



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

### VIA ELECTRONIC MAIL

May 21, 2015

Richard J. Johnson  
Town Manager  
Town of Glastonbury  
2155 Main Street  
P.O. Box 6523  
Glastonbury, CT 06033-6523  
[richard.johnson@glastonbury-ct.gov](mailto:richard.johnson@glastonbury-ct.gov)

RE: **PETITION NO. 922** – DFG-ERG CT, LLC petition for a 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 Mr. Johnson:

The Connecticut Siting Council (Council) is in receipt of the Town of Glastonbury's correspondence dated May 20, 2015 concerning the above-referenced petition. Thank you for taking the time to provide the Council with your comments.

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

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

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

Thank you for your interest and concern in this matter.

Very truly yours,

Melanie A. Bachman  
Acting Executive Director

MAB/RM/lm

c: Parties and Intervenors  
Council Members



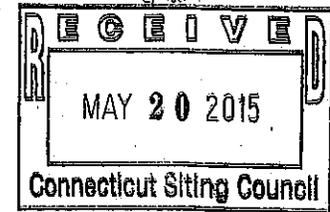
# Town of Glastonbury

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FAX (860) 652-7505

Richard J. Johnson  
Town Manager

Melanie Bachman, Esq.  
Acting Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

May 20, 2015



Re: Petition No. 922 – UIL Distributed Resources, LLC - Fuel Cell generating facility located at 1835 Hebron Avenue, Glastonbury, Connecticut

Dear Attorney Bachman:

This letter is written with respect to the May 6, 2015 letter by Attorney Jennifer Arasimowicz concerning the fuel cell under construction at 1835 Hebron Avenue in Glastonbury. I understand this matter will be the subject of upcoming review and action by the CT Siting Council.

First, I would like to clarify several comments in the referenced letter.

- Under Item #2 there is reference to "upon approval from the Town of Glastonbury." To my knowledge, the Town took no action to formally approve the project or the site plan approved by the Siting Council.
- The Wetlands Commission did not review the fuel cell project. The Town's Environmental Planner/Wetlands Official was asked if the plan encroached on any wetlands. There are no wetland issues and UIL and/or its designee was advised accordingly. However, this is not an approval action.
- The plans submitted to the Building Official included an engineered, signed and sealed site plan. The Building Official assumed the signed and sealed plan accurately depicted the plan approved by the Siting Council. It does not. This should not be considered Town approval of a revised site plan.

The letter also references de minimis changes approved and proposed for action by the Siting Council. Having some experience in considering changes to approved plans, it would seem to me that at some point combined de minimis changes present a major change. In my opinion, the combined changes involving location, area, height and mechanical equipment represent a major change to the previously approved project.

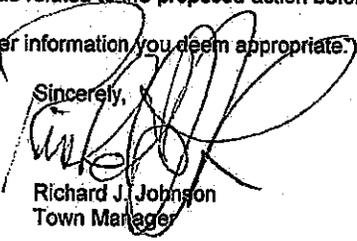
While I recognize there is no reasonable opportunity to change the project at this late date, I would ask that the Siting Council incorporate the following requirements to any action to further amend the project.

1. The site restoration and landscaping plan be subject to formal review and approval by the Town of Glastonbury. This includes fencing, landscaping plan and materials.
2. Any final color scheme for the installation also be subject to formal review and approval by the Town. I am not certain if there is any finish/color applied to the mechanical equipment; however, the use of appropriate finish materials could significantly improve the appearance of this large installation near a residential neighborhood.
3. Noise levels from the fuel cell be fully evaluated by the Siting Council and all reasonable sound mitigation incorporated to the project. The assistance of an independent expert specializing in such matters is suggested.
4. The applicant be required to make a meaningful contribution to the Town's Land Acquisition Fund to support future open space preservation. This would help offset the environmental impact of the fuel cell project.

As you might imagine, construction of this large facility near residential properties has caused significant concern on the part of property owners. I have been asked to forward the preceding comments as related to the proposed action before the Siting Council.

I would be happy to discuss the preceding with you and provide any further information you deem appropriate.

Sincerely,

  
Richard J. Johnson  
Town Manager

RJJ:yo

Cc: Jennifer D. Arasimowicz, Esq., FuelCell Energy, Inc.  
Bruce McDermott, Esq., UIL Distributed Resources, LLC  
Glastonbury Town Council