

Town of Stonington Conservation Commission
Minutes of a Regular Meeting held on May 23, 2022
Police Station Department Meeting Room, 173 South Broad Street, Pawcatuck, CT

a. Call to order - Chairman Stuart Cole called the meeting to order at 7:08 pm. Members present were RaéVen Kelly Dinwoodie, Ben Baldwin, Jim Friedlander, and Michael Schefers. Member Stephanie Hayes-Houlihan was not present. Town Planner Keith Brynes and members of the public were present.

b. Review of Town Developments and Proposals

1. PZ2213SD Brandon & Cynthia Flack – *Subdivision application for a 9-lot Open Space Development (OSD). Property located on South Anguilla Rd., Pawcatuck. Assessor's Map 49, Block 2, Lot 1. Zone GBR-130.* Brandon Flack described the proposed open space subdivision (OSD) based on a conventional subdivision of 8 lots, some front lots with narrow "alleys" connecting frontage to building sites. The OSD open space of 21.3 acres is at rear and a conservation easement runs along the frontage, but allows for driveway curb cuts; only 2 lots would share a driveway. Mr. Flack said the intent is to donate the open space to Stonington Land Trust or Avalonia Land Conservancy, that Eversource has yet to repair the power lines down in October 2021 and that the power line right-of-way might make a good public bike trail, here and on other properties, should it be abandoned. MOTION: The Conservation Commission endorses the open space design over the conventional subdivision (Michael Schefers, RaéVen Kelly Dinwoodie). Passed unanimously.

2. East Point Energy - *Preliminary discussion of proposal for grid scale energy storage facility. Property located at 94 Prentice Williams Rd., Stonington. Assessor's Map 147, Block 2, Lot 3B. (No application has been submitted to the Town or CT Siting Council).* An East Point Energy (EPE) presentation PDF dated 12/3/2021, a PDF presentation by several neighbors and an email from Carolyn C. Giampe, Director of Sustainability & Environmental Management for Aquarion Water Company, were forwarded to Commission members by the Town Planner. The proposed project on Quoketaug Hill was described by the developer and discussed by residents.

Scott Connuck, Senior Project Developer with EPE, distributed copies of his presentation, dated 5/20/2022. Mr. Connuck said Connecticut has a 2030 storage goal for 1,000 megawatts (MW) and described his proposal as conceptual for Stonington Energy Center, a 100 MW grid-scale lithium-ion battery energy storage facility, and asked for input. He said there are no emissions except for storm water typical for any development, it will not be audible from any neighboring structures 600-700 ft. distant, will help lower customers' utility bills in the aggregate and displace polluting power plants, bring in tax revenue, help with renewable energy and balance out the grid. The white battery enclosures look like shipping containers placed on gravel along with a substation, inverters, transformers, and security fence with vegetative screening. The battery would connect to Eversource's 115 kilovolt line and go into operation in around 2026. Disturbed area is about 6-10 acres; the drawings show about 5 acres and don't show storm water features. Mr. Connuck said the existing jeep trail with wetlands crossing would be improved for access, there would be remote monitoring (no personnel onsite) and how lithium-ion phosphate batteries are a safe, proven technology; partnerships to be formed with local fire departments. In summary, the project will bring grid reliability, enables renewable energy and makes it more useful and is emission-free, it provides a large increase in tax revenue, is remote from other structures and residential areas, doesn't strain local services, and doesn't pose a significant risk to the community.

Curt Floyd, Laurence Eleanor Street, presented the concerns and opposition to the EPE proposal by the Prentice Williams Road neighbors. He works for the National Fire Protection Association, but speaks as a landowner and not for NFPA. Neighbors and family found out about this proposal via The Day of 5/12/2022 describing the Economic Development Commission meeting of 5/10/2022. Neighbors, many of them relatives of the property owner, were not notified of the proposal and the owner has refused to discuss it. The site is unacceptable to the neighbors, especially if there are battery failure problems. It was described as a commercial industrial facility in a greenbelt residential area; there are concerns about runoff and forest fires as battery failure like thermal runaway can cause fires and contaminate water within the Copps Brook watershed; facilities rarely do not have an incident. Mr. Floyd said, if constructed, there will be light pollution, impingement on wetlands, and cooling fans will be heard; better sites are elsewhere in town.

