



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

July 19, 2019

John T. Beauton
VP Construction
Greenskies Renewable Energy LLC
180 Johnson Street
Middletown, CT 06547

RE: **PETITION NO. 1342** – GRE GACRUX LLC declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4.98-megawatt AC solar photovoltaic electric generating facility located at 232 Rimmon Road and 700 Middletown Avenue, North Haven, Connecticut.

Dear Mr. Beauton:

At a public meeting of the Connecticut Siting Council (Council) held on July 18, 2019, the Council considered and approved the Development and Management (D&M) Plan submitted for this project on June 21, 2019.

This approval applies only to the D&M Plan submitted on June 21, 2019 and supplemental data dated July 1, 2019. 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 June 8, 2018 and in the D&M Plan received on June 21, 2019.

Enclosed is a copy of the staff report on this D&M Plan, dated July 18, 2019.

Thank you for your attention and cooperation.

Sincerely,

Melanie A. Bachman
Executive Director

MAB/MP/lm

Enclosure: Staff Report dated July 18, 2019

c: Lee D. Hoffman, Esq., Pullman & Comley, LLC



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. 1342

GRE GACRUX LLC

Development & Management Plan

700 Middletown Avenue and 232 Rimmon Road, North Haven

Staff Report

July 18, 2019

On June 8, 2018, the Connecticut Siting Council (Council) issued a Declaratory Ruling to GRE GACRUX LLC (GRE), pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance, and operation of an approximately 4.98 megawatt (MW) alternating current (AC) solar photovoltaic electric generating facility at 232 Rimmon Road and 700 Middletown Avenue, North Haven, Connecticut. In its Declaratory Ruling, the Council required the submission of a Development and Management Plan (D&M Plan). GRE is the owner of the project, and Greenskies is an affiliated Connecticut-based solar developer. On June 21, 2019, Greenskies submitted the D&M Plan for this project. Copies of the D&M Plan were provided to the Towns of North Haven and North Branford¹ on or about June 21, 2019. No comments have been received to date.

The project will be located on approximately 22.6 acres of an approximately 42 acre area, consisting of two contiguous parcels. One parcel (approximately 26.2 acres) is located at 232 Rimmon Road, and the other parcel (approximately 15.5 acres) is located at 700 Middletown Avenue. Both parcels are owned by Catholic Cemeteries Association (CCA) and located in the Town of North Haven's Residential District (R-40). The subject property is currently vacant land that is mostly flat and free of trees. However, a single, 2-acre stand of deciduous trees marks the north-central portion of the site. An existing stand of deciduous trees is also located around much of the perimeter of the property.

The Declaratory Ruling requires the following information to be included in the D&M Plan:

a. A final site plan including, but not limited to, final solar panel design, electrical interconnection, fencing and equipment pads;

The final site plans provided illustrate the site design, solar panel design and array arrangement, clearing, perimeter fencing, access road design, electrical interconnection, and equipment pads. The plans are consistent with the footprint approved by the Council on June 8, 2018. Notwithstanding, the solar array layout was modified slightly resulting in increased distances from certain abutting property lines. The distance from the eastern fence line to the Camara property line was increased from 36 feet to 60 feet. The distance from the western fence line to the CCA property Lot #47/7 increased from 130 feet to 152 feet. The distance from the western fence line to the CCA property Lot #39/13 increased from 55 feet to 79 feet.

The wattage of the solar panels was increased from about 340 Watts DC each to 365 Watts DC each. Accordingly, the number of solar panels has decreased from about 17,568 to approximately 16,524. The total AC MW will remain the same at about 4.98 MW AC. The panels will be fixed, facing the south, and at an angle of 30 degrees above the horizontal. The maximum height to the tops of the panels will remain the same (as approved) at about 9-feet 5-inches above grade.

In total, roughly 3,100 linear feet of 12-foot wide internal gravel access roads will be constructed to provide access to the solar arrays and electrical equipment. The perimeter fence will be a seven foot high chain link fence with a six-inch gap at the bottom.

¹ The Town of North Branford is located within 2,500 feet of the approved solar facility.

Two transformers will be installed on concrete pads within the fenced project footprint. An additional electrical switchgear pad will be installed near the entrance to the access drive off of Middletown Avenue (Route 17). The 13.8-kilovolt electrical interconnection will run underground to connect to an existing utility pole (via a riser) on the same side of Middletown Avenue as the project.

