

**In The Matter Of:**  
*GRE GACRUX, LLC*

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*Hearing - Public*

*July 14, 2020*

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*BCT Reporting LLC*  
*55 Whiting Street, Suite 1A*

*Plainville, CT 06062*  
*860.302.1876*

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CONNECTICUT SITING COUNCIL

PUBLIC COMMENT:  
PETITION NO. 1347A  
TUESDAY JULY 14, 2020  
AT 6:30 P.M.  
VIA ZOOM MEETING/TELECONFERENCE

COUNCIL MEMBERS PRESENT:

Robert Silvestri, Presiding Officer  
Robert Hannon, Designee for  
Commissioner Katie Dykes of DEEP  
Linda Guliuzza, Designee for  
Chairman Marissa Paslick Gillett of PURA  
John Morissette  
Michael Harder  
Melody Bachman, Esq., Executive Director  
and Staff Attorney  
Robert Mercier, Siting Analyst  
Lisa Fontaine, Fiscal Administrative Officer

Reporter: Theresa Bergstrand, CSR #406

A P P E A R A N C E S

**GREENSKIES:**

Lee D. Hoffman, Esq.  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702

**Witnesses:**

Jean-Paul La Marche, Director of Project Development,  
Greenskies Renewable Energy, LLC

Ryan Linares, Vice President, Business Development and  
Land Acquisitions, Greenskies Renewable Energy, LLC

Jeffrey Shamas, Director Environmental Services, Vanasse  
Hangen Brustlin, Inc.

Steve Kochis, Professional Engineer, Vanasse Hangen  
Brustlin, Inc.

**TOWN OF WATERFORD:**

Robert A. Avena, Esq.  
Suisman Shapiro  
75 State Street  
New London, CT 06320

**SAVE THE RIVER-SAVE THE HILLS:**

Emily Gianquinto, Esq.  
EAG Law, LLC  
437 Naubuc Ave, Ste 107  
Glastonbury, CT 06033

1 (The public hearing commenced at 6:30 p.m.)

2  
3 MR. SILVESTRI: Good evening, all. This remote  
4 public hearing is called to order, Thursday, July 14th,  
5 2020 at 6:30 p.m.

6 My name is Robert Silvestri and presiding officer  
7 of the Connecticut Siting Council. Other members of the  
8 counsel are Mr. Robert Hannon, designee for Commissioner  
9 Katie Dykes of the Department of Energy and  
10 Environmental Protection. Ms. Linda Guliuzza, designee  
11 for Chairman Marissa Paslick Gillett of the Public  
12 Utilities Regulatory Authority. Mr. John Morissette and  
13 Mr. Michael Harder. Members of the staff are Ms. Melody  
14 Bachman, Executive Director and Staff Attorney; Mr.  
15 Robert Mercier, Siting Analyst and Ms. Linda Fontaine,  
16 Fiscal Administrative Officer.

17 As everyone is aware, there is currently a  
18 statewide effort to prevent the spread of Coronavirus.  
19 This is why the Council is holding this remote public  
20 hearing, and we ask for your patience. If you haven't  
21 done so already, I ask that everyone please mute your  
22 computer audio and/or telephone now.

23 This is a continuation of a remote public hearing  
24 that began at 1:00 p.m. this afternoon. A copy of the  
25 prepared agenda is available on the Council's petition

1 1347A webpage, along with the record of this matter, the  
2 public hearing notice, instructions for public access to  
3 this remote public hearing and the Council's Citizen  
4 Guide to the Siting Council's procedures.

5 This hearing is held pursuant to the provisions of  
6 Title 16 of the Connecticut General Statutes and of the  
7 Uniform Administrative Procedure Act, upon a motion to  
8 reopen a petition from GRE GACRUX, LLC for Declaratory  
9 Ruling for the proposed construction, maintenance and  
10 operation of a 16.78 megawatt solar photovoltaic  
11 electric generating facility located at 117 Oil Mill  
12 Road in Waterford, Connecticut.

13 On February 27, 2020, the Council, pursuant to a  
14 request filed by GRE and the provisions of Connecticut  
15 General Statute Section 4-181(a)(b), reopened the  
16 October 26th, 2018 and December 24th, 2018, final  
17 decisions that were rendered in this matter. The  
18 Council's legal notice of the date and time of this  
19 rescheduled remote public hearing was published in The  
20 Day on June 28, 2020. Upon this Council's request, the  
21 Petitioner erected a sign at the proposed site so as to  
22 inform the public of the name of the Petitioner, the  
23 type of the facility, the rescheduled remote public  
24 hearing date and contact information for the Council.

