STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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PETITION NO. 1410

Greenskies Clean Energy, LLC Petition for a declaratory ruling, pursuant to Connecticut General Statues 4-176 and 16-50k, for the proposed construction, maintenance and operation of a 3.0-megawatt-AC solar photovoltaic electric generating facility on two parcels at the Elmridge Golf Course located to the east and west of North Anguilla Road at the intersection with Elmridge Road, Stonington, Connecticut, and associated electrical interconnection.

VIA ZOOM AND TELECONFERENCE

Hearing held on Thursday, October 1, 2020, beginning at 2:00 p.m. via remote access.

H e l d B e f o r e:

JOHN MORISSETTE, Presiding Officer

Reporter: Debra A. Chasse, CSR #055

A p p e a r a n c e s:

Council Members:

ROBERT HANNON

Designee for Commission Katie Dykes

Department of Energy and Environmental Protection

LINDA GULIUZZA

Designee for Chairman Marissa Paslick Gillett, Public Utilities Regulatory Authority

ROBERT SILVESTRI

DANIEL P. LYNCH, JR.

MICHAEL HARDER

Council Staff:

MELANIE BACHMAN, ESQUIRE

Executive Board Director/Staff Attorney

ROBERT MERCIER

Siting Analyst

LISA FONTAINE

Fiscal Administrative Officer

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MR. MORISSETTE: This remote public hearing is called to order this Thursday, October 1, 2020, at 2 p.m. My name is John Morissette, member and Presiding Officer of the Connecticut Siting Council.

At this point, I will ask other members of the Council to acknowledge that they're present when introduced for the benefit of those who are only on audio.

Robert Hannon, Designee for Commissioner Katie Dykes, Department of Energy and Environmental Protection.

MR. HANNON: Here.

MR. MORISSETTE: Linda Guliuzza, Designee for Chairman Marissa Paslick Gillett, Public Utilities Regulatory Authority.

MS. GULIUZZA: Present.

MR. MORISSETTE: Robert Silvestri?

MR. SILVESTRI: Present.

MR. MORISSETTE: Michael Harder?

MR. HARDER: Present.

MR. MORISSETTE: Daniel P. Lynch, Junior?

Mr. Lynch, I see that you're connected. We will move on.

Members of the staff; Melanie Bachman, Executive Director and staff attorney.

MS. BACHMAN: Present, thank you.

MR. MORISSETTE: Mr. Robert Mercier, Siting Analyst?

MR. MERCIER: Present.

MR. MORISSETTE: Ms. Lisa Fontaine, Fiscal Administrative Officer.

MS. FONTAINE: Present.

MR. MORISSETTE: Please note there is a statewide effort to prevent the spread of the Coronavirus. This is why the Council is holding this remote public hearing, and we ask for your patience. If you haven't done so already, I ask that everyone please mute their computer audio and/or telephone now.

This hearing is held pursuant to the provisions of Title 16 of the Connecticut General Statutes and of the Uniform Administrative Procedure Act upon a petition from Greenskies Clean Energy, LLC for a declaratory ruling, pursuant to the General Statutes, section 4-176 and section 16-50K, for the purpose of construction, maintenance, and operation of a 3.0-megawatt-AC solar photovoltaic electric generating facility on two parcels at the Elmridge Golf Course located to the east and west of North Anguilla

Road at the intersection with Elmridge Road in Stonington, Connecticut.

This Petition was received by the council on June 4, 2020.

The Council's legal notice of the date and time of this remote public hearing was published in The Day on September 1, 2020. Upon the Council's request, the petitioner erected signs at the proposed site located at the Elmridge Road and North Anguilla Road so as to inform the public of the name of the petitioner, the type of facility, the remote public hearing date, and contact information for the Council (website and phone number).

As a reminder to all, off the record communication with a member of the Council or a member of the Council's staff, upon the merits of this petition, is prohibited by law.

The parties and the intervenors to the proceeding are as follows: The petitioner, Greenskies Clean Energy, LLC represented by Attorney Lee Hoffman; Party/CEPA intervenor for Douglas Hanson, represented by Attorney Friedler and Attorney Bonnano; Party/CEPA intervenor for Proponents for Responsible Emplacement of Stonington Solar, known as PRESS, represented by Attorney Emily Gianquinto.

We will proceed in accordance with the prepared agenda, a copy of which is available on the Council's Petition 1410 webpage, along with the record of this matter, the public hearing notice, instructions for public access to this remote public hearing, and a Council's Citizen's Guide to Siting Council Procedures. Interested persons may join any session of this public hearing to listen but no public comments will be received during the 2 p.m. evidentiary session. At the end of the evidentiary session, we will recess until 6:30 p.m. for the remote public comment session.

Please be advised that any person may be removed from the remote evidentiary session or public comment session at the discretion of the council.

The 6:30 p.m. public comment session will be reserved for the public to make brief statements into the record. I wish to note that the petitioner, parties and intervenors, including their representatives and witnesses, are not allowed to participate in the public comment session. I also wish to note for those who are listening and for the benefit of your friends and neighbors who are unable to join us for the remote public comment session, that you or they

may send in written statements to the Council within 30 days of the day hereof, either by mail or e-mail, and such written statements will be given the same weight as if spoken during the remote public session.

A verbatim transcript of this remote public hearing will be posted on the Council's Petition 1410 webpage and deposited with the Town Clerk's office in Stonington for the convenience of the public.

Please be advised that the Council does not issue permits for stormwater management. If the proposed project is approved by the council, a Department of Energy and Environmental Protection, (DEEP) Stormwater Permit is independently required. DEEP could hold a public hearing on any Stormwater Permit application.

The council will take a 10 to 15-minute break at a convenient juncture around 3:30 p.m.

Moving on to Item B on the agenda, we have a motion that was filed on September 30, 2020 by -- Greenskies Clean Energy, LLC submitted a motion to strike the supplemental prefiled testimony of Steven D. Trinkaus submitted for the Responsible Emplacement of Stonington Solar. Attorney Bachman may wish to comment. Thank you.

MS. BACHMAN: Thank you, Mr. Morissette.

On September 30th Greenskies submitted a motion to strike the supplemental prefiled testimony of Steven Trinkaus submitted by PRESS on September 29th. Just today, PRESS submitted an objection to Greenskies' Motion to Strike. Greenskies moved to strike the Trinkaus supplemental prefiled testimony on the basis that it is untimely and prompted by the absence of similar testimony in an unrelated matter, specifically Petition No. 1347A in Waterford, for which the evidentiary record closed on August 25th.

Under the Council's Rules of Practice, Section 16-50J-28F, it may take administrative notice as to any exhibit admitted as evidence by the Council in a prior hearing, submitted prefiled testimony and supplemental prefiled testimony in your Record of Petition, 1347A, that was verified under oath and subject to cross-examination during this proceeding.

Mr. Trinkaus is expected to be available for cross-examination during an evidentiary hearing session of this proceeding and each party, as well as the Council, will have the opportunity to cross-examine Mr. Trinkaus.

Therefore, the staff recommends that the Council take administrative notice of the evidentiary record of decision No. 1347A and deny Greenskies' motion to strike. Thank you.

MR. MORISSETTE: Thank you. Do I here a motion?

MR. SILVESTRI: Mr. Morissette, I'd like to move to deny the applicant's motion to strike and, as recommended by staff, take administrative notice.

MR. MORISSETTE: Thank you, Mr. Silvestri. Do we have a second?

MR. HANNON: Second.

MR. MORISSETTE: I will ask the Council for any discussion one by one. Ms. Guliuzza, any discussion?

MS. GULIUZZA: No discussion, Thank you.

MR. MORISSETTE: Mr. Lynch, any discussion?

(No response.)

MR. MORISSETTE: Okay, we'll move on. Mr. Hannon, any discussion?

MR. HANNON: No, thank you.

MR. MORISSETTE: Mr. Harder, any

discussion?

MR. HARDER: No discussion.

MR. MORISSETTE: Thank you. For voting purposes, I will now go one by one, as well.

Ms. Guliuzza, how do you vote?

MS. GULIUZZA: Approved.

MR. MORISSETTE: Mr. Lynch, how do you vote?

(No response.)

MR. MORISSETTE: Mr. Hannon, how do you vote?

MR. HANNON: Vote to approve the motion to deny.

MR. MORISSETTE: Mr. Silvestri?

MR. SILVESTRI: Vote to approve the motion to deny.

MR. MORISSETTE: And I will also approve the motion to deny. The motion is approved.

MR. HARDER: This is Mike Harder. I don't think you got my vote. I also approve the motion to deny.

MR. MORISSETTE: I'm sorry. I thought we did that. Thank you.

Okay. Moving on to Item C, Administrative Notice Taken by Council. I wish to call

your attention to those items shown on the Hearing Program marked as Roman Number IC, items 1 through 96. Does the petitioner, or any party or intervenor, have an objection to the items that the Council has administratively noticed?

Attorney Hoffman?

MR. HOFFMAN: No objection, sir.

MR. MORISSETTE: Thank you. Attorney Friedler and Attorney Bonnano?

MR. FRIEDLER: No objection.

MR. MORISSETTE: Attorney Gianquinto?

MS. GIANQUINTO: No objection.

MR. MORISSETTE: Accordingly, the Council hereby administratively notices these existing documents.

Moving on to the appearance on the side of the petitioner. Will the petitioner present its witness panel for the purpose of taking the oath? Attorney Bachman will administer the oath. Please begin by verifying all exhibits by the appropriate sworn witness.

MR. HOFFMAN: Thank you, Mr. Morissette. For purposes of Attorney Bachman administering the oath, Greenskies is proffering the

following witnesses: Megan Raymond, Mike Gagnon, Jean-Paul LeMarche, Gina Wolfman, and Ryan Linares.

MS. BACHMAN: If the witnesses could please just raise their right hand.

M E G A N R A Y M O N D,

M I C H A E L G A G N O N,

J E A N - P A U L L e M A R C H E,

G I N A W O L F M A N,

R Y A N L I N A R E S,

called as witnesses, being first duly sworn (remotely) by Attorney Bachman, were examined and testified on their oaths as follows:

MR. HOFFMAN: With the Council's permission, I will take the witnesses through the exhibits marked as Roman Numeral II, letter B, for identification and have them swear to them for full exhibits, Mr. Morissette.

MR. MORISSETTE: Please continue. Thank you.

MR. HOFFMAN: Mr. LeMarche, are you familiar with the exhibits that have been marked in Roman Numeral IIB for identification purposes?

MR. LeMARCHE: Yes. Can you say what that is specifically?

MR. HOFFMAN: Certainly. It's the

Petition for Declaratory Ruling and Petitioner's Responses to Various Interrogatories dated July 23rd, August 20th, 24th, and several interrogatories on September 24th, including from the Siting Council, Mr. Hanson, and PRESS, as well as various pieces of prefiled testimony.

MR. LeMARCHE: Yes.

MR. HOFFMAN: Did you prepare or cause to be prepared the information contained in the petition and in those interrogatory responses?

MR. LeMARCHE: Yes.

MR. HOFFMAN: Are they true and accurate to the best of your knowledge and belief?

MR. LeMARCHE: Yes.

MR. HOFFMAN: Do you adopt those items as sworn testimony in your testimony today?

