



RECEIVED FOR RECORD
WATERFORD, CT
2023 OCT -4 P 2:58
ATTEST: David L. Campo
TOWN CLERK

MINUTES
REPRESENTATIVE TOWN MEETING
Regular Meeting
October 2, 2023

Moderator Paul Goldstein called the October 2, 2023 Regular Meeting of the Representative Town Meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Kyrah Augmon-Bossa, Michael Bono, Mary Childs, Harry Colonis, Thomas J. Dembek, Susan Driscoll, Timothy Fioravanti, Nick Gauthier, Kevin Girard, Paul Goldstein, Kristin Gonzalez, Ryan Healy, Richard Holmes, Cheryl Larder, Theodore Olynciw, Dan Radin, Michael Rocchetti(7:13 PM), David Sugrue, David Welch

ABSENT: Jennifer Bracciale, Timothy Condon, Steve Garvin, Lindsay Khan, Jennifer Kohl, Danielle Steward-Gelinas.

EX-OFFICIO MEMBERS PRESENT: First Selectman Robert J. Brule, Selectman Richard Muckle

EX-OFFICIO MEMBERS ABSENT: Chair of the Board of Education Pat Fedor, Chair of the Board of Finance Glenn Patterson

ALSO PRESENT: Town Clerk David L. Campo, Town Attorney Robert Avena, Town Attorney Nicholas Kepple, and Finance Director Kim Allen

AGENDA ITEM C – August 7, 2023 Regular Meeting Minutes

MOTION by Bono, seconded by Dembek, to approve the August 7, 2023 Minutes as presented with the following correction submitted by Town Clerk David Campo: The vote in Section C should have included an abstention by Cheryl Larder.

MOTION PASSED: Unanimous

AGENDA ITEM D - CORRESPONDENCE:

The following items were received for correspondence: A committee report from Public Health, Recreation and Environment Standing Committee Chair Michael Bono. A project status report on the Oswegatchie Fire House Building Committee from RTM Member Ted Olynciw. A letter from RTM Member Dan Radin in regard to the proposed Data Center. A letter from Police Chief Marc Balestracci in regard to a potential ordinance to regulate illegal use of ATVs and dirt bikes. "Fire Services Review Special Committee Interim Report, January 2023" from Chair Robert Tuneski. Committee report from the Legislation & Administration Standing Committee Chair Thomas Dembek. A letter from RTM

Member Cheryl Larder to the Public Health and Recreation Standing Committee in regard to its work on a review of the town's noise ordinance. A letter from RTM Member Susan Driscoll in regard to the increasing the roster size of the Police Commission.

PUBLIC COMMENT

The following members of the public spoke in opposition to the proposed Data Center: Laurette Saller, 4 Gun Shot Rd; Kathleen Pavlick(See Attachment), 11 Race Rock Rd; Judi Leary, 6 Maple Terrace; John Valliere, 294 Millstone Rd E.(See Attachment); Bryan Sayles, 54 Wintergreen Dr(See Attachment); Michele Lewis-O'Donnell(See attachment), no address provided; Robert Perry, 35 New Shore Rd; J. Thad May, 18 Jordan Cove Circle; Robin Schechtel, 14 Huntley Rd, Niantic; Lucas, last name and address not provided; Deb Roberts, 4 Jordan Cove Circle(See Attachment); Lynn MacMarrow, 10 4th St; Next speaker provided name or address; Michele Caulkins, 9 Lanyard Ln; JoAnn Harper, 1 Betty St (See Attachment). The following members of the public spoke in support of the proposed Data Center: Keith Brothers, 268 Thames Rd, Groton; Jim Denning, 11 Old Mill Rd, Quaker Hill; Erica Weborg, 13 Main St, town unknown; Chris Prevost, 17 Knollwood Rd, Niantic; David Jarvis, address unknown; Joseph Toner, 11 Old Mill Rd, Quaker Hill.

AGENDA ITEM F – COMMITTEE REPORTS AND REFERRALS

It was noted that committee reports received would be discussed under New Business.

RTM Member Olynciw left the room.

CALL ITEM 1 – Old Norwich Road Pump Station

PRESENTATION: Director of the Utility Commission Jim Bartelli

MOTION by Bono, seconded by Dembek, to approve a recommendation from the Board of Finance for an additional appropriation in the amount of **\$755,369** from the **Undesignated Fund Balance Line** of the **Capital Nonrecurring Expenditure Fund (CNR) Line #205-31520 to Line #20531-57816 (Old Norwich Road Pump Station)**.

MOTION by Larder, seconded by Childs, to amend the motion to reduce the request by **\$66,385** for a new total of **\$688,984**

Discussion ensued

VOTING IN FAVOR: Augmon-Bossa, Childs, Driscoll, Gauthier, Larder

VOTING AGAINST: Bono, Colonis, Dembek, Fioravanti, Girard, Goldstein, Gonzalez, Healy, Holmes, Radin, Rocchetti, Sugrue, Welch

MOTION FAILED: 5-13

ORIGINAL MOTION PASSED: 17-1-0

CALL ITEM 2 – Revaluation

MOTION by Bono, seconded by Girard, to approve a recommendation from the Board of Finance for an appropriation in the amount of **\$6,547.47** from the **Undesignated Fund Balance Line** of the **Capital Nonrecurring Expenditure Fund (CNR) Line #205-31520 to Line #20501-57639 (Revaluation)**.

MOTION PASSED: Unanimous

RTM Member Olynciw returned.

CALL ITEM 3 – NE Edge Data Center Update

PRESENTATION: NE Edge Attorney William McCoy

Attorney McCoy provided an update on the project and answered questions from the body.

CALL ITEM 4 – Executive Session

MOTION by Dembek, seconded by Fioravanti, to go into executive session to discuss security matters pertaining to Waterford Town Buildings and Schools at 8:58 PM and invite the following: First Selectman Robert Brule, Town Attorney Nick Kepple, Police Chief Marc Balestracci, Fire Director Mike Howley, IT Manager Jeff Robillard, Finance Director Kim Allen, Superintendent of Schools Thomas Giard, BOE Finance Director Joe Mancini, BOE IT Director Mark Geer, Planning Director Jon Mullen.

MOTION PASSED: Unanimous

MOTION by Girard, seconded by Dembek, to come out of Executive Session at 9:55 PM.

MOTION PASSED: Unanimous

CALL ITEM 5 – Safety Measures for Town and School Facilities

PRESENTATION: None

MOTION by Bono, seconded by Dembek, to approve a recommendation from the Board of Finance for an additional appropriation in the amount of **\$1,982,900** from the **Undesignated Fund Balance Line** of the **Capital Nonrecurring Expenditure Fund (CNR) Line #205-31520** to **Line #20560-57842 (School Security)** for safety measures for town and school facilities.

MOTION by Bono, seconded by Dembek, to amend the motion to read as follows: To consider and act upon a recommendation from the Board of Finance for an additional appropriation in the amount of **\$1,982,900** from the **from the Unassigned General Fund Balance** to **Line #20560-57842 (School Security)** for safety measures for town and school facilities.

MOTION WITH AMENDMENT PASSED: Unanimous

RTM Member Sugrue left the room and did not return.

NEW BUSINESS:

MOTION by Dembek, seconded by Olynciw, to accept the Legislation and Administration committee's report (See Attachment) on the EDC issue and recommendation that the RTM take no action.

