

1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL
3

4 Docket No. 550

5 Brookfield Husky Solar, LLC d/b/a Verogy
6 application for a Certificate of Environmental
7 Compatibility and Public Need for the
8 construction, maintenance, and operation of a
9 50-megawatt-AC solar photovoltaic electric
10 generating facility and associated equipment on 9
11 parcels generally located east and west of
12 Sterling Road (Route 14) along the Plainfield
13 municipal boundary in Sterling, Connecticut; north
14 of Sterling Hill Road along the Sterling municipal
15 boundary and west of the intersection of Sugar
16 Brook Road and Black Hill Road (Route 14) in
17 Plainfield, Connecticut and associated electrical
18 interconnection.
19

20 Public Hearing held on Thursday, June 4, 2026,
21 beginning at 2 p.m., via Zoom.
22

23 H e l d B e f o r e:

24 JOHN MORISSETTE, Vice Chair
25

Reporter: Lisa L. Warner, CSR #061

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

2

 Council Members:

3

 BRIAN GOLEMBIEWSKI

4

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

5

6

 QUAT NGUYEN

7

 Designee for Chairman Elect Thomas Wiehl,
 Public Utilities Regulatory Authority

8

9

 CHANCE CARTER

10

 KHRISTINE HALL

11

 BILL SYME

12

 DR. SCOTT C. WILLIAMS

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 Council Staff:

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 MELANIE BACHMAN, ESQ.
 Executive Director

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 ROBERT MERCIER

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 Siting Analyst

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 LISA FONTAINE

 Administrative Support

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

2

3 **For the Applicant Brookfield Husky Solar, LLC**
4 **d/b/a Verogy:**

4

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9 **BY: LEE D. HOFFMAN, ESQ.**

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10 **KATHRYN BOUCHER, ESQ.**

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14 **Intervenor:**

15

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20 **mmkonow@gmail.com**

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22 **For Intervenor Sterling Property LLC and Pure**
23 **Hedge LLC:**

23

24 **HARRIS BEACH MURTHA CULLINA PLLC**

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28 **BY: BRUCE L. MCDERMOTT, ESQ.**

28

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1 (The public hearing commenced at 2
2 p.m.)

3 THE VICE CHAIR: This public hearing is
4 called to order this Thursday, June 4, 2026, at 2
5 p.m. My name is John Morissette, Vice Chair of
6 the Connecticut Siting Council. Other members of
7 the Council are Chance Carter; Khristine Hall; Dr.
8 Scott Williams; Bill Syme; Brian Golembiewski,
9 designee for Commissioner Katie Dykes of the
10 Department of Energy and Environmental Protection;
11 and Quat Nguyen, designee for Chairman Thomas
12 Wiehl of the Public Utilities Regulatory
13 Authority.

14 Members of the staff are Executive
15 Director Melanie Bachman, Siting Analyst Robert
16 Mercier, and Administrative Support Lisa Fontaine.

17 If you haven't done so already, I ask
18 that everyone please mute their computer audio
19 and/or telephones now. Thank you.

20 This hearing is held pursuant to the
21 provisions of Title 16 of the Connecticut General
22 Statutes and of the Uniform Administrative
23 Procedure Act upon an application from Brookfield
24 Husky Solar, LLC d/b/a Verogy for a Certificate of
25 Environmental Compatibility and Public Need for

1 the construction, maintenance, and operation of a
2 50-megawatt-AC solar photovoltaic electric
3 generating facility and associated equipment on 9
4 parcels generally located east and west of
5 Sterling Road (Route 14) along the Plainfield
6 municipal boundary in Sterling, Connecticut; north
7 of Sterling Hill Road along the Sterling municipal
8 boundary and west of the intersection of Sugar
9 Brook Road and Black Hill Road (Route 14) in
10 Plainfield, Connecticut and the associated
11 electrical interconnection. This application was
12 received by the Council on February 20, 2026.

13 The Council's legal notice of the date
14 and time of this public hearing was published in
15 the Norwich Bulletin on March 25, 2026. Upon this
16 Council's request, the applicant erected signs in
17 the vicinity of the proposed site host parcels so
18 as to inform the public of the name of the
19 applicant, the type of facility, the public
20 hearing date, and contact information for the
21 Council, including the website and phone number.

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

1 The parties and intervenors to the
2 proceeding are as follows: The Applicant
3 Brookfield Husky Solar, LLC d/b/a Verogy, its
4 representatives Lee D. Hoffman, Esq., Kathryn
5 Boucher, Esq. of Pullman & Comley, LLC.

6 Intervenor Matthew Konow.

7 We will proceed in accordance with the
8 prepared agenda, a copy of which is available on
9 the Council's website, along with the record of
10 this matter, the public hearing notice,
11 instructions for public access to this public
12 hearing, and the Council's Citizens Guide to
13 Siting Council Procedures. Interested persons may
14 join any session of this public hearing to listen,
15 but no public comments will be received during the
16 2 p.m. evidentiary session.

17 At the end of the evidentiary session,
18 we will recess until 6:30 p.m. for the public
19 comment session. Please be advised that any
20 person may be removed from the evidentiary session
21 or the public comment session at the discretion of
22 the Council. The 6:30 p.m. public comment session
23 is reserved for members of the public who signed
24 up to make brief statements into the record.

25 I wish to note that the applicant,

1 parties and intervenors, including their
2 representatives, witnesses and members, are not
3 allowed to participate in the public comment
4 session.

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

13 A verbatim transcript of this public
14 hearing will be posted on the Council's website
15 and deposited with the Plainfield and Sterling
16 Town Clerk's Offices for the convenience of the
17 public.

18 The Council will take a 10 to 15 minute
19 break at a convenient juncture at around 3:30 p.m.

20 We'll now move on to motions. We have
21 five motions to take care of before we move on to
22 the hearing. Motion Number 1: Sterling Property
23 and Pure Hedge LLC request for party/intervenor
24 status, dated May 22, 2026. Attorney Bachman may
25 wish to comment.

1 Attorney Bachman, good afternoon.

2 ATTORNEY BACHMAN: Good afternoon, Vice
3 Chair Morissette. The LLCs own the former Exeter
4 Energy facility site and the associated electric
5 transmission line that were certificated by the
6 Council in Docket Numbers 81 and 98.

7 Brookfield Husky Solar objects to the
8 LLCs' request for party status as it's outside the
9 bounds of this application. However, staff
10 recommends the LLCs be granted intervenor status.
11 Thank you.

12 THE VICE CHAIR: Thank you, Attorney
13 Bachman.

14 Is there a motion?

15 MS. HALL: I'll make a motion to grant
16 intervenor status to the petitioner -- to the
17 requesters.

18 THE VICE CHAIR: Thank you, Ms. Hall.

19 Is there a second?

20 MR. CARTER: I'll second.

21 THE VICE CHAIR: Thank you, Mr. Carter.
22 We have a motion by Ms. Hall to grant intervenor
23 status to the LLCs, and we have a second by Mr.
24 Carter. We'll now move to discussion.

25 Ms. Hall, any discussion?

1 MS. HALL: No discussion. Thank you.

2 THE VICE CHAIR: Thank you.

3 Mr. Carter, any discussion?

4 MR. CARTER: I have none. Thank you.

5 THE VICE CHAIR: Thank you.

6 Dr. Williams, any discussion?

7 DR. WILLIAMS: No discussion. Thank
8 you.

9 THE VICE CHAIR: Thank you.

10 Mr. Golembiewski, any discussion?

11 MR. GOLEMBIEWSKI: I have no
12 discussion. Thank you.

13 THE VICE CHAIR: Thank you.

14 Mr. Nguyen, any discussion?

15 MR. NGUYEN: I have no discussion.
16 Thank you.

17 THE VICE CHAIR: Thank you.

18 Mr. Syme, any discussion?

19 MR. SYME: I have none.

20 THE VICE CHAIR: Thank you. And I have
21 no discussion. We'll now move to the vote.

22 Ms. Hall, how do you vote?

23 MS. HALL: Vote to approve.

24 THE VICE CHAIR: Mr. Carter?

25 MR. CARTER: Vote to approve. Thank

1 you.

2 THE VICE CHAIR: Thank you.

3 Dr. Williams?

4 DR. WILLIAMS: Vote to approve.

5 THE VICE CHAIR: Thank you.

6 Mr. Golembiewski?

7 MR. GOLEMBIEWSKI: Vote to approve.

8 Thank you.

9 THE VICE CHAIR: Thank you.

10 Mr. Nguyen?

11 MR. NGUYEN: I vote to approve.

12 THE VICE CHAIR: Thank you.

13 Mr. Syme?

14 MR. SYME: Vote approval.

15 THE VICE CHAIR: Thank you. And I vote
16 approval. We have a unanimous decision. The LLCs
17 are granted intervenor status.

18 Moving on to Motion Number 2, Sterling
19 Property LLC and Pure Hedge LLC request to
20 reschedule the June 4, 2026 public hearing, dated
21 May 28, 2026. Attorney Bachman may wish to
22 comment.

23 Attorney Bachman.

24 ATTORNEY BACHMAN: Thank you, Vice
25 Chair Morissette. The LLCs requested a

1 postponement of this publicly noticed hearing for
2 an opportunity to respond to Brookfield Husky
3 Solar's objection to the LLCs' request for party
4 status.

5 The Council requested the LLCs to
6 submit a response by June 2nd. The LLCs submitted
7 a response to the objection on June 2nd;
8 therefore, staff recommends the request to
9 reschedule this public hearing be denied. Thank
10 you.

11 THE VICE CHAIR: Thank you, Attorney
12 Bachman.

13 Is there a motion?

14 MS. HALL: I'll make a motion to deny
15 the request for postponement of the hearing.

16 THE VICE CHAIR: Thank you, Ms. Hall.

17 Is there a second?

18 MR. CARTER: I'll second.

19 MR. GOLEMBIEWSKI: Second.

20 MR. CARTER: Go ahead.

21 THE VICE CHAIR: Is that Mr.
22 Golembiewski?

23 MR. GOLEMBIEWSKI: Yes.

24 THE VICE CHAIR: Very good. Thank you.
25 We have a motion by Ms. Hall to deny the request

1 to reschedule the hearing, and we have a second by
2 Mr. Golembiewski. We'll now move to discussion.

3 Ms. Hall, any discussion?

4 MS. HALL: No discussion. Thank you.

5 THE VICE CHAIR: Mr. Carter?

6 MR. CARTER: I have none. Thank you.

7 THE VICE CHAIR: Dr. Williams?

8 DR. WILLIAMS: No discussion.

9 THE VICE CHAIR: Mr. Golembiewski?

10 MR. GOLEMBIEWSKI: I have no
11 discussion. Thank you.

12 THE VICE CHAIR: Thank you.

13 Mr. Nguyen?

14 MR. NGUYEN: No discussion. Thank you.

15 THE VICE CHAIR: Mr. Syme?

16 MR. SYME: I have none.

17 THE VICE CHAIR: Thank you. And I have
18 none. We'll now move to the vote.

19 Ms. Hall, how do you vote?

20 MS. HALL: Vote to approve the motion
21 to deny.

22 THE VICE CHAIR: Thank you.

23 Mr. Carter?

24 MR. CARTER: I vote in favor of the
25 motion to deny.

1 THE VICE CHAIR: Thank you.

2 Dr. Williams?

3 DR. WILLIAMS: Vote to approve.

4 THE VICE CHAIR: Thank you.

5 Mr. Golembiewski?

6 MR. GOLEMBIEWSKI: Vote to approve the
7 motion to deny.

8 THE VICE CHAIR: Thank you.

9 Mr. Nguyen?

10 MR. NGUYEN: Vote to approve the motion
11 to deny.

12 THE VICE CHAIR: Thank you.

13 Mr. Syme?

14 MR. SYME: Vote in favor.

15 THE VICE CHAIR: Thank you. And I also
16 approve the motion to deny. We have a unanimous
17 decision, and the request to reschedule is denied.

18 Moving on to Motion Number 3,
19 Brookfield Husky Solar, LLC motion for protective
20 order of the lease agreement financial terms,
21 dated May 28, 2026. Attorney Bachman may wish to
22 comment.

23 Attorney Bachman.

24 ATTORNEY BACHMAN: Thank you, Vice
25 Chair Morissette. Pursuant to General Statutes

1 Section 16-50o and the responses to Council
2 Interrogatory Numbers 12 and 23, Brookfield Husky
3 Solar submitted a motion for protective order
4 related to the disclosure of project costs and
5 disclosure of the financial terms contained within
6 the site lease agreements and the option to
7 purchase agreement financial terms which are
8 exempt from public disclosure under the Freedom of
9 Information Act on the basis that the documents
10 contain confidential and proprietary information.
11 Therefore, staff recommends the motion be granted.
12 Thank you.

13 THE VICE CHAIR: Thank you, Attorney
14 Bachman.

15 Is there a motion?

16 MS. HALL: I'll make a motion to
17 approve the protective order.

18 THE VICE CHAIR: Thank you, Ms. Hall.

19 Is there a second?

20 MR. CARTER: I will second it.

21 THE VICE CHAIR: Thank you, Mr. Carter.

22 We have a motion by Ms. Hall to approve the
23 request for a protective order, and we have a
24 second by Mr. Carter. We'll now move to
25 discussion.

1 Ms. Hall, any discussion?

2 MS. HALL: No discussion. Thank you.

3 THE VICE CHAIR: Mr. Carter?

4 MR. CARTER: I have none. Thank you.

5 THE VICE CHAIR: Thank you.

6 Dr. Williams?

7 DR. WILLIAMS: No discussion.

8 THE VICE CHAIR: Thank you.

9 Mr. Golembiewski?

10 MR. GOLEMBIEWSKI: I have no
11 discussion. Thank you.

12 THE VICE CHAIR: Thank you.

13 Mr. Nguyen?

14 MR. NGUYEN: No discussion.

15 THE VICE CHAIR: Thank you.

16 Mr. Syme?

17 MR. SYME: I have none.

18 THE VICE CHAIR: Thank you. And I have
19 none. We'll now move to the vote.

20 Ms. Hall, how do you vote?

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

22 THE VICE CHAIR: Thank you.

23 Mr. Carter?

24 MR. CARTER: I vote to approve. Thank
25 you.

1 THE VICE CHAIR: Dr. Williams?

2 DR. WILLIAMS: Vote to approve.

3 THE VICE CHAIR: Mr. Golembiewski?

4 MR. GOLEMBIEWSKI: I vote to approve.

5 Thank you.

6 THE VICE CHAIR: Thank you.

7 Mr. Nguyen?

8 MR. NGUYEN: Vote to approve.

9 THE VICE CHAIR: Thank you.

10 Mr. Syme?

11 MR. SYME: Vote approval.

12 THE VICE CHAIR: Thank you. And I vote
13 approval. We have a unanimous decision, the
14 request for a protective order is approved.

15 Moving on to Motion Number 4, Matthew
16 Konow's request for reconsideration of party
17 status and to postpone the June 4, 2026 public
18 hearing, dated May 31, 2026. Attorney Bachman may
19 wish to comment.