MR. LeMARCHE: Yes, I do.

MR. HOFFMAN: Mr. Linares, I'll ask you the same questions. Are you familiar with the items marked in Roman Numeral IIB for identification?

MR. LINARES: Yes.

MR. HOFFMAN: Did you prepare or cause to be prepared the materials contained therein?

MR. LeMARCHE: Yes.

MR. HOFFMAN: Is the information

contained therein true and accurate to the best of your knowledge and belief?

MR. LINARES: Yes.

MR. HOFFMAN: And do you adopt those items as your sworn testimony in today's hearing?

MR. LINARES: Yes.

MR. HOFFMAN: Miss Wolfman, I think you can tell what's coming. Are you familiar with the items that have been marked as exhibits for identification purposes in Roman Numeral IIB?

MS. WOLFSON: Yes, I am.

MR. HOFFMAN: Did you prepare or cause those materials to be prepared?

MS. WOLFMAN: Yes.

MR. HOFFMAN: Are they true and accurate to the best of your knowledge, information, and belief?

MS. WOLFMAN: They are.

MR. HOFFMAN: Do you adopt them as your sworn testimony here today?

MS. WOLFMAN: I do.

MR. HOFFMAN: Mr. Gagnon, are you familiar with the items that are in Roman Numeral IIB?

MR. GAGNON: Yes.

MR. HOFFMAN: And did you prepare or

cause those materials to be prepared?

MR. GAGNON: Yes.

MR. HOFFMAN: And are they accurate, true, and complete, according to your information, knowledge, and belief?

MR. GAGNON: Yes, they are.

MR. HOFFMAN: Do you adopt them as your sworn testimony here today?

MR. GAGNON: Yes.

MR. HOFFMAN: Ms. Raymond, are you familiar with the items listed in Roman Numeral IIB on the Hearing Program?

MS. RAYMOND: Yes.

MR. HOFFMAN: Did you prepare those materials or cause those materials to be prepared?

MS. RAYMOND: I did.

MR. HOFFMAN: Are they true and accurate to the best of your knowledge, information, and belief?

MS. RAYMOND: Yes.

MR. HOFFMAN: Do you adopt them as your sworn testimony here today in this hearing?

MS. RAYMOND: I do.

MR. HOFFMAN: Mr. Morissette, with that, I would offer up all ten items in Roman IIB as

full exhibits for the purposes of this hearing.

MR. MORISSETTE: Thank you. Does any party object to the admission of the petitioner's exhibits? Attorney Friedler and Attorney Bonnano?

MR. BONNANO: It's only Attorney Bonnano that's here with you to save you the time of calling Attorney Friedler every time. No objection to -- I believe, Attorney Hoffman, and you can just correct me, you just limited to Subsection B just 1 through 10?

MR. HOFFMAN: Nothing more than B 1 through 10.

MR. BONNANO: Thank you. No objection.

MR. MORISSETTE: Attorney Gianquinto?

MS. GIANQUINTO: No, no objection.

MR. MORISSETTE: I will now begin with the cross-examination of the petitioner by the Council, starting with Mr. Mercier.

MR. MERCIER: Thank you. I'm just going to begin by just going through the GCE's responses to the Council interrogatories, set 1, to get things started here.

So beginning with response No. 7,

this has to do with -- inter-row shading was mentioned in the response. I'm just trying to determine if -- is there a timing here where inter-row shading is most prevalent and causes the most losses?

MR. LeMARCHE: This is Jean-Paul. I can answer this. The wintertime is when inter-row shading is most severe. As the sun is lower in the sky, there's more shading between rows.

MR. MERCIER: Is that over like, say, a 2-month period, a 3-month period, or it's a graduated point?

MR. LeMARCHE: Yeah. I mean, it is graduated, so the winter solstice, that's the shortest day of the year with the sun lowest in the sky would be the worst, and it gets worse or better, depending on how you look at it on either side of that.

MR. MERCIER: Now, is there a point of the year where there is absolutely no inter-row shading in this design?

MR. LeMARCHE: That's a complicated question. I guess it depends on how you define no inter-row shading. We designed the system with the spacing in between the modules to minimize impact of inter-row shading throughout the year, and even in the summer, at the very, very end of the day, there's going

to be some shading from module to module, but at that point the production is so low because there's so little radiation that it's not impactful. So really, the only -- there is some level of shading throughout the year, but it is only impactful to the production in the wintertime months and on either side of that with some spring involved.

MR. MERCIER: You just mentioned that you designed the site with inter-row shading in mind and maybe some other design aspects. When I was looking through some of the materials, I saw a couple of figures given, and maybe you can just confirm them with me. Is the vegetative inter-row space between the arrays 13 feet?

MR. LeMARCHE: I do not have that. Mike or Gina, are you able to answer that exact detail?

MS. WOLFSON: Yes. I believe it's 13 feet.

MR. MERCIER: Okay. Now in the response to an interrogatory posed by Mr. Hanson, No. 39, and then in the response to a PRESS interrogatory, No. 16, different widths were given for the panel array rows; one was 12.5, the other one was 11.9. I'm just trying to determine what the actual width of the panel is.

MS. WOLFSON: Did you -- is the question -- this is Gina Wolfman. Is the question the width of the panels or the width of the road?

MR. MERCIER: Yes. The road. It's listed two different ways; 12.5 and then also 11.9.

MS. WOLFSON: I don't have the plans. Mike?

MR. GAGNON: Yes. This is Mike Gagnon from Milone & MacBroom. According to our detail in the drawings on sheet SD2, we are showing the inter-row spacing of 13 feet, but the actual panel dimensions are shown as 6.56, basically times 2, and that dimension is normal to the panel; in other words, it doesn't represent the actual top down horizontal dimension, which is approximately 12.5 feet.

MR. MERCIER: Okay. Thank you. I would assume that the response to PRESS interrogatory 16 where it mentioned 11.9, that it's inaccurate or maybe reflect another type of figure that's unknown. Thank you for the clarification.

Now moving to response to interrogatory No. 18, and this talks a little bit about racking posts and driving the posts into the ground, and there was a statement in the response that stated that the petitioner is going to conduct geotech borings

within the proposed array area to verify soil properties. Now, is the project currently designed on assumed soil conditions right now?

MR. LeMARCHE: I can start that answer. This is Jean-Paul. There's different types of measurements from soil that affect different aspects of the design, so the stormwater design, the civil design of the project, I can let Mike speak to, but that is based off of soil sampling that has been complete and in the very detailed level of design when we are specifying the thickness of the posts that are driven into the ground, the electrical perspective of the feeders that are under the ground, we need some more information, such as recessivity and some bearing tests from actual driving piles and pushing and pulling on them. So it is done in multiple stages. So, yes, we have made some assumptions, but we've also done some tests, and we will confirm with future tests, and Mike can speak to what tests have been done and what design was based off of that.

MR. GAGNON: Yeah, so this is Mike Gagnon again with Milone & MacBroom. Basically, the current design, the way it's shown in the drawings is based on a post driven racking system, you know, assuming suitable soil conditions, but as stated in the

documents, further geotechnical tests will be undertaken for the purposes of assessing the soil properties relative to the support of the racking of the system.

MR. MERCIER: Okay. Thank you. I just wanted to confirm that aspect, and you did state that there's no other stormwater design soil testing required; is that correct?

MR. GAGNON: That's correct.

MR. MERCIER: For the racking, when you install a post going down a linear row, what's the typical spacing required, or would that be determined during geotech, meaning you drive one post and then you would move 8 feet over and drive another post down a row. Do you have any information as to what the spacing is between posts?

MR. LeMARCHE: I can't speak to what the exact spacing will be. That will be determined based off the testing and the final design of the equipment, but I would say it's on the order of 15 to 25 feet, something like that. It does depend, but it's not a very large distance between.

MR. MERCIER: Thank you. I'll move to interrogatory response No. 24. This question was actually related to the top part of petition page 35,

the first paragraph, which basically stated that the east array area for class B soil, except for a limited area of class B soil, and in the response it's says approximately 48 percent of the site development area is within soil group C. So I'm just trying to determine, is that response stating that 48 percent of the existing soil in the east solar area, group C, has a preexisting condition?

MR. GAGNON: Again, this is Mike Gagnon. Yes, that refers to the easterly site area, specifically.

MR. MERCIER: Okay. I was reading throughout the stormwater report, and I saw that you're going to model this site as a site group C condition, the entire site, but I didn't understand it if the DEEP stormwater division wanted to do a one group soil class down, I guess you would call it, reduction, excuse me, to calculate, then why would you use group C for the entire site if part of the site, almost 50 percent, is calculated and identified as group C, preexisting?

MR. GAGNON: Yeah, so the site was -- basically we determined that -- in other words, the stormwater calculations do account for the stepdown in the hydrologic soil group as required in DEEP's Appendix I requirements. The westerly site is

predominantly A and B soil, so that was stepped down to a C. You know, I would -- I think what we did is we assumed that the westerly or the easterly site would be also a condition C, based on the stepdown.

MR. MERCIER: Right. I guess I'm saying if it's already a preexisting condition C for half the site, why would you not step it down to D for half the site for the east side?

MR. GAGNON: I would have to look at the calculations to address that specifically. But, again, it was the hydrologic soil group for the current condition overall.

MR. MERCIER: Yes, I understand that.

I'm going to move on to question No. 28. There was, just preliminary scheduling, it basically stated that the west side area would start a little later than the east side once construction started because the golf course on the west side would be abandoned. Given that the current timeline does not appear to be attainable, I'm just trying to determine if when you go to construct the sites, wouldn't you work in both areas at the same time, or are you going to start on the east side first and move to the west side? Do you have any preliminary timetable as to how

this would proceed?

MS. WOLFSON: This is Gina Wolfman. I believe the construction schedule would have to be finalized and determined once we know we're approved to go, if that's the case, and it would be possible to work on both sites at the same time because the west side would be decommissioned and not open to the public in the spring.

MR. MERCIER: Okay.

MS. WOLFSON: Or we could start with the west side. That would have to be determined. There are options, and you'd have to be flexible in the scheduling.

MR. MERCIER: Would that be held up by manpower or the landowner itself?

MS. WOLFSON: A variety of factors that we assess at a later time.

MR. MERCIER: Now, in GCE's responses to the town's concerns that was attached to Mr. Hanson's interrogatories, there were some values given for the land for both the east and west arrays. For the west site -- the west array site it stated that -- in response to that, 3.8 acres would be disturbed for construction. Did that 3.8 acres include both construction of the stormwater basin, proposed

stormwater basin, and the solar field?

MR. GAGNON: This is Mike Gagnon. Yes, I can answer that. That did include the excavation required for the stormwater basin.

MR. MERCIER: Okay. Would you have just a figure or the solar field grading itself handy or is it mixed in?

MR. GAGNON: If you look in the plan set, the actual grading on it is shown on LA1 for the west site that shows the grading that's going to occur within the inside of the compound area, and then sheets LA2 and LA3 show the grading that's going to occur within the compound area on the east site.

MR. MERCIER: I was just looking for if you had information as to the acreage you're creating in the solar field was both the east and west, excluding the stormwater addition.

MR. GAGNON: I do not have those numbers broken out separately, no.

MR. MERCIER: Okay. Thank you.

