

1 STATE OF CONNECTICUT  
2 CONNECTICUT SITING COUNCIL  
3

4 Petition No. 1422

5 Greenskies Clean Energy, LLC petition for a  
6 declaratory ruling, pursuant to Connecticut  
7 General Statutes Section 4-176 and Section 16-50k,  
8 for the proposed construction, maintenance and  
9 operation of a 4.99-megawatt AC solar photovoltaic  
10 electric generating facility to be located at  
11 Mulnite Farms, Inc. off Barber Hill Road west of  
12 the intersection with Rockville Road,  
13 East Windsor, Connecticut and associated  
14 electrical interconnection.  
15

16 VIA ZOOM AND TELECONFERENCE  
17

18 Public Hearing held on Tuesday, February 23, 2021,  
19 beginning at 2 p.m. via remote access.  
20

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

22 ROBERT SILVESTRI, Presiding Officer  
23  
24

25 Reporter: Lisa L. Warner, CSR #061

1   **A p p e a r a n c e s :**

2  
3   **Council Members:**

4       **ROBERT HANNON**

5       **Designee for Commissioner Katie Dykes**  
6       **Department of Energy and Environmental**  
7       **Protection**

8       **QUAT NGUYEN**

9       **Designee for Chairman Marissa Paslick Gillett**  
10      **Public Utilities Regulatory Authority**

11      **JOHN MORISSETTE**

12      **MICHAEL HARDER**

13      **EDWARD EDELSON**

14   **Council Staff:**

15      **MELANIE BACHMAN, ESQ.**

16      **Executive Director and**  
17      **Staff Attorney**

18  
19      **MICHAEL PERRONE**

20      **Siting Analyst**

21      **CHRISTINA WALSH**

22      **Supervising Siting Analyst**

23  
24      **LISA FONTAINE**

25      **Fiscal Administrative Officer**

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

2  
3           **For Greenskies Clean Energy, LLC:**

4                   **PULLMAN & COMLEY, LLC**

5                   **90 State House Square**

6                   **Hartford, Connecticut 06103-3702**

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

8  
9  
10           **Also present: Aaron Demarest, Zoom host**

11  
12  
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15  
16           **\*\*All participants were present via remote access.**

17  
18           **\*\*\* (Inaudible) (AUDIO INTERRUPTION) - denotes**  
19           **breaks in speech due to interruptions in audio or**  
20           **echo.**

1 MR. SILVESTRI: This remote public  
2 hearing is called to order this Thursday, February  
3 23, 2021, at 2 p.m. My name is Robert Silvestri,  
4 member and presiding officer of the Connecticut  
5 Siting Council.

6 Other members of the Council are  
7 Mr. Robert Hannon, designee for Commissioner Katie  
8 Dykes of the Department of Energy and  
9 Environmental Protection. Mr. Quat Nguyen,  
10 designee for Chair Marissa Paslick Gillett from  
11 the Public Utilities Regulatory Authority.  
12 Mr. John Morissette, Mr. Michael Harder and  
13 Mr. Edward Edelson.

14 Members of the staff are Melanie  
15 Bachman, executive director and staff attorney;  
16 Michael Perrone, our siting analyst; and Lisa  
17 Fontaine, fiscal administrative officer.

18 As everyone is keenly aware, there is  
19 currently a statewide effort to prevent the spread  
20 of the Coronavirus. And this is why the Council  
21 is holding this remote public hearing, and we ask  
22 again for your patience.

23 And if you haven't done so already, I  
24 ask that everyone please mute their phone and/or  
25 computer audio device at this time.

1           This hearing is held pursuant to the  
2 provisions of Title 16 of the Connecticut General  
3 Statutes and of the Uniform Administrative  
4 Procedure Act upon a petition from Greenskies  
5 Clean Energy, LLC for a declaratory ruling  
6 pursuant to Connecticut General Statutes, Section  
7 4-176 and Section 16-50k, for the proposed  
8 construction, maintenance and operation of a  
9 4.99-megawatt AC solar photovoltaic electric  
10 generating facility to be located at Mulnite  
11 Farms, Incorporated off Barber Hill Road west of  
12 the intersection with Rockville Road in East  
13 Windsor, Connecticut. This petition was received  
14 by the Council on July 20, 2020.

15           The Council's legal notice of the date  
16 and time of this remote public hearing was  
17 published in The Journal Inquirer on January 16,  
18 2021. And upon this Council's request, the  
19 petitioner erected a sign near the proposed access  
20 road entering the subject property from Barber  
21 Hill Road so as to inform the public of the name  
22 of the petitioner, the type of the facility, the  
23 remote public hearing date, and contact  
24 information for the Council.

25           And as a reminder to all, off the

1 record communication with a member of the Council  
2 or a member of the Council staff, upon the merits  
3 of this application, is prohibited by law.

4 The parties and intervenors to the  
5 proceedings are as follows: The petitioner is  
6 Greenskies Clean Energy, LLC. Its representative  
7 is Lee D. Hoffman, Esq. from Pullman & Comley,  
8 LLC.

9 We will proceed in accordance with the  
10 prepared agenda, a copy of which is available on  
11 the Council's Petition No. 1422 webpage, along  
12 with the record of this matter, the public hearing  
13 notice, instructions for public access to this  
14 remote public hearing, and the Council's Citizens  
15 Guide to Siting Council Procedures. Interested  
16 persons may join any session of this public  
17 hearing to listen, but no public comments will be  
18 received during the 2 p.m. evidentiary session.

19 At the end of the evidentiary session,  
20 we will recess until 6:30 p.m. for the remote  
21 public comment session. And please be advised  
22 that any person may be removed from the remote  
23 evidentiary session or the public comment session  
24 at the discretion of the Council.

25 The 6:30 p.m. public comment session

1 will be reserved for members of the public who  
2 signed up in advance to make brief statements into  
3 the record. And I wish to note that the  
4 petitioner, parties and intervenors, including  
5 their representatives and witnesses, are not  
6 allowed to participate in the public comment  
7 session.

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

17 A verbatim transcript of this remote  
18 public hearing will be posted on the Council's  
19 Petition No. 1422 webpage and deposited with the  
20 Town Clerk's Office in East Windsor for the  
21 convenience of the public.

22 And please be advised that the Council  
23 does not issue permits for stormwater management.  
24 If the proposed project is approved by the  
25 Council, the Department of Energy and

1 Environmental Protection Stormwater Permit is  
2 independently required. The Department of Energy  
3 and Environmental Protection could hold a public  
4 hearing on any stormwater permit application.

5 And please also be advised that the  
6 Council's project evaluation criteria under the  
7 statute does not include consideration of property  
8 values.

9 And the Council will take a 10 to 15  
10 minute break somewhere at a convenient juncture  
11 around 3:30 p.m. this afternoon.

12 And I wish to call your attention to  
13 those items shown on the hearing program marked as  
14 Roman Numeral I-B, Items 1-99.

15 Does the petitioner have an objection  
16 to the items that the Council has administratively  
17 noticed?

18 Attorney Hoffman, good afternoon, and  
19 any objections?

20 MR. HOFFMAN: Good afternoon. We have  
21 no objections, Mr. Silvestri.

22 MR. SILVESTRI: Thank you, Attorney  
23 Hoffman. Accordingly, the Council hereby  
24 administratively notices these documents.

25 (Administrative notice Items I-B-1



1 through I-B-99 accepted into the record.)

2 MR. SILVESTRI: Now, will the  
3 petitioner present its witness panel for the  
4 purpose of taking the oath, and then Attorney  
5 Bachman will administer the oath.

6 Attorney Hoffman.

7 MR. HOFFMAN: Okay. We're going  
8 slightly out of order, but that's fine. Happy to  
9 do so, sir. Today's witness panel, we have  
10 Jean-Paul La Marche from Greenskies Clean Energy,  
11 the developer of the project. We also have our  
12 technical team consisting of Steve Kochis, Evan  
13 Miller and Jeff Shamas, all of VHB.

14 MR. SILVESTRI: Thank you, Attorney  
15 Hoffman.

16 And Attorney Bachman, would you please  
17 administer the oath.

18 MS. BACHMAN: Thank you, Mr. Silvestri.

19 Would you please raise your right hand.

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

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

22 J E F F R E Y S H A M A S,

23 E V A N M I L L E R,

24 called as witnesses, being first duly sworn

25 (remotely) by Ms. Bachman, were examined and

1 testified on their oath as follows:

2 MS. BACHMAN: Thank you.

3 MR. SILVESTRI: Thank you, Attorney  
4 Bachman.

5 And Attorney Hoffman, could you please  
6 begin by verifying all the exhibits by the  
7 appropriate sworn witnesses, please.

8 MR. HOFFMAN: Absolutely. So first  
9 off, Mr. Silvestri, just for record, I want it  
10 noted that we have no items for administrative  
11 notice.

12 And then I would like to mark for  
13 identification the seven exhibits listed in the  
14 hearing program in Roman Numeral II, letter "B" as  
15 in "bravo." They are the petition itself; the  
16 petitioner's response to the Council's letter,  
17 dated August 3rd; the petitioner's responses to  
18 the first set of interrogatories, dated October 5,  
19 2020; the petitioner's correspondence with  
20 Department of Energy and Environmental  
21 Protection's Natural Data Base Diversity final  
22 determination letter; the petitioner's response to  
23 the Town of East Windsor's request for a hearing,  
24 dated December 11; the petitioner's response to  
25 the second set of Council interrogatories, dated

1 February 16th; and the sign posting affidavit from  
2 the petitioner, dated February 19, 2021.

3 DIRECT EXAMINATION

4 MR. HOFFMAN: Now I'll go through with  
5 each witness. I'm going to start with Mr. Kochis.

6 Mr. Kochis, are you familiar with the  
7 seven exhibits as I've just listed them?

8 THE WITNESS (Kochis): Yes.

9 MR. HOFFMAN: And do you have any  
10 changes to any of the exhibits, particularly the  
11 petition?

12 THE WITNESS (Kochis): Yes, I have one  
13 change to what is listed as Figure 7 in the  
14 original petition. That map is incorrectly called  
15 Figure 6, and we would like to call that Figure 7  
16 on the map itself. And it also incorrectly lists  
17 the town as North Stonington, and we would like to  
18 correct that to East Windsor.

19 MR. HOFFMAN: So the exhibits should be  
20 listed as Figure 7, and the town should be listed  
21 as the Town of East Windsor; is that correct?

22 THE WITNESS (Kochis): Yes, that's  
23 correct.

24 MR. HOFFMAN: And with these changes,  
25 are all of the information in the exhibits

1 accurate to the best of your knowledge and belief?

2 THE WITNESS (Kochis): Yes.

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

5 THE WITNESS (Kochis): I do.

6 MR. HOFFMAN: Mr. Shamas, we'll move to  
7 you. Are you familiar with the seven exhibits  
8 that were just listed?

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

10 MR. HOFFMAN: And other than the change  
11 listed by Mr. Kochis, do you have any further  
12 changes to those exhibits?

13 THE WITNESS (Shamas): I do not.

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

16 THE WITNESS (Shamas): They are.

17 MR. HOFFMAN: And do you adopt them as  
18 your sworn testimony here today?

19 THE WITNESS (Shamas): I do.

20 MR. HOFFMAN: Mr. La Marche, we'll ask  
21 you the same questions. Are you familiar with the  
22 seven exhibits that were listed in Roman Numeral  
23 II-B?

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

25 MR. HOFFMAN: And with the change as

1 enumerated by Mr. Kochis, are they correct to the  
2 best of your information and belief?

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

5 MR. HOFFMAN: And do you have any  
6 further changes to them?

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

8 MR. HOFFMAN: And do you adopt them as  
9 your sworn testimony here today?

10 THE WITNESS (La Marche): I do.

11 MR. HOFFMAN: Mr. Miller, I'll ask you  
12 the same question. Are you familiar with the  
13 seven exhibits listed in Item II-B?

14 THE WITNESS (Miller): Yes, I am.

15 MR. HOFFMAN: I'm sorry, what was that,  
16 sir?

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

18 MR. HOFFMAN: Okay. And other than the  
19 change mentioned by Mr. Kochis, do you have any  
20 further changes to those exhibits?

