

STATE OF CONNECTICUT

SITING COUNCIL

* * * * *

GRE 314 EAST LYME, LLC

PETITION FOR A DECLARATORY RULING
 THAT NO CERTIFICATE OF
 ENVIRONMENTAL COMPATIBILITY AND
 PUBLIC NEED IS REQUIRED FOR THE
 PROPOSED CONSTRUCTION AND OPERATION
 OF A 5.0 MEGAWATT SOLAR
 PHOTOVOLTAIC RENEWABLE ENERGY
 GENERATING PROJECT OFF GRASSY HILL
 ROAD AND WALNUT HILL ROAD,
 EAST LYME, CONNECTICUT

* * * * *

* MARCH 14, 2013
 * (3:05 p.m.)

* PETITION NO. 1056

BEFORE: ROBIN STEIN, CHAIRMAN

BOARD MEMBERS: Colin C. Tait, Vice Chairman
 Robert Hannon, DEEP Designee
 Michael Caron, PURA Designee
 Edward S. Wilensky
 Daniel P. Lynch, Jr.
 Philip T. Ashton
 James J. Murphy, Jr.
 Dr. Barbara Bell

STAFF MEMBERS: Linda Roberts, Executive Director
 Robert Mercier, Siting Analyst
 Melanie Bachman, Staff Attorney

APPEARANCES:

FOR THE PETITIONER, GRE 314 EAST LYME, LLC:

PULLMAN & COMLEY, LLC
 90 State House Square
 Hartford, Connecticut 06103-3702
 BY: LEE HOFFMAN, ESQUIRE

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HEARING RE: GRE 314 EAST LYME, LLC
MARCH 14, 2013 (3:05 PM)

1 . . .Verbatim proceedings of a hearing
2 before the State of Connecticut Siting Council in the
3 matter of a petition by GRE 314 East Lyme, LLC, held at
4 the East Lyme Town Hall, 108 Pennsylvania Avenue,
5 Niantic, Connecticut, on March 14, 2013 at 3:05 p.m., at
6 which time the parties were represented as hereinbefore
7 set forth . . .

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CHAIRMAN ROBIN STEIN: Good afternoon,
ladies and gentlemen. I'd like to call to order this
meeting of the Connecticut Siting Council today,
Thursday, March 14, 2013, at approximately 3:00 p.m. My
name is Robin Stein, Chairman of the Connecticut Siting
Council. We're here on Petition No. 1056.

Other members of the Council who are here
present are Professor Tait, Vice Chairman; Mr. Hannon,
who's the designee from the Department of Energy and
Environmental Protection; Director Caron, who is the
designee from the Public Utilities Regulatory Agency; Mr.
Ashton; Mr. Lynch; Senator Murphy; Dr. Bell; and Mr.
Wilensky.

Members of the staff present are Executive
Director Linda Roberts; Staff Attorney Melanie Bachman;

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1 and Siting Analyst Robert Mercier.

2 The court reporter is Gail Gregoriades and
3 audio technician Aaron DeMarest.

4 This hearing is held pursuant to the
5 provisions of Title 16 of the Connecticut General
6 Statutes and of the Uniform Administrative Procedure Act
7 upon a petition from GRE 314 East Lyme, LLC for a
8 Declaratory Ruling that no Certificate of Environmental
9 Compatibility and Public Need is required for the
10 proposed construction and operation of a 5.0 megawatt
11 Solar Photovoltaic Renewable Energy Generating Project
12 located off Grassy Hill Road and Walnut Hill Road in East
13 Lyme, Connecticut. The petition was received by the
14 Council on December 17, 2012.

15 As a reminder to all, off-the-record
16 communication with any member of the Council or staff
17 upon the merits of this petition is prohibited by law.

18 There are no parties or intervenors to the
19 proceedings. As I mentioned before, the Petitioner is
20 GRE 314 East Lyme, LLC, and Attorney Lee Hoffman of
21 Pullman and Comley representing the applicant.

22 We will proceed in accordance with the
23 prepared agenda, copies of which are available in the
24 back. Also available here are copies of the Council's

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1 Citizen Guide to Siting Council Procedures.

2 And at the end of this afternoon's
3 session, we will recess and resume again at 7:00 p.m.
4 The 7:00 p.m. hearing will be reserved specifically for
5 the public to make brief oral statements into the
6 record.

7 I want to also note for those who are here
8 and for the benefit of your friends and neighbors who are
9 unable to join us or will be unable to join us for the
10 public comment session, that you or they may send written
11 statements to the Council within 30 days of today. And
12 such written statements will be given the same weight as
13 if spoken at the hearing.

14 A verbatim transcript will be made of
15 this hearing and deposited with the East Lyme and
16 Montville Town Clerk's Office for the convenience of the
17 public.

18 Do we have any public officials who wishes
19 to make a statement at this time? Okay.

20 So for administrative notice, I wish to
21 call your attention to those items shown on the hearing
22 program marked as Roman Numeral I-D, Items 1 through 35,
23 and Roman Numeral I-E, comments from the Department of
24 Transportation, dated March 1, 2013, and comments from

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1 the Department of Energy and Environmental Protection,
2 dated March 13, 2013. Does the Petitioner have any
3 objection to these items that have been noticed?

4 MR. LEE HOFFMAN: No, we do not.

5 CHAIRMAN STEIN: Thank you. So we have --
6 hereby notice administratively these documents.

7 We're going to now go to the appearance of
8 the Petitioner. Attorney Hoffman, will you present your
9 witness panel for the purposes of taking the oath.

10 MR. HOFFMAN: Absolutely. Thank you,
11 Chairman Stein --

12 COURT REPORTER: Attorney --
13 (pause - audio adjustment)

14 MR. HOFFMAN: Absolutely, Chairman Stein.
15 Starting at my very far left we have Robert Landino from
16 Greenskies or GRE 314. Next to him is James Cowen.
17 Immediately to my left is Andrew Chester, also with
18 Greenskies. Immediately -- to my immediate right is Mr.
19 Michael Klein. To his right is Mr. Chris Albino. And to
20 the far right is Mr. Ray Gradwell.

21 CHAIRMAN STEIN: At this point would you
22 all please rise and we'll have the -- Attorney Bachman
23 administer the oath.

24 MS. MELANIE BACHMAN: Please raise your

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1 right hand.

2 (Whereupon, the Petitioner's witness panel
3 was duly sworn in.)

4 MS. BACHMAN: Thank you.

5 CHAIRMAN STEIN: And please begin by
6 numbering the exhibits of the filings you've made and
7 request to notice these and verifying the exhibits.

8 MR. HOFFMAN: Thank you, Mr. Chairman.
9 I'd like to mark as exhibits for identification the items
10 found in Roman Numeral II, Letter B. Item No. 1 is the
11 Petition itself, including bulk file exhibits of the Town
12 of East Lyme's Zoning Regulations, the Town of East
13 Lyme's Inland/Wetlands and Watercourses Regulations, and
14 the Town of East Lyme's Plan of Conservation and
15 Development. I'd also like to mark for identification
16 Items No. 2, GRE 314's Responses to the Council's
17 Interrogatories; Item No. 3, the Publisher's Certificate
18 of Notice in The Day; Item No. 4, the Sign Posting
19 Affidavit; No. 5 are the resumes of Michael Klein, James
20 Cowen, Eric Davison, Chris Albino, and Ray Gradwell; No.
21 6 is a letter from the State Historic Preservation
22 Office, dated March 6th; Item No. 7 are site plans that
23 were submitted to the Siting Council; and Item No. 8 is a
24 letter from Environmental Planning Services to the

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1 Connecticut Department of Environmental Protection, dated
2 March 13, 2013. I'd like to submit those items for
3 identification purposes at this time.

4 CHAIRMAN STEIN: Since there are no
5 parties or intervenors to question, we'll just continue.

6 MR. HOFFMAN: Very good. In that case, I
7 would -- since the witnesses have already been sworn, in
8 an effort to get these admitted as full exhibits, I will
9 start down the line to my far left and ask each of the
10 members of the panel did you cause or prepare to -- did
11 you prepare or cause to be prepared the items listed at
12 II-B, 1 through 8? Mr. Landino.

13 MR. ROBERT LANDINO: Yes, I did.

14 MR. HOFFMAN: Mr. Cowen.

15 MR. JAMES COWEN: Yes, I did.

16 MR. HOFFMAN: Mr. Chester.

17 MR. ANDREW CHESTER: Yes, I did.

18 MR. HOFFMAN: Mr. Klein.

19 MR. MICHAEL KLEIN: Yes.

20 MR. HOFFMAN: Mr. Albino.

21 MR. CHRIS ALBINO: Yes, I did.

22 MR. HOFFMAN: Mr. Gradwell.

23 MR. RAY GRADWELL: Yes, I did.

24 MR. HOFFMAN: And do you have any changes

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1 or amendments to those exhibits as they've been filed?

2 Mr. Landino.

3 MR. LANDINO: I have one small change. In
4 the course of working with our construction team, we
5 thought of an idea that would eliminate or minimize the
6 amount of tree removal from the site. And we thought
7 that if we could take the timber that was being cleared
8 as part of the proposed solar system and chip it and use
9 it as ground cover on-site and replace some of the no mow
10 grass seed mix and gravel pathways that were proposed in
11 the original application with the chipped wood, it would
12 serve several benefits; namely by using indigenous
13 material, we would lessen or eliminate the amount of
14 trucks that would leave the site during construction. We
15 would stabilize the site with the natural material that
16 would not require at least initially maintenance. And
17 then to the extent that we couldn't cover the entire
18 site, we would continue to use something close to the
19 original design with a no mow grass mix, and we would
20 maintain the property as needed going forward. It would
21 certainly require less maintenance with the wood chips.
22 And over time if we needed to replace some of the chips
23 with additional seed mix, we would do so.

24 MR. HOFFMAN: And other than that one

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1 change, are there any other changes to your exhibits?

2 MR. LANDINO: No, there are not.

3 MR. HOFFMAN: And other than the change
4 mentioned by Mr. Landino, Mr. Cowen, are there any
5 changes to the exhibits?

6 MR. COWEN: No.

7 MR. HOFFMAN: Mr. Chester, any other
8 changes?

9 MR. CHESTER: No, there's not.

10 MR. HOFFMAN: Mr. Klein, any other
11 changes?

12 MR. KLEIN: No.

13 MR. HOFFMAN: Mr. Albino, any other
14 changes?

15 MR. ALBINO: No.

16 MR. HOFFMAN: Mr. Gradwell, any other
17 changes?

18 MR. GRADWELL: No.

19 MR. HOFFMAN: And with those changes are
20 the exhibits accurate to the best of your knowledge and
21 belief? Mr. Landino.

22 MR. LANDINO: Yes, they are.

23 MR. HOFFMAN: Mr. Cowen.

24 MR. COWEN: Yes.

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1 MR. HOFFMAN: Mr. Chester.

2 MR. CHESTER: Yes.

3 MR. HOFFMAN: Mr. Klein.

4 MR. KLEIN: Yes.

5 MR. HOFFMAN: Mr. Albino.

6 MR. ALBINO: Yes.

7 MR. HOFFMAN: Mr. Gradwell.

8 MR. GRADWELL: Yes.

9 MR. HOFFMAN: With that, I would ask that
10 the exhibits be moved as full exhibits for the purpose of
11 this petition.

12 CHAIRMAN STEIN: These exhibits are hereby
13 made part of the record. Thank you.

14 (Whereupon, Petitioner Exhibit Nos. 1
15 through 8 were received into evidence as full exhibits.)

16 CHAIRMAN STEIN: We'll now begin our
17 cross-examination with our staff. Mr. Mercier.

18 MR. ROBERT MERCIER: Thank you. I'd just
19 like to begin with some of the things that were examined
20 and talked about at the field review today. I guess,
21 first of all, the project area, is that composed of four
22 separate parcels?

23 MR. LANDINO: I believe it's three, but
24 I'm not -- I'm not 100 percent -- it's -- it's -- I

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1 believe it's three separate parcels.

2 MR. MERCIER: Do you have the addresses?

3 MR. LANDINO: Mr. Hoffman.

4 MR. HOFFMAN: I can look for those, Mr.
5 Mercier, and --

6 MR. MERCIER: Okay --

7 MR. HOFFMAN: -- get them to you.

8 MR. MERCIER: -- thank you. As for
9 ownership of the parcels, what entity -- is it individual
10 landowners or is it GRE?

11 MR. LANDINO: GRE or its assigned
12 affiliates owns all of the land.

13 MR. MERCIER: When we were walking today,
14 over to the eastern portion of the property there was a
15 statement -- actually, it's repeated in Council Question
16 No. 20 -- that part of that property was set aside as
17 conservation purposes. Is it -- was the -- was the land
18 donated or is there a conservation easement?