20 Attorney Bachman.

21 ATTORNEY BACHMAN: Thank you, Vice
22 Chair Morissette. During the regular meeting held
23 on May 28th, the Council granted Konow intervenor
24 status on the basis that Konow is not an abutting
25 property owner to any of the site host parcels.

1 Konow requests the Council reconsider and grant
2 party status on the basis that Brookfield Husky
3 Solar provided Konow notice of the application and
4 also requests the Council to postpone the public
5 hearing.

6 Konow is not an abutting property owner
7 to any of the site host parcels and will not be
8 prejudiced as the Council did not limit Konow's
9 participation. And intervenors have the same
10 appeal rights as parties. Given the number of
11 parties and intervenors, we will have a continued
12 evidentiary hearing session in the future with an
13 additional discovery schedule that will be
14 published after this hearing. And therefore,
15 staff recommends the request for reconsideration
16 and the request to postpone this hearing be
17 denied. Thank you.

18 THE VICE CHAIR: Thank you, Attorney
19 Bachman.

20 Is there a motion?

21 MS. HALL: I'll make a motion to deny
22 the motions for reconsideration and postponement.

23 THE VICE CHAIR: Thank you, Ms. Hall.

24 Is there a second?

25 MR. CARTER: I'll second.

1 THE VICE CHAIR: Thank you, Mr. Carter.
2 We have a motion by Ms. Hall to deny the motion
3 for reconsideration of party status and the
4 postponement of the June 4, 2026 public hearing,
5 and we have a second by Mr. Carter. We will now
6 move to discussion.

7 Ms. Hall, any discussion?

8 MS. HALL: No discussion. Thank you.

9 THE VICE CHAIR: Mr. Carter?

10 MR. CARTER: I have none. Thank you.

11 THE VICE CHAIR: Dr. Williams?

12 DR. WILLIAMS: No discussion.

13 THE VICE CHAIR: Mr. Golembiewski?

14 MR. GOLEMBIEWSKI: I have no
15 discussion. Thank you.

16 THE VICE CHAIR: Mr. Nguyen?

17 MR. NGUYEN: No discussion.

18 THE VICE CHAIR: Mr. Syme?

19 MR. SYME: I have none.

20 THE VICE CHAIR: Thank you. And I have
21 no discussion. We'll now move to the vote.

22 Ms. Hall, how do you vote?

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

24 THE VICE CHAIR: Thank you.

25 Mr. Carter?

1 MR. CARTER: Vote to approve. Thank
2 you.

3 THE VICE CHAIR: Thank you.
4 Dr. Williams?

5 DR. WILLIAMS: Vote to approve.

6 THE VICE CHAIR: Thank you.
7 Mr. Golembiewski?

8 MR. GOLEMBIEWSKI: Vote to approve.
9 Thank you.

10 THE VICE CHAIR: Thank you.
11 Mr. Nguyen?

12 MR. NGUYEN: Vote to approve the
13 motion. Thank you.

14 THE VICE CHAIR: Thank you.
15 Mr. Syme?

16 MR. SYME: Vote in favor.

17 THE VICE CHAIR: Thank you. And I vote
18 to approve. We have a unanimous decision. The
19 request for reconsideration of postponement is
20 denied.

21 Moving on to Motion Number 5, Matthew
22 Konow's request to waive hard copy filing
23 requirements, dated June 3, 2026. Attorney
24 Bachman may wish to comment.

25 Attorney Bachman.

1 ATTORNEY BACHMAN: Thank you, Vice
2 Chair Morissette. Konow requests the Council to
3 waive the hard copy filing requirement for
4 documents related to his participation as an
5 intervenor in this proceeding and for the Council
6 to make the required copies for him as a courtesy.

7 Consistent with the Council's
8 disposition of this request from an intervenor in
9 Petition Number 1694, staff recommends this
10 request be denied. Thank you.

11 THE VICE CHAIR: Thank you, Attorney
12 Bachman.

13 Is there a motion?

14 MS. HALL: I'll make a motion to waive
15 the requirement for hard copies.

16 THE VICE CHAIR: Your motion is to
17 approve the request to waive?

18 MS. HALL: I make a motion to deny the
19 request for use -- for waiving the use of hard
20 copies.

21 THE VICE CHAIR: Very good. Thank you.
22 Is there a second?

23 DR. WILLIAMS: I'll second.

24 THE VICE CHAIR: Thank you, Dr.
25 Williams. We have a motion by Ms. Hall to deny

1 the request to waive hard copy filing
2 requirements, and we have a second by Dr.
3 Williams. We'll now move to discussion.

4 Ms. Hall, any discussion?

5 MS. HALL: I guess, I'd like to hear a
6 little bit more about hardship that might be part
7 of this discussion. I know each of the eight of
8 us get hard copies. I know the other parties get
9 hard copies. Is that the extent of the
10 distribution of hard copies?

11 THE VICE CHAIR: No. Well, the service
12 list also gets copies, yes.

13 MS. HALL: Who also gets copies?

14 THE VICE CHAIR: The service list.

15 MS. HALL: The service list.

16 ATTORNEY BACHMAN: Excuse me, Vice
17 Chair Morissette. We allow the service list to
18 waive the hard copy filing requirement in lieu of
19 electronic, but there's no waiver of the Siting
20 Council's regulation for 15 copies for the members
21 and staff.

22 THE VICE CHAIR: Very good. Thank you.

23 MS. HALL: So the hard copy requirement
24 is a regulation, is that what I just heard?

25 ATTORNEY BACHMAN: That's correct.

1 MS. HALL: Okay. Thank you for that
2 clarification. I mean, I understand that much is
3 moving to electronic form, but if it's our
4 regulation, it's our regulation.

5 THE VICE CHAIR: Very good. Thank you,
6 Ms. Hall.

7 Mr. Carter, any discussion?

8 MR. CARTER: I have none. Thank you.

9 THE VICE CHAIR: Thank you.

10 Dr. Williams?

11 DR. WILLIAMS: No discussion.

12 THE VICE CHAIR: Thank you.

13 Mr. Golembiewski?

14 MR. GOLEMBIEWSKI: I have no
15 discussion. Thank you.

16 THE VICE CHAIR: Thank you.

17 Mr. Nguyen?

18 MR. NGUYEN: Yes, Mr. Vice Chair.

19 Recognizing that Mr. Konow doesn't have the same
20 resources that a typical company would have in
21 terms of copying capability, I understand that.
22 But I also recognize that this is for internal
23 purposes; so therefore, I will lean to denying for
24 that purposes. Thank you.

25 THE VICE CHAIR: Thank you, Mr. Nguyen.

1 Mr. Syme, any discussion?

2 MR. SYME: I have none.

3 THE VICE CHAIR: Thank you. My concern
4 is, if we let it go here, we're going to be
5 consistently waiving across the board, and I don't
6 want to set precedent in allowing that to happen.
7 So with that, we'll now move to the vote.

8 We have a motion by Ms. Hall to deny
9 the request to waive hard copy filing
10 requirements, and we have a second by Dr.
11 Williams.

12 Ms. Hall, how do you vote?

13 MS. HALL: I vote to approve the motion
14 to deny.

15 THE VICE CHAIR: Thank you.

16 Mr. Carter?

17 MR. CARTER: I vote in favor of denial.

18 THE VICE CHAIR: Thank you.

19 Dr. Williams?

20 DR. WILLIAMS: Vote to approve.

21 THE VICE CHAIR: Thank you.

22 Mr. Golembiewski?

23 MR. GOLEMBIEWSKI: Vote to approve the
24 denial.

25 THE VICE CHAIR: Thank you.

1 Mr. Nguyen?

2 MR. NGUYEN: Vote to approve the
3 denial.

4 THE VICE CHAIR: Thank you.

5 Mr. Syme?

6 MR. SYME: Vote approval.

7 THE VICE CHAIR: Thank you. And I also
8 approve the motion to deny. We have a unanimous
9 decision. The request to waive hard copy filing
10 requirements is denied.

11 Administrative notices taken by the
12 Council. I call your attention to those items on
13 the hearing program marked as Roman Numeral I-C,
14 Items 1 through 109.

15 Does any party or intervenor have an
16 objection to the items that the Council has
17 administratively noticed?

18 Attorney Hoffman and Attorney Boucher,
19 good afternoon.

20 ATTORNEY HOFFMAN: Good afternoon,
21 Mr. Morissette. We have no objections.

22 THE VICE CHAIR: Thank you, Attorney
23 Hoffman.

24 Matthew Konow, any objection? Good
25 afternoon.

1 MATTHEW KONOW: Good afternoon. No
2 objection.

3 THE VICE CHAIR: Very good.
4 Accordingly, the Council hereby administratively
5 notices these existing documents.

6 ATTORNEY MCDERMOTT: Mr. Vice Chair,
7 Bruce McDermott on behalf of the LLCs, as we're
8 now referring them to, just recently given
9 intervenor status. No objection either.

10 THE VICE CHAIR: Very good. Thank you.
11 And good afternoon. And thanks for the reminder.

12 ATTORNEY MCDERMOTT: Good afternoon.

13 THE VICE CHAIR: Accordingly, the
14 Council hereby administratively notices these
15 existing documents.

16 (Administrative Notice Items I-C-1
17 through I-C-109: Received in evidence - noted in
18 index.)

19 THE VICE CHAIR: We'll now move on to
20 the appearance of the applicant. Will the
21 applicant present its witness panel for purposes
22 of taking the oath? We will have Attorney Bachman
23 administer the oath.

24 Attorney Hoffman.

25 ATTORNEY HOFFMAN: Thank you, Mr.

1 Morissette. We have on a separate Zoom screen
2 Nicholas Cyr of RLC Engineering. In addition, in
3 this room we have Bryan Fitzgerald, Brad Parsons
4 and Ian Gottheim of Verogy. We have Steve Kochis
5 of VHB, Sara Berryman of VHB and Anthony Granato
6 of Energy Response Solutions.

7 THE VICE CHAIR: Attorney Bachman,
8 please administer the oath.

9 ATTORNEY BACHMAN: Thank you, Vice
10 Chair Morissette.

11 Could the witnesses please just raise
12 your right hand?

13 B R Y A N F I T Z G E R A L D,
14 B R A D P A R S O N S,
15 I A N G O T T H E I M,
16 S T E V E K O C H I S,
17 S A R A B E R R Y M A N,
18 A N T H O N Y G R A N A T O,
19 N I C H O L A S C Y R,

20 having been first duly sworn by Attorney
21 Bachman testified on their oaths as follows:

22 ATTORNEY BACHMAN: Thank you.

23 THE VICE CHAIR: Thank you, Attorney
24 Bachman.

25 Attorney Hoffman, please begin by

1 verifying all exhibits by the appropriate sworn
2 witnesses.

3 DIRECT EXAMINATION

4 ATTORNEY HOFFMAN: Thank you, Mr.
5 Morissette. We have three sets of exhibits for
6 identification. They're listed in the hearing
7 program Roman Numeral II-B. Item 1 is the
8 application, along with attachments A through H;
9 Item number 2 is a sign posting affidavit, dated
10 May 28, 2026; and Item Number B-3 is the responses
11 to the Council's interrogatories, along with the
12 attachments, also dated May 28, 2026.

13 And I will begin by just going around
14 this room and identifying each witness.

15 Mr. Kochis, are you familiar with the
16 exhibits labeled in Roman Numeral II-B of the
17 hearing program?

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

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

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

22 ATTORNEY HOFFMAN: And do you have any
23 changes to those exhibits today?

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

25 ATTORNEY HOFFMAN: And did you prepare

1 or assist in the preparation of those exhibits?

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

3 ATTORNEY HOFFMAN: And do you adopt
4 them as your sworn testimony here today?

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

6 ATTORNEY HOFFMAN: Ms. Berryman, I'll
7 ask you the same questions. Are you familiar with
8 the exhibits listed for identification in Roman
9 Numeral II-B of the hearing program?

10 THE WITNESS (Berryman): Yes, I am.

11 ATTORNEY HOFFMAN: And did you prepare
12 or assist in the preparation of those exhibits?

13 THE WITNESS (Berryman): Yes, I did.

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

16 THE WITNESS (Berryman): Yes.

17 ATTORNEY HOFFMAN: And do you have any
18 changes to those today?

19 THE WITNESS (Berryman): No, I do not.

20 ATTORNEY HOFFMAN: And do you adopt
21 them as your sworn testimony?

22 THE WITNESS (Berryman): Yes, I do.

23 ATTORNEY HOFFMAN: Thank you.

24 Mr. Granato, same series of questions.
25 Are you familiar with the exhibits listed in Roman

1 Numeral II-B of the hearing program?

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

3 ATTORNEY HOFFMAN: And did you prepare
4 or assist in the preparation of those exhibits?

5 THE WITNESS (Granato): Yes.

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

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

9 ATTORNEY HOFFMAN: Do you have any
10 changes to those exhibits today?

11 THE WITNESS (Granato): I do not.

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

14 THE WITNESS (Granato): I do.

15 ATTORNEY HOFFMAN: Mr. Parsons, are you
16 familiar with the exhibits in Roman Numeral II-B
17 of the hearing program?

18 THE WITNESS (Parsons): Yes, I am.

19 ATTORNEY HOFFMAN: And did you prepare
20 or assist in the preparation of those exhibits?

21 THE WITNESS (Parsons): Yes, I did.

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

24 THE WITNESS (Parsons): Yes, they are.

25 ATTORNEY HOFFMAN: And do you have any

1 changes to them today?

2 THE WITNESS (Parsons): No, I do not.

3 ATTORNEY HOFFMAN: Do you adopt them as
4 your sworn testimony?

5 THE WITNESS (Parsons): Yes, I do.

6 ATTORNEY HOFFMAN: Mr. Fitzgerald, same
7 questions. Are you familiar with the exhibits in
8 Roman Numeral II-B of the hearing program?

9 THE WITNESS (Fitzgerald): Yes, I am.

10 ATTORNEY HOFFMAN: And did you prepare
11 or assist in the preparation of those exhibits?

12 THE WITNESS (Fitzgerald): Yes.

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

15 THE WITNESS (Fitzgerald): Yes.

16 ATTORNEY HOFFMAN: And do you have any
17 changes to those exhibits?

18 THE WITNESS (Fitzgerald): No.

19 ATTORNEY HOFFMAN: And do you adopt
20 them as your sworn testimony?

21 THE WITNESS (Fitzgerald): Yes.

22 ATTORNEY HOFFMAN: Mr. Gottheim, are
23 you familiar with the exhibits listed in Roman
24 Numeral II-B?

25 THE WITNESS (Gottheim): Yes, I am.

1 ATTORNEY HOFFMAN: And did you prepare
2 or assist in the preparation of those exhibits?

3 THE WITNESS (Gottheim): Yes, I did.

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

6 THE WITNESS (Gottheim): Yes, they are.

7 ATTORNEY HOFFMAN: And do you have any
8 changes to those exhibits?

9 THE WITNESS (Gottheim): No, I do not.

10 ATTORNEY HOFFMAN: And do you adopt
11 them as your sworn testimony today?

12 THE WITNESS (Gottheim): Yes, I do.

13 ATTORNEY HOFFMAN: Finally, Mr. Cyr, I
14 come to you, are you familiar with the exhibits
15 listed in Roman Numeral II-B of the hearing
16 program?