21 THE WITNESS (Miller): I do not.

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

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

25 MR. HOFFMAN: And do you adopt them as

1 your sworn testimony here today?

2 THE WITNESS (Miller): Yes, I do.

3 MR. HOFFMAN: Mr. Silvestri, with that,  
4 I would offer those seven exhibits up as full  
5 exhibits in this matter.

6 MR. SILVESTRI: Thank you, Attorney  
7 Hoffman. The exhibits are hereby admitted. Thank  
8 you.

9 (Petitioner's Exhibits II-B-1 through  
10 II-B-7: Received in evidence - described in  
11 index.)

12 MR. SILVESTRI: Before we continue, one  
13 apology that I need is that on the introductions I  
14 forgot to introduce Ms. Christina Walsh from our  
15 Siting Council staff. My apologies, Ms. Walsh.

16 We will now begin with  
17 cross-examination of the petitioner by the  
18 Council. I'd like to start with Mr. Perrone to be  
19 followed by Mr. Morissette, please.

20 Mr. Perrone.

21 MR. PERRONE: Thank you, Mr. Silvestri.

22 CROSS-EXAMINATION

23 MR. PERRONE: Beginning with page 18 of  
24 the petition, on the second paragraph, on May 4,  
25 2020, the petitioner conducted a site walk with

1 the first selectman and other municipal officials  
2 to review the site plan and incorporate any  
3 feedback into the final design. Specifically,  
4 which measures were incorporated into the final  
5 design as a result of such feedback?

6 THE WITNESS (La Marche): This is  
7 Jean-Paul. First, I just want to say that this  
8 initial communication and outreach that was done  
9 was done by a developer for the project, Chris  
10 Ross, who is no longer with the company. So I was  
11 not personally involved in these meetings. And  
12 with that said, I am not aware of any direct  
13 feedback from those meetings with the town that  
14 caused a change to the designs.

15 MR. PERRONE: Since the December 11,  
16 2020 letter in response to the town's request for  
17 a hearing, since then have you received any  
18 additional feedback from the town regarding the  
19 project?

20 THE WITNESS (La Marche): We have not  
21 received any additional feedback from the town. I  
22 did give the first selectman a phone call since  
23 then, but we did not connect.

24 MR. PERRONE: Turning to page 4 of the  
25 petition, the second paragraph where it gets into

1 LREC contracts, would you sell both energy and  
2 RECs to Eversource via these contracts?

3 THE WITNESS (La Marche): I believe the  
4 contracts, the LREC specific contracts, are just  
5 for the RECs, and the energy sales is accomplished  
6 through a different mechanism.

7 MR. PERRONE: Do you know what type of  
8 mechanism for the energy piece?

9 THE WITNESS (La Marche): The intent is  
10 to do virtual net metering.

11 MR. PERRONE: And the LREC contracts,  
12 that covers the full output of the facility?

13 THE WITNESS (La Marche): Yes.

14 MR. PERRONE: Next, the delivery term  
15 start date for all three contracts is April 1,  
16 2021, and then I see on page 12 your targeted  
17 commissioning date is roughly fall 2021. Could  
18 you explain?

19 THE WITNESS (La Marche): Sure. So the  
20 delivery term start date is when that contract  
21 begins. It is not a hard deadline of when the  
22 project has to be operational. And once the  
23 delivery term starts, the clock is ticking on the  
24 time period, so any time between the system being  
25 operating and the delivery term start is lost REC



1 revenue for the project, but there are also  
2 extensions that can be gained for that.

3 MR. PERRONE: How long is the term of  
4 the LREC contracts in years?

5 THE WITNESS (La Marche): I'm not 100  
6 percent sure. I believe it is 20 years, but  
7 that's just speaking from memory.

8 MR. PERRONE: Did those require  
9 approval by the Public Utilities Regulatory  
10 Authority?

11 THE WITNESS (La Marche): I know they  
12 were a competitively awarded contract. I'm not  
13 sure what the entity was approving them.

14 MR. PERRONE: Okay. Moving on to  
15 response to Council Interrogatory 24, that gets  
16 into the electrical interconnection.

17 THE WITNESS (La Marche): Did you say  
18 24?

19 MR. PERRONE: Yes.

20 THE WITNESS (La Marche): Okay.

21 MR. PERRONE: Okay. There's mention of  
22 a riser pole on drawing C-3.2. I saw that, but  
23 there's also mention of three additional riser  
24 poles. Where on the subject property would those  
25 be?

1 THE WITNESS (La Marche): All the riser  
2 poles will be in the same area. Because of how  
3 the LREC contract works, there is a different --  
4 there is three different interconnections to  
5 Eversource, three different meters for the  
6 different LREC contracts, so we have to have  
7 separate riser poles for each.

8 MR. PERRONE: Do you know how many  
9 megawatts AC for each metered system?

10 THE WITNESS (La Marche): 1.666.

11 MR. PERRONE: Okay. All right. So  
12 those three additional poles would be located  
13 fairly close to where the one pole is?

14 THE WITNESS (La Marche): Yeah, they  
15 will all be in the same area.

16 MR. PERRONE: Moving on to some other  
17 issues. Are there any state parks or forests  
18 located in the vicinity of the proposed site?

19 THE WITNESS (La Marche): We did answer  
20 this in the petition. I forget the distance to  
21 the closest recreational land. It's given in the  
22 petition, but it is not visible from the site, or  
23 our site is not visible from the closest  
24 recreational land.

25 THE WITNESS (Kochis): Mr. La Marche,

1 this is Steve Kochis. I can hop in on that one.  
2 We responded to the Siting Council Interrogatory  
3 Number 44 on that, I believe, stating that Pierce  
4 Memorial Park was the closest publicly accessible  
5 recreational purpose, and that is located  
6 approximately 3,180 feet from the project site.

7 MR. PERRONE: Is Pierce Memorial a  
8 local park, like a town park or --

9 THE WITNESS (Kochis): I think we  
10 believe it is a town-owned publicly accessible  
11 park.

12 MR. PERRONE: So back to my prior  
13 question. Is it correct to say that there aren't  
14 any state parks in the vicinity, or state forest?

15 THE WITNESS (Kochis): Not that we're  
16 aware of.

17 MR. PERRONE: Okay.

18 MR. HOFFMAN: Mr. Perrone.

19 MR. PERRONE: Yes.

20 MR. HOFFMAN: I believe that Mr. Kochis  
21 was present at that town meeting we discussed a  
22 while back. He may have information on your first  
23 question.

24 MR. PERRONE: Okay.

25 THE WITNESS (Kochis): My apologies. I

1 didn't want to cut in on Mr. La Marche. But I was  
2 present at that meeting with the town that took  
3 place about a year ago. And at the time we were  
4 already proposing a roadside swale along Barber  
5 Hill Road as part of our project because no gutter  
6 drainage exists today at the site. It kind of --  
7 it flows off of the road and onto our site. So we  
8 were already armed planning to propose that. And  
9 we learned from that meeting that the town was  
10 actually, unbeknownst to us, already in the midst  
11 of a redesign of Barber Hill Road to improve the  
12 drainage on that road.

13           So we've seen those plans. They  
14 include a system of new catch basins along the  
15 gutter line. And at the time we decided at the  
16 meeting that we were just going to keep the  
17 roadside swale as it was, and it wouldn't affect  
18 what they were doing with the catch basin  
19 installations. And the town did not have any  
20 other comments during that meeting or after it.

21           MR. PERRONE: Thank you. Turning to  
22 the response to Council Interrogatory Number 7, it  
23 gets into agricultural uses, particularly sheep  
24 grazing. Do you have any updates since that  
25 interrogatory response regarding your plans to

1 have sheep at the site?

2 THE WITNESS (La Marche): We have no  
3 substantial changes, no. I mean, we have been  
4 pursuing it and continue to researching and trying  
5 to find the correct partners, but no update to --  
6 no substantial updates to discuss.

7 MR. PERRONE: Have you had any further  
8 consultations with Department of Agriculture or a  
9 livestock farmer on that?

10 THE WITNESS (La Marche): We have  
11 spoken with the industry group, I forget their  
12 name; however, we have not had any conversations  
13 with the Department of Agriculture.

14 MR. PERRONE: Okay. And also on that  
15 topic, the Department of Agriculture letter, dated  
16 August 27, 2020, Item Number 4, where Greenskies  
17 intends to propose four to five beehives. Could  
18 you tell us about your plans to include beehives  
19 at the site? Have you selected a location?

20 THE WITNESS (La Marche): We have not  
21 yet selected a location. Generally, beehives can  
22 do well in many locations, so it's not that  
23 restrictive. Some amount of sun on the beehives  
24 is a good thing, but they accommodate a wide  
25 variety of locations and environmental conditions.

1 Our plans, as we have done with two other sites,  
2 would be to work with a local beekeeper,  
3 beekeeping group, and hire a beekeeper as a  
4 contractor to manage the hives.

5 MR. PERRONE: Now I'd like to move on  
6 to the State Historic Preservation Office letter,  
7 dated March 18th. On page 2, second paragraph,  
8 the three tobacco sheds within the limits of work  
9 are currently used as active drying sheds and as  
10 storage for farming equipment. My question is, if  
11 the proposed project is approved, would the sheds  
12 still be used for those purposes?

13 THE WITNESS (La Marche): My  
14 understanding is the proposed project will not  
15 impact the sheds. How the landowner uses the  
16 sheds is up to the landowner.

17 MR. PERRONE: And also on this same  
18 letter SHPO notes, "This office strongly  
19 recommends that all three be retained and  
20 incorporated into the layout of the solar  
21 facility." Could you explain what that means?

22 THE WITNESS (La Marche): Sorry. Give  
23 me one second and I will pull up the letter.

24 MR. PERRONE: Sure.

25 THE WITNESS (La Marche): I am not

1 finding that letter right now. Could you repeat  
2 that detail, and I'll try and answer it my best?

3 MR. PERRONE: Absolutely. "This office  
4 strongly recommends that all three, sheds, be  
5 retained and incorporated into the layout of the  
6 solar facility."

7 THE WITNESS (La Marche): I guess I  
8 interpret that as we will design around them. We  
9 will not interfere with the sheds. We will not  
10 remove them. Obviously, the sheds are not  
11 incorporated into the solar project, but that is  
12 the intent, and that is how we have maintained the  
13 design is that they don't impact the sheds.

14 Steve, if you feel any differently,  
15 please add.

16 THE WITNESS (Kochis): No, I wouldn't  
17 add anything to that response. We've taken every  
18 effort in the site design to retain those sheds.  
19 And as Mr. La Marche noted, I'm not sure exactly  
20 how they would be incorporated into the solar  
21 design, but we're certainly not affecting their  
22 performance or their structure.

23 MR. PERRONE: Which entity retains  
24 ownership of the three sheds if this project is  
25 approved?

1 THE WITNESS (La Marche): The landowner  
2 does.

3 MR. PERRONE: Does the lease contain  
4 any provisions related to the use of the sheds?

5 THE WITNESS (La Marche): No, it does  
6 not.

7 MR. PERRONE: And lastly on this topic,  
8 also referring back to the SHPO letter, does the  
9 petitioner have an agreement with SHPO to maintain  
10 the barns?

11 THE WITNESS (La Marche): No.

12 MR. PERRONE: Okay. Moving on, could  
13 you provide a summary of project features or  
14 project changes that were implemented in response  
15 to neighborhood concerns such as landscaping or  
16 anything like that?

17 THE WITNESS (La Marche): Sure. Again,  
18 these discussions took place with Chris Ross and  
19 the neighbors, so this is my secondhand knowledge.  
20 The concern of the neighbors, there were two  
21 neighbors who we had more detailed discussions  
22 with than others, and their concern was visibility  
23 of the solar project. That was their main  
24 concern. I think there was some concern about  
25 property values, but we addressed that with them



1 as well. And based off of their concerns of  
2 visibility, we have offset the array location as  
3 far as we could from the road from their  
4 residences and incorporated a pretty comprehensive  
5 vegetative screening buffer.