Now, when you do the grading in the, we'll just say the west side right now, in the solar field area, you'll have some exposed soil, and I believe in the responses to the town that you provided you state that the exposed areas would be hydroseeded

with tackifier within 72 hours of the final grading.

MR. GAGNON: Correct.

MR. MERCIER: Just to be clear, that would be done, the hydroseeding, prior to post driving; is that correct?

MR. GAGNON: That would be the attempt. The idea would be that we would want all the disturbed slopes, as a result of the grading, to be stabilized.

MR. MERCIER: How long would you have to wait for the seed that's applied to germinate and grow sufficiently to stabilize that before you can start driving construction vehicles on that graded area?

MR. GAGNON: So typically, you know, that's a 2 or 3-week duration but, you know, it really depends on the type of equipment that they're going to use to actually do the post driving. It's been our experience that they use small Bobcat type vehicles with post driving equipment and, in other words, small track vehicles and, again, I don't know if there's anybody else on the team that could also elaborate on that.

MR. MERCIER: I understand you have track vehicles, but I'm trying to determine, you know,

you can have the tracks tearing up the soil if it's not properly vegetated after you hydroseed. So, again, I was just looking for what you thought the timeframe was. Are you thinking two or three weeks before you can start doing anything in those areas; correct?

MR. GAGNON: Generally, yes.

MR. MERCIER: Okay. Now for the west area, the northern portion which is not being graded prior to post driving, will the existing turf grass remain in place?

MR. GAGNON: Yes, that is the intent.

MR. MERCIER: Okay. Now, during construction you said there will be track vehicles and the type of equipment for post driving and module placement, things like that, where you have vehicles up on the graded area and nongraded area. Are there any intermediate erosion controls specified in the solar field area during construction to slow down any type of erosion from stormwater that may fall on disturbed slopes?

MR. GAGNON: Yes. So, again, this is Mike Gagnon. So on the sedimentation and erosion control sheets in the drawings, we do show some rings of what we call compost filter tubes that actually will

be placed. As an example, if you look at sheet SE2 where we have to reduce some of the hills within the golf course area, we're actually showing rings of compost filtered tubes downgradient of those areas that need to be disturbed.

MR. MERCIER: I saw that on the eastern area. What about the west side? I didn't see any proposed.

MR. GAGNON: Yeah. Other than the placement of the perimeter saltation controls, no, there really isn't anything inside of the field that's going to be placed in terms of the compost filter tubes that I referred to earlier.

MR. MERCIER: Now, is there a monitor proposed? If you receive a general permit, do you have to have some type of monitor?

MR. GAGNON: Yes. In response to a construction general permit, weekly inspections must be conducted during construction to ensure that the sites remain stable and also after significant rainfall events, as well.

MR. MERCIER: Now, is this monitor part of a construction team, or they only show up once a week? In other words, is he there every day doing other tasks?

MR. GAGNON: No. This would be a consultant, such as ourselves, that that would be their sole responsibility. In other words, they would not be -- they generally are not affiliated with the actual construction of the facility.

MR. MERCIER: Would the monitor have the authority to order corrective actions if they see something going on in the middle of the solar field where you didn't specify any type of immediate measures, you know, some type of erosion problem, does he have the authority to tell the contractor to fix the area?

MR. GAGNON: Yes, absolutely, and that's the purpose, or one of the purposes, of having somebody out there periodically is, obviously, if conditions develop where additional controls are warranted, they can make that call to the appropriate people with the general contractor to make sure that those measures are employed.

MR. MERCIER: Thank you. Just going back to the construction aspect of the project, whether it's east side or west side, once you start driving the post, what's the interval when workers will start assembling the racking frame, we'll call it, on the post? Once a post is driven, would it be like three

weeks before individuals can go in and start working on a completed row, for example?

MR. LeMARCHE: I can give some input there, unless you want to add anything first, Mike.

MR. GAGNON: No, Jean-Paul, that's fine.

MR. LeMARCHE: There is not a defined period of time. I think it is typically done differently on different projects. In some cases, for large projects, there will be enough space on site where there can be crews doing the pile driving and they move to a different section of the site and continue pile driving where other crews will start putting the modules on, so there's no needed rest period or time in between from that perspective.

For this project, specifically, and projects on the general permit, I believe the limiting time period will have to do with erosion control measures, stabilization, and just making sure everything is managed under the DEEP permit.

MR. MERCIER: Thank you. Reading through some of the responses, I saw the term "racking table" or "table." Is that just simply a racking frame, something that supports a panel? I think I saw that on No. 38. It mentioned something called "table."

MR. LeMARCHE: Yeah, I think that is in reference to basically the frame of the -- the steel frame that is supporting modules that stands between the posts driven into the ground. So while they are all somewhat interconnected, there are, in fact, discrete sections of frame or table.

MR. MERCIER: Do you know how many panels each table can hold?

MR. LeMARCHE: I don't know off the top of my head. I know we addressed that in the questions somewhere.

Gina, do you remember that number?

MS. WOLFSON: I think we were -- the question talked more about the spacing between them and not the number of panels in each. I would have to look that up.

MR. MERCIER: Okay. Thank you.

Now, regarding the construction aspect again, I understand that, you know, as part of your construction phasing, you're going to go in and establish controls and start doing site grading and construct the stormwater basin before you do anything else. Once the stormwater basins are constructed, you're going to use them as sediment trap, according to the information submitted. So I'm just trying to get a

handle on how water will be discharged from the sediment trap during construction, you know, if it fills up. How is that controlled? Sediment control and the water control.

MR. GAGNON: So this is Mike Gagnon. I can answer that. So what we did, each stormwater basin has a trapezoidal outlet control and the bottom of the -- or the bottom of the V-notch of the trapezoid and the weir wall is approximately 6 inches above the bottom of the basin, which really provides, during construction, a means to store any potential sediment that may get into the basin but also offered -- during the longer term affords some degree of infiltration of stormwater, particularly during smaller rainfall events. So typically what we like to do, as a temporary measure at the weir walls, is we'll actually provide or call for stone, like an additional stone weir level spreader to be placed at the weir wall so that it actually enhances the storage capacity for potential sediment that may get into the basin, but also the stone will provide a filtering of any water that leaves through the V-notch from the basin.

MR. MERCIER: You said the V-notch is located 6 inches above the bottom of the basin?

MR. GAGNON: That's right, yes.

MR. MERCIER: So that's the point where the water will leave?

MR. GAGNON: Correct.

MR. MERCIER: It will leave and filter through like a rip-rap structure?

MR. GAGNON: Yes.

MR. MERCIER: If there's a lot of sediment, would the V-notches get clogged? At 6 inches, it doesn't seem very high. I'm just trying to get an understanding of how it would work if it's clogged or overflowed or anything of that nature.

MR. GAGNON: Yeah. Again, that's the purpose of having that other temporary stone that I spoke of, so that if the sediment gets above the V -- and keep in mind, the V-notch is opened all the way to the top of the walls, so, you know, even if the sediment were to get at a foot above the bottom of the basin, the water would still be able to leave, so to speak, assuming that the sediment plume within the basin was level.

But, again, we would recommend, obviously, and this would be one of the things that the compliance monitor would keep an eye on, is that any accumulation within the basin should be removed, particularly if it approaches the bottom of the

V-notch.

MR. MERCIER: Okay. So there is a possibility that sediment laden water is going to leave this basin -- either basin early and filter through the modified rip-rap structure if there was a large storm and it washed away -- caused an erosion problem. I thought that the tension basin would retain water so it could settle and discharge water near the top. How do you know this design is going to capture a lot of sediment that might accumulate that's suspended in the water in the basin?

MR. GAGNON: We actually ran computations based on the Connecticut Sedimentation and Erosion Control Manual. I think those computations were provided as a supplemental information to demonstrate that, based on the amount of disturbed area that is contributing to the stormwater basins, that they will be able to retain the amount of sediment below the bottom of the trapezoidal notch. And also keep in mind, too, that the majority of both sites, the existing grass cover will be retained, so that area, you know, was assumed will not contribute any sediment to the basins.

MR. MERCIER: Thank you. Was that sediment storage analysis, was that a part for the

requirement for a DEEP general permit, the calculations that you just talked about?

MR. GAGNON: I believe they are, but we provided them anyway. I think they were -- again, they were provided as supplemental information.

MR. MERCIER: To the DEEP stormwater division?

MR. GAGNON: That, I don't know, but I know it was provided to the Council.

MR. MERCIER: My question is is that type of information necessary to retain your general permit through the general permit process?

MR. GAGNON: I believe so, yes.

MR. MERCIER: Move on to Council interrogatory response No. 38. This response has to do with questions regarding potential erosion in elevation after the site is constructed and operational, would that have any effect on any type of erosion and resulting sedimentation?

And in the second part of the response it talks about different grades at the east and west arrays. Of the proposed arrays, some would be between 9 and 15 percent, some will be between 2 and 9 percent.

In any event, according to the

DEEP's proposed appendix I revision of the general permit, there's a condition for post construction measures, such as level spreaders, terraces, or berms whose spokes are greater than 5 percent but less than 10 percent. I didn't see any of these types of features on the -- any of the plans submitted, nor did I see any -- it wasn't brought up in the interrogatory response, so is it the intent to install these features on spokes that exceed 5 percent? Could it be less than 10 percent? Again, that's terraces, level spreaders, or berms.

MR. GAGNON: Yeah. It wasn't our intent, unless requested as part of DEEP's review, to add those features. Again, it's been our experience on similar sites that we have not experienced any significant erosion at the drip edge, keeping in mind that the way the panels are positioned, the water is actually allowed to also pass in between the panels. So the way the tables are set up they're arranged in portrait, I believe they're one over one portraits, so that water, as opposed to sheet flowing off the entire 12 and a half foot plus or minus width, it actually -- there's a gap midway between the panel that the water is allowed to also cast through. So, effectively, you know, the amount of runoff that is generated is only

about 6 and a half feet. So, you know, as I stated, there's actually a gap midway between the table.

MR. MERCIER: Okay. I'm just curious why DEEP's stormwater plan would include that in the appendix I if they're not going to require you to do it. Did you guys have any conversation -- did GCE have any conversation with DEEP stormwater staff regarding that type of stormwater control feature?

MR. GAGNON: I believe during the pre-application meeting we had indicated that that was the intent is that gaps would be provided between the panels so that, you know, there would be some -- the runoff would be able to leave the panels at mid row, as opposed to collecting for the entire width.

MR. MERCIER: Okay. Thank you. Just going back to some of the construction procedures. We talked a little bit about you having track vehicles and going through the sites driving posts and things of that nature. If soils are compacted from these types of vehicles just before final seeding of the site when construction is completed, is there any type of activity that GCE is going to do to loosen any soils to be sure that the soils are not compacted and any resulting seed that's put down can grow properly?

MR. LeMARCHE: I don't think we have

a detailed level of specification like that of if a certain amount of compaction, that we will take a certain activity to aerate or loosen the soils. But obviously we have to have the seed mixes grow and established, so if there is activities that need to take place, such as loosening, in order to make the vegetation established, then we will do those.

So I think it's more about we are committing to having the established vegetation and then doing what's needed to reach that point.

MR. MERCIER: Who on site would determine whether certain areas needed to be addressed before a final seeding?