17 THE WITNESS (Cyr): Yes, I am.

18 ATTORNEY HOFFMAN: And did you prepare
19 or assist in the preparation of those exhibits?

20 THE WITNESS (Cyr): Yes, I did.

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

23 THE WITNESS (Cyr): Yes.

24 ATTORNEY HOFFMAN: And do you have any
25 changes to them today?

1 THE WITNESS (Cyr): No.

2 ATTORNEY HOFFMAN: And do you adopt
3 them as your sworn testimony today?

4 THE WITNESS (Cyr): Yes, I do.

5 ATTORNEY HOFFMAN: Mr. Morissette, with
6 that, I would ask that these exhibits be included
7 as full exhibits for the purposes of this matter.

8 THE VICE CHAIR: Thank you, Attorney
9 Hoffman.

10 Does any party or intervenor object to
11 the admission of the applicant's exhibits?

12 Matthew Konow?

13 MATTHEW KONOW: No objection.

14 THE VICE CHAIR: Thank you.

15 Attorney McDermott?

16 ATTORNEY MCDERMOTT: No objection.

17 THE VICE CHAIR: Very good. Thank you.
18 The exhibits are hereby admitted.

19 (Applicant's Exhibits II-B-1 through
20 II-B-3: Received in evidence - described in
21 index.)

22 THE VICE CHAIR: We'll now begin with
23 cross-examination of the applicant by the Council,
24 starting with Mr. Mercier and followed by Ms.
25 Hall.

1 Mr. Mercier, good afternoon.

2 ATTORNEY HOFFMAN: Mr. Morissette,
3 while Mr. Mercier is unmuting himself, I would
4 just remind the witnesses in this room to state
5 your name for the court reporter before giving an
6 answer so that we can keep a clean transcript.

7 THE VICE CHAIR: Thank you, Attorney
8 Hoffman.

9 CROSS-EXAMINATION

10 MR. MERCIER: Thank you. I'm going to
11 begin by reviewing the Husky Solar responses to
12 the Council interrogatories, and I'm going to
13 begin with Response Number 2. This had to do with
14 updating the abutter notice provided in
15 application Appendix F. And actually I'd just
16 like to refer to Appendix F for a moment,
17 specifically the mail log. It's on page 9 of the
18 website document.

19 In the mail log there are several
20 addresses marked in blue, and I wasn't sure what
21 the purpose of the blue highlight was, if someone
22 can please clarify that.

23 (Pause.)

24 THE VICE CHAIR: Attorney Hoffman, does
25 anybody have a response?

1 ATTORNEY HOFFMAN: We are still
2 looking, Mr. Morissette. We had to grab Exhibit
3 F.

4 THE VICE CHAIR: Very good. Thank you.

5 ATTORNEY HOFFMAN: Mr. Mercier, I'm
6 assuming that you're looking at page 11 and 12 of
7 the PDF.

8 MR. MERCIER: That is correct.

9 THE WITNESS (Gottheim): Hi. This is
10 Ian Gottheim with Verogy. The reason those
11 notices are highlighted in blue is because they're
12 not direct abutters to the parcels as part of this
13 project, the nine parcels.

14 MR. MERCIER: Okay. Thank you. I
15 wasn't sure because it appears there's another
16 parcel on there that's also not an abutter. I
17 believe it's 450 Sterling Hill Road. If someone
18 can get back to me, if you don't know the answer
19 whether it's an abutter or not, later during this
20 proceeding.

21 ATTORNEY HOFFMAN: I'm sorry, Mr.
22 Mercier, did you say 4 Sterling Hill Road?

23 MR. MERCIER: 450 at the bottom of
24 page --

25 ATTORNEY HOFFMAN: Thank you, sir.

1 THE VICE CHAIR: Mr. Mercier, if you
2 could continue, we'll get a response when they're
3 ready.

4 MR. MERCIER: Perhaps let's move along,
5 and I'll go back to that question later.

6 THE VICE CHAIR: Very good. Thank you.

7 MR. MERCIER: I'm going to move on to
8 the Response Number 3. In the response, the last
9 bullet, it mentions routine maintenance checks
10 would occur at the site. I'm trying to figure out
11 how -- what's the schedule for a periodic
12 maintenance check at the site? It's a very large
13 site, a switchyard and a subsection. Can I get a
14 sense of how often someone would physically be out
15 at the site looking at fencing or other issues?

16 THE WITNESS (Parsons): This is Brad
17 Parsons.

18 THE VICE CHAIR: Mr. Mercier -- excuse
19 me for one second -- we're having a hard time
20 hearing you. I don't know if your microphone is
21 out of sync here or what.

22 Did the panel hear the question?

23 THE WITNESS (Parsons): This is Brad
24 Parsons. We did, Mr. Morissette, but we had to
25 turn up the volume. But I can answer that

1 question. We expect that somebody would probably
2 be out at a site of this size checking on it about
3 monthly.

4 MR. MERCIER: Thank you. I apologize.
5 I think I lost my audio for a moment.

6 THE VICE CHAIR: Sounds good now.
7 Thank you.

8 MR. MERCIER: Would that be a
9 third-party vendor, or is that internal personnel?

10 THE WITNESS (Parsons): This is Brad
11 Parsons. Unknown at this time, potentially
12 personnel, but it may be third-party O&M.

13 MR. MERCIER: Thank you. I'm going to
14 move on to Response Number 7, and this had to do
15 with the power purchase agreements that are still
16 in negotiation. There's a breakdown provided by a
17 chart of allotments to different states. Do you
18 have information as to what entity or entities
19 will purchase power for the Connecticut allotment?

20 THE WITNESS (Fitzgerald): Mr. Mercier,
21 this is Bryan Fitzgerald. Per the DEEP RFP, the
22 allotment is supposed to be Eversource and United
23 Illuminating taking 25 percent of the 12.47
24 megawatts for Connecticut.

25 MR. MERCIER: Do you have the same

1 information for the Massachusetts and the Maine
2 allotments?

3 THE WITNESS (Fitzgerald): I do, yes.
4 For Massachusetts it would be Eversource
5 Massachusetts, Unitil and National Grid. And then
6 for the State of Maine it would be Central Maine
7 Power.

8 MR. MERCIER: Thank you. Move on to
9 the next, Response Number 8. Reading the
10 response, it basically states the Expedited RFP
11 must have at least 90 percent of the expected
12 size, so that would be 45 megawatts. What would
13 happen if the facility output was reduced to 40
14 megawatts? Let's just say 10 megawatts was
15 removed from the project. What would happen at
16 that juncture?

17 THE WITNESS (Fitzgerald): Mr. Mercier,
18 this is Bryan Fitzgerald. If the project shrank
19 to that size, per the PPA agreements, it could
20 trigger a termination right by the counterparties,
21 the purchasers. If the project shrunk to that
22 size, the seller of the project would seek an
23 amendment to the contract to keep the contract
24 valid. No guarantee that would occur though.

25 MR. MERCIER: Okay. The second part of

1 that response talked about the large generator
2 interconnection agreement. There's a maximum size
3 of 50 megawatts, but is there a minimum for that
4 particular agreement?

5 THE WITNESS (Fitzgerald): Mr. Mercier,
6 this is Bryan Fitzgerald. Not necessarily. So
7 there's not a minimum. We are typically bound at
8 the maximum or that 50 megawatts that's in the
9 agreement. That's effectively what the project
10 has been studied at electrically. So any request
11 to increase that size would require an entire new
12 analysis, but we're typically not bound on the
13 lower end.

14 MR. MERCIER: Thank you. I'm going to
15 scroll ahead to Responses 20 and 21. These had to
16 do with the Sugar Brook switchyard. The question
17 I have right now for the switchyard, upon
18 decommissioning of the facility of the solar
19 arrays, would this switchyard also be subject to
20 decommissioning?

21 THE WITNESS (Parsons): Mr. Mercier,
22 this is Brad Parsons. The switchyard would likely
23 not be subject to decommissioning because it would
24 be turned over to Eversource at that time. So it
25 would not be expected that that switchyard would

1 be decommissioned as part of the decommissioning
2 of the solar project.

3 MR. MERCIER: Okay. And just to
4 clarify, the substation component on the Corson
5 parcel, would that be decommissioned or is that
6 turned over to Eversource?

7 THE WITNESS (Parsons): This is Brad
8 Parsons again. The substation is not turned over
9 to Eversource. The substation is owned by the
10 project. So, unless there is a future permitted
11 use for that substation, it would be expected that
12 the substation would be decommissioned along with
13 the solar array.

14 MR. MERCIER: Thank you. I'll move on
15 to Response Number 31. It mentions wires within
16 conduit at the sites. Now, would the conduit be
17 installed underground or on some type of tray
18 system?

19 THE WITNESS (Parsons): Mr. Mercier,
20 this is Brad Parsons again. On this project, it
21 would likely be that the conduit would be
22 installed underground when it comes off the
23 racking system.

24 MR. MERCIER: Would any of the conduit
25 be installed in any wetland area?

1 THE WITNESS (Parsons): Mr. Mercier,
2 again, this is Brad Parsons. It is not expected
3 that any conduit would be installed in any wetland
4 area. The idea is to, in essence, use the racking
5 system to transfer the wiring through the wetland
6 or a CAB system, which basically hangs the wire
7 off of a steel support, similar to the racking
8 system.

9 MR. MERCIER: For the conduit that's
10 installed in upland areas, is that like a simple
11 one-foot wide trench, maybe 3 feet deep? What's
12 the specifications on that?

13 THE WITNESS (Parsons): Again, Mr.
14 Mercier, Brad Parsons. The specifications on that
15 conduit would vary depending on the ultimate final
16 system design, but it would be, in certain cases,
17 would be multiple conduit, DC conduits heading
18 back to the inverters. And then, depending on
19 wire sizing and wire runs, could dictate the
20 amount and number of conduits that are ultimately
21 required that's both on the DC and the AC side.

22 MR. MERCIER: Okay. So that
23 specification would come later. That's basically
24 excavating, trenching and backfilling to install
25 that, right?

1 THE WITNESS (Parsons): Brad Parsons
2 again. Yes, sir.

3 MR. MERCIER: And during
4 decommissioning, would the conduit remain in place
5 and the wires pulled out, or would the conduit be
6 excavated out also?

7 THE WITNESS (Parsons): Again, this is
8 Brad Parsons. Likely, the wire would be removed,
9 and the conduit would be abandoned in place.

10 MR. MERCIER: Okay. I'd like to move
11 on to Response Number 37. What is the reason the
12 project would not participate in an ISO New
13 England Forward Capacity Auction?

14 THE WITNESS (Fitzgerald): Mr. Mercier,
15 this is Bryan Fitzgerald. The reason, simply put,
16 at this phase is just the unknowns about the
17 requirements on the capital side and electrical
18 side to participate in those auction cycles and
19 what the benefits of the project could be.

20 MR. MERCIER: Would the power purchase
21 agreements, you know, preclude participation in
22 those?

23 THE WITNESS (Fitzgerald): Mr. Mercier,
24 this is Bryan Fitzgerald.

25 Sorry, go ahead.

1 MR. MERCIER: Go ahead.

2 THE WITNESS (Fitzgerald): This is
3 Bryan Fitzgerald. The power purchase agreements
4 and per the RFP, the DEEP RFP, the project is not
5 required to participate in the Forward Capacity
6 Auction. We can't be forced to participate. So,
7 we're not intending on participating, but wouldn't
8 write that off completely at this point in time.

9 MR. MERCIER: Thank you. Moving on to
10 Response 41, it had some dates of potential
11 commercial operation. At this point, when is it
12 expected construction would commence, and once
13 commenced, how long would it take to complete the
14 actual entire project?

15 THE WITNESS (Gottheim): Mr. Mercier,
16 this is Ian Gottheim. Commencement of
17 construction is anticipated in spring of 2027.
18 The construction schedule should be between 18 to
19 24 months, so finishing on or before May 10th.
20 There's obviously three components: the
21 substation, the switchyard, and the solar arrays
22 themselves, so each of them will be within this
23 construction schedule of that 18-to-24-month
24 schedule.

25 MR. MERCIER: Thank you. I'm going to

1 move on to Response Number 44. This had to do
2 with the 115-kV line that exists within the old
3 rail line on the Moosup Valley State Park trail
4 map. Does anybody know what the capacity of the
5 115-kV line is in megawatts?

6 THE WITNESS (Parsons): Mr. Mercier,
7 this is Brad Parsons. I'm unaware of exactly what
8 the capacity is of that line. We could look to
9 see if the information that we were provided
10 through the study tells us that or not and get
11 back to you.

12 MR. MERCIER: Yes. Thank you.

13 I'll move down to Response Number 70.
14 This had to do with coordination with the DEEP
15 Natural Diversity Data Base program during field
16 work and other aspects of the project. Is there
17 an anticipated date when the studies would be
18 completed and you're going to submit for a new
19 NDDB ruling?

20 THE WITNESS (Gottheim): Mr. Mercier,
21 this is Ian Gottheim with Verogy. The site work
22 site surveys are anticipated to be complete this
23 summer pending weather, and then a new NDDB
24 submission late summer/early fall, so we call it
25 August/September time frame.

1 MR. MERCIER: Thank you. Moving on to
2 Response Number 79, the term "continuous forest"
3 is used in this response. Is that the same as
4 core forest?

5 THE WITNESS (Kochis): This is Steve
6 Kochis. Mr. Mercier, that is our translation of
7 the core forest, is we've labeled it as continuous
8 forest area, but effectively that is what we
9 delineated to be a core forest inventory.

10 MR. MERCIER: Thank you.

11 THE WITNESS (Parsons): Mr. Mercier,
12 this is Brad Parsons. I was able to get the
13 information you were looking for on the capacity
14 of that 115-kV line, if you'd like it.

15 MR. MERCIER: Yes, please. Thank you.

16 THE WITNESS (Parsons): According to
17 the ISO New England System Impact Study for the
18 project, the capacity on that line is listed as 54
19 MVA.

20 MR. MERCIER: Thank you. I'm going to
21 look at Response Number 81. These are tables that
22 list some of the environmental attributes of the
23 site. For the Bellavance Farm parcel chart,
24 there's a term called "clearings." I'm trying to
25 determine what is classified as a clearing here,

1 if it's not agricultural.

2 THE WITNESS (Kochis): Mr. Mercier,
3 this is Steve Kochis. We decided to use the term
4 "clearings" in that response. It's effectively
5 two different areas on the Bellavance Farm
6 parcels. One is the cleared, I'll call it, the
7 cleared area associated with the distribution line
8 that transects the property, and the other cleared
9 area is an area in the central portion of the site
10 that was cleared by the landowner. So it's not --
11 it really doesn't fall under -- both of those
12 areas don't fall under either of the other rows,
13 so we created a separate row to kind of be a
14 reasonably cleared or perennially cleared area
15 that's not wooded, not shrubland and not
16 agricultural field.

17 MR. MERCIER: Okay. For the area that
18 the landowner cleared in the central portion of
19 the parcel what is the land cover right now? Are
20 there trees interspersed in there with saplings or
21 what's there?