6 We offered, one offer that we had with  
7 them was to have an earthen berm to protect the  
8 view or block the view, but they were not  
9 interested in that. They preferred the vegetation  
10 and trees, so we went with that approach. And  
11 with VHB we developed a screening plan, a planting  
12 plan that was incorporated into the designs, and  
13 would interfere with, protect the view, so the  
14 solar panels would not be as obvious while  
15 maintaining their big picture view of the  
16 surrounding area.

17 MR. PERRONE: And with that revised  
18 planting plan in place, could you describe the  
19 visibility of the project from off-site residences  
20 from, say, Barber Hill Road or Rockville?

21 THE WITNESS (La Marche): It was  
22 included in the visual studies that we provided.  
23 There is a -- I forget what exhibit that is.

24 Steve, are you aware of that exhibit  
25 number? I can look up what exhibit it was.

1 THE WITNESS (Kochis): The visual  
2 simulations that were performed originally were  
3 included in the original petition as Appendix M.

4 THE WITNESS (La Marche): Okay. Thank  
5 you. So you can see the visualization there. I  
6 would describe it as, you know, you can see the  
7 solar panels off in the distance. There will be  
8 slatted fence to prevent direct visualization of  
9 them, and most of the impact will be seeing the  
10 trees that are in the vegetative buffer.

11 MR. PERRONE: I understand you have no  
12 control over the tobacco sheds, but in general  
13 would they provide any visual screening either to  
14 the north or the south; and if so, how?

15 THE WITNESS (La Marche): I don't think  
16 they would. They're within the private property  
17 boundaries.

18 MR. PERRONE: Moving on, page 15 of the  
19 environmental site assessment, I'll read the  
20 quote. The fifth paragraph on page 15, "the  
21 potential risk from agricultural chemical residue  
22 in groundwater is low as long as groundwater use  
23 from on-site wells is not part of the proposed  
24 future use of the property." Now, the response to  
25 Council Interrogatory 39 says, "There are no wells

1 on or within the vicinity of the site."

2 My question is, does that mean there's  
3 no wells within the project footprint but  
4 potentially some on the subject property?

5 THE WITNESS (La Marche): I know there  
6 are no wells within the lease area in the project  
7 footprint. I cannot speak to if there are any  
8 wells on the entire property of the landowner.  
9 But yeah, we are not using any, this project would  
10 not use any well water.

11 MR. PERRONE: Would the proposed  
12 project impact any off-site wells?

13 THE WITNESS (La Marche): No, I don't  
14 think it would, in my opinion.

15 MR. PERRONE: One last question that  
16 ties back in with the sheds. If there was a fire  
17 or structural collapse or any accident at the  
18 sheds, which entity would be responsible?

19 THE WITNESS (La Marche): The landowner  
20 would be.

21 MR. PERRONE: Okay. Moving on to the  
22 noise topic, page 21 of the petition, there's a  
23 noise section. Relative to that my question is,  
24 would the solar equipment only operate during  
25 daytime hours?

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

3 MR. PERRONE: Page 21 of the petition  
4 notes that the nearest residence is approximately  
5 50 feet from the project property line. Would you  
6 know the address of that residence?

7 THE WITNESS (La Marche): I can pull  
8 that up, if you give me one second.

9 MR. PERRONE: Sure.

10 THE WITNESS (La Marche): There are two  
11 properties that would be directly adjacent to the  
12 property on the other side of the road that would  
13 be the closest, 62 Rockville Road and 11 Barber  
14 Hill Road.

15 MR. PERRONE: Thank you. That's all I  
16 have.

17 MR. SILVESTRI: Thank you Mr. Perrone.  
18 I'd like to continue cross-examination with Mr.  
19 Morissette, to be followed by Mr. Hannon.

20 Mr. Morissette.

21 MR. MORISSETTE: Thank you, Mr.  
22 Silvestri. Can you hear me okay?

23 MR. SILVESTRI: I can.

24 MR. MORISSETTE: Great. Thank you.  
25 Just for the record, I did take a drive by on

1 Wednesday, February 17th, to review the project  
2 location. I stayed within the vehicle and did not  
3 go onto the property.

4 I would like to start with questions on  
5 the first set of interrogatories, starting with  
6 Question 7. My question has to do with sheep  
7 grazing. Has there been any reports or studies  
8 done about the sheep making noise that can be  
9 distracting to the neighborhoods?

10 THE WITNESS (La Marche): I am not  
11 aware of any studies of that nature.

12 MR. MORISSETTE: Is there any concern  
13 from the petitioner's perspective?

14 THE WITNESS (La Marche): No, I don't  
15 have concerns about that. It is not something  
16 that I personally discussed with the neighbors,  
17 but given that it is an agricultural area, sheep  
18 doesn't seem to be outside of the norm.

19 MR. MORISSETTE: Well, the area is  
20 mostly farmland, so agricultural, as far as  
21 livestock, is not normal in that area, just for  
22 your information. So I am curious as to what type  
23 of noise and whether there's the ability to  
24 segregate the sheep onto certain parts of the  
25 property if it does become a problem. Any plans

1 in that regard?

2 THE WITNESS (La Marche): We do have in  
3 the preliminary plans in terms of the sheep  
4 grazing plan we do have plans to not give the  
5 sheep access to 100 percent of the site all of the  
6 time. They will be moved in different areas. So  
7 yes, we can look at keeping them in certain areas  
8 farther away, if it was an issue.

9 MR. MORISSETTE: Yeah. That might be  
10 something you want to keep in mind for the  
11 property owners across the street on Barber Hill.

12 THE WITNESS (La Marche): Uh-huh.

13 MR. MORISSETTE: Okay. Moving on to  
14 Question 17, the last sentence indicates that the  
15 impact study will not cause an adverse impact on  
16 customer voltage and power quality and will not  
17 cause excess capacitor bank operations. Is that a  
18 concern for solar plants of this size, capacitor  
19 bank operations?

20 THE WITNESS (La Marche): I have not  
21 seen that as a problem for our projects. I would  
22 generally say that is not -- when we do have  
23 interconnection issues, when upgrades are  
24 required, it is generally not capacitor banks.  
25 It's more feeders, frequency issues, voltage

1 issues, substation issues, and not capacitors.

2 MR. MORISSETTE: Okay. That's what I  
3 thought. So when the impact study was performed  
4 by CL&P, did they do three impact studies or just  
5 one?

6 THE WITNESS (La Marche): It was  
7 performed by Eversource, and they did one combined  
8 impact study for the three different  
9 interconnections and looked at all of them, but it  
10 was one study.

11 MR. MORISSETTE: Okay. Thank you.  
12 Concerning the -- I'll follow up on Mr. Perrone's  
13 question -- the riser poles will be, on the riser  
14 poles will be mounted three separate sets of  
15 primary metering for the revenue metering.

16 THE WITNESS (La Marche): Correct.

17 MR. MORISSETTE: The ZREC meters are on  
18 the secondary voltage side. Do you know why that  
19 is?

20 THE WITNESS (La Marche): I don't know  
21 why the policy is that way, but that's how it  
22 always has been. That's how we do it with  
23 Eversource. That's how they approve the designs.  
24 So no, I don't know why.

25 MR. MORISSETTE: And why is there three

1 separate ZREC contracts?

2 THE WITNESS (La Marche): I believe it  
3 has to do with the size of the REC awards.

4 MR. MORISSETTE: So there's a size  
5 limitation on each of the bids. Do you know what  
6 that limitation is?

7 THE WITNESS (La Marche): I don't. I'm  
8 not deep into that policy, but I do know that the  
9 size is why there are multiple awards.

10 MR. MORISSETTE: Interesting. And is  
11 that why there's three separate transformers as  
12 well?

13 THE WITNESS (La Marche): Yeah, so each  
14 of the three awards, or LREC, are separately  
15 interconnected and separately electrical. So yes,  
16 that's why there's three sets of meters,  
17 transformers, switchgear, all of that.

18 MR. MORISSETTE: Okay. It seems  
19 totally inefficient from a resource perspective of  
20 interconnecting equipment to the grid, but I  
21 understand why you're doing it, and that's not  
22 your issue. It's CL&P's issue.

23 Very good. I'd like to move on to  
24 Question 26.

25 MR. HOFFMAN: Mr. Morissette, before



1 you do --

2 MR. MORISSETTE: Yes.

3 MR. HOFFMAN: -- Mr. Kochis knows the  
4 correct limit for the LREC contracts, just so we  
5 can get that on the record.

6 MR. MORISSETTE: Great. Thank you.

7 THE WITNESS (Kochis): Yes. I believe  
8 this project was awarded three LREC awards at a  
9 maximum of 2 megawatts each.

10 MR. MORISSETTE: Okay. So Eversource  
11 writes in their RFP specs that an LREC contract  
12 can only be up to 2 megawatts, and therefore you  
13 bid three of them?

14 MR. HOFFMAN: Mr. Morissette, I know  
15 that I'm not testifying, but that's actually a  
16 statute.

17 MR. MORISSETTE: That's a statute,  
18 okay. Good to know. Thank you.

19 MR. HOFFMAN: I can give you the  
20 citation, if you need it, but I don't think that's  
21 germane.

22 MR. MORISSETTE: No, I don't need it.  
23 Thank you. I was wondering why these projects  
24 were set up like this. It seems odd.

25 MR. HOFFMAN: Yes, sir, it's the wisdom

1 of our General Assembly.

2 MR. MORISSETTE: Okay. Moving on to  
3 26, and it's more along the lines of the  
4 interconnection. So the combined impact study has  
5 been completed, and it has been determined that  
6 there's no operational impacts on the distribution  
7 system?

8 THE WITNESS (La Marche): That is  
9 correct. We can interconnect without damaging or  
10 negatively impacting their system.

11 MR. MORISSETTE: Okay. Has your  
12 feasibility study been -- facility study, excuse  
13 me, been completed?

14 THE WITNESS (La Marche): A facility  
15 study is not required for this project.

16 MR. MORISSETTE: Okay. Did you waive  
17 it, or is it not --

18 THE WITNESS (La Marche): They didn't  
19 require one.

20 MR. MORISSETTE: Okay.

21 THE WITNESS (La Marche): We have  
22 signed the interconnection agreements though.

23 MR. MORISSETTE: Okay. When you leave  
24 the site, are you going to the right of Barber  
25 Hill or towards the substation, or are you going

1 the other way?

2 THE WITNESS (La Marche): When you say  
3 "you," you mean the distribution connector?

4 MR. MORISSETTE: Yeah. You're coming  
5 out of the site with three riser poles. I'd like  
6 to understand the interconnection a little bit  
7 better. Are you going to upgrade to three-phase  
8 going towards Barbour Hill Substation; is that  
9 right?

10 THE WITNESS (La Marche): I do believe  
11 we are connecting to the Barbour Hill Substation,  
12 and that would make sense. But if you give me a  
13 moment, I can actually pull up the interconnection  
14 agreement and see if it lists it in there. I  
15 don't have the route of it memorized.

16 MR. MORISSETTE: Okay. While you're  
17 doing that, I'll ask another follow-up question.  
18 Are you adding any distribution poles on Barber  
19 Hill Road?

20 THE WITNESS (La Marche): I don't know  
21 if Eversource will have to add poles or not to  
22 build out their equipment. I don't know if  
23 they've completed that level of design yet.

24 MR. MORISSETTE: Okay. As far as you  
25 know, the last riser pole that you have for the

1 proposed metering is -- which is identified on  
2 C-3.2.

3 THE WITNESS (La Marche): Yes, on our  
4 site where the revenue meter is, that is where our  
5 ownership ends and Eversource's ownership starts.

6 MR. MORISSETTE: Okay. So from that  
7 pole you'll go to a distribution pole on the  
8 street, and that will continue most likely towards  
9 Barbour Hill Substation going out of the  
10 entranceway to the right.

11 Okay. So I'm looking at drawing C-3.2.  
12 And you have your entrance road there and showing  
13 one riser pole. As you've testified, there's  
14 going to be two additional riser poles that are  
15 not reflected on this drawing, correct, there will  
16 be a total of three riser poles?