MOTION PASSED: 17-1-0 (Larder voted no)

MOTION by Bono, seconded by Rocchetti, to accept the Public Health, Recreation & Environment committee's report on the review of the town's noise ordinance and accept the recommendation of the committee.

VOTING IN FAVOR: Augmon-Bossa, Bono, Childs, Colonis, Dembek, Fioravanti, Girard, Goldstein, Healy, Holmes, Olynciw, Rocchetti, Welch

VOTING AGAINST: Driscoll, Gauthier, Gonzalez, Larder, Radin

MOTION PASSED: 13-5-0

MOTION by Bono, seconded by Rocchetti, to send the subject (ATV and Dirt Bike Ordinance Consideration) of Chief Balestracci's letter to the Public Protection & Safety Committee.

MOTION PASSED: Unanimous

MOTION by Driscoll, seconded by Gauthier, to move the issue of expanding the Police Commission to seven members to the Legislation & Administration Committee.

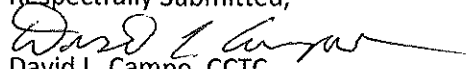
MOTION PASSED: Unanimous

RTM Member Olynciw discussed his submitted Oswegatchie Fire Station Building Committee report
Brief discussion ensued.

RTM Member Olynciw stated that he would discuss his vacant properties report at a future meeting.

MOTION by Rocchetti, seconded by Colonis, to adjourn passed unanimously at 10:28 P.M.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David L. Campo", written over the printed name.

David L. Campo, CCTC

Town Clerk

RTM

Kathleen Pavlick
11 Race Rock Rd
Waterford, CT

Money, Money, Money

I normally would come up and read something I wrote about my concern for the environment of Waterford. The reason I purchased a home here was because of the beautiful, peaceful views of water and nature, all to be lost to the pollution from data centers. But, I've been repeatedly asking, at every chance, for environmental impact studies to be done before this development goes any further, to no avail.

So, I'm going to talk about the one issue that everyone seems to care about in this situation instead; - money, money, money.

It all started when former investment banker, David Lehman and Governor Lamont passed a bill quickly, under "emergency" provisions, without any committee review, or public hearing, to exempt new data centers from paying CT taxes. Similar to Waterford's rush to sign a host agreement for data centers without notice or public hearing.

In a quote from the New London Day, David Collins said "It turns out another ugly component of this love fest for data centers, which, by the way, don't employ a lot of people, or generate much other economic development, is that they want to make private deals for discounts on the rates they pay for electricity. They use a lot." So, we as homeowners in Waterford, will pay more for

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our electricity than data centers, and be second in line to receive that energy, after the data centers, who have a "behind the meter" agreement, and will use up colossal amounts of energy. Oh, and we pay taxes, they don't.

Collins also wrote in The Day "The fee they pay in lieu of taxes is a pittance compared to what would be due in taxes on buildings full of tens of millions of dollars worth of computers," built on 55 acres of land. "The fees are contractual, unlike taxes, for which there is an established and simple legal procedure of liens and foreclosure for the town to use in the event of nonpayment." Promises, promises?

Companies proposing these data centers have never built one before. Yet, we are trusting them with the future of Waterford's land, environment, residents, wild life and economy. Other towns have rejected them based on questionable integrity. Wallingford councilor, Zandri said "he was concerned violators could find it more economically feasible to accept being in violation of local regulations and pay fines without making changes. If these sound levels are going to be breached and they have no way to bring them down, then they're just going to be fined and pay the fine." It's all about the money, and the casino is the only place we should be gambling with ours.

John C. Valliere, Esq.
Attorney At Law

**294 Millstone Road East
Waterford, CT 06385**

**Phone (860) 442-1294
Fax (860) 442-1295
AttorneyValliere@aol.com**

Via Email and Priority Mail

September 6, 2023

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

RE: PETITION # 1586 from Dominion Energy Nuclear Connecticut, Inc.

Dear Ms. Bachman and Members of the Siting Council:

This is written requesting the Siting Council deny the Petition (#1586) from Dominion Energy Nuclear Connecticut, Inc (DENC). DENC is seeking a declaratory ruling regarding the Dominion property on Millstone Road (off Rope Ferry Road) in Waterford. While there are dozens of reasons why almost 20 percent of the site's north unallocated land should not be leased out and be used for data center projects, I will highlight a few.

First, as you are aware, this property was specifically designed over 50 years ago to accommodate nuclear reactors. Frankly, that plan and the critical thinking put into it 50 years ago, has been a success and has enabled the property to host 3 nuclear reactors and generate 50% of Connecticut's energy for many years.

The plan 50 years ago enabled the facility to have large swaths of land around it, presumably for safety, security, and to offer a large buffer to protect the surrounding neighborhoods and communities, including Waterford and East Lyme.

The current site plan allows the reactors, personnel working in the facility, and the surrounding community to remain safe. The site, with its large tracts of land, allows the energy producing equipment to be free from outside interlopers (including but not limited to, domestic terrorists and ill-intentioned persons) and allows the energy *producing* equipment to be the sole equipment on the property.

In terms of security, the long-term design for the property greatly assists Dominion to keep the reactors from harm. The reality of domestic terrorism in today's world is real. The current plan and layout of the property allows Dominion to control and secure the important nuclear reactors by keeping them at a significant distance from the public and

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public thoroughfares. (It was only about 20 years ago when military Humvees with military personnel were stationed outside the entrances of the property to protect the property during the 9-11 crisis). Allowing other outside entities to develop on the property complicates the ability to keep the reactors safe and secure. Given the proposal in the Petition, there will be a much smaller buffer to keep the reactors isolated, safe, and secure, reducing the buffer from about a mile down to a little over 1000 feet.

Protection of the surrounding community is also part of the long-planned design of the property. The site as it currently sets, has done a great job of buffering the negative effects of the power plant from the surrounding neighborhoods. Allowing data centers on leased land on the Dominion property does not follow that plan. The data center projects have not been well publicized to the surrounding neighborhoods, and the ill effects, including but not limited to low level hum noise and environmental damage, have not been explained nor publicized. There is growing opposition to the plan as it becomes known.

Issuing a declaratory ruling without any stated long-term plan and allowing data centers takes away Dominion's (or any future owner's) ability to develop the land for energy generation. The property should be used exclusively for the generation of nuclear energy as it was designed and intended. Although reactor #1 has completed its planned mission, there are opportunities for newer nuclear reactor technologies to replace it, technologies that are smaller and more efficient than #1 ever was. Dismantling #1 and building smaller and more efficient reactors, as is being done in Wyoming, is the type of construction that should be occurring on the Dominion site, not energy drawing data centers. Building nuclear reactors is what the site logically should be used for and fits into the past and future long-term plans.

If the Siting Council allows the 50-year plan to be destroyed and allows leasing for non-energy producing entities, where will it stop? Currently, the plan is for 2 data centers, one 1.132 million square feet (*11 times* the size of the average full scale data center) and a second 428,000 square feet in size (*4 times* the size of the average full scale data center). Although it is not outwardly shown, there is a plan for an additional 2 more data centers on the site in the future. If the Siting Council allows for one or two, it would be easier to then request for number three and four. The Siting Council would lose control of the ability to limit other "industrial uses" if it allows the data centers to start to grow on the property.