22 THE WITNESS (Kochis): Mr. Mercier,
23 right now it's hard to describe. It's very much
24 cleared as if it, I would say, as if it was going
25 to be used for farming. It's pretty much devoid

1 of trees and any growth, but it's akin to an area
2 that was recently cleared that would be
3 anticipated to be used for agricultural purposes.

4 MR. MERCIER: Okay. Thank you.

5 THE WITNESS (Parsons): This is Brad
6 Parsons. Maybe there's some sparse trees, but I'd
7 probably direct your attention to photo number 13
8 of Exhibit E in the interrogatories where you can
9 kind of see that area.

10 MR. MERCIER: Okay. Thank you.

11 Related to the habitat charts, the previous
12 Response Number 80, the response included an
13 attachment that showed forest areas and limits of
14 tree clearing on the Bellavance Farm parcel. So
15 I'd like to take a quick look at that. That's
16 Exhibit D of the interrogatory responses.

17 Okay. So I understand that the light
18 green is showing wooded or forested areas; is that
19 right?

20 THE WITNESS (Kochis): This is Steve
21 Kochis. That's correct. Effectively, to put it
22 in other terms, the light green could be
23 considered to be edge forest.

24 MR. MERCIER: Okay. I'm just looking
25 to the left of the diagram where it says Sterling

1 Hill Road. Right above there, there's actually,
2 through the green coloring, light green coloring,
3 there's fields there, so I wasn't sure why that
4 was marked as forest being removed.

5 THE WITNESS (Kochis): This is Steve
6 Kochis. I would say that is an error on this map.

7 MR. MERCIER: Okay. And then
8 similarly, over to the right of the fields, you
9 could see there's like a little, call it a hammer
10 head area, with green to the left and a cleared
11 area -- not cleared, but it looks wooded to the
12 right. I wasn't sure why that was not included as
13 forest. I believe that's where the detention
14 basin is for array number 3. Looking at this map,
15 it looks like it's pretty wooded.

16 THE WITNESS (Kochis): This is Steve
17 Kochis. To clarify, let me ask a clarifying
18 question, Mr. Mercier. Is that the area that is
19 bisected by the town line as well?

20 MR. MERCIER: No, to the left there's
21 kind of a narrow area.

22 THE WITNESS (Kochis): Okay. This is
23 Steve Kochis again. So that area, the contiguous
24 area bisected by the town line and the narrow
25 strip to the west of that, is what was recently

1 cleared by the landowner, and that's why it was
2 not considered to be forest in this inventory map.

3 MR. MERCIER: Okay. So this is like an
4 older aerial image?

5 THE WITNESS (Kochis): This is Steve
6 Kochis. That's correct.

7 MR. MERCIER: It doesn't reflect
8 current clearing conditions. Okay. Thank you.

9 For the response to Number 102, this
10 had to do with some sheep grazing. I believe it's
11 going to be on the Bellavance Farm 1 and 2 array
12 areas, and some of those array areas are over some
13 wetlands. Would the electric fence pose any
14 hazard by being placed across a wetland area? Is
15 there any hazard to any livestock or animals based
16 on its placement near wet soils?

17 THE WITNESS (Fitzgerald): Mr. Mercier,
18 this is Bryan Fitzgerald. The short answer is no.
19 It's a low-voltage electric fence that is used
20 across grazing activities, whether it's for solar
21 projects or not for solar projects. I think the
22 area that it's in is more representative of a farm
23 field rather than an area that has actual water on
24 it.

25 THE WITNESS (Parsons): Mr. Mercier,

1 this is Brad Parsons. I'll also add these are
2 designed to be outdoors and, you know, stay out in
3 the rain as well.

4 MR. MERCIER: Okay. Thank you. Move
5 on to Response Number 105, and this is the
6 photolog you just mentioned. I'd like to go
7 through just a couple photos and ask a couple
8 questions. I'll just give it a couple seconds to
9 load.

10 I'm going to start with Photo Number 1.
11 It shows a culvert crossing like a field. Is
12 there going to be any kind of a modification to
13 this particular crossing to accommodate the access
14 road?

15 THE WITNESS (Kochis): This is Steve
16 Kochis. Right now, we're not considering any
17 improvements to this culvert crossing as part of
18 the project.

19 MR. MERCIER: Moving along to Photo
20 Number 3. On the left side of the photo there's a
21 narrow band of trees and it's marked, delineated
22 wetland area. Are these trees being removed for
23 the project?

24 THE WITNESS (Kochis): This is Steve
25 Kochis. Yes, they are being removed as part of

1 the project.

2 MR. MERCIER: Moving on to Photo Number
3 6, there's two outbuildings and a utility pole in
4 the image. Are the outbuildings being removed for
5 the project?

6 THE WITNESS (Parsons): Mr. Mercier,
7 this is Brad Parsons. The outbuildings are not
8 intended to be removed as part of the project.

9 MR. MERCIER: And how about the utility
10 pole and any other ones that may be out of the
11 image?

12 THE WITNESS (Parsons): Again, Brad
13 Parsons. No, those utility poles would remain.

14 MR. MERCIER: Thank you. I'm going to
15 move along to Photo Number 12. Is this the
16 wetland where there was a request made to
17 investigate the potential for the presence of
18 spadefoot toad?

19 THE WITNESS (Gottheim): Mr. Mercier,
20 this is Ian Gottheim with Verogy. That's correct.

21 MR. MERCIER: Thank you. I'll move on
22 to Photo 17. This is the Corson array site.
23 Describe how this area is going to be converted
24 into a usable solar array? I'm just curious if
25 you're going to be leveling the hillsides to the

1 left or bringing in fill to raise it up or just
2 kind of recreating the bowl area? Can you just
3 provide some information on that, please?

4 THE WITNESS (Kochis): This is Steve
5 Kochis. And I'll let the Verogy team correct me,
6 or add color, if or as they see fit here. But I
7 don't think we're right now anticipating to bring
8 fill into this area back into the deficit of the
9 sand and gravel pit. The idea would be to move
10 the material around to create a slope that is
11 something on the 58 percent range that would be
12 tolerable for racking to be installed on top of
13 it.

14 And I think also we are currently in
15 talks with the Corson family and working with
16 their gravel pit mine closure plan to ensure that
17 whatever grading we're doing is not in violation
18 of their intended closure plan and the grading
19 that they would have to do at the end of their
20 work. So we're continuing to work with them to
21 see how the grading ultimately needs to evolve to
22 meet our project but also to meet their
23 requirements to the state.

24 MR. MERCIER: Okay. Just looking at
25 the image in the background, center, and to the

1 left, there's some pine trees on the edge there.
2 Is the point just to use the disturbed area or are
3 you going to be expanding beyond, in this
4 particular image, beyond to create more solar
5 arrays?

6 THE WITNESS (Kochis): This is Steve
7 Kochis. We're not intending to take mature trees
8 down on the Corson site. The solar array will be
9 located within the portions of the active gravel
10 pit mine.

11 MR. MERCIER: Thank you. Move along to
12 Photo Number 21. This image shows an inactive
13 switching station next to the Sugar Brook parcel.
14 Could this existing inactive station actually be
15 used for your project?

16 THE WITNESS (Parsons): Mr. Mercier,
17 this is Brad Parsons. I would love to be able to
18 use this inactive switching station for our
19 project. Unfortunately, ISO New England standards
20 did not allow for that.

21 MR. MERCIER: Is it possible to -- is
22 it because the equipment is antiquated or
23 something? What was their reason?

24 THE WITNESS (Parsons): Nick may be
25 able to help me here in the answer, but ultimately

1 ISO New England's -- this is Brad Parsons again --
2 ISO New England's standards require a 3-breaker
3 ring bus for the switching station.

4 MR. MERCIER: Was it possible to
5 somehow expand, you know, remove this existing
6 equipment and expand the compound fence at this
7 particular location to accommodate that equipment
8 you need?

9 THE WITNESS (Parsons): Mr. Mercier,
10 this is Brad Parsons. Just due to exactly where
11 this line falls, it basically almost is sitting
12 under, just adjacent to the station. And with the
13 wetland areas to the north of this station, there
14 was no room to fit that switching station in.

15 MR. MERCIER: Okay. Thank you. I'm
16 going to move on to looking at the application
17 site plans. Some of the questions I have are
18 related to some of the interrogatory responses.
19 So I'm going to begin by looking at the fourth
20 sheet from the beginning. It's titled "Overall
21 Site Plan Solar," Sheet Number PV-C2.00, kind of
22 like a fuzzy aerial image with the solar array on
23 top of it.

24 All right. Just to begin, looking at
25 the photo image here, I see some white lines,

1 which I think are supposed to be the edges of
2 trees; however, it doesn't really match the forest
3 mapping we looked at earlier. Is that the case
4 that the white line is kind of like a fuzzy cloud
5 edge? Is that supposed to demarcate the edges of
6 trees?

7 THE WITNESS (Kochis): Mr. Mercier,
8 this is Steve Kochis. So I think, to clarify,
9 you're asking about the gray treeline symbol in
10 the background of this?

11 MR. MERCIER: Yes, if that's what it
12 is. I didn't see a key on that.

13 THE WITNESS (Kochis): This is Steve
14 Kochis. So that would be the existing treeline at
15 the time that the survey was completed.

16 MR. MERCIER: Right. It just doesn't
17 seem to match the other diagram that you provided
18 in the interrogatories. Is it possible to modify
19 this image somehow just to show -- with hatching
20 or something -- exactly where you're going to be
21 cutting trees down on the site, an actual, you
22 know, with the map, survey map like this? Because
23 I believe this type of tree edge is carried over
24 to the other site plans. They're not accurate
25 showing where the trees are. So I'm just trying

1 to figure out where actually are you going to be
2 cutting trees down. Is it possible you can modify
3 this diagram?

4 THE WITNESS (Kochis): This is Steve
5 Kochis. We can certainly modify the site plans.
6 I wasn't quick to respond because we didn't do the
7 survey. But assuming the survey gets updated or
8 we can handle that ourselves, yes, the short
9 answer is yes, we can update the site plans with
10 that information to be consistent across the
11 different exhibits.

12 MR. MERCIER: Thank you.

13 ATTORNEY HOFFMAN: Mr. Mercier, before
14 we leave that, is there a particular drawing that
15 you want modified? Is there a sheet number that
16 you want modified?

17 MR. MERCIER: Well, this particular
18 sheet might be able to do it since it's just an
19 overview. I understand, you know, the sequence
20 sheets are closeups of the site. So I think right
21 now, I think just having this particular sheet
22 with some type of hatching or some type of
23 callouts of cutting down 6 acres here, 30 acres
24 there, something of that nature, on an actual site
25 plan that matches the other exhibit.

1 ATTORNEY HOFFMAN: Okay. So sheet
2 2.00?

3 MR. MERCIER: Yes.

4 ATTORNEY HOFFMAN: Okay.

5 MR. MERCIER: Thank you. Okay. The
6 site plan shows several distinct areas of solar
7 arrays at the Bellavance Farm portion. Just to --
8 the nomenclature, the array to the left is
9 referred to as Bellavance Farm array 1 off
10 Sterling Hill Road. To the right of that is
11 Bellavance Farm array number 2. And to the north
12 is the larger array, south of the distribution
13 line, Bellavance Farm array 3. And north of the
14 distribution line easement is Bellavance array 4.
15 That's how these array areas were called out in
16 interrogatories. I just want to note, if you're
17 referring to the DEEP comments, they have an
18 opposite numbering system, so it could get
19 confusing.

20 Looking at the array area, can someone
21 please describe how the interconnection line would
22 run from Bellavance Farm array 1 over on the far
23 left through the entire site up to Route 14? I'm
24 trying to get a sense of where you're installing
25 interconnection lines, are they overhead, are they

1 underground, and where would they be located.

2 THE WITNESS (Parsons): Mr. Mercier,
3 this is Brad Parsons. I think we're still working
4 out the details here. However, it is likely that
5 there will be one transformer associated with
6 BFA-1, one with BFA-2. There may be another one
7 associated with both of those areas. Those lines
8 would run underground around wetlands, avoiding
9 wetland areas, ultimately tying over to BFA-3 and
10 BFA-4. Those medium voltage lines would
11 ultimately come together and run underground and
12 cross Route 14 and tie into the existing
13 substation on the -- or proposed substation,
14 rather, on the Corson parcel.

15 MR. MERCIER: Okay. Thank you. So
16 there's no overhead that you know of right now
17 along any of the roads in the area, they'll be all
18 internal to the parcel, is that correct, the
19 Bellavance Farm parcel?

20 THE WITNESS (Parsons): This is Brad
21 Parsons. Correct, that is the intent is that
22 everything would be, the interconnection medium
23 voltage would all be underground.

24 MR. MERCIER: Looking at the site on
25 the Bellavance Farm array 3 area that's south of

1 the easement area, a large portion of it consists
2 of trackers. The left side consists of fixed
3 tilt. I'm still trying to get a sense of why
4 you're mixing the two. Do the tracker systems
5 provide more output per 100 feet or acre or some
6 other metric; and if so, why wouldn't they be used
7 all over the site?

8 THE WITNESS (Parsons): This is Brad
9 Parsons again, Mr. Mercier. Again, the use of the
10 trackers here is kind of a balance, right, in this
11 situation. The trackers are a more efficient way
12 of producing energy; however, they take up more
13 space and you can't fit as much DC in the same
14 area. So really it's just a balance of trying to
15 increase production and put the trackers in places
16 where they make the most sense for the project.

17 MR. MERCIER: Is the location in this
18 area -- I think that faces probably southeast --
19 is that more beneficial for trackers than, say,
20 other aspects?

21 THE WITNESS (Parsons): I would say
22 that it's -- again, Brad Parsons. I would say
23 that this area is one of the more flatter areas of
24 the overall site which aids in the use of the
25 trackers. There is also a significant amount more

1 of north-south face which allows us to maximize
2 the number of strings per tracker as well.
3 Reducing the overall number of motors was also
4 part of the intent here.

5 MR. MERCIER: Just a side question
6 here. Would the tracker system require a more
7 robust foundation, a post foundation than a simple
8 fixed tilt?

9 THE WITNESS (Parsons): This is Brad
10 Parsons. The motor posts usually require a
11 slightly more robust foundation, but the other
12 posts are generally around the same size. But it
13 all depends on the ultimate structural analysis
14 that would need to be completed.

15 MR. MERCIER: Thank you. Looking at
16 the array area overall, there's numerous detention
17 basins. You know, on the sequence site plans I
18 did see, you know, some emergency spillways. Are
19 these basins designed to have any type of
20 controlled pipe outlet at the bottom that
21 discharge, or are they infiltration basins only
22 that don't have discharge? I'm just trying to get
23 a sense of what the management system design is.

24 THE WITNESS (Kochis): This is Steve
25 Kochis. There are no basins on the site that are

1 proposed with pipe discharges or any concrete or
2 pipes. All of them are intended right now to be
3 infiltration basins that will drain dry and
4 incorporate a riprap overline spillway for flow
5 control in high storm events.