On May 1, 2019, the Connecticut Department of Energy and Environmental Protection (DEEP) issued a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (General Permit) for this project.

b. Final wetland and vernal pool report with associated mitigation/protection measures;

Greenskies submitted the Wetland/Watercourses Delineation Report prepared by Davison Environmental (DE) identifying five wetland areas on the subject property. Wetland 1 is located in the northern portion of the subject property. Wetland 2 is located in the northwestern portion of the subject property. Wetlands 3 and 4 are located in the southwestern portion of the subject property. Wetland 5 is located in the northeastern portion of the subject property. None of the proposed solar arrays, equipment or access drives would be located within wetland areas. Thus, there will be no direct impacts to wetlands. To protect against indirect impacts, Greenskies has included its Erosion and Sedimentation Control Plans. See Section (e) below.

Greenskies submitted its Eastern Box Turtle and Vernal Pools Survey Results (EBTVPSR) prepared by Davison Environmental (DE) and dated November 29, 2018. During initial review of the site in December 2017, none of the wetland areas were considered to have suitable hydrology to support breeding by vernal pool indicator species. Follow-up surveys were conducted on April 14 and May 9 of 2018 to re-inspect wetland areas for amphibian breeding. None of the wetlands contained standing water capable of supporting amphibian breeding, and no egg masses were observed. Thus, no vernal pools were observed.

c. The final wildlife survey results and a conservation/protection plan in accordance with the DEEP Natural Diversity Data Base Comments dated March 22, 2018;

By letter dated March 22, 2018, DEEP indicated that its review of the Natural Diversity Database (NDDB) identified two State-listed Species of Special Concern that may occur within or close to the boundaries of the subject property. These species are the eastern box turtle (EBT) and the ground beetle. DEEP requested that field surveys be performed by a qualified biologist. Accordingly, in the D&M Plan, Greenskies included the EBTVPSR. Field surveys for the EBT were performed on May 9, June 5, June 7, and June 28 of 2018. No EBTs were observed at the site. DE concluded that protection measures were not necessary for the EBT because no turtles were observed and construction is limited largely to formerly active cropland where turtles are unlikely to be found.

In the D&M Plan, Greenskies also included the Entomological Survey Report (ESR) for the ground beetle prepared by Dr. William Krinsky. Pitfall trapping, hand collecting and personal observation of insects was performed during a three-week period from May to June 2018. No ground beetles were observed or collected, and the ESR concluded that, "...the likelihood of finding it [ground beetle] is remote at best." Accordingly, no protective measures are proposed for the ground beetle.

d. Final landscaping plan for screening abutting properties; and

Greenskies has included the final landscaping plans for screening abutting properties.

The nearest off-site residence is the Camara Property, located along Rimmon Road, approximately 60 feet east of the proposed Project fenceline. Under existing conditions, views of the project from the Camara

Property would be expected due to lack of intervening vegetation along the western-central property line of the Camara Property. Consistent with the Council's approval on June 8, 2018, Greenskies will plant approximately five eastern red cedars, five eastern white pines and 12 rosebay rhododendrons (on the subject property) adjacent to the Camara Property to fill this "gap" and provide screening.

Some views of the proposed project from the Zimmerman Property are possible through the existing trees and shrubs. Thus, also consistent with the Council's approval, Greenskies will plant approximately seven eastern red cedars and 11 eastern white pines (on the subject property) adjacent to the Zimmerman Property to provide additional screening.

While the Genarc 1 LLC Property has existing vegetation to provide screening, some distant views of the facility through the trees might be possible from an upper floor of the house. Accordingly, consistent with the Council's approval, Greenskies will plant approximately eight eastern red cedars and nine eastern white pines southwest of the Genarc 1 LLC (and on the subject property) to provide additional screening.

All eastern red cedars and eastern white pines will have a minimum height of approximately eight to ten feet tall. All rosebay rhododendrons will have a minimum height of approximately four feet tall.

e. ***Final erosion and sedimentation control plan consistent with the 2002 Connecticut Guidelines for Erosion and Sedimentation Control.***

Greenskies provided its final erosion and sediment control plan consistent with the 2002² *Connecticut Guidelines for Erosion and Sediment Control*, as reviewed and approved in accordance with its approved DEEP General Permit. Specifically, Sheets EC-1 through EC-7 provide the detailed erosion and sedimentation control measures including, but not limited to, silt fence, vegetative filter strips, and temporary sediment basins.

Work hours would typically be 7:00 a.m. to 9:00 p.m., Monday through Saturday.

² Sheet EC-7, Sediment and Erosion Control Notes, column 2 of the D&M Plan states that erosion and sediment controls will be constructed in accordance with the 2004 Guidelines For Erosion and Sediment Control. By email response dated July 1, 2019, Greenskies corrected this typographical error and confirmed that it is 2002, not 2004.

Site Plan

