

1
2 STATE OF CONNECTICUT
3 CONNECTICUT SITING COUNCIL
4

5 Petition No. 1611

6 LSE Scutum, LLC; and LSE Bootes, LLC, (Lodestar
7 Energy) Petition for a Declaratory Ruling, Pursuant
8 to Connecticut General Statutes §4-176 and §16-50k,
9 for the Proposed Construction, Maintenance and
10 Operation of a 1.93-megawatt AC Solar Photovoltaic
11 Electric Generating Facility Located at 141 Town
12 Farm Road, and Parcel Nos. 86-326 and 86-164, Abbe
13 Road, Enfield, Connecticut, and Associated
14 Electrical Interconnection.

15
16 Zoom Remote Council Meeting (Teleconference),
17 on Thursday, May 16, 2024, beginning at 2 p.m.

18
19 H e l d B e f o r e :

20 JOHN MORISSETTE, Member and Presiding Officer
21
22
23
24
25

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

2 **Council Members:**

3 **JOHN MORISSETTE (Hearing Officer)**

4
5 **BRIAN GOLEMBIEWSKI,**

6 **DEEP Designee**

7
8 **QUAT NGUYEN,**

9 **PURA Designee**

10
11 **ROBERT SILVESTRI**

CHANCE CARTER

12 **KHRISTINE HALL**

13
14 **Council Staff:**

15 **MELANIE BACHMAN, ESQ.,**

16 **Executive Director and Staff Attorney**

17
18 **ROBERT MERCIER,**

19 **Siting Analyst**

20
21 **LISA FONTAINE,**

22 **Fiscal Administrative Officer**

23
24 **DAKOTA LAFOUNTAIN,**

25 **Administrative Support**

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

2 **For THE PETITIONER:**

3 **PULLMAN & COMELY, LLC**
4 **90 State House Square**
5 **Hartford, Connecticut 06103-3702**

6 **By: LEE HOFFMAN**
7 **LHoffman@pullcom.com**
8 **860.424.4315**

9
10 **LODESTAR ENERGY, LLC**
11 **40 Tower Lane, Suite 201**
12 **Avon, CT 06001**

13 **By: CARRIE LARSON ORTOLANO, ESQ.**
14 **COrtolano@lodestarenergy.com**
15 **203.626.2330**

16
17 **FOR THE TOWN OF ENFIELD:**

18 **HINCKLEY ALLEN**
19 **20 Church Street**
20 **Hartford, Connecticut 06103**

21 **By: JEFFREY J. MIRMAN, ESQ.**
22 **JMirman@hinckleyallen.com**
23 **860.725.6200**

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

2 **For the GROUPED INTERVENORS (Audet, Krasinkiewicz,**
3 **Cox):**

4 **JOHN COX**

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 (Begin: 2 p.m.)

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

5 Very good, thank you.

6 This public hearing is called to order this
7 Thursday, May 16, 2024, at 2 p.m. My name is John
8 Morissette, member and presiding officer of the
9 Connecticut Siting Council.

10 Other members of the Council are Brian
11 Golembiewski, designee for Commissioner Katie
12 Dykes of the Department of Energy and
13 Environmental Protection; Quat Nguyen, designee
14 for Chairman Marissa Paslick Gillett of the Public
15 Utilities Regulatory Authority; Robert Silvestri;
16 Dr. Thomas Near; Chance Carter; and Khristine
17 Hall.

18 Members of the staff are Executive Director
19 Melanie Bachman, Siting Analyst Robert Mercier,
20 and administrative support Lisa Fontaine and
21 Dakota Lafountain.

22 If you haven't done so already, I ask that
23 everyone please mute their computer audio and/or
24 telephone now. Thank you.

25 This hearing is held pursuant to the

1 provisions of Title 16 of the Connecticut General
2 Statutes and of the Uniform Administrative
3 Procedure Act upon a petition from Lodestar Energy
4 for a declaratory ruling pursuant to Connecticut
5 General Statutes Section 4-176 and Section 16-50k
6 for the proposed construction, maintenance, and
7 operation of a 1.93-megawatt AC solar photovoltaic
8 electric generating facility located at 141 Town
9 Farm Road and two parcels on Abbe Road in Enfield,
10 Connecticut, and its associated electrical
11 interconnection.

12 This petition was received by the Council on
13 February 8, 2024. The Council's legal notice of
14 the date and time of this public hearing was
15 published in the Hartford Courant on April 16,
16 2024.

17 Upon this Council's request, the petitioner
18 erected signs in the vicinity of the proposed site
19 so as to inform the public of the name of the
20 petitioner, the type of facility, the public
21 hearing date, and contact information for the
22 Council, including the website and phone number.

23 As a reminder to all, off-the-record
24 communications with a member of the Council or a
25 member of the council's staff upon the merits of

1 this petition is prohibited by law.

2 The parties and intervenors to this
3 proceedings are as follows. The petitioner,
4 Lodestar Energy, LLC, its representatives, Carrie
5 Larson Ortolano, Esquire, of Lodestar Energy, LLC;
6 Lee Hoffman, Esquire, and Liana Feinn, Esquire, of
7 Pullman & Comely, LLC.

8 The parties, the Town of Enfield, represented
9 by Mark Cerrato, Esquire, of the Office of the
10 Town Attorney, and Jeffrey Mirman, Esquire, of
11 Hinkley, Allen, and Snyder, LLP.

12 Our grouped resident intervenors are Barbara
13 Audet, Jennifer Krasinkiewicz, and John Cox. Its
14 representative is John Cox.

15 We will proceed in accordance with the
16 prepared agenda, a copy of which is available on
17 the Council's Petition Number 1611 webpage, along
18 with a record of this matter, the public hearing
19 notice, instructions for public access to this
20 public hearing, and the Council's Citizen's Guide
21 to Siting Council's procedures.

22 Interested persons may join any session of
23 this public hearing to listen, but no public
24 comments will be received during the 2 p.m.
25 evidentiary session. At the end of the

1 evidentiary session, we will recess until 6:30
2 p.m. for the public comment session.

3 Please be advised that any person may be
4 removed from the evidentiary session or the public
5 comment session at the discretion of the Council.
6 At 6:30 p.m. the public comment session will be
7 reserved for members of the public who have signed
8 up in advance to make brief statements into the
9 record.

10 I wish to note that the Petitioner, parties,
11 and intervenors, including their representatives
12 and witnesses, are not allowed to participate in
13 the public comment session.

14 I also wish to note for those who are
15 listening and for the benefit of your friends and
16 neighbors who are unable to join us for the public
17 comment session, that you or they may send written
18 statements to the Council within 30 days of the
19 date hereof either by mail or by e-mail, and such
20 written statements will be given the same weight
21 as if spoken during the public comment session.

22 A verbatim transcript of this public hearing
23 will be posted on the Council's Petition Number
24 1611 webpage and deposited with the Enfield Town
25 Clerk's Office for the convenience of the public.

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

3 We'll now move on to administrative notices
4 taken by the Council. I wish to call your
5 attention to those items shown on the hearing
6 program marked as Roman numerals 1B, items 1
7 through 97.

8 Does the Petitioner or any party or
9 intervenor have an objection to these items that
10 the Council has administratively noticed?

11 Attorney Ortolano or Attorney Hoffman?

12 MR. HOFFMAN: Mr. Morissette, the Petitioner has no
13 objection.

14 THE HEARING OFFICER: Thank you, Attorney Hoffman.

15 Attorney Cerrato or Mirman?

16 MR. MIRMAN: The Town of Enfield has no objection.

17 THE HEARING OFFICER: Thank you, Attorney Mirman.

18 And Mr. Cox?

19 JOHN COX: No objection, sir.

20 THE HEARING OFFICER: Thank you. Accordingly, the
21 Council hereby administratively notices these
22 existing documents.

23 We'll now move on to the appearance by the
24 Petitioner. Will the Petitioner present its
25 witness panel for purposes of taking the oath?

1 We'll have Attorney Bachman administer the oath
2 when you're ready.

3 MR. HOFFMAN: Yes, Mr. Morissette. Thank you.

4 So we have in the room, to my left, Jeffrey
5 Shamas; and to my right, Tim Coon, mister -- I'm
6 sorry. On the screen we have Jeff Shamas, and to
7 my left we have Jeff Macel. I apologize for
8 confusing that.

9 Mr. Macel is the co-founder and Managing
10 Director of Lodestar. Mr. Coon is with JR Russo &
11 Associates. And Mr. Shamas, who is separately on
12 screen, is with VHB. Those are the three
13 witnesses for the Petitioner.

14 THE HEARING OFFICER: Thank you, Attorney Hoffman.

15 Attorney Bachman, please administer the oath.

16 MS. BACHMAN: Mr. Morissette, could the Witnesses
17 please raise their right hand?

18 J E F F R E Y M A C E L,

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

20 T I M C O O N,

21 called as witnesses, being first duly sworn
22 by THE EXECUTIVE DIRECTOR, were examined and
23 testified under oath as follows:

24
25 MS. BACHMAN: Thank you.

1 THE HEARING OFFICER: Thank you, Attorney Bachman.

2 Attorney Hoffman, please begin by verifying
3 all the exhibits by the appropriate sworn
4 witnesses.

5 MR. HOFFMAN: Thank you, Mr. Morissette. So we have
6 several pieces of evidence for the hearing today.
7 They're found in the hearing program at Roman
8 numeral 2, letter B. They are the petition and
9 all exhibits, the signposting affidavit, the
10 responses to the Council's interrogatories that
11 were submitted on May 9th, as well as the
12 responses to the Town of Enfield's interrogatories
13 that were also submitted on May 9th.

14 And Mr. Macel, I'll start with you. Those
15 four exhibits, did you prepare those exhibits or
16 cause those exhibits to be prepared?

17 THE WITNESS (Macel): Yes, I caused those exhibits to
18 be prepared.

19 MR. HOFFMAN: And are they accurate to the best of your
20 knowledge?

21 THE WITNESS (Macel): Yes.

22 MR. HOFFMAN: And do you have any changes to them
23 today?

24 THE WITNESS (Macel): I do not.

25 MR. HOFFMAN: And do you adopt them as your sworn

1 testimony today?

2 THE WITNESS (Macel): I adopt them.

3 MR. HOFFMAN: Thank you.

4 Mr. Shamas, the same set of questions to you.

5 Did you prepare or cause to be prepared the four
6 exhibits listed in item 2B in the hearing program?

7 THE WITNESS (Shamas): Yes, I did.

8 MR. HOFFMAN: And are they accurate to the best of your
9 knowledge?

10 THE WITNESS (Shamas): They are.

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

13 THE WITNESS (Shamas): I do not.

14 MR. HOFFMAN: And do you adopt them as your sworn
15 testimony today?

16 THE WITNESS (Shamas): Yes, I do.

17 MR. HOFFMAN: And Mr. Coon, we'll finish with you. Did
18 you prepare or cause to be prepared the four
19 exhibits that are listed in item 2B in the hearing
20 program?

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

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

24 THE WITNESS (Coon): Yes.

25 MR. HOFFMAN: And do you have any changes to them

1 today?

2 **THE WITNESS (Coon):** No.

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

5 **THE WITNESS (Coon):** I do.

6 **MR. HOFFMAN:** Mr. Morissette, with that I would ask
7 that items 2B, one, two, three, and four be
8 adopted as full exhibits.

9 **THE HEARING OFFICER:** Thank you, Attorney Hoffman.

10 Does any party or intervener object to the
11 admission of the petitioner's exhibits?

12 Attorney Mirman?

13 **MR. MIRMAN:** Yes, on behalf of the Town. I noticed
14 that the responses to the Town's exhibits are
15 signed only, respectfully submitted, Petitioner,
16 without any signature by an individual or under
17 oath.

18 I have no objection so long as there is no
19 claim with respect to these responses that there
20 is a claim of any attorney-client privilege
21 associated with them.

22 **THE HEARING OFFICER:** Thank you, Attorney Mirman.

23 Attorney Hoffman, any response?

24 **MR. HOFFMAN:** Mr. Morissette, each of the witnesses
25 adopted those interrogatories as sworn statements

1 here today. So therefore, I think that should
2 obviate any of Mr. Mirman's concerns. Thank you.

3 THE HEARING OFFICER: Thank you. I tend to agree.

4 I'll ask Attorney Bachman on her opinion?

5 MS. BACHMAN: Thank you, Mr. Morissette. I also agree.

6 Certainly, the Witnesses have sworn to the
7 testimony. They are under oath, and they are
8 prepared for cross-examination this afternoon.

9 Thank you.

10 THE HEARING OFFICER: Very good. Thank you, Attorney
11 Bachman.

12 Attorney Mirman, are we all set?

13 MR. MIRMAN: Yes, we are.

14 THE HEARING OFFICER: Very good.

15 Mr. Cox?

16 JOHN COX: Yes, sir.

17 THE HEARING OFFICER: Do you object to the admission of
18 the Petitioner's exhibits?

19 JOHN COX: Sorry. I meant, no, sir. I do not object.

20 THE HEARING OFFICER: Okay. Very good. Thank you.

21 The exhibits are hereby admitted.

22 With that, we will now begin with
23 cross-examination of the Petitioner by the
24 Council, starting with Mr. Mercier and followed by
25 Mr. Silvestri.

1 Mr. Mercier, good afternoon.

2 **MR. MERCIER:** Good afternoon. Thank you. I'm going to
3 begin by reviewing the petition site plan,
4 following along on the website near the top of the
5 page, under Exhibit 1, site plan, and that link
6 will bring you to six or seven sheets. And I will
7 be looking at the third sheet. It's titled,
8 overall aerial plan.

9 And just looking at the plan, obviously
10 there's some larger array, panel arrays at the
11 north end, kind of in the middle and at the south
12 end. And then between the middle and the north
13 end arrays there's about -- a row of about five
14 panels separated from the others.

15 What's the reason for that separation?

16 **THE WITNESS (Coon):** You're talking about the five at
17 the southern end of -- the southern end of the
18 northern array?

19 **MR. MERCIER:** Yes, right by the wetlands. Yeah, right
20 southeast of the wetland. There's just basically
21 five small array -- five rows kind of separated
22 from the others, not really joined.

23 **THE WITNESS (Coon):** I believe those were put there so
24 that we could place the full strings at that
25 location so that they would fit in that -- the

1 full strings fit in that area without having to
2 break them down.

3 MR. MERCIER: I'm sorry. Can you repeat that? I could
4 not understand.

5 THE WITNESS (Coon): I believe that is where we were
6 able to fit the five strings without having to
7 piecemeal them, the overall length of the string.

8 MR. MERCIER: Okay. So it's based on your inverter
9 layout. That's correct?

10 THE WITNESS (Coon): I believe so.

11 MR. MERCIER: Okay. I'm just generally looking at the
12 plan and, you know, there's some space to the left
13 and right of there, those five rows, you know, to
14 the east, to the west, a little bit to the south.

15 And if you go down even farther south to the
16 middle section, I'll call it, there's some space
17 between the middle section and the southernmost
18 piece. The site appears a little more spread out.

19 Is it possible to actually condense these
20 panel rows to make them a little bit tighter?

21 That way perhaps you can move some of the panels
22 away from Town Farm Road?

23 THE WITNESS (Macel): This is Jeff Macel from Lodestar
24 Energy. The project is currently designed as a
25 tracking solar array, which requires a number of

1 strings to be placed in combination in order to
2 have a driveshaft motor operate that so that the
3 panels can track from east in the morning to west
4 in the afternoon to maximize the solar output.
5 That requires less real estate space to maximize
6 energy production.

7 In addition, as you'll note from this design,
8 this property is broken into two energy
9 facilities, which is set forth in the petition.
10 The northern array operates as one individual unit
11 with a single point of interconnection on Abbe
12 Road. Therefore, those modules can't be moved to
13 the southern array, which is electrically distinct
14 and interconnected to the south on Town Farm Road.