Rod Demarais, with family on Prentice Williams Road, said he was not comfortable with statements of no impact with the lack of transparency and said it is too big a gamble.

Cody Floyd, of Laurence Eleanor Street, said the Williams family has owned this historic area, called South Pasture, since about 1712, plus a Native American encampment in mid 1600s was described by Thomas Stanton & Thomas Miner who wrote on the murder of an Indian child on Quoketaug Hill. He said he

researched other EPE projects, including one shown on the EPE & Rappahannock Elec Coop websites which the Spotsylvania County, VA planner was unaware of.

John Swenarton, of Back Acres Way and an abutter, said that while the technology is important and part of our future this is a big project at 100 MW or 10% of the CT Legislature's goal of 100 gigawatts of grid scale energy storage by 2030. He said this big project is on a narrow country road in a quiet greenbelt neighborhood, adjacent to preserved open space, in an important heavily wooded watershed. He asked: Is this best place for a 5-10 acre industrial complex? In Stonington? In CT? He agreed with neighbors' statements on the environmental standpoint and thought the safety and fire portions were eye opening and helpful. He said: Unfortunately, the town has no regulatory authority for this project and that is what makes the Conservation Commission's role critically important as it has always been an advisory board which can speak for the town on issues that are so important and relevant to this project. The EDC gave their support for this project, but their mission is very narrow and their recommendations have often been misguided; the Conservation Commission is the balance to their mission. Based on the CC's broader mission of protecting land water wildlife and quality of life in Stonington, please strongly oppose this proposal; it needs to be stopped now. The CC needs to let our town leaders know that people in this town don't disagree with this technology but don't find this to be a suitable location and if it does go to the CT Siting Council, I ask the CC to provide a letter in opposition. Mr. Swenarton asked that the neighbors in opposition submit their names in a list to the town.

Colin Demarais, of Prentice Williams Road and a sound engineer, said that 75 decibels (dB) per unit is quite high as the World Health Organization says 50 dB is recommended maximum for residential areas and the proposal would be the equivalent of 33 noisy restaurants. He said the neighbors will hear it and he supported the organized neighbors.

Lawrence Williams, property owner, said he doesn't have technical information but was surprised at the neighbors' reaction. He was approached about one year ago by EPE, said this would be a great way to use the land. He doesn't want to sell because of family history and leasing makes sense. The road won't be affected by project; the driveway is no more problematic than when all his neighbors put in their driveways over the years. The Energy Storage Facility will be 1/4 mile from Prentice Williams Road and won't be visible from the road. He named his LLC Amon's Stack per family history as Amon, an African American farmhand who worked for the family around 1790, lived in a cabin east of the South Pasture near a tall rock called Amon's Stack. The project appeals to him due to the low impact on the land when compared to unsightly solar farms which take up tremendous amounts of land along I-95 near the CT-RI border. He said as for the safety of the project, Senior Project Developer Scott Connuck of with EPE addressed these concerns.

Carlene Donnarummo of Pawcatuck said a tax abatement is to be requested, but nothing was presented about that and how it will proceed. She asked whether an application will be made to the Inland Wetlands and Watercourses Commission as there are wetlands present and it is in the Groundwater Protection Overlay District.

Mr. Connuck responded to questions and comments, saying there was an introductory discussion with the EDC and that they are familiarizing themselves with the people in town, that the project is very capital intensive and would bring an enormous tax increase in tax revenue to the town, but it helps if this is leveled over a period of 7-10 years, where less tax is paid upfront. He thanked everyone, saying this meeting is productive and hopes everyone has an open mind about the proposal, at its conceptual stage. In response to the it being called unsafe, he said there are hundreds of communities allowing these projects because they are fundamentally safe; the risks do exist, but can be mitigated so that they are contained. He said regarding firefighting and emissions from containers, the containers are typically watertight so that water can be siphoned out afterwards; gases from fire do dissipate quickly; an Arizona fire injured firefighters because of poor design, which has since changed; there are several ways to extinguish fires; often there is water stored onsite for this purpose; last year gigawatts of storage was deployed en masse in a safe way. He said historic significance will be part of future reviews as part of evaluating the site. It was his understanding that the Rappahannock Elec Coop project did not require county approval as it was within an existing substation and had had required permits. He said the decibel numbers were at a short distance and that 600 ft. of forest will affect the sound.