17 THE WITNESS (La Marche): Yes, there  
18 will be one for each interconnection.

19 MR. MORISSETTE: Okay. And there will  
20 be no additional riser poles for any other  
21 equipment?

22 THE WITNESS (La Marche): No additional  
23 riser poles for any other equipment. I'm not 100  
24 percent sure how Eversource will want to put their  
25 protection equipment, if they will want to put it

1 on a separate pole or not. They have not provided  
2 us that level of design yet.

3 MR. MORISSETTE: Okay. All right. My  
4 question is, and this is coming, I'm leading to a  
5 point here, my question is, you've got that barn  
6 that is acting as a natural barrier. Is it  
7 possible, and I know you'd have to coordinate this  
8 with CL&P, to have your riser poles for all three  
9 meter points behind the barn?

10 THE WITNESS (La Marche): And by  
11 "behind," you mean to the north of it?

12 MR. MORISSETTE: Yes -- is that north?  
13 Yeah, I believe --

14 THE WITNESS (La Marche): Where the  
15 road is now?

16 MR. MORISSETTE: Yeah, I believe that's  
17 north. So you would be going away from Barber  
18 Hill, you'd be parallel with the barn but behind  
19 it.

20 THE WITNESS (La Marche): I see no  
21 technical reason why that's not possible, but I  
22 don't want to speak for Eversource. Generally,  
23 they are willing to work with us to put equipment  
24 on our property rather than their right-of-way.  
25 We just have to work with them on easements so

1 that they can access it.

2 MR. MORISSETTE: Yes. I certainly  
3 think that by doing that you would greatly improve  
4 the visibility of the three sets, three riser  
5 poles for metering configuration, especially if  
6 you're driving north on Barber Hill Road, it would  
7 conceal that equipment quite well. So I think  
8 that should be given some thought to help visually  
9 mitigate that situation. Okay. I did notice that  
10 Appendix M doesn't really show the access drive  
11 and what that would look like, and that's  
12 unfortunate because that's probably a significant  
13 visual impact for this project.

14 Moving on to Question 64 --

15 THE WITNESS (La Marche): Can I answer  
16 your previous question on the route of the  
17 interconnection?

18 MR. MORISSETTE: Sure.

19 THE WITNESS (La Marche): It does go  
20 north on Barber Hill Road.

21 MR. MORISSETTE: It goes north, not  
22 south, huh. So it goes North to Rockville Road,  
23 so it's actually going around. Well, that's  
24 interesting. I would have thought it would go  
25 south. It seems to be a roundabout way to get

1 there, but anyways.

2           Concerning Question 64 having to do  
3 with the TCLP discussion, thank you for that  
4 discussion. I thought it was very interesting.  
5 But I'm going to leave that to Mr. Hannon because  
6 I'm sure he has some questions about that. So  
7 I'll leave it at that.

8           Those are all the questions I have, Mr.  
9 Silvestri. Thank you very much.

10           MR. SILVESTRI: Thank you, Mr.  
11 Morissette.

12           If memory, serves me right, I think the  
13 REC program was based on certain things being at  
14 one megawatt and other things being at 2  
15 megawatts, and I think you adjust accordingly to  
16 that. But again, I don't want to go into too much  
17 detail on that, but just a side note. Thank you,  
18 Mr. Morissette.

19           I'd like to continue cross-examination  
20 with Mr. Hannon, and that will be followed by Mr.  
21 Nguyen.

22           Mr. Hannon.

23           MR. HANNON: Thank you, Mr. Silvestri.  
24 I did have a number of questions. Some of them  
25 are just to get a clarification of some language

1 that was used in the application.

2 So, for example, my first question is  
3 on page 7 of the petition you have currently the  
4 project site is being used exclusively for  
5 agricultural purposes. Okay. On page 23 you say  
6 the site is currently undeveloped farmland. So I  
7 just want to make sure I understand your  
8 definition of undeveloped farmland.

9 THE WITNESS (La Marche): I did not  
10 write that personally. My definition of  
11 undeveloped farmland would be that it's --

12 (AUDIO INTERRUPTION)

13 THE WITNESS (La Marche): Sorry,  
14 there's a big echo somewhere. It seems to be gone  
15 now. I guess I would interpret it as it's not  
16 developed for commercial/residential type  
17 purposes, there is not lots of buildings on it, it  
18 is active farmland.

19 MR. HANNON: That's fine. I just  
20 wanted to get that on the record.

21 Actually, following up with what Mr.  
22 Morissette was asking, on page 10 of the petition,  
23 it states that "The proposed project will  
24 interconnect with the Barbour Hill 23J Substation  
25 located near the intersection of Frazer Fir Road



1 and Barber Hill Road in South Windsor." None of  
2 the maps that I've seen seem to show where Frazer  
3 Fir Road is.

4 Now, in looking up one of the local  
5 property addresses and checking that on Google  
6 Maps, I mean, I found that your -- I think even  
7 the general site map only goes down to Griffin,  
8 and Frazer Fir is located south of that. So I'm  
9 kind of curious. I also thought that the lines  
10 coming out of this project would be going south  
11 down to that substation. But how far away is the  
12 substation from where the project is located?

13 THE WITNESS (La Marche): I do not know  
14 the exact distance of that substation. I am  
15 basing my statement that it goes north on the  
16 description of the facility that's included in our  
17 interconnection agreement with Eversource.

18 MR. HANNON: Okay. Because again,  
19 looking at the map north and south, that  
20 substation, if it is at the intersection of Frazer  
21 Fir Road and Barber Hill Road, that is south of  
22 the project. So I'm just -- now I'm a little  
23 confused about how this is actually going into the  
24 interconnection, but I guess that's something that  
25 we'll have to deal with.

1                   On page 11, it talks about  
2 predevelopment drainage patterns have been  
3 maintained to the greatest extent possible. What  
4 do you mean by the greatest extent possible?

5                   THE WITNESS (Kochis): I'll field that  
6 question, Mr. Hannon. We haven't proposed to  
7 change any -- we've performed an existing analysis  
8 of the site, and we're not proposing to change any  
9 grading. So essentially anywhere where water goes  
10 today, we're going to maintain that that water  
11 will be directed to those locations once the  
12 project is complete.

13                   MR. HANNON: Okay. Thank you. Staying  
14 on page 11, I'm a little confused because of the  
15 timing sequence that we're now dealing with. For  
16 the original construction schedule and phasing,  
17 anticipated construction begins spring of 2021.  
18 That I'm not sure is overly realistic. Delivery  
19 of equipment likely coming late spring of 2021,  
20 and final installation of array equipment and  
21 landscaping screening measures anticipated by the  
22 summer of 2021. That's in the petition itself.

23                   But now in looking at the project  
24 scheduling page, it's a single page you have  
25 within the document, it talks about site prep and

1 setup, March 1st to March 12th; civil work March  
2 15th to April 23rd; and array installation, April  
3 26th to August 20th.

4 Now, I realize that was the original  
5 schedule, but no where do I see anything about  
6 possibly going and stabilizing the site prior to  
7 the start of construction. That's something to  
8 consider. And then also, do you have an idea of  
9 what the new construction schedule would be?

10 THE WITNESS (La Marche): I think the  
11 most likely new construction schedule, given the  
12 timing of this hearing, is that we will be  
13 beginning the project in the summer of this year  
14 and complete before the end of this year.

15 MR. SILVESTRI: If I could just  
16 interject for a second. I think we're getting  
17 feedback because sometimes when we either ask a  
18 question or answer a question we might keep our  
19 microphone open. And it tends to go away once we  
20 mute our microphone again. So just a heads-up as  
21 to dos and don'ts on that microphone muting.  
22 Thank you.

23 MR. HANNON: Mr. Silvestri (inaudible)  
24 and other issues. It's probably my computer.

25 Next, on page 16, will the use of

1 pollinator-friendly and native vegetation -- let  
2 me rephrase that because there's a comment in here  
3 where you state, "Limiting the planting of single  
4 crop tobacco in conjunction with solar array  
5 pollinator-friendly and native mix vegetation,  
6 will improve soil health over the life of the  
7 project and allow for long-term agricultural or  
8 conservation use."

9           So what I'm not sure of is, is part of  
10 the area still going to be used for growing  
11 tobacco, or is it primarily going to be the  
12 pollinator-friendly and mixed vegetation that  
13 you're using at this time?

14           THE WITNESS (La Marche): None of our  
15 solar site, this proposed project, would have  
16 continued tobacco use. We will have a seed  
17 mixture of low growing pollinator-friendly mix  
18 with native vegetation that is beneficial for both  
19 pollinators as well as the sheep that will be  
20 grazing on site.

21           MR. HANNON: Okay. Thank you. And  
22 following up in terms of the sheep on site, is  
23 this something that is definitively going to  
24 happen or is it something that you're still  
25 working towards but may not happen?

1 THE WITNESS (La Marche): No, I would  
2 say it is definitively going to happen.

3 MR. HANNON: Okay. So with that being  
4 the case, raised in the Department of Agriculture  
5 letter, dated 8/27/20 (inaudible) some of the  
6 issues that they raised would be specifically for  
7 delineating how you would accommodate the sheep,  
8 whether it's housing, feeding, watering. And then  
9 I'm also curious about how you would deal with  
10 sheep manure from the perspective of stormwater  
11 and if that might impact any type of stormwater on  
12 the site.

13 THE WITNESS (La Marche): So I'm having  
14 a little bit of trouble hearing you. I'm not sure  
15 if it's your connection or my connection.

16 THE COURT REPORTER: Yes. I'm having  
17 trouble too. This is the stenographer. I didn't  
18 hear that question.

19 MR. SILVESTRI: Mr. Hannon, could you  
20 take a moment to repeat that, please?

21 MR. HANNON: Okay. I will ask again.  
22 I would be happy to. The Department of  
23 Agriculture letter, dated 8/27/20, which has  
24 already been discussed, they had identified some  
25 infrastructure measures which they thought needed

1 to be established with the plans, including as  
2 accommodating housing, feeding, watering, and I'm  
3 adding sheep manure that (inaudible) impact on  
4 stormwater. So if you could please address that.

5 THE WITNESS (La Marche): Yeah. Again,  
6 it's a little hard to hear you, but I will answer  
7 what I believe the question is, is how are we  
8 going to address the concerns that were raised by  
9 the Department of Agriculture as well as is there  
10 an issue with sheep manure on site.

11 So, in terms of the recommendations  
12 from the Department of Agriculture, I think those  
13 are details that we will work out with the  
14 individual farmer, sheep herder that we work with.  
15 We have had discussions of, if there is a need to  
16 create shelter on site, that would be something  
17 that we would do directly with the sheep owner, or  
18 how they would have water on the site, it would  
19 not be well water as established. There would be  
20 a different source of water if they needed it.

21 And other aspects that we are  
22 addressing is making sure that all of the wiring  
23 is very much out of the way, that the modules are  
24 protected, that the switches are protected, that  
25 nothing can get stuck on a sheep or interfere with

1 the sheep, that there's appropriate fencing and  
2 controls in place. So that's how we are  
3 addressing those.

4 In terms of sheep manure, I guess this  
5 is not an item that we have a firm understanding  
6 or plan for. It is not our intent to have so many  
7 sheep on site that there is dense sheep manure or  
8 that it would be like a feed lot type situation.  
9 I think we will have to figure this out a little  
10 bit with the farmer, but I would be hopeful that  
11 there we could limit it to a certain amount that  
12 would be beneficial for the soil, that it could be  
13 decomposed on site, that it could add nitrogen,  
14 that it could improve soil quality. I know that  
15 it's done other places, so that would be our goal.

16 And I don't know, Steve, if you have  
17 any thoughts on it from a stormwater perspective.

18 THE WITNESS (Kochis): I don't have any  
19 further thoughts from a stormwater perspective  
20 past what you've stated here. I guess the only  
21 thing I could add is that every portion of the  
22 project that we have is protected with stormwater  
23 quality via a proposed stormwater basin. So  
24 anything that takes place on the site we're  
25 achieving the proper stormwater quality in

1 association with the 2004 Connecticut Stormwater  
2 Quality Manual.

