

**In The Matter Of:**

*Application of DWW Solar II, LLC for a declaratory  
ruling that no Certificate of Environmental Compatibili*

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*Public Comment Hearing  
September 12, 2017*

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*BCT Reporting LLC  
PO Box 1774  
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1 STATE OF CONNECTICUT  
2 CONNECTICUT SITING COUNCIL

3  
4 Docket No. 1313

5 Application of DWW Solar II, LLC for a  
6 declaratory ruling that no Certificate of  
7 Environmental Compatibility and Public Need is  
8 required for the proposed construction,  
9 maintenance and operation of a 26.4 megawatt AC  
10 solar photovoltaic electric generating facility on  
11 approximately 289 acres comprised of 5 separate  
12 and abutting privately-owned parcels located  
13 generally west of Hopmeadow Street, north and  
14 south of Hoskins Road, and north and east of  
15 County Road, and associated electrical  
16 interconnection to Eversource Energy's North  
17 Simsbury Substation west of Hopmeadow Street in  
18 Simsbury, Connecticut.

19  
20 Public Comment Hearing held at Eno Memorial  
21 Hall Auditorium, 754 Hopmeadow Street, Simsbury,  
22 Connecticut on September 12, 2017, beginning at  
23 6:30 p.m.

24 H e l d B e f o r e :

25 ROBERT STEIN, Chairman

## 1   A p p e a r a n c e s :

## 2           Council Members:

3                   SENATOR JAMES J. MURPHY, JR.,

4                   Vice Chairman

5                   MICHAEL HARDER

6                   ROBERT HANNON

7                   LARRY P. LEVESQUE, ESQ.

8                   DANIEL P. LYNCH, JR.

9                   ROBERT SILVESTRI

## 10          Council Staff:

11                   MELANIE BACHMAN, ESQ.

12                   Executive Director and

13                   Staff Attorney

14

15                   ROBERT MERCIER

16                   Siting Analyst

17

## 18          For the Applicant:

19                   PULLMAN &amp; COMLEY, LLC

20                   90 State House Square

21                   Hartford, Connecticut 06103-3702

22                   BY:   LEE D. HOFFMAN, ESQ.

23

24          Also present:   AILEEN KENNEY, Deepwater Wind, LLC

25

1           THE CHAIRMAN: Good afternoon, ladies  
2 and gentlemen. I don't know how good the  
3 acoustics are here. I assume they're great  
4 because I see people sitting in the back. I'm  
5 assuming you can hear everything. If not, there  
6 are seats in the front. It's your choice.

7           So I'd like to call to order the public  
8 hearing, today, Tuesday, September 12, 2017, at  
9 approximately 6:30. My name is Robin Stein. I'm  
10 Chairman of the Connecticut Siting Council. Other  
11 members of the Council present are Senator Murphy,  
12 our vice chairman. Mr. Hannon, our designee from  
13 the Department of Energy and Environmental  
14 Protection. Mr. Levesque, designee from the  
15 Public Utilities Regulatory Authority.  
16 Mr. Harder, Mr. Lynch, and Mr. Silvestri.

17           Members of the staff present are  
18 Attorney Melanie Bachman, our executive director,  
19 Mr. Mercier, our siting analyst, and Ms. Fontaine,  
20 our fiscal administrative officer.

21           This is a continuation of a hearing  
22 that began at 3 p.m. this afternoon. Copies of  
23 the hearing program and the Council's Citizens  
24 Guide to Siting Council Procedures are available  
25 for members of the public in the back there.

1           This hearing is held pursuant to the  
2 provisions of Title 16 of the Connecticut General  
3 Statutes and of the Uniform Administrative  
4 Procedure Act upon a petition from DWW Solar II,  
5 LLC for a declaratory ruling that no Certificate  
6 of Environmental Compatibility and Public Need is  
7 required for the proposed construction,  
8 maintenance and operation of a 26.4 megawatt AC  
9 solar photovoltaic electric generating facility on  
10 approximately 289 acres comprised of five separate  
11 and abutting privately-owned parcels located  
12 generally west of Hopmeadow Street, north and  
13 south of Hoskins Road, and north and east of  
14 County Road, and associated electrical  
15 interconnections to Eversource Energy's North  
16 Simsbury Substation west of Hopmeadow Street in  
17 Simsbury, Connecticut. This petition was received  
18 by the Council on June 29, 2017.

19           The Council's legal notice of the date  
20 and time of this hearing was published in the  
21 Hartford Courant on July 28, 2017. Upon this  
22 Council's request, the petitioner erected signs at  
23 conspicuous locations around the properties where  
24 the proposed facility is to be located so as to  
25 inform the public of the name of the petitioner,

1 the type of facility, the hearing date and  
2 location, and contact information for the Council.

3 This afternoon members of the Council,  
4 staff and the public personally conducted a field  
5 review of the proposed site in order to observe  
6 firsthand the potential effects of the proposal.

7 This hearing session tonight has been  
8 reserved first for the public to make short  
9 statements into the record. These public  
10 statements are not subject to questions from the  
11 parties or the Council, and members of the public  
12 making statements may not ask questions of the  
13 parties or the Council. These statements will  
14 become part of the record for Council  
15 consideration. A sign-up sheet is available for  
16 those who would like to participate. It's in the  
17 back. And we would prefer that you limit your  
18 comments to three minutes to give everybody a  
19 chance.

20 As a reminder to all, off the record  
21 communication with a member of the Council or a  
22 member of the Council's staff upon the merits of  
23 this petition is prohibited by law.

24 I wish to note the parties and  
25 intervenors, including their representatives and

1 witnesses, are not allowed to participate in this  
2 public comment session.

3 I also wish to note for those who are  
4 here, and for the benefit of your friends and  
5 neighbors who may be unable to join us, that you  
6 or they may send written statements to the Council  
7 within 30 days of the date hereof, and such  
8 written statements will be given the same weight  
9 as if spoken at the hearing.

10 We ask each person making a public  
11 statement in this proceeding to confine his or her  
12 statements to the subject matter before the  
13 Council, and to avoid unreasonable repetition so  
14 that we may hear all the concerns you or your  
15 neighbors may have. Again, please be advised that  
16 the Council cannot answer questions from the  
17 public about the proposal. We're here to listen.

18 A verbatim transcript will be made of  
19 this hearing and deposited with the  
20 Simsbury/Granby Town Clerk's Offices for the  
21 convenience of the public.

22 Before I call upon members of the  
23 public to make statements, I request the  
24 petitioner to make a brief presentation to  
25 describe the facility.

1           AILEEN KENNEY: Thank you, Chairman  
2 Stein. My name is Aileen Kenney, and I am vice  
3 president of permitting and environmental affairs  
4 at Deepwater Wind.

5           The project we have proposed that we're  
6 going to discuss tonight is called the Tobacco  
7 Valley Solar Project. It's located generally west  
8 of Hopmeadow Street here in Simsbury. The project  
9 is 26.4 megawatts in size. That's enough power  
10 for 5,000 homes. It's located on five different  
11 parcels. Two of the parcels are zoned industrial,  
12 and three are zoned residential.

13           So to orient you, if you're along  
14 Hoskins Road at the V with County Road, there's  
15 one parcel located south of Hoskins Road, another  
16 north of Hoskins Road, and then a second cluster  
17 of panels that are located north of Litchfield  
18 Drive, Berkshire Way, west of Knollwood Circle,  
19 and east of Munnisunk Drive.

20           So this project is crossed by the  
21 Eversource 115-kilovolt transmission line, and it  
22 will connect into the electric grid at the  
23 existing North Simsbury Substation, which is  
24 located at Dorset Crossing, at Dorset Crossing and  
25 Casterbridge Crossing Development.



1           This blue area on the map are the solar  
2 panels. All five parcels are 289 acres. We're  
3 proposing project facilities on 156 acres, and the  
4 remaining 133 acres will remain open space or  
5 forested. The panels will be approximately 10  
6 feet high, and all of the project cable will be  
7 buried.

8           So in terms of access points, we're  
9 proposing for construction to have access off of  
10 Hoskins Road and via the existing agricultural  
11 access point that goes behind Litchfield Drive.  
12 And during operations we would use the same access  
13 point on Litchfield Drive, as well as the existing  
14 access point off of Hoskins Road.

15           There are two barns on Hoskins Road  
16 that we have proposed to keep. Those have been --  
17 based off feedback from the town, we have proposed  
18 to keep both of those barns.

19           Thank you.

20           THE CHAIRMAN: Thank you.

21           Now we'll start with the First  
22 Selectwoman, Lisa Heavner.

23           LISA HEAVNER: Good evening, everyone.  
24 Welcome to the Siting Council, members of the  
25 public. My name is Lisa Heavner. I'm the first

1 selectwoman of the Town of Simsbury. We are very  
2 pleased to have you visit our quaint town.

3 For members of the public who are not  
4 familiar with this type of proceeding, my formal  
5 statement on behalf of the town is in the record  
6 as prefiled testimony, which I will present as  
7 part of the town's presentation later. But there  
8 are copies in the back, if you would like to see  
9 that.

10 Simsbury has been recognized as a  
11 CNN/Money Magazine "Top 10 Best Place to Live in  
12 America." This honor is not accidental. It is  
13 not a matter of luck. Simsbury's recognition as  
14 one of the best places to live in the country is  
15 the direct result of our intentional planning and  
16 our commitment to developing a high quality of  
17 life for our residents and our careful stewardship  
18 of Simsbury's natural resources.