MR. LeMARCHE: I would assume it would be a combination of internal project management, as well as the third party independent engineer that reviews it, along with DEEP. Of course, if needed, we'd consult with our own engineering consultants.

MR. MERCIER: Okay, thank you.

Going back to the stormwater basins, after the site is constructed and it's now operational, you'll have the stormwater basins with their rear outlets. Can you describe -- is the discharge of the water the same as you explained earlier? Is it post construction that it will somehow flow over land once

it leaves the basin area?

MR. GAGNON: This is Mike Gagnon again. The water will generally leave through the V-notch in the weir wall. Just on the other side of the V-notch, we have a rip-rap outlet protection to dissipate those flows prior to making -- prior to that flow running over land down towards downgradient areas.

MR. MERCIER: How would you ensure that water leaving that weir structure is not going to be channelized into one area or -- how are you going to make sure it's spread out once it leaves?

MR. GAGNON: So the rip-rap outlet protection that's provided at each wall was designed to prevent that, so in addition to the rip -- you know, we provided what we're going to call a rip-rap energy dissipator, but at the end of that dissipator, we are constructing essentially a level spreader that's being constructed also out of the same stone as the outlet, and really the function of that is to dissipate the flow so that you don't create any point source discharge beyond that point or beyond the outlet.

MR. MERCIER: Well, the western array area, I understand that the property owner appears to be at the end of that section, and you're going to be occupying a portion of the golf course

that's abandoned. Once the waters from the stormwater basin is discharged, this is post construction, do you know what services or activities are planned on that site below the discharge point, or is it going to be turf grass that's abandoned, or are you going to plant meadow species? Do you have any idea?

MR. GAGNON: Really the intent is to leave that area as meadow, essentially meadow grass.

MR. MERCIER: Would that area be under your control or the property owner's control once it leaves the weir structure? Outside the storm basin structure. Excuse me.

MR. GAGNON: I believe the area outside the fence of the facility would then become the responsibility of the property owner.

MR. LeMARCHE: Ryan, can you speak to that if you know what the landowner's intents are?

MR. LINARES: Yes. This is Ryan Linares. As of right now, there are no plans for the landowner to do anything with that excess property. It will be under his control.

MR. MERCIER: Okay. The only question I have is I saw a sand trap that's preexisting right below your weir structure, so I wasn't sure. Just beyond the sand trap is a wetland, so I'm just

trying to determine if any flow from your stormwater structure is going to go into the sand trap or somehow channelize around the sand trap and enter the wetland. That was my question.

MR. GAGNON: Yeah. And, again, this is Mike Gagnon. Again, the design of those rip-rap outlet protection areas are designed to dissipate the energy such that as those flows leave that area, the idea is that they will become nonerosive, and I believe that sand trap is actually a little bit higher than the outlet or the basin.

MR. MERCIER: Okay. Thank you.

For the outlet of the east side basin, it appears that's pretty close to proximity to a paved golf cart path. I wasn't sure if there's any modifications to the golf cart path or any type of flow operations so it doesn't impact the golf path or run down the golf path. Do you have any information on that?

MR. GAGNON: Again, the intent there is beyond the rip-rap outlet protection, we're going to be installing a blanket of permanent erosion control blanket to make sure that that area between the paved path area and the rip-rap outlet remains stabilized, and then as the flow hits that path, that's actually

going to provide a greater -- we see it as a greater degree of dissipation, so, if anything, that path will actually act like a level spreader when the flow hits that point.

MR. MERCIER: Is that path already there, or is that something that's going to be constructed as part of the project?

MR. GAGNON: That's going to be constructed as part of the project.

MR. MERCIER: Is there a certain type of pitch? How is it pitched?

MR. GAGNON: We envision it will be pitched in the direction towards the west, and approximately 2 percent is generally the acceptable cross slope.

MR. MERCIER: Okay. Thank you.

In the GCE's response to the town comments, that's part of that one interrogatory, there was talk of the Town of Stonington Groundwater Protection District. Did the town provide you with any guidance document, or anything of that nature, of measures to undertake due to construction within their groundwater protection overlay district?

MS. WOLFSON: This is Gina Wolfman. To my knowledge, they have not provided anything, and

we did receive comments back from the town planner that the third party engineer, the town engineering consultant, was satisfied with the responses, but we didn't receive any feedback about any special construction protocols.

MR. MERCIER: Okay. Thank you. That's all the question that I have right now. Thank you very much.

MR. MORISSETTE: Thank you, Mr. Mercier.

We will continue cross-examination by the Council with Mr. Harder. Thank you.

MR. HARDER: Yes, thank you. I have a few questions.

The first one, a couple questions probably about visibility. I know that -- I believe in response to the petitioner's response to the town's comments there was an indication that the petitioner be willing to work with the residents to modify the screening provisions, and I'm wondering -- that's one of the issues, probably the most significant issue for me, anyway, would be the visibility. Frankly, the view of the fence, to me, I'd rather look out and see the solar panels than the fence. Just the way it's presented, anyway, in some of the simulations.

So I'm wondering if someone could describe or discuss a little bit how much more the petitioner is willing to do, how much more would be done to screen the system, including this fairly large stretches of fence line that present a visual issue, as far as I'm concerned, also.

MS. WOLFSON: This is Gina Wolfman. I believe we would consider addressing that separately. You know, maybe away from this proceeding we'd be willing to. We actually have tried -- we did try to do that. That was the intent by reaching out early on so that we could get feedback and incorporate that into the plans and the petition. We did our best at the time and, you know, that was the hope, that we'd get some specific feedback on the plans and we would consider it at that point.

MR. HARDER: Could you, I guess, describe how much more you could do or would do, I guess, to see if it's feasible to screen the entire length of the fencing?

MR. LeMARCHE: This is Jean-Paul. I think screening, in general, along with fence line is feasible. We're open to really many different arrangements, so it's hard to say well, X amount or some quantitative amount is acceptable and some

quantitative amount isn't acceptable, but we're happy to work with surrounding neighbors or town. If people provide feedback and say we would like this, we would like that, we'd absolutely consider it, and there's not really a set limit. It's just trying to find what makes people happy and what we can do.

I mean, I'm sure there are some types of plants or screenings or trees that are not feasible that wouldn't grow in the area, that would take too long. There are some things that probably just don't work, but I'm not going to say that there's a hard line. It's really a negotiation. We're happy to have those discussions.

MR. HARDER: Fair enough. Thank you.

My next question is on the application section 3.6, the decommissioning plan. There's a note about the concrete pads. It says, "Concrete pads will be broken up and hauled to a nearby facility where it will be accepted most likely at no charge." That one caught my eye. I'm not aware of a lot of places that accept waste at no charge. So could you give us a little better idea of what's behind that?

MS. WOLFSON: This is Gina Wolfman. The numbers that were presented in the decommissioning

plan were all estimates. They were based on a template that we had worked with up in Massachusetts and on other sites around here. We modified that and that's a number that would -- at the time we would finalize and provide a more accurate estimate, but we're talking, you know, a couple of decades in the future, and as far as the other numbers and the labor rates and the salvage estimate, we assume most of the materials can be recycled. This is a market that's emerging. There are not many, if any, facilities being decommissioned at this time, and we have to do our best to come up with numbers for 15, 20 years from now. We would only anticipate that the market would be there for recycling and salvaging these materials.

MR. HARDER: That's understood. I really was looking specifically or referring specifically to the concrete pads and the comment about them being accepted at no charge. I mean, I understand that concrete can sometimes be recycled, but I'm wondering if that is what is anticipated here also for the concrete pads. Again, even in most cases I think of those kinds of facilities there's a charge, so I was wondering. It seemed like something specific was in mind here because of the comment "most likely at no charge."

MS. WOLFSON: Maybe it was an assumption that it could go to maybe for solid or municipal waste, but it's something that we can look into and refine. The pads are not that large. We could revisit that estimate, if needed.

MR. HARDER: Okay. It sounds like it might have been wishful thinking in some ways. But okay. Not a big deal, I guess, at this point.

In the section 3.5, "Operation and Maintenance" there was a comment, "The project would be thoroughly inspected at designated intervals." Can you explain what that means, "designated intervals"?

MS. WOLFSON: We do have an inspection sheet and there are various different tasks, items that were included in the petition appendix with the L & M materials, and several things are inspected annually, including the electrical system, all of the equipment, the grounds, the fencing, anything related to safety. Also the stormwater, measures that are in place, also inspected, and we do have remote monitoring as well.

MR. HARDER: Okay. So it was referencing that schedule, I guess, those intervals designated in that plan?

MS. WOLFSON: Yes.

MR. HARDER: All right. Thank you.

I have a question about the proximity of the arrays to the remaining golf holes, actually. I'm assuming that on the western side, the west array, that none of the golf holes will be in use in the future; is that correct?

MS. WOLFSON: This is Gina Wolfman. Yes, that's correct.

MR. HARDER: Okay. On the east side, though, I'm assuming that's not the case. I know the holes on the other side of Elmridge Road would still be in play, and some of the holes on the south side of Elmridge Road would be in play. Could you indicate -- I'm looking -- the one that catches my eye most is the hole that's -- I think it's a green, actually, that's right in the interior corner of the array property, if you will, or the array area. I don't know what the hole numbers are, so I can't say, but my issue is assuming not all the golfers are scratch golfers that are going to play here, there will probably be some balls flying around that might strike the arrays, and I'm wondering what -- have you thought about that? Is it a concern? Is there other provisions, like netting, that would be put up to protect the arrays? Would you discuss that?

MS. WOLFSON: This is Gina Wolfman again. We have discussed that and the landowner and manager of the course will be redesigning certain holes to come up with an 18-hole configuration. So we have been working with him on that, and we don't have a final plan yet at this point, but we do also have a provision in our lease agreement that allows for just, you know, working together in the future, whether it's with landscaping or redesigning or configuring a hole that would help with that. We don't know at this point how many -- we can't anticipate or estimate how many golf balls would be going that way, but we did walk the course with him, and he had some good information on where people are shooting, in which direction, where the balls land based on the groundskeeping and where they actually see, you know, balls that are lost, and we did have those discussions with him, and we'll continue to work together on that.

MR. HARDER: Okay. Looking, again, at the east array, I'm guessing there's a good chance, obviously, there will be holes retained or new holes constructed to the east of the east array, but to the north there's one that goes all along Elmridge Road and then another one to the west of the east array. In your agreement or discussions with them, have you

reached any agreement, are there any provisions for certain areas to be restricted where play would be prohibited, or would there be minimum separating distances? Have you talked about that kind of detail between the arrays and any play areas?

MS. WOLFSON: Ryan Linares and I have spoken with the landowner, and I believe the hole to the west of the east array, it would remain in play, but people would be driving downhill, and the other one would remain in play, and there's an existing row of trees, deciduous and evergreen trees, along there that would be retained, and we didn't see that that would be an issue.

MR. LeMARCHE: I just want to add -- go ahead, Gina.

MS. WOLFSON: It's based on the play and how people -- I'm not a golfer, so I can't really comment on the design or the length of the fairway and how many shots it would take to make it up to that green, but we had been discussing that.

MR. HARDER: I think it's something that we would look for, you know, that that issue be addressed.