15 MR. MERCIER: I understand that fully. What I'm
16 actually asking is pushing some of the arrays up,
17 not that they have to interconnect with each other
18 from the north and south, but rather you have
19 unused space there.

20 Is it possible to push the arrays upward and
21 maintain their electrical connections to the north
22 and to the south? It's basically relocating the
23 rows. And if not, what is the distance you
24 require between each panel row, if that is not
25 possible?

1 THE WITNESS (Macel): Correct. I would direct you to
2 the interrogatory responses in which we set forth
3 the inter-row spacing for the modules. The
4 modules on the southern side, as configured in
5 those strings, have to stay in combinations of, my
6 recollection is, 27 modules per string.

7 And so you can't break any of those 27 up.

8 MR. MERCIER: Understood. I'm not asking you to break
9 them up. I'm asking you to push them up.

10 THE WITNESS (Macel): Oh, I understand your point now.
11 Thank you for that clarification.

12 There may be some adjustments that could be
13 made. I trust that our engineering team looked at
14 that as a potential option. And in order to take
15 advantage of the drive shaft across all rows, this
16 was the optimal design.

17 MR. MERCIER: Okay. I understand that part now. I
18 guess that relates to -- I believe, one of the
19 interrogatories stated, it might have been 22,
20 that eight motors are required -- excuse me, 5 to
21 7 motors are required. Is that correct?

22 THE WITNESS (Macel): That is correct.

23 MR. MERCIER: Okay. Roughly where would the motors be
24 located? Is there going to be, like, two on the
25 north end and three on the south end?

1 Or has that been decided?

2 **THE WITNESS (Macel):** I don't think it has been decided
3 yet. These motor units would be something that
4 would be added in when we go to 100 percent issued
5 for construction design sets.

6 **MR. MERCIER:** So the motor units, you know, five to
7 seven of them, that that will determine basically
8 what you're showing here, is the alignment based
9 on the motor locations, potentially.

10 As you said, you have to have a drive shaft
11 going through and then to move them up and down?

12 **THE WITNESS (Macel):** That's correct. The drive shafts
13 are oriented east-west, and in order to maximize
14 their effectiveness we would use as few motors as
15 possible.

16 Therefore, in order to have one horizontal
17 access with as few motors as possible, we would
18 locate those, I would imagine, on the eastern side
19 so that they're closer to the north-south space
20 that's available on that eastern side.

21 **MR. MERCIER:** Okay. Thank you for that clarification.

22 Looking at the site plan, there's the wetland
23 on the western, northwest side. And just south of
24 that, you know, the fence comes around, and then
25 there's basically unused space in the field

1 between the small five-row panel there we just
2 talked about. And the next array, it's basically
3 a rectangular square area.

4 Is it possible to realign the fence there to
5 make it more -- follow the panel rows, rather than
6 just having that empty space within the fenced
7 area just to move the fence away from the property
8 line as much as possible in that section?

9 **THE WITNESS (Macel):** I think that's something that
10 would -- it could certainly be considered. It
11 would be important to consult with the engineering
12 team to understand if there are any lay-down areas
13 for construction that would be utilized prior to
14 operations.

15 As an alternative, we could explore a
16 temporary fence during the construction period
17 that -- and then a permanent fence could be built
18 further, to your point, or closer to the panels
19 further to the east.

20 **THE HEARING OFFICER:** Excuse me --

21 **MR. MERCIER:** Was the intent to build -- yeah, go
22 ahead.

23 **THE HEARING OFFICER:** Excuse me, Mr. Mercier.

24 Just as a reminder, please state your name
25 prior to answering the questions so that the Court

1 Reporter correctly gets it onto the record.

2 Thank you.

3 MR. MERCIER: For the lay-down areas, are they
4 typically fenced off with permanent fencing, or
5 does the fencing for the array kind of come near
6 the end of the project?

7 THE WITNESS (Macel): During the delivery of equipment,
8 it's typical that we will have our valuable
9 equipment, such as modules and inverters,
10 delivered and there they will be ring-fenced from
11 an insurance perspective to safeguard our
12 property. When at all possible, in order to not
13 duplicate that effort, we try to use the permanent
14 fencing as part of that.

15 MR. MERCIER: Okay. While we are on construction, you
16 know, I understand you have your northern array
17 and then you have your southern array, and there's
18 two separate driveways.

19 Would one of the driveways be used during
20 construction? Or is the intent to use both
21 entrances, the one off Town Farm and the one off
22 Abbe Road?

23 THE WITNESS (Macel): Yes. This is Jeff Macel with
24 Lodestar.

25 The intent is to use the driveway off of Town

1 Farm for all construction activity.

2 As required by the electric distribution
3 company, in this case Eversource, we have two
4 access roads for interconnections specifically.
5 The access off of Abbe, Abbe Road would be
6 specifically for interconnection for Eversource.

7 MR. MERCIER: So -- I'm sorry. Just to confirm, that's
8 for construction. During construction, you're
9 just going to use Town Farm Road.

10 Is that correct?

11 THE WITNESS (Macel): Yes. Jeff Macel from Lodestar.
12 That's correct.

13 MR. MERCIER: Now for vehicles that will be accessing
14 the site, what type are there? Will there be
15 large trucks? Cranes? Can you just give a quick
16 rundown of what may be -- what vehicles may be
17 entering to do construction?

18 THE WITNESS (Macel): Yes. It tends to be, with the
19 exception of deliveries, they tend to be small
20 pickup trucks and related vehicles. We will
21 require a low bed to deliver any construction
22 equipment such as a Bobcat or skid steer.

23 The equipment utilized for the installation
24 of racking is a small post-driving piece of
25 equipment typically mounted on a skid steer. That

1 would be delivered by low bed. And with the
2 exception of delivery of modules or transformers,
3 which would require larger equipment, that's the
4 majority of the equipment that would be utilized.

5 THE WITNESS (Coon): Tim Coon with JR Russo. There
6 will be some earth-moving equipment necessary to
7 create our water quality swale. So there's the --
8 there will be bulldozers, likely a small excavator
9 also brought, low beds or trailers to the site.

10 MR. MERCIER: Would any of this equipment, probably the
11 large equipment, require any type of traffic
12 control, a flagger or a police officer to ensure
13 safety?

14 THE WITNESS (Coon): Tim Coon.

15 I would say none would be anticipated, no.

16 MR. MERCIER: You mentioned the post driving on some
17 type of steer or track vehicle. For this project,
18 do you have any sense of how long it might take
19 just to install the racking post?

20 Is that, like, one week? Two weeks?

21 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

22 The racking component generally takes four to
23 six weeks from start to finish. The actual
24 foundational piece is a matter of one week.

25 MR. MERCIER: Just to clarify, the actual post-driving

1 into the ground is one week?

2 **THE WITNESS (Macel):** Correct.

3 **MR. MERCIER:** Thank you. I was looking at the site.

4 Obviously, it's a farm field currently. Is it in
5 active production this year for crops by
6 landowner?

7 **THE WITNESS (Macel):** This is Jeff Macel from Lodestar.

8 I'm unsure if they're actually producing crops
9 this year. In the past it has had limited use for
10 growing squash, and that's our understanding.

11 **MR. MERCIER:** If the project was approved, you know,
12 just for timing, and if the landowner had a crop
13 of squash on it, would you wait until its harvest
14 is complete and proceed?

15 **THE WITNESS (Macel):** This is Jeff Macel from Lodestar.

16 That's correct. If there's any existing
17 crops growing, we tend to wait until those have
18 been harvested before commencing our work.

19 **MR. MERCIER:** If that did occur and the site was, you
20 know, bare soil after he's done harvesting, would
21 the site be seeded prior to the commencement of
22 solar construction?

23 **THE WITNESS (Macel):** This is Jeff Macel from Lodestar.

24 Yes, a cover crop, typically a rye or a fescue
25 would be planted prior -- upon the completion of

1 the harvest in order to protect the soil, and that
2 would -- that would be done prior to commencement
3 of any work for the installation of the solar
4 array.

5 MR. MERCIER: Now would Lodestar or the landowner be
6 responsible for that cover crop once harvest is
7 complete?

8 THE WITNESS (Macel): Jeff Macel from Lodestar.

9 Yes, Lodestar would undertake that activity.

10 MR. MERCIER: Once the seed is put down, how long
11 typically do you have to wait for proper growth
12 and stabilization of the bare soil?

13 THE WITNESS (Macel): Jeff Macel from Lodestar. As
14 part of our solar construction, we get a general
15 stormwater permit, which requires two growing
16 seasons, and it's all subject to the regulations
17 set forth in Stormwater Appendix I, which is a
18 vegetation establishment process put in place by
19 DEEP as part of the general stormwater discharge
20 permit.

21 MR. MERCIER: Yes. I meant prior to the commencement
22 of construction, you know, once the farmer
23 completes his harvest, Lodestar puts seed down.
24 You're going to get your rye grass.

25 How long do you have to wait before that is

1 established before you actually start
2 construction, I guess was my question?

3 THE WITNESS (Macel): Yes, so Jeff Macel from Lodestar.

4 It's unclear what -- what our timing would
5 be. Assuming this crop was -- was harvested late
6 summer or early fall, we anticipate that this
7 would be seeded and construction would likely
8 begin sometime next spring.

9 Our lead time for ordering equipment at this
10 point is -- is 30 to 40 weeks. So upon receiving
11 all approvals from the Siting Council, from the
12 Town, we would anticipate this project wouldn't
13 commence construction for at least another 40
14 weeks.

15 MR. MERCIER: Okay. During construction, if there's
16 dust created, you know, blowing around on a windy
17 day, you know, some bare soil blowing around, how
18 would that be controlled?

19 THE WITNESS (Coon): Tim Coon, JR Russo.

20 It's -- that's, typically, it would be a
21 water truck brought to the site in order to
22 control the dust if that became an issue.

23 MR. MERCIER: And that would be off-site water? It
24 wouldn't be like some type of well, or some other
25 source nearby?

1 THE WITNESS (Coon): No, they would truck that in, I
2 would imagine.

3 MR. MERCIER: Regarding the project inverters, are they
4 going to be -- I understand they're being
5 installed on posts. Are the posts going to be at
6 each of the two concrete pads, like, adjacent to
7 them?

8 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

9 From a construction perspective, we tend to
10 cluster those together on a uni-strap foundation
11 or driven I-beam. In a perfect world, we locate
12 those next to the concrete pads, which have our
13 other switchgear and electrical components.

14 I would refer to Tim Coon on the plans to see
15 if there are any other identifications on our
16 preliminary plans as to where those would be
17 located.

18 THE WITNESS (Coon): Tim Coon, yeah, we're calling them
19 out to be located near the -- near the concrete
20 pads.

21 MR. MERCIER: For the inverters, why was a centralized
22 location chosen rather than some projects might
23 have them on the end of certain rows kind of
24 scattered about the site?

25 THE WITNESS (Macel): Jeff Macel with Lodestar. The

1 creation of clusters of inverters tends to enable
2 us to have an isolated area to bring all our
3 electrical lines to a centralized location and
4 minimizes the use of wire as we bring those over
5 to those equipment pads located immediately
6 adjacent.

7 MR. MERCIER: But would it be possible? Would Lodestar
8 be willing to potentially install them scattered
9 about at the end of certain rows? Or is it just
10 going to be at the transformer pad area?

11 THE WITNESS (Macel): Jeff Macel with Lodestar.

12 We own and operate about 35 solar arrays in
13 Massachusetts, Connecticut, and New York. During
14 our ten-year history of developing and operating
15 those sites, the early sites were developed with
16 inverters placed throughout the fields.

17 And we have found from an operational
18 perspective and ease of maintenance perspective
19 that clustering them together is, not only more
20 efficient, but -- but also enables us to locate
21 those in certain isolated areas that benefit any
22 noise concerns.

23 MR. MERCIER: Looking at the southern array in the
24 southeast corner -- that I can see the access road
25 coming off and the transformer pad, which you'll

1 have an inverter rack there with potentially eight
2 inverters.

3 I believe I asked in interrogatory 45 if that
4 equipment pad inverter area would be moved further
5 north away from Town Farm Road, and I believe the
6 answer stated that it was under review. Has that
7 review been completed?

8 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

9 We are still reviewing that and have
10 reviewed, as you'll note in additional --
11 additional correspondence, that we are waiting to
12 speak to Eversource about its impact with any
13 interconnection equipment as well.

14 **MR. MERCIER:** What would be the issue of just simply
15 relocating the inverters further north? How would
16 that impact the interconnection? Wouldn't you
17 just run an underground line from, you know, the
18 panel road to an inverter location and then to the
19 pad?

20 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

21 That's correct. We wanted to just understand
22 with Eversource in our interconnection services
23 agreement, which has been executed on this
24 project, that it wouldn't affect any of
25 Eversource's studies for the array.

1 As you may be aware, for each of these
2 projects we submit detailed electrical engineering
3 to the electric distribution company here,
4 Eversource, which sets forth a one-line design,
5 including certain pieces of equipment.

6 Eversource then issues a study, which we pay
7 for. The study results in what's called an
8 interconnection services agreement, and that
9 agreement details all of the electrical
10 configuration in great detail. Changes in that
11 agreement require consultation and often
12 engineering review by Eversource.

13 At this point we're awaiting a response from
14 them with respect to those issues.

15 **MR. MERCIER:** Based on your experience, just simply
16 relocating the inverters in another spot -- and
17 I'll just say north in this area, I mean, would
18 that actually impact the interconnection
19 performance of a site?

20 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

21 There would be some line losses that would be
22 increased by extending that. It changes the
23 thickness of the wires, the rating, AWG ratings,
24 which results in greater line losses as you extend
25 those wires.

1 It would be de minimis from our perspective
2 and experience, but, again, something which has to
3 be run through the engineers to come up with a
4 complete answer.

5 **MR. MERCIER:** When designing the site, why wasn't a
6 location just actually chosen farther away from
7 the abutting Town Farm Road for, you know, further
8 north or even between the two -- let's call it the
9 middle array and the southern array, some other
10 location just away from residents?

11 **THE WITNESS (Macel):** Could you repeat the question? I
12 wasn't sure I fully got it.

13 **MR. MERCIER:** Sure. During the initial design phase,
14 why wasn't a location farther from Town Farm Road
15 considered for the inverters?

16 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

17 Thank you for clarification. I -- I wanted
18 to clarify whether you meant the array or the
19 inverters.

20 The noise study that was performed
21 demonstrated that this location was outside of any
22 audible levels, and therefore, this level was --
23 or this distance was sufficient to satisfy, not
24 only all legal requirements, but any audibility
25 from adjacent residences.

1 MR. MERCIER: Now according to the noise report, the
2 inverters selected for the project have a noise
3 level of 73 dBA at 1 meter.

4 Now, is it possible to use another model that
5 has a lower noise profile?

6 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

7 We have used several different inverters over
8 the last decade. There are a number of
9 requirements, not only noise requirements, but
10 with the local electric distribution companies and
11 ISO New England, which require us to do complex
12 modeling from a PSCAD perspective. It's called a
13 pee-skahd [phonetic].

14 We have to balance a number of factors; the
15 compliance with ISO New England, the compliance
16 with the electric distribution company, and of
17 course, any noise standards with those inverters.

18 As I mentioned in previous testimony, we have
19 over 30 facilities operating. Our experience has
20 shown that all of the inverter models that we are
21 currently using have been compatible with usage
22 with neighbors without creating any incidents of
23 nuisance, and therefore we feel committed to those
24 inverter selections.

25 MR. MERCIER: The noise study in the petition

1 mathematically determined that the noise level at
2 the east property line would be 61. So if a
3 post-construction noise study was conducted and it
4 was determined to exceed that level, what type of
5 mitigation can Lodestar do to perform to bring
6 that noise level down?

7 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

8 As I mentioned before, we are still exploring
9 moving that pad further north. It is our
10 understanding that that noise level is at the
11 property boundary, not at the actual residence.

