

**TOWN OF BOZRAH**  
**PUBLIC HEARING**  
**BOARD OF SELECTMAN**  
**FMS MULTIPURPOSE ROOM**  
**August 10, 2022**

First Selectman Glenn Pianka called the Public Hearing to order at 7:00 pm in the Multipurpose Room of Fields Memorial School. The purpose of this hearing was to hear a presentation and to receive comments on the proposed Qualified Data Center Host Municipality Fee Agreement from NE Edge, LLC.

**Members Present:** G. Pianka, W. Ballinger, J. Tarasevich

**Others Present:** 106 members of the public

G. Pianka asked for proper decorum with comments and will attempt to get to as many questions and comments as possible. The Board of Selectmen will then review comments at the Regular Board of Selectman Meeting on August 16, 2022 and make changes as necessary. A Town Meeting will then be held for further review which will adjourn to a Referendum.

G. Pianka introduced presenters: Christopher Regan, Real Estate Developer; and James Rossman, Engineer representing NE Edge, LLC. The PowerPoint presentation of the proposal included:

- C. Regan worked with the previous Data Center proposal and familiar with area.
- They are aware of the concerns and welcome feedback and questions.
- There are active Fiber Optic Lines, power, water, and Route 2 corridor access for the proposed property.
- 283.88 acres have been acquired. One building will be built on acreage that will have a foot print of 190,000 square feet, two stories. (<10% of property) It will be energy efficient (Silver Level).
- 16 month build time which will consist of 2000 construction jobs is when the largest local impact will be. After construction, there will be 27 cars per shift, three shifts a day, except during routine maintenance of facility.
- The setback will be 1200 feet from building to resident.
- There will be low municipal demands, no peak shaving; no continuous running of generators, which are air-cooled, baffled, next to building, and can be orientated away from residential areas. Will use topography to alleviate sound concerns.
- The sound levels will be checked prior to building (language in Agreement) and results will be delivered to municipality.

- Due to the fact that the property touches state property, the developer must follow state, as well as local, guidelines for all changes/improvements.
- Developer will pay 100% of any improvements necessary – water, electrical, roads, etc. and follow DEEP guidelines for air quality, water quality, fuel storage, construction, etc.
- There will be one payment of \$3.5M per year paid to the town with escalators of 2% capped at 3% over the 30 years. Stated in the host fee agreement.
- There will be no school impact, no road impact, and low municipal demands.
- Will work closely with Inland Wetland and Planning and Zoning Commissions.
- Developer will be 100% bonded prior to start.
- This is only the first step for the town.

G. Pianka asked for questions and comments after explaining that the host agreement must be in place before anything goes forward with applications to the Planning and Zoning and Inland Wetland Commissions. This is only step being considered at this time.

RESIDENT NAME, ADDRESS: QUESTIONS/COMMENTS (DEVELOPER RESPONSES)

J. Robertson, 4 Goldmine Road: site expansion plan (none), impact on infrastructure (impact will be during construction. Usual occupancy is small although building is large), testing for sound including vibration and harmonics (monitoring will be at property lines and vibration will be in sound study as outlined in agreement).

J. Onsager, 9 Bozrah St. Ext: Is excavation necessary for flat level pad? (Does not have data on that yet, but flat level pad is necessary, per house bill must spend \$200M to \$400 M in town), number of projects developer has done (none at this time).

D. Banning, 72 Hough Road: has land been purchased? (Under contract, will not purchase until project moves forward).

J. Gilman, 20 Gilman Road: commented that town should get more revenue for the project.

M.J. Malone, 3 Bozrah Street: which properties were to be purchased? (147.8 acres of commercial property across from Gorin's on Houghton Road, and abutting properties on Bashon Hill road and some private properties.)

T. Koltiska, 235 Bashon Hill Road: how much land will be used? (Less than 10% of the property will be used for building, road, parking, not doing anything with the rest.)

E. Wisniewski, 71 Bashon Hill Road: any properties have residential homes? (One) How much revenue generated compared to taxes? (\$3.5M fees); sound study paid by? (Paid for by developers), expressed concerns on spending money on consultants, etc. (P&Z process costs will be borne by developer, building permits are a percentage of the cost of the building.)

J. Golkowske, 3 Bozrah Street: where would the entrances and exits be? (Primary entrance on Haughton Road across from Gorins, primary exit same, emergency exit on Bashon Hill Road. Why Haughton Road? (Statewide study of available properties, and what could be acquired, needed large campus.)

V. Dziengiel, 4 Oakridge Lane: voiced concerns about payments to town, timing, if there is not enough power the developer cannot pay, (Fees are not tied to building, it is the campus.); fees contract is not clear about getting enough energy, (Approved site plan has duration of 10 years. We will work with Power Company to bring property up to speed. Construction will not start until everything is in place, local and state permits included.); Resident commented that the agreement should be clarified about what is in contract for development. Things promised are not in contract. (willing to review concerns)

S. Taylor, 95 Wawecus Hill Road: will the property be transferred to another? (Wording is in agreement, and developer plans on being there for 30 years.)

J. Goulart, 35 Bishop Road: If becomes obsolete what will happen if before 30 years? (Developer states that the need for storage facilities will only increase due to demand. No data center that has opened has shut down historically. Due to legislative acts, a lot of money must be invested to qualify to build and run data centers. Do not see it becoming obsolete.)

B. Speerli, 35 Goshen Road: Shifts? (3 shifts, 7 days per week); will there be more campuses? (Not in Bozrah, agreement in Griswold.)