19 Simsbury's quality of life is now  
20 rightfully in your hands. And as you deliberate,  
21 we ask that you do your utmost to preserve those  
22 characteristics that make Simsbury the wonderful  
23 community that it is. As you drove in, you had  
24 the opportunity to see our charming and historic  
25 town steeped in history. We are the birthplace of

1 Gifford Pinchot. Dr. Martin Luther King spent two  
2 summers here working in the tobacco fields in the  
3 very area where the solar project is proposed.  
4 What you might not have seen on entering the town  
5 are the many open spaces preserved in farms. A  
6 third of our land is preserved as open space. We  
7 take great pride and stewardship of our natural  
8 resources for generations to come.

9           We are committed environmentalists. It  
10 is not without irony that we note we tried to get  
11 Community Solar on 16 acres at a closed landfill  
12 in this town, an ideal site for solar, but that  
13 project was not favorably reviewed by the  
14 Department of Energy and Environmental Protection.  
15 This town is not against solar by any means.

16           While we support renewable energy, our  
17 quality of life, the result of intentional  
18 planning and years of hard work by countless  
19 volunteers, is in jeopardy, and we cannot support  
20 this project as presented. We are deeply  
21 concerned about environmental and safety issues  
22 that have not been properly addressed. We are  
23 particularly concerned about the parcel located on  
24 the southern side of Hoskins and urge its  
25 elimination from the project. We are counting on

1 the Council to do whatever is necessary to  
2 preserve those things that make Simsbury a  
3 wonderful place, to protect our residents, and to  
4 ensure a safe environment, even if that means  
5 rejecting the project. If environmental safety,  
6 historic preservation and aesthetic issues can be  
7 addressed and the Siting Council moves forward  
8 with this project, Simsbury remains willing to  
9 work with Deepwater Wind to fashion a project that  
10 preserves the town's character, counts the  
11 concerns of our residents, and leaves the town in  
12 a better place at the project's conclusion.

13 I first of all want to thank all of you  
14 for your public service. We know that what you do  
15 is a hard job, and we are grateful to you for your  
16 willingness to serve. And we thank you for your  
17 hard consideration of the many difficult issues  
18 faced in this case. Thank you.

19 THE CHAIRMAN: Thank you. Next,  
20 Representative John Hampton.

21 JOHN HAMPTON: Good evening,  
22 distinguished members of the Siting Council. And  
23 welcome to Simsbury. For the record, my name is  
24 John Hampton, 9 Knoll Lane, Weatogue, Connecticut.  
25 I'm state representative for the 16th District,

1 the Town of Simsbury in its entirety. Thank you  
2 for the opportunity to provide this testimony,  
3 which I believe you have a record of, and for  
4 holding this hearing today.

5           After extensive review of the Deepwater  
6 Wind Solar II, LLC Petition No. 1313 submitted to  
7 the State Siting Council for a declaratory ruling,  
8 I am asking that the application be denied. I  
9 believe that the motion for a declaratory ruling  
10 should be denied on the grounds that the petition  
11 does not meet the procedural requirements of  
12 16-50(a) of the general statutes, as amended by  
13 Public Act 17-218. As a state legislator, this is  
14 a law I voted in support of which was signed into  
15 law by the Governor with the effective date of  
16 July 1, 2017. Because Public Act 17-218 was  
17 passed, I believe -- excuse me -- because it was  
18 passed with the support of legislative, executive  
19 and administrative agencies and many  
20 municipalities, I believe the company and the  
21 Siting Council should honor the intent of this law  
22 as it represents a clearly stated public policy  
23 towards sustainable solar energy while still being  
24 able to preserve open space and farmland. I stand  
25 in agreement with the Department of Agriculture

1 and the Town of Simsbury that DWW be required to  
2 file and obtain a Certificate of Environmental  
3 Compatibility and Public Need. The effective date  
4 of the legislation was July 21, 2017, and all  
5 decisions made by the Siting Council after this  
6 date.

7           Given the size and scope of the  
8 project, which should be one of the largest of its  
9 kind in the region, the equivalent of  
10 approximately 220 football fields, I believe the  
11 impact to the farmland, historic value,  
12 neighboring residential property and the nearby  
13 school would be substantial. These factors should  
14 weigh strongly against a favorable ruling. Once  
15 we start going down that road of developing what  
16 little farmland our state has left, there's no  
17 going back. Going forward, we must make sure that  
18 all residents' concerns and questions about the  
19 project's agricultural, environmental, historical  
20 and quality of life impacts are answered and  
21 addressed.

22           In closing, Simsbury has long been a  
23 champion of promoting the rural nature of our  
24 community and preserving open space, farmland,  
25 forests and sustainable clean energy through our

1 100 percent Connecticut policy. Because of these  
2 efforts, groups like the Simsbury Land Trust and  
3 the Save the Woods Community Group, nearly 30  
4 percent of our land has been protected as open  
5 space.

6 I truly believe that we can continue  
7 towards sustainable solar energy while still being  
8 able to preserve open space and farmland. These  
9 are two environmental interests that do not need  
10 to compete against each other, and I strongly  
11 encourage that any and all alternatives be  
12 considered that don't involve building on our  
13 precious farmland.

14 Thank you so much for your  
15 consideration.

16 THE CHAIRMAN: Thank you.

17 One thing I forgot. When you come up,  
18 could you please spell your last name so we can  
19 make sure -- we've got you. We know your last  
20 name. We can check on that. But for the public.

21 And I also apologize in advance if I  
22 mispronounce your name.

23 William Estell.

24 WILLIAM ESTELL: Good evening. My name  
25 is William Estell. I live at 11 Laurel Lane.

1 Last name is E-S-T-E-L-L.

2 I've been a resident of Simsbury for 20  
3 years. And I must admit that for most of that  
4 time I've been a critic of the land use and the  
5 regulatory boards of our town for their lack of  
6 foresight and willingness to develop and promote  
7 economic diversity in our town, with the strange  
8 exception of the preoccupation the town now has  
9 for multi-tenant development. So I find it really  
10 ironic that when an opportunity to come with a  
11 dynamic, creative environmentally friendly  
12 development process is presented to the town, the  
13 town again works against it.

14 I personally am in favor and hope that  
15 you as the Siting Council approve this petition by  
16 Deepwater to develop the solar field. It's a  
17 temporary project, 20 years. It will return to  
18 farmland in 20 years. It will dramatically  
19 improve the property value of the land that it is  
20 on. It will dramatically improve the grandness  
21 for our town and reduce your tax burden, something  
22 that we are beginning to feel now.

23 And finally, based on the proposals  
24 from Deepwater, I disagree with the aesthetic  
25 impact to the town. The fencing, the set aside



1 from the roadways, the fact that they are 10 feet  
2 high, and the fencing covers most of that  
3 viewpoint, there is very little aesthetic impact  
4 to the town.

5 So, once again, I hope you find in  
6 favor of the proposal. Thank you.

7 THE CHAIRMAN: Thank you.

8 April Pozzato.

9 APRIL POZZATO: First, I would like to  
10 thank the Connecticut Siting Council for coming to  
11 Simsbury and giving us this opportunity to speak  
12 with you about how we feel about the proposed  
13 Deepwater Wind industrial size solar plant  
14 invading our town.

15 My name is April Pozzato,  
16 P-O-Z-Z-A-T-O. I live at 16 County Road with my  
17 husband, Joe. Our son Joe Pozzato, the third,  
18 lives at 14 County Road; and our son, John, lives  
19 at 20 County Road. We're all abutters to the  
20 proposed solar fields, and will be greatly and  
21 negatively impacted by their placement on County  
22 Road.

23 My husband and his family came to  
24 Simsbury in 1949, and like many other Simsbury  
25 residents, we were attracted to this town by the

1 acres and acres of farmland, open spaces and  
2 quaint and historic neighborhoods. I came to  
3 Simsbury in 1980, and we bought our home on County  
4 Road in 1987. I was very happy we moved there  
5 because we were always surrounded by the farmland  
6 that is now slated to be a solar farm.

7           The town, like any other town, has  
8 grown over the years, and farmland has been  
9 converted time and time again to development. I  
10 believe our town has tried through the years to  
11 maintain our rural character and appeal by  
12 developing regulations to avoid the misuse of land  
13 and the destruction of our neighborhoods.

14           This Deepwater Solar Project, if it is  
15 allowed to come, avoids and overrides all the  
16 safeguards that have been put in place. They do  
17 not have the town's or residents' best interests  
18 in mind as they try to consume the last, most  
19 historic, the richest agricultural farmland left  
20 in Simsbury. It makes us very upset that they can  
21 play by a totally new and different set of rules  
22 disregarding state and town zoning regulations and  
23 state and town farmland and agricultural  
24 recommendations.

25           We are not opposed to green energy or

1 solar, but are extremely opposed to the parcels  
2 they selected on residential land within the  
3 residential neighborhoods and abutting our homes  
4 so closely that when the foliage falls from the  
5 trees, all we'll see is an electronic jungle  
6 through prison-style chain link fencing. There is  
7 absolutely no trees and stuff between their  
8 property that they're proposing to build on County  
9 Road and ours.

