



Pz 3/15/2021

Zoning Admin &lt;zoningadmin@townoflitchfield.org&gt;

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**Petition NO. 1442 SR Litchfield, LLC**

3 messages

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**cbram@optonline.net** <cbram@optonline.net>

Sun, Mar 7, 2021 at 3:47 PM

To: siting.council@ct.gov, KBALDWIN@rc.com, 1st Selectman &lt;1stselectman@townoflitchfield.org&gt;, Dennis Tobin &lt;dtobin@townoflitchfield.org&gt;, vmron@yahoo.com, Steven Byrne &lt;attysbyrne@gmail.com&gt;

RE: PETITION NO. 1442 - SR Litchfield, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 19.8-megawatt AC solar photovoltaic electric generating facility on 6 contiguous parcels located both east and west of Wilson Road south of the intersection with Litchfield Town Farm Road in Litchfield, Connecticut, and both east and west of Rossi Road, south of the intersection with Highland Avenue in Torrington, Connecticut, and associated electrical interconnection.

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

March 6, 2021

Dear Ms. Melanie A. Bachman,

The Planning and Zoning Commission of Litchfield acknowledges the receipt of Petition No. 1442 - SR Litchfield, LLC. Please note that receipt and review was delayed due to the email on record at the CSC for the First Selectwoman was incorrect further delaying receipt and our review of Petition No. 1442 – SR Litchfield, LLC.

After extensive review of the submissions of SR Ranch, LLC, the Planning and Zoning Commission, at its March 1, 2021 meeting, discussed the proposal requested the Chairman of the Commission submit comments, based on meeting discussion, related to the Petition NO.1442. The documents submitted to the Siting Council with the application for this proposed project are detailed and informative with regard to the two very diverse parcels of land within the Town of Litchfield. The Commission requests you consider the following areas of concern:

The westerly parcel, bordered by Town Farm Road and Wilson Road, has a long history of agricultural use. The State Plan of Conservation and Development, the Northwest Hills Council of Governments POCAD (2017) and Litchfield's POCAD (2017) note the importance of valuing farmland. The NHCOC Plan states "mid and large scale commercial solar installations be directed away from farm fields and core forests and toward brownfields and industrial sites." Town Farm Road is named for the farm designated the Town's Alms house/working farm and the fields and mid-19<sup>th</sup> century house remains standing south and west of the proposed solar site.

The extensive amount of required remodeling of the land in both Litchfield parcels require diligence in management and oversight with regard to drainage and erosion and sedimentation controls as the project is at the top of the ridge with a long downhill slope. The proposed properties are part of an A rated watershed and adjacent to a large westerly AA rated watershed. Although extensive

drainage management techniques are proposed, the regrading of the land for construction and the extensive removal of trees and other soil retentive vegetation complicate long-term management, resulting in a major area of concern, particularly on the parcel east of Wilson Road that is currently forested and contains wetlands. Large scale use of herbicides to manage vegetation could have a long-term effect on drinking water for both residents and grazing livestock.

Litchfield's Zoning Regulations require a minimum building (structure) setback of 50 feet in the RR Zone and that setback is increased for non-residential development in a residential zones. The Visual Analysis Photo Location Map, Figure 6 – Observation Point Location Map, Page 6 of 14 illustrates a limit of disturbance that appears to go almost to the southerly property line east of Wilson Road and also appears to intersect the property line on the more northerly, south border of the property, both impacting the adjacent residential property owner. We respectfully request every effort be made to adjust these two locations to comply with at least the minimum setback required by Litchfield's Zoning Regulations and include retaining a vegetative visual buffer.

The Noise Impact Assessment, prepared by Urban Solution Group notes there will be 90 power inverters in the Litchfield project. Although the table of Predicted Sound Levels (Page 2) for each unit falls within the State levels permitted, there is no description of the cumulative noise levels and the impact of noise from multiple inverters, particularly those closest to residential properties. Existing noise levels in the area of the Litchfield development is limited to birds, leaves rustling in the wind and an occasional car. Maintaining a zoning required setback and natural vegetative buffer becomes more important and necessary to preserve health, residential property values and quality of life for those residents living in close proximity to the project.