6 And just to add some color there, we
7 will be performing in-situ field testing of the
8 soils for soil profiles and infiltration testing
9 that will ultimately be used in support of the
10 Construction General Permit from CT DEEP that the
11 project will need to confirm the design.

12 MR. MERCIER: Thank you. I saw a note
13 on the sheet that basically specified one-foot
14 swales, and then I saw another note of about 18
15 inches. So, are all the swales on the Bellavance
16 Farm parcel between 1 and 2 feet deep, or do you
17 have any that are going to be like 3, 4 feet deep?

18 THE WITNESS (Kochis): This is Steve
19 Kochis again. We're not anticipating the need for
20 any swales that exceed 2 feet deep, to use your
21 reference.

22 MR. MERCIER: Are they all grass lined,
23 or are there sections with riprap or anything of
24 that nature?

25 THE WITNESS (Kochis): This is Steve

1 Kochis. Right now, we're mostly contemplating
2 grass lined, but I would say that as part of the
3 Construction Stormwater General Permit revisions
4 to the plans, we will investigate the swales. And
5 it is very possible that some of the swales may
6 need, end up needing to be riprap lined due to
7 flow or slope constraints.

8 MR. MERCIER: Thank you. Just looking
9 at the size of this particular array area, they
10 have the Corson property way over on the top, but
11 the Bellavance array area, when you go to
12 construction, how is it going to proceed, and what
13 areas are you going to start first? How would it
14 be phased? I'm just trying to get a sense of how
15 this is going to be built.

16 THE WITNESS (Parsons): Mr. Mercier, I
17 don't think we have an exact plan on that just
18 yet. Ideally, the substation would likely start
19 construction around the same time that the solar
20 array on the Bellavance parcel would work.
21 Likely, we're probably going to maybe look from a
22 west to east, so BFA-1, BFA-2, and then into 3 and
23 4. However, just due to the mere size of this
24 project, there is the likelihood of, you know,
25 multiple array areas being started at the same

1 time depending on crew availability and, you know,
2 installation conditions at the time.

3 MR. MERCIER: Okay. Earlier you
4 mentioned the DEEP general permit. Now, does that
5 permit require you to do incremental cutting and
6 grubbing and restoration such as 5-acre
7 increments?

8 THE WITNESS (Kochis): This is Steve
9 Kochis. That is something that's referenced in
10 some of the documents, but, just speaking
11 candidly, that's not actually performed anymore in
12 the construction of solar arrays. There are a
13 multitude of protective measures with the traps,
14 the basins, the swales, the perimeter controls,
15 that alleviate the need to do the 5-acre phased
16 installments. So I would have full confidence
17 that this project would be allowed to disturb more
18 than 5 acres at a time as part of our stormwater
19 construction permit, ultimately.

20 MR. MERCIER: Okay. So you'd go in,
21 most likely the first thing you're going to do is
22 build the management structures plus establish E&S
23 controls, and then you're going to proceed, and
24 that would take care of most of the sediment
25 issues. Is that correct?

1 THE WITNESS (Kochis): This is Steve
2 Kochis. That's correct. The typical build path
3 with inspections from the engineer of record, the
4 third-party inspector and the representatives of
5 the conservation district, what we would all be
6 looking for would be that the erosion controls
7 would be in place adequately and stabilized and
8 complete before the project would be allowed to
9 proceed with full site clearing of stumps or any
10 sorts of electrical install.

11 MR. MERCIER: Thank you. Can you just
12 give a rundown of the types of vehicles that are
13 going to be needed to construct the Bellavance
14 array and the switchyard and substation?

15 THE WITNESS (Kochis): This is Steve
16 Kochis. I'll try to take that one. I'll start my
17 response by suggesting that no one on our team is
18 a site contractor, and ultimately it will be up to
19 the site contractor that's selected to build the
20 project to decide the specific vehicles that they
21 want to use. But I would say a rough guess of the
22 types of vehicles would be excavators -- well,
23 first off, yeah, excavators and bulldozers to
24 install stormwater basins and swales and silt
25 fence. Then, you know, following that, there

1 would be whatever apparatus would be needed to
2 fell the trees, tree cutters, trucks to pull, to
3 drag the lumber out and to move it to areas of the
4 site where it can be assembled and either removed
5 from the site or spread across the site,
6 potentially wood chippers.

7 It's possible we could have rock
8 crushers on the site as we're moving around to
9 reuse rock on the site instead of having to haul
10 it off the site. I would wager there would be
11 dump trucks moving around the site to move
12 material across portions of the site and likely
13 flatbeds that would be delivering the installment
14 of materials between the -- mostly for the
15 elements of the racking and of the modules.

16 MR. MERCIER: I understand you have to
17 use -- you're going to be using Route 14 as an
18 access point, and some of those areas you need an
19 encroachment permit. Does the permit, when you
20 get the permit, does that require traffic control
21 measures or is that another type of analysis that
22 you might need?

23 THE WITNESS (Kochis): This is Steve
24 Kochis. It doesn't necessarily require traffic
25 control measures. I think, I can appreciate that

1 that could become a condition of our approval here
2 that we could provide to the Siting Council. I
3 know we traditionally provide traffic management
4 plans in support of development and management
5 plans on Siting Council approvals. We just
6 recently on another project did multiple
7 encroachment permits, and I can tell you that they
8 did not include traffic control measures. So
9 that's not always included in this.

10 MR. MERCIER: Thank you. For equipment
11 storage at the site, and equipment storage, are
12 any of the proposed laydown areas adjacent to
13 residences, you know, the developed residents?

14 THE WITNESS (Kochis): This is Steve
15 Kochis. I'll start the response, but again,
16 employ Verogy if they want to correct me or add
17 color here. The selection of the laydown areas is
18 heavily predicated on the selection of the site
19 contractor. So it's really hard to tell because
20 it's really going to come down to how they want to
21 build it and structure it and phase it and what
22 materials they -- what equipment they're going to
23 need and where they're going to start the
24 construction of the project. I think we could say
25 as a team that we could make efforts to not stage

1 construction near residences to the degree
2 possible.

3 MR. MERCIER: Okay. Thank you.
4 Looking at Bellavance Farm array 1 and 2 that's on
5 the left side of the diagram, it shows solar
6 panels within wetland areas. Was there a
7 preliminary design prior to the development of a
8 site plan for this application that avoided
9 placing or covering wetlands with solar panels?

10 THE WITNESS (Parsons): Mr. Mercier,
11 this is Brad Parsons. No, the design for this,
12 even in the preliminary phases, always had solar
13 panels in the BFA-1 and BFA-2 areas. I believe I
14 have it. I just have to go back and look at it.
15 The DEEP wetland soils map might have had
16 different areas of exactly where those wetlands
17 were, and I'm not sure that these were fully in
18 wetlands at the beginning of the development of
19 the project. And it wasn't until field
20 delineations were done that these wetlands were
21 uncovered.

22 MR. MERCIER: After the field work was
23 done, what was the rationale for continuing with
24 the idea to place portions of the solar array
25 within wetlands?

1 THE WITNESS (Parsons): Mr. Mercier,
2 this is, again, Brad Parsons. I think, in looking
3 at this, it's balancing the system size and need
4 here with what was deemed to be, you know, and
5 reviewed with consultants as far as the quality of
6 these wetlands and understanding that these
7 wetlands were already mainly disturbed wetlands
8 that had been used for farming activities.

9 THE WITNESS (Kochis): And this is
10 Steve Kochis. I'll just add some color to Brad's
11 comment there. To be clear, Mr. Mercier, the only
12 areas that we're disturbing wetlands with the
13 project are the areas that are annually disturbed
14 by the landowner. So we are preserving all the
15 native forested wetlands that have habitat and
16 value.

17 MR. MERCIER: Related to this
18 discussion in Interrogatory Response 69, I believe
19 early on you were going to use a self-verification
20 submission to the Army Corps of Engineers, and
21 that has been changed to something called the
22 Approved Jurisdictional Determination to discern
23 between state and local wetlands on the Bellavance
24 property. That's from the interrogatory response.
25 What's the purpose of this type of filing versus

1 the self-verification filing?

2 THE WITNESS (Berryman): This is Sara
3 Berryman. So the difference is, we're trying to
4 discern between the state wetlands and the federal
5 wetlands to ensure that we're -- we meet the
6 permitting requirements for the federal permits.
7 So we have that process going through right now.
8 We're still waiting for the official word back
9 from Army Corps about that. But we did go out and
10 do soil plots through all of these areas to give
11 them the data that they needed to make their
12 decision.

13 MR. MERCIER: In the response it uses
14 the term state wetlands and you mentioned local
15 wetlands, which you did not mention. So what's a
16 state wetland?

17 THE WITNESS (Berryman): I do believe
18 that that -- sorry, this is Sara Berryman again --
19 I want to specify the difference between the --
20 going through the SV and the AJD is for state and
21 federal. So I think that might have been a typo
22 on my part. So you can just scratch out the
23 "local." We meant for state and federal. But
24 Connecticut has its own regulations for what it
25 determines to be a state regulated wetland.

1 So Army Corps federally jurisdictional
2 wetlands include evidence of hydrology, hydric
3 soils or soils that had developed in -- basically
4 constantly saturated, and hydrophytic vegetation,
5 so vegetation that does well and prefers wetter
6 areas. For the state regulations it is,
7 Connecticut wetlands are solely designated by the
8 soil conditions, so hydric soils and alluvial
9 deposited soils. That is in the general statute,
10 so that's what we -- sometimes the boundary
11 between a federal wetland and a state wetland can
12 be a little bit different in the State of
13 Connecticut.

14 MR. MERCIER: Did you say the studies
15 were just completed or ongoing? I didn't hear
16 that.

17 THE WITNESS (Berryman): We went out
18 and gathered the necessary information to submit
19 to Army Corps, and we have submitted that already,
20 so we're just waiting -- sorry, this is Sara
21 Berryman again -- so we're just waiting on Army
22 Corps' decision to come back.

23 MR. MERCIER: How long does that
24 process usually take, is it a couple more weeks
25 from now or, you know, soon?

1 THE WITNESS (Berryman): I would hope
2 within the next couple of weeks that we'll get
3 some sort of decision back from them.

4 MR. MERCIER: Reading through some of
5 the materials, there were questions whether
6 shading of a wetland is considered a permanent
7 impact. Was that ever resolved between the Army
8 Corps and the applicant?

9 THE WITNESS (Berryman): This is Sara
10 Berryman. I don't have that information available
11 to me right now, but perhaps over the break I
12 could try to look that up, if that would be okay.

13 MR. MERCIER: Thank you. Yeah, the
14 background information was in Appendix G. And I
15 believe some of the answer was that there will be
16 trackers that would constantly move so there would
17 not be shading, but it appears now it's going to
18 be fixed tilt, so I don't see any resolution to
19 the question. Thank you.

20 I'm going to scroll one page down to
21 the next sheet. It's titled PV-C2.01. This is
22 the Bellavance array 1. The wetlands appears as
23 the olive color. Excuse me, that's where the
24 proposed temporary matting impacts are. Around
25 the olive there's some buffer lines. Does that

1 represent a 50 and 100 foot buffer from the
2 wetlands or is that another type of measurement?

3 THE WITNESS (Kochis): This is Steve
4 Kochis. Yes, that's correct, 50 and 100 year
5 offsets from the wetlands.

6 MR. MERCIER: Thank you.

7 THE VICE CHAIR: Mr. Mercier, before
8 you continue, I think it's a good time for us to
9 take a break, if that's okay. I would suggest
10 that we take a 13-minute break and return at 3:40.
11 And at that time, Mr. Mercier can continue with
12 his cross-examination.

13 Attorney Hoffman, you have some
14 homework assignments to take care of?

15 ATTORNEY HOFFMAN: Yes, Mr. Morissette,
16 we do. Do you want to go over them so that we
17 have clarity on what is needed?

18 THE VICE CHAIR: Sure. I have, let's
19 see, 450 Sterling Hill Road.

20 ATTORNEY HOFFMAN: Whether that's an
21 abutter.

22 THE VICE CHAIR: Abutter, correct.

23 And we have the shading to permanent
24 impact related to Appendix D. So I have two
25 items.

1 ATTORNEY HOFFMAN: Yes, sir, we have
2 the same two. Just making sure that you didn't
3 want the survey that Mr. Mercier asked for on
4 sheet 2.00 done in the proceeding. That, I'm
5 assuming, will be a Late-File.

6 THE VICE CHAIR: Yes. Very good. I
7 know you guys are good, but that's asking a bit
8 much. But a Late-File would be fine. Thank you.

9 ATTORNEY HOFFMAN: Thank you, sir.

10 THE VICE CHAIR: Okay. Very good.
11 Thank you. We'll see everybody at 3:40.

12 (Whereupon, a recess was taken from
13 3:28 p.m. until 3:40 p.m.)

14 THE VICE CHAIR: We're back on the
15 record. Mr. Mercier, thank you for the break
16 time. Appreciate it. Please continue.

17 ATTORNEY HOFFMAN: Mr. Morissette, do
18 you want us to give you our homework assignments
19 now or --

20 THE VICE CHAIR: Certainly, if you have
21 them, that would be great.

22 ATTORNEY HOFFMAN: Well, we have at
23 least one. We also have a correction from earlier
24 in the day, if I may?

25 THE VICE CHAIR: Certainly.

1 ATTORNEY HOFFMAN: So Mr. Parsons, you
2 had stated at one point, I believe, that when the
3 project is decommissioned there was going to be
4 conduit left in place. Is that necessarily
5 correct?

6 THE WITNESS (Parsons): I unfortunately
7 misspoke. I think the current intention, per the
8 decommissioning plan, is to remove the conduit.

9 ATTORNEY HOFFMAN: Thank you, sir.

10 And then, Mr. Fitzgerald, can you
11 discuss the abutter status of the 450 Sterling
12 Road property?

13 THE WITNESS (Fitzgerald): Yes. Mr.
14 Mercier, one of your earlier questions on the
15 residence at 450 Sterling Hill Road in Sterling,
16 Connecticut, so 450 Sterling Hill Road is not a
17 direct abutter to Legacy Land Company LLC, which
18 is a project host parcel.

19 The residence at 452 Sterling Hill Road
20 in Sterling, Connecticut is a direct abutter and
21 separates 450 from Legacy Land Company LLC.

22 ATTORNEY HOFFMAN: And Ms. Berryman,
23 were you able to find the answer for the remaining
24 outstanding question?

25 THE WITNESS (Berryman): Yes. Sara

1 Berryman. So we had a meeting with Army Corps in
2 November of 2024. That's what's included in
3 Appendix G. It is not anticipated that there
4 would be any shading concerns or any negative
5 impacts from the shading. We have not gotten
6 direct guidance from Army Corps, but if you go out
7 to our solar farm, you normally don't see bare
8 spots underneath either fixed or tilting panels.
9 So, I think that that kind of shows that shading
10 concerns aren't -- shading isn't a concern as far
11 as we know for this.