12 So if, in fact, there would be any audibility
13 at the residence, that would be a concern for us,
14 and I think that we would do everything in our
15 power to locate that pad further north.

16 **MR. MERCIER:** Again, if a post-construction noise study
17 was commenced/conducted and the noise level
18 exceeded the state regulatory level at the east
19 property line, which right now you mathematically
20 calculated to be 61 -- but we'll just say it came
21 out to 63, for example -- what type of mitigation
22 can Lodestar do to bring the level down to meet
23 state standards?

24 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar
25 again. I -- I apologize. I misunderstood the

1 question.

2 The area to the east is a vacant farm field
3 and not utilized for any other purposes.

4 Therefore, we were not focused on the concerns
5 there at this time.

6 THE WITNESS (Coon): Tim Coon --

7 MR. MERCIER: Right, but aren't there --

8 THE WITNESS (Coon): Yeah. Just there are barriers,
9 sound barriers and stuff that can be implemented
10 post-construction along the fence line if
11 necessary that can -- it can help reduce noise
12 levels if -- if determined that the
13 post-development noise levels exceed the standard.

14 MR. MERCIER: Thank you. Is the noise standard based
15 on the property line, or an actual residence?

16 THE WITNESS (Coon): Tim Coon.

17 I believe it's based on the property line.

18 MR. MERCIER: Okay. Thank you.

19 I'm going to move over to the landscape
20 screening plan that was provided in the council
21 interrogatories. I think that was Exhibit 7 in
22 the Council's interrogatories.

23 MR. HOFFMAN: Mr. Mercer, which sheet of Exhibit 7 are
24 you referring to specifically?

25 MR. MERCIER: Yes. Thank you. I just called it up.

1 It's L1.00, landscape plan. It's basically
2 the schematic showing all the plantings proposed.

3 MR. HOFFMAN: Thank you, sir.

4 MR. MERCIER: Just looking at the plan, I see all the
5 plantings are specified. Obviously, on the left
6 side of the plan, or the western edge of the
7 project, there's quite extensive planting. But
8 when you move down to the south end, it doesn't
9 seem as robust.

10 And across from the solar panel on the south
11 end, the solar array, there's residences on the
12 opposite side of the street. Is there any
13 particular reason why it's not as robust as, say,
14 on the west side?

15 THE WITNESS (Macel): This is Jeff Macel.

16 I will refer to Jeff Shamas to answer the
17 landscaping questions as this plan is prepared by
18 VHB.

19 THE WITNESS (Shamas): Sure. Jeff Shamas with VHB.

20 We can certainly explore additional plants
21 along Town Farm Road.

22 MR. MERCIER: Okay. Thank you. The planting schedule
23 on the right side of the plan, down on the lower
24 right, shows plantings about four to five feet in
25 height for some of the evergreen species.

1 Is it possible to use a larger planting, such
2 as six to seven, or seven to eight feet?

3 **THE WITNESS (Shamas):** This is Jeff Shamas with VHB.

4 We -- yes, we can look at a larger size evergreen
5 tree species.

6 **MR. MERCIER:** And looking on the upper right of the
7 landscape plan, it says solar farm seed mix. And
8 it lists about five species or so. Pretty much
9 these appear to be grass species. Can a
10 pollinator mix be incorporated into the seed to
11 adhere to the recommendation of the DEEP general
12 permit, appendix I?

13 **THE WITNESS (Shamas):** Yes, we can look into the -- the
14 pollinator mix, too.

15 **MR. MERCIER:** Thank you. Now several sheets down into
16 the landscape document, there's several photo
17 simulations of the array. I'll just look at view
18 one, for example, and it shows the fence with some
19 plantings there.

20 Does the fence have some type of vinyl
21 covering on it, or a screening? It just appears
22 very dark, so I wasn't sure if that's just a
23 function of how you produced this, or is there
24 actually some kind of treatment going to be on the
25 fence?

1 THE WITNESS (Shamas): This is Jeff Shamas with VHB.

2 VHB did prepare the photo simulations for the
3 project. As far as the -- whether there's going
4 to be -- I think it's not vinyl material. I just
5 think it's a shadow looking across into the field
6 from a different coloration from the residence
7 towards the solar array.

8 MR. MERCIER: Okay. So there's no black rubber applied
9 to it, or any type of slats or anything. It's
10 just a chain-link fence right now. Correct?

11 THE WITNESS (Shamas): Yeah, and I would just refer to
12 Jeff Macel at Lodestar if there's a difference,
13 but I don't believe there is.

14 THE WITNESS (Macel): I agree. I don't believe so.

15 MR. MERCIER: Okay. Thank you.

16 Given the agricultural nature of the general
17 area, is it possible to install maybe an
18 agricultural-style fence, you know, one with a
19 larger type of mesh? I think it's like four to
20 six-inch mesh, you know, arranged, you know, in a
21 horizontal fashion.

22 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

23 And, yes, this is something we've moved
24 forward in some of our more recent projects, and
25 we would be willing to do that here.

1 MR. MERCIER: Thank you.

2 I believe one of the interrogatory responses
3 stated that this landscape plan was developed
4 maybe in consultation with some of the abutters as
5 well as the Town. And if that is the case, was an
6 agricultural-style fence discussed at that time?

7 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

8 I don't believe that an agricultural-style
9 fence was discussed at that time. And again, we'd
10 be willing to consider it in particular if that
11 was something that was of interest to the
12 neighbors.

13 MR. MERCIER: Okay. Thank you.

14 I'm going to just move down. We were just
15 looking at view one, four-foot install heights.
16 And we just go to the next simulation panel; it
17 says view one, five-year growth.

18 When you generated the simulation with the
19 taller vegetation, how much growth did you add?
20 Is it, like, three feet? Four feet? I'm just
21 trying to get a sense of what was your anticipated
22 growth rate over five years.

23 THE WITNESS (Shamas): Jeff Shamas with VHB. Yes, I
24 would say it's an average of about five feet.

25 MR. MERCIER: And what was that determination based on?

1 Are you getting a foot a year, or is it --

2 THE WITNESS (Shamas): Exactly.

3 MR. MERCIER: So maybe slow initially, maybe minimal
4 growth the first year, then what? A foot after
5 that?

6 THE WITNESS (Shamas): Generally a foot a year.

7 MR. MERCIER: Okay. Thank you.

8 I think that's all I have for questions.

9 Thank you.

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

11 We will now continue with cross-examination
12 by Mr. Silvestri, followed by Mr. Nguyen.

13 Mr. Silvestri, good afternoon.

14 MR. SILVESTRI: Good afternoon, Mr. Morissette, and
15 good afternoon, all. Let me start out with a
16 couple basic questions.

17 For clarification, there will be two
18 transformers for this project. Is that correct?

19 THE WITNESS (Coon): Tim Coon with Russo.

20 Yes, that is correct.

21 MR. SILVESTRI: It will be one for the, say, the north
22 array and one for the south array. Correct?

23 THE WITNESS (Coon): Yes.

24 MR. SILVESTRI: Do you know if those transformers would
25 have low-level oil alarms?

1 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

2 I'm unaware if they would, and would have to
3 consult with our engineering team.

4 MR. SILVESTRI: But it's possible that they could be
5 installed with low-level oil alarms?

6 THE WITNESS (Macel): Jeff Macel with Lodestar.

7 Again, I'm -- I'm unaware.

8 MR. SILVESTRI: Okay. Perhaps you could check on that
9 and get back to us maybe during the break, or
10 after the break.

11 The other question I have is, what's the
12 advantage in using what they call half-cell
13 modules?

14 THE WITNESS (Macel): This is Jeff Macel with Lodestar
15 Energy.

16 Historically, the solar modules that have
17 been used in commercial installations have been
18 known as 72-cell photovoltaic modules; 6 on the
19 short side of the module, and 12 on the long side.

20 Moving to what are known as split-cell
21 modules, where those 72-cell modules are now
22 called 144-cell modules, it dissipates heat and
23 creates less thermal resistance in the production
24 of electricity, therefore enhancing the
25 effectiveness and efficiency of an individual

1 module.

2 MR. SILVESTRI: So if I can, a short answer would be
3 they're more efficient?

4 THE WITNESS (Macel): Yes, correct.

5 MR. SILVESTRI: Very good. Thank you.

6 Now, with the panels, has there been any
7 consideration in using some type of what I'll call
8 a light-colored material below the panels to try
9 to reflect more light to the bottom side?

10 THE WITNESS (Macel): Jeff Macel with Lodestar Energy.

11 Yes, and your question is a great one, and I
12 think that the solar panel world has caught up
13 with you.

14 We use what are known as bifacial modules, so
15 it absorbs solar on the back of the module and the
16 front of the module, so what you would think of as
17 the top and the bottom of the module -- which
18 means that any sunlight that hits the ground and
19 reflects to the back of the module actually
20 generates electricity as well. Those tend to give
21 us somewhere between a 2 percent and 5 percent
22 energy boost by using bifacials.

23 The manufacturing technique which they use,
24 they used to put them, the cells themselves on
25 what was known as a back sheet, and now they have

1 got -- done away with the back sheet. So it's
2 glass on both sides, which enables precisely what
3 you were talking about, which is production on the
4 back, or more production.

5 MR. SILVESTRI: No, and understood. What I've been
6 following is that there's some installations
7 coming through that have a reflective ground
8 surface so that it would pick up the solar
9 radiation, if you will, and then bounce it back to
10 the underside of that panel.

11 I don't know if you folks have considered
12 anything like that.

13 THE WITNESS (Macel): Jeff Macel with Lodestar.

14 What you would be -- what would think would
15 be an effective solution would be using some kind
16 of white stone, like -- like what we get here in
17 Connecticut, which is limestone to put on the
18 ground to reflect the light back up on the
19 backside of the modules.

20 It creates its own set of challenges in that
21 we can't vegetate a site, and would also probably
22 affect some of the pervious -- or impervious
23 concerns.

24 MR. SILVESTRI: Very good. Thank you for your
25 response. That's something that was burning in

1 the back of my head for some time. Thank you.

2 Now, let me turn to the SPCC that you put
3 together. A couple questions related to that, and
4 I'm not sure if we got the answer yet, so I'll
5 pose it here.

6 Will fuel be kept on site? And if it will be
7 kept on site, where will it be kept?

8 THE WITNESS (Macel): So this is -- I will refer to
9 specific questions of any of the SPCC to -- to
10 Tim, but from the stormwater pollution control
11 plan, there are no -- there are no plans to keep
12 any stores of fuel on site.

13 Fuel trucks tend to come in and fuel the
14 construction vehicles intermittently throughout
15 the construction process.

16 MR. SILVESTRI: That's fine. Thank you.

17 Then with the refueling you just mentioned
18 with trucks coming in, where would that be
19 conducted within the construction layout? Any
20 idea where it might be located?

21 THE WITNESS (Coon): Tim Coon with Russo.

22 I believe on our site plan we do show some
23 staging areas which are located near the -- the
24 entrances. And it might be where they would park
25 the -- the equipment and be the shortest route for

1 somebody to come in and fuel it.

2 MR. SILVESTRI: Yeah, I'll have to look at that myself.
3 I didn't see, at least on some of the plans, where
4 the staging areas were, but I'll look for that a
5 little bit later. Thank you.

6 THE WITNESS (Coon): Yeah, I would -- I refer you to
7 sheet four of seven for the array site plan.

8 MR. SILVESTRI: Very good. Thank you.

9 Now I found an accident investigation form
10 and an injury investigation report form and a root
11 cause analysis, but I didn't find a spill incident
12 report form. Does one exist?

13 THE WITNESS (Macel): This is Jeff Macel with Lodestar
14 Energy.

15 Yes, I imagine it was an oversight on our
16 part, and we are happy to update our file with
17 one.

18 MR. SILVESTRI: So that's something that you do have.
19 It just wasn't included right now in the packages
20 we received?

21 THE WITNESS (Macel): Correct.

22 MR. SILVESTRI: Thank you.

23 Now when I look at, say, drawing three of
24 seven, which is the overall aerial plan, a couple
25 questions related to that. Over on the western

1 side, I see the red line that kind of parallels
2 the Abbe Road area that I know is the fence, or
3 the proposed fence that would be put in, but if
4 you follow that going toward the north toward the
5 wetland area, it kind of bends a little bit to the
6 other access area, and then it does a U-turn and
7 circles around the wetland.

8 Could you explain what that U-turn is all
9 about? Again this is --

10 THE WITNESS (Coon): Tim Coon with --

11 MR. SILVESTRI: Yeah?

12 THE WITNESS (Coon): Yes, Tim -- Tim Coon.

13 That red line is the limit of disturbance
14 line, and it follows what was the original
15 plantings, because the original line of evergreens
16 was going to go up beyond the -- the array to the
17 north that provides additional screening. So
18 that's what that little -- little jump to the
19 north is. It's where the limit of work line goes
20 around the proposed plantings.

21 MR. SILVESTRI: And it goes to the north and then it
22 double-backs going to the south, and then around
23 the wetland?

24 THE WITNESS (Coon): Yes.

25 MR. SILVESTRI: So that would still be the limit of

1 disturbance area that you're talking about?

2 THE WITNESS (Coon): Yes.

3 MR. SILVESTRI: Okay. Then there's a bunch of other
4 items that are on the aerial and the plot plans.
5 You have an existing trailer, wood poles, carport,
6 and sheds. They're all designated as possible
7 encroachments.

8 Could you explain what possible encroachment
9 means?

10 THE WITNESS (Coon): Tim Coon with Russo.

11 Yes, a possible encroachment is when we go
12 out there and survey these items, we identify
13 them. We don't necessarily know who the ownership
14 of that item is. So we call it out as a possible
15 encroachment.

16 If it belongs to the actual property owner,
17 then it would not be an encroachment, but if it
18 belongs to a neighbor, then it would be an
19 encroachment into our property.

20 MR. SILVESTRI: Would those items be removed?

21 THE WITNESS (Coon): They are called to be removed,
22 yes.

23 MR. SILVESTRI: Okay. Thank you.

24 Now going back again to that aerial of three
25 of seven, which is the overall aerial plan, has

1 there been any consideration or discussions with
2 the property owner of essentially moving what you
3 have as a proposal for the north and south arrays,
4 moving them east to what is a vacant farm area,
5 just getting them further away from Abbe Road,
6 further away from neighbors?

7 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

8 The current property is owned by three
9 separate owners, which we have land agreements
10 with. The property you're referring to, to the
11 east, is not owned by the individuals with whom we
12 have our agreements, and therefore are not part of
13 the proposed area.

14 **MR. SILVESTRI:** Okay. Thank you for that response.

15 All right. I'd like to shift you to the
16 responses to one of the interrogatories, and I'm
17 looking at interrogatory 22D, as in delta. This
18 is an answer to how the tracker motors are
19 powered. And it has the facility auxiliary power
20 system.

21 Could you explain what that is?

22 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar
23 Energy.

24 Yes, the facility auxiliary power system is
25 the alternating current power that is currently

1 available on site through our interconnection with
2 the local electric distribution company. This
3 response indicates that no additional
4 interconnection or utility service is necessary,
5 meaning that the system itself will be able to
6 provide the power for these motors with the
7 existing configuration as part of the
8 interconnection services agreement.

9 MR. SILVESTRI: I heard you, but I don't quite
10 understand you.

11 When you say there's an existing distribution
12 tap --

13 THE WITNESS (Macel): Uh-huh?

14 MR. SILVESTRI: Does it power up, say, the trailer
15 that's there or the carport, or one of the sheds
16 that you'd be tapping off of?

17 THE WITNESS (Macel): Jeff Macel with Lodestar.

18 The interconnection that we build as part of
19 the system is basically a two-way street. We send
20 power out primarily, but we do take a small amount
21 of parasitic load back -- or excuse me, a small
22 amount of power from the grid back every day.