25 This remote public comment session is reserved for

1 the public to make brief statements into the record.  
2 These public statements are not subject to questions  
3 from the parties or the Council, and members of the  
4 public making statements may not ask questions of the  
5 parties or the Council.

6 In fairness to everyone who signed up to speak,  
7 these public statements will be limited to three minutes  
8 and will become part of the record for Council  
9 consideration. Please be advised that if the public  
10 comment session does not conclude by 9:30 p.m., written  
11 comments may be submitted by any persons within 30 days  
12 of the public hearing.

13 As a reminder to all, off the record communication  
14 with a member of the Council or a member of the  
15 Council's staff upon the merits of this petition, is  
16 prohibited by law. I wish to note that parties and  
17 interveners, including the representatives, witnesses  
18 and members are not allowed to participate in the public  
19 comment session. I also wish to note for those who are  
20 listening, and for the benefit of your friends and  
21 neighbors who are unable to join us for the remote  
22 public comment session, that you or they may send  
23 written comments to the Council within 30 days of the  
24 date hereof, by mail or by e-mail and such written  
25 statements will be given the same weight as if spoken at

1 the remote public comment session.

2 Please be advised that any person may be removed  
3 from the Zoom remote public comment session at the  
4 discretion of the Council. We ask each person making a  
5 public statement in this proceeding to confine his or  
6 her statements to the subject matter before the Council,  
7 and to avoid unreasonable repetition so that we may hear  
8 all the concerns you and your neighbors may have.

9 Please be advised, the Council cannot answer  
10 questions from the public about the proposal. A  
11 verbatim transcript of this remote public hearing will  
12 be posted on the Council's Petition 1347A webpage, and  
13 deposited at the Waterford Town Clerk's Office for the  
14 convenience of the public.

15 Before I call on members of the public to make  
16 statements, I request the Petitioner to make a very  
17 brief presentation to the public describing the proposed  
18 facility. And I believe, Mr. La Marche, you are going  
19 to do that for us?

20 MR. LA MARCHE: That's correct. Thank you. I am  
21 Jean-Paul La Marche. I am Director of Development with  
22 Greenskies Energy. I have been working in the solar  
23 industry for over 10 years. And in partnership with GRE  
24 GACRUX, the Petitioner, we are developing the proposed  
25 19 megawatt fixed hill solar PV project on Oil Mill Road

1 in Waterford.

2 Greenskies has been developing many projects around  
3 the country with our headquarters in North Haven,  
4 Connecticut. We have expertise in the development,  
5 construction, financing and operations of solar PV  
6 generators. This project has been under development for  
7 over two years. The current design has been influenced  
8 by many factors and is a valuable project that will  
9 improve the energy makeup of the state and help  
10 Connecticut meet its renewable energy goals.

11 Steve Kochis with our environmental and engineering  
12 partner, VHB, can provide a more detailed overview of  
13 the site and the project.

14 MR. KOCHIS: I am Steve Kochis, Registered  
15 Professional Engineer in Connecticut. I have devoted  
16 most of my career the last three years working on solar  
17 projects in Connecticut. I currently act as the project  
18 manager and lead design engineer for the project for  
19 VHB, who is the current engineer of record and lead  
20 environmental scientists.

21 Waterford solar is an approximate 15.3 megawatt AC  
22 project at 117 Oil Mill Road in Waterford, Connecticut.  
23 The parcel, which is being leased by the Petitioner, is  
24 approximately 152 acres and is bounded by undeveloped  
25 industrial land, southeast; single-family residential to

1 the west and undeveloped residential land to the north.  
2 A wetlands system exists in the western portion of the  
3 site and the site is bisected by a utility right-of-way.  
4 Project development limits contain approximately 75  
5 acres and the project proposes 45,976 panels, with a  
6 currently assumed panel wattage of 400 watts. Project  
7 will maintain a 100-foot minimum clearance to onsite  
8 wetlands for any sort of development and will use an  
9 existing access road off of Oil Mill Road as its primary  
10 site access during and after construction. Project  
11 includes the proposal of a system of panels, roads,  
12 inverters and switch gear and will interconnect to the  
13 south down Oil Mill Road to the Oil Mill Road  
14 substation.

15 To mitigate impacts from the project, it is  
16 proposed to install standard sediment erosion control  
17 EMT's in accordance with the latest State guidance and  
18 regulations for solar projects, including, but not  
19 limited to, sediment traps, silt fence, tracking pads,  
20 straw waddles, erosion control blankets and compost  
21 filter socks.

