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STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Petition No. 1655

Borrelli Solar, LLC, Petition for a Declaratory Ruling, Pursuant to Connecticut General Statutes §4-176 and §16-50k, for the Proposed Construction, Maintenance and Operation of a 1.99-Megawatt AC Solar Photovoltaic Electric Generating Facility and Associated Equipment to be Located at 179 and 197 Borrelli Road, East Haven, Connecticut, and Associated Electrical Interconnection.

Zoom Remote Council Meeting (Teleconference), on Thursday, April 10, 2025, beginning at 2 p.m.

H e l d B e f o r e :

ELIN S. KATZ, ESQ., THE CHAIR

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

2 **Councilmembers:**

3 **ELIN S. KATZ, ESQ. (Chair)**

4
5 **BRIAN GOLEMBIEWSKI,**

6 **DEEP Designee**

7
8 **QUAT NGUYEN,**

9 **PURA Designee**

10
11 **JOHN MORISSETTE**

12 **CHANCE CARTER**

13 **KHRISTINE HALL**

14 **BILL SYME**

15
16 **Council Staff:**

17 **MICHAEL PERRONE,**

18 **Siting Analyst**

19
20 **MELANIE BACHMAN, ESQ.,**

21 **Executive Director and Staff Attorney**

22
23 **LISA FONTAINE**

24 **Administrative Support**

25

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

2
3 THE CHAIR: Good afternoon, ladies and gentlemen. This
4 hearing is being called to order this Thursday,
5 April 10, 2025, at 2 p.m. My name is Elin Katz,
6 the Chair Designate of the Siting Council.

7 Other councilmembers are Brian Golembiewski,
8 designee for Commissioner Katie Dykes of the
9 Department of Energy and Environmental Protection;
10 Quat Nguyen, designee for Chairman Melissa
11 Gillett, Public Utilities Regulatory Authority;
12 John Morissette; Chance Carter; Khristine Hall;
13 and Bill Syme.

14 Members of the staff are Executive Director
15 Melanie Bachman, Siting Analyst Michael Perrone
16 and Administrative Support Dakota LaFountain.

17 If you have not already done so, I ask
18 everyone to please mute their computer audio and
19 telephones now.

20 This hearing is pursuant to the provisions of
21 Title 16 of the Connecticut General Statutes and
22 of the Uniform Administrative Procedures Act upon
23 a petition from Borrelli Solar, LLC, for a
24 declaratory ruling pursuant to Connecticut General
25 Statute Section 4-176 and 16-50k for the proposed

1 construction, maintenance and operation of a
2 1.99-megawatt AC solar photovoltaic electric
3 generating facility and associated equipment to be
4 located at 179 and 197 Borrelli Road, East Haven,
5 Connecticut, and associated electrical
6 interconnection.

7 A complete petition was received by the
8 Council on January 15, 2025. The Council's legal
9 notice of the date and time of this public hearing
10 was published in the New Haven Register on March
11 10, 2025. The Council requested the Petitioner
12 erect a sign in the vicinity of the proposed site
13 to inform the public of the name of the
14 Petitioner, the type of facility, public hearing
15 date and contact information for the Council,
16 which includes website and phone number.

17 As a reminder to all, off-the-record
18 communications with a member of the Siting Council
19 or a member of the Council's staff upon the merits
20 of this petition are prohibited by law.

21 Parties and interveners to the proceedings
22 are as follows. Petitioner, Borrelli Solar, LLC.
23 Its representative is Michael Melone, Esquire.

24 We will proceed in accordance with the
25 prepared agenda, a copy of which is available on

1 the Council's website along with the record of
2 this matter, public hearing notice, instructions
3 for public access to this public hearing and the
4 Council's citizens guide to siting council
5 procedures.

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

15 The 6:30 p.m. public comment session is
16 reserved for members of the public who signed up
17 to make brief statements on the record. I wish to
18 note that the Petitioner, parties and intervenors,
19 including their representatives and witnesses are
20 not allowed to participate in the public comment
21 session.

22 I also wish to note for those who are
23 listening and for the benefit of your friends and
24 neighbors who are unable to join, join us for the
25 public comment session, that you or they may

1 submit written statements to the Council within 30
2 days of the date hereof either by mail or e-mail,
3 and such written statements will be given the same
4 weight as if spoken during the public comment
5 session.

6 A verbatim transcript of this public hearing
7 will be posted on the Council's website and
8 deposited in the East Haven Town Clerk's office
9 for the convenience of the public.

10 The Council will take a 10 to 15-minute break
11 at a convenient juncture around 3:30.

12 So let's turn to administrative notice. I
13 wish to call your attention to those items in the
14 hearing program marked as Roman numeral 1B, items
15 one through 108. Does the Petitioner have an
16 objection to the items that the council has
17 administratively noticed? Attorney Malone?

18 CHRIS LITTLE: He is not present.

19 RODNEY GALTON: Yes, I'm not sure he's present.

20 THE CHAIR: Oh. So, who is representing the applicant?

21 CHRIS LITTLE: I am.

22 RODNEY GALTON: Yeah, that would be Chris Little.

23 CHRIS LITTLE: Chris Little.

24 RODNEY GALTON: And myself, Rodney Galton.

25 THE CHAIR: Okay. Do either of you have an objection?

1 CHRIS LITTLE: This is on the agenda?

2 THE CHAIR: Yes, on the administrative notice of the
3 documents listed on the agenda.

4 CHRIS LITTLE: Yeah, I have the administrative notice.
5 Hold up.

6 THE CHAIR: There's 108 items on there that the Council
7 would like to take administrative notice of.

8 CHRIS LITTLE: Okay. I want to make sure I'm looking
9 at the correct document. I'm on the Borrelli
10 website. Is it the -- which link is this that has
11 the items?

12 THE CHAIR: I'm not on the Borrelli website. I believe
13 it is part of the materials for today's meeting.

14 Have you -- has anyone from the applicant had
15 an opportunity to review those?

16 CHRIS LITTLE: I have not. I have the document that
17 was sent regarding the procedure.

18 Rodney, do you have this document she's
19 referring to?

20 RODNEY GALTON: I do not have that document.

21 CHRIS LITTLE: Yeah, I don't believe we've been
22 provided with it.

23 THE CHAIR: Attorney Bachman, thoughts on how to
24 proceed?

25 ATTORNEY BACHMAN: Thank you, Chair Designate Katz.

1 Mr. Galton, the administrative notice are the
2 items that were listed and attached to the
3 pre-hearing conference memorandum we sent one week
4 before the pre-hearing conference and reviewed
5 during the pre-hearing conference.

6 The link to the items --

7 RODNEY GALTON: This is the -- the link is the -- yeah.

8 ATTORNEY BACHMAN: It's to the hearing program.

9 RODNEY GALTON: Uh-huh.

10 ATTORNEY BACHMAN: That's on our website from this
11 morning. We posted the hearing program. So,
12 those are the 108 items, the same items that were
13 on and still are on the pre-hearing conference
14 memorandum. Thank you.

15 THE CHAIR: So at this -- yeah.

16 RODNEY GALTON: Those items, excuse me.

17 THE CHAIR: Go ahead.

18 RODNEY GALTON: Those items that were listed in the
19 pre-hearing memorandum are the same items that are
20 listed for acceptance. Correct?

21 THE CHAIR: Correct.

22 RODNEY GALTON: Then I have no objections.

23 CHRIS LITTLE: I don't either.

24 THE CHAIR: Okay.

25 CHRIS LITTLE: I'm looking at them. I have no

1 objection.

2 THE CHAIR: Okay. Accordingly, the Council hereby
3 administratively notices these existing documents.

4 Will the Petitioner present its witness panel
5 for purposes of taking the oath, and Attorney
6 Bachman will administer the oath?

7 RODNEY GALTON: Yes, we have with us Kyle Haubert from
8 CLA engineers, Inc. He is the engineer of record.
9 I believe we also have -- we have Chris Little
10 from Borrelli Solar, LLC. We should have a
11 representative from Rincon, and I'm not sure if
12 they are on. I do not see --

13 CHRIS LITTLE: No, they're not. I didn't realize they
14 were taking an oath today at this hearing. They
15 do plan on being at the public comment session at
16 6:30. We can see if we can get them to join here.

17 THE CHAIR: Well, if you plan on speaking today, you're
18 going to need to be sworn in because this is an
19 administrative hearing. So, if they're not
20 speaking, they don't need to be sworn in.

21 THE REPORTER: And a request from the stenographer. If
22 people could identify themselves when speaking, it
23 would be greatly appreciated. Thank you.

24 THE CHAIR: Yes. Thank you, Mr. Dixon. I apologize.
25 Yes, please identify yourself when you're

1 speaking so that our stenographer can correctly
2 identify who is, in fact, speaking.

3 RODNEY GALTON: My apologies.

4 THE CHAIR: No problem.

5 RODNEY GALTON: This is Rodney Galton with Borrelli
6 Solar.

7 THE CHAIR: So who else is going to be answering
8 questions today?

9 RODNEY GALTON: It would be myself, Rodney Galton. It
10 would be Chris Little from Borrelli Solar, Kyle
11 Haubert from CLA engineers.

12 THE CHAIR: Okay. So the three of you?

13 RODNEY GALTON: Yes.

14 THE CHAIR: Okay.

15 Attorney Bachman, do you want to swear in
16 these witnesses or present the oath?

17 ATTORNEY BACHMAN: Thank you.

18 Can the witnesses please raise your right
19 hand?

20 R O D N E Y G A L T O N,

21 C H R I S L I T T L E,

22 K Y L E H A U B E R T,

23 called as witnesses, being sworn by

24 THE EXECUTIVE DIRECTOR, were examined and
25 testified under oath as follows:

1 THE CHAIR: Okay. This is where we normally ask the
2 attorney to verify that all exhibits are verified
3 by the appropriate sworn witness by your attorney.

4 Since your attorney is not here, Mr. Galton,
5 are you going to take that role? Can you verify
6 the witnesses, by the sworn witnesses by each
7 witness's documents --

8 THE WITNESS (Galton): Yes.

9 THE CHAIR: -- are the right ones? Okay.

10 THE WITNESS (Galton): Yes, I will take that role.

11 I'll swear to that.

12 THE CHAIR: Okay. All right. Well, then the exhibits
13 are admitted.

14 We'll now begin with cross-examination of the
15 Petitioner by the Council. We'll start with
16 Mr. Perrone.

17 MR. PERRONE: Thank you, Chair Designate Katz.

18 Did BSL install a sign to notify the public
19 of the proposed facility and public hearing?

20 THE WITNESS (Galton): Yes, and we have photo
21 documentation.

22 MR. PERRONE: Where was the sign installed?

23 THE WITNESS (Galton): The sign was installed at the
24 entrance gate, which is proximate to Borrelli
25 Road.

1 MR. PERRONE: When was it installed?

2 THE WITNESS (Galton): It was installed on March 31st.

3 MR. PERRONE: Okay. What information is on the sign?

4 THE WITNESS (Galton): It had the name of the
5 Petitioner. It had the project information, it
6 had the siting council contact information, and it
7 had the hearing date.

8 MR. PERRONE: And lastly, what's the approximate
9 dimensions of the sign?

10 THE WITNESS (Galton): It is six feet by four feet.

11 MR. PERRONE: Okay. I'm going to turn to the response
12 to council interrogatories. I'll go by the
13 numbering on the response document.

14 Turning to response 39, it notes that there's
15 one solar array, however in the petition
16 attachment A, sheet two, it depicts two proposed
17 solar array areas. Could you clarify?

18 THE WITNESS (Galton): Yes, it is all one array.
19 There's only one interconnection for this project.
20 They -- there are two separate areas that are
21 being developed, one in the northwest corner and
22 one central to the site, but it is one
23 interconnection for this project.

24 MR. PERRONE: Okay. And -- but the northern portion
25 versus the southern, do you have the megawatt AC

1 of both?

2 **THE WITNESS (Galton):** Yes, the main area, the one that
3 is central is 1.49 megawatts and the one in the
4 northwest corner is 0.5 megawatts.

5 **MR. PERRONE:** Turning to the interrogatory response on
6 page 1, this gets into the DEEP wildlife. Could
7 you confirm the location of the whorled
8 loosestrife?

9 If you could indicate where on the sand
10 blackberry report under exhibit nine, there's
11 figure two, attachment B, where it has the north
12 and south array depicted. If you could explain to
13 us approximately where on that figure is the
14 location of the whorled loosestrife?

15 **THE WITNESS (Galton):** Chris, do you have that
16 information?

17 **THE WITNESS (Little):** Yeah, so it was generally
18 identified in the narrative of the report in which
19 the individual at DEEP picked up on, but when we
20 reached out to the consultant and asked
21 specifically where this was and if they had the
22 limits or the boundary, they weren't able to
23 provide that.

24 So, we don't have the -- the specific
25 location, although it was mentioned, I believe, up

1 on the cliff -- so I can find.