19 MR. LANDINO: I originally purchased a
20 portion of the land that is a part of this application to
21 develop a residential subdivision. As part of the
22 entitlement of that subdivision in the Town of East Lyme
23 -- I'm probably not going to get the year right, but I
24 remember around 2006 or so -- that sounds about right --

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1 or '07 -- we donated land to the west of the wetland band
2 to the East Lyme Land Trust --

3 A VOICE: Excuse me, to the east.

4 MR. LANDINO: Excuse me. To the east of
5 the wetland band. And there is an easement -- an access
6 easement that runs along the eastern perimeter for the
7 public and for members of the Land Trust to get back to
8 that site.

9 MR. MERCIER: Okay. If we could just use
10 one of the diagrams that were submitted, say the March
11 7th submittal, Tab 6, the third diagram, it's an overall
12 aerial plan.

13 MR. LANDINO: One second, we're just going
14 to have to pull it out.

15 MR. MERCIER: Sure.

16 (pause)

17 MR. HOFFMAN: Which one specifically --

18 MR. MERCIER: The overall aerial -- the
19 overall aerial plan. It's their March 7th submittal. It
20 should be -- it was on top of your books I believe, Tab
21 6, the diagram --

22 MR. LANDINO: Is this -- is this the
23 document?

24 MR. MERCIER: That is correct.

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1 MR. LANDINO: Okay.

2 MR. HOFFMAN: Mr. Mercier, while we're
3 paused, before you begin that line of questioning,
4 although I'm not a witness, if you look in the petition,
5 at the top of page 7, the first line lists the four
6 parcels that are involved. In the petition itself --
7 it's --

8 MR. MERCIER: So it is four?

9 MR. HOFFMAN: Yes, sir.

10 MR. MERCIER: Thank you. In regard to the
11 plan, I'm just trying to understand where the donation
12 was made. I -- if we can use some of the features on
13 this plan, I see the wetland corridor, I see the hundred-
14 foot inland/wetland buffer --

15 MR. LANDINO: Yeah --

16 MR. MERCIER: -- I see the eastern fields.

17 MR. LANDINO: This plan does not delineate
18 the actual internal property line that resulted in the
19 dedication of that parcel, but essentially, it's all of
20 the land to the east of the wetland band that roughly
21 bisects the site. It is now owned by the East Lyme --
22 the East Lyme Land Trust.

23 MR. MERCIER: And when you say wetland
24 band are you including the buffer areas to the west of -

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1 - it looks like a stream in the middle of the wetland
2 band?

3 MR. LANDINO: Yeah -- no, the property
4 line -- my recollection -- and this map doesn't show it,
5 so I'm going by memory that's now seven years old, so I'd
6 have to look for another exhibit that might have this --
7 but my recollection is that the property line roughly
8 bisects the wetlands band so that the wetland and the
9 buffer to the west of the wetland are on the property
10 subject to this hearing and the property to the east is
11 owned by others.

12 MR. MERCIER: Okay. And do you know the
13 approximate size of the donation?

14 MR. LANDINO: I believe it was 22 acres or
15 so and change, but again I could -- with the exhibits I
16 could pin that down.

17 MR. MERCIER: Okay, thank you.

18 CHAIRMAN STEIN: Senator Murphy.

19 MR. JAMES J. MURPHY, JR.: While we're on
20 -- you talked -- you talked about a donation of the land.
21 Was -- (indiscernible) --

22 COURT REPORTER: Microphone please.

23 MR. MURPHY: It's on -- at least the green
24 button is working -- (pause) -- the question simply is

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1 was it a dedication of an easement -- a conservation
2 easement or is it a fee simple type --

3 MR. LANDINO: It was a fee conveyance.

4 MR. MURPHY: So the type of --
5 (indiscernible) --

6 MR. LANDINO: Yes, it --

7 MR. MURPHY: -- (indiscernible) --

8 MR. LANDINO: Yes, it did.

9 MR. MURPHY: Thank you, Mr. Chairman.

10 MR. MERCIER: Okay. I'm going to flip
11 ahead one sheet in that tab submittal, Tab 6, where it
12 says the Overall Erosion Control and Demolition Plan. In
13 the western portion of the property, it shows a
14 construction entrance. After completion of the project,
15 is this entrance also the main entrance to the facility?

16 MR. LANDINO: Do you want -- I'm sorry --
17 I don't -- I don't know what you're referring to, but
18 that's not -- the entrance to the facility is -- is to
19 the -- is the right -- the southern -- at the southern
20 limit of the property.

21 MR. MERCIER: Okay, so that narrow
22 property access on Walnut Hill Road?

23 MR. LANDINO: Correct.

24 MR. MERCIER: Okay. And what kind of

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1 upgrades do you have to do with that road?

2 MR. LANDINO: We're -- we're going to
3 clear it and grade it to the best of our ability without
4 impacting neighbors so that a truck can pass over that
5 facility. Again, the -- the solar farm when completed
6 won't have regular visitors. It will just be used for
7 maintenance purposes. So we're just -- and we use it
8 right now in its current state, but we will do our best
9 to grade it out and make it stable and as passable as
10 possible.

11 MR. MERCIER: Are there any tree clearings
12 associated with that road only?

13 MR. LANDINO: No, there's some brush and a
14 few branches, but no -- no tree clearing. It's -- it's
15 an old haul road, so it actually is in place.

16 CHAIRMAN STEIN: We have a question from
17 Mr. Lynch.

18 MR. DANIEL P. LYNCH, JR.: In driving by
19 Walnut Hill Road, it looked like a rather steep grade.
20 Do you have any idea what the grading is on that?

21 MR. LANDINO: Maybe Chris or Ray do, but I
22 believe it's probably in the 12 to 14 percent range.
23 It's fairly steep.

24 MR. GRADWELL: That's an accurate --

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1 that's an accurate assessment of the grade.

2 MR. LANDINO: Yeah. And we've -- I've
3 gone up it 50 times, so it's certainly a passable road.
4 It's not -- it's just something that you wouldn't want --
5 if it was a public street, you'd certainly want to --
6 wouldn't want to have it at that grade.

7 MR. LYNCH: Thank you. I just observed it
8 in going by --

9 MR. LANDINO: Yeah --

10 MR. LYNCH: -- and I just wanted to ask.
11 Thank you.

12 MR. MERCIER: Now just beyond that road we
13 were just referring to when you get into the solar field
14 area, the proposed solar field area, there's a couple of
15 old buildings in there, like an old house or something.
16 I understand those are to be torn down. Has there been
17 any environmental review yet of those?

18 MR. LANDINO: Yeah, we've done lead and
19 asbestos, and there's none. Just to clarify, there's a
20 couple of old shacks on the southern half of the site
21 that we actually haven't done that for, but they don't
22 look like they ever even had any mechanical equipment in
23 them.

24 MR. MERCIER: Okay. For the portion of

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1 the property near the construction entrance, at Walnut
2 Hill Road there's an old or historic looking home -- I
3 wouldn't call it historic, but it's an old farmhouse. Is
4 that going to be torn down?

5 MR. LANDINO: Our intention was to tear it
6 down. It doesn't appear to have any historic
7 significance and it's in pretty tough shape. But you
8 know, that was our intention.

9 MR. MERCIER: To not tear it down?

10 MR. LANDINO: To tear it down.

11 MR. MERCIER: Oh, to tear it down?

12 MR. LANDINO: Yeah, demolish it.

13 MR. MERCIER: In the -- I don't know if
14 you have it, but I think it's in Tab 5 of the March 7th
15 submittal, the State Historic Preservation Office letter.
16 In the second paragraph it's talking about a small
17 farmstead. And I'm not sure where on the property
18 they're referring to. If someone could just examine
19 that.

20 MR. LANDINO: I actually read the letter
21 and wasn't sure what they meant by that as well because
22 there's no home on the property. That's a small barn
23 that you just referred to. And I didn't know that there
24 was anything else that could be interpreted as a home of

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1 any type. There's -- is that the Tinker House - is that

2 --

3 A VOICE: Yeah, I think --

4 MR. LANDINO: There are shacks at the
5 south end of the site, but they weren't -- I wouldn't
6 call them a homestead or anything that looked like anyone
7 ever inhabited those other than for a night or so, so --
8 you know, so --

9 MR. MERCIER: Did the State Historic
10 Preservation Officer come out to the site and walk with
11 you or they just reviewed some plans?

12 MR. LANDINO: I think they reviewed
13 plans.

14 MR. MERCIER: Okay.

15 MR. LANDINO: They -- we did not conduct a
16 site visit with them.

17 MR. MERCIER: I wasn't sure if that -- if
18 this particular building was the one we were just talking
19 about --

20 MR. LANDINO: Yeah, there is -- there is -
21 -

22 MR. MERCIER: -- on Walnut Hill Road --

23 MR. LANDINO: -- there is an historic home
24 called the Tinker House, but it's not impacted by this

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1 plan. And if you're looking at the site map, it's --
2 it's roughly in the -- the access to Walnut Hill Road
3 that's in the center of the site, there is a house that
4 dates I believe to the 18th century that is owned as part
5 of this development, but is not being impacted --

6 MR. MERCIER: Okay, I think that's the
7 house that I was referring to earlier, called the Tinker
8 House, but it's an older home that's right near your
9 construction entrance --

10 MR. LANDINO: It's -- it's not -- it's
11 near the construction entrance, but there's sufficient
12 width for trucks to pass and that would not be impacted
13 in any way.

14 MR. MERCIER: So that particular home is
15 not going to be torn down?

16 MR. LANDINO: Absolutely not. No, no.

17 MR. MERCIER: Okay.

18 MR. LANDINO: And actually, that's a
19 requirement of the original approval as well, that it not
20 be torn down.

21 MR. MERCIER: Okay, thank you.

22 MR. LYNCH: Mr. Chairman.

23 CHAIRMAN STEIN: Yes, Mr. Lynch.

24 MR. LYNCH: Along that regards -- excuse

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1 me -- I know you mentioned in the application that you --
2 when you were looking to develop the property previously,
3 you checked with the Indian Tribal Councils as far as
4 their involvement in the preservation. I know the
5 Narragansetts control that. Did you -- why -- why didn't
6 you go back to them again?

7 MR. LANDINO: A little history. When we
8 entitled the original subdivision, we hired a consultant
9 to do an archeological study. And she determined at that
10 time through interviews and a site survey and research
11 that there was no significant -- no Native American
12 significance or historical impact related to that.

13 Subsequent to that, as part of this
14 application, we purchased an additional parcel to the
15 south, which we did not do that same level of review for.
16 We retained her to do that same review, and she's
17 currently completing that work as we speak. She needed
18 to wait for the snow cover to clear.

19 MR. LYNCH: Will we be getting a copy of
20 that report?

21 MR. LANDINO: I believe within the next
22 two or three weeks.

23 MR. LYNCH: Thank you.

24 MR. MERCIER: Is this additional review

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1 related to the comments in the State Historic
2 Preservation Office letter?

3 MR. LANDINO: Yes.

4 MR. MERCIER: Okay. Still staying with
5 the same Tab 6 of March 7th, I'm just going to flip to
6 the first plan now, it's rendered views. Okay?

7 MR. LANDINO: Yes.

8 MR. MERCIER: There's this -- in the
9 topographic overlay at the top of the page -- the center
10 page really, there's different various shades of green.
11 Can someone just tell me what -- what that means?

12 MR. LANDINO: Yeah, let me -- on the map --
13 -- I think that -- is that a slope designation, Ray and
14 Chris, the darker green being steeper slopes --

15 A VOICE: I think it's trees --

16 MR. LANDINO: -- or is it -- Ray --

17 MR. GRADWELL: I can answer that question.
18 The dark -- the olive color green on the top is the
19 limits of the wetlands. The next darker color green is
20 the limits of the woods outside the wetland. And then
21 the lighter color green upslope of that would be kind of
22 the open -- the open field.

23 MR. MERCIER: Okay, thank you. Now
24 looking at View 3 there, Rendered View No. 3, is that a

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1 simulated view from No. 95 Walnut Hill Road?

2 MR. LANDINO: Yeah, it's from their home,
3 not from the street. There's virtually no views from the
4 street that create any type of visual impact. So what we
5 try to do to show the worse case is to kind of look at
6 people's backyards and try to simulate what they might
7 see.

8 MR. MERCIER: Okay. And -- and how did
9 you get the number of trees in the view?

10 MR. LANDINO: I'll leave that to the big
11 guys, so Ray and Chris.

12 MR. ALBINO: We used aerial imagery to
13 kind of count the number of trees and then put them in
14 digitally.

15 MR. MERCIER: So I guess my question is
16 you're going to be clearing up to the -- I think there's
17 a stonewall there --

18 MR. ALBINO: Correct --

19 MR. MERCIER: -- all the vegetation --
20 there's a small band of trees I believe there, is that
21 correct, on your side of the property?