22 The project has been redesigned since the original  
23 rejection from the Siting Council in 2018 eighteen to  
24 avoid some of the super slopes on the site, further  
25 reducing the risk of erosions for the project. Ore test

1 pits and site specific storm water test pits and  
2 infiltration testing have been performed since 2018, as  
3 well. The plans have also been redesigned to meet the  
4 CT DEEP guidance regarding solar arrays document for  
5 hydrologic modeling and water quality treatment. A  
6 comprehensive wildlife survey was prepared during 2019  
7 with the Petitioner receiving a final determination for  
8 concurrence from CT DEEP's wildlife division for the  
9 project.

10 For long term storm water control, 15 permanent  
11 storm water basins are proposed. They are a combination  
12 of sand filters, infiltration basins and wet ponds  
13 selected in each area based upon the site specific soil  
14 testing that was performed in the vicinity of each one.

15 That completes the presentation.

16 MR. SILVESTRI: Thank you. I'll apologize in  
17 advance, ladies and gentlemen, if I happen to  
18 mispronounce your name. But we will now call on Jamie  
19 Vaudry to make a public statement, followed by Mark  
20 Scully. Do we have Jamie Vaudry? Is Jamie Vaudry in  
21 attendance? All right. I will mark that and we will  
22 come back at a later point in time.

23 Is Mark Scully available?

24 MR. SCULLY: Yes, I am on.

25 MR. SILVESTRI: Thank you.

1           MR. SCULLY: Yes. My name is Mark Scully. I have  
2 got a couple of hats on today. I would like to speak  
3 foremost as a resident of town that recently went  
4 through a Siting Council process like this. I am a  
5 resident of Simsbury, Connecticut, and we had a, we now  
6 have a 26 megawatt solar array, solar project in our  
7 town. And like you are probably experiencing in  
8 Waterford, it was a controversial. It was a challenging  
9 process for the Town. I was a member, I am a member of  
10 our Clean Energy Task Force. We were asked to comment  
11 and provide expertise. There were groups that were  
12 solidly opposed to the project for a wide range of  
13 reasons. And there were those who supported this. And  
14 without going into all the details, I just want to tell  
15 you that in the end it was a really good experience and  
16 I encourage you to trust the Siting Council to do, to  
17 make the decision that is best, really, for the State  
18 and for, really, for our, you know, for the Town, as  
19 well.

20           I have looked through the documents of the project  
21 that you are looking at here, and my sense, I am not an  
22 expert, is that through a collection of actions from,  
23 from parties who support, from parties who oppose, from  
24 the extensive due diligence of the engineers from the  
25 Greenskies team, that this project is being very

1 carefully vetted, and if it's, if there are any dangers  
2 to the environment, to the watershed, the Siting Council  
3 will reject it. But I have seen many comments that are  
4 very unreasonable and really expressing an opposition  
5 that is, I think, more of a gut response than a rational  
6 one.

7 So finally, I would like to close, I am also  
8 President of the Nonprofit People's Action for Clean  
9 Energy, and we have done a lot of working with towns,  
10 helping them advance with renewable energy, and we  
11 looked at the math of what this state needs to do to get  
12 to a carbon neutral economy, and we are going to have to  
13 take some pieces of land that, and use them for solar.  
14 And there is no perfect site. There is no site that has  
15 absolutely no birds, no animals, no water flowing  
16 through it. So I encourage you to trust the Siting  
17 Council in their, in their deliberations. This decision  
18 will be a balance. It will serve to strike a balance in  
19 the end. There is no black and white site that is  
20 absolutely perfect. But this looks like a very laudable  
21 project that, of course, will have some minor impacts on  
22 the watershed, on animals, you can't avoid that. But  
23 the greater risk that we face, is if we shoot down all  
24 of these projects and then in the end really cannot,  
25 cannot have an economy that is fundamentally

1 sustainable.

2 So I encourage you all to put your, put your faith  
3 in the Siting Council. Thank you.

4 MR. SILVESTRI: Thank you for your comments.

5 Next I have Peter Millman, followed by Alan Rubaca.  
6 Is Peter with us?

7 MR. MILLMAN: Yes, I am right here. I submitted a  
8 letter to the Siting Council, and in the interest of  
9 your time, I think that probably doesn't make sense for  
10 me to read the whole thing. But I do want to give just  
11 a little bit of background to the letter.

12 I presented the project to about, I don't know, 15  
13 or 20 members of a Clean, Eastern Connecticut Clean  
14 Action -- yes, Eastern Connecticut Green Action, and put  
15 the facts in front of them, and a little to my surprise  
16 of the 15 people who decided they wanted to weigh in,  
17 these would be 15 of the people who are most active in  
18 Eastern Connecticut Green Action, 13 were very much in  
19 favor of my writing the letter in support of the  
20 project. One had some misgivings, and one was opposed.  
21 This is a group up of people who are very concerned  
22 about clean energy policy, but also very much concerned  
23 about other environmental issues.

