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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 526

Greenskies Clean Energy, LLC Application for a
Certificate of Environmental Compatibility and
Public Need for the Construction, Maintenance, and
Operation of a 4.999-Megawatt-AC Solar Photovoltaic
Electric Generating Facility and Associated
Equipment Located at Lantern Hill Road (Parcel No.
169-1-4), Stonington, Connecticut and Associated
Electrical Interconnection

Zoom Remote Council Meeting (Teleconference),
on Thursday, December 12, 2024, beginning at 2 p.m.

H e l d B e f o r e :

JOHN MORISSETTE, Member and Presiding Officer

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

2 **Councilmembers:**

3 **JOHN MORISSETTE, (Hearing Officer)**

4
5 **BRIAN GOLEMBIEWSKI,**

6 **DEEP Designees**

7
8 **QUAT NGUYEN,**

9 **PURA Designee**

10
11 **CHANCE CARTER**

12 **ELIN KATZ**

13 **KHRISTINE HALL**

14 **DANIEL P. LYNCH, JR.**

15
16 **Council Staff:**

17 **MELANIE BACHMAN, ESQ.,**

18 **Executive Director and Staff Attorney**

19
20 **ROBERT MERCIER,**

21 **Siting Analyst**

22
23 **LISA FONTAINE**

24 **Administrative Support**

25

1 **A p p e a r a n c e s:(cont'd)**

2 **For GREENSKIES CLEAN ENERGY, LLC:**

3 **PULLMAN & COMLEY, LLC**

4 **90 State House Square**

5 **Hartford, Connecticut 06103-3702**

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1 (Begin: 2:00 p.m.)

2
3 THE HEARING OFFICER: Good afternoon, ladies and
4 gentlemen. Can everybody hear me okay?

5 Very good. Thank you.

6 This public hearing is called to order this
7 Thursday, December 12, 2024, at 2 p.m. My name is
8 John Morissette, member and Presiding Officer of
9 the Connecticut Siting Council. Other members of
10 the Council are Brian Golembiewski, designee for
11 Commissioner Katie Dykes of the Department of
12 Energy and Environmental Protection; Quat Nguyen,
13 designee for Chairman Marissa Paslick Gillett of
14 the Public Utilities Regulatory Authority; Chance
15 Carter; Christine Hall; Bill Syme; Elin Katz; and
16 Daniel P. Lynch, Jr.

17 Members of the staff are Executive Director
18 Melanie Bachman, Siting Analyst Robert Mercier,
19 and Administrative Support Lisa Fontaine.

20 If you haven't done so already, I ask that
21 everyone please mute their computer audio and/or
22 telephones now.

23 Thank you.

24 This hearing is held pursuant to provisions
25 of Title 16 of the Connecticut General Statutes

1 and of the Uniform Administrative Procedure Act
2 upon an application from Greenskies Clean Energy,
3 LLC, for a certificate of environmental
4 compatibility and public need for the
5 construction, maintenance and operation of a
6 4.999-megawatt AC solar photovoltaic electric
7 generating facility and associated equipment
8 located on Lantern Hill Road, Parcel Number
9 169-1-4 in Stonington, Connecticut, and the
10 associated electrical interconnection.

11 This application was received by the Council
12 on September 27, 2024. The Council's legal notice
13 of the date and time of this public hearing was
14 published in The Day on October 26, 2024. Upon
15 this Council's request, the Applicant erected a
16 sign in the vicinity of the proposed site so as to
17 inform the public of the name of the Applicant,
18 the type of the facility, the public hearing date,
19 and contact information for the Council, including
20 the website and phone number.

21 As a reminder to all, off-the-record
22 communication with a member of the Council or a
23 member of the Council's staff upon the merits of
24 this application is prohibited by law.

25 The parties to the proceeding are as follows.

1 The Applicant is Greenskies Clean Energy, LLC,
2 represented by Lee Hoffman, Esquire, of Pullman
3 and Comley, LLC.

4 We will proceed in accordance with the
5 prepared agenda, a copy of which is available on
6 the Council's Docket Number 526 webpage, along
7 with the record of this matter, the public hearing
8 notice, instructions for public access to this
9 public hearing, and the Council's citizens guide
10 to Siting Council's procedures.

11 Interested persons may join any session of
12 the public hearing to listen, but no public
13 comments will be received during a 2 p.m.
14 Evidentiary session. At the end of the
15 evidentiary session, we will recess until 6:30
16 p.m. for the public comment session. Please be
17 advised that any person may be removed from the
18 evidentiary session or the public comment session
19 at the discretion of the Council.

20 The 6:30 public comment session is reserved
21 for members of the public who have signed up in
22 advance to make brief statements into the record.
23 I wish to note that the Applicant, including their
24 representatives, witnesses, and members are not
25 allowed to participate in the public comment

1 session.

2 I also wish to note that those who are
3 listening and for the benefit of your friends and
4 neighbors who are unable to join us for the public
5 comment session, that you or they may send written
6 statements to the Council within 30 days of the
7 date hereof, either by mail or by e-mail, and such
8 written statements will be given the same weight
9 as if spoken during the public comment session.

10 A verbatim transcript of the public hearing
11 will be posted on the Council's Docket Number 526
12 webpage and deposited in the Stonington Town
13 Clerk's office for the convenience of the public.

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

16 We have one motion on the agenda to take care
17 of; we have the Applicant's motion for protective
18 order, response to Council's interrogatory number
19 17, the lease agreement financial terms dated
20 December 5, 2024. Attorney Bachman may wish to
21 comment.

22 Attorney Bachman, good afternoon.

23 **ATTORNEY BACHMAN:** Good afternoon, Mr. Morissette.

24 Thank you.

25 The Applicant filed a motion for protective

1 order under General Statute Section 1-210,
2 Subsection B, and Section 16-50o in response to
3 our interrogatory related to the disclosure of the
4 financial terms contained within the lease
5 agreement, and staff recommends approval.

6 THE HEARING OFFICER: Thank you, Attorney Bachman.

7 Is there a motion?

8 MS. HALL: I'll make a motion to --

9 A VOICE: I'll make a motion --

10 MS. HALL: -- approve.

11 A VOICE: Yeah, go ahead.

12 MS. HALL: To approve the protective order.

13 THE HEARING OFFICER: Thank you, Ms. Hall.

14 We have a motion by Ms. Hall to approve the
15 protective order. Is there a second?

16 MR. LYNCH: I'll second.

17 THE HEARING OFFICER: Thank you, Mr. Lynch.

18 We have a motion by Ms. Hall to approve the
19 protective order, and we have a second by
20 Mr. Lynch. We'll now move to discussion.

21 Mr. Nguyen, any discussion?

22 MR. NGUYEN: I have no discussion. Thank you.

23 THE HEARING OFFICER: Thank you.

24 Mr. Golembiewski, any discussion?

25 MR. GOLEMBIEWSKI: I have no discussion. Thank you.

1 THE HEARING OFFICER: Thank you.

2 Mr. Carter, any discussion?

3 MR. CARTER: No discussion. Thank you.

4 THE HEARING OFFICER: Thank you.

5 Ms. Hall, any discussion?

6 MS. HALL: No discussion. Thank you.

7 THE HEARING OFFICER: Thank you.

8 Mr. Syme, any discussion?

9 MR. LYNCH: No discussion.

10 THE HEARING OFFICER: Thank you, Mr. Lynch.

11 Ms. Katz, any discussion?

12 MS. KATZ: No discussion. Thank you.

13 THE HEARING OFFICER: Thank you.

14 And I have no discussion. We'll now move to
15 the vote. Mr. Nguyen, how do you vote?

16 MR. NGUYEN: I vote to approve.

17 THE HEARING OFFICER: Thank you.

18 Mr. Golembiewski?

19 MR. GOLEMBIEWSKI: I vote to approve. Thank you.

20 THE HEARING OFFICER: Thank you.

21 Mr. Carter?

22 MR. CARTER: Vote to approve. Thank you.

23 THE HEARING OFFICER: Thank you.

24 Ms. Hall?

25 MS. HALL: Vote to approve. Thank you.

1 THE HEARING OFFICER: Ms. Golembiewski?

2 MR. GOLEMBIEWSKI: I vote to approve. Thank you.

3 THE HEARING OFFICER: Thank you.

4 Mr. Carter?

5 MR. CARTER: I vote to approve. Thank you.

6 THE HEARING OFFICER: Thank you. Ms. Hall?

7 MS. HALL: I vote to approve. Thank you.

8 THE HEARING OFFICER: Thank you.

9 Ms. Katz?

10 MS. KATZ: Vote to approve.

11 THE HEARING OFFICER: Thank you.

12 Mr. Lynch?

13 MR. LYNCH: Vote approval.

14 THE HEARING OFFICER: Thank you. And I also vote
15 approval.

16 We have a unanimous decision. The motion to
17 approve the protective order is approved.

18 Moving on to item C, administrative notices
19 taken by the Council. I wish to call your
20 attention to those items shown on the hearing
21 program marked as Roman numeral 1C, items 1
22 through 108.

23 Does the Applicant have an objection of the
24 items that the Council has administratively
25 noticed?

1 Attorney Hoffman, good afternoon.

2 ATTORNEY HOFFMAN: Good afternoon, Mr. Morissette.

3 We have no objection.

4 THE HEARING OFFICER: Very good. Thank you.

5 Accordingly, the Council hereby
6 administratively notices these existing documents.

7 We'll now move on to the appearance by the
8 Applicant. Will the Applicant present its witness
9 panel for purposes of taking the oath? We'll have
10 Attorney Bachman administer the oath.

11 Attorney Hoffman?

12 ATTORNEY HOFFMAN: Thank you, Mr. Morissette.

13 I would ask that everybody turn on their
14 cameras and unmute their microphones who are on
15 the witness panel so that we can see and hear you.

16 Mr. Morissette, I would like to introduce our
17 witness panel. There are four witnesses for
18 today's hearing. They are Jean-Paul LaMarche of
19 Greenskies Clean Energy, Dennis Hicks of
20 Greenskies Clean Energy; and then two individuals
21 from VHB, Steve Coaches from VHB, and also Sarah
22 Berryman from VHB.

23 THE HEARING OFFICER: Very good. Thank you.

24 Attorney Bachman, please administer the oath.

25 ATTORNEY BACHMAN: Thank you, Mr. Morissette.

1 Could the witnesses please raise your right
2 hand?

3 J E A N - P A U L L a M A R C H E

4 D E N N I S H I C K S ,

5 S T E V E K O C H I S ,

6 S A R A B E R R Y M A N ,

7 called as witnesses, being sworn by THE
8 EXECUTIVE DIRECTOR, were examined and
9 testified under oath as follows:

10
11 THE HEARING OFFICER: Very good.

12 Attorney Hoffman, please begin by verifying
13 all the exhibits by the appropriate sworn
14 witnesses.

15 ATTORNEY HOFFMAN: Absolutely. So we have three
16 exhibits that are listed in the hearing program
17 under Roman numeral two, item number -- B. They
18 are B1, the application, all of the attachments
19 and bulk-filed exhibits associated with that
20 application, the signposting affidavit dated
21 November 5, 2024; as well as the responses to the
22 Council's interrogatories, also dated November 5,
23 2024.

24 Mr. Kochis, I will start with you. Are you
25 familiar with the items I just listed in Roman

1 numeral two, B1 through 3?