2 Yeah, the perimeter of the cliff top meadow
3 in the east central portion of proposed array two.

4 MR. PERRONE: And by array two, are they referring to
5 the north solar array?

6 THE WITNESS (Little): Correct.

7 MR. PERRONE: Okay. So, you don't have any idea of the
8 size of that population area for that plant
9 species?

10 THE WITNESS (Little): Not at this time, no.

11 MR. PERRONE: Or any indication how it would or would
12 not fall within the limits of disturbance?

13 THE WITNESS (Little): Correct. Typically that --
14 well, these plants are typically surveyed in the
15 spring, plants like this. I don't know
16 specifically for this particular plant, but when
17 we surveyed the sand blackberry, it had to wait
18 until April. And then I believe she performed
19 three site visits up through July.

20 MR. PERRONE: So, the precise area that this is located
21 could not be determined until later in the spring?

22 THE WITNESS (Little): That would be my -- my guess,
23 but we would have to ask the -- the consultant
24 specific dates for this particular species.

25 But generally, plants like this are surveyed

1 at the beginning of the growing season or -- or
2 early in the growing season through, you know,
3 early summer.

4 MR. PERRONE: What kind of measures could be employed
5 to protect the species, whether it's a
6 modification to the solar array or any other type
7 of avoidance measures?

8 THE WITNESS (Little): Well, with this particular
9 project, our intention is to minimize soil
10 disturbance to the extent possible throughout
11 construction.

12 So, we are not anticipating any grading up in
13 that area, but there would be crews that would
14 need to come in and place concrete ballast blocks
15 for the racking array that would rest on the
16 surface.

17 So there, inevitably, we don't know the exact
18 locations of those, but, you know, if there are
19 that particular plant in the way, I don't -- I
20 don't know that anything could be done other than
21 relocating a plant, because if -- if the plant is
22 in the way of where a giant concrete ballast
23 foundation needs to go, it would go right on top
24 of it.

25 MR. PERRONE: Moving on to the ballast foundation, I

1 see on sheet 13 that there's two potential ballast
2 foundation designs, the pour-in-place footing and
3 the gabion structural basket.

4 Could you explain the difference between the
5 two, and which one you would utilize?

6 THE WITNESS (Galton): Yes, this is -- this is Rodney
7 Galton again. The -- our preferred method would
8 be the gabion. There is -- there is rock that is
9 present on site. So, it would be our preference
10 to use the gabion-style basket and utilize the
11 existing rock that is on the site.

12 So if need be, we would turn to the
13 concrete-filled style footing for -- for this, but
14 again, that's -- that's not our preference. Our
15 preference is to use the existing rock on site for
16 the gabion baskets.

17 MR. PERRONE: Would there be sufficient rock for all
18 the locations? Or would you have to put, like,
19 crushed stone down in certain locations?

20 THE WITNESS (Galton): No, there -- there should be
21 enough existing rock. There is a large cliff
22 face, which is shown in the exhibits. And there
23 is -- there is plenty of loose rock associated
24 with that cliff face.

25 MR. PERRONE: And returning to the interrogatory

1 responses, the response number eight, part B;
2 there's a note that there's no prime agricultural
3 soils at the site. And page 19 of the petition
4 notes less than a half acre of mapped prime
5 agricultural soil would be impacted.

6 Could you please clarify the difference?

7 THE WITNESS (Galton): Yes. There is -- there is no
8 prime ag soil on this site. This was a rock
9 quarry and gravel pit previous to this proposed
10 use. So most of the existing soil has been
11 removed from this site.

12 MR. PERRONE: And referencing the response to
13 interrogatories 18 and 20, there's approximately
14 1.71 acres of tree clearing. Of that tree
15 clearing, do you know how much, if any, is
16 associated with mitigating shading effects versus
17 making room for the solar facility?

18 THE WITNESS (Galton): Very little of the clearing is
19 to mitigate shading. All of the -- nearly all of
20 the tree cutting is associated for -- for the
21 array itself.

22 MR. PERRONE: And turning to response to interrogatory
23 23, there's two equipment pads depicted in the top
24 part of figure one. Do you have approximate
25 dimensions on those?

1 THE WITNESS (Galton): I believe we submitted that in
2 the exhibit, if I'm not mistaken.

3 Chris, do you happen -- do you happen to have
4 that information in front of you?

5 THE WITNESS (Little): So, just so I understand the
6 question? We're on interrogatory 23.

7 This would --

8 THE CHAIR: I'm sorry. If I could just remind you to
9 identify yourself, particularly as we're going
10 back and forth between the panels?

11 THE WITNESS (Little): Sure. Chris Little with
12 Borrelli Solar.

13 So, we're -- we're referring to 23. Correct?

14 MR. PERRONE: Yes.

15 THE WITNESS (Little): The orientation of the utility
16 poles? And the question was -- I kind of missed
17 that. It was the size of the equipment or the
18 height of the poles?

19 MR. PERRONE: The two equipment pads, they're in the
20 top part of figure one. If you have rough
21 dimensions on those?

22 THE WITNESS (Little): Oh, yeah. I -- I don't.

23 THE WITNESS (Galton): I'm -- I'm opening up the CAD
24 file right now.

25 MR. PERRONE: Okay.

1 THE WITNESS (Galton): I will get you those dimensions.
2 Just -- just bear with me.

3 This is Rodney Galton, Borrelli Solar. Just
4 bear with me one minute here, please?

5 MR. PERRONE: Sure.

6
7 (Pause: 2:22 p.m. to 2:23 p.m.)
8

9 THE WITNESS (Galton): One -- one pad would be roughly
10 12 by 14, and the other would be 9 by 12.

11 MR. PERRONE: Thank you.

12 Moving on to interrogatory responses. I
13 believe 37 appears twice, but referencing both of
14 them. When did BSL meet with DEEP for a
15 pre-application meeting related to the general
16 permit?

17 THE WITNESS (Galton): Let me pull up my calendar.

18
19 (Pause: 2:24 p.m. to 2:25 p.m.)
20

21 THE WITNESS (Galton): CLA, the engineer of record and
22 myself met with DEEP February 3rd.

23 MR. PERRONE: What is the status of the general permit
24 application?

25 THE WITNESS (Galton): That is under review currently.

1 MR. PERRONE: Turning to response to interrogatory 43,
2 which gets into flood zones, I understand it's in
3 zone X. Is that the unshaded zone X?

4 THE WITNESS (Galton): That is the unshaded zone X,
5 correct.

6 MR. PERRONE: And referencing the operations and
7 maintenance plan, is mowing at the site intended
8 to supplement the sheep grazing?

9 THE WITNESS (Galton): Yes, that would be.

10 That would be to supplement the sheep.

11 MR. PERRONE: Does BSL plan to remove snow from the
12 solar panels?

13 THE WITNESS (Galton): We -- we typically do not remove
14 snow. We -- we let that occur naturally.

15 MR. PERRONE: Referencing petition page 9, would a seed
16 mix be used that is both pollinator friendly and
17 suitable for sheep grazing?

18 THE WITNESS (Galton): Yes, we -- that's our standard
19 seed mixture.

20 MR. PERRONE: Would any particular type of seed mix
21 provide host plants for the bee species identified
22 by DEEP in the February 19th e-mail?

23 THE WITNESS (Galton): Right now we do not have -- we
24 do not have a seed mixture that would support
25 that.

1 Chris, do you -- can you think of anything
2 that we could -- we could do to help that?

3 THE WITNESS (Little): Well, so to incorporate the
4 loose -- sorry. What is the name of the species
5 we're referring to?

6 Are we referring to the *Lysmoccia quadifolia*?
7 Is that how -- I don't even know. Is that the
8 species of plant we're referring to, the one that
9 was identified up on the cliff?

10 THE WITNESS (Galton): It'd be the one to support the
11 bees.

12 THE WITNESS (Little): Yeah, I don't -- Chris Little
13 again. I don't see why we couldn't consult with
14 someone, Rodney, that's local to the area that
15 could potentially incorporate something like that
16 into the mixture.

17 I think what we want to avoid is anything
18 that would be, you know, fast growing or would
19 grow to a height, because anything that ultimately
20 that we would plant in there, the vegetation needs
21 to be maintained. But to the extent it can, you
22 know, be a low-growth type, I'd certainly be open
23 to it.

24 THE WITNESS (Galton): This is -- this is Rodney Galton
25 again. We do have an area outside of the fence

1 limits that has vegetation on it now that could
2 certainly be used for -- for vegetation to support
3 the bee species identified.

4 MR. PERRONE: Thank you.

5 Is there a minimum distance to keep
6 vegetation away from the equipment pads or the
7 interconnection poles for fire safety?

8 THE WITNESS (Galton): We typically have -- we don't
9 have a set distance. We utilize the concrete pads
10 as our buffer for any vegetation. And therefore,
11 it keeps the vegetation away from our equipment.

12 MR. PERRONE: Okay. I understand that provides a
13 buffer for the pads. Is there any kind of buffer
14 distance for the interconnect poles?

15 THE WITNESS (Galton): We -- we don't have any sort of
16 minimum distance. However, the area where the
17 interconnection poles are proposed is mostly
18 gravel right now. And we are not looking to
19 change that, that area as -- as part of this
20 project.

21 MR. PERRONE: Referencing the comments from the
22 Department of Public Health dated February 5,
23 2025, the proposed facility would be located
24 within the Saltonstall Reservoir System.

25 What protective measures would be employed

1 for the facility design and construction to
2 protect the water supply system?

3 THE WITNESS (Galton): So, CLA can expound on this
4 if -- if, excuse me, expand on this if they would
5 like. However, during construction, we will be
6 utilizing the stormwater basins as sediment traps
7 during construction. And then we have permanent
8 stormwater basins proposed that would -- that
9 would filter any of the stormwater runoff during
10 construction as well as post construction.

11 THE WITNESS (Haubert): Kyle Haubert from CLA. Just to
12 expand on what Rodney said, the water quality
13 basins that are proposed on site do capture the
14 water, and they are sized per the 2024 stormwater
15 quality manual. So, the discharge will meet the
16 requirements of -- of those guidelines.

17 MR. PERRONE: And while we're on the stormwater topic,
18 how would post-construction stormwater flows
19 compare to existing pre-construction conditions?

20 THE WITNESS (Haubert): I can address that as well.
21 Again, Kyle Haubert from CLA engineers.

22 The site has been designed to work primarily
23 as sheet flow across the site, which mimics the
24 existing conditions. The stormwater basins have
25 been sized to reduce peak flow rates that leave

1 the site. They also reduce the volume of runoff
2 leaving the site.

3 So, the runoff will be reduced in both volume
4 and -- and peak flow rates leaving the site.

5 MR. PERRONE: And my last few questions are related to
6 noise. On page 16 of the petition, there's a
7 projected 36.6 dBA at 207 Borrelli Road.

8 Is that at the residence itself, or the
9 property line closest to that residence?

10 THE WITNESS (Galton): I believe that was at the
11 property line.

12 MR. PERRONE: And would that be a worst-case daytime
13 noise?

14 THE WITNESS (Galton): That would be. That would be
15 worst-case, correct. Correct.

16 MR. PERRONE: Okay. So, another way to look at that,
17 the 36.6, would that be a conservative number at
18 night?

19 THE WITNESS (Galton): Yes, absolutely, yes.

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

21 THE CHAIR: Thank you, Mr. Perrone.

22 Mr. Golembiewski.

23 MR. GOLEMBIEWSKI: Thank you, Chair Designate Katz.

24 I want to probably not -- not a surprise, but
25 I want to go back to interrogatory response one

1 regarding the whorled yellow loosestrife.

2 I just want -- I'm reading the last sentence
3 in your response, and it's for all those reasons
4 BSL does not intend to take further action
5 regarding DEEP's e-mail and the request suggested
6 therein.

7 I know some suggestions have come up during
8 this hearing, but I don't think that's a good
9 answer. So, I'm going to give you an opportunity
10 to maybe provide a different answer if -- if you
11 want, but I can tell you that's not a good answer
12 for me.

13 THE WITNESS (Galton): The -- the issue that we have is
14 this was identified as a potential for this site.
15 This was not identified for this site
16 specifically. It was in the general area of this
17 site. So, that's where that comment is coming
18 from.

19 MR. GOLEMBIEWSKI: Okay. So I think that the
20 suggestion was to resurvey for the plant to find
21 its limits. You said already that you haven't
22 done that. Correct?

23 THE WITNESS (Galton): Correct.

24 MR. GOLEMBIEWSKI: And that you are not going to modify
25 your design at all. Is that correct?

1 THE WITNESS (Galton): That's correct. We would -- we
2 would much rather -- we would much rather relocate
3 plants than redesign the site. The site has
4 some -- has some very extreme topography which
5 limits where we can build on this site.

6 So, we would much rather relocate plants as
7 necessary.

8 MR. GOLEMBIEWSKI: Okay. So, if that is the case, then
9 you would need to know where the plants are.

10 Right?

11 THE WITNESS (Galton): Uh-huh.

12 MR. GOLEMBIEWSKI: And then where it would be
13 appropriate and possible on your site to relocate
14 them to. So, is that something you are proposing?

15 THE WITNESS (Galton): We can. We can certainly. We
16 can certainly look into that for sure. We have
17 not -- we have not discussed taking that any
18 further at this point, but that is something that
19 we would definitely be open to.

20 MR. GOLEMBIEWSKI: Okay. All right. Thank you.

21 I am going to now refer to the cross section
22 again for your ballast system. That's on sheet 13
23 of the plans. It says, typical installer module
24 layout.