Issuing a declaratory judgment allowing the leasing and building of data centers on the Dominion site with no specifics of how the data center will affect the future of energy generation at the property is imprudent. There is no plan or documents offered on how the construction of the massive data centers and their long-term placement on the property affects the current operation of the facility as a power generator. Dominion is asking your permission to allow a company to lease and build data centers 4 and 11 times the normal size of average centers by a company that is less than 2 years old and has never successfully built a data center. In fact, at least three other towns have rejected the project, even though it would not have been placed in such a sensitive and secure location

as the Dominion site. This project should not just to be allowed to be developed on the Dominion site just by asking a simple declaratory ruling.

Enclosed, please find pictures of the site as Exhibits 1 and 2. In contrast to the map provided by Dominion as their Exhibit 1, the enclosed Exhibits 1 & 2 demonstrate the proximity to the neighborhoods and recreational sports fields, the significant amount of trees, vegetation and woods that would be cleared and destroyed, and the proximity to a large pond on the property, with no study of how this project will affect the numerous osprey nests at that pond as well as other wildlife on the property as a whole.

Also, of concerning note, is the August 30, 2023 responses to interrogatories by Dominion, which some at best are disingenuous and at worst misleading.

Question 1 and 2's Responses about the Town's expressed concerns and received comments are misleading. This project appears to be spearheaded by Waterford's First Selectman Robert Brule, who ironically is quoted by a local newspaper as saying he would not want a data center near his residence given the data center's extreme noise generation. As stated herein, this project has had very little publicity, as has Waterford's entering the Municipal Host Fee Agreement with NE Edge. The "unanimous" vote from the Board of Selectmen and the Representative Town Meeting (RTM) members was done, as some would say, "under the radar."

Enclosed as Exhibit # 3 is an email thread between RTM member Dan Radin and myself regarding this project. Coming from one of the RTM's own members, he states on page One in paragraph # 4 about the approval being "purely ceremonial" and about "optics" as opposed to the proposed project being thoroughly explained to town residents and vetted. He further expressed the First Selectman Brule could have signed the Agreement without any approval from the Board or RTM.

Even more disturbing is Dan Radin's assertion in Paragraph #6 that the meeting was "poorly publicized" and "held on short notice." This unprecedented, massive project was well in the works long before that meeting and yet the document to start the project was "approved" and entered into with little public comment or any reasonable notice to the Town residents, especially and including to the surrounding neighborhoods. If such a project was truly good for Waterford and the Dominion site, why the secrecy and lack of candor to the public and allowance for real public review and response early on? There will be mounting opposition to this project as more details are given to the Town's residents. Even with the mounting opposition, certain town officials continue to be not forthcoming with information and deadlines, including this Siting Council Petition and the ability to offer comment. This is concerning on many levels.

Question 3's Response is also concerning in that there is no way to know the impact on safety. Nobody knows or has demonstrated the effects of removing the large, long planned buffer of land or what placing non-energy generating buildings on the property will do to safety, but there is one thing for sure; it will take away any planned safety margin in the site's design.

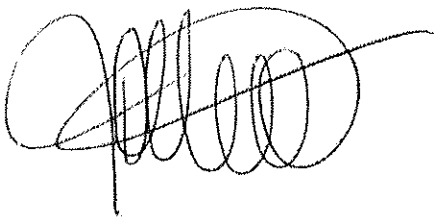
Question 9's Response regarding the plan at the end of the lease term (or the end of the useful life of the data centers) shows the lack of planning and forethought as given to the original site plan of 50 years ago. Although the data center is supposed to be a 30-year lease, given the speed of technology, there is no guarantee the data centers will be viable for that long. As pointed out by RTM member Dan Radin, just think back to the technology from 30 years ago as opposed to today. Who gets the cleanup mess if NE Edge abandons the project early and is gone?

Question 14, 15 and 16's Responses in relation to the number of megawatts the data centers will consume is quite telling, and disturbing. Yanking out 300 MW of power from the ISO-NE grid would be minimally disastrous. There is already energy insecurity in Connecticut, New England and the country, given the current demand (especially at peak times) and the known large future increases in demand in the years ahead. Once the data centers are plugged in, they will continue to suck out 300 megawatts per year and run 24/7 no matter what the other demands are for Connecticut and New England. Unlike residential and business consumers, data centers cannot cut back on their energy use when electricity demand is at its peaks in summer and winter. The data centers will continue to draw and have the need. Such a draw will lead to higher prices overall for the residential and business consumers, as simple supply and demand economics occur. As stated earlier, the Dominion site should be used for future power *generation*. Leasing large swathes of land only detracts from this ability and does not allow for good future planning of energy generation versus energy draining and depletion endeavors.

Question 17's Response leaving any emergency planning to NE Edge is also eye opening. This is a company that is less than 2 years old, with no previous experience building data centers, including no completed projects, and is looking to build minimally 2 hyper-sized data centers in a sensitive nuclear site. Any data projections, including in Response #23, are just that--projections. The Dominion site should not be gambled with in hopes of getting it right, especially with no future oversight from the Siting Council.

Given the foregoing, it is respectfully requested the Siting Council deny Petition #1586 for a declaratory ruling for the Dominion property.

Sincerely

A handwritten signature in black ink, appearing to read 'John C. Valliere', with a large, stylized flourish at the end.

John C Valliere, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of September 2023, a copy of the foregoing was sent, via email mail to:

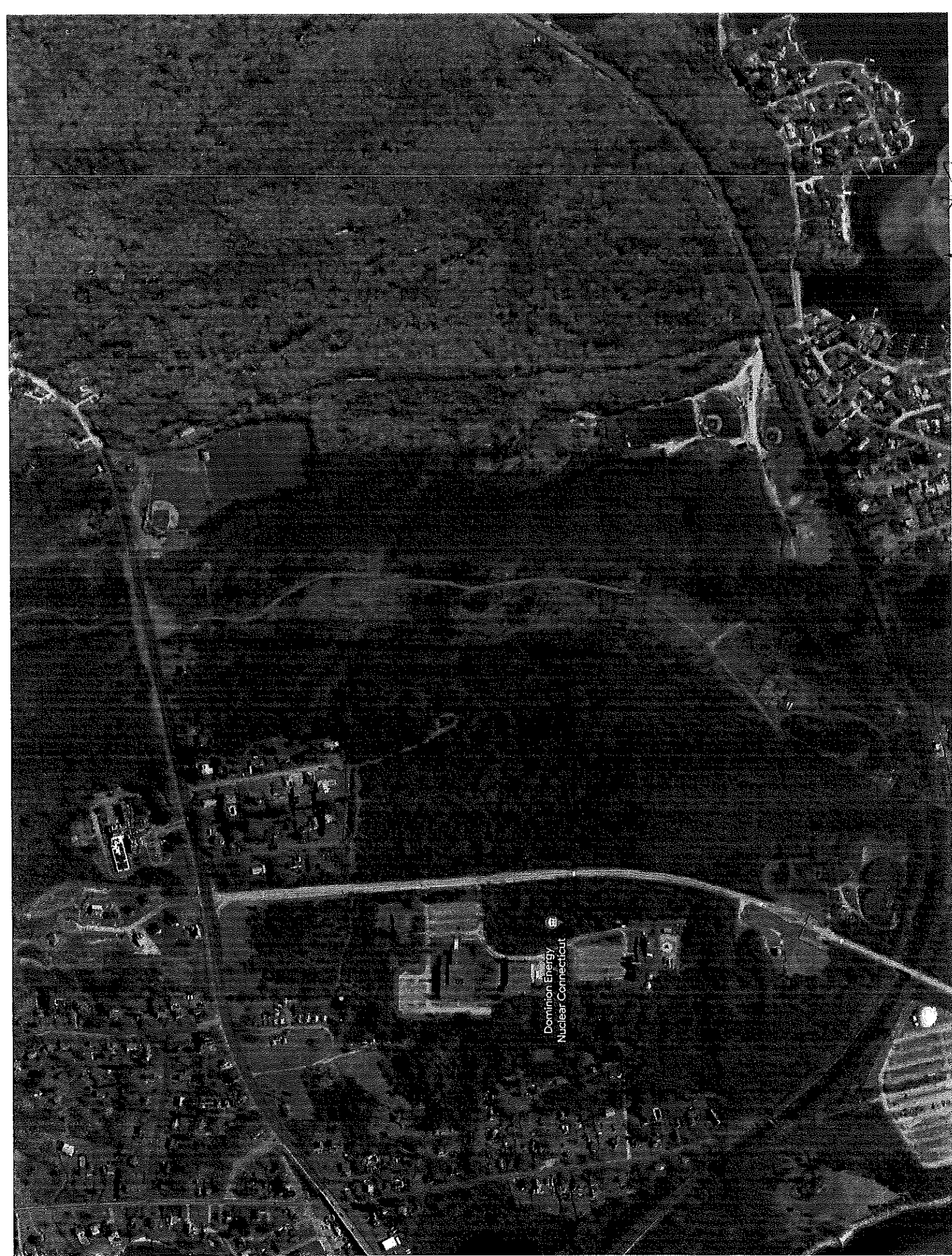
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firstsel@waterfordct.org