2 THE WITNESS (Kochis): Yes, I am.

3 ATTORNEY HOFFMAN: And did you assist in their
4 preparation or cause them to be prepared?

5 THE WITNESS (Kochis): Yes, I did.

6 ATTORNEY HOFFMAN: And are they accurate to the best of
7 your knowledge and belief?

8 THE WITNESS (Kochis): Yes, they are.

9 ATTORNEY HOFFMAN: And do you have any changes to them
10 here today?

11 THE WITNESS (Kochis): No, I do not.

12 ATTORNEY HOFFMAN: And do you adopt them as your sworn
13 testimony today?

14 THE WITNESS (Kochis): Yes, I do.

15 ATTORNEY HOFFMAN: Okay. Thank you.

16 Ms. Berryman, I'm going to ask you a similar
17 question. Are you familiar with items two, B1 and
18 3?

19 THE WITNESS (Berryman): Yes.

20 ATTORNEY HOFFMAN: And did you prepare these items or
21 assist in their preparation?

22 THE WITNESS (Berryman): Yes. (Unintelligible.)

23 Sorry. Steve and I are in the same room, so.

24 ATTORNEY HOFFMAN: Okay. And so you're just going to
25 need to be careful with your microphones, please?

1 And are they accurate to the best of your
2 knowledge and belief?

3 THE WITNESS (Berryman): Yes.

4 ATTORNEY HOFFMAN: And do you have any changes to them
5 today?

6 THE WITNESS (Berryman): No.

7 ATTORNEY HOFFMAN: And do you adopt them as your sworn
8 testimony today?

9 THE WITNESS (Berryman): Yes.

10 ATTORNEY HOFFMAN: Thank you very much.

11 Mr. Hicks, I'll turn to you. Are you
12 familiar with items Roman numeral two, B1 and 3?

13 THE WITNESS (Hicks): Yes.

14 ATTORNEY HOFFMAN: And did you prepare these items or
15 cause them to be prepared?

16 THE WITNESS (Hicks): Yes.

17 ATTORNEY HOFFMAN: And are they accurate to the best of
18 your knowledge and belief?

19 THE WITNESS (Hicks): Yes.

20 ATTORNEY HOFFMAN: And do you have any changes to them
21 here today?

22 THE WITNESS (Hicks): No.

23 ATTORNEY HOFFMAN: And do you adopt them as your sworn
24 testimony here today?

25 THE WITNESS (Hicks): I do.

1 ATTORNEY HOFFMAN: Mr. LaMarche, the same questions for
2 you, sir. Are you familiar with items two, B1 and
3 3?

4 THE WITNESS (La Marche): Yes, I am.

5 ATTORNEY HOFFMAN: And are they accurate to the best of
6 your knowledge and belief?

7 THE WITNESS (La Marche): Yes, they are.

8 ATTORNEY HOFFMAN: And did you prepare them or cause
9 them to be prepared?

10 THE WITNESS (La Marche): Yes.

11 ATTORNEY HOFFMAN: And do you have any changes to them
12 here today?

13 THE WITNESS (La Marche): I do not.

14 ATTORNEY HOFFMAN: And do you adopt them as your sworn
15 testimony in this hearing?

16 THE WITNESS (La Marche): Yes, I do.

17 ATTORNEY HOFFMAN: Mr. Morissette, with that, I would
18 like to move that Exhibits 2, B1, 2 and 3 be
19 admitted as full exhibits in this hearing.

20 THE HEARING OFFICER: Thank you, Attorney Hoffman.

21 The exhibits are hereby admitted. Thank you.

22 We'll now begin with cross-examination of the
23 Applicant by the Council, starting by Mr. Mercier,
24 followed by Mr. Nguyen.

25 Mr. Mercier, good afternoon.

1 MR. MERCIER: Good afternoon. Thank you.

2 I'm going to begin by looking at the
3 application site plan. These are behind appendix
4 A of the application. On the website it says,
5 permit plan, slash, drawing set. And I just want
6 to confirm that this, the middle behind appendix A
7 is the current site layout that's proposed for the
8 site. Is that correct?

9 THE WITNESS (La Marche): Yeah, this is Jean-Paul.

10 It is the correct current layout.

11 MR. MERCIER: Okay. The plans are dated June 27th.

12 And while I was looking at the stormwater report,
13 which is dated July 2024, which is after the plan
14 date of June 27, 2024, within that appendix E
15 stormwater report there's a site plan which has a
16 different layout.

17 There's different basins. There's a
18 different roadway configuration. So, I just want
19 to try to understand the discrepancy between the
20 two.

21 THE WITNESS (La Marche): Steve, can you comment on
22 that, please?

23 THE WITNESS (Kochis): Yeah, I'm looking at it right
24 now. This is Steve Kochis, VHB.

25

1 (Pause.)

2
3 THE WITNESS (Kochis): This is Steve Kochis, VHB.

4 I believe that one plan, Mr. Mercier, to
5 be -- the proposed drainage conditions map to be
6 obsolete and should be replaced with the most
7 current of this, of this figure.

8 MR. MERCIER: Okay, thank you.

9 Just looking at this particular plan within
10 appendix E, the stormwater report, there was five
11 basins proposed. And I noticed on the new plan,
12 we'll call it, submitted with the application for
13 appendix A, there's six basins.

14 Why was there an increase? Was there any
15 type of particular reason for additional water
16 storage?

17 THE WITNESS (Kochis): This is Steve Kochis, VHB.

18 The last basin was introduced just through
19 further review of the existing conditions. And we
20 just made the decision to introduce a sixth basin
21 to further protect surrounding properties as a
22 result of the project.

23 But the site plans with the sixth basin
24 should be considered the latest stormwater
25 management plan.

1 MR. MERCIER: The stormwater management plan submitted
2 with the application, would that have to be
3 revised? Or are the calculations the same, and
4 the figure was an error?

5 Or does the whole thing have to be revised?

6 THE WITNESS (Kochis): The -- the only thing in -- in
7 error that I'm -- that I'm seeing is that, that
8 one plan, the proposed drainage conditions map
9 needs to be replaced, but the rest of the report
10 is updated and correct.

11 MR. MERCIER: Okay. Thank you.

12 Was the stormwater report submitted with the
13 application for general permit to DPS, or is that
14 going to be at a later date?

15 THE WITNESS (Hicks): This is Dennis Hicks.

16 For the -- the stormwater general permit,
17 we -- we will be submitting that at a later date.
18 We typically try to get these done at the same
19 time.

20 MR. MERCIER: Okay. Thank you.

21 I was just looking at the plan with the six
22 stormwater basins. I understand this is an
23 agricultural field. It was recently used for corn
24 crops. You know that there was a previous project
25 by Greenskies in Woodbury and it was also a farm

1 field, but that did not require any stormwater
2 basin even though it was located on a hill, with
3 the explanation being that there will be an
4 improvement in ground cover and that would take
5 care of any type of stormwater discharge.

6 Why would this site be different where you're
7 going to be improving the surface from a field to,
8 you know, a grass or a meadow condition?

9 Why would basins be required?

10 THE WITNESS (Kochis): This is -- this is Steve Kochis,
11 VHB again.

12 So I was the lead designer on that app --
13 petition -- or sorry, certificate in Fawn Meadow
14 for Woodbury as well. I would say in response to
15 that, that this site is extremely similar to that
16 one. And these basins do not need to be permanent
17 as a result of the pre to post-construction
18 analysis for stormwater management.

19 The difference between the two sites and --
20 and I would say it's -- it's typically a
21 preference to keep the basins in permanently,
22 because you do need them to be dug for sediment
23 manage -- sediment control during construction.
24 Usually, the preference is to keep them in
25 permanently, such as on this site, but they're by

1 no means needed for stormwater rate control.

2 However, the different -- speaking on that
3 other application, the difference would be that
4 the topography and the sheet flow nature of that
5 other site, it was in my best engineering judgment
6 that it would actually be more optimal on that, on
7 the -- on the Woodbury Fawn Meadow site to remove
8 the basins at the end of construction and allow
9 the water to continue to sheet flow.

10 However, this site is different as it has
11 areas of channelization as it leaves the parcel.
12 And so, in my best engineering judgment it was
13 preferable here to keep the basins in permanently,
14 although on neither site were they required for
15 the grade attenuation to your point.

16 MR. MERCIER: Thank you.

17 I'm going to look at site plan sheet 4.0 that
18 was provided with application appendix A. That
19 just shows the final grading and drainage plan.
20 I'm looking at the south end of the site. You
21 know, this plan shows, you know, the permanent
22 basin, as you just discussed, that the temporary
23 traps remain in place as a permanent basin. I did
24 notice the emergency outfall is going right on to
25 an budding property line -- or right on the

1 property line, for that matter.

2 Can these basins or -- and traps be moved to
3 the north slightly to get that outfall away from
4 the property line? Or why would they have to be
5 so close to the property line?

6 THE WITNESS (Kochis): This is Steve Kochis again, VHB.

7 We could certainly look at moving them to the
8 north. I don't want to immediately say here that
9 they physically can be moved. That, that those
10 locations that we are proposing, those stormwater
11 basins are where the water naturally collects as
12 it seeps through the -- the stone wall and the
13 vegetation that exists along the property line.

14 So, just physically it -- it may not be
15 beneficial to move them to the north because that
16 area to the south is truly where the water
17 collects today in existing conditions. But what I
18 could say is it's certainly something we could
19 investigate in shifting the basins to the north to
20 move them away from the property line a little
21 bit.

22 MR. MERCIER: Thank you.

23 I just heard you say there's a stone wall.
24 Is that along the property line? I did not see a
25 stone wall notation. It may be because there's a

1 black line, a limited disturbance.

2 So, there's a stone wall on the south
3 property line. Is that correct?

4 **THE WITNESS (Kochis):** This is Steve Kochis, VHB again.

5 There, it's very -- what I would call a very
6 dilapidated stone wall, if you could even call it
7 that. It's -- it's been knocked down through the
8 years. It's been overgrown with -- with trees and
9 brush.

10 It exists in some locations and not others
11 along that, that east-west property line on the
12 southern edge of our project, but there is some
13 semblance of stone, trees, brush along that
14 property line. We're not proposing to alter any
15 of that vegetation or -- or any of the stones that
16 exist there now.

17 **MR. MERCIER:** Thank you.

18 Speaking of vegetation, in the lower right
19 corner of the site, I think that's basin -- what's
20 called sediment trap 2C. So, I assume it will
21 just be basin 2C, permanent basin 2C. When you
22 construct the basin there, do you have to clear
23 out any trees just to the west of the 209 Lantern
24 Hill Road property?

25 The 209 Lantern Hill Road property is, you

1 know, basically where it says Lantern Hill Road on
2 the map, just right to the north, like that
3 triangular piece, and I was unclear because the
4 previous plan, sheet 3.2, shows some wooded areas
5 there. And I'm trying to get the sense, will
6 there be clearing up to this person's property
7 line and opening up views to the west, north-west?

8 **THE WITNESS (Kochis):** This is Steve Kochis, VHB again.

9 I would say the intent and the proposal of
10 this site plan is absolutely to not clear any
11 vegetation. And so, I would say we're not
12 proposing to clear any vegetation. And if we do
13 end up needing to make a tweak, a modest tweak to
14 that basin to accommodate that, I believe our
15 intent is to maintain that we are not clearing any
16 vegetation to construct any aspects of this
17 project.