22 MR. ALBINO: At that particular location,
23 I believe there's not a lot of clearing being done on the
24 property, but -- so these trees represent what's on the

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1 homeowner's property --

2 MR. MERCIER: Okay --

3 MR. ALBINO: -- which is outside of our
4 scope.

5 MR. MERCIER: Now -- I guess I have the
6 same question for View 1 and if you know the address of
7 that particular property?

8 MR. LANDINO: I don't have the street
9 address --

10 MR. ALBINO: I don't have the exact
11 address.

12 MR. LANDINO: But it's essentially a home
13 that abuts the western boundary of our site. And so
14 we're giving a view from their backyard.

15 MR. MERCIER: And in looking at the map
16 there's an adjacent home just to the south?

17 MR. LANDINO: Correct.

18 MR. MERCIER: Would they have a similar
19 view?

20 MR. LANDINO: A similar view along that
21 entire segment of the development, yes.

22 MR. MERCIER: Are these homes on Mountain
23 View Avenue, if you know?

24 MR. LANDINO: They're on Walnut Hill Road

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1 I believe -- are they Mountain View -- no, it's Walnut
2 Hill --

3 MR. MERCIER: Perhaps you could just check
4 that and get back to me later during the hearing.

5 MR. LANDINO: Isn't that Walnut Hill --
6 yeah, I believe it's Walnut Hill.

7 A VOICE: Walnut Hill.

8 MR. MERCIER: If you could determine the
9 addresses at some point, you know, at the break or
10 whatever.

11 Again -- so looking at View 1, it appears
12 whatever woodland there may be on the GRE side would be
13 removed and it would be open -- an open view?

14 MR. LANDINO: Right --

15 A VOICE: That's correct --

16 MR. LANDINO: -- with a -- with a privacy
17 -- a timber privacy fence with a landscape screen
18 separating the development from adjacent properties.

19 MR. MERCIER: If we flip ahead four
20 drawings to the final overview of the Erosion Control and
21 Demolition Plan, I guess -- I guess for the properties we
22 just looked at, one was 95 Walnut Hill, the other two
23 we're not sure of the addresses. Is it possible to --
24 well let's start with 95 -- looking at this plan, I see

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1 the wood fence directly on the property line. Is it
2 possible to move that fence backwards, eastward?

3 MR. LANDINO: By how much, sir?

4 MR. MERCIER: Well I see a flat area where
5 there's some grading contours and then I can see the
6 perimeter road and then the solar field.

7 MR. LANDINO: Yeah, it looks like it can
8 be moved. Yeah, to some amount. Ray?

9 MR. GRADWELL: The fencing is shown right
10 outside the maintenance access path and then there's
11 slope --

12 MR. LANDINO: But the fence isn't on the
13 property line --

14 MR. GRADWELL: It's not on the property
15 line.

16 MR. MERCIER: It's not on the red dot?

17 MR. LANDINO: No, no --

18 MR. GRADWELL: It's actually right at the
19 limit of the development. And then that way we have room
20 to landscape on our property. So there's some buffer
21 between us and the adjacent property.

22 MR. ALBINO: It's a limited disturbance
23 line.

24 MR. MERCIER: What's the line with the --

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1 MR. LANDINO: You're looking at the --

2 MR. MERCIER: -- little rectangles?

3 MR. LANDINO: You're looking at a silt
4 fence -- it's hard to see --

5 MR. MERCIER: Okay --

6 MR. LANDINO: -- these get real small.

7 MR. MERCIER: Thank you. If we flip to
8 the next page, the overall site grading and drainage
9 plan, it does show it right on the property line as a
10 line with little rectangles --

11 A VOICE: No, that's the property --

12 MR. MERCIER: -- defined as wood stockade
13 fence --

14 MR. LANDINO: Yeah, it tapers -- it's on
15 the edge of our system and then begins to taper toward
16 that property corner on the, you know, northwestern or
17 south -- I guess that's the northwestern corner as you're
18 heading north. So it does -- it does get to the property
19 line at the point at which the property line turns the
20 corner, but for the entire length the -- the fence itself
21 is up on the top of the slope by the end of the system.
22 Are you following the same line? Oh, you're up -- you're
23 up at a different place --

24 MR. MERCIER: I'm at the property we were

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1 talking about before, 95 Walnut Hill --

2 MR. LANDINO: Yeah, okay. At that point
3 it does show it on the property line. And it certainly
4 looks like it can be shifted to the east if it needed to
5 be. Ray, can you just verify that?

6 MR. GRADWELL: Yep -- yeah.

7 MR. MERCIER: Okay. I guess -- I have the
8 same question for the two -- the two properties I just
9 talked about with the open views of the fence. Is it
10 possible just to move the grading back maybe -- I see it
11 on top of an embankment, a fence, but it looks like when
12 you enter the solar field there's an empty area --

13 MR. LANDINO: Which -- which area are you
14 concerned about? I just want make sure --

15 MR. MERCIER: The two properties I thought
16 potentially might be on Mountain View or Walnut Hill we
17 talked about before, rendered view --

18 MR. LANDINO: Yeah, I think we can move
19 that fence back if that was -- if I'm looking at the same
20 two that you are -- the ones right below the note that
21 says proposed well?

22 MR. MERCIER: That's correct.

23 MR. LANDINO: Yes. Yeah, it looks -- I
24 mean it looks like we tapered the fence. It looks like

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1 that could follow along our system line through the
2 entire length and then turn the corner more abruptly
3 when it needed to if that's -- if you follow what I'm
4 saying.

5 MR. MERCIER: Okay. While we're on this
6 overall drainage and utility plan, I see the three
7 detention basins on each side of the parcel. There's one
8 in the northeast corner?

9 MR. LANDINO: Yes.

10 MR. MERCIER: I'm not sure how that's tied
11 into the drainage of this site. Is -- for stormwater the
12 ground is sloped eastward, correct, so all the water will
13 run east into the detention basins?

14 MR. GRADWELL: Correct.

15 MR. MERCIER: How is the one in the
16 northeast corner incorporated --

17 MR. GRADWELL: The north --

18 MR. MERCIER: -- in the drainage plan?

19 MR. GRADWELL: The detention pond on the
20 northeast corner collects runoff from the west gradient,
21 the site that's -- the portion that's not going to be
22 developed. It's outside the limits of our array panel
23 and our maintenance path, but it does collect a small
24 portion of the array. There's a high point and a channel

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1 between those two detention ponds, so a portion will flow
2 north to that detention pond, a small portion, but the
3 majority of the runoff to that detention pond comes from
4 upland slope that's north of the array panel field.

5 MR. MERCIER: So like non-disturbed areas
6 --

7 MR. GRADWELL: Correct --

8 MR. MERCIER: -- you're just ensuring
9 there's no additional runoff into --

10 MR. GRADWELL: Correct --

11 MR. MERCIER: -- into the wetlands.

12 MR. GRADWELL: Mmm-hmm.

13 MR. MERCIER: And staying with this plan,
14 I see three water wells on the property. What's --
15 what's the purpose of the water wells?

16 MR. LANDINO: We -- we haven't made a firm
17 decision to do that, but we put them on the plan to the
18 extent that there would be maintenance required and water
19 was required. We thought we should show wells at points
20 -- you know, to have water sources so that we didn't have
21 to bring water trucks every time we needed to do
22 something related to washing the panels or maintaining
23 them. So that was our intention by locating those wells
24 on the plan.

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1 MR. MERCIER: Okay.

2 MR. LANDINO: Infrequent use, you know,
3 once, twice a year maybe at the most.

4 MR. MERCIER: Now that we're talking about
5 the maintenance, is there regular cleaning or other
6 similar maintenance required for the panels?

7 MR. LANDINO: I'll kind of turn this over
8 to Andrew Chester, but, you know, there is -- the
9 maintenance is fairly minimal, but maybe, Andrew, you
10 could talk about what it might -- what it might include.

11 MR. CHESTER: Typically what we do with
12 solar panels for cleaning is let the natural rain wash
13 them. So throughout the year there is minimal manual
14 cleaning that needs to be done. The wells were put on
15 the drawings for the possibility that, you know, dirt or
16 debris gets on it and we would like to clean them off,
17 but traditionally nothing is done.

18 MR. MERCIER: If you do have to clean
19 them, do you use -- what do you use? Just water?

20 MR. CHESTER: Yeah, just a hose.

21 MR. MERCIER: Now the main solar field, I
22 know you talked about potentially using woodchips and the
23 rest is no mow grass. Does -- how often does no mow
24 grass have to be mowed I guess -- (laughter) --

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1 MR. LANDINO: That's like the hundred-year
2 storm happening every seven years, right -- my
3 understanding, and we have folks that are more expert
4 than I am, is that it grows to a height of about nine to
5 twelve inches. So because of our panel installation
6 heights, it wouldn't -- if it did do that, it would never
7 need to be mowed. But certainly we would monitor that
8 and if it needed to be maintained -- that's the reason --
9 one of the reasons for the structure on site to
10 accommodate maintenance equipment and mowers, to be able
11 to do what's needed to be done.

12 MR. MERCIER: Is there any type of weed
13 control necessary?

14 MR. LANDINO: Not initially. One of the
15 advantages we thought of wood chipping especially because
16 at least for the first few years, you know, we wouldn't
17 have that issue. To the extent that it needed to be
18 done, you know, we could talk about using maybe a Round
19 Up product or something like that and maybe Jim or
20 Michael could speak to that, but something certainly that
21 is, you know, applied by a licensed user and someone that
22 -- and a chemical that certainly wouldn't have any
23 harmful effects, so -- Jim or Michael, I don't know if
24 you want to add to that.

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1 MR. COWEN: I would say the main issue in
2 the development is going to be what we were tripping over
3 out there, the multi-floral rose thickets. Those are
4 likely to re-sprout and would probably need to be treated
5 with herbicides, which would kill them in a treatment or
6 two.

7 MR. MERCIER: I guess once the grass is
8 installed is there any reason to besides spot application
9 for some weeds is it -- you'd spray any type of chemical
10 or fertilizer or herbicides on the field?

11 MR. COWEN: The no mow seed is a seed
12 that's designed because it is environmentally safe. It's
13 a combination of six native fescues and they don't
14 require fertilizer or lime. They don't need to be
15 watered. They're drought resistant, so they may brown up
16 in the summertime, which is fine. And they are also
17 partially shade tolerant. One -- with the solar array
18 obviously it's to capture the sun, so there will be much
19 less sun available. So where grass is able to grow, this
20 can colonize those areas. But where it's shaded, there
21 will probably be less -- minimal vegetation.

22 MR. MERCIER: Does that seed mix actively
23 prevent weeds, like -- or -- I mean your seed will take
24 as grass, but will weeds grow up with it?

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1 MR. COWEN: Weeds can grow. It doesn't
2 actively control weeds. It passively controls -- because
3 where there's one plant, another will get established.
4 So it does reduce weeds.

5 MR. MERCIER: Back to the multi-floral
6 rose, you said you might have to put some herbicide on
7 them. Is that specific to that plant or is this more of
8 a general application of a herbicide?

9 MR. COWEN: We would rely on a licensed
10 herbicide applicator to use the best herbicide available.
11 I'm not a herbicide expert, but we do -- we do rely on
12 experts for that application.

13 MR. MERCIER: Okay. I saw on the site
14 plans some proposed plantings, you know, between the
15 fence and some of the abutters. Does any of that
16 vegetation have to be maintained at a certain height or
17 are you just going to let it grow freely?

18 MR. LANDINO: It was meant to let grow
19 freely and just to act as a -- you know, trees
20 essentially, and let them act as a buffer that would
21 create a large canopy over time --

22 MR. MERCIER: So --

23 MR. LANDINO: -- and make the fence less
24 visible.

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1 MR. MERCIER: So as they grow would that
2 affect any of your panels I guess?

3 MR. LANDINO: No. We've kind of taken
4 that into account and that's the reason for the distance
5 between the fence and the panels.

6 MR. MERCIER: Okay. Are there any noise
7 issues associated with this project?

8 MR. LANDINO: Not -- not that I'm aware of
9 unless grass cutting perhaps once a year if that was --
10 or twice a year if that was -- that probably would be the
11 only time that there would be any significant noise.

12 MR. MERCIER: Do the inverters have any
13 noise characteristics?

14 MR. LANDINO: Do they have a hum, do you
15 know?

16 MR. CHESTER: Slight.

17 MR. LANDINO: Very slight -- a very slight
18 hum. Andrew, maybe -- if you want to respond.

19 MR. CHESTER: Yeah, there is a slight hum
20 that will come from the inverters. I don't know the
21 actual decibel level -- was it submitted -- but it is --
22 it's very, very minimal.