24 I guess that I wanted to take a look at this  
25 project and weigh in because in the end, I am a lot more

1 fearful of inaction on making the transition to a clean  
2 energy economy, which has to involve a variety of clean  
3 energy generation, from rooftop to commercial roofs and  
4 carports to utility scale. It has to be, there needs to  
5 be a mix. There just isn't enough, there aren't enough  
6 rooftops, actually. And even the wind turbines offshore  
7 will only provide a certain amount of, a tremendous  
8 amount, but it won't meet all of our needs. We need  
9 utility scale. So I am more afraid of our not meeting  
10 our needs for clean energy than the, I think, minor  
11 impacts of a project that is well thought through by the  
12 developers, well reviewed by the Siting Council, and so  
13 that's really how we came down to it.

14 So I think I will just read the very last paragraph  
15 and then I'll stop. And I'll say that any development  
16 is a balance of interests. Few people are happy to see  
17 development meant near them. Neighbors of the property,  
18 other townspeople, the developer, taxpayers within the  
19 town and beneficiaries of the project all have  
20 legitimate, and sometimes opposing, interests. We ask  
21 that the interest of State residents who need access to  
22 more clean energy also be recognized.

23 Thank you very much, and thank you for the work  
24 that you do.

25 MR. SILVESTRI: Thank you for your comments. Next

1 I have Allen Rubaca, followed by Warren and Marilyn  
2 Horton. Is Allen with us? Allen Rubaca? We'll come  
3 back to Allen.

4 Do we have Warren and Marilyn Horton with us?

5 MR. HORTON: It is Horton, yes. And I am with you  
6 today.

7 MR. SILVESTRI: Thank you.

8 MR. HORTON: I would like to start off by  
9 explaining who we are. We are a family-owned business  
10 there has lived and operated in Connecticut since 1977.  
11 We have been in the solar market now for about 10 years,  
12 and it has provided the 50 employees that we have and  
13 the 100 plus subcontractors that we use on a day-to-day  
14 basis to get these projects done with gainful employment  
15 in the State of Connecticut. And these are all  
16 residents of the State of Connecticut. We didn't hire  
17 anybody or use anybody that is not a state of  
18 Connecticut resident. One, that insures that we are  
19 doing work that meets or exceeds all expectations and we  
20 are providing services in our state for the people of  
21 the state.

22 I have specifically been working with Greenskies  
23 since about 2014, and we have accomplished quite a bit  
24 in that time. Once a couple of the larger projects that  
25 have gone through Siting Council that we have worked on,

1 is the North Haven Project and also the Taugwonk  
2 Stonington project, that is currently undergoing.

3 The amount of scrutiny that these projects go  
4 under, even during construction, and not at, not before,  
5 but even during construction is at a level that I have  
6 never seen in my 30-something years in doing  
7 construction in the State of Connecticut. So with that,  
8 I feel very confident in supporting everything that they  
9 are doing to help bring a greener energy to Connecticut  
10 and to local areas.

11 Greenskies has also showed to us that they meet or  
12 exceed and want to be a good partner in the State of  
13 Connecticut, which is something that we value very  
14 heavily, and this is something that we see as, is very  
15 valuable and very important to seeing these types of  
16 projects go through, because we all have families that  
17 live, eat and breathe near these solar arrays. And some  
18 of them are opposed, but for the most part, if they look  
19 at what they really generate and what they do and the  
20 jobs that they do bring to the state, it is something we  
21 cannot avoid. And it does take up parcels of land, and  
22 it does take up farmland. It has taken up farmland that  
23 I grew on. But that is the price of progress, and those  
24 are the things that now we are farming the sun instead  
25 of farming corn. And we are providing a better, greener

1 earth, and I really can't thank you enough for the time  
2 and letting me speak. And if there is anything else, I  
3 would appreciate it.

4 MR. SILVESTRI: Thank you for your comments.

5 Next we have Ed Bowman, followed by Maria Molthrop.  
6 Is Ed Bowman with us? I am sorry, was that Ed Bowman?  
7 All right, we will come back.

8 Maria Molthrop, are you with us? Maria Molthrop?  
9 We will come back to Maria, as well.

10 How about Jackie Sullivan? Is Jackie Sullivan with  
11 us? Jackie Sullivan? We will come back to Jackie  
12 Sullivan, as well.

13 Amy Campbell, is Amy with us?

14 AMY CAMPBELL: Yes, hello. Can you hear me?

15 MR. SILVESTRI: Yes, I can. Thank you.

16 AMY CAMPBELL: Okay. Yes, I am here. And I had a  
17 lot of questions, and I understand that you cannot ask  
18 questions. So right out of the gate that is negated.  
19 But you can make some statement, and I wanted to thank  
20 Mark Scully, wanted to thank you for sharing your  
21 experience and information. And also Warren Horton with  
22 regards to Greenskies with farmlands and all that.