RaeVen Kelly Dinwoodie asked if other sites with better access and in less environmentally fragile areas were considered. Mr. Connuck said EPE sent out letters to a number of other locations in Stonington and

throughout the state, but they did not get site control on any other locations within Stonington. He believes concerns about access and fires can be addressed.

Jim Friedlander asked if the facilities constructed are maintained by EPE indefinitely or if are they sometimes sold. Mr. Connuck said they are typically sold after development to larger energy companies that have experience in managing electric generation on the grid.

Cheryl Robdau of Bay Street, Mystic, asked how EPE can be comfortable working with Eversource when it has left power lines down on the ground, as described by Mr. Flack on South Anguilla Road. Mr. Connuck said Eversource cannot own a project like this due to regulations and that because this is so capital intensive upfront, there is a strong incentive that it work as it should and EPE often has agreements with towns that insure EPE is held to standards. Ms. Robdau asked about the tax abatement on short-lived batteries. Mr. Connuck said they have an 8–15-year life for batteries and are replaced. The life of project can be in perpetuity, but the typical lease is for 30 years.

Stuart Cole asked about the requirement for siting near major transmission lines. Mr. Connuck said different projects have different requirements, but that is generally true.

Ashley Gillice of Pawcatuck asked about an EPE project in Coventry, Conn. Mr. Connuck said the proposal did not pan out because of interconnection issues with Eversource, including their lines having a lack of capacity. Ms. Gillice asked about warranties as Coventry's was to be warrantied for 15-20 years. Mr. Connuck said he would have to get back with warranty information. Ms. Gillice said a tax abatement when the warranty is only for a few more years would be another concern. Mr. Connuck confirmed that monitoring would be remote. Mr. Connuck said a 2019 fire, at a facility not built by EPE, was due to the malfunction of equipment and due to a design flaw where firefighters opened a unit to make sure it was unoccupied. Mr. Connuck said discussions with local firefighters have yet to take place. Ms. Gillice said that having conversations with local fire departments is of vital importance and safety should have been number one. Mr. Connuck said EPE always works with the local fire department; this project is at an early stage where they are trying to understand what it is conceptually and have yet to design the project so EPE doesn't know which manufacturer will build the equipment. Ms. Gillice said in any event it is a lot of equipment on a dead-end road and any fire would cause massive damage and environmental concerns for a built-up neighborhood. She asked that EPE reach out to first responders and calculate the cost of any additional equipment as that cost, on top of the cost of the tax abatement, is a big concern. Mr. Connuck said large increase in taxes would be paid, but the abatement spreads it out over several years. Ms. Gillice said that in the end, sometimes the quality of life means more than taxes.

Tracy Swain, Pawcatuck, said 4 fire marshals in Stonington told her they have yet to be approached by EPE and that departments cover each other throughout the region, including other towns and Rhode Island, meaning many may need training and special equipment. She asked about the tax abatement and Mr. Connuck said it was premature to be more specific. Ms. Swain noted annual taxes are \$122.52 on 94 Prentice Williams Road.

Michael Schefers said that regarding conservation-related issues, he endorses the concept but the siting seems suspect. Stuart Cole asked if an application will eventually be made to the IWWC; Mr. Connuck said yes. Ben Baldwin asked how Eversource accesses the site through the power line right-of-way. Curt Floyd said north from Pequot Trail and that Eversource is currently updating those lines and towers.

Curt Floyd said Fire Chief Ken Richards is in opposition to the proposed location and that Eversource accesses their power lines from the north and south, is updating them at present, and that the road is pretty substantial.