25 So, here's my question to you. I've read in

1 the application that there is ten feet of clean
2 soil over construction debris at the property. So
3 is that why you're going with this ballast system,
4 that you don't want to penetrate the soil below
5 ten feet? Is that what I'm supposed -- is that
6 what I'm to understand?

7 THE WITNESS (Galton): Well, it's -- it's our
8 preference not to disturb anything that is not
9 absolutely necessary. It's not necessarily that
10 we would be ten feet into the soil, because I
11 think our deepest -- our deepest cut is for the
12 stormwater basins, and I believe that's about six
13 feet.

14 But we -- we just -- we've done some, some
15 soil testing out here and it's -- it's our
16 preference to disturb as little as possible.
17 That's why we -- we want to go with the -- the
18 ballast type systems.

19 MR. GOLEMBIEWSKI: Okay. So, I just want to do some
20 math out here. So, as I see it, if you go with
21 the concrete poured footings, it's showing -- so,
22 there would be two support poles per module. Is
23 that the case?

24 And then, so if you do the math out, it's
25 like two four-foot diameter concrete footings per

1 module. So, how many specific modules are
2 included in your project?

3 THE WITNESS (Galton): It's -- those footings would not
4 be per module. It would be per racking tray.

5 Right?

6 MR. GOLEMBIEWSKI: Per tray? Yeah.

7 THE WITNESS (Galton): Correct. So, there's -- there's
8 four -- there's four support poles per tray.

9 Right?

10 MR. GOLEMBIEWSKI: Okay.

11 THE WITNESS (Galton): So, it would not be per module.

12 MR. GOLEMBIEWSKI: So, how many trays are on the
13 project then?

14 THE WITNESS (Galton): That I don't know off the top of
15 my head.

16 MR. GOLEMBIEWSKI: Okay. And so if I do, like, some
17 math, just some simple math, I think it comes out
18 that each -- I think it's 25 square feet for each
19 one. And then the gabions, how big are the
20 gabions' ballast?

21 THE WITNESS (Galton): All that would have to be sized
22 in a final, final structural design element.

23 MR. GOLEMBIEWSKI: Okay.

24 THE WITNESS (Galton): Based on -- based on load, wind
25 load, load on the panels, everything.

1 MR. GOLEMBIEWSKI: Okay. I'm going to come back to
2 this for some other questions, but thank you.
3 Thank you for that.

4 I want to go to, on the same sheet, the
5 bottom left corner is the access road detail. And
6 I want to kind of go through this with you for a
7 couple of reasons. One is the application says
8 that the access road is going to be 12 feet wide,
9 but this one shows 14, a 14-foot-wide access road.

10 So I'm assuming that this is just sort of a
11 typical design and the actual will be twelve foot
12 across?

13 THE WITNESS (Galton): That, that's correct. Right now
14 there is an existing access road on site from
15 Borrelli Road all the way to the northwest corner.
16 There is an existing access road. The width does
17 vary slightly, but we would -- we would maintain a
18 twelve-foot access from Borrelli Road to the
19 northwest array.

20 MR. GOLEMBIEWSKI: Okay. And this is showing -- so
21 this is showing that there's going to be a
22 conveyance swale potentially. And so, if I take
23 this detail and I go up to -- let's see. I think
24 it's sheet -- let's go up.

25 Hold on for one second, so I know what sheet

1 to start with here.

2 Okay. So, I am looking at sheet -- so it's
3 going to be at -- I'm going to start at the
4 entrance of the road where it comes off Borrelli
5 Road. So, I am on sheet number three.

6 So, if I just follow -- I just want to just
7 follow the road up. Right? So, as I follow the
8 road up, it curls towards the property on the
9 west. And I see on its first sort of little S
10 curve there it says, proposed clearing limits
11 typical.

12 And it just has an arrow that's just sitting
13 in, essentially in the middle of this 20-foot
14 side-yard setback. And I guess overall, except
15 for the front of the property and then this whole
16 western side, there isn't shown a treeline that's
17 being cleared. But I'm assuming that it's some --
18 this is some distance off the edge of road. Is
19 that -- would that be the case?

20 **THE WITNESS (Galton):** It would -- it would really be
21 to open up that existing access drive. There is
22 an access drive there. It's -- it is a bit
23 overgrown.

24 **MR. GOLEMBIEWSKI:** Yeah.

25 **THE WITNESS (Galton):** What we're clearing on along the

1 access road is just to open it up so we can -- we
2 can get vehicle, vehicle access.

3 MR. GOLEMBIEWSKI: Well, that's -- so, that's not what
4 your detail shows.

5 THE WITNESS (Galton): Correct.

6 MR. GOLEMBIEWSKI: Your detail shows that you're going
7 to excavate it out, put a subbase and then put
8 gravel on top of that.

9 THE WITNESS (Galton): Yes. So, in some areas this
10 road is -- is -- because it hasn't been maintained
11 in several years, this road is not in good
12 condition in several areas. So, in those areas
13 what we would do is we would -- we would excavate
14 out what we need to, to get a proper access drive
15 surface in there.

16 MR. GOLEMBIEWSKI: Okay. So, my concern is, especially
17 even on that little corner, can you do all this
18 work without actually trespassing on the property
19 to the west?

20 THE WITNESS (Galton): Yes, because it is -- again,
21 there is an existing access drive through there.

22 MR. GOLEMBIEWSKI: Okay. And I guess my question, too,
23 is you're adding -- if I do my math out again,
24 you're going to be -- the access road is 1,122
25 feet long by 12 feet wide road surface, plus

1 whatever it takes to grade it properly on each
2 side. So it could be even wider, but there's
3 going to be 13,464 square feet of new, new gravel
4 in here.

5 So, I guess my question is, there are certain
6 points and then on this sheet three, it looks like
7 there is a sort of steeper rise. And then as you
8 get -- and we can go on the other sheets after.
9 There's even some steeper areas.

10 Is there going to be a requirement to put
11 that swale that is shown in the detail? And then
12 what side of the road would it be on? Because you
13 don't have really any room at certain points to
14 put that on the west side.

15 **THE WITNESS (Galton):** Right. So, there really is no
16 need for that swale because again, we're following
17 the existing access road.

18 However, during construction, if it becomes
19 evident that we are having drainage issues, then
20 we will utilize a swale along the edge of the --
21 the drive to convey stormwater.

22 **MR. GOLEMBIEWSKI:** Okay. And this is -- so, are you an
23 engineer?

24 **THE WITNESS (Galton):** Yes. I am a professional civil
25 engineer, yes, correct.

1 MR. GOLEMBIEWSKI: Okay. Yeah. All right.

2 THE WITNESS (Galton): I'm also a certified erosion and
3 sediment professional as well.

4 MR. GOLEMBIEWSKI: Okay. Great. All right. So, let's
5 go to sheet four. I just want to follow the road
6 up, and I'm going to be as quick as I can.

7 So on sheet four, it sort of continues -- and
8 on sheet four, it's pretty close. If that's the
9 property line there, that's really close to the
10 property line.

11 I don't know if the road is shown at twelve
12 feet wide. That's less than half the width of the
13 road at a certain point. There's no station
14 numbers on this road, but I'd say, like, where the
15 northwestern array is -- is, sort of, it's coming
16 into that area.

17 You're saying that you don't -- you're not
18 going to need -- that seems to be well within
19 where you're flagging for limits, clearing,
20 clearing limits, and you're not going to need to
21 grade in there or get any equipment in that area?

22 THE WITNESS (Galton): We -- we will not. We will not
23 need to grade that area again, because it is an
24 existing access drive.

25 MR. GOLEMBIEWSKI: Yeah?

1 THE WITNESS (Galton): We are going to follow the
2 existing grades. There's no reason for us to
3 change it. There's no reason for us to cut or
4 fill within those existing limits.

5 MR. GOLEMBIEWSKI: Okay. All right. And then at what
6 point, I'm trying to look at the road. So, at the
7 end of the road, at the northern end of the
8 northwest array, I see that you have three
9 115-foot-long infiltration trenches.

10 So what portion of the road is that going to
11 treat? Are those intended to take runoff off the
12 gravel road?

13 THE WITNESS (Galton): Yes, that's -- that's exactly
14 what those are intended for, is to control runoff.

15 MR. GOLEMBIEWSKI: Okay.

16 THE WITNESS (Galton): Yeah.

17 MR. GOLEMBIEWSKI: So, how many linear feet of the road
18 drains that way?

19 THE WITNESS (Galton): It's -- it's essentially -- it's
20 essentially just that 115 linear feet that drains
21 that way.

22 MR. GOLEMBIEWSKI: Okay.

23 THE WITNESS (Galton): It may be. It may be slightly
24 more, but everything is extremely flat in that
25 area. So it's really --

1 MR. GOLEMBIEWSKI: Okay.

2 THE WITNESS (Galton): It's really just that, that
3 portion of the road that drains there.

4 MR. GOLEMBIEWSKI: Okay. So, the road as it curves up
5 is all running south then?

6 THE WITNESS (Galton): Yes, correct.

7 MR. GOLEMBIEWSKI: So, the drainage is going to run
8 south along the entire remainder of the road?

9 THE WITNESS (Galton): Yes, correct.

10 MR. GOLEMBIEWSKI: And there's no need for any type of
11 cross culvert or -- I mean, any type of drainage
12 basin, or anything off the road?

13 THE WITNESS (Galton): There is -- there is no need.
14 Again, CLA can -- can expand upon this, but there
15 is no need. Because there, it's an existing road,
16 we are not changing the runoff because that, that
17 road exists. Right?

18 We were going to put a better surface on it,
19 but it is an existing road. So, there is already
20 a certain amount of runoff generated from that
21 existing road. And are not -- we will not be
22 adding runoff by formalizing that road.

23 THE WITNESS (Haubert): And Kyle Haubert from CLA.

24 Just to add to that comment for Rodney, the
25 way the existing road is pitched, it -- it doesn't

1 concentrate the stormwater flow along the, we'll
2 call it the curve, the gutter line of the road
3 that, you know, that we would worry about erosion
4 ripping down the side of the road. It primarily
5 sheets, sheet flows across, across the road.

6 MR. GOLEMBIEWSKI: Which direction?

7 THE WITNESS (Haubert): Primarily in this area that
8 we're looking, from east to west.

9 MR. GOLEMBIEWSKI: East to west? Okay.

10 Onto the other property?

11 THE WITNESS (Haubert): Correct.

12 MR. GOLEMBIEWSKI: Okay. I had one question while
13 we're on here in the area of the infiltration
14 trenches. I did see a response to the Town's
15 comments, I believe that you would be able to put
16 a hammerhead turnaround. Where?

17 Where would you have room to do that?

18 THE WITNESS (Galton): This is Rodney Galton with
19 Borrelli Solar.

20 The area that we're looking at is, if we
21 would need to expand that road, we'd have to
22 lengthen that road and basically give them a
23 turnaround between the last tray, the last tray in
24 the array, and the second, the second row in that
25 array and provide them with a turnaround in there.

1 We did get -- we did receive the dimensions
2 for their firetruck, and we believe it is possible
3 for them to utilize a hammerhead turnaround in
4 that area rather than a true cul-de-sac style.

5 MR. GOLEMBIEWSKI: Okay. And then I guess my last
6 question on the access road and then I'll stop on
7 the access road. What is the steepest section of
8 the road? What percent slope is it?

9 THE WITNESS (Galton): Kyle, would you have that
10 information? I do not have that information.

11 THE WITNESS (Haubert): Kyle Haubert from CLA.

12 That would primarily be along the -- if you
13 look back to sheet three, through that section,
14 just north of where the pads are and it makes that
15 kind of curve northbound.

16 MR. GOLEMBIEWSKI: I'm just wondering, you know, fire
17 trucks, I'm not -- I don't know exactly what the
18 Town's slope, minimum slope they need, but --

19 THE WITNESS (Haubert): Yeah.

20 MR. GOLEMBIEWSKI: I just don't see that in the record.

21 THE WITNESS (Haubert): That section is about 9.6
22 percent through that area, that I believe that's
23 the steepest section through there.

24 MR. GOLEMBIEWSKI: Okay.

25 THE WITNESS (Galton): And when -- Rodney Galton,

1 Borrelli Solar.

2 Chris Little and myself, we did have a call
3 with the Town Planner regarding this project. And
4 the -- they were not concerned about slope. They
5 were just concerned about a turnaround in the
6 northwest there.

7 MR. GOLEMBIEWSKI: Okay. Okay. Thank you. So, I am
8 going to stay on sheet -- I think that's sheet
9 four. Let me make sure here.

10 Yes, sheet four. So, I'm going to be asking
11 some questions about the northwest array. So, I
12 see above where the infiltration trenches are it
13 says, regrade the site as shown on the plan.
14 Areas within the solar panel array exceeding 15
15 percent slope shall be graded to 15 percent slope
16 or less.

17 As I read the plan and, you know, basically
18 the solid lines are the proposed grades, the
19 entire array area is going to be regraded a couple
20 of feet either way. Is that correct?

21 THE WITNESS (Galton): That is correct.

22 MR. GOLEMBIEWSKI: Okay. Didn't you just say when we
23 were talking about the whorled loosestrife, yellow
24 loosestrife, that this area you weren't going to
25 do a lot with the soil? Or your intention was to

1 not grade at all?