3 MR. HANNON: Okay. On page 20 there's  
4 a statement that says there will be less than one  
5 gallon of PVC glues and less than 25 gallons of  
6 fuel stored on site. Why store any fuel on site  
7 at all?

8 THE WITNESS (La Marche): I think  
9 contractors generally like to be able to operate  
10 generators or that type of combustion engine, and  
11 they'll have some fuel on site for it, or for  
12 adding it to, you know, tractors, small  
13 construction vehicles that need fuel so they don't  
14 have to go off site to refuel.

15 MR. HANNON: Would that be stored under  
16 roof somewhere on the site and then also in  
17 containers that should something spill it would be  
18 contained within that container?

19 THE WITNESS (La Marche): We do have a  
20 spill prevention plan that was developed  
21 specifically for this that dictates all of that.  
22 I cannot speak to the exact details of how it  
23 would be stored.

24 MR. HANNON: Okay. On page 21 there's  
25 a statement, the nearest residence is



1 approximately 50 feet from the property line and  
2 approximately 300 feet from the closest on-site  
3 equipment and pad. Question 9 of the  
4 interrogatories, the answer states that the  
5 nearest off-site residence is 62 Rockville Road  
6 located approximately 165 feet from the perimeter  
7 fence east of the project. Can you explain the  
8 difference, or am I just missing something?

9 THE WITNESS (La Marche): Yeah, I  
10 believe -- sorry, let me look at those two  
11 statements. Those are all three different  
12 locations. So the project property line, the  
13 fence line and the electrical equipment pads are  
14 all three different locations. The fence line  
15 will be farther set away from the road and the  
16 houses than the property line will be.

17 MR. HANNON: Okay. On page 28 there's  
18 a statement, "The project has been configured to  
19 avoid and minimize other environmental impacts."  
20 What type of environmental impacts are you talking  
21 about?

22 THE WITNESS (La Marche): That's the  
23 last page of the petition? Can you hear me?

24 MR. HANNON: Page 28. Yeah, it was on  
25 page 28. So I believe that is the last page. I

1 think it's the second bullet.

2 THE WITNESS (La Marche): Yes, got it.  
3 I think that is basically referencing our efforts  
4 to minimize all negative impacts from this  
5 project, whether they be to wildlife, tree  
6 clearing, soils. We have done as many studies as  
7 we can. We've taken the site constraints, the  
8 environmental constraints into consideration when  
9 designing the project and tried to minimize  
10 negative impacts as much as possible in general.

11 MR. HANNON: Okay. Thank you. I've  
12 got a couple of questions on some of the maps, in  
13 particular, probably look at C-3.0 to start with  
14 only because it has the entire layout. Towards  
15 the, I guess it's spillway number one, you've got  
16 proposed riprap spillway one that apparently goes  
17 across what appears to be an existing farm road,  
18 and you also have the fence around the project  
19 going through that existing farm road. Will that  
20 part of the farm road no longer be available for  
21 somebody to use; and if so, what impact might that  
22 have on people actually using the property for  
23 agricultural purposes?

24 THE WITNESS (Kochis): I'll field that  
25 one, Mr. Hannon. The anticipation for this

1 project is that that farm road will remain  
2 accessible after completion of the project and  
3 after installation of the fence. So, if needed,  
4 as part of the D&M, we would appreciate the  
5 opportunity to relocate that fence, as needed, to  
6 ensure that that road will remain accessible to  
7 the farmers for them to access other portions of  
8 their lot.

9 MR. HANNON: Okay. So the intent is to  
10 maintain those roads in an open condition so that  
11 the farmers can in fact use them should they need  
12 them?

13 THE WITNESS (Kochis): That's correct.  
14 To answer the other part of your question --

15 MR. HANNON: That was a good answer. I  
16 think the last question I really have on this --  
17 okay.

18 THE WITNESS (Kochis): To answer the  
19 other part of your question regarding the riprap  
20 spillway leading out towards the farm road, the  
21 reason we are proposing that is because that's  
22 where the stormwater goes today, and there's no  
23 alternative to bring it anywhere else. So that  
24 basin and all three basins on the site are  
25 designed as infiltration basins. We've done the

1 stormwater geotechnical testing. We've seen that  
2 this site has the capability to infiltrate  
3 stormwater into the soil. And based on the  
4 results from the hydrologic model, we're  
5 anticipating a pretty sharp decrease in peak rates  
6 of runoff from the site after completion of the  
7 project. So we will be improving the conditions  
8 that exist there today. And you can see I believe  
9 from the photo exhibit that erosion down that farm  
10 road exists at the site today. And like I said, I  
11 believe we will be improving that condition.

12 MR. HANNON: Okay. Thank you. I'm  
13 just using this as one of the maps. It's L-1.1.  
14 In looking at the proposed gate that you have  
15 right before that 90-degree bend in the access  
16 road, it just seems like to me sort of a strange  
17 location of the gate. But is that both  
18 potentially the sheep and maintenance of the  
19 detention basin that is sort of at that  
20 northeastern corner of the site?

21 THE WITNESS (Kochis): I'm sorry, Mr.  
22 Hannon. I'm looking on sheet L-1.1 that was  
23 included as Exhibit G on our responses to the  
24 Siting Council's Interrogatories, Set One. I  
25 don't see a proposed gate up in the northeast

1 corner. Perhaps I'm missing it though.

2 MR. HANNON: No, the gate is not in the  
3 northeast corner. It's right by that 90-degree  
4 bend in the access road. So what I'm asking, is  
5 the gate located there both as a way to possibly  
6 deal with sheep being on the property and being  
7 able to access the detention basin that's in the  
8 northeast corner of the site?

9 THE WITNESS (Kochis): Thank you very  
10 much. I'll respond to the first part regarding  
11 the long-term maintenance of the site including  
12 the stormwater basin. That location was selected  
13 as a convenient location to access the basin, but  
14 also that's the most convenient location to access  
15 the electrical equipment that will be positioned  
16 immediately to the east of where you'd enter the  
17 site if you go through that gate. And then I'll  
18 defer to Mr. La Marche regarding the access for  
19 sheep.

20 THE WITNESS (La Marche): Yes. We  
21 don't have that finalized at this point. I think  
22 it's a logical point, but I can't commit one way  
23 or the other.

24 MR. HANNON: Thank you. I'm not sure  
25 exactly how to ask this question, but, okay, so

1 your company is leasing the property. So is there  
2 an agreement with the existing property owner in  
3 terms of how the site will be restored? Because  
4 on page 13 of the petition it talks about GRE will  
5 stabilize and re-vegetate the site either to allow  
6 for the site to be returned to agricultural use or  
7 as necessary to minimize erosion if the site is to  
8 remain fallow. So have you worked on an agreement  
9 with the property owner in terms of how you would  
10 be leaving the site?

11 THE WITNESS (La Marche): I don't want  
12 to go into details of exactly what the contract  
13 says, but in general we would be removing  
14 everything that we -- we'd be removing everything  
15 that we impacted to the site, so the modules, the  
16 fencing, the racking, the electrical equipment,  
17 and working with the landowner to determine how  
18 they would want us to handle the earth work such  
19 as the basins or the vegetative buffer. I think  
20 that would be up to them.

21 MR. HANNON: That's fine. That's kind  
22 of what I expected. And I have sort of one final  
23 general comment. (AUDIO INTERRUPTION) You didn't  
24 get the question?

25 THE WITNESS (La Marche): No, you've

1 been cutting in and out. I'm sorry.

2 MR. HANNON: Mr. Silvestri, can you  
3 hear me?

4 MR. SILVESTRI: Mr. Hannon, I could  
5 hear partly, but when you tried to ask your other  
6 question you kind of were on mute, and then came  
7 out of mute, so I would ask it again.

8 MR. HANNON: Okay. My question was,  
9 the August 28, 2020 letter from the Council on  
10 Environmental Quality -- (AUDIO INTERRUPTION)

11 MR. EDELSON: Mr. Silvestri, can I  
12 suggest that maybe we ask Mr. Hannon to re --

13 (AUDIO INTERRUPTION.)

14 MR. HANNON: The August 28, 2020 letter  
15 submitted by the Council on Environmental Quality,  
16 which again deals with farmland, I'm just  
17 wondering if you have any comments about that.

18 THE WITNESS (La Marche): I don't have  
19 any comments about that. I think we do a really  
20 good job to protect this farmland and to work with  
21 it and preserve the soils of the land under our  
22 plan. And I think it is more than sufficient.  
23 And given that the Department of Agriculture  
24 agrees, I think that means a lot.

25 MR. EDELSON: Mr. Silvestri, can I

1 suggest we ask Mr. Hannon if he could log off of  
2 Zoom and come back in? Sometimes we've seen that  
3 clears up these problems.

4 MR. SILVESTRI: Thank you, Mr. Edelson.  
5 I think Mr. Hannon was just about done with his  
6 questions, but I'll ask him anyhow.

7 Mr. Hannon, if you could come off mute?

8 MR. HANNON: I'm done. I'm done.

9 MR. SILVESTRI: Thank you, Mr. Hannon.  
10 And thank you for your patience and repeating a  
11 number of those questions as well as everybody  
12 else with their patience in trying to get through  
13 that one. Thank you.

14 Mr. La Marche, I don't want to  
15 interrupt our other Council members on  
16 questioning, but when it's my turn I am going to  
17 go back to that substation interconnection and  
18 routing part of it, so just to give you a heads-up  
19 where I'm going to go later on.

20 THE WITNESS (La Marche): Okay. Thank  
21 you.

22 MR. SILVESTRI: I'd like to continue  
23 cross-examination with Mr. Nguyen at this time,  
24 and he'll be followed by Mr. Edelson.

25 Mr. Nguyen.



1 MR. NGUYEN: Thank you, Mr. Silvestri.  
2 Good afternoon. I just had a couple of questions  
3 regarding the public safety. If I could ask the  
4 company for their attention to respond to  
5 Interrogatory Number 32(a). The response  
6 indicated that when a solar project -- typically,  
7 when a solar project is nearing completion and  
8 final inspection, the respective local fire  
9 marshal will perform a site walk to inspect.

10 Now, for this particular project  
11 typically the Town of East Windsor would perform  
12 multiple inspections, or it would be a one-time  
13 inspection by the local marshal?

14 THE WITNESS (La Marche): I do not know  
15 East Windsor's inspection policy or how they would  
16 do the final approval of the site. We will make,  
17 in terms of working with the local fire marshal,  
18 the fire department or whoever it is, we will make  
19 ourselves available to go over the project with  
20 them, demonstrate all of the shut-off locations,  
21 the infrastructure on site, work with them on  
22 access to the site, and make sure that they  
23 understand everything that they need to, to serve  
24 its needs.

25 MR. NGUYEN: But typically for other

1 towns would the local marshal, they would perform  
2 a preliminary inspection, then the final  
3 inspection, that you have experience with other  
4 towns?

5 THE WITNESS (La Marche): I have not  
6 seen multiple inspections as a standard, but I  
7 don't see it as an issue one way or the other.

8 MR. NGUYEN: And the company would  
9 accommodate --

10 THE WITNESS (La Marche): Yes.

11 MR. NGUYEN: -- should the towns  
12 request one more inspection?

13 Now, I see in the response it's  
14 indicated that GCE will offer to host a site walk,  
15 training and project designs and all that. When  
16 would that occur, does it occur during the  
17 inspection, or is it a separate training?

18 THE WITNESS (La Marche): I think it  
19 would be separate, as it has a different  
20 intention, it's more educational. But, I mean, if  
21 they wanted to do it at the same time, combined  
22 visits, I mean, we're fine with that, but I think  
23 most typically it would be a separate event.

24 MR. NGUYEN: And given that emergency  
25 response personnel are changing, they come and

1 they go, would there be an ongoing training that  
2 GCE would offer?

3 THE WITNESS (La Marche): I think we'd  
4 be happy to give ongoing education and walks of  
5 the site, if requested, absolutely.

6 MR. NGUYEN: And how is this policy  
7 established, is it in the company guidelines or --

8 THE WITNESS (La Marche): I don't think  
9 we have that written somewhere in the company  
10 policy, but yes, that is something we absolutely  
11 can do.