Bruce Littman, Prentice Williams Road, said that he understands the CC is advisory but the reason the neighbors are here at this early stage in the development because it would be in the best interests of everyone, including EPE, if the CC came out and said this is not an appropriate site for this type of facility. The developer could look at other, more appropriate sites in Stonington. He said, to reiterate John Swenarton, if the CC were of the opinion that this is not a good site for this type of facility, it would go toward saving the company time and effort, agree with the water company's statement, and agree with what the neighbors have said.

Stuart Cole asked when EPE goes before the CT Siting Council. Mr. Connuck said it is a long way off. Mr. Cole said, in that case, the CC would like to have another discussion and then put forth a recommendation; He was not ready to give a thumbs up or down at this point, that there is a lot more to learn about it and he'd like to confirm data brought to the CC and learn about noise. RaéVen Kelly Dinwoodie concurred. Jim Friedlander

asked about lighting and Mr. Connuck said it is generally minimal and often on a motion sensor. Stuart Cole said the CC will have no comment at this point, but will consider what the public brought to the CC and thanked Mr. Connuck for his presentation. Most members of the public departed.

e. New Business

1. Discussion of process for preparing and adopting new Open Space Plan - Michael Schefers said it is worth to have a dedicated meeting. Stuart Cole said he'd like to have a breakoff committee for the Open Space Plan. Michael would like to talk about it with Keith Brynes about getting a story into local newspaper stating how this committee is looking for public input. Keith Brynes and Michael Schefers will meet about publicizing the request for public input into the Open Space Plan.

2. Correspondence – **a.** Miss Porter's School students' letter and class assignment or paper recommending updated town plaque in Wequetequock. Jim Friedlander said they feel that native peoples are misrepresented or unrepresented. Stuart Cole read the letter aloud and will forward it to the Stonington Historical Society. The paper is titled "Stonington not so Boring-ton."

b. Stuart Cole reviewed maps of public trails Ben Baldwin had given him for public access to the Mystic River near Whitehall Cemetery, the Pequotsepos Trail at the Inn at Mystic, Peter Thacher's proposed trail across Pawcatuck, south of Route 1, and the Mystic River Kayak Trail.

c. Wood-Pawcatuck Watershed Association information on Wood-Pawcatuck Wild & Scenic Rivers

d. Town of North Stonington Trail Map from Bill Ricker, North Stonington Conservation Commission.

e. Eastern Connecticut Conservation District information to be reviewed by Stuart Cole.

f. Coastal Permit Application for a Dock Modification Project at 112 Latimer Point Road.(154-2-16A).

g. Aquarion – information on environmental champions.

c. Old Business

1. Dam Committee – Jim Friedlander discussed the Long and Bush Pond dams on Whitford Brook. Grants have been applied for from the State Bonding Commission.

4. Discussion of 2015 Plan of Conservation and Development – Michael Schefers asked about the POCD Implementation Committee. Ben Baldwin noted that Erika Liebling is a member of the POCD Implementation Committee and she might serve as our representative on it or even join the CC. It was noted that the CC may have 7 members plus one alternate. Michael Schefers and RaéVen Kelly Dinwoodie will reach out to Erika.

d. Open Space Parcels

Discussion of parcels for preservation - Stuart Cole asked about the status of the Brewster-Duffy Property on Al Harvey Road. Rick Newton said acquisition is close, that Avalonia will hold the southern parcel, an abutter with a right of first refusal will hold the middle parcel with a conservation easement and the US Fish & Wildlife Service will hold the north parcel.

f. Review of draft minutes – 4/25/22 – MOTION: To approve the minutes for the last meeting held on 4/25/2022 as written (Michael Schefers, RaéVen Kelly Dinwoodie). Passed unanimously with an abstention by Jim Friedlander.

g. Adjournment - MOTION: To adjourn the meeting (Jim Friedlander). Passed unanimously at 9:15 pm.

Minutes submitted by



Ben Baldwin

Secretary, Town of Stonington Conservation Commission

Approved at a Regular meeting on 7/25/2022.