23 MR. LANDINO: And they're housed in cases,
24 right?

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1 MR. CHESTER: Right.

2 MR. LANDINO: They're housed in cases that
3 would muffle that noise.

4 MR. MERCIER: What's the current status of
5 your feasibility study?

6 MR. LANDINO: Andrew.

7 MR. CHESTER: Yeah, I can take that. We
8 have submitted our application to Connecticut Light and
9 Power. We have had our scoping meeting, which launches
10 the facility -- I'm sorry -- which launches the
11 feasibility study, which will then turn into a facility
12 study. Right now our projected timeline is to have that
13 completed by June. So we -- we have answers that we are
14 getting back to them actively this week and next, and we
15 will shift directly into the facility study with their
16 third-party engineers.

17 MR. MERCIER: Do you know if you'll need
18 an overhead line to get to the interconnection point?

19 MR. CHESTER: We do not know at this time.
20 That's what they are starting -- (pause) --

21 MR. MERCIER: Getting back to the parcel
22 itself, I know you did a donation of 22 acres or so. Do
23 you know if this property -- the remaining property or
24 any portion is part of the Department of Agriculture's

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1 Farmland Preservation Program?

2 MR. LANDINO: It's not.

3 MR. MERCIER: Let's see -- in the -- in
4 Section 9.3 of the Natural Resource Survey, that's in the
5 application at Tab D, there was a recommendation to
6 restrict clear tree cutting during the period of March
7 through November. Is that something GRE intends on
8 doing?

9 MR. LANDINO: Michael Klein.

10 MR. KLEIN: The recommendation to restrict
11 tree clearing is based on potential use of the site by
12 bat species that roost individually in trees.

13 There are -- the other option that could
14 be explored if the timing was not feasible, would be to
15 actually survey to see if these listed species of bats
16 are present. Surveys for them are restricted to certain
17 times of the year, and those surveys were outside of the
18 dates that we were actively working on the site -- no, I
19 take that back -- the survey period is coming up where it
20 could be done. I believe it's in late April through May.
21 If those listed species of bats aren't present at the
22 site, then the restriction is not necessary. If --
23 depending on the progress of this proceeding and other
24 proceedings, if -- if the projected construction period

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1 doesn't occur during that restriction, then it's -- it's
2 not an issue. If it were to occur during that time
3 frame, then an alternative would be to identify whether
4 or not the bats are present at the site. If they're not,
5 then it's not necessary.

6 MR. LANDINO: And just to add to that,
7 we're -- we are planning on hiring a bat guy to do that
8 in April.

9 MR. MERCIER: Okay. What --

10 A VOICE: (Indiscernible - laughter) --

11 MR. LANDINO: That was a generic. Sorry.

12 MR. MERCIER: What is your proposed
13 construction schedule? When would you want to commence?

14 MR. LANDINO: Ideally, we'd like to start
15 July 1 and finish by the end of this calendar year.

16 MR. MERCIER: On page 8 of the
17 application, Section 3, it talks about anti-islanding
18 features. If someone can just please explain a little
19 bit more as to what you're referring to, I'd appreciate
20 it?

21 MR. LANDINO: What section --

22 MR. MERCIER: Page 8, Section 3, the third
23 sentence.

24 MR. LANDINO: Chris.

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1 MR. ALBINO: I think in talks with CL&P
2 that they're going to require a recloser. So I believe
3 that that sentence is going to -- need to be revised.
4 Although the -- the equipment does have that capability,
5 they want a redundant system, CL&P, so there will
6 actually be additional reclosers.

7 COURT REPORTER: One moment please.

8 (pause - tape change)

9 MR. MERCIER: So that's -- that's just an
10 automatic shutoff if there's an outage or something of
11 that nature?

12 MR. ALBINO: It's an outage or any
13 fluctuation in the -- in the line.

14 MR. MERCIER: Thank you. I have no
15 further questions.

16 CHAIRMAN STEIN: Thank you. We'll now go
17 with questions from the Council. Professor Tait.

18 MR. COLIN C. TAIT: On -- on Fred Reese's
19 letter, he raised the status of the farmland. Has that
20 been resolved? Has the Department of Agriculture
21 responded at all? On page 4 it says although the host
22 site is currently supporting only -- the Council should
23 solicit the input of the Department of Agriculture. If
24 we did and we haven't gotten anything back -- have you

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1 guys gotten any feedback?

2 MR. LANDINO: We have not received
3 anything to date.

4 MR. TAIT: Thank you.

5 CHAIRMAN STEIN: Mr. Ashton.

6 MR. PHILIP T. ASHTON: Thank you. On the
7 site grading and drainage and utility plan, which have --
8 I need a little clarification. As I understand it, the
9 total -- the control house is at the very south end of
10 the site and that you have a maintenance building that's
11 shown in the red block. Is that correct?

12 MR. LANDINO: Yes.

13 MR. ASHTON: Okay. Are there going to be
14 various sub-control structures scattered throughout the
15 fields where you're going from DC to AC?

16 MR. LANDINO: There are inverters, but
17 maybe Andrew or Chris -- Chris Albino would probably be
18 more --

19 MR. ASHTON: Fine.

20 MR. ALBINO: Yes, there are inverters
21 scattered about the arrays.

22 MR. ASHTON: And they're not shown on
23 here?

24 MR. ALBINO: Yes, they are. They are in

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1 the red rectangles --

2 MR. ASHTON: Oh, the red -- okay. At the
3 lower -- at the west side of the field, is that it?

4 MR. ALBINO: Correct.

5 MR. ASHTON: Okay.

6 MR. LANDINO: And they're in cabinets,
7 right --

8 MR. ASHTON: Yeah. It's a metal --

9 MR. ALBINO: Yeah.

10 MR. ASHTON: I understand. The -- has --
11 has anybody examined whether or not in the morning sun
12 there would be any reflection off of the solar panels on
13 any of the abutting properties, any glare?

14 MR. LANDINO: The panels are all oriented
15 away from --

16 MR. ASHTON: Yeah, they're tipped to the
17 south --

18 MR. LANDINO: Yeah --

19 MR. ASHTON: -- which if you get the right
20 solar insulation, could that possibly come up and --

21 MR. CHESTER: Maybe I can answer that.
22 Typically the solar panels are designed to absorb all
23 sun, so they also have a plastic coating on top of them
24 that will reduce any glare. And other than that, they've

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1 never been known to have any reflective properties.

2 MR. ASHTON: Okay. This grade drainage --
3 grading and drainage and utility plan shows some pretty
4 severe and pretty significant fills near the temporary
5 construction road and not far from the permanent access
6 road. Where -- what -- where are you getting that fill
7 from? You're just going to scrape the field and push it
8 to the west? Is that the idea?

9 MR. LANDINO: Yeah, the intention is to
10 leave the site in as natural state as possible and to --
11 in the field make the call as to where grades need to
12 change in order to accommodate the racking for the solar
13 modules. The grading plan is meant to be kind of a
14 suggested grading. And it's -- it's absolutely meant to
15 show a balanced condition where there's no imported or
16 exported materials. It's just basically pushing dirt
17 around to make it work within the tolerances of the
18 racking system.

19 MR. ASHTON: Have you done any cross-
20 sections through that -- through those fills to show what
21 they look like? I'm looking at --

22 MR. LANDINO: Ray -- Mr. Gradwell. Yeah,
23 we have.

24 MR. GRADWELL: We have done sections, Mr.

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1 Ashton. They weren't included as part of the document.
2 We have sections we've drawn in-house to make sure of the
3 constructability of the field from east to west as well
4 as north to south. So as we were developing the plans,
5 we were cutting sections in periodic locations to make
6 sure --

7 MR. ASHTON: Would --

8 MR. GRADWELL: -- the site would be
9 buildable.

10 MR. ASHTON: Would it be reasonable to
11 file a couple of those, not every one, but that are
12 representative of the most significant fill?

13 And the other -- I've got a couple of
14 other alternatives that I wondered about. Have you
15 thought about (a) eliminating the westerly most row near
16 where the construction access is, and would that
17 eliminate the need for some fill?

18 And question 2, if you stepped the -- you
19 know, had a stepped grading plan, would that (a) give
20 you adequate area for installation of panels but at the
21 same time cut down the amount of fill you've got -- or
22 cut down the amount of cutting and filling you've got to
23 do?

24 MR. ALBINO: We were trying to get to a

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1 certain number of panels, so we're trying to maximize the
2 site --

3 MR. ASHTON: Yeah, I -- I can understand
4 that --

5 MR. ALBINO: -- your suggestion certainly
6 --

7 MR. ASHTON: -- but instead of doing this,
8 could you do this?

9 MR. ALBINO: Well they are -- although --
10 what you're saying is a stepped version, and this is
11 pretty a linear graded version, but the panel sections
12 will actually do that stepping --

13 MR. ASHTON: Okay --

14 MR. ALBINO: -- doing a drastic step would
15 create a shading problem at some portion of --

16 MR. ASHTON: Yeah, I understand you don't
17 want to create a shadow, so that's another --

18 MR. LANDINO: To your point though, Mr.
19 Ashton, there may be some switching of panels, to move
20 some of them more to the north -- to the north --

21 MR. ASHTON: Mmm-hmm --

22 MR. LANDINO: -- that would lessen some of
23 that impact, and we could look at that. We've -- we've
24 been playing around with some of that ourselves to try to

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1 lessen that impact.

2 MR. ASHTON: I was going to say -- there's
3 also an economic impact --

4 MR. LANDINO: There is and the cost --

5 MR. ASHTON: -- moving dirt doesn't come -
6 -

7 MR. LANDINO: Yeah. The plan makes it
8 look worse than it is because the site is -- really we're
9 maintaining the natural grade --

10 MR. ASHTON: Yeah --

11 MR. LANDINO: -- for most of the site.
12 It's really just in that one corner --

13 MR. ASHTON: Yeah --

14 MR. LANDINO: -- that it gets severe.

15 MR. ASHTON: Okay. Going back to the
16 interconnection with Connecticut Light and Power, the key
17 on this utility plan shows a red line with interspersed
18 along it OH, which is indicative of an overhead utility
19 line. I couldn't find it. Where's the utility line?

20 MR. ALBINO: It comes along the access off
21 of Walnut Hill, the construction access in the middle of
22 the site. There's a short little stretch that gets you
23 up --

24 MR. ASHTON: I don't see it. I see -- oh,

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1 it comes along the construction access area?

2 MR. ALBINO: Correct.

3 MR. ASHTON: Oh, okay. It didn't have the
4 OH in the middle of the line. I guess that's what was
5 fooling me --

6 MR. ALBINO: It's there. It's just too
7 small to read on this particular plan.

8 MR. ASHTON: Yeah, I'm not -- I'm not
9 complaining about the drawing. What's the voltage of the
10 incoming connection? Is it 23-kV?

11 MR. ALBINO: Actually that is part of the
12 line study that CL&P is doing right now.

13 MR. ASHTON: Well they have it pretty well
14 established around here now, I can -- I'm sure that's the
15 case. I saw somebody nodding 23-kV is in the area.

16 MR. ALBINO: It will likely be that.

17 MR. ASHTON: Do you know or not?

18 MR. ALBINO: It's part of that study that
19 we haven't gotten yet from CL&P.

20 MR. ASHTON: Okay, I'll hold my -- and
21 obviously it's going to have to be a three-phase
22 interconnection --

23 MR. ALBINO: Correct.

24 MR. ASHTON: Is there any ground cover

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1 underneath the panels?

2 MR. LANDINO: That was the chips and/or no
3 mow grass, so --

4 MR. ASHTON: Okay. That's under the
5 panels --

6 MR. LANDINO: Under the panels
7 absolutely.

8 MR. ASHTON: Okay. And the no mow grass
9 will survive in no direct sunlight --

10 MR. LANDINO: That's what we've been told.
11 So our view is to start -- to maximize the use of the
12 chips --

13 MR. ASHTON: Okay --

14 MR. LANDINO: -- and to the extent that we
15 have enough, we'll do that everywhere. If we don't, then
16 we'll use the no mow mix.

17 MR. ASHTON: Thank you. Those are my
18 questions.

19 CHAIRMAN STEIN: The question that Mr.
20 Ashton raised about those sections, would you -- is there
21 any possibility of getting them before the close of the
22 hearing today or are they --

23 MR. ALBINO: Seeing that the engineer is
24 in the room, not likely.

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1 CHAIRMAN STEIN: Not likely? Okay.