12 MR. NGUYEN: That's all I have, Mr.  
13 Silvestri. Thank you.

14 MR. SILVESTRI: Thank you, Mr. Nguyen.  
15 I'd like to continue cross-examination  
16 with Mr. Edelson at this time, followed by  
17 Mr. Harder, please.

18 Mr. Edelson.

19 MR. EDELSON: Sure. Everyone can hear  
20 me okay?

21 MR. SILVESTRI: Yes, I can.

22 MR. EDELSON: Okay. So I just wanted  
23 to follow up on Mr. Hannon's question regarding  
24 decommissioning. So in the narrative you do  
25 outline steps in decommissioning. For the record,

1 that's consistent with the language that's in the  
2 lease agreement with the farm?

3 THE WITNESS (La Marche): I don't think  
4 they're identical, but they're consistent in  
5 concept, yes.

6 MR. EDELSON: Okay. I just wanted to  
7 make sure because the lease agreement is what  
8 really will take precedence in this case.

9 I think my next question, maybe I'm  
10 just misunderstanding some terminology, but in the  
11 narrative on page 9 you use the concept of  
12 arranging the panels in two-high in portrait. And  
13 there's a reference to I think the revised site  
14 layout that would show what that looked like, but  
15 I was unable to find a diagram explaining that.  
16 And I don't think we've seen that kind of a  
17 configuration of one panel on top of the other.  
18 And again, that would seem to me to put the height  
19 higher than what we're typically used to seeing.

20 So one, if you could direct me to the  
21 right part of the exhibit, that would help; and  
22 two, if you could comment on whether this is for  
23 you a standard practice or something specific to  
24 this project.

25 THE WITNESS (La Marche): So first,

1 this is a standard practice. This is how most  
2 fixed-tilt projects are designed at this point.  
3 It is the most efficient from a construction  
4 perspective as well as, as you mentioned, it does  
5 not have as high of a profile. So in the visual  
6 simulations that we put together, it does  
7 demonstrate the two modules in portrait, so you  
8 can see what it would look like from that  
9 perspective. But essentially what it means is  
10 portrait being the longer dimension. I believe  
11 they are around 3 and a half by 6 and a half or 7  
12 feet long. So the two modules would be stacked  
13 like this (indicating), and the top of it would be  
14 around 9 feet high or so.

15 MR. EDELSON: Okay. We'll leave it at  
16 that. Thank you.

17 THE WITNESS (Kochis): Can I just hop  
18 in, Mr. Edelson, just to follow up? There is a  
19 detail of the panel array included on Sheet C-6.1  
20 site details called cross-section of panel array,  
21 and that --

22 MR. EDELSON: Say the reference again.

23 THE WITNESS (Kochis): Sheet C-6.1 of  
24 the site plans.

25 MR. EDELSON: All right. That's what I

1 think I was looking for. Thank you.

2 So I understand from the response of  
3 the company to Interrogatory Number 13 in the  
4 first set of interrogatories that this being a  
5 petition you did not feel it was appropriate to  
6 comment about battery storage installation in the  
7 future, but at the same time in the narrative your  
8 company was described as having lots of experience  
9 with integrated solar panel and -- or solar  
10 photovoltaic and battery storage installations.

11 So I was wondering if you could help me  
12 understand how you go about deciding for a  
13 particular site when you will go with solar PV  
14 only versus an integrated solution that includes  
15 both solar PV and battery storage.

16 THE WITNESS (La Marche): Sure. So I  
17 will answer this generally with the caveat that I  
18 am, one, not an expert on energy storage; and two,  
19 not an expert on policy. However, for the most  
20 part, the decision of whether we include energy  
21 storage or not on the project is a matter of our  
22 clients' needs, policy available, and the  
23 economics of the project. So if all of those will  
24 line up, we are more than happy to integrate  
25 energy storage systems into our solar and have it

1 be a combined product.

2           There are some situations in general  
3 where the client does not want batteries, so  
4 there's no reason to. There are some situations  
5 where they absolutely do and we find a way to do  
6 it. And then a separate piece of the puzzle is  
7 the policy. So there needs to be a mechanism to  
8 have the economic value of the energy storage be  
9 recognized or else it's just an added cost. And  
10 all of that has to come together. There has to be  
11 appropriate policy, financing mechanism, and, you  
12 know, ability for the utility company to  
13 interconnect energy storage. At this time for  
14 this specific project all of those things are not  
15 there, so it did not make sense to do energy  
16 storage.

17           MR. EDELSON: Just to be clear, when  
18 you say "the client," is that Eversource at this  
19 point?

20           THE WITNESS (La Marche): I guess for  
21 -- I mean, it depends on the project, but in this  
22 project, yeah, I believe -- it's a little bit  
23 different because there's the LREC and the VNM, so  
24 it's not perfectly clear but --

25           MR. EDELSON: And in terms of policy,

1 you're referring to the State of Connecticut  
2 policy?

3 THE WITNESS (La Marche): I think it  
4 can be state policy or utility company or PUC type  
5 policy, yes.

6 MR. EDELSON: Okay. That was very  
7 helpful because I'm still trying to understand the  
8 dynamics of this, and it does sound like we don't  
9 have all the pieces together the way maybe I think  
10 we should.

11 If I could turn to the narrative, and I  
12 think it's the top of page 10 in the very first  
13 full sentence there, and this is a section on the  
14 solar facility design and layout. And I was  
15 hoping someone might be able to just kind of help  
16 me make sure I understand what's being said in  
17 this first sentence because the numbers didn't  
18 really sort of add up to me. So if you could take  
19 a look at that and maybe just expand upon that a  
20 bit.

21 THE WITNESS (La Marche): Sure. I  
22 understand that it's not the most clearly written  
23 sentence. So, on a high level there is, the  
24 modules themselves are wired together in series.  
25 And as they are wired together in series, we will



1 have 26 of the modules wired in series,  
2 approximately. Sometimes it's 25, but it's about  
3 that based off of the desired voltage. All of  
4 those what we call strings of wired modules are  
5 combined together in parallel, and there will be  
6 16 parallel strings of 26 modules that go into one  
7 125 kW inverter.

8 MR. EDELSON: Okay. And then if you  
9 keep going, the 21 refers to another --

10 THE WITNESS (La Marche): Yes. So it  
11 would be 21 parallel strings of 26 modules in a  
12 166 kW inverter.

13 MR. EDELSON: Okay. So those are the  
14 two pathways, if you will.

15 THE WITNESS (La Marche): Yes.

16 MR. EDELSON: All right. Mr.  
17 Silvestri, I think all my other questions have  
18 already been addressed, so thank you very much.

19 MR. SILVESTRI: Thank you, Mr. Edelson.

20 I'd like to continue cross-examination  
21 with Mr. Harder at this time.

22 MR. HARDER: Yes. Thank you, Mr.  
23 Silvestri. A couple follow-ups first, and then I  
24 just had a few other questions after that.

25 First, a follow-up to Mr. Hannon's

1 discussion about sheep manure. I think I can say  
2 this is probably the first application where I  
3 remember talking about manure, at least this kind  
4 of manure anyway.

5 But the question I have, first of all,  
6 I would like to say I think it's great that the  
7 application is proposing an agricultural co-use.  
8 I think it's something that the Department of  
9 Agriculture is, I'm sure, very pleased with, and  
10 it's something that, the kind of thing they've  
11 been pushing for to continue agricultural use of  
12 these properties.

13 And it's the kind of thing, I'm sure,  
14 where it's more complicated than just saying okay  
15 we're going to let a few sheep or some other kind  
16 of animal out onto the property. And that kind of  
17 gets to my point. In the discussion with Mr.  
18 Hannon about manure and runoff, and I don't know  
19 if I was misinterpreting this or not, but I think  
20 it was Mr. Kochis had made a comment about kind of  
21 at the end of the day the stormwater system will  
22 appropriately handle stormwater runoff, including  
23 any manure, I guess.

24 And again, I don't know if I'm  
25 misinterpreting that or misstating it, but my

1 concern would be that once the stormwater gets to  
2 the said basins, the surface water basins, there  
3 won't be too much pollutant removal, there will be  
4 some, obviously, but the dissolved nutrients and  
5 dissolved organics, elevated BOD levels, and that  
6 kind of thing, if there are surface water  
7 discharges from those basins, there's going to be  
8 a lot less removal than there would be of just the  
9 eroded material, the silt and sand that might  
10 enter those basins.

11           So I want to make sure. I assume the  
12 stormwater program is aware of the proposal for  
13 the grazing of sheep in the area. So I guess I  
14 just want to make sure that, you know, that any  
15 potential adverse impacts of the sheep manure are  
16 being addressed. So that's a point I wanted to  
17 have a response to.

18           And then the other thing is on the  
19 number of sheep. I know there was a comment, I  
20 think, that the number of sheep hasn't been  
21 determined yet, but I'm wondering if there's an  
22 outside, say, maximum number that has been  
23 discussed or not. So if we could have some  
24 discussion on those points.

25           THE WITNESS (Kochis): Yeah, I'll hop

1 in and tackle the first question on that regarding  
2 the stormwater management. We just recently filed  
3 our CT DEEP Stormwater General Permit, so we will  
4 discuss the sheep grazing with that division, and  
5 that will be part of our stormwater permit.

6 I guess it is important to note that  
7 that is a construction permit that only minimally  
8 gets into the long-term water quality impacts,  
9 specifically regarding Appendix I that has been  
10 recently incorporated into the general permit  
11 effective this year. So that's a relatively new  
12 addition to the general permit, but we will  
13 discuss the topic of sheep with CT DEEP.

14 MR. HARDER: So is it -- you say the  
15 application, at least the one you're going to be  
16 submitting soon, is a construction application.  
17 I'm assuming that there's still an expectation  
18 that once the site is constructed and stabilized  
19 there would still at least at times be discharges  
20 from those basins.

21 THE WITNESS (Kochis): That's correct.  
22 I mean, and those basins are going to stay in  
23 permanently throughout the life span of the  
24 facility. And as discussed before, as noted, they  
25 are relatively deep infiltration basins that will

1 have the capability of storing a large volume of  
2 water, and we'll see pretty significant reductions  
3 in the more frequent rainfall events as well as  
4 treating a large amount of water quality  
5 throughout the life span of the project.

6 MR. HARDER: Okay. So I think I'm  
7 guessing then on my second question, a more minor  
8 question, I guess, the number of sheep, you don't  
9 have an outside number at this point or any kind  
10 of firm number?

11 THE WITNESS (La Marche): I can give  
12 some clarity on that. So based off of  
13 conversations that we've had with the American  
14 Solar Grazing Association and the Department of  
15 Agriculture, as well as input from potential  
16 farmers, we feel that the ballpark of the right  
17 amount of numbers is three to four sheep per acre.  
18 Really we don't need a lot of sheep. We don't  
19 have to have -- we are not trying to maximize the  
20 number of sheep, right, that's not the goal. So  
21 if the sheep in the area can be healthy, do what  
22 they need to do to keep the vegetation growth  
23 down, and satisfy the needs of agricultural co-use  
24 at less sheep than that, then we're fine having  
25 less sheep.

1 MR. HARDER: Okay. So it's kind of the  
2 upper limit is more determined by what's needed  
3 for vegetation management; is that correct?

4 THE WITNESS (La Marche): Yeah, I think  
5 that's a fair assessment. We would like the sheep  
6 to be able to keep the grasses and everything low  
7 during the summer seasons.

8 MR. HARDER: Okay.

9 THE WITNESS (La Marche): So if we can  
10 satisfy that, then great, but sheep is not our  
11 product so we don't --

12 MR. HARDER: Right, okay. Okay. Thank  
13 you. The other question or the other follow-up  
14 was on Mr. Edelson's question about battery  
15 storage. It sounds like there are other  
16 situations, other applications where you have  
17 included battery storage. And I understand from  
18 your comments, I mean, obviously the decision is  
19 based on a lot of things, but were any of them for  
20 systems that were roughly similar in size to this  
21 one?

22 THE WITNESS (La Marche): Is your  
23 question have we done energy storage on projects  
24 of a similar size?

25 MR. HARDER: Yes, that's correct,

1 roughly.

