

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

VIA ELECTRONIC MAIL

October 7, 2016

Stephen G. Harding, Jr.
State Representative 107th District
Legislative Office Building, Room 4200
300 Capitol Avenue
Hartford, CT 06106-1591
Stephen.Harding@housegop.ct.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 Representative Harding:

The Connecticut Siting Council (Council) is in receipt of your correspondence dated October 3, 2016 concerning 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 the Town of Brookfield regarding receipt of the petition with a request that the Town 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. During those discussions, Eversource described notification to abutting property owners and a project "hotline" number and e-mail address for residents to contact Eversource with questions about the project.

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 the Town. 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 the Town of Brookfield. 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.

Please be advised that the Council's request for examination of the feasibility of extending the new access drive from Deer Trail Drive was not requested to "save money," but was requested to be more protective of the wetlands and natural environment as it is the Council's statutory charge under the Public Utility Environmental Standards Act to balance the need for public utility services at the lowest reasonable cost to consumers with the need to protect the natural environment and ecology of the state. Since the requested plans have not been submitted by Eversource as of yet, the Council is unaware of any cost savings resulting from the examination of the feasibility of this new access drive.

A 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 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 the 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.

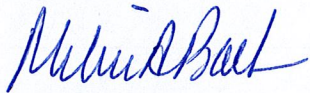
Before reaching a final decision on an application, the Council carefully considers all of the facts contained in the evidentiary record. The record is developed by the Council, the applicant, parties and intervenors in the proceeding, and members of the public who speak at the public hearing or submit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

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

Very truly yours,



Melanie A. Bachman
Acting Executive Director

MAB/RDM/lm

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

c: Parties and Intervenors
Council Members
Kathleen Shanley, Eversource Energy
The Honorable Stephen C. Dunn, First Selectman, Town of Brookfield



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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:

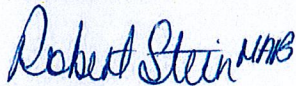
1. Examine the feasibility of extending the new access drive from Deer Tail Drive;
2. Submit a final site plan detailing road and substation clearing limits, contours, grading, drainage control and E&S controls, for Council review and approval;
3. Use of on-site material for side-slope armoring, if feasible;
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



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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 stone walls 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.

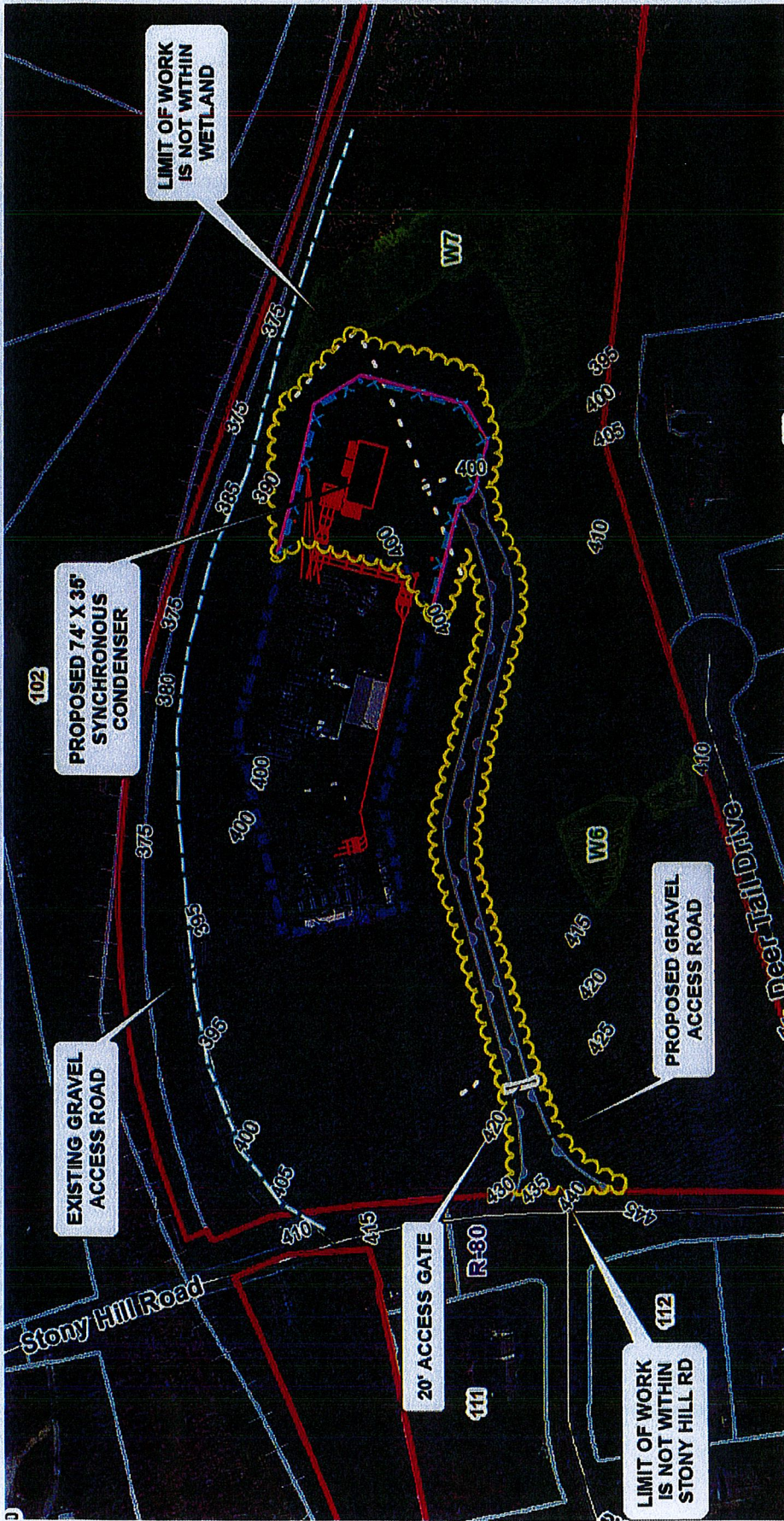
Noise levels associated with the new equipment would be below State noise control criteria. The new equipment would not change electric and magnetic field levels at the property boundaries.