10           It's definitely going to have a  
11 negative impact on our future and the future of  
12 Simsbury and all their residents. Simsbury will  
13 no longer be that desirable and quaint little town  
14 with the huge black seas of solar panels scarring  
15 it. It will have a negative impact on our  
16 property values. I don't believe that the  
17 property values will increase from this at all.  
18 It's going to be very negative. It will  
19 negatively impact our neighborhood.

20           It's also going to negatively impact  
21 the wildlife who currently have free and natural  
22 movement over these 290 acres. A huge fence  
23 around the panels and deforesting 35 acres of land  
24 will surely disrupt the wildlife, the bears, the  
25 deer, coyotes, bobcats, fox, wild turkeys,

1 migratory birds, et cetera. They will be forced  
2 into our neighborhoods, around our homes,  
3 children, pets, school yards, and into the roads.

4           As abutters, the proposed solar  
5 plant -- as abutters to the proposed solar plant,  
6 we will also be negatively impacted by water  
7 runoff from the thousands of panels. Some of us  
8 have wells, not city water. Our home at 16  
9 County, my son's at 14 County, and our neighbor at  
10 10 County road, we all have wells. It has not  
11 been proven to us we'll have no harmful runoff.

12           We've been told by Deepwater that the  
13 solar panels have a shelf life, and the solar  
14 fields will convert back to farmland in 20 to 25  
15 years. That will never happen. Deepwater will  
16 own the land, and they are not farmers.

17           In the end, there is absolutely nothing  
18 beneficial, in my opinion, to the Town of  
19 Simsbury, nothing beneficial to us residents, and  
20 nothing beneficial to the State of Connecticut.  
21 As you know, the power is going to Massachusetts,  
22 and the big utilities will benefit from our  
23 losses. Therefore, I ask the Siting Council to  
24 really think about this and please say no to the  
25 industrial sized solar plant in our residential

1 neighborhoods. Thank you.

2 THE CHAIRMAN: I realize it's an  
3 exercise in futility, but the time you spend on  
4 applauding takes away from other speakers.

5 Joe Pozzato.

6 JOSEPH POZZATO: Hello. My name is Joe  
7 Pozzato. My wife, April, just spoke.

8 I came to this town in 1949. I've seen  
9 a lot happen. It was all farmland when I came.  
10 We watched it grow. It's a beautiful town in a  
11 really beautiful state. Now there's one tract of  
12 land left that's farmland, a big tract, a lot of  
13 acres. And a solar farm wants to go in there.

14 A VOICE: Talk into the microphone.

15 JOSEPH POZZATO: Here's the thing.  
16 Deepwater, from my understanding, says the solar  
17 farm is going to disappear and go away in 25  
18 years. The gentleman just said they're going away  
19 in 25 years. He's dreaming. Once the solar farm,  
20 once Deepwater buys that property, once the deal  
21 is final and they buy that property, they are not  
22 going no where. The 25 years, 25 years, are going  
23 to keep coming, and keep coming, and keep coming.  
24 They're not going to invest all this money.  
25 They're not going to get that money back that

1 they're investing in 25 years. You got to be hit  
2 -- to believe that. No.

3           As you can see, I'm not educated that  
4 much. I come from the other side of the track.  
5 But anyway, all right. It's disappearing. We all  
6 know that. But we all know, as much as we like to  
7 go to the light switch for power, we've also got  
8 to go to the refrigerator for food, so we've got  
9 to keep the farms going. They're disappearing.  
10 No.

11           Another thing, the great Dr. Martin  
12 Luther King worked there. He worked on that field  
13 exactly where the solar farm is proposed. He  
14 worked there. We all know that. History said we  
15 believe he made a decision to bring peace to this  
16 country by coming to this end of the country where  
17 people were nice. Why can't the state scrap this  
18 Deepwater thing, build a nice -- let the farming  
19 go there, and just put a nice little piece up that  
20 he came there, like a little appreciation of what  
21 he did. I've been there. I know what he worked  
22 for.

23           Anyway, that's all I've got to say.  
24 Thank you very much. I'm not here to kick the can  
25 or blow my horn, but that's it. Thank you.

1 THE CHAIRMAN: Thank you.

2 Kris Barnett.

3 KRIS BARNETT: Hi. My name is Kris  
4 Barnett, B-A-R-N-E-T-T. And I live at 15 Ox Yoke  
5 Drive in Simsbury. Thank you for the opportunity  
6 to speak this evening.

7 I'm speaking in opposition to Petition  
8 1313 filed by Deepwater Wind to install a solar  
9 facility on 290 acres in my neighborhood. I am  
10 not an abutter. I do, however, live within  
11 walking distance to the properties. I've been a  
12 resident on and off in Simsbury since I was 12. I  
13 will not tell you how many years that's been, but  
14 it's been a while.

15 My opposition to this project has  
16 nothing to do with it being in my backyard. It  
17 has everything to do with the inappropriate siting  
18 of the project. I implore you, members of the  
19 Siting Council, to put a lot of weight into the  
20 following findings and concerns brought forth by  
21 the town as a result of the countless hours of due  
22 diligence by our local boards and commissions, as  
23 well as several State of Connecticut departments.  
24 There's a reason that Deepwater Wind does not want  
25 this project to be brought to you as a Certificate

1 of Environmental Compatibility and Public Need and  
2 had brought it to you as a declaratory ruling  
3 instead.

4           This project should be subject to the  
5 highest level of review in the passage of Public  
6 Act 17-218. This project, as determined by our  
7 local zoning and planning commissions, is not  
8 compatible with our Simsbury zoning regulations  
9 and the plan of conservation and development.  
10 This project is not a public utility, as defined  
11 by the Simsbury zoning regulations. And if  
12 subjected to the approval process that every  
13 project in Simsbury has been subjected to, it  
14 would not be allowed to be located on parcels  
15 zoned as residential neighborhoods.

16           The State Department of Agriculture and  
17 the State Department of Energy and Environmental  
18 Protection both rejected this project. And it was  
19 chosen by Massachusetts who will receive the  
20 renewable energy tax credits.

21           Deepwater Wind has provided  
22 insufficient documentation regarding the  
23 protection of the wildlife in the area, and has  
24 used inaccurate and outdated information regarding  
25 the bird population, as determined by the



1 Connecticut Council of Environmental Quality, and  
2 provided insufficient data as to migratory  
3 patterns. And there's insufficient information  
4 provided about what happens to the wildlife, and  
5 where does it go when the panels are installed and  
6 the fencing is up.

7           As Deepwater Wind has stated on several  
8 occasions in public meetings, they would like to  
9 be partners with the Town of Simsbury for the  
10 proposed project. And if that's honestly the  
11 case, why would they not want the petition to be  
12 subjected to the highest standards with applying  
13 through the certificate process.

14           Simsbury will be celebrating our 350th  
15 anniversary in two years, and it's been  
16 historically an innovative and forward-thinking  
17 town throughout our history while being able to  
18 protect our natural resources and grow the  
19 community in a thoughtful manner that is  
20 consistent with the zoning regulations and the  
21 plan of conservation and development that  
22 generations of its citizens have written and  
23 implemented. We didn't recently get ranked one of  
24 the best places to live by chance. Rather, it was  
25 by intention. I implore you to not allow the

1 landscape and character of Simsbury to be  
2 permanently altered by inadequate evaluation of  
3 the project through the declaratory process.  
4 Thank you.

5 THE CHAIRMAN: Thank you.

6 I believe it's Ed Carroll.

7 EDWARD CARROLL: Hi. Thanks for the  
8 opportunity to speak to you folks. My name is Ed  
9 Carroll, C-A-R-R-O-L-L, 28 Gordon street, the  
10 north end of the project.

11 There are four streets up there, mine,  
12 Gordon, Willard, Centerwood and Knollwood Circle.  
13 All the houses on that whole complex are on wells.  
14 Many of our homes have filters in it put in by the  
15 DEEP several years back to protect us against  
16 tribromopropane, ethylene dibromide and  
17 dibromopropane. These are pesticides. They were  
18 used for tobacco growth. And it has not  
19 decomposed over time underground. The stuff on  
20 the surface where they're growing vegetables right  
21 now is fine.

22 Now, if they're going to install these  
23 panels, then they have to dig tens of thousands of  
24 holes to anchor them. These things are going to  
25 have to go below the frost line, which is going to

1 be about 3 and a half to 4 feet. Then they're  
2 going to have to dig who knows how many miles of  
3 ditches to lay all the conduit. When they do  
4 that, I've got a good idea they're probably going  
5 to disturb those three chemicals and make all our  
6 wells in the neighborhood useless. When that  
7 happens, who's going to pay for the installation  
8 of city water, and how long is that going to take?  
9 And in the meantime, the whole area will become an  
10 issue. I urge you to vote against this. Thank  
11 you very much.

12 THE CHAIRMAN: Thank you.

13 Chris Kilbourne Jones.

14 CHRISTINE KILBOURNE JONES: Hi. My  
15 name is Christine Kilbourne Jones,  
16 K-I-L-B-O-U-R-N-E; Jones, J-O-N-E-S. I live at 85  
17 Hoskins Road.

