



# 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)

### VIA ELECTRONIC MAIL

October 4, 2016

Stephen C. Dunn  
First Selectman  
Town of Brookfield  
100 Pocono Road  
Brookfield, CT 06804  
[sdunn@brookfieldct.gov](mailto:sdunn@brookfieldct.gov)

RE: **PETITION NO. 1230** – Eversource Energy declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to its existing Stony Hill Substation including the installation of a new access road to the substation on Eversource's property located at 49 Stony Hill Road, Brookfield, Connecticut.

**DOCKET NO. 468** - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.

Dear First Selectman Dunn:

The Connecticut Siting Council (Council) is in receipt of the Town of Brookfield's correspondence dated September 29, 2016 requesting intervenor status and providing comments in the above-referenced petition and docket. Thank you for taking the time to provide the Council with your comments.

**With reference to Petition No. 1230**, please be advised that a final decision was rendered on June 24, 2016. In 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.

The petition was received by the Council on May 2, 2016. On May 4, 2016, the Council sent correspondence to you regarding receipt of the petition and to provide any comments on the petition by June 3, 2016. The Council did not receive any comments from the Town or residents. Please also be advised that Eversource complied with all of the legal requirements for filing a petition, including, but not limited to, notification to the Town of Brookfield and property owners directly abutting the existing substation located at 49 Stony Hill Road, as well as meeting with Brookfield town officials to discuss the details of the proposed substation modifications on March 8, 2016.

On May 27, 2016, the Council provided notice of a public field review for the project that was held on June 10, 2016 at the existing substation site. A copy of the notice of public field review was provided to you. Neither the Town of Brookfield nor any residents attended the field review. In the petition and during the field review that was held on the petition, Eversource representatives discussed the necessity for a new

driveway to access the east end of the substation. The existing driveway only provides access to the west end of the substation. Eversource further discussed the impossibility of utilizing the existing gravel road that extends along the transmission line corridor adjacent to the north side of the substation due to the existing gravel road being too narrow and encumbered by an active rail line and an electric transmission line. The proposed new access drive, as presented in the petition, is located entirely on Eversource's property and extends from Stony Hill Road through a wooded area to the east end of the substation.

A final decision was rendered on this petition on June 24, 2016 approving the proposed access drive as presented in the petition. A copy of the decision letter was sent to you. As part of the final decision, the Council requested Eversource comply with the following conditions, among others:

1. **examine the feasibility** of extending the new access drive from Deer Trail Drive; and
2. submit a final site plan detailing road and substation clearing limits, contours, grading, drainage control and erosion and sedimentation controls, for Council review and approval. (Emphasis added).

As of this date, Eversource has not submitted any documentation examining the feasibility of extending the new access drive from Deer Trail Drive or a final site plan. The Council requested Eversource examine the feasibility of the new access drive from Deer Trail Drive because the proposed new access road in the petition would require clearing of woodland, would be in close proximity to wetlands and would require the importation of fill material to create a level surface and an armored slope along the north and east sides adjacent to wetlands.

Another copy of the Council's final decision and staff report for Petition No. 1230 are enclosed for your review. Please note that you can view all of the documents related to this petition, including, but not limited to, Eversource's feasibility assessment of extending an access drive from Deer Trail Drive and a final site plan when these documents are submitted by Eversource, on our website at [www.ct.gov/csc](http://www.ct.gov/csc) under the "Decisions" link. You may also keep apprised of Council events on the website calendar and agenda.

**With reference to Docket No. 468**, an application from Eversource Energy for construction, operation and maintenance of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield, please be advised that the evidentiary record and public hearing closed on September 22, 2016. Please also be advised that the proceedings held on Docket No. 468 were for a completely separate project application for a new electric transmission line between the existing Stony Hill Substation in the Town of Brookfield and the existing Plumtree Substation in the Town of Bethel and did not incorporate the modifications to the existing Stony Hill Substation, including, but not limited to, the feasibility of extending a new access drive from Deer Trail Drive, that are specifically the subject of Petition No. 1230 and your stated concerns.