23 I am a resident of Oil Mill Road, and like  
24 everybody is saying, it directly is going to affect you,  
25 of course you are going to be down on it. But I guess I

1 am not educated enough with the solar farm. I mean, all  
2 of sudden I know solar farm is coming in behind us.  
3 So, I guess I need to get more educated on buffers and  
4 this and that. I heard about the wetlands, but I don't  
5 know an industrial project like that, what the buffer  
6 would be to a residential property. Is it an ordinance  
7 -- so that is what I am saying, I had a lot of  
8 questions. So, I guess I'll have to come and get more  
9 educated on the whole project to ease my mind, but I  
10 want to thank those two gentleman for educating me,  
11 because it is scary when it is right in your backyard.  
12 Thank you very much.

13 MR. SILVESTRI: Thank you for your comments. You  
14 can possibly submit written comments to us, possibly  
15 taking your questions and maybe turning them into  
16 concerns, if that helps you.

17 AMY CAMPBELL: Oh, that would be awesome. And I  
18 know that you said it was 30 days from today, but I  
19 didn't understand where I should send that to.

20 MR. SILVESTRI: Oh, to the Siting Council. You can  
21 check our address, it is online at Franklin Square, New  
22 Britain. Or the e-mail is also posted up there, too.

23 AMY CAMPBELL: I think, Melody, isn't that where  
24 your address is there? Or that is a different one?  
25 Because I, she has been telling me when the meetings

1 were and stuff.

2 MR. SILVESTRI: That is Melody's address, yes.

3 AMY CAMPBELL: Okay. All right. So I have it.

4 Thank you, Melody.

5 MR. SILVESTRI: Very good. Thank you, again. Next  
6 I have David Lersch, followed by Katherine Steele. Is  
7 David with us? David Lersch? Okay. We will come back  
8 to David.

9 How about Katherine Steele? Is Katherine with us  
10 tonight? Katherine Steele? Okay, we will come back to  
11 Katherine, as well.

12 How about Michelle Williams? Is Michelle with us  
13 tonight?

14 MS. WILLIAMS: I am. Thank you.

15 MR. SILVESTRI: Thank you.

16 MS. WILLIAMS: Thank you for the opportunity to  
17 speak tonight. I am speaking in opposition to this  
18 application. I am, I have followed the health of the  
19 Niantic River, as a lifelong resident of East Lyme and I  
20 reside within walking distance of Niantic Bay. I am a  
21 supporter of clean energy and I live in a home with  
22 solar panels. I care a lot about the environment. I  
23 care about clean energy, but I also care about the  
24 health of the river and how the Niantic River's health  
25 further impacts the health of Niantic Bay, and Long

1 Island Sound.

2 The Niantic River does not currently meet state  
3 water quality standards, and additional non-point source  
4 pollution generated by runoff resulting from increased  
5 impervious surfaces or reduced filtration from the  
6 removal of a mature forest, will only exacerbate that  
7 problem. I am sure you have heard through this process  
8 the many ways in which runoff from impervious surfaces  
9 and decreased natural filtration can negatively impact  
10 the water quality, but to me it comes down to the direct  
11 relationship between increased impervious surfaces in a  
12 watershed and the degradation of water quality.

13 In preparation for tonight, I was looking at a  
14 March 2020 report from the National Oceanic and  
15 Atmospheric Association, NOAA, on how to use land cover  
16 data as a water quality indicator. And the report said  
17 that forest cover provides interception, absorption and  
18 natural pollutant processing for rainfall and surface  
19 water. And that forest cover is often the best  
20 indicator of a watershed's health. Finally, the report  
21 says, forest cover exerts the most influence on water  
22 quality.

23 We heard from the applicant earlier that while they  
24 removing dozens of acres of filtration through forests,  
25 they will mitigate runoff through swales, basins and

1 other methods. I understand the science behind that.  
2 But we have seen similar mitigation plans such as that  
3 in their solar array on Walnut Hill Road in East Lyme  
4 fail immediately, or over time. Over the course of the  
5 life span of this solar array, runoff mitigation efforts  
6 will need to be regularly and adequately maintained.  
7 When they are not maintained, the burden of their  
8 failure often falls on individuals and municipalities to  
9 monitor, intervene and advocate for what little recourse  
10 options typically exist, all while the community suffers  
11 the impact of further water quality degradation.