18 **MR. MERCIER:** Okay. Thank you.

19 For the detention basins, once you clean them
20 out after construction to convert them to
21 permanent basins, what is the cover material? Is
22 it going to be vegetation like grass, or is it
23 riprap?

24 **THE WITNESS (Kochis):** This is Steve Kochis, VHB.

25 Traditionally when, once the basins are

1 excavated and constructed, they will -- will
2 generally be fully just vegetated with the -- the
3 same robust seed mix with shade -- shade tolerant,
4 drought tolerant species as the rest of the
5 project area and where the panels are proposed.
6 There will be portions of the basin, including the
7 riprap spillway, of course, and also likely
8 portions of the inlet.

9 Sometimes it's -- it's hard to tell on the
10 onset, and it's really -- you're really just
11 dynamically doing it to our construction, but I
12 would say with -- with fairly high certainty there
13 will be some, some extra riprap installed along
14 the inlet areas to prevent erosion and to main --
15 to stabilize those areas.

16 So, no specific vegetation proposed there.
17 It would be a low -- a low-growing seed mix and --
18 and riprap, some combination of that.

19 MR. MERCIER: Okay. I'm going to move on to site plan
20 C5.0. That's the erosion and sediment control
21 plan overall. And on the left-hand side of that
22 sheet there are notes, construction notes,
23 sequence notes, things of that nature.

24 And I'm looking under the -- it says,
25 pre-construction site protection sequence, and it

1 talks about installing the temporary sediment
2 traps and E and S controls, then doing some
3 seeding and stabilizing. Then it moves on to
4 construction sequence down below and then it says,
5 perform mass earthwork.

6 So, I'm just trying to figure out what other
7 earthwork are you going to do at the site besides
8 construction of the detention basins and
9 potentially leveling for some pads, electrical
10 equipment.

11 THE WITNESS (Kochis): This is Steve Kochis with VHB
12 again.

13 I guess that's kind of just a coverall note,
14 but we are certainly not intending -- let me back
15 up. The -- the grading plan, as it's shown,
16 depicts the sum of the grading that we're
17 expecting to propose as part of these site plans.
18 There's no -- there's no grading associated with
19 the aspects of the solar array.

20 Truly, the only -- the only grading that
21 would take place would be for the access road
22 to -- to remove material and bring in a gravel
23 subbase and the excavation and berm construction
24 of the stormwater basins, the sediment traps.

25 So, the -- the only other earthwork would be

1 us working with the landowner to determine where
2 the excess soil that may be generated by the
3 construction of the basins, or the roads, would be
4 deposited across the site, which I would say
5 oftentimes in -- in projects like this would be
6 spread out across the area of the array perhaps,
7 but that is always a little dynamic based on
8 the -- how much, you know, that the contractor
9 that ends up building the project, how much extra
10 material we have. And that the landowners, who is
11 really the farm -- the farmer and -- and hires the
12 tenant farmers, like, where they want this
13 material to be placed when we're -- during -- when
14 we're in the middle of construction.

15 MR. MERCIER: I'm going to move on to note number three
16 of that construction sequence. It talks about
17 drive piles for solar racking. For this
18 particular site, how long would it take to install
19 all the posts to support the racking?

20 THE WITNESS (La Marche): Hi, this is -- this is
21 Jean-Paul.

22 You know, I really don't have a specific time
23 period, but typically for a project this size I
24 would say in the range of two to four months.

25 MR. MERCIER: Would that be continuous work? Or is

1 there kind of a break for equipment to come in,
2 like, for a week, or --

3 **THE WITNESS (La Marche):** It would not be continuous.

4 I think, you know, it -- it depends on exactly how
5 the construction flow is going to go, the crew
6 sizes, all of those types of things.

7 **MR. MERCIER:** For during construction, is the
8 installation of the piles, the driving of the
9 piles, is that considered, like, the noisiest
10 activity, for lack of a better word?

11 **THE WITNESS (La Marche):** That would be the -- that
12 would be the most noisy activity.

13 **MR. MERCIER:** I did notice on that note sheet, on sheet
14 4.0 up at the top, number twelve, construction
15 sequencing number twelve, it stated that the hours
16 would be 6:30 a.m. to 5 p.m.

17 Can the start time be moved to 7 a.m., at the
18 earliest?

19 **THE WITNESS (La Marche):** I'm fine with that, yes.

20 This is Jean-Paul.

21 **MR. MERCIER:** Assuming this project was approved and,
22 you know, you file to obtain your DEEP general
23 permit and some other permits, when would
24 construction -- when is construction anticipated
25 to begin? Some time in late 2025, or?

1 THE WITNESS (La Marche): It would either be late --
2 well, let's say, late summer 2025, or spring of
3 2026.

4 MR. MERCIER: And what's the overall time for this
5 construction? Is it an eight-month period? Ten
6 months?

7 THE WITNESS (La Marche): Yeah. I mean, I think you
8 kind of nailed the range, actually. Assuming that
9 it's built straight through without pauses in
10 between, in the eight to ten-month time period
11 from initial on-site work to being completely
12 wrapped up.

13 You know, sometimes we will have the approach
14 of, depending on the timing of the project, do the
15 civil and the stabilization work at the end of the
16 summer or fall time period, and then wait through
17 winter and not do any work, and then do the rest
18 in spring.

19 So that will extend the overall time period.

20 THE WITNESS (Kochis): And this is Steve Kochis at VHB.

21 I'll just add some color to what JP had to
22 say. I think if we're talking about the full
23 duration of -- of construction from start to
24 absolute finish, it -- it's also heavily
25 contingent upon material procurement and delivery

1 as well. A lot of this -- a lot of this equipment
2 and material takes, very often, months and months
3 to get, and it has to be ordered with -- with a
4 long lead time.

5 So, there, just anecdotally -- anecdotally, I
6 would say a lot of these projects reach, like,
7 substantial completion within that six to
8 eight-month range, but may have to wait a few
9 months to receive the last pieces of equipment and
10 actually become operational.

11 MR. MERCIER: Speaking of equipment, I'm looking again
12 at site plan C4.0. It shows the access drive into
13 the site. It's looks like kind of a residential
14 area. You know, there's a couple of residents
15 across the street from the access drive and to the
16 west.

17 Are there any tractor trailers or other heavy
18 equipment delivering materials into the site?

19 THE WITNESS (La Marche): This is Jean-Paul.

20 There would be some equipment moving onto the
21 site. You know, we would have larger trucks for
22 delivery of equipment and then some earth-moving
23 type equipment to build the stormwater controls.

24 MR. MERCIER: Is Lantern Hill Road, right near the
25 access drive, is that kind of a narrow road?

1 THE WITNESS (La Marche): Dennis, can you answer that?

2 THE WITNESS (Hicks): Yeah.

3 THE WITNESS (La Marche): I have not been there myself.

4 THE WITNESS (Hicks): Dennis Hicks, Greenskies.

5 The road is a fairly standard residential
6 road. It's not -- I would say I drove on it
7 comfortably with my standard sized non-SUV car
8 with room on the shoulders and plenty of room for
9 oncoming traffic. It's -- it's a two lane road.
10 It's not -- it's not narrow enough that a car
11 could not pass a tractor trailer on it.

12 MR. MERCIER: Would tractor trailers have any
13 difficulty turning into that access drive, you
14 know, trying to avoid driving onto an abutting
15 resident's lawn, things of that nature?

16 THE WITNESS (Hicks): Let me just look right now.

17 THE WITNESS (La Marche): And this is Jean-Paul.

18 Typically, when we complete our final
19 construction level design, the turning radius for
20 all vehicles needed is taken into account, and we
21 would ensure that there is the ability to access
22 the site.

23 THE WITNESS (Hicks): Yeah. Dennis Hicks, Greenskies.

24 As, you know, I -- I'm not -- I don't have a
25 CDL. I don't -- I don't drive these trucks. I

1 believe that it -- it would be possible to get on
2 the site.

3 This road previously was used for
4 construction and is currently used as a
5 non-exclusive access easement for the Aquarion
6 Water Company.

7 So, that they had to have construction
8 equipment to be able to build the structure out
9 there as well as all other easement equipment, I
10 believe that it would be possible to get a tractor
11 trailer out there, but I -- I do not know
12 firsthand.

13 MR. MERCIER: For the Aquarion construction, are you
14 aware -- do you know if there were any complaints
15 of equipment trying to turn into the property?

16 THE WITNESS (Hicks): Dennis Hicks.

17 I am unaware of any complaints from the
18 Aquarion site that was constructed years prior
19 to -- to this project.

20 MR. MERCIER: And just one other comment. Would there
21 be any type of contact sign near the entrance as
22 to, you know, maybe a neighbor can contact the
23 contractor, or Greenskies themselves for any type
24 of construction-related issue or complaint?

25 How would a neighbor contact Greenskies?

1 THE WITNESS (Hicks): How would a neighbor contact us?

2 I mean, our -- our contact information is
3 definitely publicly available. So, they could
4 find that, but I would be happy to ensure that
5 there is a sign that provides that information at
6 the front of the construction site.

7 That is not a problem.

8 MR. MERCIER: Thank you.

9 I'm going to move on to the interrogatory
10 responses. I'm going to start with number one,
11 actually. And that one had -- the question was
12 regarding comments since the application was
13 submitted to the Council. And the response was,
14 there was a response from two neighbors, however
15 only one neighbor was listed in the response and
16 that was 209 Lantern Hill Road.

17 Do you have the address of the other person
18 that provided a comment?

19 THE WITNESS (Hicks): Can you provide that address?

20 (Unintelligible.)

21 I believe that that -- hi. Dennis Hicks,
22 Greenskies.

23 I believe that the -- yeah, I -- I apologize.
24 I believe that is a clerical error on my end. I
25 only received comments from the -- the landowner

1 of 209.

2 MR. MERCIER: Thank you.

3 I guess we'll move on to number two. Has
4 there been any further discussions with the
5 landowner at 209 Lantern Hill Road regarding
6 landscaping?

7 I guess, my previous question regarding the
8 detention basin had to do with trying to maintain
9 the vegetation, which you're going to do, but
10 would there be any other type of planting that may
11 be considered?

12 THE WITNESS (Hicks): Other types of plantings, I mean,
13 we -- we haven't -- Dennis Hicks, Greenskies.

14 We haven't finalized any kind of plantings or
15 any sort of plans. We are -- are willing and --
16 and actually been trying to have further
17 conversations with the neighbors to -- to ensure,
18 you know, a mutually agreeable solution, however
19 there have been no further concrete plans
20 discussed or put in place at this time.

21 MR. MERCIER: Okay. Thank you.

22 For interrogatory number six, the Town of
23 North Stonington is mentioned along with the Town
24 of Stonington. I'm just assuming that is a typo.

25 Is that correct?

1 THE WITNESS (Hicks): Yes, it is. The Town of North
2 Stonington is far enough away from this project
3 that they also did not need to be contacted.

4 However, the Town of Ledyard was.

5 MR. MERCIER: For interrogatory 25, I think you
6 discussed it earlier, but I'll just ask again.
7 This had to do with excavation. I think there's
8 3500 cubic yards of material that you may
9 stockpile or spread across the site. That's just
10 going to be up to the landowner. Is that correct?