Before reaching a final decision on an application, the Council carefully considers all of the facts contained in the evidentiary record. The record is developed by the Council, the applicant, parties and intervenors in the proceeding, and members of the public who speak at the public hearing or submit written statements to the Council.

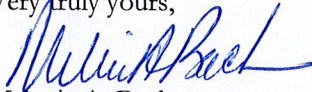
The Council developed a deliberate schedule to provide all persons an opportunity to participate. This schedule included a public hearing on September 22, 2016 in the Town of Bethel for the convenience of the public. During the September 22, 2016 public comment session held on Docket No. 468, you and residents of the Town of Brookfield were given an opportunity to provide comments on decided Petition No. 1230, an unrelated matter to the subject of the public hearing on the new electric transmission line.

Please note that you can view all of the documents related to Docket No. 468 on our website at <http://www.ct.gov/csc> under the "Pending Matters" link. You may also keep apprised of Council events on the website calendar and agenda.

Unfortunately, the Council is unable to accommodate your requests for intervenor status in Petition No. 1230 as a final decision was rendered on the petition on June 24, 2016 and for intervenor status in Docket No. 468 as the evidentiary record for this unrelated matter to your concerns about the new access drive at Stony Hill Substation closed on September 22, 2016. However, your correspondence will be placed in the limited appearance file for both Petition No. 1230 and Docket No. 468.

Thank you for your interest and concern in these very important matters.

Very truly yours,



Melanie A. Bachman  
Acting Executive Director

MAB/RDM/lm

c: Council Members  
Kathleen Shanley, Eversource Energy

Enclosure: Petition No. 1230, Final Decision, dated June 24, 2016



# 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)

### CERTIFIED MAIL RETURN RECEIPT REQUESTED

June 24, 2016

Kathleen M. Shanley  
Manager-Transmission Siting  
Eversource Energy  
P.O. Box 270  
Hartford, CT 06141-0270

RE: **PETITION NO. 1230** – Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to its existing Stony Hill Substation including the installation of a new access road to the substation on Eversource's property located at 49 Stony Hill Road, Brookfield, Connecticut.

Dear Ms. Shanley:

At a public meeting held on June 23, 2016, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need, with the following conditions:

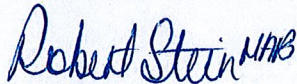
1. Examine the feasibility of extending the new access drive from Deer Tail Drive;
2. Submit a final site plan detailing road and substation clearing limits, contours, grading, drainage control and E&S controls, for Council review and approval;
3. Use of on-site material for side-slope armoring, if feasible;
4. Identification of Project construction work hours; and approval of any minor project changes be delegated to Council staff;
5. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
6. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Town of Brookfield;
7. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;

8. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
9. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
10. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

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 petition dated May 2, 2016 and additional information received on June 17, 2016.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,



Robert Stein  
Chairman

RS/RDM/lm

Enclosure: Staff Report dated June 23, 2016

- c: The Honorable Stephen C. Dunn, First Selectman, Town of Brookfield  
Katherine Daniel, Community Development Director, Town of Brookfield  
Alice Dew, Zoning Enforcement Officer, Town of Brookfield



# 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)

### Petition No. 1230

### Eversource Energy

### Stony Hill Substation, Brookfield, Connecticut

### Staff Report

June 23, 2016

### Introduction

On May 2, 2016, the Connecticut Siting Council (Council) received a petition (Petition) from The Connecticut Light and Power Company d/b/a Eversource Energy (Eversource) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for proposed modifications to the Stony Hill Substation located at 49 Stony Hill Road in Brookfield Connecticut. Council member Robert Hannon and Council staff member Robert Mercier conducted a field review of the proposed project on June 10, 2016 with Eversource representatives Helen Taylor, Ken Case, Doug Czarnomski, Gregory Wilkosz, and Paul Knapik. No members of the public or the Town were in attendance. Notice of the Petition was provided to the Town of Brookfield and abutting property owners on or about May 2, 2016. Prior to submission of the Petition to the Council, Eversource met with Town officials in March 2016 to discuss the Project. To date, the Council has not received any comments regarding the Petition filing. Eversource submitted a revised site plan on June 17, 2016 to account for a slight redesign of the compound.