12 Through a lifetime near the Niantic River, I have  
13 skipped rocks and harvested shellfish and paddle boarded  
14 and kayaked it and collected scallop shells, gone  
15 swimming and now I am introducing my young children to  
16 these same pleasures. But I do fear that a declining  
17 shellfish population, will become an absent shellfish  
18 population, and that a swim won't be a safe swim due to  
19 bacterial levels. That we will not do our jobs as  
20 stewards of the river to pass it on successfully to the  
21 next generation.

22 While I oppose this application due to its location  
23 and the forest cover that it will remove from the  
24 watershed, I ask that if the Siting Council chooses to  
25 grant this application, that a lifetime storm water and

1 runoff maintenance agreement be developed with firm  
2 goals, objects and --

3 MR. SILVESTRI: We reached the end of your three  
4 minutes. If you have anything further, Ms. Williams,  
5 please submit it to us in writing or by email. We would  
6 appreciate that.

7 MS. WILLIAMS: Yes, I can.

8 MR. SILVESTRI: Thank you so much.

9 MS. WILLIAMS: Thank you.

10 MR. SILVESTRI: Next I have Ronald Lewich, followed  
11 by Ryan Williams. Is Ronald with us? Ronald Lewich?  
12 We will come back to Ronald.

13 How about Ryan Williams, is Ryan with us?

14 MR. WILLIAMS: Yes, I am here. Sorry.

15 MR. SILVESTRI: Thank you.

16 MR. WILLIAMS: All right. So let me just start out  
17 by, first of all, thank you for giving me the time to  
18 speak. Let me say, I am someone who believes in  
19 renewable energy and I even have solar panels on my own  
20 house. However, I do, I am opposed to this project, as  
21 I have concerns about the planned solar farm and the  
22 impact on the area, based on what has happened at the  
23 solar field near Walnut Hill in East Lyme.

24 Specifically the excessive runoff caused by the  
25 clear cutting of trees and the solar panels themselves.

1 The runoff in the Walnut Hill area has no doubt impacted  
2 the trout population, something that I am gravely  
3 concerned about, myself. With the location of this  
4 solar farm, it seems that the runoff would cause similar  
5 issues that are seen in the Walnut Hill area in both the  
6 Oil Mill Brook and Stony Brook. Since Oil Mill Brook  
7 and Stony Brook feed the Niantic River, there could be  
8 even a bigger impact than what was experienced at Walnut  
9 Hill.

10 As everyone knows, the Niantic River already has  
11 issues, and adding additional stress to this sensitive  
12 area is a major concern. Do we really know what the  
13 impact will be on the Niantic River, Niantic Bay and  
14 ultimately Long Island Sound? How will it impact the  
15 fish, birds and other wildlife in the river which  
16 ultimately would impact our local economy, as well.

17 With the size of this solar farm and the amount of  
18 impervious surface that will be installed, there will no  
19 doubt be issues with runoff which is a major concern.  
20 If this project moves forward, I hope that the massive  
21 amount of runoff has been accounted for and controls  
22 will be in place so there is no impact on Oil Mill  
23 Brook, Stony Brook, Niantic River, Niantic Bay and Long  
24 Island Sound. I am concerned that we will see similar  
25 issues such as those at the Walnut Hill area --

1  
2 (Whereupon audio and video was interrupted for 26  
3 seconds.)  
4

5 MR. SILVESTRI: Kimberly Bradley, are you with us  
6 this evening? We will come back to Kimberly.

7 How about Anabel Frish? Anabel Frish? We will  
8 come back to Anabel, as well -- I am sorry.

9 MS. FRISH: Can your hear me? I am here.

10 MR. SILVESTRI: Is that Anabel?

11 MS. FRISH: Yes.

12 MR. SILVESTRI: Yes, please. Go right ahead.

13 MS. FRISH: Well, I live between the two brooks of  
14 Stony Brook and Oil Mill Brook, and I experienced  
15 flooding already without the farm, the solar farm. So  
16 it is already flooding during heavy rains, and your  
17 project will cut down 50 to 60 acres of trees and the  
18 45,000 panels will create a flooding circumstance that  
19 the area can't take, as it is. This is already, this is  
20 only zoned as a residential area. It is not zoned for  
21 business, so there would have to be many things where  
22 you would have to get approval for other factors to get  
23 the laws changed for zoning.

24 And the Greenskies, the name itself is hypocritical  
25 if they are going to cut down 50 to 60 acres of trees.

1 It's not going to be green skies, it will just be ground  
2 water that is not absorbed by the trees that won't be  
3 there anymore. We already have flooding in our streams  
4 that contain trout and the road itself gets flooded on  
5 Oil Mill Road where the light to Route 1 is already.  
6 The brooks overflow into the road so that prevents  
7 people from driving those roads, as it is. And those  
8 roads are very narrow and low to the river.