The inverters, on a project the size of SR Litchfield, use high frequency choppers to step up the voltage and the high power transformers, which typically use oil to insulate the inverters, can with time, lead to failures in containment resulting in hazardous spills creating pollution impacting ground water quality. Another concern is the reflective power of the extensive number of panels and the impact of reflected sunlight on roads while driving and on adjacent residential properties.

The Planning and Zoning Commission of the Town of Litchfield appreciates the opportunity to present some of our concerns.

Respectfully,

Carol Bramley,

Chairman, Litchfield Planning and Zoning Commission

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**Steven Byrne** <attysbyrne@gmail.com>  
To: Carol Bramley <cbram@optonline.net>  
Cc: Dennis Tobin Zoning Admin <zoningadmin@townoflitchfield.org>

Sun, Mar 7, 2021 at 5:12 PM

Thanks Carol

The link to the application before the CT Siting Council is  
[https://portal.ct.gov/CSC/3\\_Petitions/Petition-Nos-1441-1450/Petition-No-1442-SR-Litchfield-LLC](https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1441-1450/Petition-No-1442-SR-Litchfield-LLC)

The application, including plans, are posted there.

Attorney Steven E. Byrne  
Byrne & Byrne LLC  
790 Farmington Ave., Suite 2B  
Farmington CT 06032  
(860) 677-7355

(860) 677-5262 (fax)

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**Mathews, Lisa A** <Lisa.A.Mathews@ct.gov>

Mon, Mar 8, 2021 at 8:20 AM

To: "cbram@optonline.net" <cbram@optonline.net>, CSC-DL Siting Council <Siting.Council@ct.gov>, "KBALDWIN@rc.com" <KBALDWIN@rc.com>, 1st Selectman <1stselectman@townoflitchfield.org>, Dennis Tobin <dtobin@townoflitchfield.org>, "vmron@yahoo.com" <vmron@yahoo.com>, Steven Byrne <attysbyrne@gmail.com>

Carol,

Your electronic correspondence has been received by the CSC for 3/8/21. Thank you.

Lisa A. Mathews

Office Assistant

Connecticut Siting Council

10 Franklin Square

New Britain, CT 06051

Lisa.A.Mathews@ct.gov

(860) 827-2957

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3/8/2021

townoflitchfield.org Mail - SR Litchfield, LLC

PZ 3/15/2021



Zoning Admin <zoningadmin@townoflitchfield.org>

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## SR Litchfield, LLC

2 messages

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**1st Selectman** <1stselectman@townoflitchfield.org>

Sat, Mar 6, 2021 at 1:41 PM

To: siting.council@ct.gov, "Baldwin, Kenneth" <KBALDWIN@rc.com>

Cc: Ron Viola <vmron@yahoo.com>, Ann Combs <ACombs@townoflitchfield.org>, Mike Rybak <MDR@litchlaw.com>, Dennis Tobin <Zoningadmin@townoflitchfield.org>, Bob Blazek <rtblazek@gmail.com>, Carol Bramley <cbram@optonline.net>

RE: PETITION NO. 1442 - SR Litchfield, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 19.8-megawatt AC solar photovoltaic electric generating facility on 6 contiguous parcels located both east and west of Wilson Road south of the intersection with Litchfield Town Farm Road in Litchfield, Connecticut, and both east and west of Rossi Road, south of the intersection with Highland Avenue in Torrington, Connecticut, and associated electrical interconnection.

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

March 6, 2021

Dear Ms Melanie A. Bachman,

The Town of Litchfield acknowledges the receipt of Petition No. 1442 - SR Litchfield, LLC. Please note that receipt was delayed because the email on record at the CSC was incorrect. On February 16, 2021, Lisa A. Matthews, confirmed my request to update the Litchfield First Selectman's email to 1stselectman@townoflitchfield.org for future electronic correspondence.