2 MR. LANDINO: You mean tonight, after
3 7:00?

4 CHAIRMAN STEIN: Yeah, so we can avoid a
5 late filing.

6 MR. LANDINO: Can we -- can we have
7 something printed out by tonight?

8 MR. ALBINO: By tonight?

9 MR. LANDINO: Yeah.

10 MR. ALBINO: I think we could do that.

11 MR. LANDINO: Yeah.

12 CHAIRMAN STEIN: That would be helpful.
13 Okay. Dr. Bell.

14 DR. BARBARA C. BELL: Thank you, Mr.
15 Chair.

16 Just a couple of housekeeping details
17 first. Do you have a page missing after page 3 of the
18 narrative?

19 MR. HOFFMAN: No, Dr. Bell. That's what
20 happens when a lawyer runs a color printer -- (laughter)
21 -- the -- the electronic version that the Siting -- this
22 was brought to my attention today -- the electronic
23 version that the Siting Council has of the petition is
24 the complete petition, the one that's up on the website.

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1 Unfortunately in changing the formatting from the black
2 and white printer to the color printer, one sentence off
3 of the top of page 4 was removed. If -- if the Council
4 wants, I will find out what that sentence says and read
5 it into the record, but it is one sentence and not one
6 page.

7 DR. BELL: Okay, that's good. But I do
8 think that it has some information in there that is
9 important, such as what portion of the project is -- the
10 -- the indication of acres that the project is going to
11 be constructing and the acres of the solar panels, which
12 is a question that would be important, so I'll just ask
13 it right now, failing that line, I believe -- I don't see
14 a statement of those numbers. How many acres are going
15 to be affected -- of the 75, roughly 76, overall how many
16 acres will be affected by construction and how much
17 specifically solar panels?

18 MR. HOFFMAN: Dr. Bell, if you look at --
19 on page 3 at the bottom, paragraph C where it says key
20 project elements, the second line is approximately 35
21 acres of the property will have solar panels on it. So
22 that is there in the record.

23 DR. BELL: Okay. Alright, then that's --
24 then that's not in the missing line?

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1 MR. HOFFMAN: No, ma'am.

2 DR. BELL: Okay. So 35 acres have solar
3 panels. And -- so what area -- I'm assuming if you count
4 in the roads going around and so forth, what number
5 greater than 35 would be that number?

6 MR. GRADWELL: Dr. Bell, could you please
7 repeat that question?

8 DR. BELL: The whole -- the whole property
9 is 76 acres.

10 MR. GRADWELL: Correct.

11 DR. BELL: Some smaller number would be
12 the total area that you're going to have construction
13 activities on --

14 MR. GRADWELL: That's correct --

15 DR. BELL: -- and then some -- the third
16 smaller number would be the -- just the simple area with
17 solar panels on it and nothing else, not counting the
18 roads or the control structure or anything else. So I'm
19 looking for those -- the two numbers, less -- that are
20 lesser numbers than 76.

21 MR. GRADWELL: Yeah. The -- the
22 construction area is approximately -- as Mr. Hoffman --
23 or Attorney Hoffman said is about 35 acres --

24 DR. BELL: Okay --

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1 MR. GRADWELL: -- the area for the
2 photovoltaic cells themselves is likely around 30 acres -
3 -

4 DR. BELL: Okay --

5 MR. GRADWELL: -- there's about five acres
6 of external work that we're doing --

7 DR. BELL: Five, fine --

8 MR. GRADWELL: -- the slopes and --

9 DR. BELL: -- okay. That's good. Now my
10 understanding --

11 MR. HOFFMAN: If I may?

12 DR. BELL: Yeah.

13 MR. HOFFMAN: The -- the line that is
14 missing on the top of page 4 is that the solar panels
15 cover, according to the petition, actually 27 acres --

16 DR. BELL: Okay --

17 MR. HOFFMAN: -- of that 35. And also
18 that the property is in a rural district zone, zoned RU-
19 40. The line verbatim is solar panels covering
20 approximately 27 acres, the property is in a rural
21 district zoned RU-40.

22 DR. BELL: Thank you. My understanding is
23 that the project that we're looking at is somewhat
24 different from the project that was submitted to DEEP,

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1 and approved by DEEP. So my question is, is there any --
2 or my first question about that is, is there a
3 difference in the number of solar panels in the project
4 submitted to DEEP as opposed to this project we're
5 looking at?

6 MR. LANDINO: I'm not sure what the
7 difference is, I don't know -- but there's -- the solar
8 panels are pretty much exactly the same. I don't want to
9 say that unless someone else verifies that. What -- what
10 differences were there in the application? And I didn't
11 know we submitted --

12 DR. BELL: Well the --

13 MR. LANDINO: There's no -- there's no
14 DEEP submission --

15 A VOICE: No --

16 MR. LANDINO: -- because there's no
17 wetland impacts or outside of the hundred-foot buffer.

18 DR. BELL: Okay, what I'm looking at --
19 when I say my understanding, what I'm looking at is -- in
20 your Exhibit B of the application you have a portion -- a
21 stapled together portion that says the East Lyme Solar
22 Park. And in there on page 9 there's a diagram of the
23 site --

24 MR. LANDINO: Okay --

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1 DR. BELL: -- and that diagram is
2 different from the diagrams that we're looking at here
3 that you gave us -- that you've given us several --

4 MR. LANDINO: I see --

5 DR. BELL: -- a lot of versions of,
6 because it doesn't have -- it's -- it's a -- the diagram
7 that's in this East Lyme Solar Park submission is
8 basically an east/west oriented -- well actually -- yeah,
9 there's no north arrow on the diagram, so I -- I tried to
10 figure it out -- but it's basically an east -- an
11 east/west -- it doesn't have the southern --

12 MR. LANDINO: Correct --

13 DR. BELL: -- the basic difference is it
14 doesn't have the southern portion.

15 MR. LANDINO: Right. I thought you meant
16 a regulatory submission. That drawing shows the original
17 parcel that we owned as part of the approved subdivision.
18 We subsequently added the additional land that's
19 triangular shaped in nature that makes up the balance of
20 the site.

21 DR. BELL: Right, but that was -- so was
22 that part of the property added -- was that part of the
23 submission to DEEP --

24 MR. LANDINO: No, that was --

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1 DR. BELL: -- or did that happen -- that
2 happened afterwards, right?

3 MR. LANDINO: No, it was under control --

4 DR. BELL: Okay --

5 MR. LANDINO: -- but we didn't identify it
6 as part of the property because we didn't think we would
7 need it. We had it under contract. We didn't actually
8 own it. When it turned out that we needed it, when it
9 became clear that the physical requirements exceeded the
10 original parcel, we purchased that property in
11 anticipation of completing this application, but we had
12 it under control at that time, if that makes sense. We
13 had it under contract to purchase. We just didn't
14 identify it as such as part of the original application.

15 DR. BELL: But what I'm trying to get at
16 is when you submitted the proposal to DEEP, did you have
17 -- had you mapped out all the solar panels that you were
18 going to need for providing five megawatts of power onto
19 the smaller piece of property or was that --

20 MR. LANDINO: We -- we --

21 DR. BELL: -- that wasn't --

22 MR. LANDINO: No, we --

23 DR. BELL: -- that wasn't required?

24 MR. LANDINO: If you'll recall, we did --

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1 we had about two weeks to do the entire submission. The
2 time frame was incredibly short. We did a rough layout.
3 And we thought in fact that we could make it work. After
4 the post-submission and we realized we needed more land,
5 we had that additional land under control and we knew
6 that going in, so we expanded the system to incorporate
7 that.

8 In addition, we also had -- we were in
9 discussions and had a contract with the Town of East Lyme
10 to install a one-megawatt system that would require
11 virtual net metering. We executed a contract with the
12 town and that one megawatt of panels is going to go on
13 the balance of our land. So we were originally planning
14 this to be a six-megawatt total field. When the
15 legislature did not pass the virtual net metering portion
16 of the solar bill last year, that opportunity, you know,
17 did not materialize. So what also became clear during
18 the course of planning is that to properly space the
19 panels to have access roads, to have them set up in a way
20 that made sense, that the original parcel was just too
21 small. And it wasn't able to be confirmed with the
22 limited due diligence we were able to do within the two
23 weeks or so that we had to submit the bid.

24 DR. BELL: Okay, thank you. That also

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1 answers another question I had in the course of it about
2 why you were talking about six megawatts, but -- so,
3 thank you --

4 MR. LANDINO: Yeah -- yeah --

5 DR. BELL: -- you actually answered two
6 questions in one.

7 I note from your completed project list,
8 which is also in one of the -- in one tab of the original
9 application, that mostly you do commercial and municipal
10 sized projects. And I saw that several of them were on
11 roofs and so forth. And I just wanted -- it seemed to me
12 that this was certainly the largest by far project that
13 you had done because all the -- on the list of projects
14 that you submitted they didn't come quite to five
15 megawatts. I think it was four point something or other
16 was the total there.

17 MR. LANDINO: Yeah.

18 DR. BELL: So this seems to be
19 considerably larger than any of the other individual
20 projects you've done. And I just wondered what you would
21 cite as your experience in site development for solar
22 projects of this size?

23 MR. LANDINO: That might take a few
24 minutes. We have under contract approximately 35

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1 megawatts more -- maybe Andrew, you could tell us what
2 our current pipeline is --

3 MR. CHESTER: Yeah. If I could maybe take
4 a step back. This was submitted in 2011. And through
5 the year of 2012 we installed an additional eight
6 megawatts, bringing our overall total up.

7 You are correct in assuming that the
8 typical size that we have been installing is around 500
9 kilowatts. To that point, if you look at the plans that
10 you have in front of you, this system is basically a
11 repeat of 500 kilowatt systems. So we have 500 kilowatt
12 inverters that we are familiar with that our construction
13 teams and superintendents are all familiar with as well.
14 So where -- it is a larger system in total. It's very
15 similar to what we typically do. And so where Bob was
16 headed with our current pipeline, we have several one-
17 megawatt and mostly megawatt projects under contract and
18 in development that are very similar, if not identical to
19 this project. And that pipeline is in several different
20 states and exceeds 50 megawatts.

21 MR. LANDINO: Right now we're working, you
22 know, from Georgia to Massachusetts, and working on
23 several very large projects.

24 I would also say -- to add to the

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1 qualifications part, I've spent my entire life in land
2 development and civil engineering. I'm a professional
3 engineer and was a part of BL actually originally for 22
4 years, so the land portion of this is something that I've
5 spent most of my personal career with. And our team
6 that's assembled, which includes BL Companies and civil
7 engineers that are on staff at Greenskies and Center Plan
8 have all done a significant amount of land grading and
9 drainage and sedimentation and erosion control through
10 the last quarter century. We have our own construction
11 company, which most developers don't. So other
12 applications that you might see would have developers
13 hire contractors and rely on their expertise. We are a
14 design, build, own and manage operation vertically
15 integrated, albeit smaller than most, but we take every
16 piece seriously and do it in-house. And so we have kind
17 of a very unique perspective from many of our competitors
18 in that we control the process through inception to
19 stabilization. So with that we've been able to attract
20 very large clients like Wal-Mart and Target and some
21 states and municipalities that are giving us multi-
22 megawatt commitments and we're competing and typically
23 leading much larger competitors because of our expertise
24 and our track record.

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1 DR. BELL: Thank you. I have a question
2 regarding the output of the power. You say in Exhibit B
3 of the application that all the power will go to CL&P.
4 Okay, I understand that. But on page 3 of the narrative
5 you say that the qualifying capacity will go to ISO New
6 England. So I'm wondering how is it -- how is this
7 actually happening? Are you bidding the capacity on this
8 project into the -- into ISO's forward capacity market or
9 does CL&P who gets the power bid it in, or how does it
10 work?

11 MR. CHESTER: No, our -- our agreement is
12 with CL&P to sell kilowatt hours at a fixed rate that you
13 see in the proposal in front of you over a 20-year
14 period. They will then report and take that to ISO New
15 England, who we have to meet certain qualifications in
16 our design, but they take the -- they will report the
17 capacity to ISO.

18 MR. LYNCH: Mr. Chairman. Could I just
19 follow up, Dr. Bell?

20 So you don't have to go to the cue, to the
21 ISO to get a need analysis or anything? And if that's
22 the case, how do you -- you're a peaking plant, how do
23 you get dispatched?

24 MR. HOFFMAN: The long and short of it is

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1 because we're a renewable, we don't have to go to the ISO
2 cue. And renewables are treated differently than your
3 traditional fossil fuels. So the long-term bilateral
4 agreements supersedes the needs of peaking and everything
5 else.

6 MR. LYNCH: But you -- Mr. Hoffman,
7 correct me if I'm wrong, but doesn't -- aren't you still
8 dispatched by the ISO once you qualify for --

9 MR. HOFFMAN: Well you can't dispatch a
10 solar on-call like you can other things because --

11 MR. LYNCH: Okay --

12 MR. HOFFMAN: -- they can't turn a switch
13 in Holyoke and turn on this plant like they can say in
14 Milford or -- so it's a -- it's a different sort of
15 dispatch altogether.