18 My property is completely engulfed by  
19 this solar proposal. This happens to be a  
20 historical house. The original part, I believe,  
21 started in, oh, probably 1730, 1740, which is a  
22 salt box. It's now an old colonial farmhouse  
23 which was the original Hoskins home. I grew up in  
24 Simsbury, born and raised in Simsbury, a charming,  
25 lovely town, great education system.

1           The problem being is that I don't  
2 believe that anyone is against renewable energy.  
3 I think it's the proposal because this is coming  
4 into a residential area, and the magnitude of  
5 this. And I must say Deepwater does not have the  
6 experience in building such a unit at all.

7           I believe we're all very upset by this.  
8 We as a town gain nothing from this. We as a  
9 Simsbury taxpayer gets nothing from it. We don't  
10 get a tax break or a lower electrical rate. This  
11 is being really, really shoved down our throats.  
12 And it's being pushed so rapidly, it makes me very  
13 suspect of what the whole thing is really all  
14 about. But in all that, as you could gather, I'm  
15 strictly against this proposal, and I hope the  
16 Siting Council agrees with me. Thank you very  
17 much.

18           THE CHAIRMAN: Thank you.

19           Steven Angeloff.

20           STEVEN ANGELOFF: Good evening,  
21 Council. My name is Steven Angeloff. That's  
22 A-N-G-E-L-O-F-F. I live at 42 Berkshire Way. I'm  
23 an abutter, so I'm on a cul-de-sac.

24           I'm probably the opposite. I'm a  
25 fairly new resident to Connecticut and Simsbury.

1 I retired from the Air Force almost three years  
2 ago. I spent 25 years as an Air Force officer,  
3 traveled all over the country. My wife's family  
4 is from Westfield, Mass. So since she's been a  
5 good military spouse, you know what, I decided,  
6 "Where do you want to go when I'm done? Let's  
7 pick an area." I picked Connecticut. And we  
8 picked Simsbury because of the quaintness, the  
9 ruralness of it. Living around the country,  
10 places like Alaska, Japan, different places, it  
11 just had a New England charm.

12 I've never been involved in any kind of  
13 local politics because everywhere I've gone I  
14 rent, so I never really bothered to deal with it.  
15 But now I really understand the significant impact  
16 of what our town is going to have with this solar  
17 field. Now, it's a dichotomy. I'm up here  
18 complaining; however, I do agree with renewable  
19 energy. I just think that we really need to look  
20 at where is the right location for this. Why  
21 can't -- as a state, why can't we offer some other  
22 areas, a similar area as far as acreage, somewhere  
23 else in the state that could be off the beaten  
24 path, maybe along some of our interstates, our  
25 state highways where it's not going to affect a

1 residential community.

2 I find it a bit troubling that we have  
3 the proposal, and I'm sure they're lovely people,  
4 so the company itself, I don't have anything  
5 personally against them. It's just why is a  
6 consortium of Massachusetts and Rhode Island and  
7 everyone making the decision for our State of  
8 Connecticut to put solar panels here, and we  
9 really will not benefit from it? Yes, maybe a  
10 slight mill rate decrease will help us a little  
11 bit, but overall I don't really see the benefit.

12 So with that, I really hope that the  
13 Council really reviews this, scrutinizes every  
14 line, and realize that this isn't anything other  
15 than I think there's a lot better optional areas  
16 that we could use in this state that would be  
17 better choices than in the back of a residential  
18 area on critical farmland.

19 And as an operator, someone who has  
20 flown for many years, large solar panels, large  
21 fields, and where I live exactly on Berkshire, it  
22 is over one of the major thoroughfares routes that  
23 there is also the opportunity and consideration  
24 for the operators with glare. So you have to look  
25 at that as well, please.

1           So thank you again. Again, I'm proud  
2 to be in Connecticut. We looking forward to a  
3 future here. And thank you for your time.

4           THE CHAIRMAN: Joe Treacy.

5           JOSEPH TREACY: Yes, sir. Treacy,  
6 T-R-E-A-C-Y. I live at 3 Berkshire Way, right  
7 next to Steve -- Steve, thank you for your  
8 service -- in Simsbury. I've been a resident in  
9 Simsbury for over 40 years. And thank you for  
10 spending the day with us to see and learn all that  
11 Simsbury offers. I'm sorry that you did not have  
12 the time to look at the impact on individual  
13 neighborhoods on your drive-by tour this  
14 afternoon.

15           I am a supporter of alternative energy  
16 sources, but not at the expense of 298,  
17 approximately, 290 acres of prime agricultural  
18 open farmland. This project is located between  
19 five residential neighborhoods bordering our  
20 town's second largest aquifer, and within 1,000  
21 feet of an elementary school, which I don't think  
22 you got to see today on the tour.

23           The Tobacco Valley Solar Project will  
24 forever change the character of Simsbury with the  
25 destruction of land designated by the Connecticut

1 Department of Agriculture as either prime  
2 agricultural forestland, or having been designated  
3 by the state having a state importance as --  
4 designated as having state importance as  
5 agriculture and farmland. At a minimum, you  
6 should require the applicant to submit to a more  
7 thorough review of the environmental impacts, and  
8 require them to meet the standards of both a  
9 Certificate of Environmental Compatibility and  
10 Public Need process. This project will bring no  
11 increase in electricity to the State of  
12 Connecticut or the Town of Simsbury.

13 As you have already heard, power is  
14 going to be sold to the State of Massachusetts.  
15 There will be minimal tax benefit to the Town of  
16 Simsbury, approximately less than one-half of one  
17 percent of a mill rate on \$100 million, so it's  
18 really negligible impact on the town.

19 As a utility size project with over  
20 110,000 solar panels with hundreds of thousands of  
21 steel support beams will be pounded into the  
22 ground by pile drivers in the middle of these five  
23 residential neighborhoods, including Saturdays  
24 that we found out this afternoon. In addition,  
25 construction activities and miles of chain link



1 fence, security fence, will be very disruptive to  
2 the bear, deer and reptile population on the site.

3           Directly to the east of the proposed  
4 utility size solar farm located at the  
5 intersection of Hoskins and County Road is the  
6 second largest aquifer in Simsbury designed as  
7 A145 by the State Bureau of Water Protection. At  
8 today's hearing I did not hear how this would be  
9 protected from storm runoff from the thousands of  
10 solar panels directly uphill from that location.

11           I am particularly concerned with their  
12 lack of preparation for the deluge rainstorm,  
13 which we seem to have a lot of lately. How would  
14 the aquifer be protected from the residue of the  
15 farm herbicides and pesticides that will be  
16 disturbed as they pound hundreds of thousands of  
17 pilings into the ground.

18           I'm also concerned about some of the  
19 applicant's responses to your interrogatories,  
20 specifically Question 5, Are any portions of the  
21 project enrolled within the State Department of  
22 Agriculture, Public Act 490. The answer, Based on  
23 a review of town records, Deepwater can find no  
24 evidence that any portion of the site is enrolled  
25 on the Public Act 490. Hum. A brief discussion

1 with the town tax assessor found that the current  
2 landowner is receiving a lower agricultural tax  
3 rate under Public Act 490. Who knew?

4 Question No. 9, Where are the nearest  
5 off-site residences located in two potential  
6 construction access points and from the solar  
7 field? And there was a lot of discussion about  
8 the numbers 2, 4, 6, 8, 10, 12, 14, 16 and 18  
9 Litchfield Drive this afternoon. All of you had  
10 questions about that. They're all within 100  
11 feet, approximately 100 feet of the proposed  
12 access road which runs directly behind Litchfield  
13 Drive. The access road is only 10 to 12 feet wide  
14 at this point.

15 There's also no mention of the homes at  
16 the end of Berkshire Way, nor the homes at the end  
17 of Saxton Brook. In addition, the Kilbourne  
18 property, as Christine has indicated, Number 85,  
19 will be surrounded by solar panels. The entire  
20 south side of Hoskins Road should be off limits to  
21 the solar farm and not at the expense of other  
22 residential neighborhoods. The impact on home  
23 values is unknown because the utility size solar  
24 farm is currently not built near residential  
25 neighborhoods.

1           You have the opportunity to make a  
2 historic decision that will set precedence for the  
3 future development of Connecticut agriculture and  
4 forestland. The Connecticut Department of  
5 Agriculture and the Council of Environmental  
6 Quality and the town oppose this proposal. This  
7 project would not be permitted in either  
8 Massachusetts or Rhode Island. You have the  
9 opportunity to implement the wishes of the  
10 Connecticut Legislature and the people of  
11 Connecticut by upholding the legislative intent  
12 and spirit of SB 943. The law should be based on  
13 the date the project is reviewed by you and not  
14 submitted only days before the law was put into  
15 effect. A utility size field should be built on  
16 brownfields, industrial sites, state land, public  
17 right-of-ways, not on prime agricultural  
18 forestland in the middle of five residential  
19 neighborhoods. Thank you for your time.

20           THE CHAIRMAN: Thank you.

21           Raymond Hanley.

22           RAYMOND HANLEY: Hello. Hanley,  
23 H-A-N-L-E-Y. I live on Wescott across from where  
24 the substation is.