At the Litchfield Board of Selectman meeting, held on Tuesday, March 2, 2021, it was requested that the First Selectman write to you to point out areas that Litchfield requests the CSC to be mindful of as they investigate and analyze this petition.

As noted in the Silicon Ranch evaluation, this property has been identified as land, previously used for farming, consisting now of mostly open grass fields and wooded areas. Although the site is abutted by low density residential development, I request that the CSC provide reasonable protection for the abutting property owners (Ronald M. Viola, 68 Wilson Rd., Litchfield, CT) and keep in mind the protection of watercourses, wetlands and natural habitats that are outlined as a high priority in Litchfield's Plan of Conservation and Development [https://municipal-documents.s3.amazonaws.com/uploads/litchfield-ct/land-use/documents/generals/73/pocd\\_implementation.pdf](https://municipal-documents.s3.amazonaws.com/uploads/litchfield-ct/land-use/documents/generals/73/pocd_implementation.pdf).

I also request that the Litchfield Planning and Zoning Commission and the Inland/Wetland Commission's regulations be referenced and adhered to as this project moves forward to protect the Town of Litchfield's land interests, now and in the future.

Sincerely,

Denise Raap  
Litchfield First Selectman  
(860) 567-7550  
email: 1stselectman@townoflitchfield.org

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**Mathews, Lisa A** <Lisa.A.Mathews@ct.gov>

Mon, Mar 8, 2021 at 8:16 AM

To: 1st Selectman <1stselectman@townoflitchfield.org>, CSC-DL Siting Council <Siting.Council@ct.gov>, "Baldwin, Kenneth" <KBALDWIN@rc.com>

3/8/2021

townoflitchfield.org Mail - SR Litchfield, LLC

Cc: Roh Viola <vmron@yahoo.com>, Ann Combs <ACombs@townoflitchfield.org>, Mike Rybak <MDR@litchlaw.com>, Dennis Tobin <Zoningadmin@townoflitchfield.org>, Bob Blazek <rtblazek@gmail.com>, Carol Bramley <cbram@optonline.net>

First Selectman Raap,

Your electronic correspondence has been received by the CSC for 3/8/21. Thank you.

Lisa A. Mathews

Office Assistant

Connecticut Siting Council

10 Franklin Square

New Britain, CT 06051  
Lisa.A.Mathews@ct.gov

(860) 827-2957

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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)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

PZ 3/15/21

**VIA ELECTRONIC MAIL**

March 8, 2021

Carol Bramley  
Chair, Litchfield Planning & Zoning Commission  
Town Office Building  
74 West Street  
Litchfield, CT 06759  
[cbram@optonline.net](mailto:cbram@optonline.net)

RE: **PETITION NO. 1442** - SR Litchfield, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 19.8-megawatt AC solar photovoltaic electric generating facility on 6 contiguous parcels located both east and west of Wilson Road south of the intersection with Litchfield Town Farm Road in Litchfield, Connecticut, and both east and west of Rossi Road, south of the intersection with Highland Avenue in Torrington, Connecticut, and associated electrical interconnection.

Dear Ms. Bramley:

The Connecticut Siting Council (Council) is in receipt of the Town of Litchfield Planning & Zoning Commission's correspondence dated March 7, 2021, 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 [portal.ct.gov/csc](http://portal.ct.gov/csc) under the "Pending Matters" 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 all of the concerns received from members of the public who 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.

Sincerely,

*s/Melanie A. Bachman*

Melanie A. Bachman  
Executive Director

MAB/lm

c: Service List dated February 8, 2021  
Council Members

PZ 3/15/21

March 4, 2021

Ronald M. Viola  
68 Wilson Rd.  
Litchfield, CT 06759

To: Mark I. Austin, Chair, Conservation Commission, Town of Litchfield  
Robert T. Blazek, Chair, Inland Wetland Commission, Town of Litchfield  
Carol Bramley, Chair, Planning and Zoning Commission, Town of Litchfield  
Denise Raap, First Selectwoman, Town of Litchfield  
Dennis P. Tobin, Land Use Administrator, Town of Litchfield

Subject: Silicon Ranch Litchfield, LLC., Solar Project Proposal on Wilson and Town Farm Roads.