### Proposed Project

The project is being proposed to eliminate potential transmission system voltage criteria violations and to regulate system voltage under certain contingency events, as identified in the June 2014 Southwest Connecticut Area Needs Assessment performed by ISO New England Inc. (ISO-NE) and the ISO-NE February 2015 Solutions Study. To address these concerns, Eversource proposes the following:

- a. Expansion of the substation yard to the east by approximately 40,000 square feet. The new fence enclosing the expansion area would match the existing substation fence. A new 20-foot wide access gate would be located along the south side of the substation expansion area;
- b. Installation of one 25-MVAR synchronous condenser inside a new metal-clad enclosure, approximately 74 feet long by 35 feet wide by 33 feet high;
- c. Installation of two radiators for synchronous condenser cooling;
- d. Installation of one 12.47- kV to 115-kV step-up transformer;
- e. Installation of one 115-kV manual disconnect switch;
- f. Installation of one 115-kV sulfur hexafluoride circuit breaker;
- g. Installation of 115-kV bus support structures for the new equipment;
- h. Installation of two 60-foot tall lightning masts for protection of the new equipment;
- i. Installation of a permanent 700-foot long, 20-foot wide gravel access road extending from Stony Hill Road to the southeast side of the substation expansion area. An access gate would be installed at the entrance point on Stony Hill Road;
- j. Installation of security equipment and lighting; and
- k. Removal of two existing trailer mounted DVAR units and associated pad-mount transformers.



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer

Eversource is proposing a new driveway to access the east end of the substation as the existing driveway only provides access to the west end of the substation. It is not possible to bring heavy equipment through the substation from the west end to the east end due to the arrangement of the existing substation equipment and fence. Although there is another existing gravel road that extends along a transmission line corridor adjacent to the north side of the substation, this road could not be used as it is too narrow and any necessary widening would be encumbered by an active rail line and transmission line structures and associated guy wires. Additionally, extensive retaining walls would be required to widen the road along the adjacent rail corridor to stabilize a steep slope.

### **Environmental Effects and Mitigation Measures**

According to the Connecticut Department of Energy and Environmental Protection's (DEEP) Natural Diversity Database, there is one state-listed and federally listed endangered species in the general area of the site. Eversource would consult with DEEP and the US Fish and Wildlife Service to minimize potential impacts to this species.

Two wetland areas were delineated on Eversource's property. One wetland (W7) is a forested and emergent wetland located immediately east of the proposed substation expansion area. After the initial filing, Eversource slightly modified the substation fence line to increase the distance to W7 to the greatest extent possible (21 feet). The second wetland (W6) is a small forested wetland approximately 150 feet south of the proposed access drive.

No vernal pools were identified on Eversource's property. The Project area is not located within an aquifer protection area or within a FEMA designated flood hazard zone.

The substation expansion area and new access drive would require the clearing of 2.5 acres of woodland on Eversource's property. Although the access drive would have a 20-foot wide travel surface, a 50-foot corridor would be created to accommodate the equipment delivery trailer. Once construction is complete, Eversource would allow vegetation to regenerate to the edge of the gravel access drive.

The ground elevation in the substation expansion area decreases by approximately 14 feet from the southwest corner to the northeast corner. Eversource would need to import fill to create a level surface and create an armored slope along the north and east sides, adjacent to the wetland. The access road traverses uneven, rocky terrain and would require cut and fill to create a level, graded surface. Excavated rock and old stonewalls in the path of the access drive could be used for the necessary slope armoring along the road or in the substation expansion area.