25           I am for this project for the reason

1 that I think it has the least negative impact on  
2 this town. I've been for all of the conservation  
3 measures we've gone through in this town, all the  
4 land protection. I'm for all of that. The town  
5 doesn't own this land. The town is not going to  
6 buy this land. The conservation organization  
7 isn't going to buy this land. I wish it could. I  
8 would be for that. This town is private property.  
9 It's not agricultural land. The farmers don't own  
10 this land. It's not going to stay farmland.  
11 These are going to become houses. These solar  
12 panels do not have children, they don't go to  
13 school, they don't need garbage trucks, they don't  
14 need snowplows, they don't need lawn mowers, they  
15 don't need leaf blowers, they don't need fire  
16 trucks. I think there's going to be the least  
17 negative impact, as I said, for the town.

18 As far as the construction goes, people  
19 are concerned about the construction of these  
20 panels. I understand construction of the houses  
21 they will put in there will be louder, noisier,  
22 and longer than it's going to take to do this.  
23 The agricultural chemicals are the pollutants  
24 here. Agriculture polluted the place. The way we  
25 do agriculture is kind of strange.

1           So I am concerned about the water, but  
2 all this disruption is going to occur to the land  
3 when the houses that will be built there are  
4 built. I was against major construction of the  
5 multi-use thing that's over there, you know, the  
6 thing over there. I'm against most of the  
7 multi-development. I wish we could conserve it as  
8 open space. The fact is it's not going to stay  
9 that way, and I think that this will have the  
10 least impact.

11           Also, it is a 20/25 year project. It's  
12 not a permanent thing. Now, I understand there's  
13 skepticism about that, but it may not be -- it's  
14 not the worst thing in the world. I wish the way  
15 this was implemented was -- people are upset.  
16 It's rammed down our throats as far as how the  
17 Siting Council -- the state overrides the town.  
18 That's wrong to a lot of people. I understand  
19 that. But taking it all into consideration for  
20 this project, I'm not an abutter to the property  
21 but I am nearby. I can see the substation and the  
22 -- whatever they're calling that thing.

23           Now, there's other housing developments  
24 going in on all the other tobacco property around  
25 there, down the road, all of those are going in.

1 There's also one going in between Sunrise and, you  
2 know, Wesley's place, there's that other place  
3 going in. I'm against all of those. But I  
4 think that -- and I'm really sorry to oppose  
5 people. I get it. I'm sorry about that, but I  
6 think this is the best thing that we can get out  
7 of this.

8 THE CHAIRMAN: Thank you.

9 Jason Polayes.

10 JASON POLAYES: Jason Polayes,  
11 P-O-L-A-Y-E-S. I live at 14 Saxton Brook Drive.  
12 I'm an abutter.

13 I believe if this project is done, it  
14 should be done right. And I believe, as it stands  
15 now, the proposal is not to the benefit of the  
16 residents around there. I understand the  
17 complexity -- or I don't understand the complexity  
18 of a wind farm on Block Island. This is a solar  
19 farm in a residential area, and I imagine it poses  
20 other challenges. And I don't know if I've seen  
21 those in the proposal.

22 Many of the items have already been  
23 discussed, so there's three items that I worry  
24 about. I don't think you can underestimate the  
25 water quality issue. If it goes bad, then there's

1 a lot that goes bad. And I think the fact that we  
2 haven't done the research, we don't have enough  
3 data and study behind it to understand exactly  
4 what's going to happen when we start digging in  
5 that soil. I think it would be prudent for us to  
6 really take the time and make sure we understand  
7 that.

8           The animal migration patterns, which  
9 might not seem like a big deal, but I think are a  
10 big deal to fence off a major part of this part of  
11 town. I think the residents of this town during  
12 this time period every day will see large animals  
13 walking by. They're going to walk somewhere else,  
14 and I don't know if that's been taken into  
15 consideration.

16           And then the final point. I know  
17 Deepwater came back with a second proposal. They  
18 had proposal one. Proposal two came back, and I  
19 believe it was actually less area, and I thank  
20 them for doing that, but I think they produced the  
21 same amount of power. I'm curious how less area  
22 produced the same amount of power. If it means  
23 they can use better solar panels, can they use  
24 better solar panels still and use even less area  
25 than they're proposing? I understand the working

1 area around it, they need to keep their property  
2 safe, but I do wonder how small they can actually  
3 get, and what type of solar panels they could be  
4 using that would make the acreage even smaller  
5 than it is. And the other evidence we already  
6 discussed. Thank you.

7 THE CHAIRMAN: Thank you.

8 Next is Stephan or Steven Sutton?

9 STEPHEN SUTTON: Thank you, folks, for  
10 taking the time. My name is Stephen Sutton,  
11 S-u-t-t-o-n. I live at 45 Berkshire Way. I am an  
12 abutter.

13 I don't want to waste your time any  
14 further than it needs to. I think my residents --  
15 my neighbors have really spoken a lot to some of  
16 the details of this project, and I think we need  
17 to slow down this process and realize that maybe  
18 this project is just a little bit too large for  
19 the area in which they're looking to put it. It  
20 is a good use for the land. It's just a matter of  
21 how it's going to negatively impact the area,  
22 agriculture with aquifers, and also aesthetically  
23 as far as taking our town -- and due diligence  
24 that's gone on for years and years, and just  
25 throwing that out and putting in a utility that



1 maybe is more of a vanity project to the utilities  
2 to say we are green and we are looking for  
3 alternative energies, versus the mowing down of  
4 the trees and all the other effects that may  
5 negatively impact in order just to get some green  
6 energy in the area.

7 I am a good proponent. I appreciate  
8 green energy. I just want it to be done in a  
9 responsible fashion. And I think that based on  
10 all of the legislation that has gone through, I  
11 think we just need to pause this process and  
12 really do a little bit more due diligence. Thank  
13 you for your time.

14 THE CHAIRMAN: Thank you.

15 Howard Beal.

16 HOWARD BEAL: Good evening. Howard  
17 Beal, B, like in "boy," E-A-L. I reside at 288  
18 Firetown Road, which is in the vicinity of the  
19 proposed project.

20 When I came here actually I was kind of  
21 neutral. I came here to learn actually. And I  
22 very quickly, based on all the comments I heard so  
23 far, I've very quickly become rather negative on  
24 this project.

25 A couple of my questions have already

1 been answered, but I do have some other points to  
2 go over here. We've seen the weather disasters in  
3 Texas and Florida recently. What would be the  
4 impact if we had a category 3 storm come through  
5 here? It does happen. And we're very much  
6 overdue, you know, like 50 years. If we had a  
7 wind storm, what happens if all these glass panels  
8 are broken up and scattered all over the  
9 landscape? What kind of materials are in there  
10 that would get into the soil and affect the  
11 environment because of all the breakage? So that  
12 would be one concern.

13 Another concern. It's noted that the  
14 equipment seemed to have a shelf life of about 20,  
15 25 years. And then they're supposedly going to  
16 come and take it away, and that would be the end  
17 of it. Others have cited that, well, will this  
18 really happen, and how come the solar panels don't  
19 last forever? Do they deteriorate over time so  
20 they are less and less powerful? Why do they take  
21 them down after 20 years? It's kind of strange.  
22 Power plants last a lot longer than 20 years  
23 because they are constantly refurbished and  
24 maintained.

25 And the last point, well, another point

1 is somebody mentioned everything is going to be  
2 fenced over. You know, this fencing which you  
3 mentioned keeps animals either inside or outside.  
4 They can't go through the area, and they have to  
5 find other routes. You might as well build an  
6 interstate highway around these project areas.  
7 Because, you know, it has pretty much the same  
8 effect. It really disrupts everything.

9           And the last point would be it's kind  
10 of disturbing that if this were built, we're  
11 allowing all this equipment to be built on the  
12 land of Simsbury, and Simsbury doesn't even get  
13 the power. It goes somewhere else. Nothing goes  
14 to Simsbury or its essential services at all, and  
15 I find that rather disturbing. Thank you.

16           THE CHAIRMAN: Thank you.

17           Ruth Beal.

18           RUTH BEAL: Hi, my name is Ruth Beal.  
19 I thank you for the opportunity to speak before  
20 you all. I am against this -- oh, I'm sorry. My  
21 last name is spelled B, as in "boy," E-A-L. My  
22 husband just spoke. And I also live at 288  
23 Firetown Road in Simsbury. Our property does not  
24 abut the areas of concern, but my concern is how  
25 this is all going to impact the area.

1           I am against this particular project.  
2 I believe there are better alternatives.  
3 Temporary projects are still temporary. They are  
4 often put in place hoping that, since they are  
5 only temporary, we don't have to put up with them  
6 forever. But then people get complacent and get  
7 used to seeing things there and say, well, it's  
8 been there, and so they get less and less  
9 resistant to having something there.

10           Simsbury is one of those all too few  
11 typical New England towns which are not really so  
12 typical. Simsbury is a very special place to  
13 live. It's got a lot of open space, which is very  
14 unusual in towns these days. There's a lot of  
15 raising of the land. It's very disturbing to see  
16 so much forestation eliminated. And when things  
17 like this do happen, many times when the land is  
18 used for whatever, it's never put back the way it  
19 was. It's ground leveling, along with the trees  
20 being taken down, and when whenever was there is  
21 removed, you have chunks of concrete and whatnot  
22 from whatever was built there.