11 THE WITNESS (Hicks): Dennis Hicks.

12 Yes. Typically, we just -- we leave that on
13 site. We don't -- we don't remove it from the
14 location, and we work with the landowner to -- to
15 either stockpile it in -- in a location that they
16 wish or spread it around however they -- they see
17 fit.

18 MR. MERCIER: Moving on to interrogatory 47, this had
19 to do with a town-designated aquifer protection
20 area. When you were discussing the project with
21 the Town initially, did they raise any concerns
22 about water quality issues during, you know, from
23 spills during construction? Or any other type of
24 issue regarding the site in regards to subsurface
25 water quality? And if so --

1 THE WITNESS (Hicks): So --

2 MR. MERCIER: And if so, did they recommend any
3 procedures?

4 THE WITNESS (Hicks): Dennis Hicks, Greenskies.

5 There was a discussion with the Town about
6 this project when it was originally submitted
7 under a previous year of SCEF. In discussions
8 with the Town for that version of the project,
9 there were concerns raised by the Town about PFAS
10 and the manufacturing process, or the presence of
11 it in there, in the panels or, you know, any of
12 the other electrical equipment. For that design,
13 at the time, we were able to verify that there
14 would not be PFAS in any part of the manufacturing
15 or procurement process of the design.

16 For this current design, as it was a
17 different interrogatory, we have reached out to
18 the manufacturer to verify that. That information
19 has not been made available to us at this time,
20 and the Town has not raised any additional
21 concerns about water quality for the current
22 design.

23 MR. MERCIER: For response 47, it stated that, you
24 know, there would be no storage of hazardous
25 materials. I'm assuming that includes petroleum

1 within the staging area. If that's not allowed or
2 is not done at this site, where would the fuel
3 come from to refuel your vehicles? Where would
4 that be stored? Would it just be brought daily
5 somewhere and refueled over a mat, or how would
6 that be? How would that be accomplished?

7 **THE WITNESS (Hicks):** Dennis Hicks, Greenskies.

8 I believe we haven't fully finalized the
9 planning of that yet. When we cross-examined the
10 Town of Stonington's aquifer protection
11 regulations as well as the DEEP's, we noticed this
12 too.

13 And we -- I have not confirmed the exact
14 process that our construction team would use, but
15 we could ensure that no refueling would happen on
16 the construction site, and that all refueling
17 would happen either off-site or in a designated
18 location set up properly.

19 But we don't intend to leave products
20 on-site. We don't intend to store them on-site.
21 Everything would be carried in and used either
22 used on-site or removed and not stored.

23 **MR. MERCIER:** Thank you.

24 Moving on to interrogatory 65. This had to
25 do with -- we talked about it earlier, screening

1 quality from the existing vegetation at 209
2 Lantern Hill Road and abutting residents of the
3 project. And provided with that response was an
4 Exhibit F with some photographs. That's in the
5 back of the interrogatory. It's, I think, on the
6 council website, PDF page number 75. I do have a
7 question or two on that photograph.

8 Okay. The first photograph says, May 2024
9 photo date, and it shows the wetlands in the farm
10 field there and -- excuse me, 209 to the right
11 behind the trees, and there's a house, dead
12 center.

13 Do you have the address of that house? I
14 believe it is 216 Lantern Hill Road. I just want
15 to confirm that.

16 THE WITNESS (Hicks): Steve, if you can answer that,
17 that would be helpful. If not, I'm pulling it up
18 myself.

19 THE WITNESS (Kochis): I'm pulling it up as well.

20
21 (Pause.)

22
23 THE WITNESS (Kochis): This is Steve Kochis, VHB.

24 Yes, that the -- that house up on the hill
25 there that's referenced in that, in that photo

1 would be 216 Lantern Hill Drive -- Lantern Hill
2 Road. Sorry.

3 MR. MERCIER: And over to the far left, there's another
4 residence. I believe that must be the abutter at
5 221 Lantern Hill Road. Is that correct?

6 THE WITNESS (Kochis): This is Steve Kochis, VHB.

7 Yes, that's correct.

8 MR. MERCIER: Although not in the photograph, but next
9 to the existing drive to the Aquarion facility in
10 the site there's another abutter, 227 Lantern Hill
11 Road.

12 So I guess my question is, would 227, 21, 216
13 and 209 all have year-round views of the facility?

14 THE WITNESS (Kochis): This is Steve Kochis, VHB.

15 I'll attempt to answer that. I believe, you
16 know, during leaf-on conditions there, there's a
17 heavy amount of screening that would likely
18 largely block the -- the views of the facility
19 from those four residences.

20 I would say during leaf-off conditions it
21 would probably be expected that those four
22 residences would have fairly unobstructed views of
23 the facility.

24 MR. MERCIER: Well, I mean, for 216, that's got a
25 direct view into the site. Correct? With no

1 intervening vegetation?

2 **THE WITNESS (Kochis):** This is Steve Kochis again.

3 There is. There is vegetation there. Again,
4 I guess it's -- it's hard to quantify what -- what
5 the view is going to be, but there would certainly
6 be views of the facility from those residences
7 year round.

8 To answer the question directly, there would
9 be views. The level of obstruction from -- from
10 the leaves of the existing vegetation varies
11 between the residences and -- and which portions
12 of the facility you're looking at.

13 **MR. MERCIER:** Okay. For the eastern side of the site,
14 you know, it has a couple of jogs, you know,
15 trying to avoid the wetland area there on your
16 map. Is it possible to plant some screening along
17 that side in addition to the 209 Lantern Hill Road
18 area?

19 **THE WITNESS (La Marche):** The -- this is Jean-Paul.

20 Do you mean further east than the stormwater
21 basin? Is that the area you're talking about?

22 **MR. MERCIER:** I'm talking directly east, I guess,
23 between the access road to the site and the actual
24 facility itself. You know, along your limited
25 disturbance, it kind of has a couple of staggers.

1 The east side of the site, basically.

2 **THE WITNESS (La Marche):** Yes, we are open to
3 vegetative screening in that area. The exact, you
4 know, height and location and not creating shading
5 for our array would have to be determined.

6 But in concept, that's fine.

7 **MR. MERCIER:** Moving on to Interrogatory 67. This had
8 to do with -- well, it was a geotechnical analysis
9 completed in January of 2024, the response date.
10 In that analysis, on page 9, there was a section
11 called construction quality control, and they
12 recommended that a geotechnical engineer be on
13 site during earthwork to observe excavations, to
14 subgrade, fill placement, and compaction.

15 Does Greenskies intend on retaining a
16 geotechnical engineer for this particular
17 installation?

18 **THE WITNESS (La Marche):** Sorry, I'm making sure I
19 understand the current question.

20 This is 67, you said?

21 **MR. MERCIER:** I'm sorry. Number 67.

22 **THE WITNESS (La Marche):** And then you were referencing
23 a separate document. Right?

24 **MR. MERCIER:** Yes, that was part of the response.

25 **THE WITNESS (Kochis):** Jean-Paul, let me -- let me help

1 you. He's -- Mr. Mercer is asking about the --
2 the geotechnical report itself that we provided as
3 Exhibit H to the responses.

4 **THE WITNESS (La Marche):** Understood.

5 And you're talking about language within that
6 report that says to have a geo -- geotech
7 specialist on site. Correct?

8 **MR. MERCIER:** Yes, that's correct. That's section
9 eleven. I had my notes crossed off so I couldn't
10 see -- yeah.

11 **THE WITNESS (La Marche):** All right. Let me make sure
12 I look at that.

13 Do you know what page that is in the
14 interrogatory response so I don't have to open up
15 another document? I'm almost there.

16 **ATTORNEY HOFFMAN:** I believe it is page 99,
17 Mr. LaMarche.

18 **THE WITNESS (La Marche):** Thank you.

19
20 (Pause.)

21
22 **THE WITNESS (La Marche):** Yeah, I think we would follow
23 the report's recommendation. I mean, there's
24 really not that much earthwork as part of this
25 project. It's -- it's pretty limited to the --

1 the basin, but in -- we would -- we would follow
2 the -- the analysis' recommendations here.

3 MR. MERCIER: Yeah. So, I wasn't sure if this is a
4 typical thing Greenskies does, that is retain a
5 geotechnical engineer for pile driving into sand,
6 or for non-bedrock facilities. Thank you.

7 THE WITNESS (La Marche): The pile driving is usually
8 done by, you know, contractors that their
9 specialty is in pile driving.

10 Exactly if they have it as geotech engineer
11 on site as part of their contract work? I am not
12 a hundred percent sure.

13 But I'm not sure that this is referencing
14 pile driving in section eleven. Right? Because
15 it's talking about excavation to subgrade, fill
16 placement, compaction, subgrade preparation and
17 deep foundation installation. I'm not sure that
18 we're doing deep foundation installation.

19 MR. MERCIER: Yes, I thought that meant the driving of
20 the piles, but, you know, they wrote the report.
21 So, that was their recommendation.

22 Thank you.

23 THE WITNESS (La Marche): Yeah.

24 MR. MERCIER: Moving on to interrogatory 64, this had
25 to do with the flood mapping analysis that was

1 attached as application Exhibit K.

2 Now I understand there was modeling done to
3 determine if in fact this was, the site was within
4 a hundred-year flood elevation, and I believe the
5 analysis says it is not. However, though,
6 especially for the western electrical pad that was
7 in the FEMA-designated flood zone, you know, prior
8 to the Greenskies analysis -- if that electrical
9 pad was subject to flooding, and I don't know what
10 steps it could take, what -- or none, would there
11 be damage to the equipment?

12 I'm assuming it's a transformer on there,
13 switchgear, things of that nature?

14 THE WITNESS (La Marche): That's correct.

15 This is Jean-Paul.

16 That is the nature of the equipment that
17 would be on the pad. If -- hypothetically, if
18 there was electrical equipment of that nature that
19 was flooded, yes, there would likely be damage to
20 it. We are in the process of changing, or
21 requesting a change to the FEMA flood mapping, and
22 expect that the updated map takes -- eliminates it
23 from our project area entirely.

24 We would also ensure that once that request
25 is complete and the finalized flood area is

1 complete, that any electrical equipment would be
2 above the flood elevation boundary.

3 MR. MERCIER: Yes, I understand that, but are there any
4 other concerns? I mean, would you want to build
5 up that electrical pad just in case, you know,
6 given that the Little River is right next door?
7 And, you know, it was mapped as a flood zone,
8 although, you know, the new mapping shows it will
9 not be.

10 But is there any kind of concern you might
11 want to raise it up a couple feet, or a foot?

12 THE WITNESS (La Marche): I think that's, I guess, a
13 risk management decision that we want to make once
14 seeing the final report and analysis. And I don't
15 want to speak to how conservative we would be, but
16 yes, I think it could be considered to further
17 elevate it or move it back depending on exactly
18 where, where that analysis falls.

19 MR. MERCIER: Okay. Thank you.

20 Moving on to number 79, it has to do with the
21 financial mechanisms and non-financial mechanisms,
22 some questions we asked in previous Greenskies
23 projects, including the 524 Woodbury.

24 Part of the question -- there was a new
25 addition on to the question compared to the last

1 iteration. It basically asked, do all four of the
2 financial mechanisms listed result in additional
3 upfront costs that are passed on to the
4 ratepayers?