Kenneth C. Baldwin, Attorney for Dominion
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Hartford, CT 06103
kbaldwin@rc.com



John C. Valliere



EX 2

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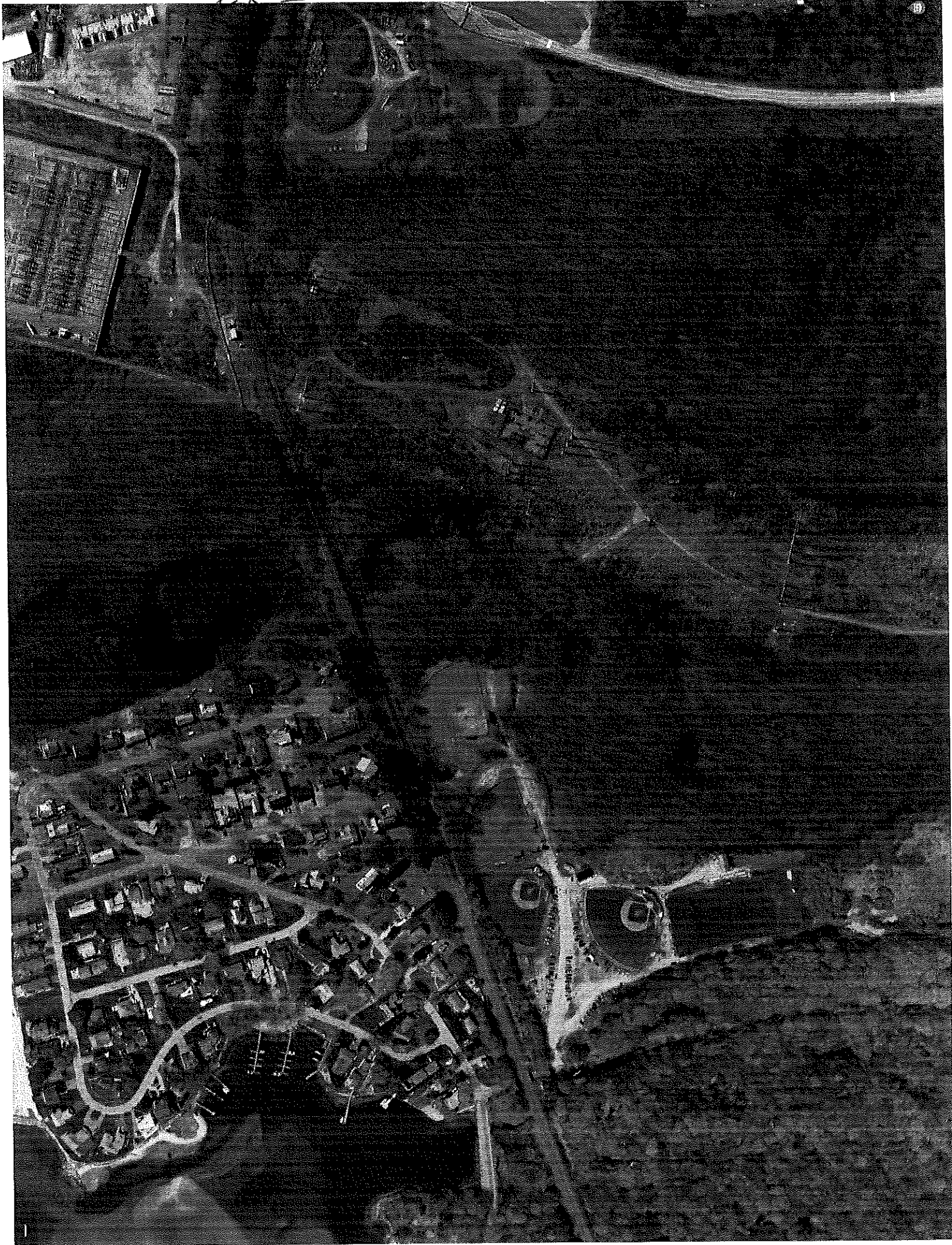


Exhibit 3

Re: Proposed Data Center at Millstone

From: Dan Radin (dan.radin.waterford@gmail.com)

To: attorneyvalliere@aol.com

Date: Friday, August 25, 2023 at 12:14 PM EDT

Attorney Valliere —

Thank you for your note. My apologies for the tardy response.

Attached is my memo to the RTM and Board of Selectman from February when the Special Meeting was held on this topic. I believed the time—and still do—that there are significant financial benefits to the data center if the portfolio of risks is mitigated. I further raised concerns about noise control, deal term, and the competence of the developer in the Special Meeting.

Before purchasing our home, my family lived in a house we rented in Millstone Point. I know the quiet, peaceful, beachfront way of life for the neighborhoods surrounding Millstone because I've lived there.

My understanding of the role of the RTM in the Special Meeting, based on guidance from Town Attorney Kepple, is that the body's vote was purely ceremonial, and that the Board of Selectman did not need RTM approval to authorize the First Selectman to sign. In other words, the RTM's vote, and the joint meeting, was about optics.

Attorneys also informed us that signing the MOU was the first step in a lengthy, complex process of subsequent approvals and checkpoints on the path toward the data center getting built, and that its signing did not constitute a binding agreement to build; rather it opened the possibility that it *might* be built.

I agree that the Special Meeting was poorly publicized and held on short notice; and I agree with concerns that sufficient safeguards are not in place to protect the peaceful character of the MPA neighborhood. However, as the RTM, or more directly as a single representative, we and I lack authority.

I have reinforced my concerns and the concerns shared with me by other Millstone Point neighbors with the First Selectman. He has not responded in any substantive way across a number of occasions. I wholeheartedly encourage you and your neighbors to advocate strongly with him. He has decision authority.

