

STATE OF CONNECTICUT
SITING COUNCIL

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, Connecticut.

SEPTEMBER 19, 2017

PRE-FILED TESTIMONY OF LISA OSTROVE

The following is the testimony of Lisa Ostrove, director of Intervenor, Rescue Candlewood Mountain, as representative of the perspective of abutting real property owners to the proposed project:

I am Lisa Ostrove, owner of 175 Candlewood Mountain Road, New Milford, Connecticut since 2002. I am over the age of 18 and believe in the obligations of an oath and I make this statement on the basis of my personal knowledge and belief.

My husband and I purchased 175 Candlewood Mountain Road 15 years ago knowing it was located in a residential neighborhood and that it and the properties surrounding it were zoned residential. We chose this location because of its rural, agricultural and peaceful natural setting as a haven from the bustle and stress of the workday world. It is an oasis to us.

Our expectation for this property was that there might be residential uses nearby in keeping with the quaint setting that currently exists. The proposed industrial solar installation shatters that reasonable expectation in significant ways.

We currently enjoy sitting out behind our house which faces the proposed project area and enjoy the wildlife and especially the birds which produce a magical natural symphony. We watch the Canada geese which have a growing family which we show to our children as an example of the natural wonders of this place. The proposed industrial facility will significantly change the view by removing many acres of forest from our view and replace it with the jarring visual of thousands of solar panels. In addition, the removal of such a large stand of contiguous forest cannot help but impact the number and diversity of wildlife we see in the area and potentially degrade the water quality.

While we respect that a property owner has a right to seek permission for legal uses of their land, it is reasonable to expect that any use would respect pre-existing uses and be compatible with them, not destroy significant aspects of what makes them desirable. The R-60 residential zone in which our home is located allows for residences, farms and farm stands, stabling of horses, home occupations and does not allow for any use even remotely similar to an industrial power generation facility. I understand that the buffer between the power facility and neighboring property would be ten feet. According to the

Town's Zoning Commission, an appropriate buffer for an industrial site is 60-100 feet from a residential property. At a minimum, the Council should require a 100 foot buffer.

We are trusting the Siting Council to take into account the impact on the people who have invested in the surrounding properties when siting this facility. Such a review cannot properly be accomplished without the more exacting requirements and environmental review of a full permit process rather than an expedited petition. Your job is not to approve solar power projects solely because they are solar projects, but to weigh and balance the impacts of the project on its own site and those of pre-existing residential neighbors.

We urge you to deny this petition. We urge you to deny this project as being the wrong project in the wrong place.

FURTHER the deponent sayeth not.

Lisa K. DeToro

Subscribed and sworn to before me this 19 th day of September, 2017.

Miriam Busino, Commissioner of the Superior Court/Notary Public.

Respectfully Submitted,
Rescue Candlewood Mountain,



By [Signature]
Keith R. Ainsworth, Esq.
Law Offices of Keith R. Ainsworth, L.L.C. #403269
51 Elm Street, Suite 201
New Haven, CT 06510-2049
(203)435-2014
keithrainsworth@live.com

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing was deposited in the United States mail, first-class, postage pre-paid this 19th day of September, 2017 and addressed to:

Ms. Melanie Bachman, Esq., Executive Director, Connecticut Siting Council, 10 Franklin Square, New Britain, CT 06051 (1 orig, 15 copies, plus 1 electronic) (US Mail/ electronic).

And electronic copies to:

Candlewood Solar LLC Paul R. Michaud, Esq.
Murtha Cullina, LLP
185 Asylum Street
Hartford, CT 06103

Phone: (860) 240-6131
Fax: (860) 240-5936
pmichaud@murthalaw.com

James J. Walker
Vice President
Ameresco, Inc.
111 Speen Street, Suite 410
Framingham, MA 01701
Phone: (508) 598-3030
Fax: (508) 598-3330
jawalker@ameresco.com

Joel S. Lindsay
Director
Ameresco, Inc.
111 Speen Street, Suite 410
Framingham, MA 01701
Phone: (508) 661-2265
Fax: (508) 598-3330
jlindsay@ameresco.com

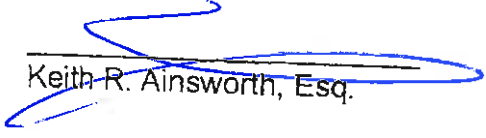
Town of New Milford John D. Tower, Esq.
New Milford Town Attorney
Cramer & Anderson LLP
51 Main Street
New Milford, CT 06776
Phone: (860) 355-2631
Fax: (860) 355-9460
jtower@crameranderson.com

Department of Energy and Environmental Protection Kirsten S. P. Rigney
Bureau of Energy Technology Policy
Department of Energy and Environmental Protection
10 Franklin Square
New Britain, CT 06051
(860) 827-2984 (phone)
(860) 827-2806 (fax)
Kirsten.Rigney@ct.gov

Connecticut Department of
Agriculture
Jason Bowsza
450 Columbus Boulevard
Hartford, CT
Tel.: (860) 713-2526
Fax: (860) 713-2514

Jason.Bowsza@ct.gov

(all by e-mail)


~~Keith R. Ainsworth, Esq.~~