Dear Town of Litchfield Officials,

Pursuant to our discussion at the March 1, 2021 Planning and Zoning Commission, I am following up on the guidance I said I would provide on how to respond to the Silicon Ranch (SR) Petition 1442 filing to the Connecticut Siting Council (CSC) on February 2, 2021 of which you were all notified as I was.

I remind everyone that obviously I am not an attorney and I strongly suggest that you have your Town attorney properly respond to the matter and verify everything I have learned. My attorney, Dominick Thomas will gladly speak to your attorney and advise them of the process if they are not familiar on how to formally engage with the CSC. I will put Mr. Thomas' contact information at the end of this letter.

This is the period to engage with the CSC and be on the record and not after the fact of their decision.

**Your involvement in this matter is not about opposing or endorsing the project at this time.**

SR Plans in the petition are brand new and need to be analyzed by your experts. Your involvement in this process is a very short window to make your standing known on the CSC record to express concerns, and ensure that if the project proceeds, that SR is following all regulations in pre-, during and post-construction operations to protect the land and abutting homeowners and to ensure that you are in the information flow.

I respectfully remind everyone that the Board of Selectman (BOS) letter of unanimous endorsement of the project to the CSC on August 28, 2019, was written and signed by former 1<sup>st</sup>. Selectman Leo Paul, Jr., was done without any plans, figures or analysis disclosed by SR, and without any consultation of any Town boards, commissions, or land use authorities as Mr. Paul was persuaded by an SR representative to write it.

Furthermore, that letter was written without any public disclosure or public comments. This letter is included by SR in their recent petition and its genesis can be found in the minutes of the BOS Regular Meeting of August 20, 2019.

My concerns were clearly expressed to Mr. Leo Paul, the 1<sup>st</sup> Selectman many times in writing prior to that letter dating back to 2017, yet it is never mentioned in the letter "... with the protection of land and abutting homeowner properties in mind and proper land management procedures and regulations".

This letter currently stands as our Town's only comments on the project from public and in this case elected officials.

It is improper for the current BOS to allow that letter stand as their current position on the project without any plans and without further analysis or public comments they did not have at the time of writing that letter.

Now that all plans have been disclosed by SR to the CSC, the work and analysis of your boards and commissions can and should begin.

We all understand the CSC is the ruling authority on the matter. However, that does not mean any of the plans or analysis that are in the petition cannot be questioned, challenged, or further understood as they are written by SR and its experts to present the most favorable view of the project to the CSC as any developer application would.

I remind everyone again, this is not about opposing or endorsing the project. It is about getting on the record before the CSC decision with concerns and expectations and so that we all have a remedy and an avenue of appeals when problems do arise, and they will arise as they do with any large project on land not intended for the magnitude of this disruption.

I particularly ask that your area of focus is on drainage, soil erosion, sediment control and silt, as these are the biggest issues the CSC faces from towns and residents that are typically unforeseen by future weather events and problems the best of pre-construction analysis just cannot predict.

Nearly 2,000 trees will be cleared by this project which currently stabilize this land. I currently have no flooding or erosion issues on my property. Most if not all of the fields the solar arrays that will be installed on are uphill on a huge ridge from downhill land and homes, including my own. Plus culverts, wetlands, tributaries and the gulf stream South of this project where all the new water will go from this massively altered topography are most vulnerable during construction where final protections may not be complete.

We do not know the impact of excavation or what will be excavated to accommodate the solar arrays that will alter water courses. The fact that SR provided a very comprehensive drainage report does not mean it will hold true to its analysis or cannot be questioned or challenged. I expect the CSC will do their analysis, but our Town also needs to be proactive in studying these plans and verifying, questioning, and challenging the predictions.