12 ATTORNEY HOFFMAN: Thank you,
13 Ms. Berryman.

14 I believe those were all of our
15 homework assignments, Mr. Morissette.

16 THE VICE CHAIR: Very good. Thank you,
17 Attorney Hoffman.

18 Mr. Mercier, please continue.

19 MR. MERCIER: Yes. Thank you.

20 Just regarding the shading, again, that
21 was not an Army Corps determination. I believe
22 they said they were going to look into it. But
23 during your meeting, did they look into it and say
24 what you -- go ahead.

25 THE WITNESS (Berryman): Sorry, this is

1 Sara Berryman. We have not seen any additional
2 guidance on shading from Army Corps.

3 MR. MERCIER: Okay. Thank you.

4 THE WITNESS (Parsons): Mr. Mercier,
5 the only thing I would add, while we haven't
6 gotten that direct guidance, I have previously
7 gotten a project approved through a
8 self-verification process with ACOE, and they did
9 not have shading as an impact, but that has not
10 been determined for this project specifically.

11 MR. MERCIER: Okay. Thank you. For
12 the site plan, the olive area was the area with
13 wetlands where there's solar panels on them. Down
14 in the middle section there's Sterling Hill Road,
15 there's an access apron, and it goes up to the
16 olive shaded area that goes across horizontally
17 for like two or three array rows. There's a note
18 that says, "Individual trees within wetland to be
19 cut and not cleared; trees to be addressed in
20 field."

21 Can you just provide more information
22 on what exactly is going on here?

23 THE WITNESS (Kochis): Mr. Mercier, can
24 I ask which plan sheet you're looking at?

25 MR. MERCIER: I apologize. It's the

1 BFA-1 array which is Sheet 2.01. That's the one I
2 was referring to earlier. We were talking about
3 the olive shaded area and the buffer zone.

4 THE WITNESS (Kochis): Mr. Mercier,
5 this is Steve Kochis. I would say that note would
6 need to be revised. We would absolutely want to
7 be clearing any stumps associated with any
8 individual trees in that area.

9 MR. MERCIER: Okay. So that's
10 grubbing, right?

11 THE WITNESS (Kochis): This is Steve
12 Kochis. I would consider that stump grubbing,
13 yes.

14 MR. MERCIER: All right. So that's a
15 direct impact then to the wetland soils if you're
16 tearing them out; is that right?

17 THE WITNESS (Berryman): This is Sara
18 Berryman. Yes, I do believe that that -- sorry,
19 let me just -- I just want to look at another
20 photo. I do believe that that is an area where
21 there is a treeline, but it's -- how do I say
22 this? It's more of like a border around, between
23 the fields, and it's kind of -- it's formed in a
24 way, the slope goes down to the west a little bit
25 there, and there's trees that border the field,

1 and there's a, it's almost like a drainage ditch
2 type situation.

3 MR. MERCIER: Okay. It's unclear where
4 the actual clearing is taking place. I just don't
5 see any lines demarcating that. So on these site
6 plans are there other areas that are wetland soils
7 with trees on them or shrubs that you're going to
8 be clearing to install solar panels?

9 THE WITNESS (Kochis): This is Steve
10 Kochis. I think the area, Mr. Mercier, that you
11 noted in the photolog to the north of BFA-1 and
12 the area in question right now are probably the
13 only areas of clearing and grubbing within a
14 wetland across the project. That's the
15 anticipation right now.

16 MR. MERCIER: Okay. The table in
17 Interrogatory Response Number 81 that had the
18 different habitats and the project impacts to the
19 attributes there, there is 10.7 acres of wetlands
20 occupied by the project. Can you modify that
21 table and just tell me, present the information as
22 to how many acres are actually covered with trees
23 and shrubs in that 10.7 acres? Is that something
24 you can obtain?

25 THE WITNESS (Kochis): This is Steve

1 Kochis. We can certainly try to get it before the
2 end of this hearing, but it may end up having to
3 be a Late-Filed exhibit.

4 MR. MERCIER: Understood. Thank you.

5 THE VICE CHAIR: Mr. Mercier, if I may
6 add. If these tables are going to be updated, I
7 would like to also see the impacts, permanent
8 impacts versus temporary impacts, and then your
9 tree removal and wetlands also listed. So if we
10 could add all three of those to the table to
11 clarify for each array what the amount of
12 permanent impacts are, temporary impacts, and then
13 wetlands, I think that would give a clearer
14 picture of what's going on in the wetlands. Thank
15 you. Thank you, Mr. Mercier. Please continue.

16 MR. MERCIER: Thank you. Can you just
17 describe how the solar panels would be installed
18 within the wetland areas? I understand you're
19 using temporary matting. I just want to know what
20 kind of machinery you're going to use, how is the
21 matting going to be moved, are you going to
22 install the posts through or adjacent to the
23 matting? Just give me a sense of how that's going
24 to occur.

25 THE WITNESS (Parsons): Mr. Mercier,

1 this is Brad Parsons. Yeah. So, likely we'll be
2 using a poly matting, so like a thinner plastic
3 type matting that is easy to move. And then
4 likely the machine installing the ground screws
5 associated with the panels themselves would be on
6 the poly matting, and the arm of that machine with
7 the drill rig would stick off and drill the ground
8 screws into the foundation -- or to the soil in
9 the areas that are not matted and not requiring
10 any machine work to be on it.

11 MR. MERCIER: So you cover the entire
12 olive area with matting, is that what you're
13 stating?

14 THE WITNESS (Parsons): No. Mr.
15 Mercier, again, this is Brad Parsons. I'll kind
16 of try and maybe revise my response slightly. So
17 the matting itself would be located in the
18 inter-row areas between the arrays themselves.
19 And then potentially, depending on the need for
20 construction, could be located on the outer
21 perimeter. So if you were to maybe, if you're
22 looking at the actual olive area, it may actually
23 be quote-unquote overestimating the actual
24 temporary matting impacts because the boxes of the
25 array themselves would not have matting put down

1 on them.

2 MR. MERCIER: Understood. Thank you.
3 Who marks that in the field as to where the
4 matting is going?

5 THE WITNESS (Parsons): It would be
6 kind of the edges of the -- again, Brad Parsons --
7 the edges of the wetland would be delineated for
8 field personnel. And then likely, using survey
9 controls, we would define exactly where the
10 matting is going and being laid down. But in all
11 likelihood, there would be aisles that are defined
12 and noted using flagging to mark where the matting
13 should be placed.

14 MR. MERCIER: Thank you. Just looking
15 at the array perimeter, you know, Interrogatory
16 Response 53, it talked about having a clear path
17 along the perimeter of the array for some
18 emergency vehicle access that's 16 feet in width.
19 Just looking at this array, is the north part of
20 the array, does that have clearance of 16 feet
21 between the fence and the panels?

22 THE WITNESS (Parsons): Mr. Mercier,
23 this is Brad Parsons. Specifically -- yes, the
24 answer is yes. Specifically looking at C2.01, it
25 is 80 scale. And I would say that a majority of

1 the remaining array area has slightly more than 16
2 feet between the fence, but that northern section
3 is the 16 feet.

4 MR. MERCIER: Thank you. If there was
5 any type of emergency and, you know, emergency
6 vehicles had to access the site and use the
7 perimeter aisle, is it possible there could be
8 problems with the vehicles sinking into the
9 wetland soils along the perimeter with their heavy
10 vehicles?

11 THE WITNESS (Parsons): Mr. Mercier,
12 this is Brad Parsons. I mean, I guess, maybe,
13 depending on time of year, depending on how, the
14 exact saturation of that soil, and depending on
15 the need for access and the size of vehicle, you
16 know, potentially.

17 MR. MERCIER: Thank you. Just looking
18 at this array layout, is it possible to redesign
19 this particular array -- this is Bellavance array
20 1 -- to exclude panels from the wetland area and
21 apply a buffer of 25 feet, we'll say, from the
22 wetlands in the field with the assumption there
23 will be a reduction in energy output? I mean, can
24 you put something on this parcel, this array area,
25 that would be usable with a smaller buffer zone to

1 wetlands and excluding the wetlands areas?

2 THE WITNESS (Parsons): Mr. Mercier,
3 this is Brad Parsons. I think it's something that
4 we could evaluate and look at. It would
5 potentially reduce the output if we were to keep
6 the same physical array area. However, if we were
7 to look at that, I would probably say that we
8 would want to look at additional areas and, you
9 know, maybe go a little further north or a little
10 further west to make up for some of the reduced
11 output of the array.

12 MR. MERCIER: Thank you. I'll move on
13 to the next sheet. This is sheet number PV-C2.02
14 This is the Bellavance Farm array 2 site plan.
15 Looking at the upper right side of the plan,
16 there's several vernal pools. According to the
17 vernal pool survey, these were assessed using the
18 Calhoun and Klemens' methodology, and these are --
19 and I think five of them are classified as vernal
20 pools in that cluster on the upper right.

21 Now, the vernal pool assessment sheet
22 states that tier 1 pools are exemplary, occurring
23 in a minority of locations. Would you agree with
24 that statement?

25 THE WITNESS (Berryman): This is Sara

1 Berryman. I'm just trying to pull up the vernal
2 pool report really quick so I can have that open
3 for me. (Pause) I'm sorry, so your question was
4 the tier 1 vernal pools are --

5 MR. MERCIER: Are they not that common?

6 THE WITNESS (Berryman): Yes, I would
7 agree with that. Yes.

8 MR. MERCIER: Now, would the presence
9 of a solar array infrastructure within the
10 critical terrestrial habitat around the pools
11 affect their tier rating?

12 THE WITNESS (Berryman): So, the
13 critical terrestrial habitat model or guidance has
14 kind of been updated more recently to look at
15 directional buffers instead of just a flat
16 750-foot buffer around the edge of the vernal pool
17 because animals, wildlife doesn't move in
18 accordance to our rules, so they will tend to kind
19 of have their established pathways. And we're not
20 anticipating any issues with the solar farm
21 impacting that. They're still going to have a
22 fence that they can get through. We are not,
23 especially for these vernal pools, they still have
24 a decent corridor to get further into the forested
25 area like to the north and the west, so we're not

1 anticipating any issues with the solar panels
2 affecting the vernal pool species.

3 MR. MERCIER: Okay. So you used
4 Calhoun and Klemens' tier rating system, but now
5 your -- you didn't assess the critical terrestrial
6 habitat as part of that tier system, correct, post
7 construction; that is, you did no further analysis
8 using Calhoun and Klemens' methodology to
9 determine what the tier rating would be post
10 construction, right?

11 THE WITNESS (Berryman): That is
12 correct, we have not done a post-construction
13 assessment on the vernal pools.

14 MR. MERCIER: Okay. For the migratory
15 corridors you said the west. Right now, I can't
16 tell if that's a wooded area or a field, but if it
17 was an agricultural field, most of that area to
18 the left of that string of vernal pools amphibians
19 that use the vernal pools could cross the field,
20 correct, to go to the wetland on the other side?

21 THE WITNESS (Berryman): Sorry. Are
22 you talking about there's the cluster of the
23 vernal pools and then -- oh, cutting through the
24 solar, the north edge of the solar array?

25 MR. MERCIER: Yes. There's a string of

1 vernal pools between the array and then there's a
2 farther array where a tracker system is way over
3 to the right. But is it most likely that the
4 amphibian species using the vernal pools would
5 just go across the existing field to the larger
6 wetland shown in green if that solar array was on
7 a field, which I think it is.

8 THE WITNESS (Berryman): Yes, they
9 could, but again, we're not really anticipating
10 any permanent blockages, that the fence and the
11 solar panels are going to, that are going to
12 prevent the species from moving through that area
13 once the construction is done.

14 MR. MERCIER: Would they be less likely
15 to move through the area if there is, you know,
16 you have the fencing, you have maintained grass,
17 solar array infrastructure, a detention basin and
18 a gravel access road and a swale? I mean, it
19 would be a lot harder for them to go through
20 there, correct?

21 THE WITNESS (Berryman): This is Sara
22 Berryman. So, that area right now is open field
23 as it is, so I think it would probably -- I think
24 if it was a forested area that we were cutting
25 down trees and they were using that as protection

1 from predators, burrowing in the leaf litter, it
2 could pose a problem, but it's already an open
3 field as it is right now in existing conditions.
4 So I wouldn't necessarily think that it would --
5 could they transit through the field? Yes. I
6 feel like it's probably more likely that they
7 would stay within the wooded area. But even with
8 the infrastructure that would be put up, I don't
9 see it impacting their movements to and from the
10 other vernal pools.

11 MR. MERCIER: Depending on the species,
12 would a wood frog go through an agricultural
13 field -- more likely go through a field than, say,
14 a spotted salamander?

15 THE WITNESS (Berryman): A wood frog
16 would probably, I would assume, of the two species
17 a wood frog would be more likely to go through a
18 field just because the salamanders really like to
19 burrow under leaf litter and keep themselves damp.

20 MR. GOLEMBIEWSKI: Vice Chair, could I
21 ask for --

22 THE VICE CHAIR: Yes, Mr. Golembiewski.
23 Go ahead.

24 MR. GOLEMBIEWSKI: -- maybe some
25 additional information? We're commenting on these

1 directional corridors that have not been presented
2 to us in any fashion. I was wondering if maybe we
3 could have some type of Late-File exhibit because,
4 you know, they're testifying to things that are
5 not depicted. I know it's professional judgment.
6 Don't get me wrong, I appreciate professional
7 judgment, but it seems like it would be -- and
8 when you get to me, I was going to basically ask
9 for some of the same information. But since we're
10 on the topic, I think, you know, having
11 directional corridors depicted on plans in
12 accordance with Army Corps vernal pool BMPs would
13 be extremely helpful to understand how this
14 development is going to affect these vernal pools
15 and migratory corridors and such.

16 THE VICE CHAIR: Mr. Mercier, do you
17 agree with that? That sounds like a reasonable
18 ask.

19 MR. MERCIER: Yes. Thank you.

20 THE VICE CHAIR: Yes. Certainly, I
21 think we can add that to the Late-File exhibit
22 list, a map depicting the directional corridors in
23 accordance with Army Corps of Engineers directives
24 or qualifications.

25 MR. GOLEMBIEWSKI: Vernal pool BMP.

1 The vernal pool BMP, yeah.

2 THE VICE CHAIR: Great. Very good.

3 Thank you very much.

4 Mr. Mercier, please continue.

5 MR. MERCIER: Thank you.

6 For this particular array, I asked the
7 question in Interrogatory 40. It was about
8 potentially eliminating this whole array section.
9 And the response stated there was a preliminary
10 review to determine if the overall plan
11 modification could make up the 5 megawatts
12 produced by this particular array if it was
13 eliminated from the project. Has there been any
14 type of site plan produced to date, or is that
15 still something that's under review?

16 THE WITNESS (Parsons): Mr. Mercier,
17 this is Brad Parsons. I think we haven't produced
18 a specific site plan for that. We were still
19 analyzing it based off of the request in regards
20 to interrogatory -- sorry, in regards to
21 Interrogatory Number 40. I think we can look at
22 potentially trying to provide some type of
23 Late-File exhibit to show what those changes could
24 potentially look like.