2 THE WITNESS (La Marche): Yeah. I  
3 don't believe as a company we have. I know there  
4 are projects being done of that type, but I don't  
5 believe that we have. I think most of our energy  
6 storage has been on more rooftop commercial type  
7 projects to date, but that does not mean we  
8 wouldn't be happy to if everything did make sense  
9 to do that.

10 MR. HARDER: Okay, that may make my  
11 real question, I guess, a little more difficult.  
12 But I was wondering for something like this can  
13 you give us a ballpark idea if the client were to  
14 say, yeah, we want energy storage, what would the  
15 cost be, again, roughly?

16 THE WITNESS (La Marche): I don't know  
17 that.

18 MR. HARDER: Okay. All right. The  
19 question, or the first question I had of mine  
20 anyway concerned the schedule. It was a little  
21 bit confusing looking in the narrative itself and  
22 then in the construction schedule, but I was a  
23 little concerned, depending on how you read it,  
24 that the proposed schedule might be a little  
25 tight, a little optimistic maybe. So I guess my

1 question is, given where we are now in the  
2 calendar year, when would you anticipate, if  
3 things go reasonably well without any major road  
4 blocks, when would you anticipate starting the  
5 site preparation, and how much time would you be  
6 allowing for stabilization, you know, and growth,  
7 I guess, of cover vegetation before you actually  
8 get in there and start working the site and start  
9 the actual construction?

10 THE WITNESS (La Marche): I think most  
11 likely, based off of where we are right now in the  
12 year and what has to be done, we would be able to  
13 start initial on-site work in the early June time  
14 frame.

15 MR. HARDER: Site preparation?

16 THE WITNESS (La Marche): Work on site,  
17 so yeah. I guess I'm not sure what you mean by  
18 site preparation, but yeah.

19 MR. HARDER: I mean earth moving, you  
20 know, removing topsoil, that kind of thing.

21 THE WITNESS (La Marche): Yes. I mean,  
22 we would start with -- yes, I think in the June  
23 time frame that that is the most likely time to  
24 do that.

25 MR. HARDER: Okay. And how much time



1 would you roughly be allowing for stabilization?  
2 I know it's a relatively -- it's not a  
3 particularly difficult site, obviously.

4 THE WITNESS (La Marche): Steve, do you  
5 have thoughts on that based off of the DEEP  
6 application and permit?

7 THE WITNESS (Kochis): Yes, but I'm  
8 going to end up kicking it back to you as the one  
9 who's got the -- but I'll add some clarity here.  
10 So I think the anticipation is, as I noted, we're  
11 going through the stormwater general permit  
12 application process right now. I have held  
13 multiple preapplication meetings with CT DEEP.  
14 I've walked the site with them as well. They  
15 didn't have many concerns on the site. However,  
16 typically they do like to see these farm fields  
17 pre-seeded before construction starts, so that is  
18 the clarity that I was going to add before kicking  
19 it back to Mr. La Marche about if it's feasible to  
20 get this site pre-seeded, because, if I'm not  
21 mistaken, that seems to be the intent of  
22 Mr. Harder's question.

23 MR. HARDER: Yes, that's right. And I  
24 mean, I'm wondering, I guess, it's a question that  
25 comes up in a lot of situations where, you know,

1 how much -- when do you think you're going to get  
2 into a site, and how much time are you going to  
3 allow for the site to be reasonably stabilized  
4 before you get in there and start moving things  
5 around, working things that would -- where a good  
6 stabilized cover growth would prevent serious  
7 erosion problems or minimize those.

8 THE WITNESS (La Marche): I don't want  
9 to put a hard number on it, but I can say we would  
10 obviously make sure that we are within the  
11 requirements of the general permit that we would  
12 have a stabilized site before doing the work and  
13 that we would always be maintaining that  
14 stabilized site throughout. And if the schedule  
15 allows for it, we would push that time period  
16 longer. If our schedule is tight and we need to  
17 get it done sooner, I think there's probably ways  
18 of accelerating the stabilization with erosion  
19 control blankets or hydroseeding or however we can  
20 to establish stabilization as fast as possible.

21 MR. HARDER: Okay. All right. Fair  
22 enough.

23 The next question concerns the site  
24 layout. It shows a large section extending south  
25 from the array area, and I think at least

1 initially it was proposed as a staging area. And  
2 I'm wondering long term, I think the site plan  
3 shows the fencing cutting across the top of that  
4 area, but I'm wondering if you have any longer  
5 term plans for actual, you know, panel  
6 construction or installation or anything that  
7 might involve expansion of the facility.

8 THE WITNESS (La Marche): Yeah, so I  
9 think your first question of that area on the  
10 first site layout on the cover sheet that shows it  
11 going down, that is the property boundaries. So  
12 this specific project does not use the extent of  
13 the property boundaries for that site, which is  
14 why we are not using that southern section.

15 In terms of expansion, it's a bit of a  
16 complicated question. This specific project with  
17 these awards will not be expanded. We do have the  
18 option of doing -- well, I don't know if "option"  
19 is the right word. We do have additional awards  
20 for the future of the different types of projects  
21 that may be in a similar area, but those are still  
22 in the works, and I don't really know that much  
23 details and don't want to speak to them at this  
24 hearing.

25 MR. HARDER: Okay. That's fine. I

1 understand that. I just want to make sure we're  
2 talking about the same area, though, where you  
3 said it's the property boundary. I'm looking at,  
4 I think it's attachment 7 to the submission, where  
5 there's a large section that goes south, or at  
6 least in one of the plans of drawings it did show  
7 some staging in that area outside the, what's  
8 proposed as the fence line, which is fine, but,  
9 you know, assuming that staging function goes away  
10 at some point --

11 THE WITNESS (La Marche): Yes.

12 MR. HARDER: -- then that's basically  
13 just open land.

14 THE WITNESS (La Marche): The staging  
15 would be temporary for contractor purposes.

16 MR. HARDER: Right. So what you're  
17 saying is beyond that there's no plan to use that  
18 part of the property?

19 THE WITNESS (La Marche): For these  
20 awards there is no plan to use that part of the  
21 property. I can't speak to the indefinite future.

22 MR. HARDER: Okay, sure. Oh, next  
23 question, and I think you had touched on this  
24 earlier in your discussion, but in the stormwater  
25 report -- well, I guess my question is, are all

1 three said basins intended to be permanent?

2 THE WITNESS (Kochis): Yes, all three  
3 basins are intended to last throughout the life  
4 span of the facility.

5 MR. HARDER: Okay. The reason I ask  
6 is, I think in appendix -- in the stormwater  
7 report, actually I think it's Appendix D of that  
8 report, which is Appendix G, there was some  
9 indication, I think, it was described for basin  
10 number 3 anyway, it was described both as  
11 temporary and permanent in two different places.  
12 I was assuming it was intended to be permanent,  
13 but the word "temporary" snuck in there somewhere.  
14 Okay.

15 So the last question I had actually  
16 concerns public comments and referring to the  
17 letter, Attorney Hoffman's letter, I think, that,  
18 or I guess his letter made reference to a table  
19 which summarized all of the communications between  
20 the applicant and the public, which was pretty  
21 good, pretty comprehensive. But my question is,  
22 are you aware of any remaining issues or concerns  
23 or objections raised by the public that have not  
24 been dealt with where someone is still objecting  
25 to anything?

1 THE WITNESS (La Marche): I am not  
2 aware of any objections that we did not attempt to  
3 address and work with. Maybe someone out there is  
4 silently objecting, but I don't know. In terms of  
5 the two neighbors that were most objecting to it  
6 and we worked with them on landscaping, I think --  
7 I don't know what their current outlook is. I  
8 have not discussed with them recently, but I  
9 believe that when Chris Ross was working with them  
10 that there was agreement that they were happy with  
11 the landscaping that we were providing to them.

12 MR. HARDER: Okay. All right. Thank  
13 you. I appreciate that.

14 And those are all the questions I had,  
15 Mr. Silvestri. Thank you.

16 MR. SILVESTRI: Thank you, Mr. Harder.

17 I'm actually up next. But before we go  
18 there, why don't we take a very, very short break  
19 just to stretch our legs or do whatever we have to  
20 do. Let's figure on meeting back here at 3:55.  
21 That will give us about 13 minutes. We'll see you  
22 at 3:55. Thank you.

23 (Whereupon, a recess was taken from  
24 3:42 p.m. until 3:55 p.m.)

25 MR. SILVESTRI: Okay. I do have 3:55.

1 First, I want to make sure our court reporter is  
2 back.

3 THE COURT REPORTER: Yes, I am. Thank  
4 you.

5 MR. SILVESTRI: Thank you. Attorney  
6 Hoffman, I see that you're back. Mr. Kochis is  
7 back. There we go. I think we're all set.

8 Okay. As mentioned before we took a  
9 break, I am up for continued cross-examination of  
10 the applicant. I do have a couple follow-up  
11 questions that I want to start with.

12 And first of all, the tobacco sheds, we  
13 talked about three of them before, but when you  
14 look at SHPO and some of the other writings that  
15 are in the application, it talks about five. I  
16 believe the other two that we didn't talk about  
17 are located to the southern portion of the site or  
18 just off the site, and I just wanted to make sure  
19 that those would remain intact. Am I correct on  
20 that?

21 THE WITNESS (La Marche): Yes, we will  
22 not be affecting any of the sheds.

23 MR. SILVESTRI: Very good. Thank you.  
24 The second part of it goes back to sheep grazing.  
25 And I think I know the answer, but I have to pose

1 the question anyhow. Is sheep grazing limited to  
2 daylight hours?

3 THE WITNESS (La Marche): No.

4 MR. SILVESTRI: Okay.

5 THE WITNESS (La Marche): I mean, the  
6 sheep will be on site. They will not be brought  
7 in and brought out. While they are there, they  
8 will live on site, they will sleep on site. So I  
9 guess they'll be there at nighttime, but they'll  
10 probably be asleep.

11 MR. SILVESTRI: Okay. I'm actually  
12 glad I asked the question. I thought it might  
13 just be limited to daylight hours. But with that  
14 then, if they're going to be there at night, is  
15 there any protections that might be needed for the  
16 sheep from stray wildlife that might be in the  
17 area?

18 THE WITNESS (La Marche): I guess that  
19 would be up to the sheep owner, herder, if they  
20 wanted to provide some protection, whether it  
21 would be a person on site or how otherwise else  
22 they do that. I mean, we will have a fence that  
23 will provide some level of protection, but I would  
24 also assume that, you know, coyotes could probably  
25 get around a fence.



1 MR. SILVESTRI: Okay. Thank you. I  
2 bring that up. The other night here, I'm near  
3 Sleeping Giant in Hamden, my dogs went outside. I  
4 happened to go outside with a flashlight and I saw  
5 five pair of eyes staring back at me. And I was  
6 trying to figure out what they were. They turned  
7 out to be deer, but it startled me at first. I  
8 didn't know if they were coyotes or something  
9 else. So just a side note. Thank you.

10 Going back to the electrical  
11 interconnection that we talked about, I think Mr.  
12 Hannon had posed the question what was the  
13 distance between the project site and the  
14 substation. That would go back to page 10 just to  
15 verify. It says 2.61 circuit miles. Is that  
16 still correct?

17 THE WITNESS (La Marche): So, that I  
18 think is still correct if you are looking at the  
19 circuit that we are interconnected to. That is  
20 not -- that is obviously not the distance between  
21 the site and the substation. And I did look this  
22 up at our break so that I could give a better  
23 answer to this question. And how it works is, we  
24 will be upgrading -- so as of right now there is a  
25 single-phase feeder line that goes south from

1 Rockville Road down Barber Hill Road, and we will  
2 be upgrading that line to a three-phase conductor  
3 to our site entrance or where it interconnects  
4 with our project. And the power from our project  
5 will be exported from the site, it will go along  
6 the new three-phase feeder that we build, and  
7 connect with the distribution feeder and the  
8 distribution circuit that is on Rockville Road.  
9 That is our point of interconnection. While that  
10 feeder is connected to the substation to the  
11 south, our power doesn't ever have to go to the  
12 substation. The power generated by the solar  
13 facility will most likely be consumed on that  
14 distribution circuit by all the residents and uses  
15 along the circuit.