23           A concern which was previously  
24 mentioned is the fact that all this is being put  
25 in our town for the benefit of somebody else north

1 of us. And my biggest concern is the proximity to  
2 the game preserve that is in the area where this  
3 project is sited to be put, and also all the open  
4 and rural lands that we have in that area. We  
5 have a lot of wildlife, birds. We have in the  
6 McLean Game Refuge special bluebird boxes in the  
7 hope of encouraging more bluebirds in the area.  
8 And something I'm sure a lot of you people have  
9 noticed is that there are all too few butterflies  
10 flitting around. I'm concerned with how this  
11 project will disrupt any migration and typical  
12 everyday movements of animals and birds.

13 I know out west where they have I  
14 believe this project they're putting in is  
15 basically similar to what's going to be on  
16 rooftops of houses and things, as opposed to out  
17 west where they have towers where they project the  
18 energy up to, but out there they have some really  
19 horrific problems with birds who are literally  
20 being burned in the air, dropping out of the air.  
21 And they're not just talking about a couple  
22 hundred, but thousands of them. And also  
23 butterflies that are attracted by the lights of  
24 the panels, and they get singed and burned, and  
25 the birds also see these bugs down there and it

1 looks like a nice tasty little thing.

2           One thing that I wonder about is when I  
3 was over in Scotland a few years back, they have  
4 what I thought was a very interesting unusual, to  
5 my way of thinking, way of generating electricity.  
6 And I wonder why we don't take more advantage of  
7 it. I've never heard of it over in this country.  
8 But they use waves of the ocean to generate  
9 electricity. And it seems to me that that is a  
10 good option where you have something, the ocean,  
11 just using the motions of the waves, moving to  
12 generate electricity. This is something that's  
13 obviously going on all the time. It's not  
14 something that needs to have the sun out every day  
15 continuing and only works part of the day when the  
16 sun is out. The moon and the sun are always  
17 actively pulling on the water. So even when you  
18 don't have the wind, you still have the sun and  
19 moon pulling on the water, and it's always  
20 working. So I think that might perhaps be  
21 something we should be looking at more than this  
22 project. Thank you.

23           THE CHAIRMAN: Thank you.

24           Dianne Treacy.

25           DIANE TREACY: Diane Treacy, 40

1 Berkshire Way. T-R-E-A-C-Y.

2 I've lived here for 40 years. And I  
3 want to thank you for taking the time to hear  
4 residents' thoughts and concerns in what I  
5 consider a massive solar utility farm. The  
6 limited time allotted to research to become  
7 knowledgeable about this project has been quite an  
8 undertaking for concerned residents and town  
9 staff. The initial DWW meeting on May 11th  
10 invited abutters who received a letter the week  
11 before alerting them to a utility solar farm to be  
12 built on the 289 acres. 221 are zoned R40, and 68  
13 are zoned light industrial. My first thought was  
14 what is the point of town zoning and planning if  
15 it can be ignored to meet a private company's  
16 commercial wishes.

17 The Town held a meeting on June 7 to  
18 provide a platform for residents, but since the  
19 proposal had not yet been filed, answers to many  
20 questions were speculative. The hall was standing  
21 room only. A second DWW meeting was held June  
22 22nd with close to 300 people in attendance. The  
23 overwhelming opinion was not positive.

24 I have many concerns. One, according  
25 to DWW, the energy generated from these solar

1 panels will be sold to a Massachusetts power  
2 company. The State of Connecticut and the Town of  
3 Simsbury seem to be left out of the equation.

4           Number two, those who live near or  
5 directly abutting the solar farm are mostly young  
6 families who have valid concerns about aesthetics,  
7 maintenance and security, as well as property  
8 values. Five Simsbury neighborhoods are impacted.

9           Number three, I'm uneasy about the  
10 final product from a Rhode Island company who has  
11 never built even a small solar farm. At the  
12 initial meeting they alluded to two small solar  
13 projects. Neither have been built. I still  
14 wonder where the field trip they suggested they  
15 could arrange for us, or were they taking us?

16           Number 4, I'm concerned that when asked  
17 at the June 22nd meeting how many panels would be  
18 installed, they did not know, eight days before  
19 submitting a formal proposal. Now we know,  
20 110,000 panels.

21           Number 6, according to the U.S.  
22 Department of Energy, solar panels may contain  
23 hazardous materials. When asked about the  
24 disposal of these panels, it was indicated that  
25 the industry does not have a viable plan for



1 disposal, but surely there would be a plan in 20  
2 years. Nuclear power still struggles with this  
3 issue after 60 years.

4           Number 7, Connecticut recently passed a  
5 bill to protect residential land, farmland, and  
6 forested areas from being used for solar farms.  
7 Hopefully this will be considered. The two other  
8 states in the consortium, Massachusetts and Rhode  
9 Island, have policies that direct solar farms to  
10 be built on brownfields, landfills and public  
11 rights-of-way.

12           Connecticut boasts of the historic  
13 value of its early towns, beautiful forests and  
14 farms we work hard to protect. Simsbury is one of  
15 these historic towns settled in 1670. Must we  
16 surrender for an entire generation some of the  
17 last buildable residential land? Will this town  
18 be forced to repeat the epilogues seen in so many  
19 towns flatlined with homes 50 years and older? Is  
20 it truly necessary to give up on light industrial  
21 when it brings jobs to our community?

22           I am optimistic in reading the  
23 Council's charge to balance the need for adequate  
24 and reliable public utility services at the lowest  
25 reasonable cost to consumers with the need to

1 protect the environment and ecology of this state,  
2 and to minimize damage to scenic historic and  
3 recreational values.

4 I respectfully implore the Council to  
5 consider how this decision impacts the next  
6 generation of Simsbury. The door will be closed  
7 for new housing, and we will shut the door on yet  
8 another farmer. In fact, the farmer who has  
9 leased this land and farmed there for many many  
10 years did attempt to buy this property. This may  
11 be a wonderful green addition to Massachusetts  
12 energy needs, but what about Simsbury? What about  
13 Connecticut? Thank you.

14 THE CHAIRMAN: Linda Schofield.

15 LINDA SCHOFIELD: Hi, I'm here to speak  
16 in support of this initiative. My name is Linda  
17 Schofield, S-c-h-o-f-i-e-l-d. I live at 3 Ryan  
18 Circle.

19 I'm not a neighbor, and I don't live in  
20 the immediate vicinity. And I'd like to say I  
21 hope you realize that most of the people speaking  
22 against this are neighbors, and they do live in  
23 the immediate vicinity. And at the last hearing  
24 we had I spoke in favor of the proposal, and tons  
25 of people who don't live in the immediate vicinity

1 have come up to me and said, Well, I really agree  
2 with what you're saying, but they're nervous about  
3 speaking in a forum like this. So I think that's  
4 unfortunate.

5           That said, I really -- you know, I want  
6 to support the people who do have concerns, and I  
7 hope that Deepwater Wind would do whatever they  
8 can to allay their concerns and fix sight lines,  
9 and things like that. I think there's room for  
10 compromise here. But I do support moving forward  
11 with this kind of a proposal because I support  
12 green energy solutions. We need to protect the  
13 environment, combat climate change, and assure  
14 energy independence.

15           We're a town with a history of  
16 neighbors opposed to the various development  
17 projects, as someone noted earlier. This  
18 phenomenon is common everywhere. Opponents to the  
19 bike trail, for example, years ago testified that  
20 the trail would bring crime, lower property  
21 values, and other negatives. And, of course, none  
22 of this actually happened. And indeed the  
23 property abutting the bike trail actually went up  
24 in value.

25           I believe that solar panels similarly,

1 once installed, would potentially increase  
2 property values. Home buyers will love the  
3 notion, if they're like me, that their neighbors  
4 are totally quiet. There's no barking dogs.  
5 There's no blaring music from teenage parties, no  
6 kids screaming as they jump into pools, et cetera.  
7 Potential home buyers might also be happy that  
8 there's no traffic for these solar panels, and  
9 that they don't create pollution unlike we've  
10 heard a lot about the agricultural pollution  
11 created by the farmers.

12           The argument I think that these panels  
13 depress home values is not critical to me. The  
14 biggest cause of declining home values in our town  
15 is our rising mill rate. And on that score, these  
16 panels will be of help. The town estimates that  
17 the project would produce \$621,000 per year in new  
18 revenue to the town, while demanding virtually no  
19 town services in return. Others have talked about  
20 that before me.

21           I have heard a concern that the panels  
22 are causing existing soil contamination to enter  
23 the aquifer below. I'm confused by some of the  
24 comments that people have made because they go  
25 from talking about the pollution that the

1 agricultural users have created to talking about  
2 wanting to keep agriculture. It's the  
3 agricultural uses that have created that  
4 pollution. And I don't understand why, if the  
5 topsoil is fine, why there'd be pollution three  
6 feet below, I mean, that's what people are  
7 concerned about, or why you want to grow food in a  
8 place that's so toxic that you can't put solar  
9 panels there.

10           Also, the idea of runoff being  
11 increased somehow by solar panels is specious.  
12 The same amount of rain is going to fall on these  
13 acres no matter whether solar panels are there or  
14 not. So there shouldn't be anymore runoff just  
15 because there are solar panels on the land.

16           Some in town have suggested that any  
17 decision to place a solar facility should be  
18 approved by the town. I think this was a huge  
19 mistake. And I think it's appropriate that we  
20 have the state siting commission, as yours is,  
21 tasked to do this job. If every town were to  
22 decide where power plants of any type were to be  
23 located, we would all be living with no  
24 electricity because everyone wants such things to  
25 exist but to be located elsewhere.