5 THE WITNESS (La Marche): And you're asking us to
6 answer that specific question?

7 MR. MERCIER: Yes, I didn't see that response in there.
8 And then the second part of it, of the four of
9 those financial mechanisms, which would likely
10 have the highest cost, if known?

11 THE WITNESS (La Marche): I don't have an answer to
12 that at this moment. Can I try to get back to you
13 shortly? I will have somebody look into it now.

14 MR. MERCIER: Yes, thank you.

15 I understand reading through the application,
16 basically, on page 12 it stated there may be a
17 farm operation, some type of agricultural activity
18 at the site.

19 Well, I guess the question right now is, is
20 Greenskies still considering or committing to a
21 farming operation at the site, some type of
22 agricultural activity?

23 THE WITNESS (La Marche): Yeah. So this is Jean-Paul.

24 We are proposing the agricultural co-use that
25 we similarly proposed on the Winchester and Durham

1 project of having perennial plants, herbs for that
2 type of -- of plant. It's listed in the -- the
3 details are in the appendix that we had in our --
4 in our application.

5 And the intent is to -- well, what we stated
6 in the narrative of the application was that we
7 would provide that as part of the project. It
8 would be integrated into it. And that is
9 currently our intent. I -- I believe it is
10 entirely possible, and I have -- I have no problem
11 with that being part of this project.

12 So from a short answer, yes, our intent is to
13 do that. I think I would appreciate a little bit
14 of flexibility in exactly when and -- when and
15 where, and how much of that work there is. And
16 I'm not saying that we intend to do it in just,
17 like, a tiny, small corner and ignore the rest,
18 but as the prime farmland is across the majority
19 of this site, there may be some operational
20 reasons why it would be more efficient for the
21 farmer that we're working with that, you know,
22 some of it is actively farmed. Some of it is
23 passively farmed, that it's rotated around.

24 I just -- I don't have every answer to that
25 right now.

1 MR. MERCIER: Okay. Thank you.

2 One thing I did notice in the site plan that,
3 you know, you had a chain-link fence around the
4 site, and it was to be raised up six inches for
5 wildlife movement. But I guess my question is, if
6 you're going to do sheep or some type of crop, do
7 you have to lower the fence so no small animals
8 can get into the area?

9 THE WITNESS (La Marche): I don't think we do. And
10 for -- I guess for -- for two reasons. If we are
11 doing a perennial plant thing, it's -- there's no
12 issue with animals entering in or out of that
13 area.

14 For the sheep purposes, they would not have
15 free range of the entire site. So, there would be
16 fencing for the sheep within the -- the project
17 area to keep them contained to where the sheep
18 are. The -- the fence is really for National
19 Electric Code and access prevention from -- from
20 the general public.

21 MR. MERCIER: Speaking of the fence, since it was --
22 since it is an agricultural area and you may do
23 agricultural activities at the site, can you
24 install an agricultural-style fence, you know,
25 with the wider mesh?

1 THE WITNESS (La Marche): Yeah, that was --

2 MR. MERCIER: And (unintelligible) --

3 THE WITNESS (La Marche): That was actually -- our
4 intent was to do an agricultural fence, and I
5 think there may have been some accidental -- like,
6 at one point it might have said a chain-link
7 fence, but in other places it said agricultural.

8 Our intent here is to do an agricultural
9 fence.

10 MR. MERCIER: Thank you.

11 I have no other questions. Thank you very
12 much.

13 THE HEARING OFFICER: Thank you, Mr. Mercier.

14 We'll now continue with cross-examination by
15 Mr. Nguyen followed by Mr. Golembiewski.

16 Mr. Nguyen, good afternoon.

17 MR. NGUYEN: Yeah. Good afternoon, Mr. Morissette.

18 And good afternoon, everyone.

19 Well, thank you, Mr. Mercier, for many of
20 these questions. So, I just have a few. Let me
21 start with a followup. You mentioned earlier that
22 there will be a contact sign during the
23 construction so that the members of the public may
24 contact you, should there be concerns or any
25 personal comments, and you are willing to do that.

1 Is that right?

2 **THE WITNESS (La Marche):** That's correct, yeah.

3 **MR. NGUYEN:** Now going forward, is there a contact
4 number available at the site in case the public,
5 you know, in the future may have questions or
6 comments?

7 **THE WITNESS (La Marche):** Sorry, I just want to confirm
8 your question. You're saying that, is there a
9 long-term contact number that we could provide for
10 people to contact us?

11 **MR. NGUYEN:** Yes, available --

12 **THE WITNESS (La Marche):** Yes, sir.

13 **MR. NGUYEN:** -- at the site?

14 **THE WITNESS (La Marche):** Yes, we have a phone number
15 for our operation and maintenance team as well as
16 a general-information phone number that is
17 answered by a person and would be able to direct
18 it to the appropriate party.

19 **MR. NGUYEN:** Referencing page 14 of the application,
20 this is regarding the company's interaction with
21 the Towns of Stonington and Ledyard. And on page
22 14 of the application it's indicated that the
23 company has not received any substantive comments
24 from the Towns or from the public.

25 So could you elaborate, what do you mean by

1 substantive comments?

2 THE WITNESS (Hicks): Dennis Hicks.

3 Clerical -- I believe that was just a
4 clerical wording. We have -- we haven't
5 received -- when we submitted the package to the
6 Towns, we had comments that they've, you know,
7 confirmation of receiving them, but no comments on
8 the content of the -- the actual application. It
9 was just a confirmation and, you know, the
10 confirmation of either that they received it or
11 just clarifying that they had their correct
12 address for the project.

13 MR. NGUYEN: I'm sorry. There was a background noise.
14 I didn't get the last part.

15 THE WITNESS (Hicks): Oh, I'm sorry. That was a train.

16 The -- I'm remembering now there was an
17 officer, I believe, from the planning and zoning
18 department of the Town of Ledyard who called me
19 just to confirm the location and parcel of the
20 project, but they did not comment on the actual
21 content of the application.

22 MR. NGUYEN: And to date have you received any other
23 additional comments from the Town?

24 THE WITNESS (Hicks): No, we have not.

25 MR. NGUYEN: In referencing electrical plans Exhibit

1 Appendix M, on page 11 of your application the
2 company indicated that the Exhibit M electrical
3 plans are still being finalized by the company and
4 Eversource.

5 So what are the possible expected changes in
6 the plans after you consult with them?

7 THE WITNESS (La Marche): Yeah. So, this is Jean-Paul,
8 and I am thrilled that you answered -- asked that
9 question.

10 So, the electrical plan set in the site plan,
11 if you look at the interconnection location, shows
12 five new utility poles at the point of common
13 coupling, or the point of interconnection near
14 Lantern Hill Road.

15 MR. NGUYEN: Uh-huh?

16 THE WITNESS (La Marche): The change that we would make
17 would be to follow the -- follow the same strategy
18 that we have on our, I guess, most recent three
19 projects where we move -- we can eliminate one of
20 the poles and then move two of the poles interior
21 to our project to minimize the viewshed impact by
22 the road.

23 So -- so, we would be making that same change
24 here.

25 THE WITNESS (Hicks): Dennis Hicks.

1 To -- to follow up on that, in addition to
2 that, the -- the sort of reasoning for the wording
3 in that was this project is still going through a
4 cluster study at the -- at both Eversource and the
5 ISO. So, we were just being cautious to not -- to
6 ensure that you knew that there is an additional
7 review going on, and there may be minor changes
8 based on what they require.

9 However, you know, the vast majority of the
10 project we believe to be set in stone or, you
11 know, outside of any further alterations from the
12 ISO and the cluster study.

13 MR. NGUYEN: So in terms of physical changes there
14 might be more poles? There might be less poles?

15 THE WITNESS (Hicks): Less poles. There would be --
16 the intent would be there would be one less pole
17 total, and two poles would be moved interior to
18 the project site closer to our equipment pad and
19 the access road location.

20 MR. NGUYEN: And looking at the exhibit itself I see
21 that, from that, five utility poles to the project
22 site, and that would be an underground facility.

23 Is that right?

24 THE WITNESS (Hicks): Right now -- by underground, you
25 mean what?

1 MR. NGUYEN: By underground I mean that you will
2 install -- I believe you have some sort of duct
3 banks.

4 THE WITNESS (Hicks): Yeah. Okay. Between -- sorry,
5 just you mean between the project site and the
6 poles would be underground?

7 MR. NGUYEN: Yes, that's what I said. Yeah.

8 THE WITNESS (Hicks): Yes, that is correct. Yes.

9 MR. NGUYEN: And by looking at it, I see that they have
10 underground feeders in the duct bank there. It
11 looks like it will cross wetlands on both sides.

12 So how would the company limit the wetland
13 disturbance during the construction?

14 THE WITNESS (Hicks): You know, I think the -- my
15 understanding of this is that we would be able to
16 put it within the road area, and not off to the
17 side of the road and in the wetland area.

18 There may also be a way to be under, like, do
19 directional boring rather than digging a trench,
20 and thus not impact the wetland by, you know,
21 building through them, but instead going under
22 them.

23 MR. NGUYEN: Okay. Referencing question number 42,
24 Siting Council staff asked about the transformer,
25 and about the insulating oil containment system.

1 And the answer indicated that, currently, you
2 don't have a leak detection, but it would be an
3 optional add-on. Do you see that?

4 **THE WITNESS (Hicks):** I do, yes.

5 **MR. NGUYEN:** Now would you consider adding it in this
6 equipment?

7 **THE WITNESS (Hicks):** Would we consider adding the leak
8 detection?

9 **MR. NGUYEN:** Yes.

10 **THE WITNESS (Hicks):** Yes.

11 **MR. NGUYEN:** Okay. That's all I have.

12 Thank you, Mr. Morissette. Thank you,
13 Gentlemen.

14 **THE WITNESS (Hicks):** Thank you.

15 **THE HEARING OFFICER:** Thank you, Mr. Nguyen.

16 We'll now continue with cross-examination by
17 Mr. Golembiewski followed by Mr. Carter.

18 Mr. Golembiewski, good afternoon.

19 **MR. GOLEMBIEWSKI:** Good afternoon, Mr. Morissette.
20 Good afternoon, everyone.

21 Hopefully -- Mr. Mercier actually touched on
22 a lot of the same issues. So, hopefully these
23 will be quick questions. I want to confirm that
24 that the petitioner would consider a landscaping
25 plan for the eastern perimeter of the project

1 starting with, I guess, that same basin -- I don't
2 know if it's 2C -- basically working up that sort
3 of zigzagged section to the access road.

4 THE WITNESS (La Marche): Yeah. I mean, I think the
5 same answer that we gave previously on this and
6 that, yes, we would consider it. Yes, in concept
7 we're fine with it.

8 But, you know, I want to look at the exact
9 location, the height, the impact on shading. You
10 know, how did that mitigate views? All of those
11 types of things to optimize the -- the use of
12 screening and the intent of actually accomplishing
13 that screening.

14 MR. GOLEMBIEWSKI: Fair enough.

15 THE REPORTER: And just for clarity of the record, may
16 I have the name of the last person who answered?

17 THE WITNESS (La Marche): This is Jean-Paul. Sorry.

18 THE REPORTER: Thank you very much.

19 MR. GOLEMBIEWSKI: All right. And is Lantern Hill Road
20 considered a local scenic road in the vicinity of
21 the project?