The SR petition states that 60-70 trucks per day will be commuting to the site and we can assume these will be large haulers of materials and heavy equipment. We know these access roads are two lane country roads that were never intended for this kind of truck traffic. Half of Wilson Road is packed dirt/not paved on the Northern half and is damaged from just a rainstorm and snow plowing with potholes and ruts. It is not prepared for heavy truck traffic and what is to come in new and unexpected water flows that would challenge even the best paved road. The Southern half of Wilson Road and

downstream are all Litchfield homes to the best of my knowledge, and this is clearly marked in the SR drainage plans.

The current BOS has intentions of reaching out to SR to hold a "Town Hall" type of meeting to allow the public to hear what they have to say and to ask questions. Though I respect this intention for other concerned residents, I personally am well past this point in my attorney communicating directly with SR's attorneys (Robinson & Cole) on our direct concerns as I am the largest abutter to my knowledge.

Regarding engaging with the CSC, I can only suggest the two (2) ways I know of that should be verified by your Town attorney.

One is a letter can be written to the CSC and there is mention of Public Comments due by March 7<sup>th</sup> on the CSC schedule in the petition. I am not educated on the COVID extensions. This is less of a formal way as I understand it much like the 2019 BOS letter.

The more formal way as I understand is to file for Party Status with the CSC. I have filed for this status.

I am including the link here and will not attempt to explain it as that is best done by your attorney.

<https://portal.ct.gov/-/media/CSC/forms/PartyFormforWebpdf.pdf>

I am also attaching my attorney's contact information as he has volunteered to talk to your attorney on the CSC process if your attorney chooses to do so. I would suggest this would be a beneficial conversation on both Mr. Thomas' part as well as your attorney as each may have experience in CSC matters the other may not have encountered.

Dominick J. Thomas, Jr.  
Cohen and Thomas  
315 Main Street  
Derby, CT 06418  
T: 203-735-9521  
F: 203-732-8129  
[djt@cohen-thomas.com](mailto:djt@cohen-thomas.com)

Mr. Thomas' firm also maintains a Litchfield office at 15 Meadow St., but his primary business address is in Derby.

In closing, I encourage you and our organizations and Town counsel to engage in the CSC process now as a proactive measure and to perform your independent due diligence. To my knowledge, this is the largest and most permanent development this Town has ever experienced. The window is short to engage and be part of the record before the CSC renders a decision.

Thank you all for your consideration of this important matter and your service to our town.

Sincerely,



Ron Viola



Nancy Lacko &lt;nlacko@townoflitchfield.org&gt;

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**Silicon Ranch Petition 1442-State Agency Comments**

1 message

**Ron Viola** <vmron@yahoo.com>

Thu, Mar 11, 2021 at 10:05 AM

To: Nancy Lacko <nlacko@townoflitchfield.org>, Dennis Tobin <dtobin@townoflitchfield.org>, Zoning Admin <zoningadmin@townoflitchfield.org>, 1st Selectman <draap@townoflitchfield.org>, cbram@optonline.net, Bob Blazek <rtblazek@gmail.com>

Dear Town of Litchfield Officials,

I am writing to inform you, if you are not already aware of several recent State Agency Comments on the CSC website regarding the Silicon Ranch petition in which I am providing the link below.

[https://portal.ct.gov/CSC/3\\_Petitions/Petition-Nos-1441-1450/Petition-No-1442-SR-Litchfield-LLC](https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1441-1450/Petition-No-1442-SR-Litchfield-LLC)

The agencies commenting include:

1. Council on Environmental Quality Concerns (CEQC)
2. Dept. of Energy and Environmental Protection (DEEP)
3. Department of Agriculture (DoAG).

I kindly encourage you to review these comments if you have not already as they are very detailed, all of which, express concerns with the current project plans, points out discrepancies and/or has not come to a final conclusion. DoAG, flatly does not support the current project plan. That doesn't mean they will oppose or have concerns with any plans, but they all have expressed concerns with the current plans and the permanent impact on our farmland, wetlands and residences.

I believe the comments and analysis by these agencies would be of great benefit and also cost savings to your boards, commissions and committees if plans move forward or are changed with analysis already done that you can compare to your own analysis.

Please share this with Conservation Committee who's email I do not have.

Thank you,  
Ron Viola  
68 Wilson Rd.