9 So this project would be better off moved to  
10 somewhere that is a brown field, or capped landfill or  
11 somewhere that it won't affect this low-lying area and  
12 the native trout that have been here before us. This is  
13 why I opposed this, this solar project. Not because  
14 solar isn't smart, it is just in the wrong location. I  
15 am sure there are fields with open space where they  
16 could put this, rather --

17 MR. SILVESTRI: I am sorry we did reach the end of  
18 the three minute time period. But if you do have  
19 additional comments, I encourage you to send them to us  
20 either by mail or e-mail. And again, I thank you for  
21 your comments.

22 And next we have John Kovack. Is John with us?  
23 John Kovack.

24 Okay. We actually reached the end of the list of  
25 people who had signed up, so I am going to go back to

1 the ones that didn't respond the first time and  
2 hopefully we can catch them the second time.

3 So is Jamie Vaudry with us at this point?

4 MS. VAUDRY: Hello, I am here.

5 MR. SILVESTRI: Hi. Thank you.

6 MS. VAUDRY: Thank you. I am Jamie Vaudry, and I  
7 am with the Department of Marine Sciences at the  
8 University of Connecticut. I have been working in  
9 Niantic River and its watershed for about 20 years. And  
10 my research focuses on the way that humans and the way  
11 that we live in the watershed impacts the water quality  
12 of our coastal waters.

13 Niantic River is truly unique in Long Island Sound.  
14 There are about a hundred bays and harbors around Long  
15 Island Sound in Connecticut and New York. Only three of  
16 those bays and harbors host eel grass. Eel grass is an  
17 underwater plant that indicates a good state of water  
18 quality. So if you think about it, we are just in that  
19 small minority of places in Long Island Sound where we  
20 can find eel grass in a harbor.

21 Now while we are currently hosting eel grass, we  
22 are a system on the edge in Niantic River. The eel  
23 grass disappears in some years and returns, hopefully,  
24 or in most years. And if we look at the load of  
25 nutrients that are coming off of the land, that is

1 what's kind of driving the variability or contributing  
2 to the variability of that eel grass year-to-year.  
3 Niantic is a system on the edge, not just evidenced by  
4 that reappearance and disappearance of the eel grass,  
5 but also by our nitrogen loads. We are at a tipping  
6 point in our nitrogen load, where if we increase the  
7 amount of nitrogen coming into the system, we are going  
8 to lose that eel grass.

9 Now, as a previous caller said, the presence of  
10 forests in the watershed, and specifically in that  
11 watershed that is close to the river itself, to the salt  
12 water portion of Niantic River are critical to reducing  
13 the nitrogen entering the system. The location of the  
14 proposed solar farm is why I am opposing the placement  
15 of that solar farm in that location. If we could put it  
16 somewhere further up in the watershed, in an area that  
17 ideally already is deforested, those would be ideal  
18 siting locations. But the proposed location, as it  
19 stands now, is in a spot in the watershed which will  
20 have a large impact on that nitrogen reaching the  
21 system.

22 A lot of other people have talked about storm water  
23 runoff and that is certainly a big part of it, but I  
24 think about that ground water portion. So the nitrogen  
25 that is going to come and is not going to be intercepted

1 by the trees that currently reside in that area, so we  
2 are increasing that nitrogen load to the system, and  
3 potentially pushing it over that threshold and turning  
4 our system from a healthy eel grass system, to a  
5 probably --

6 MR. SILVESTRI: We just hit the end of our allotted  
7 three minutes. Again, if you have anything further, I  
8 do encourage you to send to it us but mail or by email,  
9 and thank you very much for your comments.

10 MS. VAUDRY: Thank you.

11 MR. SILVESTRI: Going back we have Allen Rubaca,  
12 did Allen rejoin us or join us? Allen Rubaca? We will  
13 give him a third shout out in a few minutes.

14 How about Ed Bowman, did Ed Bowman join us? Ed  
15 Bowman. Okay, we will come back to that, too.

16 How about Maria Molthrop, did Maria join us. Maria  
17 Molthrop?

18 Moving down the list, Jackie Sullivan, did Jackie  
19 Sullivan join us?

20 Okay. One person that I do see on my screen is  
21 David Lersch. Hi, David. You just have to unmute your  
22 computer.

23 MR. LERSCH: Ah, there we go.

24 MR. SILVESTRI: Thank you.

25 MR. LERSCH: Okay. Great. Thank you for the

1 opportunity to speak before the Siting Council, I  
2 greatly appreciate it.

3 My name is David Lersch, and I am the President of  
4 the Waterford Land Trust. I am calling to oppose this  
5 project in this location. Two issues I want to speak  
6 to. One, of course, is deforestation and the fact that  
7 it is close to the, to Long Island Sound and to some of  
8 the critical pathways that we have been trying to  
9 protect as land trust.