1           So thank you for taking on this  
2 difficult task. I know that everywhere you go you  
3 probably get opposition to just about every  
4 proposed new facility that you hear about. But  
5 they have to go somewhere. We all want  
6 electricity. So thank you for your efforts. And  
7 I hope you'll support this.

8           THE CHAIRMAN: Thank you.

9           I think this is Holly Beum. I'm not  
10 sure of the last name.

11          HOLLY BEUM: Hello. My name is Holly  
12 Beum, B-E-U-M. It's short but strange. I live on  
13 11 Longview Drive in Simsbury. I am also a member  
14 of the planning commission, although I am not here  
15 on their behalf. The planning commission has  
16 already officially weighed in on this. I'm here  
17 as a private citizen, and I have a point of view  
18 that I have not heard expressed fully yet that I'd  
19 like to advance in support of this project.

20          It's called the Tobacco Valley Solar  
21 Project, because these were tobacco fields. And  
22 as many people have mentioned already, the most  
23 famous person who worked this field was Martin  
24 Luther King. Now, as our town finally did the  
25 research to verify that Martin Luther King really

1 did work these fields, up until a few years ago it  
2 was more of an urban legend. And then a lot of  
3 work was done by the Simsbury Free Library and the  
4 high school, a number of high school students, and  
5 the historical society to verify that. This was  
6 at a time during a recession. We had no chance to  
7 do anything to save this property.

8           This property is zoned for residential  
9 and light industrial, most commonly warehouses,  
10 industrial warehouses, and residential. My fear  
11 is if we do not protect this, it will be lost  
12 forever. Once this is developed, the wildlife  
13 will still not be allowed to be walking through  
14 everybody's yards, we'll still have the same  
15 amount of runoff, but we will never have these  
16 fields again. And make no mistake, the current  
17 owner of these fields is the Griffin Development  
18 Corporation. They are not a farm organization.  
19 They are a developer corporation. If we do not  
20 have solar panels, we will have houses and light  
21 industrial warehouses.

22           And I can tell you as a member of the  
23 board of planning, we have zero jurisdiction if an  
24 applicant comes with an application to do  
25 residential housing or warehouses and they're

1 following all the rules and regulations of our  
2 town ordinances. We have to allow it. This is  
3 law. So the concept that if we don't put solar  
4 panels, we'll continue to farm it, already the  
5 Griffin Corporation has announced that the  
6 farmland is not sufficiently valuable to do that.

7           Now, if we have a 20-year lease, a  
8 25-year lease, we have the time to raise the money  
9 and get the ground roots organization to protect  
10 these fields forever. And I have witnessed  
11 firsthand the work that organizations such as  
12 Simsbury Land Trust can accomplish when they're  
13 organized. And during this time, and even during  
14 the recession, there have been major tracts of  
15 land that the Simsbury Land Trust has been able to  
16 preserve for the rest of our existence here for  
17 perpetuity.

18           So the angle I see here is a  
19 preservation angle. This gives us the time to get  
20 the funding. I agree with the people who say that  
21 Deepwater is not a farm organization, but they're  
22 in business. And if they're given enough money  
23 for the land -- and this is not just a parcel of  
24 local interest. Martin Luther King is a figure of  
25 national and international importance. I feel



1 confident that with enough grassroots efforts we  
2 will be able to get that funding to save it. And  
3 that's my particular point of view on this that I  
4 wanted to give to the Council.

5 Thank you for your public service. I  
6 know what it's like to sit on the other side of  
7 that table.

8 THE CHAIRMAN: Thank you.

9 Carl Dunham.

10 CARL DUNHAM: Good evening. My name is  
11 Carl Dunhan, D-U-N-H-A-M. I live at 195  
12 Candlewood Mountain Road, New Milford, so  
13 obviously I can't be accused of living here.

14 I've been involved with what's been  
15 going on with solar for quite a while. I was  
16 particularly struck at a time when I went to a  
17 workshop that DEEP had in January with respect to  
18 the location of these solar farms. And what was  
19 happening before that, there was no criteria  
20 whatsoever, and people started to realize that  
21 there are a lot of competing interests in  
22 Connecticut policy wise. We have the desire to  
23 have renewable energy, and then we have the desire  
24 to protect and maintain agriculture, and lastly we  
25 have a very big focus on the natural resources

1 through all the efforts of the DEEP.

2           What this amounts to is it has to  
3 become a balancing act. And there was a void.  
4 And this was taken up by the State of Connecticut  
5 through their legislators, and they came up with a  
6 whole new criteria. That criteria manifests in  
7 the statute that's been referred to. That is the  
8 policy in the State of Connecticut. That was more  
9 or less in the past. And I know your focus is  
10 energy, but what really caught my attention in the  
11 beginning was the massiveness of these kinds of  
12 projects. There's a project in New Milford, which  
13 I was concerned with. And when I came to Hartford  
14 I saw this is another one. So there are  
15 essentially these two situations which really are  
16 demanding your attention and put you in a very  
17 interesting place.

18           I respect you all. I have always been  
19 impressed by the public duties -- but I just think  
20 this proposal, much like the one in New Milford,  
21 is massive. People do not understand how big it  
22 is. Here you're talking about a better  
23 understanding because you can drive around, but  
24 there's nothing like this in Connecticut, and I  
25 don't think this is the place to start it.

1           It just troubles me that these are  
2 being pushed forward without the full  
3 consideration. And, as a matter fact, I think you  
4 have to do that. I think that's what the statute  
5 requires. So I encourage you to do it that way,  
6 to look at it. There are lots of opportunities  
7 for renewable energy. There are plenty of  
8 brownfields. There are plenty of rooftops. There  
9 have been studies made that we can satisfy energy  
10 needs alternatively.

11           But very interestingly, the other day I  
12 picked up a national nature conservancy magazine  
13 and there in the fall issue -- and I refer you to  
14 that -- there's an article on solar energy. This  
15 is an issue that's not really national, it's  
16 international. There are all sorts of competing  
17 issues, which I know they're hard to always watch,  
18 but I think they all should be considered.

19           So I appreciate all the efforts you put  
20 into it. I do think that this proposal is not  
21 appropriate. Thank you.

22           THE CHAIRMAN: Mark Scully.

23           MARK SCULLY: My name is Mark Scully,  
24 S-C-U-L-L-Y. I live at 29 Notch Road in West  
25 Simsbury. I'm speaking as a private citizen and

1 not -- my views do not necessarily represent those  
2 of the Clean Energy Task Force of which I'm a  
3 member.

4 I understand that after deliberations  
5 you will approve the petition, deny it, or approve  
6 with modifications. I urge you to approve it with  
7 modifications. There's not enough time to go  
8 through all of those modifications, and we've  
9 heard many of those tonight. I can see by the  
10 height of your binders you've read some of them as  
11 well. I think there are very serious legitimate  
12 concerns that our citizens raised, and I would  
13 encourage you to make modifications that will  
14 allow this solar farm to be built in a way that is  
15 in keeping with the character of this community.  
16 So make the modifications you see fit, but in the  
17 end please approve this site. My reasoning is  
18 simple. We all need to do our part to address  
19 climate change. We as individuals need to do our  
20 part, and we in Simsbury need to do our part. We  
21 cannot ask other towns across the state to bear  
22 the entire burden.

23 I am involved in some nonprofit work  
24 where we've actually tried to analyze could we  
25 move ourselves to a sustainable renewable economy,

1 and we literally went through the town rooftop by  
2 rooftop and parking lot by parking lot, and we  
3 looked at could we generate enough energy in town  
4 to, you know, the needs, and then we looked at it  
5 a bit more broadly at the region. And while we  
6 all like to say I support solar as much as the  
7 next guy but not in residential neighborhoods, not  
8 here, the simple fact that rooftops and  
9 brownfields will not get us there.

10 In Simsbury we have about 1.7 megawatts  
11 of installed capacity. That's residential and  
12 commercial. It's about 150 installations. Now  
13 that will increase, looking at it, and maybe a  
14 couple more megawatts installed, but we're not  
15 going to get close to meeting the needs that we  
16 expect when we turn the lights on. And we need to  
17 do our part. We can't expect these solar farms to  
18 be placed in other communities. It's going to  
19 require a difficult decision, and the best  
20 decision that you will have to make, but as a  
21 citizen of Simsbury I'm willing to accept the  
22 sacrifice of putting a solar farm on this site. I  
23 think, looking back, this will not materially  
24 influence the residential character of the town.  
25 I think we have many beautiful farms. We have

1 much beautiful open space, and that will still be  
2 here.

3           So I encourage you to approve this  
4 project with serious modifications. Those should  
5 include things like ensuring sufficient  
6 decommissioning funds and, in general, listening  
7 to some of the very legitimate concerns we've  
8 heard. In the end, though, I think future  
9 generations will thank us for this project.  
10 They'll thank us for promoting the environment  
11 that's favorable to business. They'll thank us  
12 for parking a piece of land for 20 years or more,  
13 preserving its agricultural quality and preventing  
14 it from being developed in a more permanent  
15 fashion. They'll thank us for improving the image  
16 of our town as a leader in clean energy and a  
17 place where our children would like to live. And  
18 they'll thank us for doing our part to address  
19 climate change. Thank you.

