



# 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](mailto:siting.council@ct.gov)

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

September 8, 2015

Jennifer D. Arasimowicz, Esq.  
Vice President, Commercial Counsel  
FuelCell Energy, Inc.  
3 Great Pasture Road  
Danbury, CT 06810

RE: **PETITION NO. 922** – UIL Distributed Resources, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a Fuel Cell generating facility located at 1835 Hebron Avenue, Glastonbury, Connecticut.

Dear Attorney Arasimowicz:

At a public meeting of the Connecticut Siting Council (Council) held on September 3, 2015, the Council considered and approved the site restoration plan, landscaping plan and final color scheme submitted for this project on July 17, 2015, and a landscape and berm revision submitted on August 14, 2015.

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 site restoration plan, landscaping plan and final color scheme submitted on July 17, 2015 and revisions submitted on August 14, 2015.

Enclosed is a copy of the staff report regarding the site restoration plan, landscaping plan and final color scheme, dated September 3, 2015.

Thank you for your attention and cooperation.

Sincerely,

Robert Stein  
Chairman

RS/RDM/lm

Enclosure: Staff Report dated September 3, 2015

c: The Honorable Stewart Beckett III, Chairman, Town of Glastonbury  
Richard J. Johnson, Town Manager, Town of Glastonbury  
Khara Dodds, Director of Planning and Land Use Services, Town of Glastonbury  
Bruce McDermott, Esq., Managing Counsel-Operations, UIL Holdings Corporation



Petition No. 922  
Fuel Cell Generating Facility  
1835 Hebron Avenue, Glastonbury  
UIL Holdings Corporation  
Staff Report  
September 3, 2015

On December 3, 2009, the Connecticut Siting Council (Council) approved a petition filed by DFC-ERG CT, LLC (FCE) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a combined Fuel Cell/Turbo-Expander energy system at an existing Algonquin gas metering station at 1835 Hebron Avenue in Glastonbury, at the corner with Chalker Hill Road. The project consists of two fuel cell units and a turbo expander that collectively produce 3.4 megawatts of energy. In November 2014, prior to construction, UIL Holdings Corporation (UIL) was assigned all of FCE's right, title and interest in and to the project.

Construction commenced in Spring 2015. During construction, it was determined that the project footprint was moved in a northwest direction, closer to Hebron Avenue and Chalker Hill Road, without prior Council approval. As a result of this relocation, a tree buffer that was to remain between the project site and Hebron Avenue was removed to facilitate construction, causing the project to be visible from Hebron Avenue and the corner of Chalker Hill Road.

On May 6, 2015, FCE, on behalf of UIL, submitted correspondence to the Council describing in-field project conditions that caused a shift in the project location. After considering comments from the Town of Glastonbury (Town), the Council approved the relocation at a public meeting on May 28, 2015 with the following conditions:

- Submission of a site restoration and landscaping plan to the Town for comment and for approval by the Council. The plan shall also include the installation of evergreens on the embankment between Chalker Hill Road and the access drive and along the west side of the existing gate station;
- Submission of a revised noise study to the Town and Council that accounts for the relocation of the turbo-expander and facility site; and
- Incorporation of a final color scheme for fuel cell equipment to reduce visibility from the surrounding area to be reviewed by the Town and approved by the Council.

The project site is set on a hillside that slopes downgradient to the north. Abutting property includes undeveloped watershed property to the east, an existing natural gas gate station to the south, an access drive and Chalker Hill Road to the west (a residence is set back from Chalker Hill Road across from the access drive), and Hebron Avenue and additional watershed land to the north. Given this setting, existing pre-landscaping views of the facility would occur from Hebron Avenue north of the site and from Chalker Hill Road west of the facility. No views from roads or residential properties occur from the south or east due to the existing hillside that effectively blocks views from the north and the presence of undeveloped protected watershed land that creates a buffer to the east.

### *Site Restoration/Landscape Plan*

On June 11, 2015, UIL met with area residents and the Town Manager at the project site to discuss the Council's conditions of approval. On July 17, 2015, UIL submitted a site restoration and landscape plan, a revised noise study, and a final color scheme to the Council. The Town submitted comments regarding UIL's submission to the Council on July 20, 2015.

The Town's landscape plan that features 123 trees and 46 shrubs representing 19 different native and ornamental species. The Town's plan includes plantings beyond the property lines to the north and west and includes plantings directly on or immediately adjacent to existing related facility infrastructure. The Town's plan features dense rows of evergreens and deciduous species around the facility, with the exception of the east side. The Town also requested a two-year warranty of all plant material, a drip irrigation system, and an invasive species management plan.