23 So at nighttime, our solar array generates no
24 power, but we still use a little bit of power.
25 Therefore, we are always connected to the utility

1 and able to -- to pull power through those lines
2 that exist there. These motors will use power
3 that is available on site when we are generating
4 power, but if necessary, they will also operate.

5 For instance, at nighttime when the sun goes
6 down they return to their original position to
7 await the sun in the morning facing east. That
8 will use utility-generated power through that,
9 those wires.

10 MR. SILVESTRI: Now I understand you. Thank you.

11 THE WITNESS (Macel): Thank you.

12 MR. SILVESTRI: And let me just check to see. I got
13 one other one -- at least one other one.

14 All right. Going back to the overall plan,
15 could the Abbe Road access be eliminated entirely
16 to avoid an access road that would come in and
17 kind of encircle the wetland that's there?

18 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

19 I will answer that question in part and refer
20 to Tim Coon in part. The electric distribution
21 company, Eversource, will require the
22 interconnection to come in off of Abbe Road, and
23 which will require three poles and an adjacent
24 functional access road next to those poles,
25 adjacent to those poles.

1 Whether or not other accesses could be
2 limited or there are other possible
3 configurations, I will refer that to Tim Coon.

4 **THE WITNESS (Coon):** Tim Coon.

5 I would say that if you eliminated that
6 portion of access road, you would have a much
7 longer access road coming up off of Abbe Road,
8 which would result in more impervious area.

9 And one of the -- one of the things we tend
10 to do is try to reduce the amount of gravel access
11 road to limit the amount of any impervious area at
12 the site.

13 **MR. SILVESTRI:** All right. Stay with that thought for
14 a second. If you come in from Abbe Road, you
15 would access the site, you would turn north,
16 circle around the wetland area, and then what you
17 have is a turnaround that's proposed so you can
18 get in and out.

19 But during the construction aspect of it,
20 would you use that same road and then come further
21 south to start building? In other words, kind of
22 encircling the wetland but staying away from the
23 wetland? I'm curious how you're going to build
24 the northern array.

25 **THE WITNESS (Coon):** Tim Coon.

1 I believe Jeff answered before that we would
2 be using the -- the southern access off of Town
3 Farm Road during construction. So we would get
4 our road material down at that south end, and --
5 and then transport it on site up to, for the
6 construction of the north end.

7 MR. SILVESTRI: So the --

8 THE WITNESS (Coon): We wouldn't necessarily need the
9 gravel access road for that construction.

10 MR. SILVESTRI: Okay. So that road, the access road
11 off of Abbe is really more for your utility tie in
12 than anything else. Would that be correct?

13 THE WITNESS (Coon): That is correct, yes. For -- for
14 the maintenance of that facility, yes.

15 MR. SILVESTRI: Very good. Thank you. I see the
16 staging area on that particular drawing I'm
17 looking at, too. So thank you for that
18 clarification early on.

19 Mr. Morissette, I believe that's all I have
20 at this point. I thank you, and I thank the
21 panel.

22 THE HEARING OFFICER: Thank you, Mr. Silvestri.

23 We'll now continue with cross-examination of
24 the Petitioner by Mr. Nguyen followed by
25 Mr. Golembiewski. Mr. Nguyen, good afternoon.

1 MR. NGUYEN: Good afternoon, Mr. Morissette. And good
2 afternoon, all. Let me start with a couple of
3 followups.

4 The company testified earlier that the arrays
5 can be reduced based on Mr. Mercier's question,
6 and the fence can be moved away from the property
7 line. And the company indicated that it will
8 check with the engineer. Is that right?

9 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

10 I'm not sure which testimony you're referring
11 to. We discussed other potential adjustments, but
12 I don't think we've discussed the fence move --
13 the fence line move at this point.

14 MR. NGUYEN: Yeah, the question earlier regarding the
15 arrays that can be squeezed in so that the -- I
16 believe it's south of there, from the town -- from
17 the road?

18 THE WITNESS (Coon): Yes, yeah. So --

19 MR. NGUYEN: And also with respect to the fence that
20 could be moved to the right-of-way from the Abbe
21 Road?

22 THE WITNESS (Coon): Tim Coon with Russo.

23 I believe the discussion was in the area,
24 there is some area up in the north -- or actually
25 in the southwest corner of array two within the

1 fence that does not appear to have any panels, and
2 there was some discussion of taking that fence and
3 relocating it to eliminate that void within the
4 fence and putting it closer to the panels.

5 MR. NGUYEN: And you indicated that you will check with
6 the engineer and see if the design is possible.

7 Is that right?

8 THE WITNESS (Coon): Yeah, I believe -- I believe we
9 indicated that that was possible.

10 MR. NGUYEN: Yeah. So the question is, when do you
11 think we can have that information?

12 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

13 I think we could probably have that turned
14 around within one to two weeks.

15 MR. NGUYEN: Yeah. Mr. Morissette, I'm not interested
16 in any late-file exhibit, but if there's one late
17 file anticipated, perhaps that information could
18 be provided?

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

20 I've marked that down, and if it appears that
21 we're going to go to another hearing, then we will
22 ask it as a late-file, yes.

23 MR. NGUYEN: That would be great. We'll keep an eye on
24 that. Thank you.

25 Now the application is for two arrays, two

1 LLCs, LSE Scutum and LSE Bootes. LSE -- what's
2 the relationship between these two LLCs?

3 **THE WITNESS (Macel):** This is Jeff Macel from Lodestar.

4 LSE Scutum and LSE Bootes are two separate
5 solar facilities that are separately bid into the
6 non-residential energy systems program, otherwise
7 known as NRES. Each of these facilities are owned
8 by one common parent, but due to siting
9 requirements, we submitted this in consultation
10 with Attorney Bachman at the Siting Council.

11 I would refer to our general counsel, Carrie
12 Ortolano, who may be able to offer more color with
13 respect to the submission as a single application.

14 **MR. NGUYEN:** And with respect to array one and array
15 two, what's their respective energy output from
16 each array?

17 **THE WITNESS (Coon):** Tim Coon with JR Russo.

18 On the site plan, we do list the power
19 outputs, and array one's power output would be
20 1.328 megawatts AC, and array two is 0.60
21 megawatts AC.

22 **MR. NGUYEN:** Yeah, thank you.

23 **THE WITNESS (Macel):** Our total nameplate -- this is
24 Jeff Macel of Lodestar. Our total nameplate on
25 these facilities is 1.93 megawatts AC.

1 MR. NGUYEN: Thank you.

2 Now could you explain for the record that
3 this particular project is for the purpose of the
4 net metering agreement with the City of Hartford?
5 Is that right, based on your application?

6 THE WITNESS (Macel): This is Jeff Macel with Lodestar
7 Energy.

8 That is correct. It is pursuant to the NRES
9 net metering program, and 100 percent of the power
10 generated at this facility will be sold pursuant
11 to an agreement with the City of Hartford.

12 MR. NGUYEN: Has the company considered a site in
13 Hartford?

14 THE WITNESS (Macel): This is Jeff Macel.

15 Could you offer more clarification on the
16 question?

17 MR. NGUYEN: Sure. With respect to the agreement with
18 the City of Hartford, and I'm just curious as to,
19 has the company considered building this
20 particular site in Hartford?

21 THE WITNESS (Macel): This is Jeff Macel of Lodestar
22 Energy.

23 Yes, we have explored sites throughout the
24 Eversource's service territory, including the city
25 of Hartford. This, the program, the NRES program

1 allows for any sites built in a service territory,
2 in this case, Eversource's service territory, to
3 designate the power credits to be given to any
4 customer offtake in that same service territory.

5 So while we have considered other locations
6 for this project, this location was ideal from an
7 interconnection perspective.

8 MR. NGUYEN: Okay. Now with respect to Exhibit B,
9 which is the O and M plan, and that would be --

10 MR. HOFFMAN: I'm sorry, Mr. Nguyen.

11 MR. NGUYEN: (Unintelligible) --

12 MR. HOFFMAN: Did you say Exhibit B, the O and M plan?

13 MR. NGUYEN: Yes. The O and M, the operation and
14 maintenance plan.

15 MR. HOFFMAN: Okay. So that, that -- so you're
16 referring to Exhibit 3 of the petition?

17 MR. NGUYEN: Or -- or it's in the response to
18 interrogatories -- basically, go into the
19 operation and maintenance plan. Do you see that?

20 MR. HOFFMAN: We're there now, sir.

21 MR. NGUYEN: And if I ask you to go into -- go to page
22 4 of that plan?

23 And under the emergency -- yeah, under the
24 shutdown sequencing, and I think you have -- you
25 already corrected from Willimantic to Enfield.

1 Is that right?

2 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

3 You referenced the shutdown sequence, but
4 I -- I'm not sure I heard the -- the question with
5 respect to the shutdown sequence.

6 **MR. NGUYEN:** Yes, because when I was looking at the one
7 of the O and M plan, and right on page 4, under
8 emergency response, and I had Willimantic; will
9 contact Willimantic Fire Department and Police
10 Department.

11 **MR. HOFFMAN:** Mr. Nguyen, if I may?

12 **MR. NGUYEN:** (Unintelligible) --

13 **MR. HOFFMAN:** Let me just point something out to my
14 client.

15 **MR. NGUYEN:** I am sorry.

16
17 (Pause.)

18
19 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar
20 Energy.

21 Thank you for pointing out the Exhibit 3 in
22 the petition references that under number four in
23 the emergency response section, there's a
24 typographical error where we reference the
25 Willimantic Fire Department.

1 I would refer you to Exhibit 2 of our
2 interrogatory responses. It's dated May 9, 2024,
3 in which we've corrected that reference in Exhibit
4 2, section 2C, romanette 6B, where we say to
5 contact the Enfield Fire Department and Police
6 Department.

7 MR. NGUYEN: Thank you.

8 Now, if I could ask you to go to
9 interrogatory responses to our siting council
10 interrogatories number -- I'm at number 31. And
11 the question was, can the distance between poles
12 be increased to avoid cluttering of the poles?

13 Do you see that?

14 THE WITNESS (Macel): Bear with us one moment.

15 Interrogatory response 31 -- could you please
16 restate your question?

17 MR. NGUYEN: Yes. I'm just asking whether or not that
18 number 31 indicated that -- asking whether or not
19 the distance between the poles can be increased to
20 avoid clustering of the poles. And your answer
21 indicated that the pole spacing is 30 feet.

22 And is it determined by Eversource?

23 Is that right?

24 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

25 That is correct. The minimum spacing and

1 spacing of those poles is determined by
2 Eversource. In addition, we would require an
3 access driveway immediately adjacent to those
4 poles.

5 It might be possible to request a longer
6 spacing between those poles, however it would also
7 necessitate the creation of more impervious
8 surface that would be created with the driveway.

9 If it would -- it may be possible to, to
10 increase this, but again, Eversource has given us
11 this as their preferred configuration, and we have
12 consulted with them in previous projects and had
13 difficulty in getting the configuration adjusted.
14 We would anticipate the same issue here.

15 MR. NGUYEN: In some, some cases, subject to check, I
16 have seen even 40 feet or even 50 feet spacing.
17 So is that something that the company could
18 discuss with Eversource for the purpose of
19 reducing the number of poles?

20 THE WITNESS (Macel): We would be willing to discuss
21 that with Eversource.

22 MR. NGUYEN: One last question. With respect to two
23 arrays, can these two arrays be combined into one
24 array or one system? I'm just trying to
25 understand the technical part of it.

1 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

2 Each of these arrays are distinct projects in
3 the NRES program and cannot be combined. They are
4 separate arrays that are co-located on nearby
5 parcels.

6 MR. NGUYEN: Okay. All right. That's all I have,
7 Mr. Morissette. And thank you, gentlemen.

8 THE HEARING OFFICER: Thank you, Mr. Nguyen.

9 We will now continue with cross-examination
10 of the Petitioner by Mr. Golembiewski, followed by
11 Mr. Carter. Mr. Golembiewski, good afternoon.

12 MR. GOLEMBIEWSKI: Good afternoon, Mr. Morissette.

13 I only have a couple questions, and they may
14 be a little repetitive, but I guess I'm going to
15 ask them in my own way, I guess.

16 So my main question is, why can't the
17 inverters and transformers and the pads be
18 located/relocated to the center portions of the
19 property?

20 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

21 That's something we would be willing to
22 consider and have been evaluating the location of
23 the pads at this point.

24 The transformers require to be located near
25 the Eversource equipment. Again, we would have to

1 review all of this information with Eversource to
2 confirm that they would accept it as part of our
3 interconnection services agreement.

4 MR. GOLEMBIEWSKI: Okay. So you're saying that the
5 inverters would not be subject to Eversource's, I
6 guess, requirements for interconnection.

7 So the inverters could be moved further away
8 from the property lines in an effort to minimize
9 noise at the perimeter of your project?

10 THE WITNESS (Macel): This is Jeff Macel.

11 And yes, that is correct.

12 MR. GOLEMBIEWSKI: Okay. Thank you.

13 My second question is, are there any
14 agricultural co-uses going to be, I guess,
15 facilitate -- well, I don't want to say
16 facilitated, but are you going to carry on with
17 any agricultural co-use within the fenced project
18 limits?

19 THE WITNESS (Macel): This is Jeff Macel.

20 We have explored agricultural co-uses at many
21 of our sites. Due to the proximity to residential
22 here we do not think this site would be ideal for
23 sheep grazing. We may look at other potential
24 uses, but don't have any planned at this time.

25 MR. GOLEMBIEWSKI: Okay. So that leads me to my next

1 question. On decommissioning, would the site be
2 restored to a condition where it could continue on
3 in an agricultural use after your development?

4 THE WITNESS (Macel): This is Jeff Macel of Lodestar.

5 Yes, we have a decommissioning obligation
6 with our landlord, and it would be our intention
7 to restore it to -- in the same condition it is in
8 today.

9 MR. GOLEMBIEWSKI: Okay. And then you did already
10 answer the question on why we can't go with one
11 access road, one integrated system.

12 You said they have to be separate?

13 THE WITNESS (Macel): This is correct. And this is
14 Jeff Macel with Lodestar. Yes, that is correct.
15 There are two separate interconnection agreements
16 and two separate and distinct projects on three
17 separate real estate parcels.

18 MR. GOLEMBIEWSKI: Okay. Appreciate your answers.

19 Thank you, Mr. Morissette. That's all I
20 have.

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

22 We'll now continue with cross-examination --
23 actually, we're going to take a 10-minute break
24 here. We will come back at 3:35 and we'll
25 continue with cross-examination of the Petitioner.

1 So a twelve minute break; 3:35 we will reconvene.

2 Thank you.

3
4 (Pause: 3:23 p.m. to 3:35 p.m.)

5
6 **THE HEARING OFFICER:** Thank you, everyone.

7 We're back on the record.

8 Is the Court Reporter with us?

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

10 **THE HEARING OFFICER:** Very good. Thank you.

11 Very good. We will now continue with
12 cross-examination of the Petitioner by Mr. Carter
13 followed by Ms. Hall. Mr. Carter, good afternoon.

14 **MR. CARTER:** Good afternoon Mr. Morissette, and good
15 afternoon fellow members of council and staff, and
16 everyone on this call.

17 I want to thank staff and my fellow council
18 members because y'all have whittled my list down
19 to pretty much one question, which I'm sure the
20 panel will be prepared for. It's about the two
21 arrays and trying to share some common space
22 between them.

23 I know from some of the answers that we
24 received before that the panel is open to looking
25 at having shared -- or at least having a common

1 area between the two arrays for pads for the two
2 arrays. Would it be possible in that case to look
3 at examining having one access drive to link to
4 that shared common area for the pads and the
5 transformers? Or would there still need to have
6 to access two access points for the two different
7 arrays?