16 MR. LYNCH: Yeah. I was confused when I
17 was reading it. Thank you very much for explaining that.
18 Thank you, Dr. Bell.

19 DR. BELL: No problem. But just in trying
20 to stick with this, so the statement that all the
21 capacity -- you're allocating the capacity to ISO, it's -
22 - that's really gratuitous in a sense because basically
23 you're selling the power to CL&P, and CL&P takes it from
24 there --

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1 MR. HOFFMAN: Well -- but the important
2 thing to remember is that CL&P is able to use solar as a
3 load reducer because solar tends to be generated and --
4 during New England's peak demand time. So when you have
5 a hot sunny August day, the solar array will be at its
6 most efficient and you will wind up acting as a load
7 reducer for that. And that's part of what happens with
8 the Section 127 contracts that were approved by both --

9 DR. BELL: That I understand completely -
10 -

11 MR. HOFFMAN: Okay --

12 DR. BELL: -- I'm just trying to work out
13 -- to -- to work with that statement that's in there
14 which now seems a lot more difficult to interpret --
15 we're going through the process of interpreting and so I
16 understand.

17 MR. HOFFMAN: Okay.

18 DR. BELL: Thank you. In terms of the
19 environmental benefits from the project that are listed
20 in the narrative, you state that the project compares
21 favorably with fossil fuel alternatives. Now certainly
22 we all know that solar power doesn't cause as much
23 pollution as fossil fuel alternatives, but just to try to
24 get a little perspective on this, my simple question is

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1 traditional fossil fuel alternatives, which is the phrase
2 that you use there, what do you mean by that? What is
3 that -- we -- are you talking about coal? Are you
4 talking about oil? Are you talking about gas or are you
5 talking about an average of those? And if so an average,
6 what -- whose figures are you using as a comparison for
7 the amount of fossil fuel that you're displacing? Do you
8 see what I'm asking?

9 MR. HOFFMAN: Well I guess I would start
10 by asking are you talking about the numbers that are on
11 page 10 to page 11 --

12 DR. BELL: Yes --

13 MR. HOFFMAN: -- just so we're all talking
14 about the same --

15 DR. BELL: -- page 10, yes.

16 MR. CHESTER: Okay, I see. There are many
17 different calculation tools that we use in the renewable
18 industry. And typically -- and what we see here is from
19 INRL. So we have gone on and we do simulations on a tool
20 called SAM, Solar Advisory Model, and it's produced from
21 the National Renewable Laboratories, and it allows you to
22 both show production in a given area and it also allows
23 you to cross-reference that with offsets; how many trees
24 it would save, how many, you know, barrels of oil it

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1 would offset. So that's -- that's where those numbers
2 are derived from.

3 DR. BELL: Okay, so the conversion
4 factors, the number of tons of carbon dioxide displaced,
5 and all those numbers that you just mentioned, the trees,
6 the cars off the road, they come from that SAM model from
7 INRL?

8 MR. CHESTER: There are many different
9 universities and think-tanks that produce this. And this
10 is from that one, from INRL, through the Solar Advisory
11 Model.

12 DR. BELL: Okay. I -- thank you for
13 answering that question. I know there are a lot of
14 different ones --

15 MR. CHESTER: Mmm-hmm --

16 DR. BELL: -- EPA -- the Federal EPA has
17 its own conversion factors and so forth. I think it
18 would be a help -- it is a help to people like us who are
19 having these figures thrown at us to know where they came
20 from, to get that source in some way because we all know
21 that there are a lot of different figures possible to
22 use, all quite justifiable. It's not as if there's only
23 one accurate -- there's a whole bunch of assumptions in
24 those figures and so it helps for us just to get a sense

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1 of where we are in this universe of estimating
2 environmental benefits and what point are we starting
3 from, that's all.

4 MR. CHESTER: Okay.

5 DR. BELL: Those are my questions, Mr.
6 Chair, thank you.

7 CHAIRMAN STEIN: Thank you. Senator
8 Murphy.

9 MR. MURPHY: Thank you, Mr. Chairman. The
10 letter from DEP giving their comments was -- is -- was
11 dated yesterday. I think really we've got to perhaps
12 review and address those as best we can and I realize --
13 it didn't the thing until I sat down here myself -- but
14 there's a comment starting on page 4 -- and as the
15 Chairman has indicated, we're not looking for any late
16 files after today, so maybe as best you can knock of the
17 comments now. And if you need to do something before we
18 adjourn tonight, maybe we can wrap them up --

19 MR. HOFFMAN: Senator Murphy, I would -- I
20 would -- you were handed a document today that is our
21 response to the DEEP's comments --

22 MR. MURPHY: Okay -- well I haven't gotten
23 to that --

24 MR. HOFFMAN: Understood you were handed

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1 it an hour ago, but we believe that that addresses --

2 MR. MURPHY: All the items in there?

3 MR. HOFFMAN: We believe so, yes.

4 MR. MURPHY: Most of them you've already
5 covered, like the chips and no now grass and what have
6 you, alright. Well I apologize for not seeing your
7 response, but I -- I haven't seen it, so --

8 MR. HOFFMAN: That's quite alright. We
9 were only given a day to come up with it, so we did our
10 best.

11 MR. MURPHY: Okay. I'm sure you did a
12 fine job. Okay.

13 I have no other questions then, Mr.
14 Chairman. Thank you.

15 CHAIRMAN STEIN: Thank you. Director
16 Caron.

17 MR. MICHAEL CARON: I have no questions,
18 Mr. Chairman.

19 CHAIRMAN STEIN: (Indiscernible) --

20 MR. ROBERT HANNON: Thank you, Mr. Chair.
21 Just for the record, my understanding is -- and this is
22 based on the March 13, 2013 letter from DEEP -- my
23 understanding is that the Natural Diversity Database
24 folks have in fact received the report, and they will be

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1 reviewing that, and there may be some comments subsequent
2 to their review, but they have in fact received it.

3 I want to start off by just sort of
4 following up with a couple of questions I asked out in
5 the field. One of the issues that I was looking at ties
6 in with the comments earlier about the steep slopes in a
7 couple of areas, and I had some questions about the
8 permanent turf reinforcement material that was being
9 proposed. I've also seen in the past reverse slope
10 benches used. So can you talk a little bit about that in
11 terms of the material that's being proposed to stabilize
12 the embankment and whether or not reverse slope benches
13 might work in that area?

14 MR. GRADWELL: With respect to those two
15 areas, the one on the southeast and I think on the
16 southwest corners of the site, the drainage areas that
17 would be tributaries to those slopes are very, very
18 small, most of the water will flow north or south away
19 from those slopes. So the slopes will be protected
20 themselves by minimizing any drainage or any water that
21 flows across those slopes.

22 And then the slopes will be protected with
23 another measure, another permanent soil stabilization
24 measure such as that permanent erosion control blanket

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1 that we're proposing, it's a P300 North American green.
2 So that will be a permanent measure stapled to the earth
3 to allow the soil to be stabilized underneath that
4 erosion control matting. So that's how we're proposing
5 to stabilize that area.

6 We didn't think the reverse bench was
7 necessary because it was such a small area on the site.
8 And to create a reverse bench you need additional further
9 space to do that. And also that reverse bench requires
10 some drainage to be installed, you know, another point
11 source. We kind of want to minimize any point sources
12 that would be leaving the site such as an all-fault. So
13 we chose not to create a reverse bench to create a
14 drainage point that would have to be protected with rip-
15 rap or anything like that.

16 So -- so we minimized the volume of water
17 going there by grading it away from the slope and then we
18 protected the slope with an erosion control mat.

19 MR. HANNON: Okay, so you did at least
20 though think about the reverse --

21 MR. GRADWELL: We did, correct.

22 MR. HANNON: Okay, that's fine. Another
23 question that I was asking about as we were out walking
24 the site is there are a bunch of like white stand pipes,

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1 and I was just specifically asking what those were for?

2 MR. LANDINO: Yeah, they all relate to the
3 original subdivision that was approved, again I believe
4 it was 2006, possibly '07, but I think 2006. But they
5 were all part of the original -- there's no
6 environmental issues. They were all related to
7 permeability, perk tests, and test pits associated with
8 septic design.

9 MR. HANNON: Okay. Then the last comment
10 that I made -- I'll actually go back to the petition of
11 GRE 314, part of the original submittal, and I think it's
12 sort of the overview, and on page 20, the first line
13 under community relations and public input, I believe
14 there's a typo, it should be GRE and not BNE, so --

15 MR. ALBINO: You are correct, sir, that is
16 a typo, it should be GRE.

17 MR. HANNON: Then to follow up on a
18 question that was asked earlier dealing with the multi-
19 floral rose, saying that herbicides may be required, if
20 that is in fact the case, would you be -- and I don't
21 know if you can answer this or if you'd leave it up to
22 the applicators, but do you have any idea whether or not
23 it would be spray or painted?

24 MR. KLEIN: Mr. Chair -- or sorry -- Mr.

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1 Hannon, it would be left up to the applicator. The -- my
2 first impression is that due to the fact that these spot
3 treatments would be conducted in and around the existing
4 arrays that would be already in place, cutting is
5 probably not the first choice. It would probably be
6 spray --

7 MR. HANNON: Okay --

8 MR. KLEIN: -- but it's going to be the
9 applicator's choice.

10 MR. HANNON: Being sort of the newest
11 member up here, this is a question I have that other
12 people may know, but on page 8 of this document you talk
13 about state-of-the-art anti-islanding features. What is
14 that?

15 MR. ALBINO: It's measures within the
16 electrical system that will force the system into
17 protection when it sees fluctuations in things like
18 voltage.

19 MR. HANNON: Okay. I just had no clue
20 what you were referring to there.

21 On the -- okay, then let me go back to
22 page -- on page 7, the anticipated useful life of the
23 project is 25 years. At the end of the useful life, what
24 is the intention of dealing with everything that's on the

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1 site?

2 MR. LANDINO: Well our first intention
3 would be to ask CL&P if they keep wanting to buy power
4 from us. But assuming that's not the case, we would
5 restore the site. You know, remove the panels, dispose
6 of them properly, and then go back to the neighborhood
7 and ask them if they want to see a subdivision -- just
8 kidding -- but you know, then it would -- then it would
9 be land available for future use, yeah.

10 MR. HANNON: Okay.

11 MR. ASHTON: Could -- could you not
12 replace the panels with new ones?

13 MR. LANDINO: You know, there's -- there's
14 not -- at least my -- I've been involved in this business
15 now for almost five years, so I'm still a baby in some
16 places, but there's not a lot of documentation to show
17 what happens to these things after 20 or 25 years, but
18 the degradation seems to be conservatively estimated.
19 And by everyone's estimation so far -- and Andrew would
20 probably know better than I -- even though he's younger,
21 he's much more knowledgeable -- but it seems that the
22 degradation will likely not be nearly what the experts
23 and designers think it will be, and the panels will still
24 be extremely functional at that time. And if they are,

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1 there should be an opportunity to keep generating
2 electricity for someone -- perhaps the town, but
3 certainly for someone.

4 MR. LYNCH: Mr. Chairman.

5 CHAIRMAN STEIN: Mr. Lynch.

6 MR. LYNCH: Just to follow up on that
7 theme, Mr. Chester, you were going to answer and go ahead
8 if you want?

9 MR. CHESTER: No, I'm fine.

10 MR. LYNCH: In the world of technology, I
11 guess it's More's Law or More's Principal that everything
12 changes after 18 months or two years. Now if you -- if
13 your project -- if a new bounce trap comes along five
14 years from now that are better solar panels that can
15 increase your output from maybe five megawatts to ten
16 megawatts, would it behoove you to retool and replace
17 these panels? I don't know what the capital cost might
18 be, but I know you've got to take that into
19 consideration, but would that be something you would
20 consider as you go -- 20 years is a long time and the
21 technological world changes instantly almost.

22 MR. CHESTER: To your point, they have
23 been getting more and more efficient. The technology has
24 remained static for the past several decades. It's still

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1 silicon, you know, ingots cut into thin wafers, but they
2 do get more efficient. So what we've seen over just our
3 short five years of developing these is yes they've --
4 they're able to produce more watts, but they still work.
5 So when you're putting -- you tell CL&P you're putting up
6 five megawatts, if we find technology that is more
7 efficient that would allow us to put up ten megawatts, it
8 would be a discussion that we would have to have with the
9 power company.

10 But what I was going to say earlier and is
11 kind of still relevant is there are also abilities to
12 recycle solar panels. It can be -- all components can be
13 broken down, the silicon can be remelted and turned into
14 ingot again in its rawest form and recut into new solar
15 panels. So there are several companies that are
16 recycling solar panels. So that is another option for us
17 as well.