UIL's July 17, 2015 landscape plan specified eight native trees, 54 native shrubs and 19 arborvitae planted around the entire project site. After reviewing UIL's proposed landscape plan at the Council's August 6, 2015 energy/telecommunications meeting, the Council requested that UIL submit a revised landscape plan that uses only native vegetation, as native plants are tolerant of local growing conditions and provide food and cover to native wildlife. The Council requested a staggered tree/shrub arrangement along the north side of the project site to provide screening from Hebron Avenue, and grass along a portion of the south side and on the east side of the project site, as these areas are not visible from any off-site locations and landscaping would serve little purpose.

On August 14, 2015, UIL submitted a revised landscape plan that specifies five tree plantings on the north side of the project site, consisting of grey birch, eastern red cedar and hackberry. Additionally, 48 shrubs consisting of American holly and mountain laurel would be planted on the embankment between the existing gate station access road and Chalker Hill Road, in the southwest corner of the site, and along the north side of the site, interspersed with the five trees that would be planted.

UIL plans to re-grade a portion of the northeast side of the site after Eversource indicated that the existing grade along the north slope of the project is too steep for their trucks to access a utility pole. No existing trees or shrubs would be removed as part of the additional grading.

### *Noise Study*

The revised noise study indicates operation of the site would not exceed State noise control regulations. The revised study accounts for the reconfiguration of the turbo-expander and relocation of the facility. Results indicate project operational noise would range from 40-43 dBA at the nearest residential receptors, below the State noise control criteria of 51 dBA.

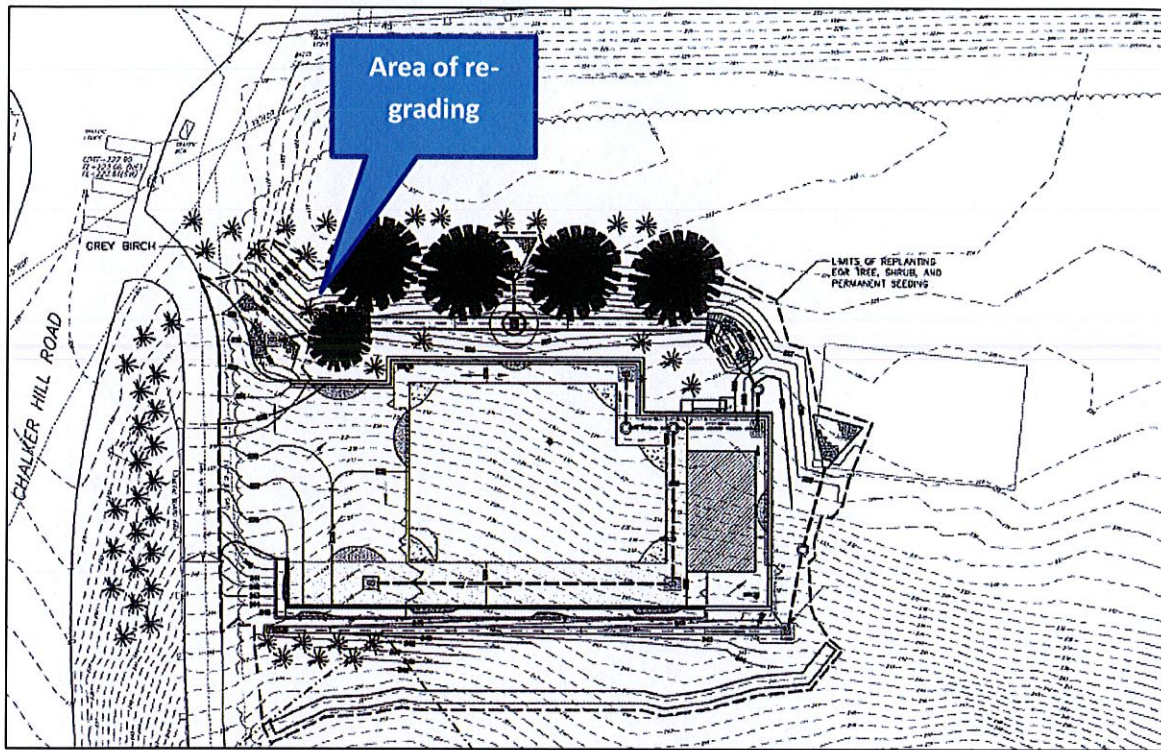
The Town requests an 18 month post-construction resident comment period for noise, followed by noise abatement measures, if necessary, based on resident comment.

### *Structure Colors*

At the request of the Town, the turbo-expander building will be painted "Fern Green". The fuel cell component itself cannot be painted due to necessary thermal qualities of existing component finishes.

At the request of the Town, UIL will install a chain link fence with black vinyl treatment and fence posts with a black finish.

## UIL's Proposed Landscape Plan, revised August 14, 2015



native shrubs (Am. holly, mtn. laurel)

tree species (gray birch, hackberry, red cedar)

## Town's Proposed Landscape Plan