25 MR. MERCIER: Thank you. I'm going to

1 move on to the next sheet. It's PV-C2.03. This
2 shows portions of the Bellavance array 3 to the
3 south of the line, distribution line in the
4 middle, and part of the Bellavance array 4 to the
5 north of the line. I just had the same question
6 regarding the vernal pools. We have, according to
7 the vernal pool study, tier 1 vernal pools right
8 next to the detention basin to the north and south
9 of the detention basin. And would that detention
10 basin affect the migratory corridor between these
11 two vernal pool clusters?

12 THE WITNESS (Berryman): This is Sara
13 Berryman. Again, I think my answer would probably
14 be pretty similar to the previous answer, but we
15 can look into the directional buffers and kind of
16 nail that down a little bit more.

17 MR. MERCIER: Okay. I'm just going to
18 point out that that gap in tree cover, based on
19 previous testimony, that was a cleared area -- now
20 a cleared area. It is about 60 -- 50 feet wide.
21 So, yeah, if you could update that, that would be
22 great. Thank you.

23 Looking at the distribution line in the
24 middle of the plan, there's access roads north of
25 the easement area and to the south, and in this

1 area they run parallel to the distribution
2 corridor. They run uphill and then on the
3 sequence sheet they run downhill. So, are there
4 any type of stormwater controls planned for the
5 access drives as they ascend and descend the hill?

6 THE WITNESS (Kochis): This is Steve
7 Kochis. So we do have swales adjacent to the road
8 on the south side of the -- actually, we have it
9 on both sides. We have swales associated with
10 both roads on each side of the distribution line,
11 roadside swales.

12 MR. MERCIER: Okay. But is the road
13 pitched or is the water just going to run right
14 down the access road and not even get into the
15 swale?

16 THE WITNESS (Kochis): This is Steve
17 Kochis. I think the way that the grading exists
18 today, they would be organically moving towards
19 the swales, but my anticipation is, you know,
20 moving to construction documents, there would
21 likely have to be some fine-tuned grading for
22 those roads to have them function perfectly with
23 the swales.

24 MR. MERCIER: Thank you. I'm going to
25 scroll down to site plan PV-2.07. This is the

1 Corson property. We talked about that earlier
2 with the images of like the old quarry that you're
3 going to regrade. In the response to
4 Interrogatory 81, there was a table that had
5 impacts, and it showed that there was .1 acre of
6 wetland impact, and I just can't find it on any
7 plan. Where exactly is that?

8 THE WITNESS (Kochis): This is Steve
9 Kochis. I think we are conservatively assuming
10 that the small wetland within the gravel pit in
11 the southwestern portion of the property may be
12 affected by the grading of the facility.

13 MR. MERCIER: Okay. Is that the one,
14 it looks like, by a little parking area?

15 THE WITNESS (Kochis): This is Steve
16 Kochis. That's correct, it's a wetland that was
17 formed by the mining activity.

18 MR. MERCIER: Thank you. I'm going to
19 move on to the Sugar Brook switchyard grading and
20 drainage plan. This is sheet SY-C3.00. Looking
21 at the plan, there's an access road that goes to
22 the switching station, and south of the access
23 road is a cleared area. What is the purpose of
24 the cleared area?

25 THE WITNESS (Kochis): This is Steve

1 Kochis. I would anticipate that that area would
2 be cleared for laydown for the construction of the
3 switching station.

4 MR. MERCIER: Now, would there be any
5 kind of replanting there of forest or shrub or
6 anything, or are you just going to let it revert
7 naturally or maintain it as grass?

8 THE WITNESS (Kochis): This is Steve
9 Kochis. I think right now the current
10 anticipation is that we will just, after
11 completion of construction, it would just be
12 returned to grass. But I think we would be
13 amenable to, you know, whatever final cover type
14 the Council would decide.

15 MR. MERCIER: Right. Again, these
16 three vernal pools on this particular plan are
17 tier 1 pools. So, if forest or shrub could be
18 planted there, I'm not sure about security
19 concerns, but it's something we can take a look
20 at.

21 My other question is, the detention
22 basin is along the access road, but it appears
23 that the natural flow is to the west. Was there
24 any reason why you didn't try to put a detention
25 basin or two on the west side of the substation to

1 avoid the proximity to the vernal pool?

2 THE WITNESS (Kochis): This is Steve
3 Kochis. I would say, largely just for the site
4 constraints, it made more sense to put the basin
5 in this location to capture the access road and
6 the portion of the switchyard that was draining to
7 that area naturally. So just the way that the
8 site functions and is shaped.

9 THE WITNESS (Parsons): This is Brad
10 Parsons. I'll probably add, when you look at
11 those contours, there is a contour that just kind
12 of wraps around on itself just adjacent to the
13 south of the access road in that cleared area. I
14 believe it's kind of also acting as more of a
15 saddle point in that spot.

16 MR. MERCIER: Okay. So when you build
17 the substation, you're going to pitch it to the
18 east; is that right?

19 THE WITNESS (Kochis): This is Steve
20 Kochis. That's correct. The grading shown
21 generally has the gray box of the switching
22 station being pitched to the east towards the
23 stormwater basin. So the entire switching station
24 and access road will be collected by that
25 stormwater basin.

1 MR. MERCIER: Thank you. Since this
2 site is wooded, would the construction of the
3 detention basin and access drive, potential
4 cleared area, would that interfere with the
5 migratory corridor going north and south between
6 the two vernal pools?

7 THE WITNESS (Berryman): This is Sara
8 Berryman. It could have the potential to. I
9 think if we take that cleared area and possibly --
10 I don't want to sign up the clients to spend more
11 money. It could, but if we were able to put some
12 additional vegetation in that cleared area to
13 shade it a little bit better, it might make it a
14 little bit easier for the species to move between
15 the pools, if they so chose to do so.

16 THE WITNESS (Kochis): Mr. Mercier,
17 this is Steve Kochis. I'll add that I tend to
18 think that this area is one that would be
19 considered in our analysis of directional
20 corridors that we're proposing as a Late-Filed
21 exhibit as well. So I think we would fully expect
22 that we will have a better answer for the next
23 hearing.

24 MR. MERCIER: Thank you. Is this
25 detention basin, is that going to be riprap lined,

1 or is that going to be grass and soil, do you
2 know?

3 THE WITNESS (Kochis): This is Steve
4 Kochis. I think the anticipation right now is
5 that it would be grass lined. There would be
6 portions of it for sure that could be riprap
7 lined. Typically, while you're constructing these
8 basins and you're monitoring them during
9 construction, you may need to install riprap to
10 correct rills. So, portions of the side may end
11 up with riprap.

12 I would also say, based on precedent
13 and history of past projects, that working with
14 the utility company in more detail and with this
15 being associated with their portion of the
16 project, they may direct us to riprap it as well.
17 But I would say, right now, it's currently
18 anticipated to largely be grassed.

19 MR. MERCIER: Thank you. Given that
20 there's, I think there's a brook or a river off to
21 the right of the -- excuse me, the left of the
22 sheet, would the sloped area to the west and north
23 of the substation, is that also going to be
24 armored with riprap?

25 THE WITNESS (Kochis): This is Steve

1 Kochis. I think there's a -- I would say right
2 now there's a fair chance that, once we really get
3 into correspondence with the utility company, that
4 that would end up being riprap, yes, riprap
5 armored.

6 MR. MERCIER: Thank you. I asked a
7 previous question about some of the detention
8 basins throughout the Bellavance array. Would any
9 of those have riprap lining, or is it mostly going
10 to be grass-lined, or you don't know yet?

11 THE WITNESS (Kochis): This is Steve
12 Kochis. I don't think we have any reason to
13 suspect that the detention basins on the
14 Bellavance parcels would be riprapped by rule.
15 But the same answer given previously would kind of
16 apply that in the field during construction there
17 may be a need to install some riprap to address
18 ongoing erosion issues with the side walls of the
19 basin, but, generally speaking, those basins on
20 Bellavance should be grass-lined.

21 MR. MERCIER: Okay. Thank you. I have
22 no other questions. Thank you very much.

23 THE VICE CHAIR: Thank you, Mr.
24 Mercier. I would like to continue with
25 cross-examination of the applicant by Ms. Hall,

1 followed by Mr. Carter.

2 Ms. Hall.

3 MS. HALL: Thank you. First, I want to
4 thank Mr. Mercier for his extensive questioning.
5 It was very enlightening. I will just kind of say
6 from the top that I don't think I've got the kind
7 of information I need to make a determination on
8 the environmental impact of this proposal, but let
9 me ask a few more questions.

10 First of all, I want to understand the
11 number of panels because I've got two different
12 numbers. I have one from the actual application
13 that said 109,128, and then when you look at the
14 interrogatories and add up the numbers on page 10,
15 it comes out to 71,712. How many modules are
16 there?

17 THE WITNESS (Gottheim): Ian Gottheim
18 with Verogy. Ms. Hall, can you state that second
19 number again, please?

20 MS. HALL: The second number was 71,712
21 panels. That comes from the table or from the
22 listing on page -- that begins on page 10 of the
23 interrogatories when I add up those numbers.

24 THE WITNESS (Gottheim): This is Ian
25 Gottheim again. On BFA-4 on Interrogatory 29,

1 there's two numbers due to the mix of fixed-tilt
2 panels and tracker modules. The tracker modules,
3 if you add that 37,416, it should get you to the
4 same 109,128. It looks like that's the
5 discrepancy.

6 MS. HALL: Okay. Thank you for that.

7 THE WITNESS (Gottheim): You're
8 welcome.

9 MS. HALL: So, would you consider 5,000
10 panels to be limited view of a project? Because
11 on the question on page 4, I believe it is, of the
12 interrogatories, you make reference -- there was a
13 question about the view of the panels, and you
14 said it's going to be very limited, only 5 percent
15 of the panels may be visible. That's a lot of
16 panels. Am I reading that wrong?

17 THE WITNESS (Fitzgerald): Ms. Hall,
18 this is Bryan Fitzgerald. No, I don't think
19 you're reading that wrong at all. What we were
20 trying to do is just draw a distinction between
21 the difference in 109,000 and 5,000. It is a lot
22 of panels. The 109,000 is a lot of panels. It is
23 a larger project from a nameplate rating and a
24 systems size perspective, but the project is, the
25 overwhelming number of panels are highly secluded.

1 The areas to the north and the central location
2 right along the property lines are most certainly
3 not visible, right? So while the project is 50
4 megawatts in total, the 5,000 modules, it shows
5 like a much smaller distributed generation
6 project, like a multi-megawatt project, not
7 necessarily the size of a 50-megawatt project.

8 MS. HALL: Would you be willing to work
9 with the neighbors and the community to try to do
10 something about those 5,000 panels that may be
11 visible?

12 THE WITNESS (Fitzgerald): Ms. Hall,
13 this is Bryan Fitzgerald. Yes, of course. And I
14 think we've had a number of conversations already
15 with neighbors in Plainfield specifically and in
16 Sterling where we've discussed further enhancing
17 the landscape plan, where possible, off of
18 Sterling Road in Sterling, for example, and then
19 again off of Sterling Hill Road in Plainfield. So
20 that's something we're absolutely committed to
21 doing as we continue the process here.

22 MS. HALL: Thank you. The taking down
23 of 45 acres of core forest is a concern I have.
24 Have you looked at ways to minimize that? I mean,
25 for example, the discussion we just had on the

1 substation on, what is it, Sugar Brook switchyard,
2 you're going to be cutting down a number of trees
3 for a laydown area. Is there no way to avoid
4 that?

5 THE WITNESS (Fitzgerald): Ms. Hall,
6 this is Bryan Fitzgerald. So, in that specific
7 situation that would be the only way to physically
8 construct that switchyard, right. Based on its
9 current condition today, and as Steve Kochis
10 mentioned, I think what we'd be open to doing, and
11 again, I think supported by Ms. Berryman, adding
12 vegetation cover in that laydown area, you know,
13 shrubbery or native plant species to kind of
14 create a rehabilitation of that area once it's
15 been cleared for the laydown area, we're
16 absolutely open to doing something like that. It
17 sounds like it would also support maybe a corridor
18 between the vernal pools, shade that area, and try
19 and naturally give it a little more help to get
20 back to a forested state.

21 Like my colleague Brad mentioned
22 earlier, we wish we could use the breaker that's
23 there currently. That might have been the
24 standard in 1988. Unfortunately, in 2026, it's no
25 longer what ISO New England would permit. So, any

1 use of that line in the future would require some
2 sort of 3-breaker ring bus like that constructed
3 at that location. So we can't avoid it for
4 purposes of this project, but we'd absolutely be
5 open to adding additional vegetation in that
6 laydown area if that would be the preference of
7 the Council and it would aid in the rehabilitation
8 of that area.

9 MS. HALL: But the Sugar Brook area is
10 only one area. You know, what I didn't get from
11 going through the photolog and the maps, the site
12 plans, I did not get a sense of where the trees
13 were coming down. And, you know, I think that's a
14 very important missing element here.

15 And I also have a slight complaint.
16 For whatever reason, my site plans are in black
17 and white, which makes it even more difficult for
18 me to read. I gather that there are color
19 versions of it because Mr. Mercier was alluding to
20 green and olive, and mine are black and white.
21 They're hard to read.

22 But I think I personally need a better
23 sense of where the trees are coming down and
24 whether there are alternatives or not there.

25 THE WITNESS (Fitzgerald): Ms. Hall,

1 this is Bryan Fitzgerald. I think what we've put
2 together here from Mr. Mercier's questions as well
3 is a number of Late-File exhibits, one of which
4 possibly GPS locating the current limits of tree
5 cover that were annotated on that plan by a cloud
6 style squiggly line, right, because it's tough to
7 sometimes match the aerial that we can get our
8 hands on with the current conditions out there
9 today. So to that point, I think that's one of
10 the items we'll be working on as a Late-File
11 exhibit is just to really try and clarify that.

12 As far as the colored and noncolored
13 drawings, I think we could confirm pretty quickly
14 whether or not we can get you another set of
15 drawings in color and have those shipped to the
16 Siting Council.

17 And then to your previous point on the
18 47 acres of core forest removal, what we're trying
19 to do here with this location is just balance the
20 development on the different land types, right.
21 Because while we have that 47 acres of core forest
22 removal, we're not developing on hundreds of acres
23 of agricultural land or displacing hundreds of
24 acres of agriculture, right. We have a very
25 limited development on existing farm fields which

1 we currently have a plan to sheep graze with a
2 local livestock farmer, who's going to be
3 expanding from cattle into sheep, so we're solving
4 that agricultural dual use there.

5 And on the core forest side, we're
6 really trying to balance the difference, right.
7 We have development on an existing gravel pit
8 property that's neither forest nor agricultural
9 land. It's an advantageous location to locate an
10 electrical substation for the project. But again,
11 it's a balancing act and, you know, it's one that
12 we're trying here. We think it's a good project.

13 We submitted it into the expedited DEEP
14 RFP at the end of 2025. Our impacts to core
15 forest were below what that RFP deemed
16 consequential. We were able to get through that
17 RFP with an award, and we're here today looking to
18 advance this project with that balance between,
19 you know, we're not taking hundreds of acres of
20 agricultural land. We think the impacts here are
21 acceptable, the land we're developing had
22 previously been logged from 2009 to 2017. So
23 that's really the summary on how we ended here
24 where we did with this land type.