2 THE WITNESS (Galton): This, this area needs to be
3 graded to get the stormwater runoff to the proper
4 location.

5 MR. GOLEMBIEWSKI: Okay.

6 THE WITNESS (Galton): If -- if I said that we were not
7 regrading this area, then I misspoke.

8 MR. GOLEMBIEWSKI: Okay.

9 THE WITNESS (Galton): But this area, this area will
10 get regraded. We are -- we are pushing the
11 stormwater centrally into this array, and then we
12 are using the existing breakout in the cliff face
13 to get that water, that stormwater runoff to -- to
14 the basin number two.

15 MR. GOLEMBIEWSKI: Okay. So, you're leading me right
16 to my next question. As I see to the right of the
17 15 percent slope grading note, it says, provide
18 minimum 15-foot-wide vegetated swale -- and I see
19 it. It's marked with a darker line and a
20 couple -- a dot and an arrow, I guess, pointing
21 where it's draining.

22 So I guess my question to you is -- and there
23 is a detail I think on sheet 13 showing kind of
24 what it should look like. It's like a foot at the
25 bottom, a foot deeper. Your modules, your arrays,

1 your panels are going to sort of bridge this
2 swale?

3 **THE WITNESS (Galton):** That's correct.

4 **MR. GOLEMBIEWSKI:** Is that normal? Is that common?

5 **THE WITNESS (Galton):** It is. We've -- we've had this
6 same design on several, several of our solar
7 facilities currently.

8 **MR. GOLEMBIEWSKI:** Okay. And when we, you know, and I
9 said I would get back to the profile. So, with
10 your ballast foundations, would you be like
11 positioning your ballasts to not be in the swale?
12 Because it kind of would be sort of contrary to
13 what you're trying to do. Right?

14 **THE WITNESS (Galton):** That's correct. We would not
15 have a ballast in the middle of a swale. You
16 would actually be creating erosion issues if you
17 did that.

18 **MR. GOLEMBIEWSKI:** Yeah. Okay.

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

20 **MR. GOLEMBIEWSKI:** So these are bridging them, and
21 they're going to be designed specifically to just
22 basically allow the swale, to collect runoff and
23 run.

24 And then you led me to my other question.
25 So, you're going to just run it down the face of

1 the rock outcrop down to stormwater basin two?

2 Is that how it's going to work?

3 THE WITNESS (Galton): That's correct. It -- it
4 essentially does that now. Right?

5 MR. GOLEMBIEWSKI: Okay.

6 THE WITNESS (Galton): We're just -- again, we're just
7 more or less formalizing this surface to make sure
8 it goes where it should go.

9 MR. GOLEMBIEWSKI: And from an engineered design,
10 you're not going to do anything to the cliff face?
11 You're not going --

12 THE WITNESS (Galton): We are not doing --

13 MR. GOLEMBIEWSKI: You're just running it off. You're
14 just running it off the side of the cliff?

15 THE WITNESS (Galton): Yes. Again, that that's
16 essentially what happens now. That's correct.

17 MR. GOLEMBIEWSKI: Okay. And then I guess I had
18 another question. So, as I follow stormwater
19 basin two, it outlets, and so it's going to --
20 you're going to run an outlet pipe under the
21 northern portion of the southern array?

22 THE WITNESS (Galton): Correct.

23 MR. GOLEMBIEWSKI: So, you're going to -- so, you're
24 doing the stormwater basins first. You're going
25 to put the pipe underground, trench it in, put the

1 flared end, you know, the riprap, you know, the
2 pad, everything in.

3 THE WITNESS (Galton): Right.

4 MR. GOLEMBIEWSKI: And then -- okay. So, I guess I can
5 understand that from a sequence perspective, but
6 then I look in the basin, and you're going -- so,
7 you're going to have your panels sort of hanging
8 over the basin on the east side?

9 THE WITNESS (Galton): Yes.

10 MR. GOLEMBIEWSKI: And that, that's okay if it fills up
11 with water and releases it? And that that's fine
12 for the footings or the foundations for the --

13 THE WITNESS (Galton): Yes. There --

14 MR. GOLEMBIEWSKI: I'm assuming you're going to have
15 ballasts on that side. Right?

16 THE WITNESS (Galton): We are.

17 MR. GOLEMBIEWSKI: At the end?

18 THE WITNESS (Galton): Yes. Yes.

19 MR. GOLEMBIEWSKI: But you're not going to have the
20 ballast foundations in the actual basin -- or are
21 they going to be in the basin?

22 THE WITNESS (Galton): They -- they would be in the
23 basin itself, correct.

24 MR. GOLEMBIEWSKI: All right. Now is that taken into
25 the calculations of the basin, that you're losing

1 that storage area?

2 THE WITNESS (Galton): Yes, yes.

3 MR. GOLEMBIEWSKI: Okay.

4 THE WITNESS (Galton): Absolutely.

5 MR. GOLEMBIEWSKI: Okay. All right.

6 THE WITNESS (Galton): And -- and essentially, again,
7 going back to our preferred method of ballast, you
8 know, our preferred method is the gabion basket,
9 which does have voids in it. It would not be --
10 obviously if this was concrete, there would be --
11 we'd lose a lot more volume than -- than the
12 Gabion baskets.

13 MR. GOLEMBIEWSKI: Okay. So, if I get -- keep moving
14 downstream, if I guess that's the term, or
15 downgradient -- so, we have stormwater basin
16 three. And this is where I'm going to talk kind
17 of like about the buffer to the wetland.

18 Because I think there was -- as far as I
19 could tell, your response to the interrogatories
20 is that there was a 50-foot undisturbed buffer
21 with dense, dense herbaceous growth. But if I'm
22 reading the plan correct, the blue hash marks show
23 the 50-foot buffer from the wetland.

24 Am I correct?

25 THE WITNESS (Galton): I -- I believe the blue hash is

1 the 100-foot buffer.

2 MR. GOLEMBIEWSKI: Oh. Well -- so, I don't know if
3 that's what the plan says. If you look down, if
4 you go -- let me blow it up, but I think it says
5 50-foot typical.

6 THE WITNESS (Galton): Oh, yes. I do see that. That
7 is correct. Yes.

8 MR. GOLEMBIEWSKI: Okay. So the blue hash is actually
9 the 50-foot, not the 100-foot?

10 THE WITNESS (Galton): Correct.

11 MR. GOLEMBIEWSKI: Yes?

12 THE WITNESS (Galton): Yes.

13 MR. GOLEMBIEWSKI: Okay. So, then as I look at the
14 flared end riprap outlet of basin three, so the
15 clearing, there's clearing around that whole area
16 that's within, within that 50-foot. And then the
17 permanent, the end of that flared end is actually
18 within that 50-foot also. Is that correct?

19 THE WITNESS (Galton): The flared end is outside of the
20 50-foot. It would just be the --

21 MR. GOLEMBIEWSKI: I don't know. Are you looking at
22 the same plan I'm looking at?

23 THE WITNESS (Galton): I am.

24 MR. GOLEMBIEWSKI: Because I see both --

25 THE WITNESS (Galton): So yes, I'm looking at that

1 plan.

2 MR. GOLEMBIEWSKI: I disagree. I disagree.

3 THE WITNESS (Galton): Okay. Maybe Kyle can comment on
4 this, but I'm looking at the plan. The flared end
5 itself is outside of the buffer.

6 MR. GOLEMBIEWSKI: Oh, yeah. The rip -- but the riprap
7 pad.

8 THE WITNESS (Galton): That is correct, yes.

9 MR. GOLEMBIEWSKI: Yes. Okay.

10 THE WITNESS (Galton): The riprap outlet is inside of
11 50-foot, yes.

12 MR. GOLEMBIEWSKI: Okay.

13 THE WITNESS (Haubert): That's correct. Yeah, Kyle
14 Haubert from CLA again. Yes, the actual flared
15 end is outside of that, but yes, the riprap apron
16 does -- does extend into the -- into that, yeah.

17 MR. GOLEMBIEWSKI: Okay.

18 THE WITNESS (Galton): And just -- just to comment on
19 that further, this is Rodney with -- Rodney Galton
20 with Borrelli Solar.

21 During our conversation with DEEP regarding
22 the stormwater design, they did comment on this
23 outlet, and I believe they will be requesting a
24 level spreader in this area rather than just the
25 riprap outfall.

1 MR. GOLEMBIEWSKI: Okay. Okay. All right. So, I
2 guess I'll just continue on, and we'll note that
3 potential change to that outlet.

4 If you keep going south, it does look like
5 even the basin itself is within the 50-foot, at
6 least the green, the lighter green, and then it
7 shows that the silt fencing and the, I guess,
8 limit of clearing is almost to the point where
9 it's at the 25-foot distance from the wetland, and
10 there's grading.

11 There's even grading -- if you look at 104
12 and such, there's going to be grading within that
13 50-foot area, pretty much as you follow all the
14 way to the end of sheet four, and then I guess
15 I'll go to sheet three, the top of sheet three
16 now.

17 It looks like there's grading in that area,
18 and then once you get to the basin one, it looks
19 like you start sort of moving out of that area.

20 Is that all correct? Am I reading everything?

21 THE WITNESS (Galton): Yes. Yeah, that is correct.

22 MR. GOLEMBIEWSKI: Okay. All right. So, enough of
23 that. I'm on to -- I'm going to go to the photos
24 that were provided in the, I believe, let's see,
25 page 80 of the interrogatory response.

1 THE WITNESS (Galton): Page 80.

2 MR. GOLEMBIEWSKI: Yeah, I'm going to go -- there's
3 some series of photos.

4 And I'm going to location. It says, location
5 eight. And it says, south end of easterly wetland
6 looking west.

7 THE WITNESS (Galton): Yes.

8 MR. GOLEMBIEWSKI: Okay. Is that a vernal pool?

9 THE WITNESS (Galton): No, there's -- there's no vernal
10 pool on this site. I had -- we did have an
11 inventory done for this site, and there was no --
12 no indications of any vernal pools on this site.

13 MR. GOLEMBIEWSKI: Okay. I didn't see those data
14 sheets or anything in the application. Can you
15 direct me to where those assessments or
16 evaluations were documented?

17 THE WITNESS (Galton): Well, we did submit the wetland
18 report. Correct?

19 MR. GOLEMBIEWSKI: Yeah, but it says nothing about
20 vernal pools. It doesn't say anything about --
21 honestly, it doesn't have any data sheets. It's
22 just essentially a two-page letter.

23 THE WITNESS (Galton): We did have -- we did have an
24 assessment done for all the wetlands that are on
25 the property that may not have been submitted as

1 part of the application, but we did have -- we did
2 have an assessment done for all the wetlands.

3 MR. GOLEMBIEWSKI: And do you know who did the
4 assessment?

5 THE WITNESS (Galton): It was Joseph Theroux who did
6 the assessment.

7 MR. GOLEMBIEWSKI: Okay. And he's not on the hearing
8 right now? He's not?

9 THE WITNESS (Galton): He is not, no.

10 MR. GOLEMBIEWSKI: Okay. And do you know when this
11 photo was taken? I think that it said either
12 August or March. I'm assuming that's a March
13 photo.

14 THE WITNESS (Galton): That, yes, I -- I took that in
15 March. That is correct.

16 MR. GOLEMBIEWSKI: Okay.

17 THE WITNESS (Galton): That is correct. We did have
18 functions and values report done by Joseph Theroux
19 for these wetlands, and we could provide that
20 information.

21 MR. GOLEMBIEWSKI: I would love that. I don't know if
22 we can do it a late file, but I would absolutely
23 love a complete record of what you did when it
24 came to wetland delineation and functional and
25 value assessment.

1 THE WITNESS (Galton): Uh-huh.

2 MR. GOLEMBIEWSKI: Even if there was any comments in
3 regards to your work within the 50-foot buffer, if
4 that's already been done or not.

5 Okay. So let's go to photos. If we go up to
6 page 75 and 76, photo location one and two. My
7 question is, your plans don't show what the
8 current, I guess, forest line is, and it doesn't
9 show what the post forest line is going to be.

10 And specifically, if you look at the first
11 photo where it shows the gate, and then there's
12 like an SUV in the --

13 THE WITNESS (Galton): Uh-huh?

14 MR. GOLEMBIEWSKI: -- that, it shows that opening. Are
15 you maintaining the trees that are shown in these
16 photos, location one looking east, looking west?
17 Or is that front area going to be all cleared?

18 THE WITNESS (Galton): No, that area is staying --
19 staying as is. That area is more or less
20 proximate to that wetland that is -- that is right
21 next to Borrelli Road. And we are not doing --
22 we're not proposing anything within that, that
23 setback area where that wetland is along Borrelli
24 Road.

25 MR. GOLEMBIEWSKI: Okay. And in the first photo where

1 the gate is open, is that roughly where the
2 construction entrance and the permanent entrance
3 for the facility will be?

4 THE WITNESS (Galton): That is correct, yes.

5 MR. GOLEMBIEWSKI: Okay. All right. Let's see.

6 If I go down a little bit to location two,
7 and it's showing, I guess, the property line
8 between you and 207 Borrelli Road?