A Town maintained stormwater catch basin exists along Stony Hill Road in the area of the new access road apron. It appears this catch basin discharges on Eversource's property approximately 20 feet north of the catch basin. The outfall is elevated, causing scouring and drainage channelization on Eversource's property. Eversource would have to examine this outfall, in coordination with the Town, to prevent the proposed access road from being undermined by this existing drainage pattern.

Erosion and sedimentation (E&S) control measures would be installed in accordance with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control* and Eversource BMPs. Temporary E&S controls would remain in place until construction is complete and all disturbed areas are stabilized.

The existing substation is set back from Stony Hill Road and is buffered from adjacent residences by woodland. The new equipment would be of similar height and appearance to that of existing equipment.

Noise levels associated with the new equipment would be below State noise control criteria. The new equipment would not change electric and magnetic field levels at the property boundaries.

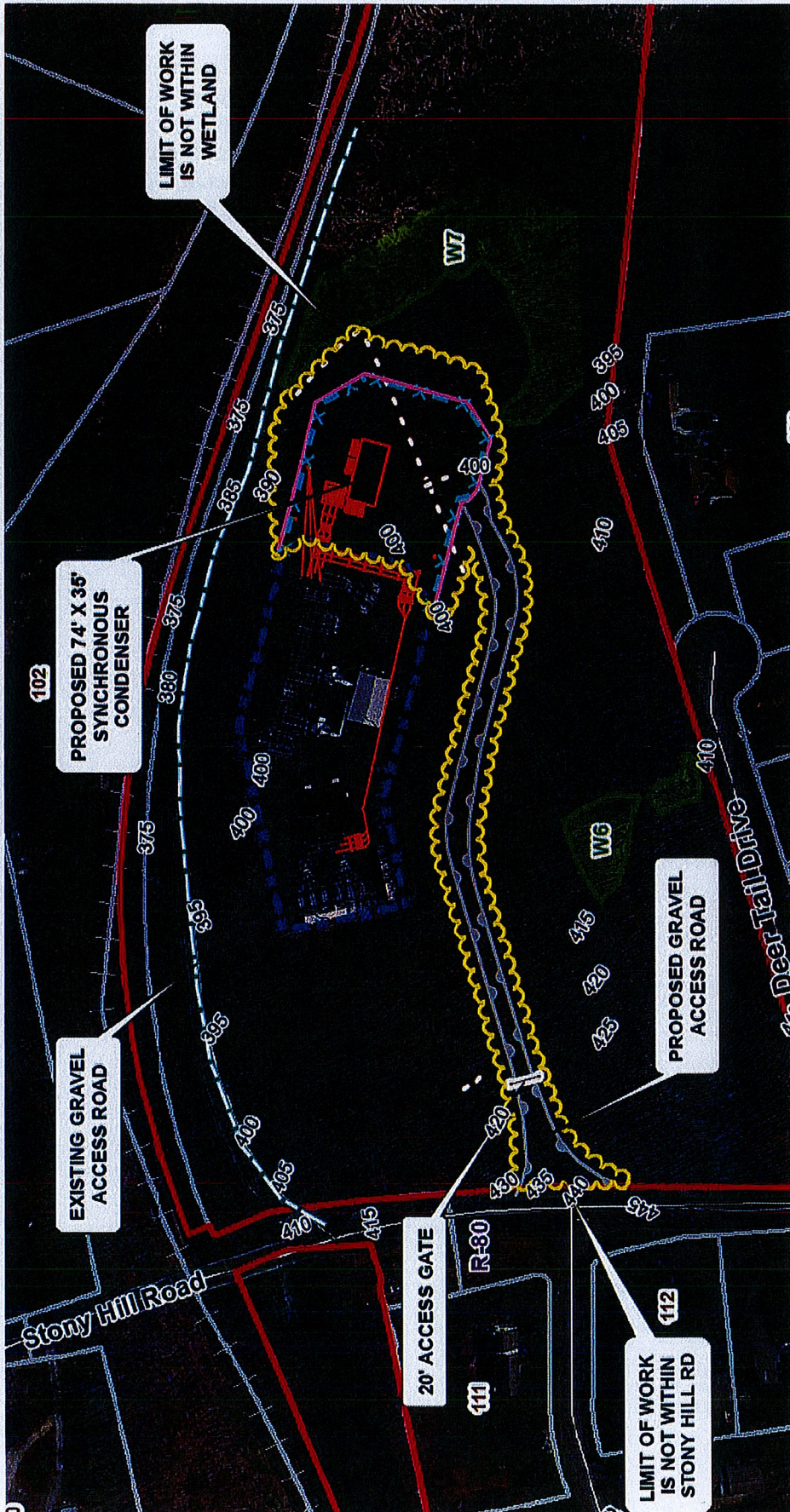
The project would be constructed, operated, and maintained in accordance with established industry practices and in accordance with Eversource's December 2011 Best Management Practices Manual for Connecticut. Construction is expected to begin in early 2017, with completion by year-end 2018.