22 THE WITNESS (La Marche): Dennis?

23 THE WITNESS (Hicks): Dennis Hicks, Greenskies.

24 Yes, it is considered a scenic road.

25 MR. GOLEMBIEWSKI: Okay. And so screening in that area

1 would screen potentially views from the road in
2 that area also?

3 **THE WITNESS (Hicks):** Correct. I think that would be
4 one of the main focuses of the screening.

5 **MR. GOLEMBIEWSKI:** Okay, great.

6 Mr. Mercier talked about that in the
7 interrogatories there was a net cut of, I believe,
8 3500 cubic yards proposed. What is that for?

9 **THE WITNESS (La Marche):** Steve, can you answer that
10 please?

11 **THE WITNESS (Kochis):** Yeah, I was already planning on
12 it. This is Steve Kochis, VHB.

13 The net, that net cut is not, you know,
14 exactly what we -- we're not doing it for any
15 specific reason. It's because we're excavating
16 for the six stormwater basins, and also hogging
17 out material to install the gravel access roads.

18 So, due to the flat nature of the site, it's
19 primarily going to be excavation for -- for the
20 stormwater basins, and probably hogging down for
21 something like eight-inch material in the location
22 of the proposed access roads as well. So, it's
23 going to generate a surplus of material that, as
24 noted in previous -- previous responses, we'll
25 work with the landowner to redistribute it across

1 the site.

2 MR. GOLEMBIEWSKI: So, I guess that leads me to my next
3 question. I believe, Mr. Kochis, you said that
4 permanent stormwater basins were not required per,
5 you know, standard stormwater criteria.

6 Wouldn't just filling them back in sort of
7 get you, like, almost no net cut?

8 THE WITNESS (Kochis): This is Steve Kochis, VHB.

9 That's correct. I -- I think the short
10 answer would be we're -- we're showing that we do
11 not need these basins, however there's certainly
12 benefit to keeping them permanently to -- to
13 provide rate attenuation off -- off of the project
14 edges as well as some semblance of water quality
15 treatment prior to discharge across the parcel
16 lines.

17 So, I believe speaking generally, you know,
18 it's -- it's typically Greenskies' intent to just
19 keep the basins once they've had them installed
20 because they do serve some -- some benefit
21 throughout the lifespan of the project.

22 But -- but to answer your question directly,
23 it would certainly reduce the amount of surplus
24 material we would have from the construction if we
25 fill the basins in at the end of construction.

1 MR. GOLEMBIEWSKI: Okay. Mr. Mercier kind of touched
2 upon a point that I find -- in the design, I find
3 it a little curious is -- the basins on the
4 southern end are all right up against the property
5 line. And when you look at the little riprap, you
6 know, outlets, they appear to be right up, you
7 know, up to the property line.

8 My understanding, you know, generally when
9 we -- any type of, you know, development, you
10 always look at setbacks from property lines. You
11 guys didn't think to apply any type of setback to
12 the property line? Or am I missing a setback?

13 THE WITNESS (Kochis): This is Steve Kochis, VHB.

14 I guess, I -- I would say I'm -- I'm not
15 personally familiar with a setback for from -- for
16 a stormwater basin or -- or a disturbance from a
17 property line. There, there is language about the
18 placement of panels being a certain distance from
19 property lines, which we are adhering to in the
20 general permit.

21 That said, and -- and circling back, tying --
22 tying back to a response from a previous question,
23 we can certainly look at pulling, pulling the
24 basins back a little bit from that property line
25 and giving a little bit more room, but the fact is

1 it's very flat and -- and we're going to be
2 discharging against that semblance of the
3 stonewall and -- and woods there, and across other
4 farm fields.

5 So -- but we can certainly look at moving,
6 moving those three basins back from the property
7 line.

8 MR. GOLEMBIEWSKI: I'm going to refer to the plan
9 sheets in attachment A, and it's the last sheet.
10 And that sheet sort of shows a contiguous,
11 forested -- or I want to say, or at least a
12 vegetated buffer on that property line. And then
13 looking at the aerial photos that seems to sort of
14 support that.

15 Could you move your stormwater -- well, your
16 sediment trap stormwater basins north enough so
17 that that current, sort of, continuous vegetated
18 buffer not be impacted at all?

19 THE WITNESS (Kochis): Yeah. This is Steve Kochis,
20 VHB.

21 To answer that question directly, yes, we
22 could certainly look at moving it so it's outside
23 of the top-down impact of that vegetation.
24 Although, I -- I would like to make the
25 distinction that the survey, which -- which does

1 seem to coincide with the aerial imagery,
2 represents the drip line of -- of that, that
3 vegetation, which is not really representative of
4 where the trunk lines may be.

5 And the trunk lines are generally confined
6 pretty close to the property line itself, even
7 though the drip line, the overall footprint of the
8 tree may be further to the north as is shown on
9 the aerials.

10 But -- but to answer the original question,
11 we could certainly look to move the basins outside
12 of the footprint of the drip line of that
13 vegetation.

14 MR. GOLEMBIEWSKI: Great. I would appreciate that.

15 Let's see. So the aquifer protection area,
16 and I'm going to refer to, I guess, it looks like
17 C-3.2, as I read it, it's basically the eastern
18 end of the project is within this aquifer
19 protection area. Is that correct?

20 THE WITNESS (Hicks): Dennis Hicks, Greenskies.

21 There is -- there are two aquifer protection
22 areas.

23 MR. GOLEMBIEWSKI: Okay.

24 THE WITNESS (Hicks): One that was not -- one was not
25 shown on the site plans, not intentionally. We

1 just were made aware of where and sort of realized
2 it after the plan had been submitted, and changed
3 our interrogatory answers accordingly.

4 The one on the site plan is a Connecticut
5 DEEP -- it's a CT DEEP aquifer protection area.
6 It surrounds the Aquarion facility more -- mostly.
7 It sort of goes east and north from there, from
8 the site.

9 Then there is an aquifer protection area for
10 the majority of Whitford -- Whitford Brook all the
11 way down until -- into the Village of Mystic.
12 That one is a Town of Stonington specific one, and
13 what caused us to -- to change, change strategies
14 and of how and where the, you know, chemical
15 stuffs, petroleum products or -- or otherwise
16 would -- would be stored.

17 Because typically Greenskies' plan and
18 response to these questions on interrogatories
19 includes the stipulation that we could store them
20 in a waterproof, you know, a waterproof container
21 to have them not spill onto the site. Greenskies
22 is still open to that opportune -- that option,
23 however in following with the aquifer protection
24 area for the Town of Stonington, we decided to opt
25 for moving refueling entirely off of the site

1 rather than a waterproof container.

2 MR. GOLEMBIEWSKI: Okay. And so, when I look at this
3 same plan there's an area north of the access road
4 that says, contractor parking, slash, staging
5 area. So that would be an area that where
6 vehicles would be parked, maybe materials,
7 non-hazardous materials would be staged?

8 THE WITNESS (Hicks): Yes, that is -- Dennis Hicks,
9 Greenskies.

10 That is the -- the intent, however, I would
11 probably say that the final lay-down area has
12 not -- not set any bounds at the site.

13 MR. GOLEMBIEWSKI: Okay. And then this leads me to my
14 next question is, you know, we have the equipment
15 pads. You know one is in the state aquifer and
16 then one is in the town aquifer protection area.

17 The transformers, how would we make sure the
18 transformers don't pollute the groundwater?

19 THE WITNESS (Hicks): Dennis Hicks, Greenskies.

20 As stated in the response to the other
21 question, we are open to a spill-monitoring system
22 being, you know, added to the transformers.
23 However, I would also state that while the
24 transformers -- while the exact transformer hasn't
25 been sited, and admit the interior oil is specific

1 to that -- to the manufacturer, these are
2 typically not hazardous oils such as mineral oil
3 or some -- some low-conductivity seed oil that
4 would, to -- to my knowledge, have little to no
5 impact to the aquifer protection area.

6 However, I -- we would ensure that to be the
7 case prior to equipment decisions.

8 MR. GOLEMBIEWSKI: Okay. Great.

9 My next question is related to the spotted
10 turtles. As I read the DEEP's NDDDB report, it
11 sounds like there will be seasonal restrictions on
12 construction, and then mowing even after the
13 facility is completed and operating.

14 Is there a spotted turtle plan that will be
15 prepared for both construction and long-term
16 operation of the facility?

17 THE WITNESS (La Marche): Yeah, this is Jean-Paul.

18 We will -- we will prepare a management plan
19 for the spotted turtle. And my understanding of
20 that letter from the NDDDB group at DEEP is that
21 the construction require -- or the construction
22 recommendations are sort of broken down into two
23 sections; one is earthworks, and two is the rest
24 of construction.

25 And they would like the earthwork to be done

1 outside of a certain window, but the rest of
2 construction, if it takes place in that window,
3 they just want precautions such as exclusionary
4 fencing and, you know, recommendations from a
5 herpetologist and inspections, and all of those
6 types of things to ensure that turtles are not
7 harmed. And we would -- we would, you know,
8 follow those recommendations and do that work.

9 In terms of long term, what -- what I read in
10 this report was that the risk to the turtles from
11 human impact is typically by cars or by mowing,
12 and mowing including agriculture activities. So,
13 long term there's really very little car use on
14 site. Right? Occasional visits, but it's -- it's
15 not a primary issue.

16 And from a mowing perspective our proposed
17 land-management plan with the perennial plants and
18 the forest really requires much less mowing and
19 much less large equipment than typical
20 agricultural activities or something like, you
21 know, hay farming that would have been done
22 traditionally on this site.

23 So we believe that overall we would be having
24 a net positive impact on the turtle habitat and
25 turtle protections for this site.

1 MR. GOLEMBIEWSKI: Okay. Great.

2 My next question is I just want to make sure
3 I understand the FEMA situation at the site. So,
4 currently there is a FEMA A zone that essentially
5 splits a project in half, north to, sort of, north
6 west and southeast. So that --

7 THE WITNESS (La Marche): Correct.

8 MR. GOLEMBIEWSKI: -- I don't know if it's half, but
9 maybe less than half of the panels are actually
10 located in the hundred-year flood, as FEMA now --
11 so, there's my question.

12 So, you talked about a letter of map
13 revision. Has that been granted yet, or not?

14 THE WITNESS (La Marche): That has not. It has not
15 been granted yet. So the FEMA flood plan that is
16 mapped is -- is as you said. That's all correct.

17 What's slightly atypical about it is that
18 they don't give a base flood elevation. It
19 does -- it doesn't exist in their mapping onto the
20 site.

21 We did initial analysis, or VHB did -- Steve,
22 if you want to add details, feel free -- that
23 determined -- and the result of that analysis was
24 this area is not really a hundred-year floodplain,
25 and that that was an overly conservative

1 assessment.

2 We have built on top of that initial
3 assessment and are now in the process of doing the
4 mapping change with FEMA, but that is not
5 completed yet.

6 MR. GOLEMBIEWSKI: Okay. So I guess what are we to
7 then -- how do we evaluate that then? Because I
8 don't think it's a good practice, but that, you
9 know -- so, you're saying, you know, so it shows
10 on the FEMA that it's a hundred-year, but you're
11 saying that it's not really a hundred-year
12 floodplain. Is there a specific elevation?

13 I mean, I know I see, you know, in some of
14 the plans there was a secondary line. That's your
15 estimated floodplain, the second line?