25 MS. HALL: I don't think anybody has

1 much of a question about the gravel pit. I think
2 it's the other bigger piece that there are
3 questions about.

4 Okay. Please tell me the status of
5 your discussions with Plainfield and Sterling
6 volunteer fire departments.

7 ATTORNEY HOFFMAN: Ms. Hall, could you
8 repeat the question? There was a little
9 interference on our mic.

10 MS. HALL: Please tell me the status of
11 your discussions with the Plainfield and Sterling
12 volunteer fire departments.

13 ATTORNEY HOFFMAN: Thank you.

14 THE WITNESS (Granato): Ms. Hall, this
15 is Anthony Granato. So, I made multiple attempts
16 to contact both, whether it was fire chiefs or
17 fire marshals, of both departments. Initial calls
18 were made on January 15th, both to the Quinebaug
19 Valley Emergency Communications Center, tried to
20 contact these departments of both volunteer
21 departments. So, in order to get phone numbers
22 for specific individuals, I tried the dispatch
23 center first to see if I could get contacts
24 through the fire departments. I was able to leave
25 a message for Fire Marshal James Sweet, and there

1 was also a message left at the Sterling FD. These
2 were all on January 15th, and the Plainfield Fire
3 Department also on the 15th.

4 I received one phone call back from
5 Mr. Sweet, who is the fire marshal, I believe
6 Sterling it was, and his comments to me were he
7 didn't know anything about the project and that he
8 would keep an eye out, an open eye on when it does
9 come across their desk.

10 There was also a message left for
11 Travis Irons, who I believe was the, according to
12 the website, the fire chief of the Plainfield Fire
13 Department. The only one I've spoken to was James
14 Sweet. Emails had gone unanswered originally and
15 voicemails have not been returned.

16 MS. HALL: Okay. I understand that
17 you've made some attempt to get in touch with
18 these officials. It does make me nervous that you
19 have not had discussions with them on their
20 preparedness -- they are volunteer fire
21 departments -- on their preparedness to deal with
22 a project of this size. You characterize brush
23 fires as being a quote-unquote unlikely event.
24 I'm not sure that's a fair characterization these
25 days. In my area we've already had two brush

1 fires, and it's just June.

2 So this is an area that I guess I would
3 ask you to poke a little bit more, call the first
4 selectman's office, ask for phone numbers, ask the
5 first selectman to help you get hooked up with
6 them. I guess I would ask you to pursue this a
7 little bit more so that they know what's coming
8 and you have their input.

9 THE WITNESS (Fitzgerald): Ms. Hall,
10 this is Bryan Fitzgerald.

11 THE VICE CHAIR: Excuse me for a
12 second.

13 Ms. Hall, would you like a Late-File
14 with an update on any contact between now and the
15 next hearing?

16 MS. HALL: That would be great. Thank
17 you, Mr. Morissette, for the suggestion.

18 THE WITNESS (Fitzgerald): Ms. Hall,
19 yes -- this is Bryan Fitzgerald -- I think you're
20 spot on. We've had a number of meetings with the
21 first selectman of each town both at board of
22 selectmen meetings and outside of those meetings.
23 So that's something we can absolutely do and work
24 on here in the near term. We do have time,
25 obviously. It's relatively early on here in the

1 process. So we'll start at your direction and get
2 these meetings on the board.

3 MS. HALL: Thank you. Thank you. I
4 have, what I've read presents a number of
5 questions for me about wetlands and vernal pools,
6 but I'm going to defer to my colleagues who have
7 much better background in this area than I, and I
8 know they're going to have a lot of questions. So
9 for the moment, that's my questions. Thank you.

10 THE WITNESS (Parsons): Ms. Hall, can I
11 --

12 THE VICE CHAIR: Thank you, Ms. Hall.

13 THE WITNESS (Parsons): This is Brad
14 Parsons. I just want to address your question
15 earlier about the panels and visibility. I did
16 want to note that we did prepare a landscape plan
17 as part of our project set. It is the 27th page
18 of the plan set. So whether you have a paper copy
19 or not, there's three viewports on that plan set
20 that show proposed landscaping around the abutting
21 properties both on Sterling Hill and Sterling
22 Road.

23 MS. HALL: Thank you. I did take a
24 quick look at it. I'll go back and take another.
25 Thank you.

1 THE VICE CHAIR: Thank you,
2 Mr. Parsons.

3 We'll now continue with
4 cross-examination by Mr. Carter followed by Dr.
5 Williams.

6 Mr. Carter?

7 MR. CARTER: Thank you, Mr. Vice Chair.
8 And I would like to thank staff and my fellow
9 members for their diligent questioning so far this
10 beautiful afternoon. I'm not going to take up a
11 lot of time based on the wonderful questions that
12 we've already been able to work through.

13 So to hop right in, looking at Question
14 Number 67 from the interrogatories, has there been
15 any further engagement with state DOT regarding
16 the encroachment permit that's needed for this
17 project?

18 THE WITNESS (Kochis): This is Steve
19 Kochis. I would say no, there have not been
20 advancements with the DOT encroachment permit.
21 Traditionally, to really provide the full color to
22 that response, the DOT encroachment permit is a
23 construction level permit, so it would
24 traditionally be one of the last items that would
25 come at the project. Oftentimes, at the stage

1 we're at on a project that requires a DOT
2 encroachment permit, DOT is not even willing to
3 talk to us consultants until we have final design
4 documents ready for them.

5 MR. CARTER: Thank you. I appreciate
6 the clarification. I do remember seeing in
7 comments received by DEEP that there is a trail
8 that's in the area, and I was just trying to get a
9 little bit more context as to how the project
10 would impact it. I do know that I did read that
11 some of the property owners had been concerned
12 with illicit ATV usage, but I do know that, you
13 know, open access to space is something important
14 as well.

15 THE WITNESS (Parsons): Mr. Carter,
16 this is Mr. Parsons. If you have the site plan
17 PDF open, by chance, I think that's probably the
18 best way to show you how close the trail is in
19 relation to the project, and it would be the
20 fourth page of the PDF, PV-C2.00.

21 MR. CARTER: Let me pull that up, just
22 a moment. Bear with me, I have quite a few tabs
23 open.

24 THE WITNESS (Parsons): Understood.

25 MR. CARTER: And you said it's page 4?

1 THE WITNESS (Parsons): Page 4 of the
2 PDF of the site plans, yes, Appendix A.

3 MR. CARTER: Okay.

4 THE WITNESS (Parsons): It should be
5 the overall Bellavance and Corson parcel on an
6 aerial.

7 MR. CARTER: Yes, I have it.

8 THE WITNESS (Parsons): Okay. And if
9 you look in the top right-hand corner of that page
10 up near that Corson parcel where the gravel pit
11 is, you'll see that it's called out as the Moosup
12 Valley State Park Trail, and it's got a line
13 underneath that with the Es and the dashes.

14 MR. CARTER: Yes.

15 THE WITNESS (Parsons): So that E and
16 the dash is basically where the trail is, and
17 that's where that existing transmission line is as
18 well that is owned by Eversource.

19 MR. CARTER: Thank you. I appreciate
20 the clarification on that.

21 The last thing I wanted to note, and
22 this is just to echo Ms. Hall's comments, I'm
23 looking forward to seeing the Late-File in regards
24 to any further communication that you had with
25 local first responders because this is quite a

1 large project and it spans across a few
2 municipalities, so I just want to make sure that
3 things are coordinated accordingly.

4 With that, I will pass my time back.
5 Thank you.

6 THE VICE CHAIR: Thank you, Mr. Carter.
7 We'll now continue with cross-examination by Dr.
8 Williams.

9 Good afternoon, Dr. Williams.

10 (No response.)

11 THE VICE CHAIR: Okay. Very good. It
12 looks like Dr. Williams has left the meeting.

13 Okay. At this point, I'm going to
14 conclude our hearing for today. We have several
15 Late-Files in anticipation of our next hearing,
16 and I actually think that the Late-Files will be
17 helpful for Mr. Golembiewski and his
18 cross-examination.

19 So I'd like at this point, Attorney
20 Hoffman, is to go through the Late-Files.

21 The first Late-File I have is an update
22 to map 2.0, C2.0, to include where the tree
23 cutting is going to occur.

24 I would like to add to that drawing as
25 well the properties that are listed in

1 Interrogatory Question Number 27.

2 Is that possible?

3 THE WITNESS (Kochis): This is Steve
4 Kochis. Yeah, I can answer that. That's
5 possible.

6 THE VICE CHAIR: Very good. Thank you.

7 Okay. The next is an update to the
8 table in Interrogatory 81 to indicate permanent
9 and temporary wetland impacts and also the amount
10 of tree removal and wetlands.

11 I would like to also add to that
12 update. For the wooded forested category for
13 each, I would like that number broken down into
14 the amount that's being cleared, the amount that
15 is core forest, and then the amount of the total
16 that is converted to edge forest. Okay? Is that
17 doable as well?

18 ATTORNEY HOFFMAN: I believe so, sir.

19 THE WITNESS (Parsons): Mr. Morissette,
20 this is Brad Parsons. I think, just to be clear,
21 that table would be slightly different just
22 because it would be an additional table outside of
23 the limits of disturbance of what forested habitat
24 remains that would change to core forest. I think
25 we understand what you're asking for. I think the

1 table is going to be slightly different, but we'll
2 get you what you're looking for.

3 THE VICE CHAIR: Good. That works.
4 Thank you.

5 Okay. Number 3 is directional
6 corridors as indicated by the Army Corps vernal
7 pool BMPs.

8 Number 4 --

9 MR. GOLEMBIEWSKI: Vice Chair?

10 THE VICE CHAIR: Yes.

11 MR. GOLEMBIEWSKI: Could I add
12 something to that? In their current vernal pool
13 reporting, they do break down the land use in the
14 circular ones. So if they could break down what
15 the current -- well, actually, if we have
16 directional, just the impacts, any change, any
17 disturbance in any of those directional corridors.

18 THE VICE CHAIR: So identify any
19 disturbance?

20 MR. GOLEMBIEWSKI: Yes, that would be
21 sufficient. Thank you.

22 THE VICE CHAIR: Very good. Thank you.

23 Okay. Number 4 is Interrogatory Number
24 40, the current thinking on the revised plans.

25 And then Number 5 is an update on any

1 further contact or attempts to the Fire Marshal
2 and first responders.

3 And one final Late-File that I would
4 like to add is, the drawings call out in several
5 areas as shown on the electrical drawings, and I
6 don't believe the electrical drawings were
7 provided. If those could be provided as
8 Late-Files as well.

9 THE WITNESS (Parsons): Mr. Morissette,
10 this is Mr. Parsons. I don't think we are in a
11 spot where the electrical drawings are fully
12 ready, but I will review the -- we will review the
13 comments that are clear on what's going to be
14 provided on the electrical drawings and have those
15 updated to be clear on what would be occurring or
16 intention of being occurring.

17 THE VICE CHAIR: Okay. Whatever you
18 can provide. It doesn't necessarily have to be
19 the full-blown electrical drawings. If you have
20 simplistic one lines, that would be fine as well,
21 just to give a sense for how it's being laid out.
22 That would be helpful.

23 THE WITNESS (Parsons): Understood.
24 Thank you.

25 THE VICE CHAIR: Very good. Thank you.

1 MR. GOLEMBIEWSKI: Vice Chair?

2 THE VICE CHAIR: Yes, Mr. Golembiewski.

3 MR. GOLEMBIEWSKI: I hope I'm not being
4 too forward, but it was brought up that we have
5 four different arrays and that they need to be
6 electrically interconnected, you know, on the
7 property. And I think, you know, the connection
8 between array 1 and 2 appears to be, at least
9 based on what I see, problematic in a sense that I
10 don't know how they would do it without either
11 trenching right near someone's house or crossing
12 the wetland. So if they could add how they're
13 going to connect the arrays in that electrical
14 plan would be great also. Thank you.

15 THE WITNESS (Parsons): This is Brad
16 Parsons. Understood, Mr. Golembiewski.

17 THE VICE CHAIR: Very good. That
18 concludes our hearing for today. And thank you,
19 panel, for all your responses. And a special
20 thanks to Mr. Mercier for his detailed analysis
21 and questions.

22 So at this time, the Council will
23 recess until 6:30 p.m., at which time we will
24 commence with the public comment session of this
25 public hearing. Thank you, everyone, for your

1 participation, and we'll see you this evening.

2 Have a nice meal.

3 (Whereupon, the hearing adjourned at
4 4:47 p.m.)

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I hereby certify that the foregoing 116 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken of the Public Hearing held before the Connecticut Siting Council in Re: DOCKET NO. 550, BROOKFIELD HUSKY SOLAR, LLC d/b/a VEROGY APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A 50-MEGAWATT-AC SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITY AND ASSOCIATED EQUIPMENT ON 9 PARCELS GENERALLY LOCATED EAST AND WEST OF STERLING ROAD (ROUTE 14) ALONG THE PLAINFIELD MUNICIPAL BOUNDARY IN STERLING, CONNECTICUT; NORTH OF STERLING HILL ROAD ALONG THE STERLING MUNICIPAL BOUNDARY AND WEST OF THE INTERSECTION OF SUGAR BROOK ROAD AND BLACK HILL ROAD (ROUTE 14) IN PLAINFIELD, CONNECTICUT AND ASSOCIATED ELECTRICAL INTERCONNECTION, which was held before JOHN MORISSETTE, VICE CHAIR, via Zoom, on June 4, 2026.



Lisa L. Warner, CSR 061
Notary Public
My commission expires:
May 31, 2028

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I N D E X

*ADMINISTRATIVE NOTICE ITEMS I-C-1 through I-C-109
RECEIVED IN EVIDENCE ON PAGE 25.

APPLICANT'S WITNESSES:

- BRYAN FITZGERALD
- BRAD PARSONS
- IAN GOTTHEIM
- STEVE KOCHIS
- SARA BERRYMAN
- ANTHONY GRANATO
- NICHOLAS CYR

EXAMINERS:

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APPLICANT'S EXHIBITS
(Received in evidence)

EXHIBIT	DESCRIPTION	PAGE
II-B-1	Application for a Certificate of Environmental Compatibility and Public Need filed by Brookfield Husky Solar, LLC d/b/a Verogy and attachments, received February 20, 2026, and bulk file exhibits as follows:	32
	a. Technical Report - Municipal Submission Package	
	b. Town of Plainfield Zoning regulations	
	c. Town of Plainfield Plan of conservation and development	
	d. Town of Plainfield Plan of conservation and development maps	
	e. Town of Plainfield Inlands Wetlands and watercourses regulations	

1 I n d e x: (Cont'd)

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EXHIBIT	DESCRIPTION	PAGE
	f. Town of Sterling zoning regulations	
	g. Town of Sterling Plan of Conservation and Development	
	h. Town of Sterling Inland Wetlands and Watercourses Regulations	
II-B-2	Sign Posting affidavit, dated May 28, 2026	32
II-B-3	Responses to Council interrogatories with attachments, dated May 28, 2026	32

**All exhibits were retained by the Council.

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