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.



LIMIT OF WORK IS NOT WITHIN WETLAND

PROPOSED 74' X 35' SYNCHRONOUS CONDENSER

EXISTING GRAVEL ACCESS ROAD

20' ACCESS GATE

LIMIT OF WORK IS NOT WITHIN STONY HILL RD

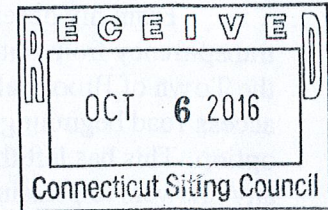
PROPOSED GRAVEL ACCESS ROAD

Legend

	Substation Expansion Limit of Work		Proposed Gravel Access Road
	Substation Expansion		Railroad
	Existing Fence/line		Eversource Property
	Proposed Fence/line		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



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL



REPRESENTATIVE STEPHEN HARDING, JR.
ONE HUNDRED SEVENTH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING, ROOM 4200
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MEMBER
ENERGY AND TECHNOLOGY COMMITTEE
FINANCE, REVENUE, AND BONDING COMMITTEE
JUDICIARY COMMITTEE

October 3, 2016

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

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

Dear Ms. Bachman,

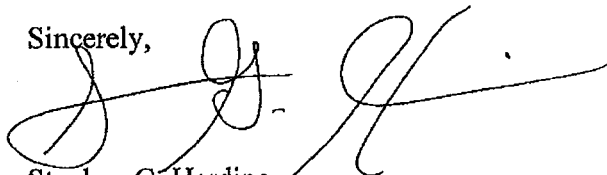
Please accept this correspondence as a strong objection to the above captioned proposal, specifically in regards to the extension of the new access drive to the Stony Hill Substation from Deer Trail Drive in Brookfield.

As the State Representative of the 107th district, proudly serving the neighbors of this quiet residential cul-de-sac, I could not possibly support a project, which places such an unconscionable burden upon these residents. It is completely unacceptable to expect a small community, such as the neighbors on Deer Trail Drive, to endure months of large equipment, massive vehicles, and workers constantly moving in and out of their neighborhood. It's a devastating hindrance on the safety, well-being, and quiet enjoyment which all of those on this road are rightly entitled to. Additionally, this project would have a significant impact regarding wetlands. Ironically, impact on wetlands, along with possible cost savings to Eversource, were reasons cited for moving this proposed access road to Deer Trail Drive in the first place. All of these negative impacts undoubtedly culminate to the cost far outweighing any benefit of placing an access road at the current proposed location.

From my observation of the proceedings in this matter, there has been a severe lack of transparency from both Eversource and The Siting Council itself. With little warning or notice to the Town of Brookfield and it's representatives, the council abruptly decided to explore a new access road beginning on Deer Trail Drive, asking Eversource to examine the feasibility of this option. This has left the neighbors of this small community understandably shocked and without any answers to pressing questions regarding this project. Evidently, another reason given for the necessity of creating this access road is the size of the equipment being used to renovate the substation; yet no documentation or specification has been provided regarding what exactly said equipment is or the exact size thereof. In addition to the lack of documentation, the Town was provided no opportunity to express their opinion on the feasibility of this proposition; something, which in my opinion should be considered crucial input. Even more alarming, when local residents provided their own input on this matter, they have been told that the above petition does not include this access road and have not provided with any information regarding any future discussions that are related to said access road. These actions are completely unacceptable, especially considering the fact that both of these agencies are supposed to be "serving" the residents of this State.

In closing, I strongly urge this council to reject any plans, which would place an access road on Deer Trail Drive. Eversource and The Siting Council certainly have other suitable options to properly renovate the substation without placing this access road at it's current proposed location. Please do the right thing, and consider the safety and well-being of our community's residents and families over a modest convenience to the project and a bottom line.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. G. Harding', written over a horizontal line.

Stephen G. Harding
State Representative 107th District

CC: First Selectman Steven Dunn, Town of Brookfield