16 THE WITNESS (Kochis): Yeah. This is --

17 THE WITNESS (La Marche): Yeah. Steve, yeah, thank
18 you.

19 THE WITNESS (Kochis): Yeah, this is Steve Kochis, VHB.

20 So this portion of Whitford Brook did not
21 have a flood insurance study and cross sections
22 prepared for it by FEMA. That's why it's a zone A
23 and not a zone AE with listed base flood
24 elevations.

25 So, to answer that question there's no listed

1 elevations. This is just -- I would call it a
2 napkin sketch of -- of the floodplain limits in
3 this area as a representation from FEMA.

4 There's no --

5 MR. GOLEMBIEWSKI: Right.

6 THE WITNESS (Kochis): There's no elevation that --
7 that I -- that I or anyone else right now can
8 point to, you know, like elevation 120 and say
9 that we can be a foot, or any number of feet above
10 that. It doesn't exist. It's not known.

11 So, what VHB and our flood study specialists
12 who work with FEMA regularly have done is a
13 cursory analysis of the watershed flowing through
14 this area through Whitford Brook, and an analysis
15 of the river corridor itself. And they've come to
16 the preliminary conclusions that the flood line
17 could be pulled in closer. The hundred-year flood
18 line could be pulled in closer to the brook.

19 We're -- we're currently under contract with
20 Greenskies working on that. The more robust
21 studies, the HEC-RAS modeling of the whole
22 corridor, including correspondence with FEMA work
23 and -- and models that they have used so far to
24 amend the model, which will confirm our
25 preliminary assessments that the hundred-year

1 flood line would be closer to the brook and
2 outside of the footprint of our project.

3 We're probably, time-wise, a couple months
4 from making application to FEMA and I think the
5 expectation is it's -- it's a long process to do a
6 LOMR. I think the expectation would be that we
7 probably would not have that positive
8 determination of the letter of map revision from
9 FEMA until probably something like late 2025.

10 MR. GOLEMBIEWSKI: Okay. But you have at least a
11 preliminary analysis that supports your location
12 of the hundred-year floodplain?

13 THE WITNESS (Kochis): That's correct. We have been
14 contracted. VH -- this is Steve Kochis.

15 VHB have been contracted by Greenskies to
16 perform a preliminary analysis of the floodplain
17 mapping of the area which the results of which
18 concluded that the floodplain limits could be
19 moved.

20 MR. GOLEMBIEWSKI: Okay. And, you know, with some of
21 the recent flooding we had in Connecticut in
22 August, I mean, is it prudent? I guess my
23 question is, you know, we're getting greater than
24 hundred-year storm events all the time -- I won't
25 say all the time, but frequently now.

1 So does that really change anything? Is this
2 really -- are we looking at a project that's half
3 in a flood-prone area? And should we be looking
4 for some type of adaptations? Or I mean, should
5 we be raising equipment area, you know, pads and
6 such?

7 **THE WITNESS (Kochis):** This is Steve Kochis.

8 JP, I'm going to tee this up for you, because
9 we've certainly had these conversations before
10 regarding this project, but would it -- would it
11 be -- to answer the question best, would -- would
12 it make sense to -- to talk about from -- from
13 Greenskies' perspective raising the equipment
14 above the floodplain and -- and the flood -- flood
15 insurance that you guys would have to seek through
16 your investors and such?

17 Do you want to take it from here, JP?

18 **THE WITNESS (La Marche):** Yeah, I'm happy to answer
19 that question.

20 I guess, I -- I think from a practical
21 perspective with this project we would ensure that
22 electrical equipment is outside of the floodplain.
23 It is -- it is not prudent for us as the long-term
24 project owners and the financing behind this
25 project to have the expensive electrical equipment

1 within the floodplain. You know, our expectation
2 is that that floodplain is outside of our project
3 area and all of the equipment will be outside of
4 it.

5 In the condition that, you know, may be,
6 hypothetically some of it comes back, and the edge
7 of the floodplain with a low base flood elevation
8 is on the edge of the module, we would ensure that
9 the electrical equipment is outside of that area,
10 and, if needed, the modules are higher than that
11 base flood elevation.

12 I -- I don't think, you know, that there's a
13 reason to go above and beyond that and design to,
14 you know, FEMA mapping that doesn't exist, or code
15 that doesn't exist. Right? Like, I don't. I
16 don't think we need to be more conservative than
17 the study and the requirements show we need to be.

18 MR. GOLEMBIEWSKI: Okay. I have one last question. I
19 thought I read that the site will be seeded with a
20 Ernst Solar Farm Seed Mix, and then be amended
21 with 10 percent pollinator species.

22 Is that correct?

23 THE WITNESS (La Marche): That would be the type of mix
24 that we use for any non-agricultural area of the
25 project.

1 MR. GOLEMBIEWSKI: All right. So, and we right now
2 don't know where the non-agricultural versus
3 agricultural areas are going to be?

4 Is that correct.

5 THE WITNESS (La Marche): We have not a hundred percent
6 mapped out all of that, correct.

7 I think, you know, and -- correct. I'll just
8 leave it at that. Correct.

9 MR. GOLEMBIEWSKI: Okay. And then there would be other
10 planting, any other seed mixes that would be
11 appropriate for whatever the other agricultural
12 co-use would be? Okay.

13 THE WITNESS (La Marche): Yeah, that's defined in the
14 appendix as part of the application.

15 MR. GOLEMBIEWSKI: Yeah. Okay.

16 Thank you, Mr. Morissette. Thank you, panel.

17 That's all I have.

18 THE WITNESS (La Marche): Thank you.

19 THE HEARING OFFICER: Thank you, Mr. Golembiewski.

20 At this point we will take an eleven-minute
21 break and we will reconvene at 3:45.

22 I will remind you there is an open question
23 from Mr. Mercier as to the cost to ratepayers to
24 implement the financial mechanisms. If we could
25 have an answer of that when we return?

1 THE WITNESS (La Marche): I can -- I can confirm that
2 our team has created an answer to that question
3 while we've been talking, and I will have that for
4 you when we get back.

5 THE HEARING OFFICER: Very good. Thank you.

6 THE WITNESS (La Marche): Thank you.

7
8 (Pause: 3:35 p.m. to 3:45 p.m.)
9

10 THE HEARING OFFICER: Thank you, everyone.

11 Is the Court Reporter back with us?

12 THE REPORTER: I am, and we are on the record.

13 THE HEARING OFFICER: Thank you.

14 Very good. Mr. LaMarche, let's start off
15 with the response to Mr. Mercier's open question,
16 if you would?

17 THE WITNESS (La Marche): Yeah, thank you. So this is
18 Jean-Paul.

19 The question was out of -- out of the
20 options, do all four of them result in the highest
21 cost, or in a higher cost passed on to the
22 ratepayer? And the answer to that is, yes, all of
23 them do, but to different degrees.

24 So the second part of the question is the
25 most problematic term, but it ends up the highest

1 impact to ratepayers would be the letter of credit
2 and the decommissioning trust. The -- the letter
3 of credit requires that the developer allocate
4 borrowing capacity and then pay the ongoing costs
5 of the letter of credit, and that would increase
6 the cost of energy.

7 And in terms of the decommissioning trust, it
8 requires a higher upfront cost and that higher
9 upfront cost increases the cost of energy, and
10 then passes that on to the ratepayer.

11 THE HEARING OFFICER: Thank you, Mr. LaMarche.

12 Mr. Mercier, does that satisfy your question?

13 MR. MERCIER: Yes, thank you.

14 THE HEARING OFFICER: Very good. Thank you.

15 Thank you, all.

16 Okay, now we will continue with
17 cross-examination by Mr. Carter followed by
18 Ms. Hall. Mr. Carter, good afternoon.

19 MR. CARTER: Good afternoon, Mr. Morissette. I
20 actually don't have any questions. Thank you.

21 THE HEARING OFFICER: Thank you.

22 We'll now continue cross-examination by
23 Ms. Hall followed by Ms. Katz.

24 Ms. Hall, good afternoon.

25 MS. HALL: Good afternoon.

1 A couple of follow-up questions about the
2 agricultural plan. I understand your point,
3 Mr. LaMarche, that it is still a work in progress.
4 But I'm really curious about the aspect of using
5 the area -- and I hope it can be done because it
6 sounds like a great idea -- for herbs and dye
7 plants.

8 The question I have is -- one of the
9 questions I have is, how would they be harvested?

10 **THE WITNESS (La Marche):** By hand.

11 **MS. HALL:** By hand?

12 **THE WITNESS (La Marche):** It would be -- it would be
13 individuals using hand -- hand-style tools to --
14 to cut and harvest.

15 **MS. HALL:** Interesting. And would they need
16 irrigation?

17 **THE WITNESS (La Marche):** So the intent is the species
18 that we have looked at and are -- have on that
19 list do not require long-term irrigation. They
20 would require watering to establish, but long
21 term, once the roots are longer, once they are
22 established as perennial plants, they would not
23 require irrigation like a typical agricultural
24 farm field, as corn or beans would.

25 **MS. HALL:** Understood. That's my experience with my

1 herb garden.

2 The grass mix, we got a suggestion from the
3 Council on Environmental Quality that, to the
4 extent possible, that native species be used. Is
5 that something that you have looked at?

6 THE WITNESS (La Marche): We have looked at native
7 species, and I am fine incorporating native
8 species into it. I think it, you know, becomes a
9 little bit problematic to be a hundred percent
10 native.

11 MS. HALL: Okay. I understand. I understand.

12 All right. And now on to the questions that
13 you know I'm always going to ask, which is about
14 the fire department.

15 Stonington is what? About less than a
16 thousand people; their fire department has to be
17 very small. I assume that they probably get some
18 help from Ledyard, which is bigger, but it's still
19 not big either. So they're both volunteers,
20 volunteer-based.

21 And in response to the questions, there is --
22 as you pointed out, there is one hydrant, but it's
23 unknown whether or not if there were an event
24 where you had to keep the area wet, moist, whether
25 that hydrant would be sufficient. And that you

1 would -- that the fire department would have to
2 rely on tanker trucks.

3 Along with the training which you always
4 say -- and I have no reason to doubt that you're
5 going to work with the local fire departments on
6 training, and that's a cornerstone of having this
7 go forward -- would you also be willing to work
8 with them on making sure that the water supply
9 will be sufficient?

10 THE WITNESS (La Marche): We are willing to work with
11 them on the water supply, yes.

12 MS. HALL: Okay. Thank you. I actually -- those were
13 just my two questions. I had the same questions
14 that have already been asked about screening. And
15 I want to thank -- and also about the leak
16 detection language, which was a little bit
17 squishy. So I'm glad that's been firmed up a bit,
18 but that's it for me. Thank you.

19 THE WITNESS (La Marche): Thank you.

20 THE HEARING OFFICER: Thank you. Thank you, Ms. Hall.

21 We'll now continue with cross-examination by
22 Ms. Katz and followed by Mr. Lynch. Ms. Katz?

23
24 (No response.)
25

1 THE HEARING OFFICER: Very good. We'll now continue
2 with cross-examination by Mr. Lynch followed by
3 myself. Mr. Lynch, good afternoon.

4 MR. LYNCH: Can you hear me, Mr. Morissette?

5 THE HEARING OFFICER: Yes, I can. Thank you.

6 MR. LYNCH: I just have a few simple questions. The
7 first one is on your maintenance team for the
8 project. Is that -- are those employees of the
9 company, or is that contracted out?