### **Staff Recommendations**

Staff recommends the following:

1. Examine the feasibility of extending the new access drive from Deer Tail Drive;
2. Submit a final site plan detailing road and substation clearing limits, contours, grading, drainage control and E&S controls, for Council review and approval;
3. Use of on-site material for side-slope armoring, if feasible;
4. Identification of Project construction work hours; and approval of any minor project changes be delegated to Council staff.





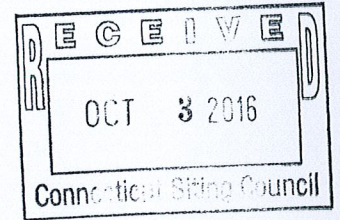
**Legend**

	Substation Expansion Limit of Work		Proposed Gravel Access Road
	Substation Expansion		Railroad
	Existing Fenceline		Eversource Property
	Proposed Fenceline		Town Boundaries
	Proposed Ground Apron		Parcel Boundary
	Existing Stonewall to be Removed		Existing Gravel Access Road
	Field Delineated Wetland Line		Access Gate
	Field Delineated Wetlands		R-80 Zoning Code Label



OFFICE OF THE FIRST SELECTMAN  
TOWN OF BROOKFIELD

September 29, 2016



Ms. Melanie Bachman,  
Acting Executive Director  
CONNECTICUT SITING COUNCIL  
Ten Franklin Square  
New Britain, CT 06051

ORIGINAL

**Re: Petition No. 1230 – Stony Hill Substation Project**  
**Docket No. 468 – Southwest Connecticut Reliability Project**

Dear Ms. Bachman:

The Town of Brookfield hereby applies for intervenor status in both of the above-referenced proceedings for the primary purpose of strenuously objecting to the consideration of extending the new access drive to the Stony Hill Substation from the quiet Deer Trail Drive residential cul-de-sac.

Pursuant to General Statutes § 22a-19, § 16-50n and § 4-177a, the Town of Brookfield is an entity which has a direct interest in these proceedings which will be specifically and substantially affected. The Town of Brookfield is a duly-constituted, municipal corporation charged with protecting the health, safety and welfare of its citizens and conserving the natural resources of the Town including, specifically, mitigating both the environmental impact and impact to the citizens of the Town of Brookfield, including those residing on Deer Trail Drive. Intervention should be granted to the Town of Brookfield, based upon its colorable claim of impact to the Town of Brookfield and its citizens. *Finley v. Town of Orange*, 289 Conn. 12 (2008).

