



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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[www.ct.gov/csc](http://www.ct.gov/csc)

May 17, 2019

Brian C. Curtis, P.E.

Nathan L. Jacobson & Associates, P.C.

86 Main Street

P.O. Box 337

Chester, CT 06412-0337

RE: **PETITION NO. 1367** – CP Middletown Solar I, LLC and CP Middletown Solar II, LLC, petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.0-megawatt AC solar photovoltaic electric generating facility and a 0.986-megawatt solar photovoltaic electric generating facility on approximately 30 acres comprised of six abutting parcels located northeast of the intersection of Higby Road and Meriden Road (Route 66), west of Ballfall Road (Route 217) and south of Sisk Street in Middlefield and Middletown, Connecticut, and associated electrical interconnection.

Dear Mr. Curtis:

The Connecticut Siting Council (Council) is in receipt of your correspondence as the Town Engineer for the Town of Middlefield dated May 16, 2019 concerning the above-referenced petition. Thank you for taking the time to provide the Council with your comments.

This petition is on the May 23, 2019 Council meeting agenda for discussion and decision. Please note that you can view all of the documents related to this petition on our website at [www.ct.gov/csc](http://www.ct.gov/csc) under the "Pending Matters" link. You may also keep apprised of Council events on the website calendar and agenda.

Before reaching a final decision on a petition, the Council carefully considers all of the facts contained in the record that is developed by the Council, the petitioner, parties and intervenors to the petition, and members of the public who attend the field review and submit written statements to the Council.

Your comments shall become part of the official record in this matter in the form of a limited appearance defined under subsection (f) of Connecticut General Statutes §16-50n. Copies of your correspondence will be distributed to the petitioner and parties and intervenors to the petition.

Thank you for your interest and concern in this matter.

Sincerely,

Melanie A. Bachman

Executive Director

MAB/MP/emr

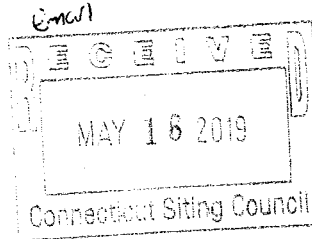
c: Parties and Intervenors  
Council Members



Affirmative Action / Equal Opportunity Employer



Jacobson



May 16, 2019

Ms. Melanie A. Bachman, Esq., Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, Connecticut 06501

RE: Connecticut Siting Council  
Petition for Declaratory Ruling 1367  
CP Middletown Solar I, LLC  
CP Middletown Solar II, LLC  
Solar Photovoltaic Electric Generating Facility  
Meriden Road, Middlefield CT  
NLJA #102-0200

Dear Ms. Bachman:

Nathan L. Jacobson & Associates, Inc. serves as Town Engineer for the Town of Middlefield, Connecticut. In our role as Town Engineer, the Town of Middlefield has requested that we conduct an engineering review of proposed plans by petitioners CP Middletown Solar I, LLC/CP Middletown Solar II, LLC (Citrine) for a solar photovoltaic electric generating facility, located off Route 66 in Middlefield. The Petitioners have requested a declaratory ruling from the Siting Council that a Certificate of Environmental Compatibility and Public Need is not required for the proposed facility. In particular, the Town of Middlefield has requested that we review storm drainage, erosion and sediment control measures and potential impacts of development of the proposed facility on adjacent inland wetlands and watercourses located in the Town of Middlefield. For our review, we received copies of petition documents, drawings and reports as provided by Jesse A. Langer of Updike, Kelly & Spellacy, P.C.

Surface water runoff from portions of the property proposed for installation of photovoltaic panels drains to inland wetlands and watercourses located in the Town of Middlefield. These contributing watershed areas are situated in both the Town of Middlefield, as well as in the City of Middletown. The petition package includes project drawings and a Stormwater Management Report, dated April 10, 2019, prepared by All-Points Technology Corporation. Existing site coverage for the construction area is characterized as open fields with some secondary growth and periphery upland forest. A windrow of trees bisects the project area. From a topographic and surface drainage standpoint, the site slopes towards and drains to inland wetlands and watercourses located to the south and east.

In the referenced Stormwater Management Report, an analysis was conducted of pre-development and post-development stormwater runoff from the site for storm frequency events ranging from 2 years through 100 years. The result of this analysis indicates that post-development runoff rates after installation of the rows of photovoltaic panels will be less than pre-development runoff rates for existing conditions. The report bases this conclusion on the assertion that existing ground cover is characterized as short meadow grass condition and post development ground cover is indicated to be the same. Site plans show the provision of a perimeter of silt fence to control sedimentation during construction, but no stormwater management structures or water quality features are proposed for the treatment or detention of stormwater runoff before it reaches the inland wetlands or watercourses. The photovoltaic panels are to be installed

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Consulting Civil and Environmental Engineers Since 1972



Jacobson

Ms. Melanie A. Bachman, Esq., Executive Director  
Connecticut Siting Council  
RE: CP Middletown Solar I, LLC/ CP Middletown Solar II, LLC  
NLJA #102-200  
May 16, 2019  
Page 2 of 2

on a post driven ground mounted racking system and the report states that the installation should result in no change in existing ground cover.

Based on our engineering review of the proposed plan, we do not agree with the assertion that ground cover with the panels in place will be the same as existing pre-development conditions. Surface cover is currently in a thicker, taller grass growth than short meadow grass and based on our experience with constructed photovoltaic facilities, the grass growth below the panels will not be as thick as currently exists due to shading by the panels and soil impact at drip lines from rain water draining from the panels. In addition, when the rows of panels run up and down slope more or less perpendicular to ground topographic contours, drainage from the drip line of the panels accumulates along the row from one panel to the next running down slope, which decreases sheet flow and increases shallow concentrated flow. These post-development effects of these factors will cause an increase in the rate and volume of runoff as opposed to a reduction in rate and volume.

It is requested that the Siting Council require the design engineer to address these effects of constructing the rows of photovoltaic panels and provide appropriate stormwater detention/infiltration and/or stormwater treatment practices to protect the water quality of adjacent inland wetlands and watercourses.

Thank you for your consideration of these comments and please feel free to contact our office should you have any questions or require any additional information.

Sincerely,

NATHAN L. JACOBSON & ASSOCIATES, INC.

Brian C. Curtis, P.E.

cc: Edward P. Bailey, Middlefield First Selectman  
Rebecca E. Adams, Esq., Chairman, Middlefield Inland Wetlands and Watercourses Agency  
Randy Bernotas, Middlefield Inland Wetlands and Watercourses Enforcement Officer  
Jesse A. Langer, Updike, Kelly & Spellacy, P.C.

## Mathews, Lisa A

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**From:** Brian C. Curtis, P.E. <bcurtis@nlja.com>  
**Sent:** Thursday, May 16, 2019 4:23 PM  
**To:** Bachman, Melanie  
**Cc:** CSC-DL Siting Council; Edward Bailey; Rebecca Adams; Randy Bernotas; jlanger@uks.com  
**Subject:** Petition 1367 CP Middletown Solar I, II LLC  
**Attachments:** 2019-5-16 L Bachman CP Middletown Solar I, II LLC.pdf

Melanie:

Please include the attached review letter from the Middlefield Town Engineer in your evaluation of the petition for the above referenced application. Thank you and please call with any questions.

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Brian C. Curtis, P.E.



**Nathan L. Jacobson & Associates**

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