Thanks,
Dan Radin
475 470 6535

On Aug 20, 2023, at 12:42 PM, attorneyvalliere@aol.com wrote:

Dear 4th District RTM members:

I live in the 4th district at Millstone Point and am writing to get your positions on the proposed data center at Dominion Power Plant.

My understanding is that the MOU was unanimously approved by the RTM and the Selectboard.

This is written to get your position on if the data center should really go forward, and what you are doing to actively protect our district, and specifically the Millstone Point

neighborhood, from the ill ramifications this project will cause.

Many feel that this project process was started with little fanfare and is now being pushed given the millions being offered in payments.

I look forward to your expedient response.

Thank you.

John C. Valliere, Esq.



Waterford RTM Data Centers Memo Feb 2023.pdf
92.5kB

Re: Proposed Data Center at Millstone

From: Dan Radin (dan.radin.waterford@gmail.com)

To: attorneyvalliere@aol.com

Date: Tuesday, August 29, 2023 at 04:45 PM EDT

Dear Attorney Valliere —

Thank you again for sharing your detailed and thoughtful insights.

As the October meeting will be my last on the RTM, I intend to submit a memo to the RTM and Board of Selectmen summarizing the consistent voice of District 4 residents in opposition to the data center project.

I have reinforced my concerns and the concerns shared with me by you and other neighbors with the First Selectman. I wholeheartedly encourage you and your neighbors to advocate strongly with him. He has decision authority.

Sincerely,
Dan Radin

On Aug 26, 2023, at 9:36 PM, attorneyvalliere@aol.com wrote:

Dear Mr. Radin:

Thank you for taking the time to respond to my email. Sadly, only you and Mr. Bono showed any consideration of a response to this point. Maybe the other four 4th District RTM members are on vacation this week and will reply in due time.

I have read your email and your statement about the data center. You raised some points which I did not think about, the most important one being the data center's potential obsolescence in 30 years (or less). My similar thought was that if the licenses for Dominion's reactors 2 and 3 are not renewed in the upcoming decades, where will the data centers obtain the necessary 300 megawatts per year? (And they say there is a shortage of electricity now especially in the summer! Can't wait for those future bills given the lack of supply and the huge demand!!)

I also think your analysis about the guaranteed money is also on track. (This is not even taking into consideration the viability of the developer whose company is 20 months old).

There is a lot to unpack on the data center issue.

Here are some of my many concerns about this project (the proverbial tip of the iceberg):

1. Who drafted the Memorandum of Understanding (MOU)? I have read it and found quite a few flaws that do not protect the Town of Waterford and leaves Waterford open to future litigation. There are other MOU sections that leave Waterford in the lurch, especially if the state Legislature changes the law regarding data centers. This legislative change is prone given the changing technology and given the fact the current legislation is flawed in itself and subject to change.

2. Did all RTM members and Board of Selectmen read the MOU, or just rely on Town Attorney Nick Kepple's opinion of it? How much questioning was brought forth from the RTM and BOS and what changes were made from that questioning before voting? I know that complex contracts take a long time especially if many eyes are reviewing it and making *constructive and beneficial comments*. The *collective eyes and knowledge of our representatives* should have perfected this MOU.

3. I am guessing that NE Edge drafted the MOU because of how Section 8 regarding Sound Analysis was written.

a. Why is there only a week's worth of testing? Does sound not change in seasons, weather and in vegetation cycles (ie leaves on trees)?

b. *Should there not be yearlong analysis so the proper sound baseline can be created?*

c. Why are the current levels of sound being used as the baseline as outlined in the MOU? As you may be aware, Dominion can be very noisy at times (in violation of Waterford's noise ordinances.) Why should the Millstone neighborhood have to endure additional noise and additional violations of the noise ordinances?

d. Will the passing trains through Millstone (which take 12 seconds on average) be allowed to increase the average decibel levels of sound allowed for the data centers? The 7 minutes a day of passing trains (35 X 12 seconds) should not be the basis for allowing the same sound level of 24/7 hum of data center fans.

What is interesting (and very disturbing) is that FS Brule went to a data center in Manassas, Virginia and is on record as saying he didn't need the decibel reader he had, saying he could hear the data center noise clearly, and also stated he wouldn't want that next to his house. That center in Virginia is about 135,000 square feet. NE Edge's proposal for the first building is about **10 times** that Virginia plant. I have not seen what buffer exists for the VA data center but the buffer for the proposed data center at Millstone is about 2000 feet from the Millstone Road neighborhood.

Has the sound issue also been thought out for the Waterford families who enjoy the recreational sports fields in the Millstone area? My guess is that parents and families that enjoy the youth's games would not really want to hear the data centers humming in the background.

4. How will low level hum of the data centers effect the Millstone neighborhood and the environment? There is **nothing** in the MOU about this. This is a problem at other data centers and low-level hum has been shown to be detrimental to humans and animals alike.

5. I understand NE Edge is dangling lots of money to Waterford and town officials' eyes shine green, but has anyone really assessed the whole situation and thought it through? Has anyone from Waterford spoken with Montville Mayor Ronald McDaniel? I know he has extensive knowledge about the development of data centers and developers of data centers and their progeny. My understanding is that there is a lot of talk but very little in substance from the data center developers. A major concern nixing the project in Montville was the potential sale of the centers to another company. This makes sense in that a 20-month-old company starts the process, and then at some point of more viability, the project is sold to another. The MOU has no assurances that NE Edge will make sure any future purchaser will follow through. Waterford could potentially have to deal with some unknown entity or potentially be left holding the bag.

Has anyone spoken to any of the other towns who rejected data centers to find the issues?

6. Does Waterford think it can outmaneuver and outsmart Montville, Groton, Norwich, Griswold, Wallingford and Bozrah and bring success to a 20-month-old company that has yet to build any data center? The MOU says there is no litigation that would affect the company from completing its outlined duties in the MOU. I think a \$30 billion lawsuit may have some impact and make the MOU assertion false. Is every selectperson and RTM member sure that the \$30 billion dollar suit will just go away and won't affect N E Edge? Or just because it's written in the MOU it must be true?

7. The current MOU allows for 2 data centers (a 1.1 million SQFT and a 350 thousand SQFT). The MOU does not allow Waterford to stop the second if the first goes awry. Why did not one town official raise that issue (or not include it in the MOU)?

Additionally, it's been alleged, there are plans for data center number 3 and 4 and N E Edge will be looking for a bigger break on those from Waterford. Building these data centers as proposed is just like eating chips....once you have one and two, you just can't stop.

8. Lastly, in response to your email below, I am quite disappointed that you and others of the RTM all voted yes in the "purely ceremonial" vote and that it was done just for "optics." Why even vote on it if FS Brule can just sign the MOU? Why does there need to be optics portraying something that is not accurate? Trying to create optics leads me to believe that something is amiss. In my opinion, doing so just shows the RTM and the Board of Selectman have no independent thought, but rather going through the motions and approving a plan that is not very well thought out.

I would also disagree that the RTM, and specifically one member, would not have made a difference. In fact, I think by rubber stamping the MOU unanimously gives Waterford residents the wrong impression as to whether this project is truly good for the Town, and specifically, good for the 4th District.

In closing, I am not sure if you represent the 4th District directly or just a member at large of the RTM who is from the 4th District. If you do direct representation, I suggest a serious discussion with all 4th District residents to see their feelings on this project.