And just one thing, the final comment I'll make is you mentioned about there being a

line of trees. I am a golfer and one of the things that we always think about or keep in mind is that the trees are 90 percent air, so when you hit a ball into a tree, there's always a good chance that it comes out the other side. So a line of trees may not provide the protection. But as long as that's something that's going to be dealt with so that, you know, undue damage from our golf balls doesn't become a problem. You know, that's what I'm concerned about, so.

MR. LeMARCHE: This is Jean-Paul. I guess one point I want to make is that the modules themselves are rated for pretty high loads. This is not just like glass of a windshield or a window. It's really specially tailored glass, and the typical rating is for hail, but the hail rating test that is usually done for modules is golf ball sized hail at 60 miles an hour. So there could be a good amount of golf ball strikes, if they were to happen, that wouldn't necessarily do any damage either.

So I think, while we do want to work with the landowner in advance and set up a plan that would minimize risk, I think we also intend to see what happens as it goes and how much damage would really be caused, but I don't think it's as much as would be feared and I just --

I guess I want to ask you a clarifying question of, you said you were looking for a solution for that? What exactly would you want to see? What are you looking for from us?

MR. HARDER: Well, I don't have any specific solution in mind. I guess the only thing I wanted to make sure is that it's an issue that is either being addressed or would be addressed. I think we can agree, obviously, a good size hailstorm with golf ball sized hail would probably be more of a test, I guess, than the odd golf ball flying around every couple of days. But so really that's it. I want to make sure that it's something that is on the agenda and whether it's the strength of the glass itself or whether it's some backup provisions like netting, whatever. Golf balls fly at more than 60 miles an hour, I think, at least for some golfers anyway. I don't know -- when they go up in the air as far as they do and they come back down to earth, I don't know how fast they're going at that point. I just want to make sure it's something that's on the agenda. That's all.

MR. LeMARCHE: Understood.

MR. HARDER: That is the last question I had. Thank you.

MR. MORISSETTE: Thank you, Mr.

Harder. I think this is a good point for us to take a 15-minute break. We'll see everybody back here at 335, and we'll commence with questioning with Mr. Hannon. Thank you.

(Whereupon, a recess was taken from 3:21 p.m. until 3:35 p.m.)

MR. MORISSETTE: We're ready to continue cross-examination. We continue with Mr. Hannon. Thank you.

MR. HANNON: Thank you. I just want to make sure -- one clarification. I'm pretty sure this was discussed, but the intent is to maintain 18 holes of a golf course, shut down 9 holes and in lieu of the 9 holes being shut down, that would be the area associated with the solar project; correct?

MR. LINARES: That is correct, yes.

MR. HANNON: Can you hear me?

MS. WOLFMAN: This is Gina Wolfman. Currently three holes on the west side, all three of those would be decommissioned and the other six would be -- I'm not necessarily sure if they're all within the footprint of the east, but the golf course would be reconfigured with 18 on the land north of Elmridge Road and south.

MR. HANNON: So what you were

referring to earlier, so is it the property owner's flexibility as to which holes they actually utilize for the 18 holes for the course? It sounds like that may be a possibility.

MR. LeMARCHE: I think the answer is that, yes, using some of the land of the golf course for the solar project, nine holes will be decommissioned. There will be an 18-hole golf course. The exact location of 18 holes and where he puts his golf course is not something that we have complete control of. We can give him feedback and work with him to make sure that it's designed in such a way to respect our project and not send golf balls into it too much. It's his land, it's his golf course, it's his decision.

MR. HANNON: Okay. Thank you.

My next question is related to information in the Milone MacBroom document. I think this is in the general application. It talks about one of the other benefits of decommissioning 9 holes of golf will result in 33 percent decrease in use of chemicals and fertilizer for turf maintenance and 33 percent decrease in water from the brook. Do you have any idea how much chemicals and fertilizer, whether it's tons or what that number is, that would be

decreased? You may not because it's not your particular project, the golf course.

MS. WOLFSON: This is Gina Wolfman. We do know there are various product names of different chemicals that we've learned from and that information is available.

MR. HANNON: The reason I'm kind of asking is it really may be more the water because I'm looking at, again, page 32 under "Existing Golf Course, Turf Maintenance, and Water Usage," and it looks as though the average 5-year withdrawal was about 8,400,000 gallons a year. So assuming if you knock a third of that off, you get the diversion permits for 40 million gallons per year, has any consideration been given to possibly modifying the diversion permit so there's not as much water, sort of accounted for where it may serve other purposes? If the golf course isn't going to use it, is there a way to possibly reduce the permit so they still get the water they need, but it may actually open up water for other uses?

MR. LeMARCHE: This is Jean-Paul. You're referencing the permit that the golf course has with the existing water; right? Prior to this project?

MR. HANNON: Yes.

MR. LeMARCHE: I understand what

you're saying, I think it makes sense, but I don't think we have the ability to comment on what the landowner and golf course is going to do.

MR. HANNON: Have there been any discussions about that at all?

MR. LeMARCHE: I'm not aware of any discussions. Gina or anyone, are you aware?

MS. WOLFSON: I'm not aware of any discussions on limiting the water.

MS. RAYMOND: Same as me.

MR. HANNON: Okay. Thank you.

Again, in the Milone on page 28, I just need a clarification on this. I'm not sure what a Second Order Soil Survey is. Can you please briefly describe it for me?

MS. RAYMOND: Sure. This is Megan Raymond. I'm a soil scientist. Essentially what a second order soil survey is, I'm getting a little feedback in my headphones, is that we have a macro scale and our CS mapping of the property, and then we go and actually sample the soils to refine the boundaries between mapped soil types. So it's basically just an onsite survey. It's a little bit -- it's a direct evaluation, as opposed to using macro scale resources.

I was just going to add in this particular instance, just given that that soil survey was specific to conducting a wetland delineation, the essential criteria there was just to evaluate all of the encountered soils to define the boundary between poorly drained soils and delineate those wetlands. It wasn't necessarily -- there wasn't an additional soil evaluation that was conducted prior to the stormwater design, but the second soil that's described in that wetland report was specific to a wetland delineation.

MR. HANNON: Thank you. I just wanted to verify something. My understanding is that the wetland delineations were done in the fall of 2019 and the winter of 2020. There may be a couple of potential pool sites located on the property but that -- somebody had gone back out to the site three different times in the spring to determine whether or not they were a viable pool; is that correct?

MS. RAYMOND: That's correct.

MR. HANNON: I just wanted to make sure the timing was correct on that.

This is a question that Mr. Mercier had raised earlier, and I'm a little confused as to how some of the grouping may have been done on the site and associated with stormwater. On page 35 of Milone and

MacBroom it says, "Based on the test of the hydrologic group," which I think we've seen, and that was stepped down to soil C. I'm looking at the interrogatories on No. 24, page 9 referring to page 35, approximately what percentage the site development is in soil C group. That says approximately 48 percent of the site's development area is within the hydrologic soil group C, and then when you go back and look at the stormwater report by Milone & MacBroom on page 17, it talks about -- this is the second to last paragraph, it talks about, "Hydrologic soil group C and D was assumed for the proposed conditions in accordance with recent Connecticut DEEP policies regarding solar projects."

So on one area you're saying that it's C, and in another area you're saying it's C and D, so I'm just trying to figure out exactly what it is.

MR. GAGNON: This is Mike Gagnon again with Milone & MacBroom. So essentially what we did is we verified the hydrologic soil groups that were published in the NRCS data and, for the most part, you know, there's a mix between essentially the majority of the site is, let's call it hydrologic group B. So what we did in the proposed calculations within the compound area, the limits, is we did do the stepdown in accordance with appendix I, and there were some

instances where there were small areas of existing hydrologic group C that we actually stepped it down to D, and I think that's what you were seeing there.

In regards to our response No. 24, I think that's something that may warrant some additional clarification because I believe, and I'm, you know, and, again, we will substantiate that, I think that 48 percent read is a result of after the stepdown in that area.

MR. HANNON: The reason I'm asking is because in one spot in the interrogatories you're saying approximately 48 percent of the site development is within hydrologic soil group C, so that, to me, is more than a couple of little spots.

MR. GAGNON: Yes. I think that's in response after the stepdown. So what we did is we stepped it down from B down to C, but, again, we can certainly clarify that.

MR. HANNON: In the stormwater report, I hate to keep bouncing around, but I'm going with the flow of some of the things I was reading. Can you please explain, I'm a little confused between your five test pits and your five DEEP hole test pits. Were they done in the same areas? Because I notice on page 10, the middle of the page, it talks about filling a

total of five test pits that were done by hand to a depth of 24 inches, but then on page 14 it talks about five DEEP hole test pits, but I didn't see any test indications. I saw the DEEP test pit. I'm just trying to make sure I understand what --

MR. GAGNON: So the shallow test pits, we refer to those in laymen's terms, as shovel tests, and those were the shallow test pits that were taken to verify the hydrologic soil classification, whereas the DEEP hole test pits that were taken, those were taken specifically in the area of classified soils and to ensure that there weren't going to be adverse conditions that would preclude the stormwater management basins being there, such as presence of ledge, high ground water conditions, and the like.

So there was a difference really for the purposes of the two, so the DEEP hole test pits were exclusively for the stormwater basins, whereas the other shallower test pits were taken throughout the sites to verify the surface soil conditions.

MR. HANNON: Thank you. On the western site can you tell me about the percentage of the site that's being regraded?

MR. GAGNON: I would say approximately 40 percent, plus or minus. And, again,

it's the area for the construction of the -- you know, the access roads on into the -- going into the site. Obviously, the footprint of the stormwater basin, and then there's an area of the existing slope upgradient of the stormwater basin, if that's going to be regraded and really that's to -- there's a lot of ovulations in the existing terrain in that area that we want to flatten out to make it more advantageous for construction of the solar racking.

MR. HANNON: And then the same question for the eastern site. That looks like a lot less.

MR. GAGNON: Yes, that site is a lot less, and really the intent there is there are some -- for example, on sheet LA2 there's two areas that are east of the stormwater basin where there's some existing hills that were developed for the golf course that have to be leveled, and then there will be an area to the south of the stormwater basin that we're going to grade a diversion swale to direct the flow from the upland slope towards the basin and then, obviously, then the area or the footprint of the basin will require a regrading, as well. So the overall percentage on the east site is considerably less. That's probably in the order of 20 or 30 percent.

MR. HANNON: Thank you. A question on the interrogatory. This is interrogatory No. 30 and it talks about the cotton fill and the net cubic yards, so it looks as though it's almost 1,841 cubic yards of cut, but the paragraph below that it also talks about, "It appears as though there is some high quality gravel there." Is most of that gravel from the western site?

MR. GAGNON: Yes. And that was based on our observations when we did the DEEP hole test pits on the west side. It was below the topsoil layer. It was predominantly gravel. We understand, given the history of that site, that a lot of that area, years ago, was mined for gravel as well. And this is, you know, just the west site.

MR. HANNON: Thank you. I have a question about the decommissioning plan, and seeing as how there has been some documentation provided to the Siting Council saying that you could be more than a million dollars off on your numbers. Can you please explain where you came up with these numbers?

