



# TOWN OF NEW MILFORD

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Office of the Conservation Commission

September 18, 2017

Ms. Melanie A. Bachman, Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06501

RE: AMERESCO/Petition No. 1312 – Candlewood Solar LLC  
Candlewood Solar Project  
197 Candlewood Mountain Road  
New Milford, CT 06776

Dear Ms. Bachman,

In light of the fact that Candlewood Solar LLC is seeking to by-pass the process customarily utilized by any applicant seeking approval for a project in the Town of New Milford, the Conservation Commission is limited in its ability to respond in a comprehensive fashion. This is unfortunate as this proposal is environmentally significant in that it permanently alters 15.9 acres of productive farm land, 72.8 acres of mature forest land (requiring the cutting and stumping of 15,215 trees) and the displacement of many species of birds, reptiles and mammals.

The Conservation Commission has reviewed the materials provided by Candlewood Solar LLC and the opinions expressed by the Mayor's office, the Farmland & Forest Preservation Committee and the Town Planner.

Based upon this review, the Conservation Commission has the following observations:

1. While the Conservation Commission supports the concept and practice of modern renewable energy sources, it feels strongly that any such project should be subjected to the customary application review process at the Town level without having to circumnavigate through the Siting Council. And while the Siting Council has the option to supersede or disregard the Town's review process, the Siting Council also has the option to request the applicant to follow the Town's review process.
2. While Candlewood Solar LLC provided many documents and maps, they still did not provide adequate detail on matters of interest to the Conservation Commission. Information pertaining to features such as roads and access points (current & old), stone walls, topographical

information, survey points and vegetation by type and location are all missing from the documents provided. The locations of proposed solar collectors, relevant buildings, structures and supporting infrastructure as related to matters of interest as identified above are also absent.

3. The project is presented as being ultimately environmentally “neutral” in that the site, according to Candlewood Solar LLC, will be restored and that while certain wildlife will be displaced, others will eventually replace the ones that were lost. This premise does not represent sound environmental planning and is unacceptable to the Conservation Commission.

4. The project as proposed is said to have a 20 year or longer life span at which time the installation shall be dismantled and the land returned to its, so called, “natural state”. Candlewood Solar LLC fails to define “natural state”. The Conservation Commission fails to see how this can be accomplished, after its true “natural state” has been dramatically altered, unless its historical features such as stone walls, stone bounds, ancient road beds and archeological resources are evaluated, recorded and inventoried on maps and other documents for future use as historical reference points and for use during the site restoration process. Furthermore, it is virtually impossible to restore a mature forest to its “natural state” once it has been destroyed.

For the reasons indicated above, the Conservation Commission is unable to recommend the endorsement of this project as presented at this time.

Nevertheless, should the Siting Council decide to proceed without having the applicant utilize the customary review process at the Town level and subsequently approves this application, the Conservation Commission asks the Council to require the following from the applicant as part of the Council’s approval.

1. Require the establishment of a 60’ buffer zone surrounding the entire 80 acre project (the 11.4 acre “shadow” area should not be part of the 60’ buffer zone);
2. Require a comprehensive environmental survey and title search noting such things as stone walls, stone bounds, old roads and pathways, and other points of interest such as stone foundations, etc;
3. Require Candlewood Solar LLC to develop a specific restoration plan reflective of conditions prior to any work at the site and establish an appropriate bonding level to achieve reasonable restoration.

Let it be known, that even if the three conditions mentioned above were addressed by Candlewood Solar LLC, it should not be construed to mean that the Conservation Commission would recommend endorsement of this application. It would simply mean that the Conservation Commission believes that by addressing these three issues, a bad situation would be made somewhat better.

To reiterate the Conservation Commission’s position with respect to the application, the Conservation Commission does not recommend the endorsement of the Candlewood Solar project as presented.

On behalf of Chairman Adam Halasi-Kun and members of the New Milford Conservation Commission, this letter is respectfully submitted by:

A handwritten signature in black ink, appearing to read "J. Robert Hutchings". The signature is fluid and cursive, with a large initial "J" and "H".

J. Robert Hutchings  
Recording Secretary

CC: Town Planner  
Planning Commission  
Zoning Commission  
Inland/Wetlands Commission