9 THE WITNESS (Galton): Yes.

10 MR. GOLEMBIEWSKI: Those, those trees there, are they
11 on 207 Borrelli property? Or are they on yours?
12 I see a stake sort of in the center.

13 THE WITNESS (Galton): That's correct, yeah. It's --
14 the property line more or less splits those, those
15 clumps of trees that you see there.

16 MR. GOLEMBIEWSKI: Okay. Are those proposed to be
17 cleared or no?

18 THE WITNESS (Galton): They are not, no.

19 MR. GOLEMBIEWSKI: Okay. And then if I go down to page
20 77, there's a funky drainage pipe that outlets in
21 your southern array.

22 THE WITNESS (Galton): Correct.

23 MR. GOLEMBIEWSKI: And it looks like you're -- so, it
24 looks like right now there, somehow the city or
25 the prior property or just sort of takes -- I

1 don't know if it's coming from a catch basin or,
2 but there's like this funky PVC pipe that
3 discharges on your property.

4 THE WITNESS (Galton): Yes.

5 MR. GOLEMBIEWSKI: So, you're going to discharge that
6 based, I guess, on sheet three. You are proposing
7 a riprap pad in the middle of your array. Is that
8 in your stormwater calculations?

9 THE WITNESS (Galton): That --

10 MR. GOLEMBIEWSKI: What's the drainage area to this
11 pipe?

12 THE WITNESS (Galton): That drainage area is actually
13 from Borrelli Road. That is not our pipe. That
14 is East Haven's drainage pipe.

15 MR. GOLEMBIEWSKI: Okay. Yeah.

16 THE WITNESS (Galton): So, that is existing. That does
17 take drainage from -- from Borrelli Road. There's
18 actually a catch basin not too far from this area,
19 which overflows into this pipe.

20 MR. GOLEMBIEWSKI: Okay. So, does the Town have an
21 easement to drain through the solar array?

22 THE WITNESS (Galton): We -- we could not find any
23 record of an easement given to East Haven
24 regarding this drainage pipe.

25 MR. GOLEMBIEWSKI: Okay.

1 THE WITNESS (Galton): But it is -- it is our intention
2 to leave this drainage pipe as is.

3 MR. GOLEMBIEWSKI: Okay.

4 THE WITNESS (Galton): Because we are -- we are not
5 doing any -- we are not doing any excavation in
6 the area of this pipe. So, it is our intention to
7 leave this pipe as is.

8 THE WITNESS (Haubert): And Kyle Haubert, CLA.

9 THE WITNESS (Galton): Yeah?

10 THE WITNESS (Haubert): Just to clarify that as well,
11 that takes up a limited drainage area along the
12 north side of Borrelli Road and -- and it is
13 accounted for in the drainage calculations.

14 MR. GOLEMBIEWSKI: Okay. All right. So, your outlet
15 is designed for the drainage area. You know what
16 the drainage area is?

17 THE WITNESS (Haubert): Correct, yes.

18 MR. GOLEMBIEWSKI: Okay. All right. Let's see.

19 All right. Could you show me somewhere in
20 the plans the configuration of the perimeter
21 fence? I had the hardest time trying to figure
22 out where the actual perimeter fence went.

23 THE WITNESS (Galton): We actually submitted an exhibit
24 regarding that to the -- in the interrogatories.

25 MR. GOLEMBIEWSKI: Oh, okay. All right. Do you know

1 what page that's on in the interrogatories?

2 **THE WITNESS (Galton):** I do not -- let me -- I think it
3 was question 13, I believe. Exhibit D of the
4 interrogatories.

5 **MR. GOLEMBIEWSKI:** Okay.

6 **THE WITNESS (Little):** Chris Little with Borrelli
7 solar. Yeah, if you have the compiled PDF -- or I
8 don't know if you have a hard copy. It looks like
9 it starts on 55.

10 **MR. GOLEMBIEWSKI:** Okay. Yeah, I have the PDF open
11 right now. Yeah.

12 All right. So, I see a detail of the fence,
13 but where is -- oh, I see. Okay. So, I see the
14 perimeter fence detail on 54 -- oh, fence plan.
15 Okay. There we go. Yeah, I gotcha.

16 And the fence is depicted as, fence
17 typical -- so, that's the purple. Is that what
18 you're saying? Is the -- or magenta purple?

19 **THE WITNESS (Little):** Magenta, correct. Yes.

20 **MR. GOLEMBIEWSKI:** Yeah. Okay. That is okay.

21 And then so, with the -- so, the access road,
22 so there's a portion of the access road that will
23 not be fenced?

24 **THE WITNESS (Galton):** That is correct. Rodney Galton
25 with Borrelli Solar. Yes, that that is correct.

1 We have several hundred feet of the road that will
2 not be fenced in.

3 MR. GOLEMBIEWSKI: Okay. So, my question to you is, so
4 you are saying you're going to do sheep grazing?

5 THE WITNESS (Galton): Yes.

6 MR. GOLEMBIEWSKI: So the sheep will be -- there will
7 be just two, I don't want to call them paddocks,
8 but they would be moved between the two. So, the
9 Northwest is sort of isolated on its own?

10 THE WITNESS (Galton): Yes.

11 MR. GOLEMBIEWSKI: Okay.

12 THE WITNESS (Galton): And frankly, we don't just use
13 the perimeter fence to contain the sheep. We
14 actually -- we use a net electric fence.

15 MR. GOLEMBIEWSKI: Oh, okay.

16 THE WITNESS (Galton): I don't know if you're familiar
17 with that?

18 MR. GOLEMBIEWSKI: Yeah, yeah, yeah.

19 THE WITNESS (Galton): So, we actually contain the
20 sheep into much smaller areas so they can
21 concentrate on those areas, clean those areas, and
22 then we move them with the net electric fence.

23 MR. GOLEMBIEWSKI: Okay. All right. I guess just a
24 couple more questions. I'm sorry I'm taking all
25 the time here.

1 When we get to the fence that is right at the
2 entrance, is there any way to go with a privacy
3 sort of style for just the frontage on Borrelli
4 there?

5 THE WITNESS (Galton): We could -- we could put a
6 screen.

7 MR. GOLEMBIEWSKI: Like slats or something? Privacy
8 screen, yeah.

9 THE WITNESS (Galton): Yeah, we -- we could put a
10 screen in. That, The type of fence we use is a
11 fixed knot fence.

12 MR. GOLEMBIEWSKI: Okay.

13 THE WITNESS (Galton): So it doesn't really accept the
14 privacy slats.

15 MR. GOLEMBIEWSKI: Okay.

16 THE WITNESS (Galton): But we could -- we could put a
17 screen up.

18 MR. GOLEMBIEWSKI: And then if not, could you --
19 because I know you're proposing evergreen
20 plantings for the first, I don't know, maybe
21 hundred or so, a couple hundred feet, to I guess
22 help the 207 Borrelli with any visibility.

23 If you couldn't do that, could you do
24 plantings along Borrelli Road itself to sort of
25 just soften the view up off the road?

1 THE WITNESS (Galton): We -- we could. It would be a
2 very limited area because, again, we're keeping
3 that existing treeline along Borrelli Road. But,
4 yeah. It's -- there is -- there is a small
5 section that we could probably get some trees in
6 there, but it -- it would really be a limited
7 space.

8 MR. GOLEMBIEWSKI: Okay. Okay. That is all my
9 questions. Thank you.

10 THE WITNESS (Galton): Thank you.

11 THE CHAIR: Thank you, Mr. Golembiewski.

12 Mr. Nguyen?

13 MR. NGUYEN: Thank you, Chairman Designate Katz. And
14 good afternoon, everyone.

15 The application introduced a couple of
16 entities, and I just want to understand the
17 relationship between them and what are their
18 roles. We have Borrelli Solar, LLC, we have Ecos
19 Energy, and we have Sky Farms Corp. Could you
20 please identify those entities, and again, what
21 are their roles?

22 THE WITNESS (Galton): Yes. Vineyard Sky Farms is our
23 agricultural division of the company. They're the
24 ones that have the sheep and all agricultural
25 aspects, including hanging some of our sites.

1 Ecos Energy, LLC, is the development side of
2 our company. And Borrelli Solar is the Petitioner
3 for this site.

4 MR. NGUYEN: Specifically what the BSL role is in this,
5 other than the applicant or the Petitioner
6 (unintelligible) --

7 THE WITNESS (Galton): Rodney -- yes.

8 THE WITNESS (Little): Chris Little with Borrelli
9 Solar. I -- I could help answer that question.

10 That, the Borrelli Solar entity is a special
11 purpose entity. And for -- for every solar
12 project that we develop, they have a separate LLC
13 that is technically the owner and -- of that
14 particular project. And then we finance our --
15 our takeout financing. Our tax equity financing
16 is through a sale lease back with a bank. And --
17 and so that entity enters into the sale lease back
18 with -- with the bank.

19 MR. NGUYEN: And Ecos Energy will be the entity that
20 will handle all concerns and complaints for the
21 project. Is that correct?

22 THE WITNESS (Galton): That is correct, yes.

23 MR. NGUYEN: And Vineyard Sky Farms Corp, will maintain
24 the sheep grazing?

25 THE WITNESS (Galton): That is correct. Yes.

1 MR. NGUYEN: When referencing question number nine, the
2 question asks if the project is sold or
3 transferred to another entity, would the sale or
4 transfer include management and maintenance of the
5 agricultural activity?

6 And I see that the answer said that the
7 management of agricultural activity would not be
8 transferred. I'm a bit confused on that. So the
9 question is, assuming that if the project is
10 transferred who will maintain the agricultural
11 activity project? Will there be anyone?

12 THE WITNESS (Galton): Chris, do you want to handle
13 that?

14 THE WITNESS (Little): Yeah. Chris Little, Borrelli
15 Solar.

16 So, we have -- I think it's been over a
17 decade since we've ever transferred or sold a
18 project. There's no intention to sell or transfer
19 this other than under what I mentioned, the sale
20 lease-back transaction, but that's just a form of
21 financing.

22 So, we would still operate and -- and for all
23 intents and purposes be the sort of optics of the
24 owner. If we -- we put that into the petition
25 because obviously it's impossible to -- to know

1 every single scenario. So, we -- we have no
2 intention, although if we did sell the project to
3 a third party, not related to any financing, we
4 would not be involved in the operation or
5 maintenance, including the -- the maintaining the
6 ground cover either through sheep or other means.

7 However, our affiliate entity does own the
8 land. So, you know, we could institute sort of,
9 you know, certain requirements or the other owner
10 to -- to maintain it. And that, that certainly
11 would be our intent and desire if we ever did do
12 that, but -- but that scenario is very unlikely
13 here.

14 MR. NGUYEN: Not whatever the scenario -- I guess the
15 question is, will there be any entity to maintain
16 the agriculture activity? I guess the answer is
17 yes. There will be someone, I mean.

18 THE WITNESS (Little): Well -- but if the project were
19 sold, there may not be any sheep grazing, you
20 know. A third party may choose to mow or use
21 other means to manage the vegetation.

22 Are you referring to our affiliate entity,
23 Vineyard Sky Farms?

24 MR. NGUYEN: I'm referring to when the project is
25 approved with all of your proposal in, assuming it

1 had been transferred to another entity -- I guess
2 the question is, will all the conditions and
3 compliance follow with that new entity?

4 THE WITNESS (Little): Oh, yes. Those obligations
5 would absolutely be transferred.

6 MR. NGUYEN: Question number ten. There was a question
7 about the direction and the distance of the
8 nearest property line. And the insert indicated
9 that there's 26 feet measured from the panel to
10 the right-of-way line. Could you elaborate on
11 that? What is the right-of-way line?

12 THE WITNESS (Galton): Yes, this is Rodney Galton,
13 Borrelli Solar.

14 The right-of-way line is the Borrelli --
15 Borrelli Road right of way. So that 26 feet is
16 from the corner of our array to the public way
17 line, which is several feet onto our property, or
18 onto the -- the frontage along Borrelli Road.

19 MR. NGUYEN: And between the right-of-way line and the
20 array, would there be a fence in between?

21 THE WITNESS (Galton): There will. Yes, there will be
22 a fence in between, correct.

23 MR. NGUYEN: And the answer referred to Exhibit D --

24 THE WITNESS (Galton): Yes.

25 MR. NGUYEN: -- for this location. And are you

1 referencing Exhibit D of the interrogatories, or
2 is it in their --

3 THE WITNESS (Galton): Correct. In interrogatories,
4 that is correct.

5 MR. NGUYEN: Yeah. And -- unless my copy, it might be
6 inaccurate, but when I look at the Exhibit B, and
7 when I see, is it a cap solar literature that
8 accounts for that Exhibit B?

9 THE WITNESS (Galton): No, Exhibit D.

10 MR. NGUYEN: B or D? I'm asking --

11 THE WITNESS (Galton): D. D, as in dog.

12 MR. NGUYEN: Yes, I'm looking at Exhibit D, like David.
13 Right?

14 THE WITNESS (Galton): Yeah, that is correct.

15 MR. NGUYEN: And I see fence site plan.

16 THE WITNESS (Galton): That is correct. You'll see --

17 MR. NGUYEN: (Unintelligible) --

18 THE WITNESS (Galton): You'll see two dimensions on
19 that plan as well. One is in the southeast corner
20 of the property. You'll see it where it says 26
21 feet.