Again, just like you, I am pro-growth and want the Town to have a solid economic base, which will hopefully lead to a solid tax base and continued great town services at reasonable taxes. However, that growth must be done prudently and not at the cost to the 4th District's quiet enjoyment, quiet enjoyment that you know from experience.

Given how this project has been handled to this point, including, but limited to, the severe lack of information and total lack of candor from town representatives (as you have honestly admitted to (and which is appreciated)), I am not confident at all the issues affecting the quality of life in the 4th District (and Waterford as a whole) will be properly dealt with and that town representatives will be concerned about the Millstone neighborhood and its property values.

I would request that you oppose the further development of this project and actively advocate that opposition to FS Brule and the rest of the RTM on behalf of the 4th District.

Thank you for your time in reading this. Please feel free to contact me if you have any questions about my position.

John C. Valliere, Esq.

On Friday, August 25, 2023 at 12:14:43 PM EDT, Dan Radin <dan.radin.waterford@gmail.com> wrote:

Attorney Valliere —

Thank you for your note. My apologies for the tardy response.

Attached is my memo to the RTM and Board of Selectman from February when the Special Meeting was held on this topic. I believed the time—and still do—that there are significant financial benefits to the data center if the portfolio of risks is mitigated. I further raised concerns about noise control, deal term, and the competence of the developer in the Special Meeting.

Before purchasing our home, my family lived in a house we rented in Millstone Point. I know the quiet, peaceful, beachfront way of life for the neighborhoods surrounding Millstone because I've lived there.

My understanding of the role of the RTM in the Special Meeting, based on guidance from Town Attorney Kepple, is that the body's vote was purely ceremonial, and that the Board of Selectman did not need RTM approval to authorize the First Selectman to sign. In other words, the RTM's vote, and the joint meeting, was about optics.

Attorneys also informed us that signing the MOU was the first step in a lengthy, complex process of subsequent approvals and checkpoints on the path toward the data center getting built, and that its signing did not constitute a binding agreement to build; rather it opened the possibility that it *might* be built.

I agree that the Special Meeting was poorly publicized and held on short notice; and I agree with concerns that sufficient safeguards are not in place to protect the peaceful character of the MPA neighborhood. However, as the RTM, or more directly as a single representative, we and I lack authority.

I have reinforced my concerns and the concerns shared with me by other Millstone Point neighbors with the First Selectman. He has not responded in any substantive way across a number of occasions. I wholeheartedly encourage you and your neighbors to advocate strongly with him. He has decision authority.

Thanks,
Dan Radin
475 470 6535

On Aug 20, 2023, at 12:42 PM, attorneyvalliere@aol.com wrote:

Dear 4th District RTM members:

I live in the 4th district at Millstone Point and am writing to get your positions on the proposed data center at Dominion Power Plant.

My understanding is that the MOU was unanimously approved by the RTM and the Selectboard.

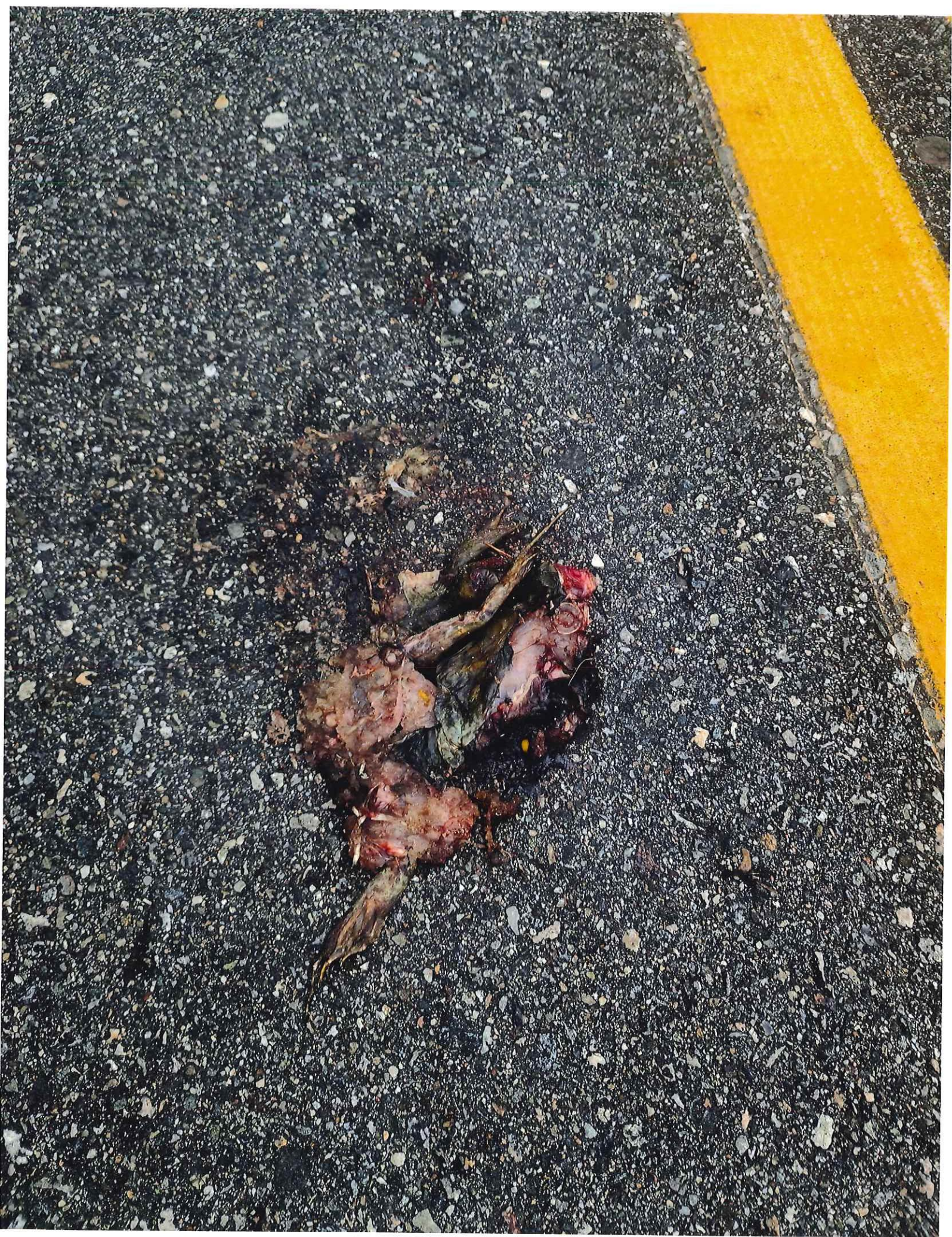
This is written to get your position on if the data center should really go forward, and what you are doing to actively protect our district, and specifically the Millstone Point neighborhood, from the ill ramifications this project will cause.