MS. WOLFSON: Hi, this is Gina Wolfman. So the numbers did assume there would be a salvage rate for, you know, recycling of most of the materials. So that's where there could be a difference. We haven't had an opportunity to

recalculate anything but, as I mentioned earlier, if you call a facility today, you'll get a number that's very different than one that might be in the future where the market is at that point. So we can only guess that, you know, what those numbers might be. They would definitely be going down if more projects are being decommissioned. It's a supply and demand and economics issue.

So there was a high -- there was an assumption that many of the materials could be recycled and salvaged. That might adjust it.

MR. HANNON: Would that include the solar panels?

MS. WOLFSON: Yes.

MR. HANNON: Thank you. Continuing on with the interrogatories, No. 37 talks about concrete pads being poured on site and talked about establishing a washout area for the concrete truck, and I guess I'm having a little bit of difficulty with the final location is subject to the approval by the applicant's representative or engineer and also looking at the concrete washout area, it is basically stating that the engineer is supposed to be making the final decision. I would think that that's something that the Siting Council would have some say on as to where it

goes. I'm not sure that I would like to see it located within 50 feet of trees, wetlands, or something of that nature. I might be looking at something of a greater distance.

MR. GAGNON: This is Mike Gagnon. I can address that. So that's something that we would address, obviously, in the construction documents but, again, the intent there would be to locate that facility so that it is well upland of any wetland resource area and I, you know, looking at the wetland site, for example, which is pretty confined by a 100-foot buffer to the wetland areas, I would envision that that washout area would definitely be upland or away from those areas and would be provided in a spot that is not going to interfere with any other construction, as well.

MR. HANNON: Thank you. Again, sticking with the interrogatories, No. 15. I think this was also a question that was raised by some of the other parties, and it's referring to will the petitioner conduct outreach to local emergency respondents prior to the separation and offer prior electrical safety training if requested, and to also follow-up on that, if you could maybe provide some information as to what you would do there, and if there

were a fire at this type of project, how would that be brought under control? Would it be water, would it be foam that does not have detox in it? Could you provide some information on that, please?

MR. LeMARCHE: I can speak to that. So answering your second question first in terms of how would the fire department respond if there were a fire. We are not experts in fire management. We are not the fire department. We can't directly answer that question. I have never experienced a situation or seen a situation where fire departments are proposing using the fire retardant foam that is specifically used for, I guess, aeronautical purposes or petroleum purposes that has the -- in it for solar. I don't think that's a possibility or typically done. How they would use water, how they would mitigate it, I really can't speak to that. I think that is a question for the fire department.

In terms of our interface with them post construction prior to operation, yes, we typically will make ourselves available and reach out to those local first responders with a training, meeting seminar, however they best want it to be done. We will show the points of disconnect to the project, a map to the site, access, and give an education on solar and

where the electricity is and the details of it, as well as answer any questions that they have about the projects and solar in general.

MR. HANNON: So part of your discussion with the fire department would not be how to treat it but just to advise where all the critical components are, and it's up to the fire department to work into their regimen how they would address such an issue should it occur?

MR. LeMARCHE: That's typically how we handle it. If they're looking to us for that expertise of how to treat it, I mean, we don't have that. We can try and connect them with people, we can learn about it in the industry and help, but we are not experts on it and can't speak to it.

MR. HANNON: Thank you. The next few questions deal with the stormwater basins and a general approach.

The stormwater basins that you have on the plans submitted to the Siting Council, are they in as much detail as you would be submitting to Connecticut DEEP for a stormwater demo permit, or is that just sort of a general location and you would have to work out more specific details with the stormwater general application?

MR. GAGNON: This would be the same level of detail that we would include with a general permit application.

MR. HANNON: The reason I'm asking is because I believe it was the letter submitted 9/24/20 from Mr. Trinkaus. I'm just looking at the conclusion, and I don't know how you want to approach this. So, for example, in his conclusion he's saying the ground mounted solar array, as proposed, will cause adverse environmental impact, the design of the storm water management practices is not in compliance with Connecticut DEEP 2004 manual, the basins do not address water quality or the increased runoff volume which will be generated from the site and your erosion control plans are not in compliance with the 2002 DEEP guidelines, so I'm just curious as to what your take is on that.

MR. GAGNON: Again, we provided the calculations to support the stormwater basins based on the contributing drainage areas to those basements, so -- and we've demonstrated that the basins will reduce peak flows considerably, and that's also based on, as I stated earlier, a stepdown condition of the soil groups. So, in fact, you know, the runoff condition from the sites are going to be increased

because of the difference in the hydrologic soil group, but also relative to stormwater quality, we ran those comps, as well, and we've demonstrated that below -- that 6 inches below the V-notch in the weir that we're able to address the water quality volume requirements based on the site parameters.

MR. HANNON: And if I read it correctly, my understanding is that your calculations called for the panel as being treated as pervious.

MR. GAGNON: That's correct.

MR. HANNON: If the agency determines that, for whatever reason, that the panels needed to be treat as impervious, what would that do to your drainage calculation?

MR. GAGNON: Obviously would increase the peak flow. Or if there was some sort of compromise, realizing if we're going to consider the panels as impervious, would we still also have to apply the step down condition. Again, we did not see that we needed to apply the panels as impervious because we did not meet the criteria in appendix I. For example, greater than 15 percent slopes is generally required when you have to account for the panels as being impervious. Or if you didn't meet the other conditions as stipulated in appendix I, which would otherwise

warrant that you would have to apply that condition.

MR. HANNON: Thank you. In looking at the comment that came in from the Town of Stonington, it looks as though the panel's greatest concern relates to PFAS, which I think everybody is starting to really taking a closer look at. When you're looking at panels, is that anything that has been identified as to whether the panels have or do not have a PFAS composition to them? Is that anything that can be provided with documentation?

MS. WOLFSON: Yes. We have documentation from the solar, the company that we've proposed using their panels for and any comparable panel, and we have a memo that was included in the attachment and there is no -- they made a statement that there are no PFAS or other derivatives in any of the materials in their panels. That was the attachment to Mr. Hanson's interrogatory or response to the first set.

MR. HANNON: Thank you. I didn't see that there. The other question that I have, and I think that is my last one, I guess. As part of the submittal from the town, they included a letter, I believe, that's probably a third party engineer. Have you had a chance to look at that, and what is your

response to the comments provided by the third party engineer?

MS. WOLFSON: This is Gina Wolfman again. We did respond to all of the town engineers' comments and provided them in response to Mr. Hanson's first interrogatory set. Most of them were addressing stormwater, so Mike can speak to that if you have specific questions about the responses, but we did hear from the town planner that their engineering consultant was satisfied with the responses that were provided.

MR. HANNON: Thank you very much. I have no additional questions. Thank you.

MR. MORISSETTE: Thank you, Mr. Hannon. We will now continue with cross-examination by Ms. Guliuzza.

MS. GULIUZZA: I have no questions at this time. Thank you, Mr. Morissette.

MR. MORISSETTE: Thank you, Ms. Guliuzza.

Now we'll turn to Mr. Lynch.

MR. LYNCH: I've got a few follow-up questions. I think mostly for Mr. Gagnon. Starting out with your comments to, you know, Mr. Harder and, you know, golf balls not doing any damage to the panels. I agree with Mr. Harder. They travel well

over 60 miles, 100 miles an hour, and also during our last couple of big storms we had trees down, branches down. Sometimes branches become projectiles. How much damage can these branches do to panels?

MR. LeMARCHE: I can respond to that. This is Jean-Paul. Obviously, large branches or trees can do substantial damage to panels. And in the event of very large storms that can happen, damage does happen to people's property, and I don't think solar is any different than any other property. You know, we have insurance, we have plans in place to cover damage if it does happen and we can repair it and, you know, take care of the financial perspective internally. We sort of see that as our risk, and we're comfortable with the risk of storm damage to the project.

MR. LYNCH: I guess my follow-up question would be, you know, if you had to apply for insurance, that's not always the quickest way to handle damage. How long would I take you to replace these panels? Give me a rough estimate.

MR. LeMARCHE: I guess it depends on the scale of the damage. If we're talking about a handful of modules are broken, it's a pretty quick fix. You can swap them out in probably around 10 minutes. You turn off the system, you rewire it, you turn it

back on, it's not that big of a deal.

If it's widespread substantial damage and there's damage to the racking, then, yeah, we have to potentially order new equipment, and it could take longer.

MR. LYNCH: Thank you. I just want to let Mr. Harder know, I'm also a golfer, and I have a much different understanding of trees in the air on a golf course.

Let me follow up with Mr. Hannon's comments about fire protection. Now, I talked to a lot of paid and volunteer fire departments about how they deal with solar fires. Now, I can't testify, but I may -- I'd like to ask a couple of questions and get your comments on them.

The first being, you said you're going to provide training to the local -- in Stonington it's a volunteer fire department. What would that training entail, and if they needed special equipment, would that be provided to them?

MR. LeMARCHE: In terms of the training it's really focused on site specific, project specific information. So showing them layouts, where the power can be disconnected, and how to access the site, how to get around the site, so it's less training

how to fight fire, mitigate the fire, and it's more training specific to the project and solar specific.

MR. LYNCH: That leads me to another question, if you don't mind.

MR. LeMARCHE: Sure.

MR. LYNCH: That being the -- does the training -- in talking to the fire department, they like to look at a solar field development that has more than one entrance and exit, and I only see in your plans, whatever they are, I forget, you know, LA1, LA2, but it only shows one entrance. You know, they're worried about being trapped inside. Do they have enough room to maneuver and get out with no problem?

MR. LeMARCHE: I guess I'll speak to that and then pass it over to some other members. I'm not sure how many entrances and exits are on this specific site. I think Gina can answer that best. In terms of if they have room to move around, yes, I think they do. We design road width and turn radiuses with the intent to be able to navigate them with large trucks, so I do think they have room. There is some spare room in the site that is not used, and if we were specifically asked for an additional gate or something, you know, we wouldn't use it for our purposes, but we'd be happy to put some gates around on the site for

fences and just have them locked and not use them, unless the fire department wants to use them.

MR. LYNCH: I'm sure you'll have to ask for more than one gate. Assuming the gates are locked, would the fire department be provided with keys?

MR. LeMARCHE: Absolutely. We do it differently, depending on where we are. If they want a lock box, a code, keys in their possession. We've seen it different ways, but yes.

MS. WOLFSON: I just want to add to that. It's Gina Wolfman. I'd like to point out that we have another project currently under construction that the Council approved over on Todd Long Spur (phonetic) Road, and the plans were we used the same design standards for the turning radius and the turnarounds for that project. That project also has one gate and -- just to point out that, specifically. That's a larger project. But we did -- the fire department and all town officials had an opportunity to review the setup that was submitted there, as well. So we went with the same design.

MR. LYNCH: Continuing on with the fire problems or situation. As far as your inverters are concerned on the panel, now I know they're

integrated and tied together, the fire department doesn't really care about one panel that's hot, but a lot of them that are tied together, do they know how to turn off these inverters?

MR. LeMARCHE: I don't know if they do or not right now, but that is part of, I guess, our education to them as to how to put the system down and different occasions to shut it down, and I can also point out that as long as the AC tower that's entering the site connected to the utility is off, then the inverters automatically shut themselves off, too.

MR. LYNCH: Aren't the panels still hot?

MR. LeMARCHE: That's correct, the DC side, the panels are still hot as long as the sun is out.