22 MR. NGUYEN: Okay. Looking at my copy, I see that
23 there's an access road detail exhibit.

24 THE WITNESS (Galton): I think we're looking at two
25 different things.

1 MR. NGUYEN: On the back page of Exhibit D, fence site
2 plan. I see there's an access road detail. This
3 is a schematic of the access road detail.

4 THE WITNESS (Galton): Exhibit -- Exhibit D is the
5 fence, the fence line site plan, which shows the
6 fence line. It also has the dimensions from the
7 array to the Borrelli Road right of way, and the
8 dimension from the array to 207 Borrelli Road
9 property.

10 MR. NGUYEN: Again, what I'm looking at is probably --
11 it was mixed up.

12 THE WITNESS (Galton): Yeah. We --

13 MR. NGUYEN: (Unintelligible.)

14 THE WITNESS (Galton): We did not compile all the PDFs
15 just because of the file size. So, something may
16 have been out of -- out of sequence.

17 MR. NGUYEN: Now there was a question, question number
18 34 regarding, could the equipment pads be moved
19 farther from the property line? And this involved
20 the noise, and I guess your answer indicated that
21 because the noise, you don't anticipate with
22 moving the equipment path farther away.

23 Is that right?

24 THE WITNESS (Galton): That is correct. A decibel
25 meter was used on site and the ambient noise

1 currently would be -- is -- is louder than what
2 our equipment would generate.

3 **MR. NGUYEN:** Other than noise factor, if it is because
4 of the visual impact, would there be visual
5 impact? And if it's so, can it move farther
6 perhaps on the utility pole side?

7 **THE WITNESS (Galton):** It would be -- it would be very
8 difficult to realign the equipment pads. It
9 would -- it would create a further distance for
10 the new poles to go into the site. So, it would
11 be very difficult to do that.

12 And we are up against some extreme
13 topography, so it -- it would be very difficult to
14 realign those pads into a different location.

15 However, we did already mention with the
16 fence going up, you know, there might be some
17 screening that we could do along the -- the fence
18 line, the proposed fence line to limit visual
19 impacts.

20 **MR. NGUYEN:** Elaborate on the specific screening that
21 you are having --

22 **THE WITNESS (Galton):** What was brought up earlier was
23 the potential for screening trees, and that we
24 don't have a very large area between the proposed
25 fence and the existing treeline, which we're

1 not -- we're not proposing to -- to touch that
2 treeline along Borrelli Road.

3 But we could also put a fabric up instead of
4 privacy slats, which wouldn't work with the type
5 of fence we're using. We -- they -- they make a
6 fabric that goes up over fences that would knock
7 down the visual impact.

8 MR. NGUYEN: Moving on to question number 54, the
9 question asks about the TCLP and whether or not
10 the proposed panels would be characterized as
11 hazardous waste under the federal regulatory
12 criteria.

13 And I see your answer then because of the
14 cost, and in the middle your answer it indicates
15 that BSL would not want to be limited to
16 purchasing solar panels from a manufacturer that
17 has a TCLP testing report. This is certainly a
18 concern for me, that without the report we do not
19 know whether or not your solar panel could contain
20 hazardous waste.

21 So, I'm going to allow you to explain why
22 would the Council approve the project that we do
23 not -- when we're uncertain when the solar panel
24 could contain hazardous waste.

25 THE WITNESS (Little): Yeah, this is Chris Little with

1 Borrelli Solar. I can address that.

2 So this, this request came up relating to, I
3 believe, a development management plan for a
4 previous project. And we were aware that another
5 developer was asked of this information, and it
6 happened to be the same manufacturer. It was
7 Canadian Solar, and we attempted for well over a
8 month to get this information out of them. And we
9 actually believe it was the same exact panel, that
10 that was approved on a previous project and we
11 were unable to get that information from the
12 manufacturer.

13 We've attempted from other manufacturers as
14 well and -- and it -- it has been challenging.
15 Either they don't have that information or they
16 have been unwilling to provide it. We could
17 certainly work it into our terms and conditions
18 and attempt to obtain that, but that there's no
19 guarantee that any of these manufacturers are
20 willing to provide this information or even have
21 it.

22 And so, I'm not -- I'm really not aware of a
23 lot that have provided it outside of Canadian
24 Solar. Are you seeing other developers able to
25 provide this information for other projects that

1 have been approved?

2 MR. NGUYEN: Are you asking me?

3 THE WITNESS (Little): Yeah. I'm just kind of -- I'm
4 more or less curious if this is something that has
5 been -- other developers have been able to
6 satisfy.

7 MR. NGUYEN: Well, first of all, I just want to tell
8 you that I do not answer the question.

9 I am the one asking questions.

10 THE WITNESS (Little): Oh, okay. I apologize.

11 Apologies. Yeah, okay.

12 MR. NGUYEN: You mentioned that the Canadian Solar
13 panel previously provided a TCLP report. And you
14 were saying that you were asking them to provide a
15 report, but they were reluctant, or refused to
16 provide it?

17 THE WITNESS (Little): We were --

18 MR. NGUYEN: I'm confused.

19 THE WITNESS (Little): Okay. Let me clarify. So that,
20 the -- the report I'm referring to, we were able
21 to find relating to a completely separate docket.
22 It was -- it was another developer or project
23 owner, and they had provided this, this report
24 from Canadian Solar.

25 So we -- we pointed that out to Canadian

1 Solar and requested that information from them.
2 We didn't know if it was the exact same solar
3 module that was provided in that other docket. So
4 we were looking for clarification and attempting
5 to get this information from the manufacturer, and
6 we were unable to. That that's what I was
7 referring to.

8 MR. NGUYEN: Well, to the extent that the Council
9 approved the project, if the Council approved the
10 project with a condition, among other conditions,
11 that it confirmed the TCLP testing report is in
12 place, would that hinder your project going
13 forward?

14 THE WITNESS (Little): If it were a requirement, it
15 could make it very difficult. One of the goals
16 that we have for this project and all of our other
17 projects is to acquire domestically made solar
18 panels, as opposed to procuring them from
19 manufacturing facilities -- and a lot of solar
20 modules are coming in from Southeast Asia right
21 now.

22 Our preference is to purchase them
23 domestically, and there's a very limited number of
24 manufacturers that provide the cells, the actual
25 solar cells that are manufactured in the US right

1 now. We fully expect, you know, going into 2026
2 and 2027 that they'll become more commonplace, but
3 right now our options are fairly limited on
4 obtaining domestic, domestically manufactured
5 modules.

6 So, adding this as a condition could it make
7 it very challenging for us to procure and source
8 domestically made modules?

9 MR. NGUYEN: Well, based on your answer here, you see
10 that it appears cost is the factor for the company
11 to consider purchasing solar panels that have
12 confirmed they're free of hazardous waste.

13 So, is it the cost, or is it the supply and
14 demand of it?

15 THE WITNESS (Little): No. In fact, domestically
16 manufactured solar modules are quite a bit more
17 expensive in the marketplace right now. In fact,
18 I've -- I've seen them carry about a 20 cent per
19 watt premium.

20 However, the project does qualify for
21 addition -- additional incentives through the
22 Inflation Reduction Act. But the -- the actual
23 panels themselves, the domestic ones are far more
24 expensive.

25 It's not to say that we don't want to procure

1 modules that are not toxic. It's just a matter of
2 being able to procure a module that a manufacturer
3 is willing to provide this information. And then
4 there there may also -- while we, at the time of
5 submission, we weren't anticipating it, but there
6 is the possibility that we would utilize a thin
7 film technology, which is a different type of
8 panel other than the -- the typical silicon.

9 If you're familiar with the company First
10 Solar, they do manufacture an entirely
11 different -- different type of solar panel, and
12 I'm not sure if they are able to provide this TCLP
13 testing report either.

14 MR. NGUYEN: The TCLP testing report is the federal
15 regulation. Is it not?

16 THE WITNESS (Little): I'm -- I'm not aware of a
17 federal regulation. I'm not saying there isn't,
18 I'm just not aware of one.

19 MR. NGUYEN: Okay. That's all we have. Thank you.

20 THE CHAIR: All right. Thank you, Mr. Nguyen.

21 I think at this point we will take a
22 ten-minute break -- so let's make it twelve.
23 Let's reconvene at 3:50, please?

24 Thank you, everyone.
25

1 (Pause: 3:38 p.m. to 3:50 p.m.)

2
3 THE CHAIR: All right. Back on the record, please?

4 We'll move to Mr. Morissette for questioning.

5 Mr. Morissette?

6 MR. MORISSETTE: Thank you, Chair Designee Katz. Good
7 afternoon, panel.

8 I'd like to follow up on the line of
9 questioning Mr. Nguyen was asking relating to the
10 panels. So, if I understood it right, you're
11 hopefully hoping to source US panels from Canadian
12 Solar. I didn't realize Canadian solar made
13 panels in the US. I always assumed that they came
14 from Canada, but I guess that assumption is
15 incorrect?

16 THE WITNESS (Little): No, the -- the hope is to source
17 domestic panels for 2025. Currently, we're having
18 conversations with a few different manufacturers.
19 However, there's very limited availability of
20 US-made modules with US-made cells. But one of
21 them that we have spoken to and are considering is
22 First Solar.

23 And during the break, I did a little bit of
24 homework and it does appear that they are willing
25 to provide that TCLP report, or they have provided

1 it in the past or have one available. I can
2 certainly get confirmation from them.

3 We have had conversations with a few others
4 as well, but we haven't -- we haven't actually
5 entered into any kind of agreement yet to purchase
6 modules because we, of course, want to make sure
7 that we have approval to build the project.

8 MR. MORISSETTE: Very good. Thank you.

9 I did notice that the design is based on a
10 690-watt panel. Is that a typical size now? It
11 seems a bit higher than what we've normally seen.

12 THE WITNESS (Little): Yeah, the -- the manufacturers
13 can't seem to stick to a standard frame size.
14 These are what are considered large format
15 modules.

16 So, ultimately the size of the module, the
17 nameplate wattage of the module could vary
18 depending on final equipment selection. However,
19 the actual footprint of the array would not change
20 materially. That would be our goal.

21 But due to availability and in timing of
22 projects and, you know, things can change as you
23 go through the development process on these
24 projects. And then of course the -- the whole
25 domestic content aspect and what may be available

1 for the project.

2 At the time of the submission, we were
3 planning on a 690. That could change though, like
4 I said earlier. So, that is definitely on the
5 higher side though of wattage for modules that are
6 available in the market right now, for sure.

7 MR. MORISSETTE: Thank you.

8 THE CHAIR: Just a reminder to identify yourself for
9 the Court Reporter, please?

10 THE WITNESS (Little): Chris -- yeah, Chris Little,
11 Borrelli Solar.

12 MR. MORISSETTE: Are you seeing any impacts on supply
13 because of the tariffs?

14 THE WITNESS (Little): That's a very good question.
15 I'm still trying to determine what impact those
16 will have. Currently, I'm being told that it's
17 not going to impact the discussions we've had with
18 domestic manufacturers.

19 MR. MORISSETTE: Uh-huh.

20 THE WITNESS (Little): I don't know what impact it will
21 have, at least from an availability or, you know,
22 a cost standpoint for anything sourced outside of
23 the US. I would -- I would imagine it will
24 increase costs at some point.

25 MR. MORISSETTE: Okay. Thank you.

1 I'm going to go back to a couple of questions
2 that were asked earlier. The first one is
3 relating to the stormwater meeting you had with
4 DEEP. Were there any other items or discussions
5 and topics that came up that we should be aware of
6 in relation to a change in design?

7 **THE WITNESS (Galton):** This is Rodney Galton, Borrelli
8 Solar. There was no other issues that were
9 identified, readily identified by DEEP during
10 that, that phone call -- or that Zoom meeting,
11 rather.

12 They were pleased that our northwest array
13 fed back into the site rather than pushing water
14 to the property lines. So they were -- they were
15 pleased with that and they thought our stormwater
16 design actually worked with the site. So, there
17 was no other issues identified.

18 **MR. MORISSETTE:** They didn't raise any concerns about
19 the wetland buffer at all?

20 **THE WITNESS (Galton):** They did not raise any concerns
21 about the wetland buffer.

22 **MR. MORISSETTE:** Well, there appears to be a steep
23 slope before the wetlands. Is it going to be
24 difficult to maintain your controls in place on
25 that slope and to keep DEEP runoff out of the

1 wetland?

2 THE WITNESS (Galton): No, and I think that's why DEEP
3 brought up the idea of the level spreader to help
4 even slow flows down even further. So, that
5 really to me is a good -- a good way to help slow
6 the runoff before it gets to the steep slopes.
7 And again, that's what -- that's what DEEP
8 identified as -- as their concerns.

9 MR. MORISSETTE: Okay. I'm going to switch gears here
10 going to the site, the piles that were left on
11 site. I understand that those, those piles have
12 been removed and that the Rincon's recommendations
13 have been implemented as far as clearing the site
14 of those debris. Is that correct?

15 THE WITNESS (Galton): That's correct.

16 MR. MORISSETTE: Okay. Now has DEEP remediation been
17 involved in this at all?

18 THE WITNESS (Galton): DEEP remediation has not been
19 involved with this site.

20 MR. MORISSETTE: Should it be? Should they get a copy
21 of the report and sign off on it and -- that's not
22 my area, so I don't know the extent that they need
23 to sign off on this type of information.