10 THE WITNESS (La Marche): No, they are employees of
11 Greenskies.

12 MR. LYNCH: Okay. My other question revolves around
13 the decommissioning of the project and also the
14 damage to any panels or inverters. Let's start
15 with the damage first.

16 How are they -- if there's any damage to the
17 panels or inverters, how are they replaced? And
18 how -- what's the timeframe of the maintenance on
19 replacing them?

20 THE WITNESS (La Marche): So let's -- this is
21 Jean-Paul.

22 Let me answer the questions separately,
23 because they have different answers for the -- the
24 different equipment. Inverters -- well, I guess
25 in general both can be replaced without turning

1 off the entire system. The system can continue to
2 operate while we are, you know, securing the
3 equipment if we don't have it readily available
4 and make -- making the repair. You know, we will
5 isolate the section of it that may need to get
6 shut down.

7 For the modules, if one module is
8 nonfunctional and not producing energy, it may not
9 justify immediately replacing it like, you know,
10 as an emergency that day. But at a scheduled
11 maintenance visit or in, you know, a reasonable
12 amount of time, we would replace any
13 non-functional module.

14 You know, if they're actually, for the most,
15 part plug-and-play connectors, replacing it with
16 the same module, we would have a stock of those
17 modules not stored on site, but we would have a
18 stock of those modules. And it's, you know,
19 releasing some clamps, releasing some electrical
20 connectors, plugging that back in, redoing the
21 clamps. It's a pretty straightforward process.

22 For these --

23 MR. LYNCH: You answered one -- you answered one of my
24 follow-up questions on storage of the panels or
25 modules. And so you answered that already.

1 So, thank you.

2 **THE WITNESS (La Marche):** Yeah. We have -- we have --
3 I mean, we have a very high volume of project
4 overall, and we have warehouses and we have
5 storage. They're not going to be on site, but we
6 have that as a company. We --

7 **MR. LYNCH:** And how long would it take to replace them?

8 **THE WITNESS (La Marche):** I mean, from the on-site
9 work?

10 **MR. LYNCH:** No, from getting --

11 **THE WITNESS (La Marche):** I mean, I don't exactly --
12 so, a half hour or something like that.

13 **MR. LYNCH:** No. I mean, from getting them from your
14 storage facility to the field to be replaced,
15 what's the timeframe?

16 **THE WITNESS (La Marche):** You know, it -- it depends on
17 the scheduling of when a routine maintenance is
18 already scheduled. We may wait for a routine
19 maintenance so that we don't have to do an
20 individual trip for just one solar panel.

21 So, I -- I don't know exactly how long that
22 would take, but, you know, I guess in general it
23 would be days or weeks or months, but it wouldn't
24 be longer than that.

25 **MR. LYNCH:** Now, during the maintenance of the

1 facility, those panels are still hot. If there is
2 any injury to any of the maintenance people, is
3 there a plan for it to have a fire rescue there?

4 THE WITNESS (La Marche): We would. I mean, we would
5 not have our own fire rescue crew on site when
6 performing maintenance, but we also do not perform
7 maintenance as an individual. There would be a
8 team of people that would be there in case there
9 was any sort of accident.

10 MR. LYNCH: Now, the transformers, the two, are they
11 controlled by your company? Or by the utility
12 company?

13 THE WITNESS (La Marche): There are transformers that
14 are owned by our company and then there is also --
15 I guess, on-site the transformers are owned by our
16 company, yes. There, there are not on-site
17 transformers owned by the utility. We are
18 responsible for meeting the grid voltage.

19 MR. LYNCH: Okay. Now, going back to your
20 decommissioning plan, in 20 years where do these
21 panels, modules, inverters and transformers go to
22 be -- is there a storage area somewhere? I know
23 they can't go into landfills in Connecticut.

24 So, where? Where are they sent to?

25 THE WITNESS (La Marche): So, it depends on the

1 equipment again. The modules that we use actually
2 can be disposed of as solid waste in a landfill.
3 I'm not saying we would, but they could be.

4 The other equipment would all be disposed of,
5 if it is non-functional, in the appropriate means.
6 Right? Some of it is going to be scrapped for
7 metal value. There's a lot of copper that would
8 be recycled, reused.

9 MR. LYNCH: Yeah.

10 THE WITNESS (La Marche): There's a growing industry
11 around the reuse and recycling of solar panels.
12 So, we -- it would be an assortment of different
13 means of disposing of it between recycling and
14 reusing and landfilling.

15 MR. LYNCH: Maybe I was misinformed, but I thought the
16 panels couldn't go into landfills in Connecticut,
17 but if they can, then that's all right. You've
18 answered the question.

19 All my other questions have been asked and
20 answered, Mr. Morissette. So, I'm all set.

21 THE HEARING OFFICER: Thank you, Mr. Lynch.

22 Quite a few of my questions have been
23 answered as well, and I want to thank Mr. Mercier
24 and my fellow councilmembers for being very
25 thorough this afternoon. A couple of follow-up

1 questions, however.

2 The property owned by Aquarion that the
3 access road leads to, what is the function of that
4 property? Is that a pump house?

5 THE WITNESS (La Marche): Dennis, can you answer that?

6 THE WITNESS (Hicks): Yes. Dennis Hicks, Greenskies.

7 Yes, the Aquarion property is a pump house
8 for -- for their usage. I'm not entirely sure
9 where it goes, but I do know it's used for
10 pumping.

11 THE HEARING OFFICER: Okay. Thank you. The property
12 to the east, could you kindly describe what's
13 there and what's -- how it's being utilized, if at
14 all?

15 THE WITNESS (Hicks): Dennis Hicks, Greenskies. I just
16 want to -- I'm just seeking clarification. Do you
17 mean the property on the other side of the
18 Aquarion access road, or the parcel adjacent?

19 THE HEARING OFFICER: On the other side of the access
20 road.

21 THE WITNESS (Hicks): That is the same use as the
22 current, that the other -- the, you know, where
23 the project location is, it is sporadically used,
24 sort of, as needed by a tenant farmer in -- in,
25 you know, in an informal agreement with our

1 landowner.

2 THE WITNESS (Kochis): And this is Steve Kochis, VHB.

3 To -- to add some clarity there,
4 Mr. Morissette, that that portion of the parcel to
5 the east of the Aquarion easement is part of our
6 contiguous host parcel that the project is going
7 on. It's all -- it's all the same parcel.

8 THE HEARING OFFICER: Oh, it's part of your lease as
9 well? Am I understanding that right?

10 THE WITNESS (Kochis): It's part of the host parcel.

11 I'll defer to Dennis and JP, as it's part of
12 their lease, although I do you think Ryan -- JP
13 and Dennis, Ryan had mentioned that you were
14 leasing this entire parcel?

15 THE WITNESS (Hicks): Yes. Dennis Hicks, Greenskies.

16 So, to my knowledge that that is what -- that
17 that is my understanding, that we are leasing the
18 entire parcel, yes. And the -- the access road
19 through Aquarion is a non -- non-exclusive
20 easement that has been granted to Aquarion.

21 THE HEARING OFFICER: Okay. Interesting. Thank you.

22 Okay. I'd like to go to the interconnection.
23 I heard Jean-Paul testify that it's going to
24 change, and I thank you for that. I was happy to
25 hear that the number of poles are going to be

1 reduced and that the customer side and the utility
2 side are going to be separated.

3 As you can imagine, I was very concerned
4 about 227 Lantern Hill Road, which is adjacent to
5 the Aquarion easement access road. And I was very
6 concerned about the unsightly five poles that
7 would be on the edge of that property.

8 And so, I wanted just to be clear, based on
9 what you said, is there's a possibility to reduce
10 from five to four; and that two of the poles, the
11 customer-side poles will be moved north closer to
12 the equipment pad, and the two remaining poles
13 will be the utility poles by the street.

14 **THE WITNESS (La Marche):** That is correct. That is
15 what I said. That is our design intent. That is
16 what we have done on the previous project
17 successfully with Eversource.

18 Once they complete their cluster study that
19 is ongoing for this project right now we will
20 provide them that updated design and finalize it
21 with them.

22 **THE HEARING OFFICER:** Very good. I'm very happy to
23 hear that.

24 Just one final question. Can you describe to
25 me what a cluster study is?

1 THE WITNESS (La Marche): Yes, I can. So there has
2 been recent legislation for rulemaking on a FERC
3 level that changed the interconnection process
4 on -- on the FERC side that filtered down to
5 changing how the ISO was required to perform
6 transmission-related studies.

7 Even though this project is going through a
8 utility and not the ISO, for certain levels of
9 impact they need ISO review on the transmission
10 side to make sure there's no impact.

11 The change there is, instead of doing it on a
12 one-off basis, they are clustering projects that
13 are going through interconnections and doing that
14 ISO review study all at the same time. The intent
15 is to create efficiencies, and I -- I am hopeful
16 that we will see efficiencies.

17 But, you know, as it's being rolled out it's
18 been a new process, and it's been a little bit
19 challenging to work there.

20 THE HEARING OFFICER: Sure. So in essence, if I could
21 kind of restate it, is there they're taking
22 pending projects that are in the queue and they're
23 inserting them into their model to see what the
24 overall transmission impact is?

25 THE WITNESS (La Marche): Correct.

1 THE HEARING OFFICER: Okay.

2 THE WITNESS (La Marche): They're looking at them
3 altogether.

4 THE HEARING OFFICER: Okay. Well, that would make
5 sense. So then when the next generator in the
6 queue comes up, they just need to add to it any
7 new ones that are in the queue, and they can
8 update their model, I would think, rather quickly
9 and give you, or give the developers a quick
10 result. So that's good news.

11 Okay. Very good. Thank you. That's all the
12 questions I have for this afternoon, and thank
13 everybody.

14 So the Council will recess until 6:30 p.m.,
15 at which time we will commence with the public
16 comment session of this public hearing.

17 So thank you, everyone, and we will see you
18 at 6:30 p.m. Have a nice dinner.

19 THE WITNESS (La Marche): Thank you, all.

20 ATTORNEY HOFFMAN: Thank you, Mr. Morissette.

21 THE HEARING OFFICER: Thank you.

22
23 (End: 4:05 p.m.)
24
25

CERTIFICATE

I hereby certify that the foregoing 86 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the remote teleconference meeting of The Connecticut Siting Council in Re: DOCKET NO. 525, GREENSKIES CLEAN ENERGY, LLC APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A 4.999-MEGAWATT-AC SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITY AND ASSOCIATED EQUIPMENT LOCATED AT LANTERN HILL ROAD (PARCEL NO. 169-1-4), STONINGTON, CONNECTICUT AND ASSOCIATED ELECTRICAL INTERCONNECTION, which was held before JOHN MORISSETTE, Member and Presiding Officer, on December 12, 2024.



Robert G. Dixon, CVR-M 857
Notary Public
My Commission Expires: 6/30/2025

INDEX

WITNESSES

PAGE

Dennis Hicks	
Jean-Paul La Marche	
Steven Kochis	
Sara Berryman	12
(EXAMINER)	
By Mr. Hoffman	12

EXAMINERS

By Mr. Mercier	16
By Mr. Nguyen	48
By Mr. Golembiewski	54
By Ms. Hall	74
By Mr. Lynch	77
By The Hearing Officer (Morissette)	81

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25