8 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

9 I will answer the first part of the question
10 and -- and request some additional information
11 from Tim Coon.

12 We would be willing to explore and evaluate
13 one access drive from Town Farm to a centralized
14 area. It is our understanding working with
15 Eversource that they will require at least three
16 poles and a riser pole for both interconnection
17 points, which would require at least a 60 to
18 90-foot driveway on Abbe Road for interconnection.

19 I will refer the design questions to Tim Coon
20 who can answer some of those design issues a
21 little more specifically.

22 THE WITNESS (Coon): Yeah. Just, could you repeat the
23 design issue questions?

24 MR. CARTER: I just wanted to get a better
25 understanding of, would it be possible to have one

1 access point if there was going to be one common
2 area for the two arrays, instead of needing to
3 have the two different access points and having
4 two separate pads for them?

5 Like, would it be possible to have one pad
6 and have the equipment required for both arrays on
7 that one pad?

8 MR. HOFFMAN: Give us one minute, Mr. Carter?

9 MR. CARTER: Certainly.

10
11 (Pause.)

12
13 MR. HOFFMAN: Thank you for that, Mr. Carter. Your
14 question was actually more complicated than it
15 first appeared.

16 MR. CARTER: Thank you.

17 THE WITNESS (Coon): To answer your question, yes, we
18 can combine them to a central location which would
19 require one longer access road, but we would still
20 need the shorter access road to maintain
21 maintenance of those poles at that, the other
22 interconnection point.

23 MR. CARTER: Thank you.

24 Mr. Morissette, I just have a question. So
25 if we do end up getting the ability to get some

1 late-file exhibits in, would it be possible to get
2 the actual alternative plan with a centralized pad
3 situation for the two arrays?

4 THE HEARING OFFICER: Mr. Carter, I think that's
5 possible. Let's see how it goes, and at the end
6 if it looks like we're going to continue on
7 another date we'll bring that up.

8 So, so far we have two late files including
9 yours.

10 MR. CARTER: Thank you. That's actually the only
11 question that I had because folks have really
12 knocked my list down. So I will pass my time
13 back.

14 Thank you.

15 THE HEARING OFFICER: Thank you Mr. Carter.

16 We'll now continue with cross-examination of
17 Petitioner by Ms. Hall, and followed by me.

18 Hi, Ms. Hall. How are you this afternoon?

19 MS. HALL: I'm good. Thank you.

20 The advantage of coming last, or almost last
21 is everybody has asked your questions; the two
22 areas -- and specifically in the two areas I was
23 concerned about, which is trees and noise.

24 I too would like to see taller plantings. I
25 don't think that the nearby residents should have

1 to wait five years to have the arrays hidden. So
2 I was thankful for the assurances that you would
3 consider some taller -- some taller tree
4 plantings.

5 I also have concerns about the noise, and I
6 think that area has been explored. I think you
7 get that that is an issue that is coming up, and
8 we -- I'd like to see more assurances of both
9 post-installation testing, actual testing rather
10 than calculated calculations on noise levels. And
11 again, reassurances that you will take action to
12 mute the noise if they are above the levels
13 anticipated.

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

15 Anything else?

16 MS. HALL: That's it for me.

17 THE HEARING OFFICER: Very good. Thank you.

18 I've got mostly follow-up questions. Most of
19 them have been asked this afternoon, but I want to
20 dig a little deeper on a couple of them.

21 My first question is that little group of
22 five that we've talked about this afternoon, the
23 five arrays which we can see on three of seven.
24 Is that group with the north array, or the south
25 array?

1 So in other words is it with the .6
2 megawatts, or is it with the 1.328 megawatts?

3 THE WITNESS (Coon): Tim Coon.

4 Those five strings are with the northern
5 array, the 0.6 megawatts.

6 THE HEARING OFFICER: 0.6?

7 THE WITNESS (Coon): Yes.

8 THE HEARING OFFICER: Okay. All right. So just let me
9 understand this a little bit. So the NRES
10 program, you bid into the program and it's a DEEP
11 program that is basically net metering to the city
12 of Hartford.

13 So the city of Hartford is getting net
14 metering energy, and Eversource is getting the
15 capacity and the renewable energy credits.

16 Is that correct?

17 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

18 That is correct.

19 THE HEARING OFFICER: Okay. So when you bid a project
20 like this do you bid the megawatts first and then
21 find the site? Or do you find the site and then
22 bid the site with the megawatts?

23 THE WITNESS (Macel): This is Jeff Macel with Lodestar
24 Energy.

25 From a bid perspective in order to submit a

1 bid you have to have site control and submitted an
2 interconnection application to Eversource or
3 United Illuminating for that site in order to bid
4 the site. In addition, in order to submit that
5 application you have to have done a preliminary
6 design on your site as well.

7 **THE HEARING OFFICER:** Gotcha. Okay. So you need
8 basically everything secured, or at least
9 fundamentally secured before you bid and then get
10 awarded the site or awarded the contract. So when
11 you bid these sites you basically had the
12 property, and you bid.

13 Why did you bid 1.3 megawatts and then .6
14 megawatts, and not the entire 1.93 at the same
15 time?

16 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar
17 Energy.

18 It's my understanding that these were done in
19 different solicitations. So the solicitations are
20 held twice a year or semiannually, and we bid
21 these into solicitations when we have the site
22 control and are able to bid them. In this
23 instance with three separate landowners it took us
24 some time to get our site controls agreements
25 signed, and therefore it changed our ability to

1 bid them in.

2 In addition, there are two separate
3 interconnection points which require -- which each
4 have their own individual capacity on them, and
5 therefore one of those circuits may not be able to
6 take all the load. So it had to be bid into two
7 separate projects and two separate circuits.

8 THE HEARING OFFICER: Okay. So the 1.328 was your
9 first bid, and then the .6 was the second?

10 Or is it the other way around?

11 THE WITNESS (Macel): I would -- this is Jeff Macel
12 with Lodestar.

13 I would have to go back and consult our --
14 our records to understand the timing on each of
15 those.

16 THE HEARING OFFICER: Okay. So it really came down to
17 securing the leases to allow you to bid. So you
18 were limited on your facility size based on your
19 lease area by the amount you could bid?

20 Is that --

21 THE WITNESS (Macel): This is Jeff with Lodestar.

22 That's correct, in addition to the
23 interconnection circuits and the capacity that
24 each of those circuits can take.

25 THE HEARING OFFICER: Okay. So at the end of the day

1 the rates -- so you had two different bids, two
2 different RFPs that you cleared, I'll call it.

3 Now are the rates fairly similar? Or are
4 they drastically different?

5 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

6 They're very similar rates. They were bid
7 into the same solicitation. So the rates are very
8 similar for these two, for these two bids.

9 I would have to go back and look at the NRES
10 awards, but my understanding is that those bid
11 rates have remained very consistent and I would
12 imagine that these are both within a fraction of a
13 penny with each other.

14 THE HEARING OFFICER: Okay. All right. Well,
15 concerning the interconnection, now both the
16 distribution lines goes back to the Scitico
17 Substation. So is it the primary distribution
18 line along Abbe Road that's the limiting factor?

19 THE WITNESS (Macel): This is Jeff Macel with Lodestar
20 Energy.

21 In some cases the substation is the limiting
22 factor. In other cases the circuit itself is the
23 limiting factor, and a circuit may require
24 significant upgrades including re-conductoring of
25 the entire circuit.

1 THE HEARING OFFICER: Uh-huh?

2 THE WITNESS (Macel): Or replacement of the cross
3 members of each of the poles, and in certain cases
4 that can be cost prohibitive.

5 THE HEARING OFFICER: Yeah, I would think that Town
6 Farm Road that heads towards Scitico Substation
7 would have the capability to handle both. I think
8 Abbe Road is probably your limiting factor -- but
9 anyways.

10 Has there been any discussion with PURA
11 and/or Eversource to combine these two projects
12 utilizing one interconnection, one metering setup,
13 and one set of interconnection equipment?

14 In other words, to blend the rate,
15 considering that they're somewhat similar, and
16 develop a weighted average rate for the site and
17 then meter it at one point, and therefore
18 eliminate the second interconnection for it?

19 THE WITNESS (Macel): This is Jeff with Lodestar.

20 Our experience has proven that from a
21 compliance perspective that would not be allowed
22 and would likely, if -- if it were allowed, would
23 require a lengthy filing with PURA and years of
24 discussions with them.

25 So you know, I don't think it's possible.

1 THE HEARING OFFICER: Yeah, I understand. I think it's
2 shortsighted of many parties, because what you've
3 got here is a very expensive interconnection that
4 you're installing for .6 megawatts of energy.
5 That's not bringing a whole lot of energy to the
6 grid.

7 It doesn't seem -- doesn't make sense to me
8 that you wouldn't combine this in one way or
9 fashion by eliminating one interconnection and
10 having one delivery point for 1.9 megawatts in
11 total. It's not a whole lot.

12 So let's look at the second interconnection
13 up on Ivy Road, if we could? Look at three of
14 seven. I want to make sure I understand. To the
15 north of the access road, it appears that there is
16 a row, a line of trees separating the Devon
17 property line and the access road.

18 Is that correct?

19 THE WITNESS (Macel): This is Jeff with Lodestar
20 Energy.

21 Yes, that appears correct, and I will refer
22 any site-specific questions to Tim.

23 THE HEARING OFFICER: Thank you.

24 THE WITNESS (Coon): Tim Coon.

25 And all I can say is that at the time that

1 this photograph was taken those trees are there.

2 I -- and based on our survey, which is shown on
3 the next page, it appears that that line of trees
4 is -- is there to the north of the access road.

5 **THE HEARING OFFICER:** Okay. Now going south of the
6 access road, there's an open property. Is that a
7 residential property to be developed in the
8 future? You may not know that -- but is it a
9 residential property that could be developed into
10 a residential property, or a home?

11 **THE WITNESS (Coon):** Tim Coon.

12 Actually, that lot has been developed since
13 this photograph was taken. I believe that was one
14 of the interrogatory questions.

15 **THE HEARING OFFICER:** Okay.

16 **THE WITNESS (Coon):** Because we have confirmed there is
17 a house there now.

18 **THE HEARING OFFICER:** There is a house there now?

19 **THE WITNESS (Coon):** Yes.

20 **THE HEARING OFFICER:** Okay. So are there any plans to
21 put landscaping on the south side of that access
22 road to shield the view of the four utility poles?

23 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

24 The poles that will be installed here will be
25 owned by Eversource and will be identical to the

1 poles that sit along the road, Abbe Road in front
2 of it. This has not been contemplated since
3 they'll be owned by Eversource, and will be
4 identical to the ones located across the street,
5 which I think we've accepted as just the general
6 requirement for delivery of electricity in our
7 society.

8 **THE HEARING OFFICER:** Well, we haven't accepted it.

9 The distribution pole is 30 to 40 feet high, and
10 being 30 feet apart in the cluster like that is
11 not something I would like to see between my two
12 residential properties.

13 I would like to see this access road be
14 eliminated primarily because it's between two
15 residential properties, and having four
16 distribution poles between the properties is
17 visibly not acceptable in my opinion.

18 Given that, I will give you credit for it
19 looks like you have put the switchgear and your
20 metering, the customer-side metering on the
21 equipment pad. Is that correct?

22 **THE WITNESS (Macel):** That is correct.

23 This is Jeff, yeah.

24 **THE HEARING OFFICER:** Yeah. So I give you credit for
25 that. At least we eliminated two poles so we

1 don't have five. We only have four, and one is
2 only one customer riser pole. If we could only
3 get Eversource to do pad mount installations we
4 would eliminate this problem -- but I'm sure
5 you've heard all that before.

6 Let's move on. I would like to go to the
7 photo sims that we talked about earlier,
8 specifically view -- let's go to view two -- no,
9 view one, I'm sorry. Five-year growth, and it has
10 to do with maintenance.

11 I see that the abutting property owner has a
12 beautiful lawn here. How is the lawn where the
13 landscaping is going to be maintained? Or I'll
14 call it the growth, which we now had determined is
15 going to be the pollinator growth.

16 THE WITNESS (Macel): Yes.

17 THE HEARING OFFICER: Is there a plan for maintenance?

18 THE WITNESS (Macel): This is Jeff Macel with Lodestar
19 Energy.

20 I will refer to VHB to discuss any of the
21 plantings from the plan, but I will also mention
22 that we utilize a company located in Enfield for
23 all of our vegetation and vegetative management on
24 sites. And we use that in Massachusetts, New
25 York -- and to a limited extent in some of our New

1 York facilities, and they are located in Enfield.
2 We would use the same company to maintain the area
3 within the fenced area, which is our lease area.

4 We have not discussed the outside area
5 maintenance with the -- with the landowner,
6 because it is currently outside of our lease area,
7 but it would be anticipated that Lodestar would
8 take on this responsibility and use that same
9 company located in Enfield to mow the grass and
10 generally maintain the ground cover.

11 THE HEARING OFFICER: Okay. Thank you.

12 Mr. Coon, did you have anything to add?

13 THE WITNESS (Coon): No.

14 THE HEARING OFFICER: Okay. The other concern I have
15 is the -- and we talked about it before, is the
16 property to the east is currently now farmland and
17 in the future that could be developed to be
18 another residential property. So I'm in support
19 of relocating the equipment pads to the center to
20 get it away from both property lines, both the
21 inverters and the transformers.

22 I recognize that you probably still have to
23 have two transformers, but moving that, moving
24 them both into the center should eliminate any
25 future problems if that area is developed.

1 Okay. I just had one curiosity question that
2 I'll ask. I heard that President Biden is signing
3 new tariffs on China and they're going to be
4 increasing the solar panel tariffs from 14 percent
5 to 50 percent.

6 Do you have any concerns about that, or is it
7 too early to tell?

8 **THE WITNESS (Macel):** This is Jeff Macel with Lodestar.

9 We have not procured modules for this
10 facility yet. We generally think it's great to
11 utilize made in America and have used Qcells on
12 multiple sites, which are one of the leading
13 manufacturers that will be manufactured in the
14 United States, in a Georgia facility.

15 The tariffs generally levelize the playing
16 field between foreign manufactured modules and
17 domestic produced modules. We think this will
18 just be an encouragement to all participants to
19 use domestic manufactured modules, and it's likely
20 that we will be doing the same here.

21 **THE HEARING OFFICER:** Okay. Interesting. Thank you
22 for educating us on that.

23 Okay. That concludes my cross-examination
24 for this afternoon. So we will continue with
25 cross-examination of the Petitioner by the Town of

1 Enfield. Attorney Mirman, good afternoon.

2 MR. MIRMAN: Good afternoon. Thank you. I appreciate
3 you giving me the opportunity to do so.

4 I'd like to start, if I could, with some
5 follow-up questions from the questions and answers
6 from before. And if we could take a look
7 beginning at sheet three of seven? That's been
8 the subject of a number of questions.

9 And in particular, what is the distance from
10 Town Farm Road that the fence will be located?

11 THE WITNESS (Macel): This is Jeff from Lodestar.

12 I will refer that question to Tim Coon, who
13 is pulling up the large site plan right now.

14 THE WITNESS (Coon): And the scale.

15 It appears that the fence is about 45 feet
16 from the property line, which would place it about
17 60 feet from the edge of the road.

18 MR. MIRMAN: So what's between the property line and
19 the edge of the road?

20 THE WITNESS (Coon): Tim Coon.

21 Along Town Farm Road there's an existing
22 vegetated swale that's in the right-of-way.

23 MR. MIRMAN: Okay. And is that -- are there any plans
24 for that swale?

25 THE WITNESS (Coon): Our only plans for that swale are,

1 where we are crossing over it we are going to be
2 placing a pipe to facilitate that crossing for our
3 access road.

4 MR. MIRMAN: And what is the width of the swale?

5 THE WITNESS (Coon): I -- it's difficult to tell
6 scaling off this sized plan, but I would say it
7 might be a four-foot wide swale.