24 THE WITNESS (Galton): As far as I -- I know there was
25 nothing, there was nothing all that hazardous

1 on -- on site. So, I -- I don't think that DEEP
2 needs to get involved with any sort of remediation
3 for this, for this site at all.

4 RYAN THACHER: And this is Ryan Thacher with Rincon
5 Consultants.

6 MR. MORISSETTE: Yes?

7 RYAN THACHER: I can just confirm what Rodney just
8 stated that there was nothing detected on site
9 outside of the soil piles that would require any
10 special management as far as this construction
11 project is concerned.

12 ATTORNEY BACHMAN: Excuse me, Mr. Morissette, I don't
13 want to interrupt, but I don't believe Mr. Thacher
14 is under oath.

15 THE WITNESS (Little): Right. Yeah.

16 THE WITNESS (Galton): He is not.

17 THE WITNESS (Little): It's Chris Little with Borrelli.

18 He -- he joined late in the process. Would
19 we be able to take a moment to have him take an
20 oath? Or is it too late?

21 THE CHAIR: Attorney Bachman, can we proceed with that?
22 Or?

23 ATTORNEY BACHMAN: We can certainly swear him in now if
24 he's willing to take the oath.

25 THE CHAIR: Please proceed.

1 RYAN THACHER: Yes, absolutely.

2 ATTORNEY BACHMAN: Would you please raise your right
3 hand, Mr. Thacher?

4 R Y A N T H A C H E R,
5 called as a witness, being sworn by
6 THE EXECUTIVE DIRECTOR, was examined and
7 testified under oath as follows:

8
9 ATTORNEY BACHMAN: Thank you.

10 MR. MORISSETTE: Mr. Thacher, could you repeat your
11 answer for the record?

12 THE WITNESS (Thacher): Yes. So, Ryan Thacher with
13 Rincon Consultants.

14 I was just confirming that the soil testing
15 that was done on the site separate from the soil
16 piles, which -- which to date our understanding is
17 those have been managed, the soil that is on site
18 did not exceed any critical regulatory thresholds
19 that require special management for this
20 construction project.

21 MR. MORISSETTE: Very good. Thank you.

22 I'd like to talk a little bit about the
23 interconnection agreement. Now, I noticed --
24 well, first of all, in your diagram in the
25 interrogatories, if we could go there first? Can

1 you tell me which pole the utility meters will be
2 on? Can someone, please?

3 **THE WITNESS (Galton):** The meter is typically on the
4 second pole from the equipment, typically.

5 **MR. MORISSETTE:** So that would be the second pole into
6 the site?

7 **THE WITNESS (Galton):** That would be correct, yes.

8 **MR. MORISSETTE:** Okay. And I noticed in the
9 interconnection agreement that you need to do
10 upgrades of the distribution system from the site
11 entrance to Thompson Street. Now, the
12 distribution poles on Borrelli, are they going to
13 be replaced or are new poles going to be added? I
14 think there's six of them, six or seven.

15 **THE WITNESS (Galton):** Typically -- typically, what
16 they do is they replace the pole. Again, you
17 know, that -- that that's up to the utility
18 itself, but typically they replace the pole.

19 We would need to add an additional pole, it
20 would be a mid-span pole, which is identified as
21 pole A on that diagram.

22 **MR. MORISSETTE:** Okay. All right. I'd like to go to
23 the photos that's in the interrogatories, and
24 we'll start with location one, which is the
25 entrance.

1 THE WITNESS (Galton): Yes?

2 MR. MORISSETTE: Now the distribution poles are going
3 to go to the left-hand side of that access road?

4 THE WITNESS (Galton): Right.

5 MR. MORISSETTE: They will be -- what? Three poles?
6 Three poles, and then the interconnection goes
7 underground. Is that correct?

8 THE WITNESS (Galton): Correct.

9 MR. MORISSETTE: Okay. All right. And if we go to
10 page 76, location one, there's a residence. Now,
11 I take it that that residence is occupied?

12 THE WITNESS (Galton): It is.

13 MR. MORISSETTE: Okay. All right. And we go to
14 location two. Can you tell me the distance
15 between -- well, do we know what the distance
16 between the poles and the house are?

17 THE WITNESS (Galton): I can give you -- I can give you
18 a distance in just one second. I'm just doing
19 this in CAD. So, just bear with me, please.

20 MR. MORISSETTE: Great. Thank you.

21
22 (Pause.)

23
24 THE WITNESS (Galton): The approximate distance would
25 be 53 feet, and that would be to the corner of the

1 garage, more or less.

2 MR. MORISSETTE: Okay. So on Exhibit D, you have 82
3 feet to the corner of the panels?

4 THE WITNESS (Galton): Yes.

5 MR. MORISSETTE: So, that same line, it would be 53
6 feet --

7 THE WITNESS (Galton): Correct.

8 MR. MORISSETTE: -- to the house to the pole. Okay.
9 Great.

10 THE WITNESS (Galton): Correct.

11 MR. MORISSETTE: And while you're there, how many feet
12 to the property line?

13 THE WITNESS (Galton): From the pole to the property
14 line?

15 MR. MORISSETTE: Yes.

16
17 (Pause.)

18
19 THE WITNESS (Galton): Approximately 34 feet.

20 MR. MORISSETTE: Okay. Have you looked at any other
21 access points to this project? Or I should say
22 interconnection points to this project?

23 THE WITNESS (Galton): I don't believe we've
24 entertained any other interconnection points.

25 MR. MORISSETTE: Okay. If we could look at Exhibit B

1 for a moment? There was discussions earlier about
2 noise, and I'm a little confused. We have three
3 pads -- we actually have four pads, but the first
4 pad next to the 82 feet, that's been eliminated.

5 Correct?

6 THE WITNESS (Galton): Yes. Yes, that is correct.

7 Yes.

8 MR. MORISSETTE: Okay. So, if we go up the access
9 drive, we have three pads. I take it one is for
10 the transformer, and one is for the closure, and
11 one is for the metering box?

12 THE WITNESS (Galton): Yes.

13 MR. MORISSETTE: And you're going underground from the
14 last pole?

15 THE WITNESS (Galton): Yes.

16 MR. MORISSETTE: And that long triangle, is that the
17 inverters?

18 THE WITNESS (Galton): The long tri -- the long
19 rectangle? Yes, yes. That is -- that is correct,
20 yes.

21 MR. MORISSETTE: Thank you.

22 THE WITNESS (Galton): Yeah, that's -- that's our
23 inverter rack, correct.

24 MR. MORISSETTE: Okay. And so, it was testified
25 earlier -- and this is where I'm a little

1 confused -- that it's a hundred feet from the pads
2 to the property line. That doesn't seem possible
3 based on this drawing or this exhibit. It seems
4 like a hundred feet is to the house.

5 THE WITNESS (Galton): I would -- I would concur with
6 that. I think that hundred feet is to the house.

7 MR. MORISSETTE: Okay. Now, based on page 16 of the
8 application, it says that the project would meet
9 noise regulations, 30 meters, which is the house.

10 So my question is that the property line
11 under the state regs is the measuring point; do
12 you know what the noise levels at the property
13 line would be?

14 THE WITNESS (Galton): I -- I believe we have that in
15 the noise study, or an approximation thereof.

16 MR. MORISSETTE: Well, my concern is that the
17 transformers and the inverter are extremely close
18 to the property line, and I would be surprised if
19 they meet the state standards.

20 THE WITNESS (Galton): If -- if we had to, we could
21 slide them further in and open up the trays more
22 central to slide the trays to the west and slide
23 those pads more central to -- to the site.

24 MR. MORISSETTE: Uh-huh.

25 THE WITNESS (Galton): If -- if that was necessary.

1 MR. MORISSETTE: Is it possible to go north? Is that
2 north? Where's north here?

3 THE WITNESS (Galton): It would -- It would be
4 extremely difficult to go north. The topo -- the
5 topo going north gets rather extreme. We -- we
6 would be into the cliff face, actually the rock
7 outcrop -- cropping starts not too far to the
8 north.

9 MR. MORISSETTE: Yeah, I see the rock cropping there.

10 THE WITNESS (Galton): Yes.

11 MR. MORISSETTE: Yeah.

12 THE WITNESS (Galton): But again, we could -- we could
13 separate the trays central and then -- and then
14 slide the pads over and slide the tray to the west
15 to get it further away from the property line.

16 MR. MORISSETTE: Yeah, it looks to me like that's
17 something you're going to have to do, because I
18 don't believe it will meet the state requirements.

19 THE WITNESS (Little): This is --

20 MR. MORISSETTE: Were we able to find out what that
21 was?

22 THE WITNESS (Little): Yeah, this is Chris Little,
23 Borrelli Solar.

24 So, I believe you are correct that it was
25 measured to the house. However, on the noise

1 study on page 2, which is actually Exhibit Q to
2 the petition, it does show the rings of the
3 various decibel levels from the location of those.

4 And so the yellow ring that's depicted on
5 page 2 indicates that the decibel level would be
6 50 dBA, which is the -- the daytime operating.
7 And that does fall outside of the property limit.
8 So it would fall under the daytime operating. The
9 question then is, you know, what it would be at
10 night because that the threshold is lower.

11 So, I think that, Rodney, the best solution
12 would be to slide this in, if we can do that, and
13 just -- just for avoidance of doubt here.

14 THE WITNESS (Galton): Yeah. And Rodney Galton,
15 Borrelli Solar.

16 I -- I don't think it would be an issue to --
17 to separate those trays and slide those pads
18 further central to the -- to the site.

19 MR. MORISSETTE: Okay. Thank you. Is it -- have you
20 looked at putting the distribution poles on the
21 east side of the access road? Is there any reason
22 why you put it on the west side?

23 THE WITNESS (Galton): The -- the main concern there is
24 to try to keep that treeline intact. And if we
25 were to put poles on the eastern side, they would

1 probably end up trimming those trees back because
2 it would be under their lines.

3 So, that was -- that was our thought process
4 there, is to try to keep that treeline intact.

5 MR. MORISSETTE: Are you talking about when you cross
6 the road from the last pole to the -- from the
7 riser to the new distribution pole that you'll put
8 in mid span?

9 THE WITNESS (Galton): Yeah, from -- from our site to
10 the mid-span pole, you know that that wire would
11 be over the trees there. And the utilities almost
12 always cut, if not -- I mean, they, they trim it
13 without a doubt, but usually that they cut the
14 trees if they're under their wires.

15 MR. MORISSETTE: So if I look at location one photo --

16 THE WITNESS (Galton): Yes.

17 MR. MORISSETTE: -- you're talking about those trees on
18 the right here?

19 THE WITNESS (Galton): That's correct, yes.

20 MR. MORISSETTE: Okay. And you don't have that same
21 problem on the tree on the left, or is that going?

22 THE WITNESS (Galton): That tree on the left would be
23 just outside of the poles. They might -- they
24 might trim it back anyway, but -- but no.

25 That's -- we would be just inside that treeline on

1 the -- on the west there.

2 MR. MORISSETTE: Okay. Well, it looks like you could
3 do it on the east side as well. You might have to
4 trim that tree a little bit, but there appears to
5 be enough room.

6 THE WITNESS (Galton): And again, we could -- we could
7 do that. It's -- we could come up -- and again,
8 it's up to the utility how much they want to trim
9 that tree to keep it away from their wires.

10 MR. MORISSETTE: Right. Then the question comes up
11 because it's, as you enter the site it is more
12 wide open to the west than it is to the -- no, I'm
13 sorry. It's more wide open to the east because
14 the property opens up and to the left.

15 If it's hugging against the treeline and the
16 three distribution poles may blend in better. Any
17 thoughts on that?

18 THE WITNESS (Galton): That is -- that is a very good
19 point. I think if we do slide those poles to the
20 east side of the drive, they -- they would
21 probably blend in a little bit better.

22 MR. MORISSETTE: You mean the west?

23 THE WITNESS (Galton): Excuse me, the west, yes. Yeah.

24 MR. MORISSETTE: Very good, thank you.

25 THE WITNESS (Galton): Yes.

1 MR. MORISSETTE: Okay. Good discussion. Thank you.

2 That concludes my questioning for this
3 afternoon. Thank you.

4 THE WITNESS (Galton): Thank you.

5 THE CHAIR: Thank you, Mr. Morissette.

6 Mr. Carter?

7 MR. CARTER: Good afternoon, Chair Designate Katz, and
8 thank you. And thank you to the panel for their
9 time. I also would like to thank my previous
10 councilmembers for their questions. I won't take
11 too much time.

12 I want to look at a few things. The first is
13 looking at the comments received from the Town of
14 East Haven. Would the applicant be agreeable to
15 having traffic control being conducted by the East
16 Haven Police Department on days when the right of
17 way on Borrelli Road will be constrained based on
18 deliveries? And to help reference, that's kind of
19 aligned with question 57.

20 THE WITNESS (Galton): We would not be opposed to it,
21 but we don't anticipate any restrictions on
22 Borrelli Road because the site is fully
23 accessible. So, delivery trucks should be able to
24 pull into the site and offload from our site and
25 not Borrelli Road.