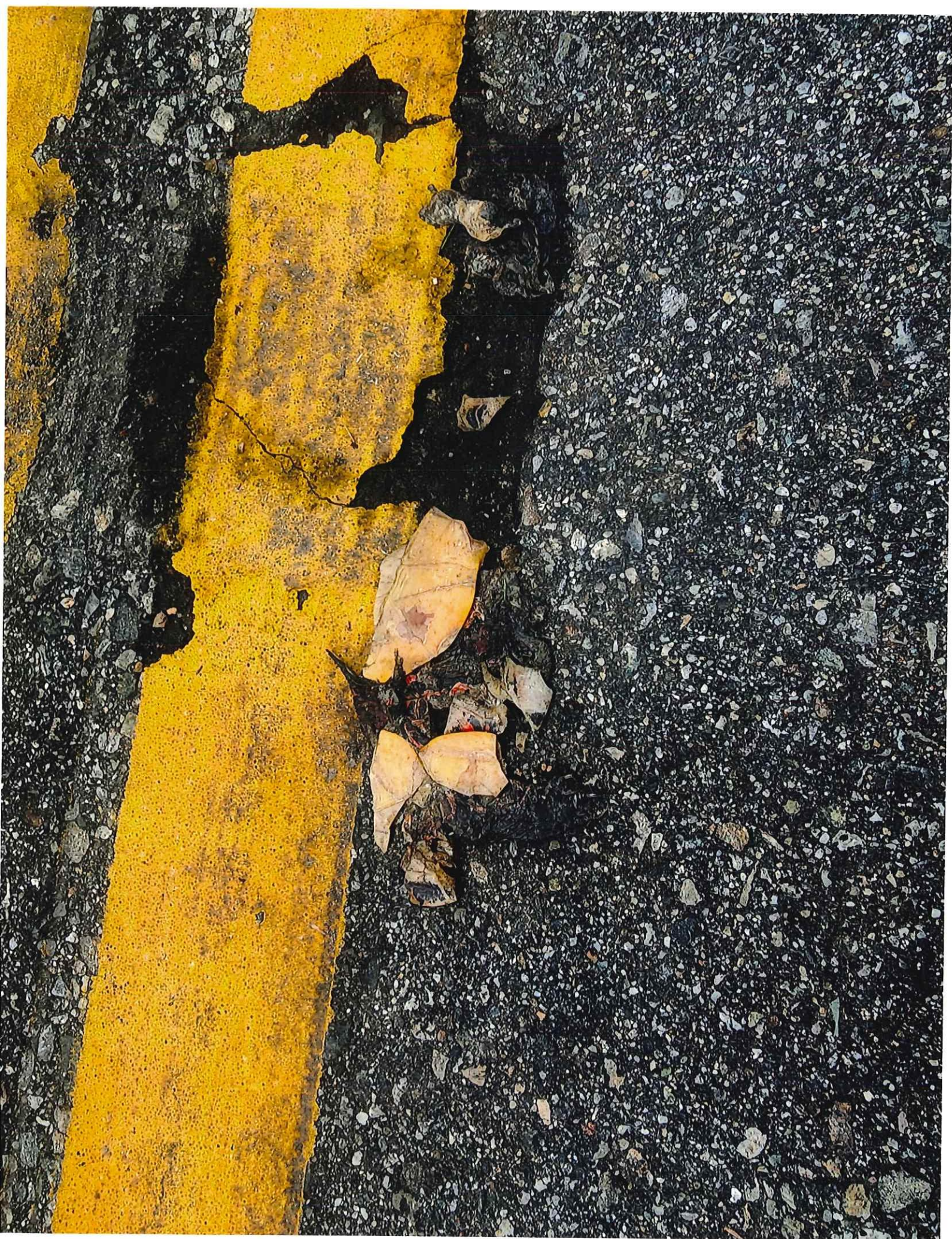
Many feel that this project process was started with little fanfare and is now being pushed given the millions being offered in payments.

I look forward to your expedient response.

Thank you.

John C. Valliere, Esq.





October 2, 2023

RTM Meeting
Rope Ferry Rd.
Waterford, CT 06385

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WATERFORD, CT

2023 OCT -4 P 2:38

ATTEST: *Daniel J. Langer*
TOWN CLERK

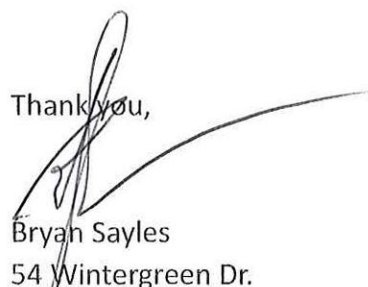
Subject: NE Edge, LLC Waterford Gantt Chart

Dear Mr. Goldstein,

Attached, is a NE Edge, LLC document named WATERFORD GANTT CHART. A few questions if I may:

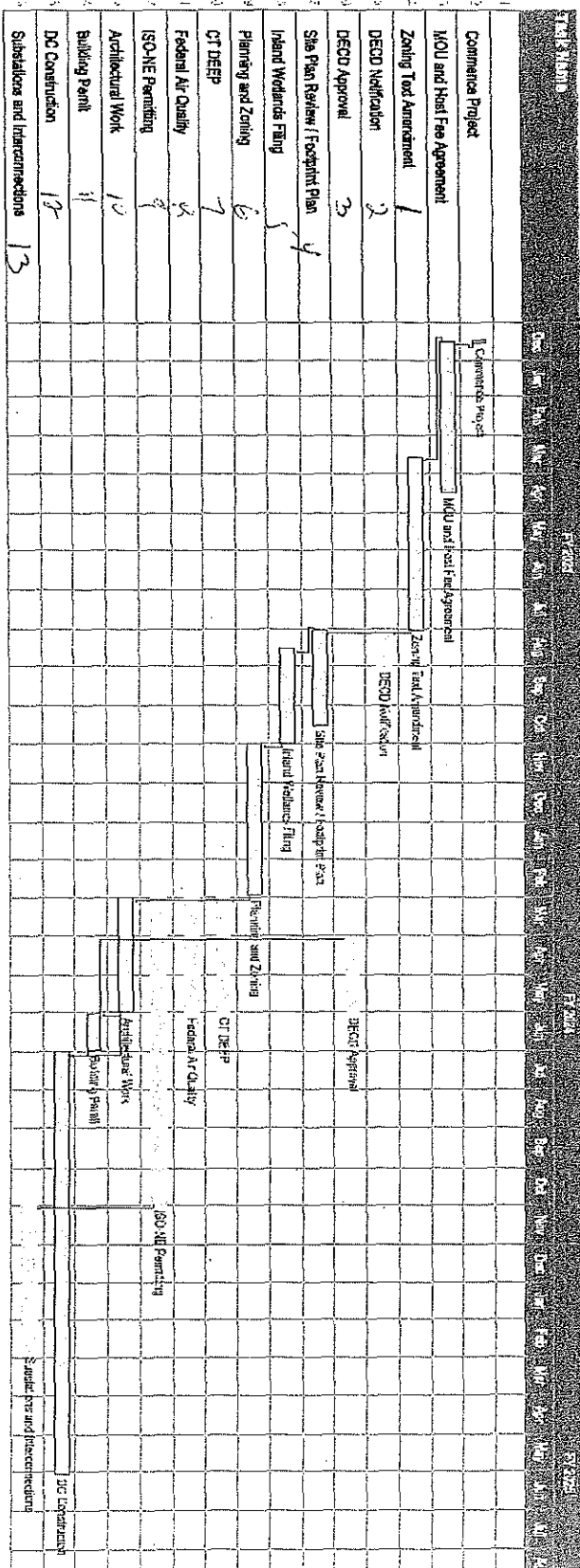
1.) Task three: "Zoning Text Amendment:" Is this a reference to Dominions Petition No. 1586? Are there any other requests for zoning changes related to a data center being built anywhere in Waterford?
2. Tasks four and five: "DECD Modification/DECD Approval:" What is the DECD and what are they modifying and approving and why? Where can the public have access to that process and outcome?
3. Task six: "Site Plan Review/Footprint Plan:" Where are the plans and will they be on public display for a reasonable amount of time much like the proposed town center development map?
4. Which of the remaining tasks on the NE Edge, LLC Gantt chart are in development?
5. Which of the remaining tasks are incomplete as of today?