8 MR. MIRMAN: And if I heard correctly, there were plans
9 for other swales on the site. Is that right?

10 THE WITNESS (Coon): There is a plan for a water
11 quality swale up off -- adjacent to the northern
12 access road. That that is something we will be
13 constructing.

14 MR. MIRMAN: Okay. And where -- and that's the access
15 road off of Abbe Road. Right?

16 THE WITNESS (Coon): Correct.

17 MR. MIRMAN: And where in relation to that access road
18 will the swale be conducted -- constructed?

19 THE WITNESS (Coon): The swale will be constructed on
20 the south side of that access road, which is
21 downgradient of the access road.

22 MR. MIRMAN: And that's in the area where
23 Mr. Morissette suggested there should be
24 plantings. Is that right?

25 THE WITNESS (Coon): I don't know where he suggested

1 the plantings. But there's -- it would be
2 adjacent to the road that --

3 MR. MIRMAN: I believe he suggested plantings to screen
4 the new house that was built on that southern
5 part, the property to the south of the access
6 road.

7 THE WITNESS (Coon): It would appear, to scaling of
8 this plan, that there's about 40 feet between the
9 edge of the access road and that property line to
10 the south, which should be sufficient for
11 construction of the swale and any plantings that
12 might be proposed.

13 MR. MIRMAN: Okay. And just so we're clear, what's the
14 purpose of the swale in that area?

15 THE WITNESS (Coon): The swale there is to collect the
16 runoff that comes off of that access drive to
17 infiltrate it back into the ground.

18 MR. MIRMAN: That purpose -- I understood the response
19 to questioning, the purpose of the Abbe Road
20 access drive was for Eversource to be able to
21 access its equipment. Is that right?

22 THE WITNESS (Coon): Tim Coon.

23 Actually, currently that access road, not
24 only provides access to their equipment, and also
25 access to the switchgear and transformer that

1 serves the northern array.

2 MR. MIRMAN: Okay. And who is going to be responsible
3 for maintenance of that access road?

4 THE WITNESS (Coon): Tim Coon.

5 That that would be the Petitioner.

6 MR. MIRMAN: Not Eversource?

7 THE WITNESS (Coon): Correct.

8 MR. MIRMAN: And what maintenance is contemplated
9 there?

10 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

11 Generally maintaining the road in good
12 working order and snow plowing from time to time.

13 MR. MIRMAN: What's involved in maintaining the road in
14 good working order?

15 THE WITNESS (Macel): Jeff Macel from Lodestar.

16 Generally once maybe every three, four, or
17 five years ensuring that the topcoat stays intact
18 so that if Eversource ever needs to access those
19 poles they are able to get a truck on that road.

20 MR. MIRMAN: I'd like to come back to the discussion of
21 the area along Town Farm Road.

22 And where between the fence and the swale is
23 it contemplated that trees will be planted?

24 THE WITNESS (Coon): Tim Coon.

25 I'm just trying to dig out the landscaping

1 plan -- and that the landscaping plan L100 which
2 was part of the interrogatory responses shows
3 plantings between the fence and the property line
4 which would be outside of that swale on the
5 property.

6 MR. MIRMAN: And what is the width of the plantings of
7 the trees?

8 THE WITNESS (Coon): I would say that it appears that
9 it's about 20 feet in width. Again, that's --

10 MR. MIRMAN: I'm sorry. I --

11 THE WITNESS (Coon): About 20 feet.

12 MR. MIRMAN: So it won't be a single line of trees. It
13 will be multiple lines of trees?

14 THE WITNESS (Coon): That's -- yes, it appears that
15 there it's not a single line. It's some staggered
16 plantings.

17 MR. MIRMAN: Okay. And are these contemplated to be
18 all evergreens?

19 THE WITNESS (Shamas): This is Jeff Shamas with VHB.
20 That's what is being proposed.

21 MR. MIRMAN: Okay. And what kind of evergreen trees
22 are being proposed?

23 THE WITNESS (Shamas): We have a plant schedule at the
24 bottom right corner of that landscape plan sheet.
25 They're evergreen trees and evergreen shrubs, and

1 there would be a mix as there is along the fence
2 and the -- the western property border of the main
3 site and along a portion of that access road
4 coming in off of Abbe Road.

5 **MR. MIRMAN:** So in my experience, unfortunately, my
6 evergreens, as they grow they lose their ability
7 to shield the site from the bottom.

8 And so after five years will you be able to
9 see underneath these trees?

10 **THE WITNESS (Shamas):** Yes, typically white pine may
11 have that look.

12 This is Jeff Shamas with VHB.

13 But the -- the fir, spruce, and then the
14 planting of the shrubs underneath will help that.

15 **MR. MIRMAN:** And when you say will it help, will it in
16 fact act as a complete screen?

17 **THE WITNESS (Shamas):** That's the intent.

18 **MR. MIRMAN:** Is there any right-of-way along Town Farm
19 Road between the area of the fence and the swale?

20 **THE WITNESS (Coon):** Tim Coon with JR Russo.

21 What do you mean, the right-of-way? The --

22 **MR. MIRMAN:** Well, for example, does any person or
23 entity have a right to cross the property abutting
24 Town Farm Road in that, at 141 Town Farm Road?

25 **THE WITNESS (Coon):** There are -- other than the

1 property owner, we did not find any rights or
2 easements for anybody else to have access from
3 Town Farm Road.

4 MR. MIRMAN: And what was done to determine that?

5 THE WITNESS (Coon): We did a boundary survey and
6 researched the land records to determine if there
7 were any easements or rights-of-way associated
8 with this property.

9 MR. MIRMAN: Okay. Did you determine whether in that
10 part of town there exists a multi-use path or a
11 bicycle path?

12 THE WITNESS (Macel): This is Jeff Macel with Lodestar
13 Energy.

14 We did a title search and received a title
15 commitment which searched all land records,
16 encumbrances, and any other land rights that exist
17 on these parcels.

18 And those parcels, that search, which was
19 from an insurance company, which will ensure that
20 there are no such encumbrances, did not identify
21 any bike path or other rights-of-way.

22 MR. MIRMAN: Did you make any effort to discuss any
23 possible rights-of-way or issues related to this
24 property with any Enfield agencies or commissions?

25 THE WITNESS (Macel): Yes. In fact, we approached the

1 planning board in August 22nd of 2023. I reached
2 out specifically to Laurie Whitten. We had 21
3 e-mails with the Town.

4 We attended the town council meeting and a
5 planning commission and zoning board meeting on
6 October 12th, where we socialized the plans and
7 presented the plans requesting their input. We
8 got some input from the Town prior to submission
9 to the Siting Council on January 30th of 2024.

10 MR. MIRMAN: And what was -- so you had a meeting with
11 the Planning and Zoning Commission in October?

12 THE WITNESS (Macel): Correct. October 12th.

13 MR. MIRMAN: And what was discussed at that meeting as
14 best you can recall?

15 THE WITNESS (Macel): We presented the draft plans that
16 we intended to submit to the Siting Council. We
17 solicited any comments from any individual council
18 members in addition to the Town Planner.

19 We suggested that any design modifications or
20 other improvements that we could make, we would be
21 willing to consider prior to submission.

22 MR. MIRMAN: And what comments did you receive from the
23 planning and zoning commissioners at that meeting,
24 if you can recall?

25 THE WITNESS (Macel): I don't recall, but we did not

1 file with the Siting Council until January 30th of
2 2024. My recollection is that there were some
3 discussions and some improvements that we
4 incorporated into our plans prior to submission.

5 MR. MIRMAN: Did you have any discussions with the Town
6 Manager Christopher Bromson?

7 THE WITNESS (Macel): This is Jeff Macel from Lodestar.
8 I don't recall.

9 MR. MIRMAN: Did you have any discussions with Mayor
10 Ken Nelson?

11 THE WITNESS (Macel): This is Jeff Macel again.
12 I -- I don't believe so.

13 MR. MIRMAN: And how about Director of Public Works
14 Donald Nunes?

15 THE WITNESS (Macel): Jeff Macel from Lodestar.
16 I -- I don't believe so.

17 MR. MIRMAN: And would it be fair to say then that you
18 were not aware and are not aware that there is a
19 plan to extend an existing multi-use path along
20 Town Farm Road across 141 Town Farm Road on this
21 site that has been approved?

22 MR. HOFFMAN: Mr. Morissette, I'm going to object to
23 that question. It's a hypothetical that has no
24 basis for evidence that's been entered into the
25 record yet.

1 THE HEARING OFFICER: Thank you, Attorney Hoffman.

2 Go ahead, Mr. Mirman?

3 MR. MIRMAN: Well, it's not a hypothetically. Either
4 he's aware of such a plan or he's not.

5 THE HEARING OFFICER: Let's see. I'm going to let him
6 answer that question because if he is aware,
7 that's fine. If he's not, please continue.

8 THE WITNESS (Macel): This -- yeah, this is Jeff Macel
9 from Lodestar.

10 I'm unaware of any plans.

11 MR. MIRMAN: And Mr. Morissette, following up on that,
12 I had a discussion with Attorney Bachman the other
13 day in which I indicated that I wanted to submit
14 these plans to the Council. And she suggested
15 that there was likely to be another hearing on
16 this matter, and that I could do so between now
17 and the continuation of the hearing.

18 And I'd ask permission to, in fact, do so,
19 and that will give the Petitioner a better
20 opportunity to respond to the plans after they've
21 had a chance to review them.

22 THE HEARING OFFICER: Very good. Please file them.

23 We'll take them as a late-file exhibit.

24 Thank you.

25 MR. MIRMAN: Thank you.

1 MR. HOFFMAN: Mr. Morissette? Mr. Morissette, I'd like
2 to object to that. Attorney Mirman clearly knew
3 of these plans prior to the date for the
4 submission of evidence and prior to the date that
5 the testimony for the town witnesses was filed.

6 If he wanted to put this into evidence, he
7 could have done so by the deadlines that were
8 provided for by the Council. This strikes me more
9 as trial by ambush than anything.

10 THE HEARING OFFICER: Yes. Thank you, Attorney
11 Hoffman.

12 Please respond, Attorney Mirman?

13 MR. MIRMAN: The reality, Attorney Hoffman and
14 Mr. Morissette, is that I did not learn of these
15 plans until Monday of this week, and my
16 conversation with Attorney Bachman followed soon
17 thereafter.

18 THE HEARING OFFICER: Thank you.

19 MR. MIRMAN: So I'm not trying to ambush anyone. And
20 in fact, as I've suggested, between now and the
21 next hearing, they'll have an opportunity to both
22 see the plans and comment on them.

23 THE HEARING OFFICER: Very good.

24 Attorney Bachman, do you wish to comment?

25 MS. BACHMAN: Thank you, Mr. Morissette.

1 I did, in fact, have a conversation with
2 Attorney Mirman on Monday about this very topic.
3 I asked him if it was already in the record
4 through the plan of conservation and development,
5 which it is not. And I informed him that he would
6 be able to have an opportunity to submit those
7 plans for a future continued evidentiary hearing.

8 So certainly, we can move on from that line
9 of questioning.

10 **THE HEARING OFFICER:** Thank you, Attorney Bachman.

11 Attorney Mirman, would you please submit the
12 plans into the record and we'll discuss it at the
13 next hearing?

14 **MR. MIRMAN:** Absolutely. Thank you.

15 You were asked previously if the array can be
16 pushed away from Town Farm Road and the answer
17 was, I don't know. What needs to be done to
18 determine whether the array can be pushed back?

19 **THE WITNESS (Macel):** This is Jeff Macel from Lodestar.

20 My understanding is that the land rights that
21 we have secured and where the array is currently
22 situated is required for the current
23 configuration.

24 I will refer this, this next part of the
25 question to Tim Coon so he can reiterate the

1 setback from the road. My recollection was that
2 it was 60 feet from the right-of-way to the fence
3 line for the -- to the 45 of the fence line, and
4 60 to the panels.

5 Is that correct?

6 THE WITNESS (Coon): Tim Coon.

7 I -- actually, I didn't measure to the
8 panels, but I believe that it's 50 feet to the
9 panels.

10 Well, actually, it would be 55, roughly, to
11 the panels to the right-of-way about to the end of
12 the row.

13 THE WITNESS (Macel): Okay.

14 THE WITNESS (Coon): So like, actually 40 feet from the
15 fence.

16 THE WITNESS (Macel): Okay. 40 feet from the fence to
17 the right-of-way?

18 THE WITNESS (Coon): Right.

19 THE WITNESS (Macel): Which is not the road, and 55 to
20 the panel?

21 THE WITNESS (Coon): Yes.

22 MR. MIRMAN: So the panels are 15 feet from the fence.

23 Is that it?

24 THE WITNESS (Coon): Correct.

25 MR. MIRMAN: Is that 15 feet sufficient to enable a

1 vehicle to get in there to service the panels?

2 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

3 That is correct, 15 feet is in compliance
4 with the National Electric Code and also
5 sufficient to get any sized vehicle into service
6 the -- the panels.

7 MR. MIRMAN: So coming back to my earlier question,
8 what will need to be determined or looked at to
9 determine if the panels can be moved back farther?

10 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

11 We don't believe that we have any flexibility
12 in moving the modules or the fence line further
13 from the road.

14 Is there a distance that you are asking us
15 that we could move?

16 MR. MIRMAN: Well, the farther away from the road means
17 the farther away from residents, the more likely
18 it is that they won't be able to see them.

19 THE WITNESS (Macel): Is there --

20 MR. MIRMAN: So is that a fair statement?

21 THE WITNESS (Macel): Is there a specific distance that
22 you're asking? If it's a matter of feet that
23 might be possible, two or three feet. Further may
24 be more challenging. It's an engineering question
25 for our engineers.

1 My understanding is that we do not have
2 flexibility with this current configuration.

3 MR. MIRMAN: What is the fence made of?

4 THE WITNESS (Coon): Tim Coon.

5 It's a chain-link fence.

6 MR. MIRMAN: So the vinyl fence that we saw in the
7 pictures is not what's going to be erected?

8 THE WITNESS (Coon): I believe when we discussed the
9 pictures, it was determined that it was not a
10 vinyl fence.

11 MR. MIRMAN: So surrounding the entire array will be a
12 chain-link fence. Is that it?

13 THE WITNESS (Coon): Correct.

14 MR. MIRMAN: And that's going to be seven feet high.

15 Is that right?

16 THE WITNESS (Coon): Yes.

17 MR. MIRMAN: And what is the chain-link fence made of?

18 THE WITNESS (Macel): This is Jeff Macel with Lodestar
19 Energy.

20 It's made of galvanized steel. The
21 commission has also asked today if we would be
22 willing to use an agricultural style fencing,
23 which includes wooden posts and also potentially a
24 black mesh steel fencing material.

25 MR. MIRMAN: And in either of those options, are those

1 fences composed in part of any chemicals?

2 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

3 No, none other than what is typical in
4 standard galvanized steel, eight, ten or
5 twelve-gauge fencing or agricultural fencing,
6 which is wooden posts and black steel as well.

7 MR. MIRMAN: What are the modules made of in addition
8 to glass?

9 THE WITNESS (Macel): The modules are made up of --
10 this is Jeff Macel from Lodestar.

11 The modules are made up of glass, aluminum,
12 steel solder, and silica. We submit a TCLP report
13 for the modules to talk -- or to discuss their
14 toxicity characteristic, leaching procedure
15 testing.

16 This testing requires the manufacturer of the
17 model -- module to grind them up into a powder,
18 add a solvent, and test any potential leaching
19 characteristics if the modules were ground up into
20 a powder and put in a landfill. Those reports are
21 submitted to the Council with our petition.

22 MR. MIRMAN: And why should we not be concerned about
23 PFAS entering the ground and into the public water
24 system of Enfield?