MR. LYNCH: Do you need to go to the power company, Eversource or whatever, to have that shut off, or can you do that?

MR. LeMARCHE: That's a good question. I believe there are site level disconnector breakers at the pole location where the utility is coming into the project that can be shut off there. Whether or not the first respondents could do that on their own or they need input or support from the

utility company, I'm not sure.

MR. LYNCH: Could we, sometime in the future, get an answer to that?

MR. LeMARCHE: Absolutely.

MR. LYNCH: Thank you. Hold on here. I'm going to scroll through my notes. I think I'm done with the fire.

Also in your decommissioning plans you have a phrase in there -- forget that. I lost track of where I am anyhow.

Now, explain to me, I read your interrogatories and your application, why, again, the ISO capacity option or even why -- you're too small a facility to be looked at by the ISO? Is that what your answer really is?

MR. LeMARCHE: I think that's correct, but can you say your question in a different way?

MR. LYNCH: I just wonder why, in simple terms, why is the ISO not involved in your project?

MR. LeMARCHE: The system is too small. They are not involved at this scale.

MR. LYNCH: As far as, one of your interrogatories, I think I wrote it down here, No. 6,

is that you're not going to use batteries for storing power; is that correct?

MR. LeMARCHE: Correct.

MR. LYNCH: And my question is why not? Let me go a little further. Hold on before you answer. Connecticut is under, we have to be green, protect a lot of green power by 2040, or something like that, but over the years, the next 20 years from now and your project is into that phase, isn't it, as far as Moore's Law and Moore's Principle, the things change every year, like 18 months, wouldn't it behoove you in the future to add new technology, especially batteries, to your solar field if you're going to meet the 2040 deadline?

MR. LeMARCHE: I guess from a practical perspective the reason that this specific project does not include batteries or energy storage is because the way the contract was given to us for the sale of the power does not include batteries, so we can't include them on this project.

MR. LYNCH: Couldn't you revise that -- like I say, and at future times; 5 years, 10 years, couldn't you revisit that?

MR. LeMARCHE: I guess we could. I don't see a reason we couldn't. If there was a policy

in place or an award or a mechanism to have that, but the current project does not.

MR. LYNCH: But the current project still gets, you know, federal and state tax credits; is that correct? Until a couple of more years anyhow.

MR. LeMARCHE: It gets federal tax credit. I'm not sure there's any state level credit. I'm not 100 percent sure on that.

MR. LYNCH: The other thing, in one of your interrogatories you talk about snow and ice. I'd like to revisit that for a second. Last year we had a snow and ice storm, and a lot of the solar panels in my neighborhood on our houses didn't melt for a couple of days. So I got a little curious and I went to one of the solar fields, and the same thing I saw there, the ice packed the snow down, and it did not melt off. Now, that means that it's not delivering any power. What can you do to eliminate or have the snow and ice problem be dealt with?

MR. LeMARCHE: I think -- I mean, geographically there's not a lot that we can do about having snow and ice in the wintertime in Connecticut. It's going to be there. And it really just -- it doesn't make practical sense or economic sense or sense from gaining electricity generation to clean the

modules. And the reason that the snow and ice doesn't melt after a snow event is because it generally stays with low temperatures and low solar radiation, so it doesn't cause it to melt, which are also times that the project would generate very little electricity, so there's not a strong benefit to remove the snow and ice. And in our estimates of annual production, lifetime production of the system, we account for that. We account for lower solar radiance in the winter, as well as significant number of days where there's going to be no production because the modules are covered in snow.

MR. LYNCH: Okay. Thank you. I did find the comment on the decommissioning point here. There's a phrase in there that says, decommissioning will come about or the project reaches the end of its useful life. Can you explain either one of those for me? What would cause abandonment and could a useful life be longer than -- or shorter, rather, or longer than what it's projected?

MR. LeMARCHE: I think the abandonment and, again, correct me if I'm wrong, but the abandonment piece is just a protectionary (sic) measure in the case that there are completely unforeseen issues. It's to protect the town, it's to

protect the neighbors from it being sitting there and not used and just being taken down. So that's something that we really don't expect to have happen. Nobody is going to actually abandon it.

In terms of the second question, can you say what that was again? Sorry.

MR. LYNCH: If the project reaches it usefulness, useful life, either earlier or after.

MR. LeMARCHE: It could be longer. If at the end of the contracts for what we have right now to sell power, if there is a second contract or a repowering of the system, it could be longer up until the lease period of the land, but it will not be shorter than its predicted life.

MR. LYNCH: Thank you. My last question has to deal with what a Texas energy and oilman told me awhile back that these projects in the future, the independent solar panel projects will eventually be bought out by big companies. Is it your -- I'm sure Mr. Hoffman might stop me on this one, but is there any plans in the future, or are you looking to, somewhere down the line, five, 10 years, put this project on the market?

MR. LeMARCHE: I am not aware of any plans to -- for that to happen, to put the project on

the market.

MR. LYNCH: Those are all my questions, Chairman.

MR. MORISSETTE: Thank you, Mr. Lynch.

I'll now ask Mr. Silvestri to cross-examine the petitioner.

MR. SILVESTRI: Thank you, Mr. Morissette. Most of my questions have actually been posed by Council members, but at times, as we all know, question and answers kind of spur more questions, so actually I have three followups that I'd like to start with.

And, Mr. LeMarche, in following up with what Mr. Lynch was posing about the snow, can you remind me as to how many stacked panels in a vertical fashion are in a rack? Is it two or is it four?

MR. LeMARCHE: You mean how many modules are, in essence -- I think it's two. I think two is the answer to your question. There are two like this.

MR. SILVESTRI: So, again, getting back to the snow part, I've experienced situations or seen situations where snow would shed off that upper layer of panels and then accumulate on the bottom panel but

not necessarily all shed off, so the question I have for you, does that impede the whole system from running, or would the top panel that is now free from snow still produce power for you?

MR. LeMARCHE: In general, one module will impact another module, so there are approximately 25 to 26 modules that are electrically connected in what we call a string. They're wired together in a series. If one of those modules has a low voltage, it will bring down the voltage of that entire series, string of modules, so it depends a little bit on configuration but, in general, yes, snow in one part of the array will affect other modules.

MR. SILVESTRI: Thank you. I also have a followup to -- I forgot who posed it. I forget if it was Mr. Lynch or Mr. Harder, so I'll apologize to both of them, not knowing which one. I think it was Mr. Lynch. When he was talking about the fire aspect of it, you had mentioned that there would be some type of device on one of the poles, and I think you might have been referring to the group operated air brake.

MR. LeMARCHE: Correct.

MR. SILVESTRI: My understanding, at least with a group operated air brake, or a GAOB, if that opens up, that's going to stop power from being

transferred from the panel system to the grid. So the question I have, I know that's the case, but if the GAOB is opened, does that also stop solar production on the panels?

MR. LeMARCHE: So what it does, the inverters have -- they're called anti islanding. So if there is no AC power on the AC side of the inverters, the inverters are taking the DC power of the modules and converting them to AC. If there's no AC power, the inverters immediately shut off. If the air brake is open, then the inverters are off.

The DC side, the modules, they do not have that automatic shutoff. So if the sun is shining and the modules are there, there will be power being generated by the modules, but it will stay on the -- on that DC side.

MR. SILVESTRI: I got you so far. So getting back to what Mr. Lynch had posed. Something else would have to occur to stop the DC power.

MR. LeMARCHE: Yes, and there are intermittent disconnects throughout the array where you could shut off groups of the DC wire, basically the -- where it's -- many of the strings will be brought together and you can shut off from there to the inverters, but there's not much that can be done to

shut off the module-to-module power. That generally stays live.

MR. SILVESTRI: Understood. Thank you. When you mentioned shutoff, is that something that has to be done on site, or is that a remote operation?

MR. LeMARCHE: Typically at that level it is done on site.

MR. SILVESTRI: Okay. So somebody would have to be dispatched, then, possibly, to help out in any fire type of situation; is that correct?

MR. LeMARCHE: I think, in general, somebody would be dispatched to help out. There are mechanisms to shut off the AC site remotely but, yeah, I think simply -- for a simple answer, yes, somebody should go to the site.

MR. SILVESTRI: Thank you. The other followup I had was to Mr. Harder's question on trees and golf balls. I'll say right off the bat, I tried to be a golfer, but I'm not a golfer. Nonetheless, I've driven by a number of golf facilities, golf courses, and I've seen fine screen mesh that has been put up, mostly along roadways, to try to stop errant balls from going on the roads and hitting cars and traffic. Was there any thought,

getting back to the trees that Mr. Harder brought up, any thought of using a fine screen mesh, either behind the trees or intermixed with the trees to try to stop errant golf balls?

MR. LeMARCHE: We brainstormed about that. It had been one of our considerations. We have not put any plans in place to deploy something like that at this time.

MR. SILVESTRI: Thank you. I'd like to look now at electrical connections. I want to start off by referencing site plan E2 and LA2, if you would.

The first question I have, the site plan in drawing E2 has the northern electrical equipment pad labeled as B1, but if I look at drawing LA2, it has it labeled as B2. Which one is correct?

MR. LeMARCHE: Unless someone has that answer handy, I think we should probably get back to you on that one.

MR. SILVESTRI: Again, I'm looking at, for your reference, drawing E2 and drawing LA2, and you'll see that there's a discrepancy between those two. Okay.

Let me move on, then, to the electrical connection questions that I had. I'm going to keep on the east array, if you will. The electrical

connection from B1, which I believe is the northern section of the east array; is that correct?

MR. LeMARCHE: Gina, do you have that? Are you able to answer that?

MS. WOLFSON: I don't have it. I'm looking for the plan. The B2 pad on LA2 is the northern. The one that's listed as B2, array B2, is the northern.

MR. SILVESTRI: Okay. If I go by that, a couple of drawings might have to be changed, then, to get the correct labels on B1 and B2, but let me try to stay with what you just mentioned about it being B2. Would the transition from that northern array from underground to overhead, that would occur at hole No. 1; is that correct?

MS. WOLFSON: That's correct, looking at the electrical drawings.

MR. SILVESTRI: Then the other B, whichever correct number it might be, 1 or 2, that would then transition at hole 2 from underground to overhead; correct?

MS. WOLFSON: Yes. It was at pole 2.

MR. SILVESTRI: Then just to confirm, at pole 1 some B is going to be metered,

possibly B2, and at pole No. 2, the opposite B is going to be metered, as well. Do I have that right?

MS. WOLFSON: That's correct. They're two separately metered systems.

MR. SILVESTRI: Again, looking at whatever clarity we need to say it's B1 or B2, but there's going to be two poles with separate metering for those two lights?

MS. WOLFSON: Mm-hmm.

MR. SILVESTRI: If you look at site plan E2, the poles go in sequence from right to left and you can easily see pole 1, 2, 3, 4, and 5, but I'm looking for some clarity, if you will, that when I look at the one-line drawings of E31 and E32, it seems that both of the one-line drawings have the B2 system intersecting after pole 3, and the question I have is why would that occur if, again, pole 3 is going to be all important for the other electrical connections that you have there? Your re-closures.

MS. WOLFSON: I don't have the drawing in front of me. We would have to check that with the electrical engineer.

