
- a solar farm is a better use of land than a built-out subdivision.
- there would be limited earth disturbance to the site. For example the supporting columns for the individual panels would simply be driven into the ground with minimal grading.
- the loss of active agricultural land would be ameliorated offsite in some manner.
- additional agricultural activities would be considered within the solar array area.
- residual lands surrounding the upper parcel would possibly be eased to Weantinoge Heritage Land Trust.

The memorandum simply states that if the applicant adheres to the recommendations outlined in the letter, we would not oppose their application. It does not state that if they adhere to the recommendations we would offer support to their application. As a committee successfully dedicated to saving farm and forest land since 2006, we are fully aware of our mission and responsibilities and any notion that we were or are acting contrary to either is preposterous. Our Committee previously opposed a ground mounted solar array at Sullivan Farm, a town-owned property, declaring that farmland owned by the town should not be used for any other manner than active agricultural use.

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It has recently come to our attention that the actual application submitted to the CT Siting Council by Ameresco indicates that there could be significant grading and possibly stumping within the actively farmed areas as well as the forested area. If this is correct, that is directly contrary to the information provided by Ameresco and would probably have resulted in an unfavorable memorandum from the Committee. Much of the basis for our neutral memorandum was based on minimal site disturbance and the possibility of continued and/or future agricultural use of the property.

Should the activities proposed by Ameresco be contrary to what they told the Committee on November 30, 2016 and should Ameresco not live up to the recommendations as stated in the memorandum, our Committee unanimously requests that the Siting Council deny Ameresco's application.

Should you have any questions or need further assistance, please do not hesitate to contact me.

Sincerely,



Steve Kleppin, AICP
Chairman, NMFFPC

c/ Mayor Gronbach
Town Council

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Memorandum 12/7/16

To: Mayor David Gronbach
Town Council

From: Steve Kleppin, Chairman, NMFFPC

Re: **Ameresco Solar Proposal: Candlewood Mtn.**

At its regularly scheduled meeting held on Wednesday November 30, 2016, our Committee met with Joel Lindsay Michael Zimmer of Ameresco and Peter D'Addeo and William LaMontagne of New Milford Clean Power, LLC.

The Committee is concerned with the potential loss of existing agricultural lands and/or disturbance of locally important farmland soils, a classification of soils within the town, which this Committee obtained designation for, by the National Resources Conservation Service several years ago. The Committee made the following findings:

1. The subject property is privately owned.
2. The Committee recently discussed a similar proposal on the town-owned Sullivan Farm property and concluded that town-owned property containing farmland should not be utilized for non-agricultural purposes.
3. The project will replace existing hayfields with a solar production facility.
4. The project will be sited on locally important agricultural soils.
5. The project site has a solar aspect that is conducive to agricultural production
6. The development of this site will reduce, displace or diminish agricultural potential on the site and is contrary to the committee's objective of preserving farmland.
7. The project also requires harvesting of timber, which is an acceptable use of productive forest lands; however, clear-cutting is not necessarily a preferred technique to do so.

While our preference would be for the site to remain in active agriculture, the Committee does not object to the proposal, provided the applicant consider:

1. Providing a construction management plan to the town that addresses issues such as site access, land disturbance, drainage and sedimentation and erosion control.
2. Planting pasture grasses instead of traditional turf grass.
3. Using sheep or other livestock to graze the solar field area, thereby keeping the site in active agricultural use.
4. Restoring or funding off-site agricultural enhancements, such as clearing fallow fields, at a 2:1 ratio (measured by area) to mitigate impacts on soils and existing hayfields.
5. Allowing public access to the site, *excluding the area for the solar array*, in order to connect to existing, adjacent trails.
6. Placing a permanent easement or deeding the upper parcel, including the solar field area, to the Weantinoge Heritage Land Trust or similar land conservation organization, to be used for agriculture or open space, following the cessation of the use of land as a solar farm, including the removal of all associated infrastructure.

END