1 MR. CARTER: Thank you.

2 And the next question is looking at the
3 emergency response plan, I know Ms. Hall is
4 generally -- that's her domain, but I do just have
5 one question.

6 Would the applicant be agreeable to
7 incorporating the regional water authority into
8 the emergency response plan, especially looking at
9 things around hazmat and spills based on the
10 comments received from the Department of Public
11 Health?

12 THE WITNESS (Galton): Yes, we could certainly bring
13 RWA in for that. For that in -- well, in the
14 emergency response plan, we could certainly do
15 that.

16 MR. CARTER: Thank you.

17 Would you also be agreeable to incorporating
18 RWA into the spill prevention plan, as well as
19 allowing them access for inspections as needed?

20 THE WITNESS (Galton): We typically would not allow a
21 utility like that into the site for inspections.
22 This is energized equipment, and unless you're --
23 you're trained to be around the energized
24 equipment, we -- we prefer not to -- to have you
25 near that.

1 MR. CARTER: Thank you. And you are fine with
2 incorporating RWA into the spill prevention plan.
3 Correct?

4 THE WITNESS (Galton): Yes.

5 MR. CARTER: Thank you.

6 That is all that I have, Madam Chair
7 Designate. Thank you.

8 THE CHAIR: Thank you, Mr. Chance.

9 Ms. Hall?

10 MS. HALL: Hi, just a few questions, because you've had
11 some very thorough questioning, and many of the
12 same questions that I would have raised, but less
13 eloquently.

14 Please, just for my understanding, tell me
15 why you're going with a ballast system instead of
16 drilling into the bedrock?

17 THE WITNESS (Galton): Well, there's -- there's a
18 couple of factors that went into that decision.
19 One, most of the site is infill condition. So, we
20 would probably have to -- pending structural
21 testing, obviously, we would probably have to go
22 very deep down with the piles in order to get
23 proper structural elements for the racking. And
24 again, that's only because a large portion of the
25 site is infill. Okay?

1 The other reason is because it is infill,
2 we -- we wanted to disturb as little of that soil
3 as possible. So -- so, we ended up going with a
4 ballast system rather than pile driven.

5 MS. HALL: What's the concern in disturbing the soil if
6 it's fill?

7 THE WITNESS (Galton): There's -- this site was capped
8 after -- after the quarry operation. And frankly,
9 we don't know what type of fill was put in here.
10 So, that's -- that's the reason why we want to
11 disturb it as little as possible.

12 MS. HALL: And to your knowledge, there's no problem
13 with what has been leached off of that fill, or is
14 leaching off during stormwater events?

15 THE WITNESS (Galton): Again, our testing indicated,
16 the testing that Rincon did indicated that there
17 was no hazardous levels of -- of contaminants
18 coming off the site.

19 We also did some test pits out there. We did
20 several test pits out on site and had -- had the
21 soil tested at Phoenix Environmental Labs. And
22 again, their testing came back as not reportable
23 levels of anything.

24 MS. HALL: But the fill is of such a quality that you
25 would be able to sow whatever you need to sow to

1 maintain sheep grazing?

2 THE WITNESS (Galton): Yes, there is -- there is
3 topsoil on site. It's -- it's not -- it's not
4 very -- it's not very dense or very thick, but
5 there is. There is topsoil on site, so we would
6 be able to sow vegetation.

7 MS. HALL: Okay. Thank you.

8 There was -- and I want to thank
9 Mr. Morissette for the discussion of noise. I too
10 was a little skeptical about being able to meet
11 the noise limits. But you also referenced a high
12 level of ambient noise in the area.

13 What's that coming from?

14 THE WITNESS (Galton): It's actually probably a couple
15 of different factors. One, the proximity to
16 Borrelli Road. Right? There's -- Borrelli Road
17 is -- is a cut-through, so there is a lot of
18 traffic cutting through that neighborhood. So
19 that's part of it.

20 The other thing is there is a quarry
21 operation just to the east. It's not just to the
22 east, but it's to the east. And you can hear that
23 equipment running almost constantly during the
24 day.

25 MS. HALL: Okay. Thank you.

1 Have you had a discussion with the local fire
2 department?

3 **THE WITNESS (Galton):** We have not, but the fire
4 department did give some comments to the East
5 Haven Town Planner. And Chris Little and myself
6 did meet with the Town Planner to discuss the fire
7 department's concerns.

8 **MS. HALL:** And I didn't have a chance to look -- I
9 usually do before these meetings. Is it a
10 volunteer fire department or a professional fire
11 department?

12 **THE WITNESS (Galton):** That I don't know. That I don't
13 know.

14 **MS. HALL:** That's very important. The volunteer fire
15 departments are a lot less equipped to deal with
16 incidents than professional fire departments. I
17 would guess that it's a volunteer fire department,
18 but I don't know that for sure.

19 You've done a good job of -- in my opinion,
20 I'm not a professional -- but of listing the sorts
21 of things that a fire department would need,
22 equipment that a fire department would need to
23 consider.

24 A volunteer fire department is going to have
25 a lot more difficult time funding that stuff than

1 a professional fire department. And so, it's very
2 important to have those discussions and have some
3 sort of agreement on their ability, the ability of
4 the local government through their fire department
5 on being able to provide that, the service that
6 may be needed in the event of an emergency.

7 THE WITNESS (Galton): It -- it is understood. And
8 like I said, we did have that conversation with --
9 with the Town Planner. And again, their concern,
10 their big concern was access.

11 MS. HALL: Okay. And the question I often raise, and
12 people on this panel are probably sick of it, is
13 the water quantity issue. Because should a fire
14 break out in the area, not necessarily as a result
15 of your equipment, but in the area -- because
16 brush fires happen and they happen a hell of a lot
17 more frequently than they used to.

18 It's going to take a lot of water to dampen
19 things down around, around the facility. And so
20 the quantity of water and the availability to
21 bring in that quantity of water is something that
22 needs to be looked at. And I assume you'll be
23 willing to work with the local fire department on
24 making sure that they've got whatever it takes to
25 address that.

1 THE WITNESS (Galton): Yeah, obviously emergency
2 responders have to be very comfortable with --
3 with the design. And again, we tried to -- we
4 tried to get out in front of the Town's concerns
5 regarding that. So, we are certainly open to --
6 to working with emergency responders.

7 MS. HALL: Okay. Thank you. That's all the questions
8 I have. Thank you very much.

9 THE WITNESS (Galton): Thank you.

10 THE CHAIR: Thank you, Ms. Hall.

11 Mr. Syme.

12 MR. SYME: Thank you. Most of my questions have been
13 answered. I had a few on noise, a few on
14 drainage, whatnot. So, we've kind of really
15 touched on them in some pretty good detail. So,
16 I'm good there.

17 My only comment is going to go back to
18 something that was said earlier and brought up by
19 Mr. Golembiewski about transplanting or moving the
20 plants that are in question. And like, the name
21 of the -- like, I was trying to find the name, but
22 whatever. If they're moved, is someone going to
23 maintain them to make sure that they survive?

24 I mean, I've worked in the nursery business a
25 long time. I've worked in nurseries a long time,

1 and taking wild plants and transplanting them into
2 other areas sometimes doesn't work quite as well
3 as expected.

4 So, do you have a plan to, if you do move the
5 plants, to maintain them and to make sure they're
6 going to survive?

7 THE WITNESS (Galton): We -- we don't have a plan in
8 place. However, our -- our contractors are
9 obligated to maintain their structures for a
10 minimum of a year. So, whenever we do any sort of
11 planting or -- or transplanting, then they are
12 responsible to make sure of the health of those
13 plants for at least a year.

14 However, now we have done some -- some
15 wetland replication work and we have had a plan in
16 place to monitor that over several years to make
17 sure the wetland plants take. And we could
18 certainly -- we could certainly go that route
19 if -- if need be.

20 MR. SYME: All right. Yeah, I guess we've hit most of
21 my questions in detail. That was the only one
22 that kind of was brought up earlier that made me
23 think a little bit on that.

24 So, other than that I will be good, and I
25 will cede my time. Thank you.

1 THE WITNESS (Galton): Thank you.

2 THE CHAIR: Thank you, Mr. Syme.

3 I have just a few questions on my own as
4 well. The joy of going last is all the smart
5 people have asked smart questions ahead of me.

6 First of all, referencing interrogatory one,
7 the first response on page 1, is it possible to --
8 and you've already mentioned moving some of the
9 arrays. I forget what you call them. They're not
10 cells -- but panels.

11 Is it possible to reconfigure the arrangement
12 at all to create a gap in the rows to preserve
13 some of the existing whorled loosestrife?

14 THE WITNESS (Galton): I believe that was -- those
15 plants were located in the Northwest, if I'm not
16 mistaken, of the property. That area, because of
17 the topo constraints, again, we have rock
18 outcropping pretty much around the whole thing
19 with the exception to the east, which is an
20 extremely steep slope.

21 It would be very difficult to reconfigure
22 that Northwest area to allow for the plants.

23 THE CHAIR: But it sounds like most of the area will
24 not be impacted by the panels, that most of the
25 plants aren't going to be impacted by the panels.

1 Am I understanding what you're telling me right?

2 THE WITNESS (Galton): We believe that the plants will
3 not be impacted by the panels themselves.

4 That's correct. That's correct.

5 THE CHAIR: Okay. Are there other measures that could
6 be implemented to protect the plant population
7 aside from flag-and-avoid measures?

8 THE WITNESS (Galton): In one of our projects, we've
9 actually put up -- if you're familiar with the
10 orange construction fence. We have put -- we have
11 put that, that type of poly fence around certain
12 areas to keep out -- to keep people out of those
13 areas. And we could certainly do that for the
14 plant population.

15 THE CHAIR: Okay. Thank you.

16 I noticed -- let's see, on your response to
17 question 32, there was a question about whether
18 emergency lighting could be provided around the
19 disconnect or other areas that might at some point
20 need to be de-energized.

21 I want to make sure. I assume that means if
22 you need to de-energize it in the middle of the
23 night, there's some sort of emergency lighting
24 that goes on?

25 THE WITNESS (Galton): Yes, that's -- that what that

1 question was about. Correct?

2 THE CHAIR: Right.

3 THE WITNESS (Galton): Yes.

4 THE CHAIR: And you're not opposed to that, it says?

5 THE WITNESS (Galton): No, we're not opposed to that.

6 THE CHAIR: You are not opposed if appropriate or not?

7 THE WITNESS (Galton): No, not at all.

8 THE CHAIR: Okay.

9 THE WITNESS (Galton): We have -- our site will have
10 poles with cameras on it. We could certainly
11 mount motion-activated light or something like
12 that on those poles as well.

13 THE CHAIR: Okay. And then my other question is with
14 respect to the ongoing monitoring and compliance,
15 I was encouraged to hear that you yourself are, I
16 think you said, an erosion engineer. There you
17 talk about regular inspection and maintenance of
18 all of the erosion control measures.

19 I mean, I've seen a lot of construction sites
20 where there's the black sheeting and it looks
21 great, and then there's a massive rainstorm or a
22 snowstorm and it falls down and nobody picks it
23 up. Can you tell us how -- what you mean by
24 regular inspection and maintenance during this
25 construction period?

1 THE WITNESS (Galton): So, we're obligated under the
2 construction general permit to have a third-party
3 stormwater inspector. They go out and they
4 inspect -- after every rainstorm of a quarter of
5 an inch or more, they -- they go out and they
6 inspect the entire site. They check all the
7 erosion control measures.

8 In -- and that's after a quarter of an inch
9 of rain, but they also have to be out there at
10 least once a month to inspect regardless of rain
11 or not. And those reports come to us with their
12 recommendations. If anything needs to be
13 repaired, that's -- and those reports go to our
14 contractors and they -- they implement the repairs
15 or changes as necessary.

16 THE CHAIR: Okay. Well, I think --

17 THE WITNESS (Galton): And -- and also?

18 THE CHAIR: Yeah?

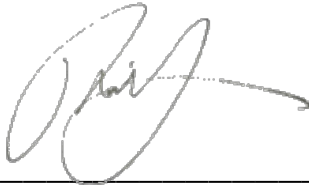
19 THE WITNESS (Galton): I inspect the sites also and
20 being a civil engineer and an erosion
21 professional, I -- I take that rather serious, so.

22 THE CHAIR: Okay. That's reassuring, Mr. Galton.

23 That's all the questions that I have. So at
24 this point, the Council will recess until 6:30, at
25 which time we will commence the public comment

CERTIFICATE

I hereby certify that the foregoing 99 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 hearing in Re: PETITION NO. 1655, BORRELLI SOLAR, LLC, PETITION FOR A DECLARATORY RULING, PURSUANT TO CONNECTICUT GENERAL STATUTES §4-176 AND §16-50K, FOR THE PROPOSED CONSTRUCTION, MAINTENANCE AND OPERATION OF A 1.99-MEGAWATT AC SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITY AND ASSOCIATED EQUIPMENT TO BE LOCATED AT 179 AND 197 BORRELLI ROAD, EAST HAVEN, CONNECTICUT, AND ASSOCIATED ELECTRICAL INTERCONNECTION, which was held before ELIN S. KATZ, ESQ., THE CHAIR, on April 10, 2025.



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

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