20           THE CHAIRMAN: Thank you.

21           Phillip Prestigomo.

22           PHILLIP PRESTIGOMO: Thanks for having  
23 me. I live at 43 Windham Drive. The last name is  
24 Prestigomo, P-r-e-s-t-i-g-o-m-o. I've been a  
25 resident here for ten years, almost 11 now.

1           I live in close in proximity to the new  
2 proposed farms. To say that it doesn't ruin  
3 property values or the aesthetics of the community  
4 is almost laughable. My home prices have been  
5 flat. My home has been flat, and I'm losing money  
6 year over year. To say that this is going to help  
7 it is laughable. It's kind of one of those things  
8 that, if you don't live here, and you don't live  
9 in that area, that's fine. I'm sure there will be  
10 some people that will gladly sell you their homes  
11 if this goes through, so you can move right next  
12 to the solar farm and not hear the kids jump in  
13 the pool. That will be great. That's much  
14 better.

15           One thing I will ask the Commission to  
16 consider is where are these solar panels  
17 manufactured? They will be more than likely -- I  
18 work for an electrical manufacturer. I've been  
19 doing consumer electronics for over 30 years as an  
20 industrial designer, and I know a lot about these  
21 things. These are manufactured in plants in China  
22 that produce five times as much greenhouse gases  
23 as one panel will save over its lifetime. If you  
24 think this is -- the theoretical output of this is  
25 going to be on score or exceeded, not even close.

1 It's going to be below power when it's built, and  
2 it's going to get worse over time because these  
3 solar panels degrade. Not only do they require  
4 tons of toxic chemicals and heavy metals to be  
5 produced, those heavy metals start to break down  
6 and start to break down in the field because of  
7 storms, because of vandalism, because of anything  
8 settling in the ground. And you think the  
9 pollutants in the ground are bad now with the  
10 current farmlands? Wait until there's heavy  
11 metals and volatile chemicals and we'll all have  
12 cancer. It's going to be awesome. I can't wait  
13 for that day.

14 This proposal is ill thought out. It's  
15 by a company that has no experience building  
16 these. And we're just going to give them carte  
17 blanche? And the thing that should make  
18 everybody's hair stand up on the back of their  
19 neck is ruling that no certificate of  
20 environmental compatibility and public need is  
21 required for post-construction maintenance and  
22 operation. That is a joke. That statement, I  
23 can't even believe you guys actually -- I can't  
24 believe they wrote it down. It's amazing. I  
25 mean, that's a lot of hutzpah. I really can't



1 understand how after all these years we can't even  
2 get a Big Y in this town, that it took five, ten  
3 years to get a Big Y, and now all of a sudden  
4 they're going to ram this down our throats with no  
5 say by the local community or the state community.  
6 I think it's laughable.

7 I'm all for renewable energy, but solar  
8 is not -- and these panels last ten years, maybe  
9 15, at best, and we're going to be stuck with the  
10 bill for a super fund site 300 acres in Simsbury  
11 and nobody is going to want to build a house on  
12 this land. Trust me.

13 Thank you for your time.

14 THE CHAIRMAN: Bob Beinstein.

15 ROBERT BEINSTEIN: So my name is Bob  
16 Beinstein. It's B, like "boy," E-I-N-S-T-E-I-N.  
17 I live on 26 Fairview Street in Simsbury.

18 I serve on Simsbury's Clean Energy Task  
19 Force, just full disclosure here, and I work on  
20 infrastructure sustainability challenges, and  
21 tonight I speak to you as a resident of Simsbury  
22 only.

23 So the first point. I simply don't buy  
24 the apocalyptic message that I'm hearing from  
25 people tonight. I think are there challenges

1 here? Of course, there are challenges here. With  
2 all due respect to my fellow residents who have  
3 spoken here tonight, I think that a lot of it's  
4 based on somewhat irrational fears and somewhat  
5 just really generally poor data, and I think most  
6 of you know, a little bit more in the technical  
7 level of detail of what's going on.

8 I want to say for the record up front  
9 that I fully support this project, although there  
10 are significant details yet to be worked out. The  
11 point that I really want to make going forward --  
12 and you're going to hear a lot in favor and a lot  
13 opposed -- I'm in favor. What I want to see  
14 happen from here forward is collaboration. I  
15 recognize the point that if each town does make a  
16 decision about utility infrastructure, we all sit  
17 in the dark. I'd agree with that.

18 That said, I would urge you to have  
19 some sensitivity to this town. I want to see this  
20 project built. There is a lot of detail to work  
21 out. One of the concerns that I have personally  
22 is with the process, and the process certainly  
23 isn't Deepwind's fault, it's probably not your  
24 fault. There's some legislative work to be done.

25 When I go through the interrogatories

1 and I see -- I look for detail, I look for how  
2 you're going to solve the challenges the town has  
3 raised and some of the abutters have raised. And  
4 I see that will be in the D&M plan. And the D&M  
5 plan won't exist until the project is approved.  
6 It seems a little bit backwards to me.

7           Part of what I do for work is look at  
8 best practices around sustainability of  
9 infrastructure. In the research that we've  
10 conducted, one of the most important things that  
11 happens is early often collaboration between  
12 proposed designers, builders, owners, regulators  
13 and site people, people that live near where the  
14 facility is to be sited.

15           Through certainly no fault of Deepwater  
16 Wind, that's not how this process has worked. It  
17 would have been possible to come here to have a  
18 collaborative approach from day one, from when  
19 we're considering an RFP, we're considering to put  
20 it different places, to have discussion. What the  
21 objective is, is when we get to this point where a  
22 regulatory body is sitting in judgment of a  
23 project, we've had this discussion already, we've  
24 had collaboration, and each party, in grand  
25 tradition of America, which maybe not so much

1 these days, has given a little bit, has moved in  
2 their positions to the point where not everybody  
3 is like, yeah, this is great, but everybody had  
4 this discussion.

5           So to the extent that that's something  
6 you get to weigh in on, I urge you to put whatever  
7 conditions you are able to impose for the details  
8 that have to be worked out, the things that are  
9 going to be in the D&M plan, the individual plan  
10 phase, the fence, is it a berm, is it a fence, is  
11 it a thing. At some of the public meetings there  
12 was a big outcry about it not being fenced. Then  
13 Deepwater Wind came by and drew a fence in, they  
14 made it up. Right. Now we don't like the fence.  
15 Okay. That's fine. What are we going to put  
16 there? How do we do that? How do we collaborate  
17 to make this thing work for the people that live  
18 near the project, for the people that live in  
19 town.

20           So I just urge you to take a look at  
21 this, consider the character of the town, build  
22 the project. But let's come to some agreements on  
23 how that project fits in the town, how it benefits  
24 the town, and how the people that are most  
25 impacted can live with it.

1                   Thanks for your attention.

2                   THE CHAIRMAN: Thank you.

3                   Robert Newman.

4                   ROBERT NEWMAN: Good evening. I'm  
5 Robert Newman, N-E-W-M-A-N. I live at 18 Joshua  
6 Drive in West Simsbury.

7                   I'm looking at this map, and this is a  
8 pretty large project. And it's proposed by  
9 Deepwater Wind. And I think that this company has  
10 a very unfortunate name. It's part of the same  
11 outfit. Engineering built an oil well in the gulf  
12 several years ago that resulted in a large oil  
13 spill of all time. And so I just have a concern  
14 about expressing the question. How comfortable  
15 are we in relying on the construction capabilities  
16 of this outfit whose engineering construction  
17 failure resulted in one of the most infamous  
18 environmental disasters of all time? That's it.

19                  THE CHAIRMAN: Thank you. The Council  
20 will now close the public comment session of the  
21 hearing.

22                  The Council announces that it will  
23 continue the evidentiary portion of the hearing  
24 that was held this afternoon in New Britain on  
25 Tuesday, October 10th of this year, beginning at

1 11 a.m.

2 Please note that anyone who has not  
3 become a party or intervenor, but who desires to  
4 make his or her views known to the Council, may  
5 file written statements with the Council until the  
6 record closes.

7 Again, copies of the transcript of this  
8 hearing will be filed with the Simsbury and Granby  
9 Town Clerk's Offices. And I hereby declare this  
10 public hearing adjourned. Thank you all for your  
11 participation, and drive home safely.

12 (Whereupon, the above proceedings  
13 concluded at 8:03 p.m.)

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## CERTIFICATE

I hereby certify that the foregoing 69 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken of the Siting Council Hearing in Re: PETITION NO. 1313, DWW SOLAR II, 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 26.4 MEGAWATT AC SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITY ON APPROXIMATELY 289 ACRES COMPRISED OF 5 SEPARATE AND ABUTTING PRIVATELY-OWNED PARCELS LOCATED GENERALLY WEST OF HOPMEADOW STREET, NORTH AND SOUTH OF HOSKINS ROAD, AND NORTH AND EAST OF COUNTY ROAD, AND ASSOCIATED ELECTRICAL INTERCONNECTION TO EVERSOURCE ENERGY'S NORTH SIMSBURY SUBSTATION WEST OF HOPMEADOW STREET IN SIMSBURY, CONNECTICUT, which was held before ROBERT STEIN, Chairman, at Eno Memorial Hall Auditorium, 754 Hopmeadow Street, Simsbury, Connecticut, on September 12, 2017.

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Lisa L. Warner, L.S.R., 061

Court Reporter

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