25 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

1 I'm not sure I can understand the question.

2 MR. MIRMAN: Well, do you know what PFAS are, or is?

3 THE WITNESS (Macel): Could you explain to me what the
4 acronym stands for?

5 MR. MIRMAN: I don't know what it actually stands for,
6 but it's a chemical that has been of concern, I
7 would say, over the last five or ten years -- and
8 certainly VHB would know about it -- that has
9 gotten into the public water supply from any
10 number of areas that have been developed, and
11 frankly, is a source of real concern when it gets
12 into the drinking water because it is -- it's a
13 contaminant that -- and it's poisonous.

14 So I guess my question is, what has Lodestar
15 done to ensure that this site will not be subject
16 to PFAS -- P-F-A-S contamination?

17 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

18 We submit a TCLP report to the Council. The
19 Council has ensured that all projects that use
20 solar modules submit the TCLP report, which again
21 demonstrates that when subjected to a leaching
22 protocol, there is no possibility for any of the
23 materials contained in a module to leach into the
24 groundwater.

25 MR. MIRMAN: And have any of these items or chemicals

1 been tested for PFAS, to your knowledge?

2 **THE WITNESS (Macel):** This is Jeff Macel.

3 Without knowing what a PFAS is, I can't
4 answer that question.

5 **MR. MIRMAN:** Okay. There was some questioning about
6 the construction of the project.

7 What hours are contemplated for construction?

8 **THE WITNESS (Macel):** This is Jeff Macel from Lodestar.

9 Pursuant to our building permit, which would
10 be issued in the event that we were given --
11 granted a petition by the Town of Enfield, it
12 would be in compliance with all Enfield's current
13 hours of work.

14 **MR. MIRMAN:** And have there been any discussions with
15 Enfield about that?

16 **THE WITNESS (Macel):** This is Jeff Macel.

17 Pursuant to any building permit in the Town
18 of Enfield, we have built two projects in Enfield.
19 It would be pursuant to what the laws are in
20 Enfield.

21 **MR. MIRMAN:** There was a question about traffic control
22 and none was anticipated. Why not?

23 **THE WITNESS (Coon):** Tim Coon with JR Russo.

24 Because that there's not going to be a
25 significant amount of traffic, and that we don't

1 anticipate that there would be a need for traffic
2 control for, you know, a single truck to run -- to
3 come onto the site to unload these materials and
4 leave.

5 MR. MIRMAN: Has a traffic study been done in
6 connection with this site?

7 THE WITNESS (Coon): No.

8 MR. MIRMAN: Is one going to be done?

9 THE WITNESS (Coon): Tim Coon again.

10 No, because this site is not anticipated to
11 generate any significant amount of traffic.

12 MR. MIRMAN: How do you know that?

13 THE WITNESS (Coon): Based on experience at other
14 sites.

15 MR. MIRMAN: Other sites in Enfield, or elsewhere?

16 THE WITNESS (Coon): It's a typical -- would be a
17 typical construction site.

18 MR. MIRMAN: Wouldn't you want to know whether school
19 buses are going up and down this road, or people
20 are commuting, or how much traffic is going to the
21 country club?

22 THE WITNESS (Coon): No.

23 MR. MIRMAN: Why not?

24 THE WITNESS (Coon): Because we -- because we're not
25 generating a significant amount of traffic, or the

1 traffic which would not be -- these roads would
2 not be capable of handling.

3 MR. MIRMAN: In response to interrogatory 35 from the
4 Siting Council, the question was, would training
5 be provided for local emergency responders
6 regarding site operation and safety in the event
7 of a fire or other emergency at the site? And the
8 response was, yes, this will be provided.

9 How, when, and to whom will it be provided?

10 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

11 As I mentioned, we've built projects in
12 Enfield previously. We generally, after we
13 receive a building permit from the Town of
14 Enfield, reach out to the fire department. This
15 protocol is identical to the one at Powder Hill
16 Road, where which we've already built and
17 consulted with the Town on.

18 We would do the same training and -- and
19 education that we did on that project in this
20 instance.

21 MR. MIRMAN: Have there been any meetings with the
22 Enfield residents regarding this project?

23 THE WITNESS (Macel): Yes. This is Jeff Macel from
24 Lodestar.

25 Since filing on January 30th, we've met with

1 the neighbors -- pardon me for a minute.

2 On March 3rd of 2024.

3 MR. MIRMAN: And where did that meeting take place?

4 THE WITNESS (Macel): That meeting took place at
5 Barbara's house -- yeah, the meeting took place at
6 the home of the Audets, which --

7 MR. MIRMAN: What concerns -- I'm sorry.

8 THE WITNESS (Macel): Yeah, which was located on Abbe
9 Road.

10 MR. MIRMAN: What concerns, if any, were raised at this
11 meeting?

12 THE WITNESS (Macel): This is Jeff from Lodestar.

13 There were two primary concerns that were
14 raised at the meeting. One was visibility of the
15 array from two specific residences, and -- and
16 potential noise concerns.

17 MR. MIRMAN: Anything else?

18 THE WITNESS (Macel): Not -- this is Jeff Macel.

19 The only other issue that was raised was
20 safety.

21 MR. MIRMAN: And what was the safety issue that was
22 raised?

23 THE WITNESS (Macel): This is Jeff Macel from Lodestar.

24 The issue that was raised was the safety of
25 the modules.

1 MR. MIRMAN: And what's meant by that?

2 THE WITNESS (Macel): The question of whether there
3 were any harmful materials contained in the
4 module.

5 MR. MIRMAN: And what answer did you provide, or
6 assurance did you provide to the neighbors on
7 that?

8 THE WITNESS (Macel): This is Jeff from Lodestar.

9 We provided assurances based on the TCLP
10 reports and were able to refer attendees to online
11 materials about the TCLP reports.

12 MR. MIRMAN: Why shouldn't we be concerned about this,
13 these modules sustaining damage from hail, much
14 like what happened in Texas recently?

15 MR. HOFFMAN: I'm going to object to that question.

16 That's been asked and answered in the response for
17 the town --

18 MR. MIRMAN: I think it was objected to.

19 THE HEARING OFFICER: The answer was partially answered
20 and is on the record by the Petitioner.

21 MR. MIRMAN: Can we get a full answer to it, please?

22 THE HEARING OFFICER: Is there anything beyond what is
23 provided in the interrogatory that the Petitioner
24 can provide?

25 THE WITNESS (Macel): Give me just a minute.

1 THE HEARING OFFICER: Thank you.

2 THE WITNESS (Macel): This is Jeff Macel from Lodestar
3 Energy.

4 With respect to any destruction of modules on
5 site, again the TCLP test as it's performed grinds
6 the module into a powder and then pours solvents
7 into it to measure any potential leaching
8 characteristics over a 20-year lifespan in a
9 landfill.

10 The question that was specifically asked was
11 about a Texas hailstorm damaging modules, creating
12 some broken glass on those. My response, which of
13 course requires some speculation, would be that a
14 module would be subjected to far less leaching
15 characteristics of broken glass than having been
16 ground into a powder and left in a landfill for 20
17 years.

18 MR. MIRMAN: You were asked whether Lodestar considered
19 sites in Hartford because the electricity is going
20 there. And then your response was that this site
21 was better, considered better, better than other
22 sites.

23 What other sites were considered?

24 THE WITNESS (Macel): This is Jeff Macel from Lodestar.
25 We have a list of 20 sites that we reviewed

1 with the city of Hartford, which is just one of
2 the sources of the sites that we looked at. This
3 site took us years to find. We worked in
4 conjunction with a landowner who we had previously
5 worked with, which was our current landlord here
6 to identify this site.

7 I could show you a list of hundreds of sites
8 that we've looked at in Connecticut to find this
9 one. Obviously, I can't identify those during
10 this hearing.

11 MR. MIRMAN: Mr. Morissette, could Lodestar be directed
12 to supply that list to us?

13 THE HEARING OFFICER: I'm not sure it would be helpful.
14 This is the site that the petition was filed
15 under. The other sites they looked at are really
16 irrelevant in this matter.

17 I will ask Attorney Bachman to opine on this
18 situation. Attorney Bachman?

19 MS. BACHMAN: Thank you, Mr. Morissette. I'm just
20 curious if Attorney Mirman is looking for any more
21 specific information on the other sites that might
22 have been reviewed?

23 MR. MIRMAN: Well, the next question was -- or my next
24 question would be, well, he said that this was the
25 site that was better than others. It seems to me

1 that we ought to consider whether, in fact, there
2 were other sites that were considered that are
3 better than this one.

4 MR. HOFFMAN: Mr. Morissette, if I may?

5 THE HEARING OFFICER: Attorney Hoffman, please
6 continue.

7 MR. HOFFMAN: I think you have the right answer here,
8 sir. This is the site that we've put forth. If
9 there are other sites out there, so be it, but the
10 requirement is not that the Petitioner select the
11 absolute best site, but rather that the Petitioner
12 select the site that is compliant with P-U-E-S-A.

13 And we believe that the Petitioner has
14 demonstrated that, but the standard is not that we
15 have to select the best site possible.

16 THE HEARING OFFICER: Thank you, Attorney Hoffman.

17 Go ahead, Attorney Mirman.

18 MR. MIRMAN: My response to that is we ought to have
19 some proof that they actually considered other
20 sites. We don't have any.

21 THE HEARING OFFICER: Attorney Bachman, any further
22 discussion?

23 MS. BACHMAN: Thank you, Mr. Morissette. We would
24 typically ask such a question in our
25 interrogatories. So if there is any answer that's

1 related to these alternate sites that were looked
2 at, it would have been in that response.

3 So followup from that response would be
4 appropriate, and if there isn't a response, then.

5 THE HEARING OFFICER: Very good. Thank you, Attorney
6 Bachman.

7 So with that, I'll direct the Petitioner to
8 file a late file in response to the request; have
9 there been any additional sites looked at, and
10 what were the characteristics associated with it?

11 MR. HOFFMAN: Mr. Morissette?

12 THE HEARING OFFICER: Yes, Attorney Hoffman?

13 MR. HOFFMAN: I would suggest, pursuant to what
14 Attorney Bachman pointed out, the Council asked us
15 whether -- to identify the location of alternative
16 sites, and we provided that in the response to
17 interrogatory number four.

18 THE HEARING OFFICER: Uh-huh?

19 MR. HOFFMAN: I'm not sure what you're looking for, for
20 the late file in addition to that.

21 THE HEARING OFFICER: Thank you, Attorney Hoffman.

22 MR. HOFFMAN: I'm happy to provide it potentially, sir,
23 but we'll need some guidance.

24 THE HEARING OFFICER: Thank you, Attorney Hoffman.

25 Attorney Bachman, could you provide a little

1 guidance on this as well? What, in addition to
2 the late file, can the Petitioner provide that
3 would be helpful?

4 MS. BACHMAN: Thank you, Mr. Morissette. I could be
5 mistaken, but it appears that Attorney Mirman is
6 looking for the identification of the location of
7 those other sites that were reviewed.

8 MR. MIRMAN: Correct.

9 THE HEARING OFFICER: For a specific location? Okay.

10 MR. MIRMAN: Yes.

11 THE HEARING OFFICER: Very good. Attorney Hoffman, is
12 that something we can provide? So we're looking
13 for the locations of the other properties.

14 MR. HOFFMAN: Can we go off the record for a second --
15 for a minute, Mr. Morissette, and confer?

16 THE HEARING OFFICER: Certainly, Attorney Hoffman.

17 Go right ahead. Thank you.

18
19 (Pause.)

20
21 MR. HOFFMAN: So Mr. Morissette, I think that Mr. Macel
22 has an answer for this.

23 THE HEARING OFFICER: Thank you, Attorney Hoffman.

24 Mr. Macel, please continue?

25 THE WITNESS (Macel): Yeah, this is Jeff Macel from

1 Lodestar Energy.

2 We have a list of sites in the city of
3 Hartford that we identified and exhausted. None
4 were potential candidates due to either
5 interconnection or other siting issues. It would
6 be relatively straightforward for us to provide
7 that list of sites to the Council if it sees fit.

8 THE HEARING OFFICER: Very good. Please provide the
9 list, and let's move off the topic.

10 Thank you.

11 MR. MIRMAN: Thank you.

12 You were asked about possible agricultural
13 co-use of the site. And your response was that
14 this was not a site for sheep.

15 Are there any other possible agricultural
16 uses that you considered?

17 THE WITNESS (Macel): This is Jeff Macel with Lodestar.

18 We will -- or I would ask the question back
19 to you, would Lodestar continue -- consider
20 additional agricultural uses?

21 Is that your question?

22 MR. MIRMAN: Yes.

23 THE WITNESS (Macel): So the answer is, yes, we -- we
24 do consider -- we do consider beekeeping and other
25 agrivoltaic consistent uses. That's something we

1 would be willing to consider for this site.

2 MR. MIRMAN: All right. Just give me a second, please.

3 So on page 6 of the petition, you say the
4 facility will occupy approximately 10.15 acres
5 inside the fence with an additional 1.95 acres of
6 improvements beyond the fence limits for a total
7 project area of plus or minus 12.10 acres.

8 But figure one shows the area to be 15.8
9 acres, not 12.10. How do you explain that
10 difference?

11 THE WITNESS (Coon): Tim Coon with JR Russo &
12 Associates.

13 The 15.8 acres refers to the entire, of the
14 properties, whereas the 12.1 acres refers to the
15 fenced area plus the areas outside of the fence
16 where work is actually being proposed which would
17 include the construction of the access drives, our
18 water quality swale, and the landscaping as --

19 MR. MIRMAN: So then what -- sorry.

20 THE WITNESS (Coon): -- on the -- as the limit of
21 disturbance on sheet three.

22 MR. MIRMAN: So then what is included in the additional
23 3.7 acres?

24 THE WITNESS (Coon): Untouched land.

25 MR. MIRMAN: Okay. On page 11 of the petition, it says

1 the life expectancy of the project is based upon
2 the designed life expectancy of the equipment, but
3 the project is 20 years and the inverters have a
4 design life and warranty of only 10 years.

5 How do you expect to deal with that?

6 THE WITNESS (Macel): This is Jeff Macel with Lodestar
7 Energy. I would characterize this as much as,
8 what is the lifespan of your car? You replace the
9 tires every two years, the brakes every two years.
10 Maybe you have to do something else, rotors, et
11 cetera.

12 Our equipment lasts different periods of
13 time. We design it ideally to match the -- the
14 term of the NRES program, which is a 20-year time.
15 It is our expectation that the life of this
16 facility will continue beyond that 20-year time.
17 In fact, we expect this to potentially last 30 to
18 40 years.

19 So I think that's -- that's the best way to
20 answer that question in broad brush strokes.

21 MR. MIRMAN: What's the life expectancy of the modules?

22 THE WITNESS (Macel): They are warrantied for 25 years.

23 MR. MIRMAN: And there was some discussion earlier
24 about the modules getting better and better over
25 time. Is it your plan or expectancy that you

1 would replace the initially installed modules with
2 better ones?

3 **THE WITNESS (Macel):** This is Jeff with Lodestar
4 Energy.

5 We would explore that, much like your car, if
6 it still runs do you replace it? This facility
7 will operate for a long period of time. And if
8 it's cost-effective for us to do that at a later
9 time, we would consider it.

10 It's important to note, however, that we
11 could not increase the output of this facility.
12 It has a nameplate rating that has been approved
13 in the NRES program and with Eversource. So we
14 will not be able to expand this facility without
15 going back and re-permitting aspects of the
16 facility.

17 **MR. MIRMAN:** Would the physical area of the site even
18 permit expansion?

19 **THE WITNESS (Macel):** This is Jeff with Lodestar.

20 Not from our perspective. What the Siting
21 Council approves through any petition would be the
22 footprint which would be allowed for development
23 and it would not be expandable.

24 **MR. MIRMAN:** On page 16 of the petition there's a
25 discussion of erosion and sediment controls.

1 Who is responsible for determining that such
2 controls are properly installed?

3 **THE WITNESS (Coon):** Tim Coon with JR Russo.