Thank you,


Bryan Sayles
54 Wintergreen Dr.
Quaker Hill, CT 06375

NE EDGE LLC

WATERFORD GANTT CHART



We, the undersigned resident, voter, and/or property owner in the town of Waterford, request an immediate Town Meeting for information on the Data Center projects at the Dominion Power Plant property.

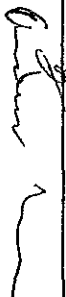
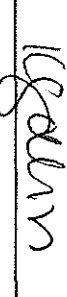
[illegible]

We, the undersigned resident, voter, and/or property owner in the town of Waterford, request an immediate Town Meeting for information on the Data Center projects at the Dominion Power Plant property.

[illegible]

TO: FIRST SELECTMAN ROBERT BRULE

We, the undersigned resident, voter, and/or property owner in the town of Waterford, request an immediate Town Meeting for information on the Data Center projects at the Dominion Power Plant property.

NAME (Print)	SIGNATURE	STREET ADDRESS	PHONE	EMAIL
Allyn Larrison		5 3rd Ave	646-267-2441	Caryn Kratoch@comcast.net
Robert Larrison		5 3rd Ave	646-262-4950	alarrison@comcast.net
Devin Gill		35 3rd Ave	860-235-7540	necega@comcast.net
Cynthia Beaman	12 3rd Ave	12 3rd Ave Wtfrd	860-460-5160	—
Frank Beaman	"	"	"	—
Isabel Kelley		9 3rd Ave Waterford	860-823-6753	Kjgalin@comcast.net
Dennis Galvin		"	"	"
Tracy McHort		20 Daniels Ave	860-501-4450	tracy.mchort@comcast.net
Chris Cunningham		20 Daniels Avenue	860-501-7829	"
Maureen McHort		20 Daniels Ave	860-501-4450	Tracy.mchort@comcast.net
Jeffrey Boer		20 Third Ave	860-460-3519	"
Roni Burton		15 3rd Ave Waterford	203-981-4405	rebecca.em.1@gmail.com
Tyler Burton		15 3rd Ave	860-835-2449	tsb22@shoglobal.net
Jan Drenikow		19 First Ave Waterford	860-881-7102	D12sk@5rcg1dcl.net
Maureen Roberts		980 Millstone Rd	860-881-1320	Reni.Roberts@yahoo.com

TO: FIRST SELECTMAN ROBERT BRULE

We, the undersigned resident, voter, and/or property owner in the town of Waterford, request an immediate Town Meeting for information on the Data Center projects at the Dominion Power Plant property.

NAME (Print)	SIGNATURE	STREET ADDRESS	PHONE	EMAIL
Tina Dubosque		45 Wintagreen Dr, D-Hill		frutiathepurplequill@a
Lee Williams		48 Millstone Rd	415-344-1170	lee.will59@yahoo.co
Ann Dusha		5 Leason St		annusho@cs.csb.edu
Cynthia Brown		12 North Ave		c.bivene@cs.csb.edu
Deb Johnson		5 Hanson St.		johnson-deb@att.net
Theresa Anselmo		5 Leason St.		anselmo@att.net
Mark Steven Polizzi		Millstone Rd	Saint Brigid	hitchhiker@att.net
Blaire Lisitano		58 Millstone Rd	6774 0411111111111111 850 2813985	lisitano@cs.csb.edu
Penny Keys		57 Millstone Rd	505-350-1587	pennykeys@att.net
Royal Davis		57 Millstone Rd	308-318-8885	@email.com
Gay Butts		30 Jordan Lane Circle	800 405-1551	gbutts@cs.csb.edu
Debra C. Burns Jr		28 Jordan Lane Circle	860.705-1232	BURNSC@mar.com
Paul C Buckley		62 Millstone Rd W	260-441-3937	
John		2 Rockwell Rd		leidy@cs.csb.edu

RTM Oct 2nd, 2023, Town of Waterford

For Public comment and meeting minutes

Good evening, Town Council members and fellow residents.

I am a Pleasure Beach resident concerned about the lack of citizen input and involvement regarding the proposed Data Center at the Dominion Power Plant at Millstone which appears to be moving forward. Personally, I need more information to understand how it benefits the town of Waterford and if these benefits outweigh the potential downsides. So at the moment I am opposed to the center and request that a town-wide information meeting be organized to allow listening and discussion with residents of Waterford as well as neighboring communities that are directly impacted, in particular East Lyme.

There are well known concerns about data centers, including noise pollution, threat to wildlife, risk of fires (reported at other data centers), and a large carbon footprint. Lesser known, but emerging research also raises concerns about human health and well-being. In addition, the massive scale of the proposed buildings on the Millstone site may occupy the land needed in the future for small modular reactors.

Thank you for your attention and for considering this request,

Michele Lewis-O'Donnell, PsyD
19 Nichols Lane
Waterford, CT 06385

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ATTEST: *David A. Langley*
TOWN CLERK

October 2, 2023

To the members of the RTM

From Deborah Roberts, homeowner

4 Jordan Cove Circle

Waterford

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2023 OCT -4 P 2: 38

I am writing to state my concerns regarding the data center agreement entered into by our town representatives and NE Edge.

ATTEST: *David L. Lange*
TOWN CLERK

1. The decision seems to have been made without input from the community, especially those of us who live close to the proposed site, and there continues to be a lack of transparency as to the plan.
2. The payment to the town in lieu of taxes is shortsighted. The huge building may not prove to be useful for future data needs as technology is ever-changing. The town would be stuck with the building long after the company has pulled out, for they would have no incentive to do anything with it.
3. The land for the power plant is specifically deeded for power generation. If more land is needed for that purpose in the future, especially since there is no current plan for moving spent fuel offsite, it would not be available.
4. For such a major project one would expect multiple proposals with bids going out and research done to evaluate the companies' background and record.
5. I am concerned that the developer has no experience with this type of development, and in fact has multiple lawsuits being filed against them.
6. The agreement would take power directly from Dominion/Millstone Nuclear power plant. I have concerns about why that power would be allocated directly to a private company as opposed to regular rate paying users. What exactly does this agreement entitle them to? What happens during shutdowns? Will they bear responsibility for security and environmental impacts?
7. Will an environmental impact study be done? I am concerned about storm water runoff into surrounding watercourses and wetlands, possible blasting of bedrock and the disruption of the ecosystem.
8. Noise from fans to cool the computers in these large data centers has proven to be detrimental to the health and wellbeing of people and animals. We have no guarantee that noise will be kept to a reasonable level, if there even IS an established one for the kind of low frequency hum which would be produced.

Oct. 2, 2023

For public Comment:

I would like to request a town meeting to get more information. At this point, I am not in favor of supporting this business. If sound pollution and threats to wild life are by-products, I am opposed to any business that causes those issues.

Thank you for your time.

JoAnn Harper
1 Betty St.
Waterford (Pleasure Beach)

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WATERFORD, CT

2023 OCT -4 P 2:39

ATTEST: *David L. Karpis*
TOWN CLERK