10 You might know that, that more recently the Land  
11 Trust, especially in south eastern Connecticut have  
12 joined as regional, have looked at a regional approach  
13 to protecting the watershed and, protecting lands that  
14 is, outside of our own communities. That means we are  
15 joining an effort, we are making an effort to look  
16 outside of our own small community to larger  
17 communities.

18 Now, where this comes into play with this project  
19 in particular is, is if you approve this project, how  
20 does that look for say, many other projects that might  
21 be coming down the line? Because if this is approved,  
22 then who is to say that three or four next year or five  
23 or six the following year shouldn't also be approved?  
24 And then how does that play into the whole regional  
25 approach and how we can protect this, this watershed.

1 Certainly if you wanted more information you could find  
2 that through the Connecticut Land Conservation Council,  
3 CLCC, who we as individual land trusts have been working  
4 through.

5 Jamie Vaudry, I think I have, Vaudry, talked about,  
6 also, the closeness of the project to Long Island Sound  
7 and eel grass and what has been happening in Niantic  
8 River. You probably know that shellfishing,  
9 recreational shellfishing is quite popular there, as  
10 water conditions change just minutely, the shellfishing  
11 can be open or closed to public use. I don't know if  
12 there is, has been any research done to show that if  
13 this projects, of if additional projects are done, how  
14 that might impact recreational shellfishing in the  
15 Niantic River.

16 Thank you so much for the time to speak, and  
17 greatly appreciate giving our point of view some  
18 consideration. Thank you.

19 MR. SILVESTRI: Thank you very much for your  
20 comments.

21 Next I have Katherine Steele. Has Katherine joined  
22 us? Katherine Steele? We'll try to come back one more  
23 time to Katherine.

24 How about Ronald Lewich, did Ronald join us?  
25 Ronald Lewich?

1           How about Kimberly Bradley, is Kimberly with us?  
2 Kimberly Bradley?

3           How about John Kovack? John Kovack? Okay, we will  
4 try to go through the people that are not responsive at  
5 this point one more time.

6           Allen Rubaca, did Allen join us yet? Allen Rubaca?  
7 Going once, twice.

8           Ed Bowman, did Ed Bowman join us? Ed Bowman?

9           How about Maria Molthrop, did Maria Molthrop join  
10 us? Maria Molthrop?

11           Continuing down the list, Jackie Sullivan, did  
12 Jackie Sullivan join us? Jackie Sullivan?

13           Going down the list, I have Katherine Steele again,  
14 did Katherine Steele join us? Katherine Steele?

15           How about Ronald Lewich, did Ronald join us?  
16 Ronald Lewich?

17           Kimberly Bradley? Kimberly Bradley?

18           And last, again, on the list, John Kovack, did John  
19 join us?

20           Well, ladies and gentleman, if you know of the  
21 people that signed up to speak, but were not able to  
22 speak, you could please reach out to them. Again, we  
23 will accept written comments as if they were presented  
24 to us tonight during this Zoom hearing.

25           Otherwise the Council announces that it will

1 continue the evidentiary session of this public hearing  
2 on Tuesday August 4th, 2020 at 1:00 p.m. via Zoom remote  
3 conferencing. A copy of the agenda for the continued  
4 remote evidentiary hearing session will be available on  
5 the Council's petition 1347A webpage, along with a  
6 record of this matter, the public hearing notice,  
7 instructions for public access to the remote evidentiary  
8 hearing session and the Council's Citizen Guide to  
9 Siting Council procedures.

10 Please note that anyone who has not become a party  
11 or intervener but who desires to make his or her views  
12 known to the Council may file written statements with  
13 the Counsel until the public record closes. Copies of  
14 the transcript of this hearing will be filed at the  
15 Waterford Town Clerk's Office.

16 I hereby declare this hearing adjourned. I thank  
17 you all for your participation and end of conference.  
18 Thank you very much.

19  
20 (Whereupon the hearing concluded at 7:19 p.m.)  
21  
22  
23  
24  
25

## STATE OF CONNECTICUT

I, THERESA BERGSTRAND, a Certified Professional Reporter/Commissioner within and for the State of Connecticut, do hereby certify that I took the proceeding of the Siting Council hearing via Zoom Meeting Teleconference on July 14, 2020.

I further certify that the within testimony was taken by me stenographically and reduced to typewritten form under my direction by means of computer assisted transcription; and I further certify that said deposition is a true record of the testimony given by said witness.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

WITNESS my hand and seal the 21st day of July, 2020.

*Theresa Bergstrand*

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Theresa Bergstrand, CSR.  
My commission expires 3/31/2021