18 MR. LANDINO: And to --

19 MR. LYNCH: Thank you, Mr. Chester. Thank
20 you -- go ahead, Mr. Landino.

21 MR. LANDINO: I was just going to add the
22 only way we see technology kind of radically changing in
23 the industry is if you can produce the same amount of
24 power in a much smaller area. And that would just simply

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1 be a -- that would be a business decision at the time
2 that that technology might be available --

3 MR. LYNCH: That was actually the second
4 part of my question, but --

5 MR. LANDINO: And CL&P would have to be
6 extremely cooperative in that endeavor and trying to
7 amend whatever agreement we had, to either increase the
8 amount of power we sell to them or do it over a smaller
9 system.

10 MR. LYNCH: Thank you for adding that.

11 MR. LANDINO: Yeah.

12 COURT REPORTER: One moment please.

13 (pause - tape change)

14 CHAIRMAN STEIN: Mr. Hannon again.

15 MR. HANNON: On the Natural Resource
16 Inventory and Impact Assessment, I have a question -- or
17 this is an inconsistency -- I kind of read it that way --
18 on page 24, this deals with I think the no mow seed, and
19 you say the seed mix chosen does not require irrigation
20 or fertilization. But on page 27 you say that it doesn't
21 require regular mowing, fertilization, or pesticide
22 application. To me, I read those as two different
23 scenarios.

24 MR. KLEIN: Mr. Hannon, I think it -- it's

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1 poor English sentence construction perhaps. The -- it
2 doesn't require regular mowing. It doesn't require
3 irrigation or fertilization --

4 MR. HANNON: It does or does not?

5 MR. KLEIN: It does not.

6 MR. HANNON: Okay.

7 MR. KLEIN: Those two thoughts got meshed
8 together in the sentence --

9 MR. HANNON: That's fine, that's --

10 MR. KLEIN: -- and it's poorly
11 constructed.

12 MR. HANNON: That's what's on the record,
13 so I'm happy with that.

14 The next question kind of goes back
15 between the Natural Diversity Resource Inventory and the
16 stormwater management report, and to me it looks like
17 there's a loose use of ponds and basins. And as a
18 result, this is very confusing. For example, dealing
19 with the Natural Resource Inventory, you talk about
20 several ponds on the site, some of them are shallow dug
21 ponds and things of that nature. But yet with the
22 stormwater management report, you're using the terms
23 interchangeably and it does cause some confusion. So I
24 just want to make sure that when you're talking about

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1 the detention systems, those are in fact constructed
2 basins?

3 MR. KLEIN: That's correct. None of the
4 preexisting wetlands or ponds on the site will be used as
5 part of the stormwater management system.

6 MR. HANNON: Okay. Then also following up
7 on that, you talk about for the catch basins they're
8 going to be inspected every four months, with one
9 inspection occurring during the month of April, which is
10 fine. But if I'm reading the plans correctly, those
11 catch basins are actually in the detention basin. So if
12 you're going to be out there inspecting the catch basins,
13 I would think that you would also be inspecting the
14 basins. So that's why -- on page 5 of 6 in this plan it
15 talks about the detention basin shall be inspected a
16 minimum of two times yearly. And I'm thinking that that
17 should really be consistent with what's being done for
18 the drainage basins.

19 MR. LANDINO: I could probably take a stab
20 at that. When we first construct the detention system,
21 we probably would review it quarterly, and that's likely
22 what was noted in what you read. Once we understand the
23 stability of the system, we would reduce it to twice
24 annually if it was determined that sediment would likely

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1 not accumulate to levels that required maintenance during
2 those cycles. So we usually start every system with
3 quarterly monitoring and then decide if it continues to
4 be needed on a quarterly basis, then reduce it to no less
5 than twice a year if in fact it warrants a lesser
6 inspection interval.

7 MR. HANNON: Because I didn't see the
8 twice a year for the catch basins. I thought it was
9 pretty definitive and it was three times, so --

10 MR. LANDINO: Yeah --

11 MR. HANNON: -- obviously if you're doing
12 the basins --

13 MR. LANDINO: It makes sense for them to -
14 -

15 MR. HANNON: -- it should be tied in --

16 MR. LANDINO: They're all the same.

17 MR. HANNON: Yeah, so -- okay. Because my
18 eyes aren't that good, I went to the big plan and I do
19 have a couple of questions. Okay, one you've already
20 answered in dealing with the slopes, so I'm fine with
21 that.

22 I have a question for you. It looks like
23 where you have some of these drainage pipes with the rip-
24 rap at the end of those pipes. I was just trying to make

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1 sense of this because it almost looks like, at least
2 initially, there are no erosion and sedimentation control
3 measures down slope of those units. It looks like you
4 have that erosion and sedimentation control of silt socks
5 going up to a point, but yet it doesn't extend in that
6 outfall area. So can you explain that? And I'm -- I'm
7 looking specifically at page EC-6.

8 MR. GRADWELL: EC-6 you said?

9 MR. HANNON: Yes.

10 MR. GRADWELL: Well the reason -- there's
11 no sediment and erosion control measure at the outlet
12 itself. The sediment is -- will be collected and trapped
13 in the actual temporary sediment trap up-gradient of it.
14 So within each of those detention basins there is a
15 sediment check dam on the up-gradient side of the outlook
16 control structure, so we're -- that's where we're going
17 to capture the sediment. We want to capture it as far
18 away from the resource that we're protecting, which is
19 the wetland, as possible, so that's where we put that.

20 MR. HANNON: Yeah. I mean my concern is
21 more because of the construction of this going in --

22 MR. GRADWELL: Mmm-hmm --

23 MR. HANNON: -- you don't have any erosion
24 control measures in between where the pipe ends, the rip-

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1 rap goes in, which is a construction area, down to the
2 wetland. So I'm just wondering -- I mean the silt sock
3 is going to deteriorate anyways, so it acts as a good
4 natural barrier. I just thought it would make sense to
5 enclose that just so that with the construction you're
6 still not going to have any destabilization --

7 MR. GRADWELL: And -- and we can take that
8 silt sock and wrap it around that --

9 MR. HANNON: Yeah --

10 MR. GRADWELL: -- for protection, to add
11 another measure downstream.

12 MR. HANNON: Yeah. And the only other
13 question I had is -- if I'm reading everything correctly,
14 you are going to need at least one well on site,
15 correct?

16 A VOICE: (Indiscernible) --

17 MR. HANNON: Well -- because you're
18 talking about setting up a maintenance building that will
19 have lavatories, you're talking about a septic system, so
20 I'm assuming you need a well.

21 MR. LANDINO: Yes, the -- the building is
22 serviced by well and septic.

23 MR. HANNON: Okay. Would that be one of
24 those three proposed wells that you identified on the

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1 site?

2 MR. LANDINO: I'll let Ray answer, but I
3 believe that's separate from the three wells that are in
4 the field itself --

5 MR. HANNON: Okay --

6 MR. LANDINO: -- again from memory. Is
7 that right, Ray?

8 MR. GRADWELL: There's -- there's three
9 wells proposed on -- there's three wells proposed on the
10 site --

11 MR. HANNON: Mmm-hmm --

12 MR. GRADWELL: -- two of which would be
13 for maintenance purposes and one will serve the building.

14 MR. HANNON: Okay, that's fine, thank you.
15 I have no further questions.

16 CHAIRMAN STEIN: Thank you. Mr. Wilensky.

17 MR. EDWARD S. WILENSKY: Yes. Going along
18 with the -- with the wells and the water and all, is fire
19 protection needed? Is there anything combustible there
20 where fire protection would be needed?

21 MR. ALBINO: The only thing that would be
22 of combustible materials is the maintenance building,
23 which would be probably framed out of wood.

24 MR. WILENSKY: So as far as the panels,

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1 there's nothing that --

2 MR. ALBINO: There is not --

3 MR. WILENSKY: -- there's no danger of
4 that burning or anything like that -- what about a grass
5 fire?

6 MR. LANDINO: It's metal, glass, and sand,
7 you know --

8 MR. WILENSKY: Is there such a thing as
9 putting in the -- in the retention pond, putting in dry -
10 - dry hydrants? I imagine there's no -- there's no --
11 there aren't any fire -- any hydrants up through that
12 way, is that correct?

13 MR. ALBINO: I don't believe so.

14 MR. WILENSKY: Would you say that -- at
15 the end of -- in other words, there's no necessity for
16 extra fire protection, is that what you're saying?

17 MR. ALBINO: Correct.

18 MR. LANDINO: Yeah, we did not plan for
19 fire protection of the solar field itself.

20 MR. WILENSKY: You mentioned that the zone
21 is a rural zone. Does that -- does this project comply
22 with the rural zone?

23 MR. LANDINO: I don't --

24 MR. WILENSKY: In other words, is this

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1 project allowed in a rural zone?

2 MR. LANDINO: Zoning is a 40,000 square
3 foot per lot residential zone. There is no -- to my
4 knowledge there is no zoning ordinance in the Town of
5 East Lyme that even identifies photovoltaic solar. Now
6 that may have changed recently, but that was my
7 understanding as of about a year ago. And I'm not sure
8 if that's changed since then.

9 MR. WILENSKY: So in other words, it's not
10 disallowed?

11 MR. LANDINO: Well by -- I'm not a zoning
12 lawyer, but if it's -- if it's not an identified
13 permitted use, then it's not permitted. So you know,
14 virtually 95 percent of the towns -- or probably a
15 hundred percent of the towns in Connecticut don't have,
16 you know, solar as an identified use in zones yet. It's
17 coming, but I don't believe East Lyme has it yet.

18 MR. WILENSKY: Alright. Mr. Hoffman, I
19 know you're not a witness, but I do want to go back to
20 you and you answered a question before about this
21 peaking. Is this a peaking plant or this is --

22 MR. HOFFMAN: No --

23 MR. LANDINO: Could I -- could I --
24 there's one follow-up that I remember. This is a -- this

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1 can be interpreted to be interpreted to be a utility --

2 MR. WILENSKY: Yes --

3 MR. LANDINO: -- which is permitted in the
4 zone. So if you stretch the interpretation of the zoning
5 regulations, you could probably find someone to say it is
6 permitted use. But there's no specific identification of
7 PV solar in that definition.

8 MR. WILENSKY: Thank you.

9 MR. HOFFMAN: A peaking plant denotes a
10 plant generally understood to be a plant that can respond
11 to peak demand --

12 MR. WILENSKY: Yes --

13 MR. HOFFMAN: -- as demand ramps up, the
14 plant can respond.

15 MR. WILENSKY: Yeah.

16 MR. HOFFMAN: Solar by definition is
17 dependent on how sunny it is, for lack of a more
18 technical term. So it's not -- it's not a peak plant.
19 However, CL&P views it as a load reducer during a peak
20 time because, generally speaking, the biggest peaks in
21 Connecticut happen on bright sunny hot days, which are
22 when solar is at its most plentiful. However, if there
23 was an extreme cold snap for example on a cloudy day in
24 January, it's not like an LM 6000 that you can simply

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1 turn on and act as a peak plant. There's no way to call
2 and dispatch this as you would a traditional peaker.

3 MR. WILENSKY: Even though you say that 80
4 percent of the electricity produced will be produced
5 during peak hours of demand, that still does not
6 designate a peaking plant then, is that what you're
7 saying?

8 MR. HOFFMAN: Yes, sir.

9 MR. WILENSKY: Now who calls for this
10 energy? In other words, you say you have nothing --
11 nothing to do with ISO?

12 MR. HOFFMAN: That's correct, because --
13 because it's a Class 1 renewable, it's treated a little
14 bit differently than if we were building a five-megawatt
15 micro-turbine on the same site. So the -- the -- the
16 contract is set up so that CL&P takes all of the output
17 of the facility, whether it's one kilowatt or it's five
18 megawatts, and they take it whenever the -- whenever the
19 property is generated. So we're not dispatched like a
20 traditional plant would be dispatched by ISO New England
21 --

22 MR. WILENSKY: Do they --

23 MR. HOFFMAN: -- if that makes sense.

24 MR. WILENSKY: Do they include this in

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1 their projection for energy that they have available to
2 the State of Connecticut or to anybody in the grid?

3 MR. HOFFMAN: You --

4 MR. WILENSKY: Is this part of their
5 projection?

6 MR. HOFFMAN: You would have to -- you
7 would have to ask CL&P about what they're doing to
8 project this. I don't honestly know.

9 MR. WILENSKY: Or even ISO's projection,
10 you would not know that either?

11 MR. HOFFMAN: Well this is part of -- this
12 is part of what CL&P is going to, I would imagine, send
13 to the PURA as part of its compliance with the renewable
14 portfolio standards.

15 MR. WILENSKY: Okay. Thank you, Mr.
16 Chairman.

17 CHAIRMAN STEIN: Mr. Lynch.

18 MR. LYNCH: Thank you, Mr. Chairman.
19 First, I'm applying for hazardous duty pay because I've
20 got two inches over here before I do a Louganis --
21 (laughter).