MR. SILVESTRI: Okay. Again, to clarify where I'm coming from, when I look at the one lines, either E31 or E32, the system for B2 just gets

tied in after pole 3, and I think that needs to be revised to really know what we just talked about, that pole 2 is coming in before pole 3, and then you get into your closures and then you get into your air brake. So if you could check that for us, I'd appreciate it as well.

MS. WOLFSON: All right.

MR. SILVESTRI: The last question in that series, again looking at the five poles, the first question that I'll pose is are five poles actually needed, or could pole five essentially contain the group operated air brake switch and the surge arresters, and then go to pole 4 with the relay cabinet and reclosure, which would leave pole 3 and pole 2 as the risers and meters and pole 1 would be eliminated. So what would happen is you would come off your electrical pad, and instead of going straight up, you'd be going on an angle to try to eliminate one of the poles. So, with that, are five poles actually needed?

MS. WOLFSON: Well, this design was with our engineers and we did revise the initial layout to consider their feedback on that. We did work with them, and that's a question we could ask on the final design.

MR. SILVESTRI: Again, I draw a

parallel to what you have for the western system, what you can easily see on drawing LA-1. There you only have a few poles, basically taking into account what you need to have your point of interconnection, your go at pole, you reclosure, and your riser, and, again, it just seems that one extra pole might not be needed for the eastern array, so I'd appreciate you checking that one, as well.

MS. WOLFMAN: We'll check on that.

MR. SILVESTRI: Again, barring clarifications that you'll get back to us on, I don't have any further questions, Mr. Morissette. I thank you.

MR. MORISSETTE: Thank you, Mr. Silvestri. I have a couple of questions myself.

I'd like to start off with the wetlands lineation, figure 11. I would like to know, are all of the distances to the arrays greater than 100 feet?

MS. RAYMOND: This a Megan Raymond, wetland scientist with Milone & MacBroom. The perimeter of the work areas, or the perimeter of the array fields, have been cited to be a minimum of 100 feet away. The 100 foot wetland offset is depicted on the plans in the engineering drawings. So that's most

specific to the western array.

The eastern array, the limit of disturbance is greater than 100 feet, but the western array, the limit of the fence is going to be situated right along the 100 foot, if you were looking at connecting nomenclature or the regulations.

MS. MORISSETTE: Great. Thank you. Concerning wetland No. 2, it's documented that it's in the theme of 100 and 500 year flood plan. Are the arrays themselves in jeopardy of those 100 or 500 year floods?

MS. RAYMOND: The arrays themselves are situated above the base flood elevations, the 100 year base flood elevation.

As it relates to the 500 year, I don't have the data to define -- we'd have to look back at the flood study to look at that elevation specifically, but I do know that the arrays are situated above the 100 year base flood elevation, and actually the mapped 500 year doesn't overlap the array area. That sort of extends north along that ponded area, but just from a sheer overlay to the FEMA map, it would be situated outside of the 500 year for that one, as well.

MS. MORISSETTE: Very good. Let's

see. Just some clarification on Mr. Silvestri's discussion relating to shutoff of the panels and disconnection. Now, Mr. LeMarche, is it the panels will be disconnected or, as you said, shut off?

MR. LeMARCHE: I don't understand the difference between your question, between the two scenarios in your question.

MR. MORISSETTE: If they're shut off, they're not generating DC electricity. If they're disconnecting, they're still generating DC electricity, but they're unable to flow to the additional panels and, therefore, the inverter.

MR. LeMARCHE: Right. So at the inverters where the DC power enters the inverter, there is a switch at that point where we can open and open the circuit and essentially shut off the DC power to the inverters.

MS. MORISSETTE: That's not my point, though. You're not shutting off, you're disconnecting.

MR. LeMARCHE: Yes, you are disconnecting it. It is a disconnect switch. Farther down the line there are what we call combiner boxes and junction boxes that tie modules together. There's a disconnect at that point, too. So we can disconnect

between the combiner box and the inverters. More granular than the combiner boxes is the string level where it's 25 modules wired together in a series. Those do not have a disconnect.

MR. MORISSETTE: So DC energy would still be flowing. My clarification is that it will be disconnected, not shut off.

MR. LeMARCHE: Yes. There are two levels of disconnect on the DC side.

MR. MORISSETTE: Great. Thank you.

I'm still confused related to the response in set 1, question No. 3, relating to the rate in which you will fall back to Eversource, and it has to do with the SG2 rate. I am not aware of an SG2 rate existing. I'd just like to clarify that. I don't believe Eversource had one. They have a rate 980, but not an SG2 rate.

MR. LeMARCHE: Which interrogatory set is this?

MS. MORISSETTE: That's the first set, answer No. 3.

MR. LeMARCHE: I guess I can't speak to more detail than what's written in the interrogatory. Gina, if you can, great; otherwise, I think we'll have to get back to you.

MS. WOLFSON: Other than defining what the rate is, I can't speak further beyond what we have there.

MR. MORISSETTE: If you can clarify that. My point being is that you're selling to Eversource at the non-firm excess generation rate, whatever rate that may be, probably rate 980, meter rate, but you don't have a host facility.

I'd like to turn everyone's attention to the abutter well locations. Just to confirm a couple of items for me. It appears that Woodland Circle and -- I'm sorry, Woodland Court and Fairway court, that they are on town water.

MS. WOLFSON: That's correct.

MR. MORISSETTE: And then north side of the facility, you have more well situations, and there are three properties that do have wells, and they range from 260 feet to 420 feet.

MS. WOLFSON: That's correct.

MR. MORISSETTE: What protections are in place to ensure that those wells are not impacted, and are the distances adequate enough to protect them?

MS. WOLFSON: We believe those distances are adequate to protect them from

construction damage. Typically, a survey would be done, a well survey, if you were developing closer to the property line or closer to the well, but at those distances we believe that's protective for the equipment we'd be using. We're not using any blasting, and it doesn't -- it's not an issue, in our opinion.

MR. MORISSETTE: Thank you. So what distances would be closer by that you would then be concerned with? Is there a standard in the industry or?

MS. WOLFSON: If I could defer to Mike on that one. Mike Gagnon.

MR. GAGNON: Yeah, I would say, and, again, I don't know what particular hazards might be considered here, but I would dare to say, you know, obviously anything closer than what is allowable, for example, by subsurface disposal; ie, a septic system definitely would warrant some concern, but anything greater than that, you know, I doubt that the site would pose any kind of risk to the wells.

MS. WOLFSON: As we mentioned, the equipment we're using, we're driving posts and using track mounted small vehicles, equipment wouldn't be any different than, say, doing foundation work or excavation work, just driving those piles throughout

the area.

MR. MORISSETTE: What would be a safe distance, for example, if you could put a number on it, Mr. Gagnon?

MR. GAGNON: I would say -- I guess my estimate would be 150 feet would be sufficient.

MR. MORISSETTE: Okay. Thank you.

Just a quick question relating to the interconnection. So both the east and west are interconnected to the distribution system separately, and what's the voltage that they're interconnecting at?

MR. LeMARCHE: Do you have that available, Gina?

MS. WOLFSON: Which sheet would that be best to find it on?

MR. LeMARCHE: It should be on the 19 diagram. I believe it is -- speaking from memory, I believe it's 12 or 13KB. I would have to look it up and check.

MS. MORISSETTE: I can look it up. That is correct, that you're interconnecting both of them separately onto the distribution system and that they're being treated and metered separately.

MR. LeMARCHE: That's correct.

MR. MORISSETTE: Just one last

question, and this really has to do with visibility. If I look at the well location drawing -- which I find is very useful to see the overall facility in relation to the wetlands and the abutters' property. Now, is the Woodland Court and Fairway Court -- there appears to be a tree line along the property line. Are those trees large and have a high canopy, or are they low and offer some semblance of screening?

MS. WOLFSON: There is some screening there, for sure, and there are photos that Mr. Hanson submitted from the interior of the property in the recent -- in his responses to our last set of interrogatories. So there is some screening there, and we didn't actually do a full tree survey, but I don't know if you have those photos available.

MR. MORISSETTE: I do have those photos, and I did take a look at them, but it appears that the photos -- I have to look at them again. It appears that the photos were taken closer to the property line, so it didn't embellish that there was a tree canopy available to provide some screening.

MS. WOLFSON: There are photos from your initial photo log that are shot from into the facility toward those properties, as well. Those were in the disability assessment. Let me see what numbers

they would be.

MR. GAGNON: Gina, this is Mike. I'm looking at photo No. 7, I believe, which is looking south towards that area.

MR. MORISSETTE: Thank you. That will be helpful.

Is there any thought about providing additional screening along this property line along Woodland, and at least 5 Woodland and 6 Woodland Court, to enhance the treeline?

MS. WOLFSON: We did mention that that's something we're willing to do. We told him that is an option. When we spoke to Mr. Hanson, we had mentioned that during the meeting.

MR. MORISSETTE: Very good.

MR. LeMARCHE: I looked it up. It's 13.8KB.

MR. MORISSETTE: Okay. Good, thank you.

That's all the questions that I have at this time. We are approaching the 5 o'clock timeframe. I'll ask Attorney Bonnano, do you have additional cross-examination, and should we put it off until our next hearing?

MR. BONNANO: Yes and yes.

MR. MORISSETTE: Given that, I will call a recess until 6:30 when we will have -- we will commence the public commenting session. So that, again, will be at 6:30 for the remote public hearing for public comment.

MR. BONNANO: Mr. Councilman, before you adjourn, Mike Bonnano, I just want to confirm that the next date is October 20th. Attorney Bachman has been wonderful in providing assistance and information. I want to make sure because I have a trial scheduled that day. It's likely going to go off. I wanted to confirm that that is when questioning would resume.

MR. MORISSETTE: Yes, Tuesday, October 20th, at 2 p.m.

MR. BONNANO: Thank you very much.

MR. MORISSETTE: We'll resume at 6:30.

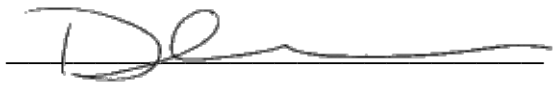
(Whereupon, the hearing was adjourned at 4:53 p.m.)

CERTIFICATE FOR REMOTE HEARING

STATE OF CONNECTICUT

I, Debra A. Chasse, CSR 055, a Notary Public duly commissioned and qualified, do hereby certify that the foregoing 99 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken of the HEARING HELD BY REMOTE MEANS IN Re: PETITION NO. 1410, GREENSKIES CLEAN ENERGY, LLC PETITION FOR A DECLARATORY RULING, PURSUANT TO CONNECTICUT GENERAL STATUES 4-176 AND 16-50k, FOR THE PROPOSED CONSTRUCTION, MAINTENANCE AND OPERATION OF A 3.0-MEGAWATT-AC SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITY ON TWO PARCELS AT THE ELMRIDGE GOLF COURSE LOCATED TO THE EAST AND WEST OF NORTH ANGUILLA ROAD AT THE INTERSECTION WITH ELMRIDGE ROAD, STONINGTON, CONNECTICUT, AND ASSOCIATED ELECTRICAL INTERCONNECTION, which was held before JOHN MORISSETTE, Presiding Officer, on October 1, 2020.

In witness whereof, I have hereunto set my hand this 16th day of October 2020.



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