4 This project will -- actually, is required to
5 submit a stormwater pollution control plan which
6 is submitted to DEEP for review and approval in
7 order to register under DEEP's general permit for
8 stormwater for these solar sites. And as part of
9 that, there are inspection requirements that the
10 design professional, which is myself, is -- is
11 responsible to do a certain number of inspections
12 to ensure that the erosion control measures are
13 installed properly and maintained properly.

14 **MR. MIRMAN:** Does this qualify for a general permit
15 rather than an individual permit?

16 **THE WITNESS (Coon):** Yes, it does.

17 **MR. MIRMAN:** And why is that?

18 **THE WITNESS (Coon):** Because of the -- the size of the
19 project and the amount of disturbance.

20 **MR. MIRMAN:** And who will be responsible?

21 **THE WITNESS (Macel):** Yeah, this is Jeff Macel adding
22 to what Mr. Coon is saying.

23 A licensed professional like JR Russo would
24 be required to inspect the project at every
25 quarter inch rain event pursuant to the SWPPP, the

1 stormwater pollution prevention plan.

2 In addition to that, a state district
3 inspector will be hired by the owner of the
4 project, us, to also essentially audit the work of
5 that licensed professional and perform periodic or
6 ad hoc visits as they see fit.

7 MR. MIRMAN: And is that during construction, or
8 post-construction as well?

9 THE WITNESS (Macel): That is -- so it is prior to
10 construction. They do a pre-construction site
11 visit. They inspect the silt fences and ensure
12 everything is installed correctly. It continues
13 throughout the duration of the project.

14 And for two full growing seasons beyond the
15 completion of the project, we post a letter of
16 credit, not a bond, a letter of credit to ensure
17 that there are no stormwater issues. And that
18 district will continue for those two growing
19 seasons to inspect the project and will not
20 release that letter of credit until they deem the
21 site stabilized.

22 MR. MIRMAN: On page 16, there's a reference to scenic
23 values and it says, the project is not expected to
24 have any effect on scenic or recreational
25 resources in the area of the site. Were any

1 scenic or recreational resources identified?

2 THE WITNESS (Shamas): Jeff Shamas with VHB.

3 No, there weren't.

4 MR. MIRMAN: Okay. And how is a scenic or recreational
5 resource defined?

6 THE WITNESS (Shamas): Well, it's an area that can
7 provide a recreational use, and this happens to be
8 private property and used as a farm.

9 MR. MIRMAN: Would a bike path be a recreational use?

10 THE WITNESS (Shamas): It can be considered, yes.

11 MR. MIRMAN: Okay. On page 17, beginning on page 17,
12 there's a discussion of noise. How close is the
13 nearest residence to a noise source?

14 THE WITNESS (Macel): This is Jeff Macel with Lodestar
15 Energy.

16 The closest location is to -- was it to a
17 residence, or to a property line?

18 What was your question?

19 MR. MIRMAN: My question was to a residence -- well,
20 let's start with a property line.

21 THE WITNESS (Macel): It is 195 feet to a property line
22 is the closest location. And to a residence, 240
23 feet.

24 MR. MIRMAN: And will those, any such noise source be
25 heard at the property line?

1 THE WITNESS (Macel): It is our understanding that
2 there, there may be audible sounds.

3 MR. MIRMAN: Okay. During an entire 24-hour period?

4 THE WITNESS (Macel): No. This is Jeff Macel with
5 Lodestar.

6 No, only during the sunlight hours of the
7 daytime.

8 MR. MIRMAN: And what will a person hear standing on
9 the property line?

10 THE WITNESS (Macel): The audible sound is generated by
11 cooling fans located in the inverters. It will
12 sound like a whisper or wind blowing through a
13 cornfield from that distance.

14 MR. MIRMAN: And is that -- well, in the petition, it
15 says that actually the closest property line is
16 160 feet away, not 195 feet.

17 How do you explain that difference?

18 THE WITNESS (Macel): Could you refer me to the
19 petition page that you're referring to?

20 MR. MIRMAN: I'm sorry, petition page 18, on the third
21 line data.

22 THE WITNESS (Macel): It's my understanding -- so let's
23 look at Exhibit 8, which it references.

24 This is Jeff Macel from Lodestar, and thank
25 you for that clarification.

1 The distance on the southern array closest to
2 a property line is what I was referring to on the
3 northern property line, you were correct. There
4 is -- it is 160 feet to the closest property line.

5 MR. MIRMAN: So there's a reference on page 18 to 61
6 dBA. That's what will be heard at the closest
7 abutting property line. Right?

8 THE WITNESS (Macel): That is correct.

9 MR. MIRMAN: And my understanding is that at that
10 distance, what a person will hear is moderate
11 traffic. Is that a fair statement?

12 THE WITNESS (Macel): This is Jeff Macel from Lodestar
13 Energy.

14 That property you are referring to is the
15 nonresidential farm field to the east, so -- and
16 it is about the same distance to the road. So
17 what they hear on the road is likely what they
18 will hear from this.

19 MR. MIRMAN: Okay. And again, what will the closest
20 residential property owner hear?

21 THE WITNESS (Macel): We have -- this is Jeff Macel
22 from Lodestar.

23 At the property line, at the property
24 boundary, it will be 47 decibels, which is the
25 sound of a dishwasher running.

1 MR. MIRMAN: And that dishwasher will be running during
2 the entire period of daylight?

3 THE WITNESS (Macel): Yes, it -- it will be running.
4 That sound is at its peak output, which tends to
5 be the sunniest part of the day. So quieter on
6 the edges.

7 So in the morning and the evenings it will be
8 quieter, but that is the peak output during the
9 sunniest portions of the day, likely only in
10 summertime and at sunniest portions of the day.

11 MR. MIRMAN: All right. So if I am on Abbe Road and
12 I'm sitting by my pool, I might hear a dishwasher
13 all afternoon.

14 THE WITNESS (Macel): This is Jeff Macel.

15 No, you would -- you would not on Abbe Road.
16 Abbe Road, you're far enough away that you won't
17 hear anything.

18 MR. MIRMAN: What if I'm on -- across the street on
19 Town Farm Road?

20 THE WITNESS (Macel): Again, this is Jeff Macel.

21 If your pool is in your front yard next to
22 the road, yes.

23 MR. MIRMAN: Okay. We've talked about how tall the
24 trees will be in five years. How tall will they
25 be in ten years?

1 THE WITNESS (Shamas): Jeff Shamas with VHB.

2 I'd have to look at the plan and calculate
3 that.

4 MR. MIRMAN: Is there a maximum height that we can
5 expect these trees to reach?

6 THE WITNESS (Shamas): There are maximum heights of
7 maturity for these species. We don't have those
8 on the plan, though; just the planted size, which
9 we agreed to look at taller, taller trees.

10 MR. MIRMAN: What is the plan to restore the soils to
11 their condition pre-project upon decommissioning?

12 THE WITNESS (Coon): Tim Coon with JR Russo.

13 We are not planning to disturb the soils.
14 The plan is to maintain the existing soils as they
15 are now and just drive the posts through them.
16 Upon decommissioning we'll remove the equipment
17 and the posts.

18 MR. MIRMAN: So is it the plan that the only
19 disturbance to the soils will be the installation
20 of the posts?

21 THE WITNESS (Coon): The posts and the access drives
22 and the equipment pads.

23 MR. MIRMAN: Okay. And so how do you plan to deal with
24 the access drives and the equipment pads upon
25 decommissioning?

1 THE WITNESS (Coon): I believe they'll be taken out and
2 then we can re-spread the topsoil. The topsoil
3 that's removed when we actually build the access
4 drives we're going to leave on site.

5 MR. MIRMAN: And where on site are those soils going to
6 be left?

7 THE WITNESS (Coon): Probably they will be spread out
8 so you won't know it is there, rather than in --
9 in a stockpile. There's sufficient depth of
10 topsoil for -- to be moved back when we take out
11 the -- the access roads.

12 MR. MIRMAN: Okay. So you'll spread that topsoil out
13 over the whole site, and then upon decommissioning
14 you'll remove the top of the topsoil, if you will,
15 and spread it back over the access roads?

16 THE WITNESS (Coon): Yes.

17 MR. MIRMAN: The State Historic Preservation Office in
18 its letter of April 29, 2024 said that its
19 comments were conditional upon the submission of
20 two bound copies of the final report.

21 When is that report expected to be completed?

22 THE WITNESS (Macel): This is Jeff -- okay.

23 Could you repeat --

24 THE WITNESS (Shamas): This --

25 THE WITNESS (Macel): That letter that you're referring

1 to?

2 Jeff, you may go ahead and answer, but I just
3 wanted to confirm the date of the letter you're
4 referring to.

5 MR. MIRMAN: I have it as April 29 of 2024.

6 THE WITNESS (Macel): Thank you.

7 MR. MIRMAN: And so the question is, when is the final
8 report expected to be completed?

9 THE WITNESS (Shamas): Jeff Shamas with VHB. The final
10 report, the phase 1B was submitted to the SHPO
11 office. Is that -- is that the question that
12 you're asking about?

13 MR. MIRMAN: Yeah, there was a 1B report that was
14 submitted, and then the letter followed that that
15 said that its comments were conditioned upon the
16 submission of a final report which would follow
17 the 1B.

18 THE WITNESS (Shamas): That as far as I know, that was
19 the final report. There's no other report.

20 And --

21 MR. MIRMAN: Well, it seems like the historic
22 preservation office is expecting one.

23 THE WITNESS (Shamas): I'm looking for that letter
24 myself.

25 MR. HOFFMAN: Attorney Mirman, which? Which SHPO

1 letter are you referring to?

2 Is it Exhibit 5 to the Petitioner's
3 interrogatory responses?

4 MR. MIRMAN: That's a good question.

5
6 (Pause.)

7
8 MR. MIRMAN: It's a letter dated -- I don't have an
9 exhibit number, but it's dated April 29, 2024, to
10 David George of Heritage Consultants. And it was
11 submitted in response to the interrogatories.

12 THE HEARING OFFICER: Exhibit 5 on the interrogatories,
13 the second page.

14 MR. MIRMAN: Yeah. Page 2, it says, this comment is
15 conditional upon the submission of two bound
16 copies of the final report. One will be kept for
17 use in the office and the other will be
18 transferred to the Thomas J. Dodd Research Center
19 at the University of Connecticut, Storrs, for
20 permanent archiving and public accessibility.

21 THE WITNESS (Macel): This is Jeff Macel from Lodestar
22 Energy.

23 It is our understanding that the report that
24 will be submitted is just the culmination of all
25 the materials that have been provided

1 electronically, that a paper filing of all those
2 materials is required to finalize this.

3 We'll ensure that that happens anon.

4 MR. MIRMAN: Mr. Morissette, would this be a convenient
5 time to stop for today?

6 THE HEARING OFFICER: Yes, it would.

7 Does that conclude your cross-examination?

8 MR. MIRMAN: I have a bit more, but I know it's five
9 o'clock, so.

10 THE HEARING OFFICER: Well, how much longer do you
11 think you have?

12 MR. MIRMAN: Ten minutes -- but frankly, I'd prefer to
13 wait until the next hearing so that I could, you
14 know, we could deal with the issues of the bike
15 path.

16 THE HEARING OFFICER: Very good. Okay. We will
17 conclude our hearing for today.

18 We have one open question from Mr. Silvestri
19 relating to the low-level oil alarms. Were you
20 able to -- Attorney Hoffman, were you able to
21 obtain a response to that question?

22 MR. HOFFMAN: Yes, Mr. Morissette.

23 Mr. Macel has that response.

24 THE HEARING OFFICER: Thank you.

25 THE WITNESS (Macel): Thank you. This is Jeff Macel

1 from Lodestar Energy. The transformers that --
2 that has not been ordered for this project yet,
3 but it's our understanding we can order
4 transformers with those low-level oil alarms.

5 And if the Council sees fit, we can ensure
6 that that is undertaken.

7 THE HEARING OFFICER: Thank you.

8 Mr. Silvestri, does that satisfy your
9 question?

10 MR. SILVESTRI: Yes, it does, Mr. Morissette.

11 And I also wanted to bring up that I'm
12 looking for a copy of their spill incident report
13 sheet, which hopefully they could submit as well
14 as a late file.

15 THE HEARING OFFICER: Very good. Okay. Let's move on
16 to late files. We have five late files.

17 So the Late-File 1 would be the spill
18 incident report sheet.

19
20 (Late-Filed Exhibit Number 1, marked for
21 identification and noted in index.)
22

23 THE HEARING OFFICER: Late-File 2 has to do with
24 Mr. Mercier's questioning relating to moving the
25 fence line into the open space and modifying the

1 site layout.

2
3 (Late-Filed Exhibit Number 2, marked for
4 identification and noted in index.)

5
6 **THE HEARING OFFICER:** Late-File 3, a plan with
7 centralized equipment pads.

8
9 (Late-Filed Exhibit Number 3, marked for
10 identification and noted in index.)

11
12 **THE HEARING OFFICER:** Late-File 4, which is requested
13 by the Town of Enfield, would be the list of sites
14 reviewed.

15
16 (Late-Filed Exhibit Number 4, marked for
17 identification and noted in index.)

18
19 **THE HEARING OFFICER:** And Late-File 5 is the plan for
20 the bike trail.

21
22 (Late-Filed Exhibit Number 5, marked for
23 identification and noted in index.)

24
25 **MR. HOFFMAN:** Mr. Morissette?

1 THE HEARING OFFICER: Yes, Attorney Hoffman?

2 MR. HOFFMAN: The Petitioner is only responsible for
3 Late-Files 1 through 4. Correct?

4 THE HEARING OFFICER: That's correct.

5 Attorney Mirman, you will be submitting the
6 bike path?

7 MR. MIRMAN: Yes.

8 THE HEARING OFFICER: Very good. That concludes our
9 hearing for this afternoon. The Council will
10 recess until 6:30 p.m., at which time we will
11 commence with the public comment session of this
12 public hearing.

13 So thank you, everyone. Enjoy your dinner
14 and we'll see you at 6:30. Thank you.

15 MR. MIRMAN: Thank you.

16
17 (End: 5:05 p.m.)
18
19
20
21
22
23
24
25

CERTIFICATE

I hereby certify that the foregoing 123 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the remote teleconference meeting of The Connecticut Siting Council in Re: PETITION NO. 1611, LSE SCUTUM, LLC; AND LSE BOOTES, LLC, (LODESTAR ENERGY) PETITION FOR A DECLARATORY RULING, PURSUANT TO CONNECTICUT GENERAL STATUTES §4-176 AND §16-50K, FOR THE PROPOSED CONSTRUCTION, MAINTENANCE AND OPERATION OF A 1.93-MEGAWATT AC SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITY LOCATED AT 141 TOWN FARM ROAD, AND PARCEL NOS. 86-326 AND 86-164, ABBE ROAD, ENFIELD, CONNECTICUT, AND ASSOCIATED ELECTRICAL INTERCONNECTION, which was held before JOHN MORISSETTE, Member and Presiding Officer, on May 16, 2024.



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

1 INDEX

2 WITNESSES PAGE

3 Jeffrey Macel
4 Jeffrey Shamas
5 Tim Coon 10

6 (EXAMINER)

7 By Mr. Hoffman 11

8 EXAMINERS

9 By Mr. Mercier 15
10 By Mr. Silvestri 39
11 By Mr. Nguyen 52
12 By Mr. Golembiewski 60
13 By Mr. Carter 63
14 By Ms. Hall 66
15 By The Hearing Officer (Morissette) 67

16 EXAMINER

17 By Mr. Mirman 79

18 LATE-FILED EXHIBITS

19 NUMBER		PAGE
20 1	Spill incident report	121, (44)
21 2	Moving fence line/modifying layout	122, (52)
22 3	Centralized equipment pads	122, (64)
23 4	List of sites reviewed	122, (101)
24 5	Bike trail plan	122, (87)