22 Most of my questions have been answered,
23 but I have a couple of minor ones here. Mr. Landino,
24 you mentioned that your starting time projection is like

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1 July 1st. If the CL&P feasibility study is not completed
2 in June like you project, how does that impact your
3 starting time?

4 MR. LANDINO: Just linearly when we get
5 that -- that's probably the last piece that we'll need to
6 project the starting date. Our -- our economic
7 underwriting, our construction documentation, our bid
8 processes and contracting is all geared towards a July
9 start date. If it turns out that for whatever reason the
10 Siting Council or CL&P or whatever ultimately delays that
11 projection, we'll just revise as -- as needed. Our goal
12 is to turn the switch on at the end of this year if at
13 all possible.

14 MR. LYNCH: And you also mentioned that
15 for the actual construction or development of this
16 project you're using your own company?

17 MR. LANDINO: Center Plan Construction --

18 MR. LYNCH: Yes --

19 MR. LANDINO: -- which is a related
20 company to Greenskies.

21 MR. LYNCH: So you're not subject to any
22 POAs or anything like that then?

23 MR. LANDINO: No -- actually though we are
24 in the process of working that out. You might -- you

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1 might be pleasantly surprised to find out who ends up
2 building this system.

3 MR. LYNCH: No comment.

4 MR. LANDINO: Yeah.

5 MR. LYNCH: And -- now is this a manned or
6 unmanned facility?

7 MR. LANDINO: It is unmanned, but with --
8 with periodic inspections and monitoring. The neat thing
9 about solar systems in general is that they're all
10 virtually monitored with alarms built in, so that if
11 efficiency falls off or if something happens that causes
12 the system not to operate, we immediately get a virtual
13 alarm, which we would respond to.

14 MR. LYNCH: You went further than I
15 thought. My question really pertained to why would you
16 need a maintenance facility with a restroom and a well if
17 it's unmanned?

18 MR. LANDINO: Yeah-- that's a very good
19 question. Actually, there's a little bit -- there's a
20 little bit of benevolence in this, not too much, but a
21 little bit -- our goal was to build an education center
22 too, so the building also has a second floor with a
23 meeting room. And our thought -- we believe it will be
24 an opportunity for schools and several groups to have an

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1 interest in viewing the system from a second floor and
2 seeing 30 plus acres of solar panels and getting a brief
3 overview of what the technology of PV solar is about.
4 And we feel -- as kind of a local pioneer in this
5 industry, we feel somewhat of an obligation to try to
6 bring this to a higher level with younger people, to have
7 it become a part of their lives. Not my idea, but his
8 idea, and his partner, all in their 20's, who have great
9 kinds of ideas about what the business is about.

10 MR. LYNCH: I think the kids will
11 appreciate it.

12 MR. LANDINO: Yeah.

13 MR. LYNCH: And -- let me just take a
14 quick run through here -- (pause) -- and lastly -- it
15 took me awhile to find it, but I finally found it, where
16 solar panels are manufactured. Now Switzerland is a nice
17 country. I have problem with that. But there are no
18 made in U.S.A. companies that would fit your needs?

19 MR. LANDINO: So we -- without digressing
20 too much, we were building five large solar systems on
21 Super Wal-Marts in New Jersey, totaling about two and a
22 half megawatts with Cylindra panels made in the U.S.A.
23 Closing on financing -- while we were closing, we got a
24 Google alert saying Cylindra had filed bankruptcy. And

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1 we still closed, which is a story that would require much
2 longer than we have today, but -- but at the end of the
3 day, there are currently no manufacturers that come close
4 to building as economically or as efficiently
5 unfortunately. And quite honestly, it has to do with
6 government assistance. The politics of manufacturing PV
7 solar in the United States is not resulting in it being
8 competitive on a worldwide -- in a worldwide market. We
9 think that's a mistake, but we have to go where the
10 products are, and the products are in Asia mostly.

11 MR. LYNCH: Not to disagree, but thank you
12 very much for your answer.

13 MR. LANDINO: Yeah.

14 MR. LYNCH: No more question, Mr.
15 Chairman.

16 CHAIRMAN STEIN: Thank you. And your --
17 your hazard -- your hazard insurance has been denied --
18 (laughter) -- I'm told we can't give it to you. You're
19 sitting on the edge, so -- so put on your seatbelt just -
20 -

21 MR. LYNCH: I do --

22 CHAIRMAN STEIN: Okay. Thank you. The --
23 or the area that you most recently purchased, part of
24 which is -- has -- is forested -- and I apologize if it's

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1 in there, but do you know approximately the number of
2 significantly sized trees that will have to be taken
3 down?

4 MR. LANDINO: I don't have a number. I've
5 walked it many times. We haven't done an inventory.
6 There aren't many -- just from walking -- this is purely
7 anecdotal and not meant to be an expert opinion, but it
8 seems like the tree stand is not nearly as old as I
9 thought it would be when I first saw the site. I would
10 say the average caliber is in the 12 to 18-inch range.
11 There are very few large trees, which would suggest that
12 the land was farmland, you know, half a century ago. So
13 I don't think there's anything that looks very
14 significant, but it certainly is a wooded site. There's
15 no denying that.

16 CHAIRMAN STEIN: And on the one hand I
17 certainly compliment you on having given that tract to
18 the land trust. On the other hand, if you're touting
19 that solar is equivalent to planting trees, you have to
20 sort of calculate the fact that you're also losing some.
21 So maybe in your overall scheme of things, you might want
22 to think about how you can make up for that.

23 MR. LANDINO: Sure. And I'm sitting next
24 to two biologists and we have this debate all the time.

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1 We might -- you might suggest that Connecticut has too
2 many trees. So there's arguments to be had from both
3 sides. So -- but I certainly would welcome any
4 mitigating recommendations. That's not meant to be flip
5 at all. But we have these real debates, academic debates
6 about Connecticut woodlands and where we're at with
7 those, and what the real impacts are to habitat. And
8 Michael more specifically, we've bantered around for
9 years about that. So I would welcome your suggestions,
10 and we'll certainly think about mitigating strategies as
11 well.

12 CHAIRMAN STEIN: Alright. Well in some
13 cases, but these are larger firms, and mitigation occurs
14 in other places which don't have the trees, which we seem
15 to be concerned about in a negative way every time we
16 have a storm here in Connecticut.

17 MR. LANDINO: Yeah.

18 CHAIRMAN STEIN: Are there any more
19 questions from any -- yes, Mr. Mercier.

20 MR. MERCIER: I just have a couple of
21 follow-ups based on some of the things discussed
22 recently. Back to that Tinker House, do you know if
23 that's a locally designated historic building?

24 MR. LANDINO: I don't -- and again this is

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1 from memory -- I don't believe it's designated as an
2 historic house, but it's -- it's a late 19th century
3 structure. And it was acknowledged to be historic in
4 references related to our permits. And we acknowledged
5 that as well and agreed not to demolish it, but to
6 actually restore it if in fact we went forward with our
7 development.

8 MR. MERCIER: Okay, thank you. You
9 mentioned alarm equipment that could detect some kind of
10 problems at the solar field. Is that kept in the
11 building or where is that?

12 MR. LANDINO: No, it's -- it -- go ahead,
13 Andrew. You know -- you've forgotten more than I know
14 about this, so --

15 MR. CHESTER: It will be on -- the actual
16 hardware will be on-site, but it is a piece of equipment
17 that pushing data to the web. So we will be able to
18 monitor it externally, as well as give live access links
19 to the utility company, and we can set alerts that will
20 send instantaneous e-mails for, you know, under-producing
21 or if something goes wrong.

22 MR. MERCIER: Is it more like a cabinet
23 placed somewhere in -- like an outdoor cabinet looking
24 thing?

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1 MR. CHESTER: It's actually very, very
2 small. CTs that are in the inverter housing. It's
3 literally about -- about that big, like six inches by six
4 inches.

5 MR. MERCIER: Previously you mentioned
6 inverters put off a low hum. Any -- has any of your
7 previous installations caused any issues with any
8 neighbors or anything of that nature?

9 MR. CHESTER: No.

10 MR. MERCIER: Looking at your site plan is
11 it possible to potentially relocate some of the inverters
12 away from some of the property lines? I don't know how
13 critical it is to have them up on the edge.

14 MR. CHESTER: Chris may be better suited
15 to answer that. We've discussed moving them a number of
16 times for electrical reasons, but --

17 MR. ALBINO: I think there is
18 opportunities to relocate. When this was drawn, it was
19 very schematic in nature. And after having talks with
20 Greenskies and some manufacturers, they probably will be
21 located to -- relocating them away from the residential
22 areas is also something we'll look into.

23 MR. MERCIER: Okay, thank you. The DEEP
24 comments, I know we've talked about page 4 a little bit,

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1 and the report was sent regarding some of the Natural
2 Diversity Database items, but I guess -- on the last
3 paragraph of page 4 there's a couple of comments maybe we
4 should talk a little bit about since they mentioned them.
5 I guess the second sentence they're asking about, you
6 know, when it rains, how much of the runoff from the
7 panels actually infiltrates into the soil or does it wash
8 downward. I mean how -- do you have any idea as to
9 infiltration? Is that an issue?

10 MR. CHESTER: The way that the panels are
11 mounted, there are gaps in between each one, roughly a
12 half an inch, which will allow for water to drain
13 throughout the entire array.

14 MR. MERCIER: So it probably more has to
15 do with the soil conditions rather than anything else, is
16 that correct?

17 MR. GRADWELL: And -- and the soils are
18 generally well draining soils, A's and B's, some C's, so
19 the water will get through the soil and -- and drain
20 vertically.

21 MR. MERCIER: The grass cover we already
22 talked about that. The forested area, is that going to
23 be also planted with grass and woodchips once you've
24 cleared it?

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1 MR. LANDINO: That's the plan, yes.

2 MR. MERCIER: Okay. And how about snow
3 removal when it snows, is there any -- do you remove snow
4 or just let it melt?

5 MR. CHESTER: Just -- just let it melt.

6 MR. MERCIER: Okay. I guess my last
7 question has to do with page 10 of your application.
8 There's a figure in there that talks about megawatt hours
9 and capacity factor -- I already lost the page -- (pause)
10 -- it's the last paragraph, the first sentence, it talks
11 about sixty-four hundred megawatt hours, Class 1
12 renewable energy. Can someone just check that figure
13 over the break and determine if that's accurate based on
14 the capacity factor at 13 percent from five-megawatts.

15 MR. LANDINO: Okay.

16 MR. MERCIER: I have no other questions.

17 CHAIRMAN STEIN: I'd just like to add that
18 -- and I want to put this in big capitals -- if -- if the
19 Council were to ultimately take affirmative action on
20 this, and again if, we would, based I think on precedent
21 of another project, probably require a subsequent
22 development and management plan. So I think some of
23 these very specific design -- design issues could be
24 handled if and when we get to that point. So I just want

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1 to make sure it's clear that we don't just take an
2 action, and again I'm saying if, and then leave
3 everything, you know, up to the developer. We would be -
4 - or the firm that's building that, we would -- we would
5 be looking at -- there would be another step related to
6 these details, some of which we've discussed.

7 If there are no more questions from the
8 Council, we will now -- oh, there's a question from Mr.
9 Hoffman.

10 MR. HOFFMAN: Mr. Chairman, I just want to
11 make sure that I've got my homework assignments straight
12 between now and after the break. I believe that the
13 Council is looking for the addresses for the visual
14 renderings for Item No. 1, the cross-sections of drawings
15 of fill and if we could possibly get those to the Council
16 tonight, and the capacity factor question that Mr.
17 Mercier just asked. I don't believe there are any other
18 open items, but I just wanted to confirm that.

19 CHAIRMAN STEIN: Yeah, and I -- and I
20 think the cross-sections could be handled at the D&M
21 stage, unless -- I mean if you can get them now, but if
22 they're hand-drawn, I'm not sure how you'd do that, but -
23 -

24 MR. HOFFMAN: Well, we'll figure that out

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1 --

2 CHAIRMAN STEIN: Okay --

3 MR. HOFFMAN: -- but you're exactly
4 correct, if you're going to require a D&M plan, they're
5 probably more appropriate for that stage of development.

6 CHAIRMAN STEIN: Yes.

7 MS. BACHMAN: Thank you, Mr. Chairman.
8 Attorney Hoffman, your list comports with my list for the
9 homework assignments, so that's correct. Thank you.

10 MR. HOFFMAN: Outstanding. Thank you.

11 CHAIRMAN STEIN: Okay, so we will now
12 recess. We'll reconvene here at 7:00 p.m., at which time
13 we'll start the public comment session. Thank you.

14

15 (Whereupon, the hearing adjourned at 5:00
16 p.m.)

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