S. Adelman, 38 Bozrah Street: How many buildings do you own? (None, this is first building.)

M. Bialowans, 67 Bashon Hill Road: Expressed concerns about sound monitoring. If above 80 decibels, who decides what is acceptable? (Developer will do ambient testing first, talk to their consultant and town consultant and review data. Neighbors and town will be informed of testing and results. In agreement. )

T. Tibbals, 14 Oakridge Lane: One building? (Host agreement written for one – 980,000 square feet.); does not think payment is enough; concerns about sound study (town can litigate agreement at any time, provisions in agreement for notice modifications, zoning issues, penalties, etc.) Want good corporate neighbors.

J. Bonanno, 45 South Road: Concerns about fire department response ability, power demand issues, and voiced concerns about T. Quinn. Requests 30 year bond to pay for infrastructure.

C. Dziengiel, 194 Bashon Hill Road: Time table for town to see money (Present property taxes until improvements made. One year for design then construction for 18 months. When building gets CO and state certified, the payments will begin.); low impact to town? (Construction would be large impact, once facility certified, low impact to town.); energy acquisition? (BL&P will supply energy from grid; facility will buy energy the same way any customer would – expect about \$2M per month. Any improvement cost will be borne by the developer. Major transmission line runs through the property.)

J. Lewitz, 90 Bozrah Street: commented that he believes the facility won't be completed in at least 7 years due to the size of the facility and no engineering is completed. Familiar with building and would like a provision for Bozrah residents to do work. Concerned about water usage of facility. (Would not be a heavy water user, old technology)

T. Finn, 75 Bishop Road: concerned if \$3.5M payment enough.

G. Pianka commented: \$3.5M is one third of the town's budget. BOS has tried to keep budget acceptable for the town using whatever means possible. But there are several town infrastructure items that need attention. The only thing left may be to raise taxes. Costs continue to rise and we need to look into future benefits. Relief is needed and long term investments are necessary.

Ms. Hoffman, Old Salem Road: concerns of using property for wildlife and environmental impact, (developer is buying extra properties to buffer the area.); is \$3.5M enough, when inspections of the facility are needed, why does the facility need heads-up?

G. Pianka commented: assessor does inspection of facility and prior notification is due to high security concerns.

S. Smith, 57 Bashon Hill Road: same size as Montville and Griswold facility? (Griswold is the same size, same money. Montville is not going forward.)

B. Jaxheimer, 2 Fawn Place: concerned about natural resources – protect wells in the area, would like study on water table and how facility's use would affect wells.

J. Onsager, 9 Bozrah Street Ext.: noise concerns; agreement does not say one building only, town should look at sound – generators loud, could affect property values; possible power shortages.

J. Bonanno, 45 South Road: will there be an environmental impact study be done by the state for each site? G. Pianka asked for paperwork to back up question.

D. Johnson, 334 Fitchville Road: map of where project would be? G. Pianka: at Town Hall.

E. Wisniewski, 71 Bashon Hill Road: \$3.5M not enough, letter of credit for payments? (Developer has to show funding is available to CT Dept. of Revenue when approval is sought.); is fire protection adequate, G. Pianka commented that the equipment is there, building will be built to fire codes, and will have its own system. (Insurer will review what town has adequate equipment.); the host agreement does not say one building. G. Pianka stated that the developer has agreed to put wording in for one building.

E. Lathrop, 21 Hough Road: \$3.5M per year with 2-3% escalation what is the current income? G. Pianka noted \$1,117.26 is current tax for 147 acres. Commented that the land will be developed at some time and this would create a lot of revenue for the town. Facility will have proper fire prevention.

G. Pianka commented: The State requires each town to develop a Plan of conservation every 10 years and it is due in 2025. It is important to maintain the rural character of the town limiting traffic problems yet still provide incentives for economic development. Town has

offered PILOT programs (for example: Solar City) and has reviewed the Groton Public Utilities agreement doubling the amount paid to the town, \$54K. We must provide municipal services for Bozrah residents, keep our infrastructure strong, but do not want to ignore concerns of residents about any economic development. The town attorney has reviewed the fee agreement with the BOS, but nothing is perfect and text amendments will be discussed. Going forward we have to trust P&Z Commission and consultants-with noise concerns at the top of the list. The fees from the Data Center are large and will increase. It will be 3-5 years before the full benefit of the fees are seen, but town permit fees will be received during construction.

V. Dziengiel, 14 Oakridge Lane: resident has contract wording concerns and noted that there was an amendment to House Bill 6514. Construction concerns.

A. Chenette, 120 Gifford Lane: questioned about fees, (fees only good for 30 year period then renegotiated.)

B. Speerli, 30 Goshen Road: vibration concerns and pollution from generators.

N. Adelman, Odetah Campground: Asked who represented town in agreement, (BOS and town attorney); has anyone been to a data center (No); Will generators be exercised (Yes, monthly); decibel level, reasonable limits over ambient. (To be determined by consultants, 60 decibel at property line, state statute.); voiced noise concerns because his campground offers outdoor activities.)

Developer comment: If developer fails to pay agreement amount they go back to paying town taxes on property. State statute outlines to be followed.

V. Dziengiel, 14 Oakridge Lane: concerned about construction impact, (Noted that every 3 years there will be an influx of people and trucks to change out equipment – no long term impact. (Will be discussed with P&Z Commission.)

W. Ballinger, 225 Lake Road: as a selectman was involved with GOTSPACE. If a data center is allowed to be built, the town enters into an agreement. P&Z is there to protect the town concerning bonds, plans, permits, etc. They will set parameters and be aware of impact to town. \$3.5M is one third of Bozrah's annual budget. Legislation allows them to build and the town gets this fee instead of taxes.

G. Pianka: The Board of Selectmen will review the comments from this public hearing at the regular monthly meeting. It will proceed to a Town Meeting and a town Referendum which will be set at a later date.

Meeting ended at 9:15 pm.

Minutes submitted by:  
Susan Ververis