In the proceedings for Petition No. 1230, Connecticut Light & Power Company, d/b/a Eversource Energy purposed a new access drive from Stony Hill Road into the Stony Hill Substation. On June 23, 2016, the Connecticut Siting Council, without warning or notice to the Town of Brookfield and its representatives, suddenly decided to explore a new access drive to the Stony Hill Substation from Deer Trail Drive. Pursuant to the Siting Council Order dated June 24, 2016, the Siting Council ordered Connecticut Light & Power Company, d/b/a Eversource Energy to “examine the feasibility of extending the new access drive from Deer Trail Drive.” As stated above, the Town of Brookfield objects to the change in plan and urges the Siting Council to reconsider and approve the access road in from Stony Hill Road to the Stony Hill Substation. The residents and citizens of Deer Trail Drive have grave concerns concerning the impact to their quality of life, traffic issues and the safety of their children on this cul-de-sac.

Construction of an access road toward the substation off of Deer Trail Drive will come with an impact to different wetlands labeled Wetland No. 6 and Wetland No. 7 on aerial mapping provided to the Siting Council by Connecticut Light & Power Company, d/b/a Eversource Energy. The existing gravel access road and/or the proposed new access road, both leading into the substation from Stony Hill Road do not come close to the wetlands and would not, therefore, subject the wetlands to as serious an impact. The access road in from Deer Trail Drive would be upslope from Wetland No. 7 and, accordingly, the site disturbance to create the access road and continued use of the access road will impact the downgradient wetland.

In addition, truck and construction equipment will have a traffic impact on Deer Trail Drive going in and out onto Stony Hill Road. This will create congestion on Deer Trail Drive and Stony Hill Road. The citizens of Deer Trail Drive are concerned about Deer Trail Drive being an access point for emergency service vehicles racing to some emergency at the substation. The citizens of Brookfield are also concerned about the impact to Deer Trail Drive itself, and the status of impact from construction vehicles, such as oil, gas, mud and debris, as well as the impact of large construction vehicles and equipment on the Town's small residential paved road. It is our understanding that the access drive will be 20 feet wide in travel surface, but that it requires a 50 foot corridor to accommodate the equipment delivery trailers. This is more than just some small driveway off of the cul-de-sac.

In addition, the citizens of Brookfield and Deer Trail Drive are concerned about the impact on safety for their children playing and utilizing the cul-de-sac. Furthermore, those residents will face various strangers in and around the neighborhood on a daily basis. The impact will also come from noise pollution from the construction of the roadway and constant construction equipment and service vehicles in and out of the cul-de-sac and off of the cul-de-sac. This activity and substation access road will also have an impact on the property values of the residents on the cul-de-sac. The Town of Brookfield would like to know who has studied school bus stop safety issues that may be related to this project on the cul-de-sac.

The Town of Brookfield has not been informed, nor have the residents of Deer Trail Drive of the complete project scope. The Connecticut Siting Council determined out of nowhere that this should be explored. Within the project scope, who is responsible for safety and security of the substation access road and site as well as the Deer Trail Drive neighborhood? What is the timeframe for completion of the access road? How is the access road to be utilized after completion? What mitigation plans are in place for impacts to wetlands, noise and the neighborhood? Who has studied and provided the Town of Brookfield with information concerning sight line concerns off of the cul-de-sac and off of Stony Hill Road? Will there be perimeter fencing and other safety measures in place?

Why did the Siting Council only invite the Connecticut Light & Power Company to provide information concerning whether or not an access road to the substation from Deer Trail Drive was feasible? Isn't feasibility also a question for the Town of Brookfield?

Please enter my Appearance as First Selectman on behalf of the Town of Brookfield in these matters. In addition, please contact me when the Siting Council will allow me to be heard on behalf of the citizens of the Town of Brookfield and Deer Trail Drive in this important matter.

Thank you for your consideration in this regard.

Very truly yours,

A handwritten signature in black ink, appearing to read 'SCD', with a long horizontal flourish extending to the right.

Stephen C. Dunn, First Selectman  
TOWN OF BROOKFIELD

SCD

cc: Kathleen M. Shanley, Manager – Transmission Siting  
EVERSOURCE ENERGY  
P.O. Box 270  
Hartford, CT 06141-0270

Ms. Alice Dew, Wetlands Enforcement Officer,  
TOWN OF BROOKFIELD