16 MR. SILVESTRI: Very good, Mr. La  
17 Marche. I appreciate that clarification. You  
18 know, if it did go to the substation, from what  
19 you're mentioning, then it would probably go north  
20 from Barber Hill to Rockville and then go south if  
21 it was going to the substation. Would that be  
22 kind of correct?

23 THE WITNESS (La Marche): Yes, that  
24 would be correct if it had to go to the  
25 substation. But, right, it will be consumed in

1 its path of least resistance.

2 MR. SILVESTRI: Very good. I  
3 appreciate that clarification. Thank you.

4 Different topic. In your experience  
5 with other installations that you have, should you  
6 bring in panels and they break in transport,  
7 either, you know, unloading or at the site, or  
8 just in transport itself, or if you're installing  
9 them and they break, what do you do with the  
10 panels?

11 THE WITNESS (La Marche): I guess it  
12 depends on the nature of the break. I think they  
13 are either returned to the manufacturer probably,  
14 if they come as a defect, if that is feasible, but  
15 I think the most likely scenario is the contractor  
16 would dispose of them based off of the  
17 requirements for disposing of the product.

18 MR. SILVESTRI: I was looking more at,  
19 say you had a contractor putting them in, somehow  
20 the glass split, you wouldn't be able to use the  
21 panels. That's what I was looking at, what would  
22 you do with that particular panel that the glass  
23 split, you couldn't use it, you'd have to take it  
24 off site.

25 THE WITNESS (La Marche): It would be

1 disposed of based off of the requirements of how  
2 that technology needs to be disposed of, whether  
3 it's solid waste or not solid waste, depending on  
4 the type of product, and the contractor would  
5 dispose of it.

6 MR. SILVESTRI: So my lead-in on all of  
7 this goes back to your response on that TCLP test.  
8 And wouldn't you want to know up front what you  
9 want to do with a panel in that case if it would  
10 be TCLP positive that it would be a hazardous  
11 waste or if it would be benign and not be a  
12 hazardous waste?

13 THE WITNESS (La Marche): I understand  
14 what you are saying in terms of we -- there would  
15 want to be a plan for how to dispose of something  
16 if it is broken. I do not know exactly the  
17 contractor's methodology for how they manage that,  
18 but I understand your point.

19 MR. SILVESTRI: Yeah, just to bring it  
20 home a little bit more from my standpoint, I never  
21 liked surprises. So I was always looking more at  
22 a proactive standpoint to say, all right, if there  
23 is X amount of things that would need to be done  
24 ahead of time for whatever the project might be, I  
25 would want to do those ahead of time so I wouldn't

1 have any surprises should something happen.

2 That's my point.

3 THE WITNESS (La Marche): Uh-huh.

4 MR. SILVESTRI: Okay. Thank you.

5 That's really all the questions and follow-ups  
6 that I have. But as everyone knows, when you pose  
7 questions and you get answers back, it tends to  
8 draw more questions, particularly from our Council  
9 members.

10 So I'd like to go back, starting with  
11 Mr. Perrone, to see if he has any follow-up  
12 questions, and then go through the rest of our  
13 Council members at this time.

14 Mr. Perrone, any follow-up questions?

15 MR. PERRONE: Yes, Mr. Silvestri, maybe  
16 four or so.

17 Mr. La Marche, with regard to energy  
18 sales, had you mentioned -- (AUDIO INTERRUPTION)

19 THE WITNESS (La Marche): Sorry. I  
20 think you cut out for that entire question, at  
21 least for me. I don't know if anyone else was  
22 able to hear you.

23 MR. PERRONE: I'll try that again. You  
24 had mentioned virtual net metering. Which entity  
25 are you pursuing virtual net metering with?

1           THE WITNESS (La Marche): I don't know  
2 the answer to that question. I know as -- I don't  
3 know. I know we work with multiple entities as a  
4 company, but I'm not sure which it would be for  
5 this specific project.

6           MR. PERRONE: Okay. Earlier Mr.  
7 Morissette had discussed with you the possibility  
8 of having the riser poles on the back side of the  
9 barn, in other words, farther from Barber Hill  
10 Road. So looking at the drawing here, would that  
11 be the west side of the barn?

12           THE WITNESS (La Marche): I believe I  
13 know what you mean by the west side. I do not  
14 think that there would be sufficient space just  
15 between the west side of the barn and our property  
16 boundary to the west to accommodate the poles and  
17 the infrastructure right there. The utility  
18 company will require a certain amount of space  
19 between poles and other items for safety purposes,  
20 and I don't believe that there's sufficient space  
21 right there based off of, you know, how it looks  
22 in my understanding. If there is space there,  
23 yes, I think that's something that we can discuss  
24 with the utility companies and see if it's an  
25 option, but my guess is it won't work.

1 MR. PERRONE: Okay. And also looking  
2 at the latest planting plan, I know I had asked  
3 you about the barns potentially providing some  
4 screening. I believe you had testified that they  
5 generally don't. But the barn in the northern  
6 limits of the property and the one to the south,  
7 don't they sort of work with the landscaping plan  
8 to provide a sort of wrap around for screening?

9 THE WITNESS (La Marche): Yeah, I guess  
10 they do, from the adjoining properties they do. I  
11 guess I was speaking from the public road area  
12 where they don't abut to it, but in terms of the  
13 properties next to it and that visibility, yes.

14 MR. PERRONE: So would they provide at  
15 least some limited screening for homes, say, north  
16 of the northern barn and south of the southern  
17 barn?

18 THE WITNESS (La Marche): By looking on  
19 the map, yeah, I think they probably could.

20 MR. PERRONE: Thank you. That's all I  
21 have.

22 MR. SILVESTRI: Thank you, Mr. Perrone.  
23 Mr. Morissette, any follow-up  
24 questions?

25 MR. MORISSETTE: Thank you, Mr.

1 Silvestri. I do have a couple of follow-up  
2 questions. The first relates to the LREC  
3 contract. The three contracts, are they all  
4 priced at the same price per kilowatt hour or are  
5 they different for each?

6 THE WITNESS (La Marche): I really  
7 don't know the pricing. I'm sorry.

8 MR. MORISSETTE: My second question is,  
9 do each of the contracts have a megawatt limit --  
10 megawatt delivery -- megawatt hour, excuse me,  
11 delivery requirement?

12 THE WITNESS (La Marche): Megawatt hour  
13 delivery, so a production requirement. I'm not  
14 aware.

15 MR. MORISSETTE: Okay. And my final  
16 question, have you discussed with CL&P the concept  
17 of providing secondary metering for the revenue  
18 meterings instead of primary?

19 THE WITNESS (La Marche): When you say  
20 "C" and who?

21 MR. MORISSETTE: Eversource. Excuse  
22 me.

23 THE WITNESS (La Marche): Eversource.  
24 We have not discussed that arrangement on this  
25 project. I have looked at it on other projects,



1 not with Eversource. I do know it is technically  
2 feasible, but it does depend on the metering -- I  
3 guess the standard metering that the utility  
4 company or Eversource would want to use. They may  
5 object to it, so I don't know.

6 MR. MORISSETTE: Okay. So you haven't  
7 had that discussion?

8 THE WITNESS (La Marche): No.

9 MR. MORISSETTE: Actually, that brings  
10 up another question as to whether there has been  
11 discussions about having only one metering point  
12 for the revenue meterings on the primary risers.

13 THE WITNESS (La Marche): There's not  
14 been direct discussions of having a single meter  
15 for the revenue, but I do know that they need to  
16 be fully electrically separate all the way through  
17 to the point of interconnection for the REC  
18 purposes, so I don't believe that that is an  
19 option.

20 MR. MORISSETTE: Well, your REC  
21 metering is on the secondary side, not the primary  
22 side, so it's not really clear to me why that  
23 would be the case. Okay. That's all the  
24 questions I have. Thank you.

25 MR. SILVESTRI: Thank you, Mr.

1 Morissette.

2 I'd like to turn to Mr. Hannon to see  
3 if Mr. Hannon has any follow-up questions.

4 (No response.)

5 MR. SILVESTRI: I could see Mr. Hannon.  
6 There we go.

7 MR. HANNON: My screen froze, but I  
8 have no questions.

9 MR. SILVESTRI: Very good. Thank you,  
10 Mr. Hannon.

11 Mr. Nguyen, any follow-up questions?

12 MR. NGUYEN: No follow-up questions.  
13 Thank you, Mr. Silvestri.

14 MR. SILVESTRI: Thank you, Mr. Nguyen.

15 Mr. Edelson, any follow-up questions?  
16 You're on mute.

17 MR. EDELSON: All set here. No  
18 questions. Thank you.

19 MR. SILVESTRI: Very good. Thank you,  
20 Mr. Edelson.

21 Mr. Harder, any follow-up questions on  
22 your side?

23 MR. HARDER: No, no follow-up  
24 questions. Thank you.

25 MR. SILVESTRI: Very good. I have no

1 follow-ups to pose. So I believe we're at the  
2 point that the Council will recess until 6:30  
3 p.m., at which time we'll commence the public  
4 comment session of this remote public hearing. So  
5 we will see everyone for 6:30 later this evening.  
6 Thank you.

7 (Whereupon, the witnesses were excused,  
8 and the hearing adjourned at 4:10 p.m.)

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1 CERTIFICATE OF REMOTE HEARING

2  
3 I hereby certify that the foregoing 91 pages  
4 are a complete and accurate computer-aided  
5 transcription of my original stenotype notes taken  
6 of the Remote Public Hearing in Re: PETITION NO.  
7 1422, GREENSKIES CLEAN ENERGY, LLC PETITION FOR A  
8 DECLARATORY RULING, PURSUANT TO CONNECTICUT  
9 GENERAL STATUTES, SECTION 4-176 AND SECTION  
10 16-50k, FOR THE PROPOSED CONSTRUCTION, MAINTENANCE  
11 AND OPERATION OF A 4.99-MEGAWATT AC SOLAR  
12 PHOTOVOLTAIC ELECTRIC GENERATING FACILITY TO BE  
13 LOCATED AT MULNITE FARMS, INC. OFF BARBER HILL  
14 ROAD WEST OF THE INTERSECTION WITH ROCKVILLE ROAD,  
15 EAST WINDSOR, CONNECTICUT AND ASSOCIATED  
16 ELECTRICAL INTERCONNECTION, which was held before  
17 ROBERT SILVESTRI, Presiding Officer, on February  
18 23, 2021.

19  
20  
21 

22 -----  
23 Lisa L. Warner, CSR 061  
24 Court Reporter  
25 BCT REPORTING, LLC  
55 WHITING STREET, SUITE 1A  
PLAINVILLE, CONNECTICUT 06062

I N D E X

WITNESSES: (SWORN ON PAGE 9)

JEAN-PAUL La MARCHE

JEFFREY SHAMAS

STEVE KOCHIS

EVAN MILLER

EXAMINERS:

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Mr. Harder 65

Mr. Silvestri 79

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

2  
3 PETITIONER'S EXHIBITS  
(Received in evidence)

4 EXHIBIT	DESCRIPTION	PAGE
5 II-B-1	Petition for a declaratory ruling 6 filed by Greenskies Clean Energy, LLC, 7 received July 20, 2020, and 8 attachments.	14
9 II-B-2	Petitioner's responses to Council's 10 incomplete letter, dated 11 August 3, 2020.	14
12 II-B-3	Petitioner's responses to Council's 13 interrogatories, Set One, dated 14 October 5, 2020.	14
15 II-B-4	Petitioner's correspondence with 16 attached DEEP NDDB final determination 17 letter, dated October 23, 2020.	14
18 II-B-5	Petitioner's response to Town of 19 East Windsor request for hearing, 20 dated December 11, 2020.	14
21 II-B-6	Petitioner's responses to Council's 22 interrogatories, Set Two, dated 23 February 16, 2021.	14
24 II-B-7	Petitioner's sign posting affidavit, 25 dated February 19, 2021.	14

\*All exhibits retained by the Council.