

THE PUBLIC UTILITIES

COMMISSION OF OHIO

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CASE NUMBER: 21-117-EL-BGN

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Hearing before the Public Utilities  
Commission of Ohio held on Monday, November 15th,  
2021, at 6:00 p.m., at the Greene County Expo  
Center, 120 Fairground Road, Xenia, Ohio 45385.

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PRESENT:

Mr. Michael Williams  
Mr. David Hicks  
Ms. Jennifer French  
Ms. Mary Mertz  
Mr. Michael Settineri  
Mr. Jack Van Kley

1 MR. WILLIAMS: Okay, folks.

2 Again, it's 6 o'clock. We are going to get  
3 started. Make your way to your seats. I would  
4 also ask, I know we already have some counsel  
5 seated up front. If there are any other attorneys  
6 representing the parties to the case, I would ask  
7 that they go ahead and come and sit in these  
8 reserved seats up front. To the extent there are  
9 no other counsel here, take those seats. That will  
10 free up some seats for folks that may wish to sit  
11 but are in the back but I will hold off on calling  
12 everyone forward until we're certain that there is  
13 not counsel taking those seats.

14 MR. HICKS: The Ohio Power Siting  
15 Board has scheduled for a hearing at this time and  
16 place. Case Number 21-117-EL-BGN which is  
17 captioned in the Matter of the Application of  
18 Kingwood Solar I, LLC for Certificate of  
19 Environmental Compatibility and Public Need. My  
20 name is David Hicks and with me is Michael  
21 Williams. We are Administrative Law Judges in the  
22 Board's legal department and we will be conducting  
23 tonight's hearing. I also want to point out that  
24 we have with us to my right, the Board's  
25 Chairperson Jennifer French and also on her right

1 is Mary Mertz who is the Director of the Ohio  
2 Department of Natural Resources and a member of the  
3 Board. I also will note that you likely saw when  
4 you came in out front, there are a number of Board  
5 staff members at that front table and may be  
6 scattered throughout so you can look for folks with  
7 PUCO or power siting shirts on or if there are some  
8 folks over here. So if you have some questions  
9 about the project or any of the Board happenings,  
10 feel free to go to them with any questions that you  
11 might have. Right now, we're going to go ahead and  
12 start by taking appearance of counsel for the  
13 parties and we will begin with the Applicant.

14 MR. SETTINERI: Good evening, Your  
15 Honors, and good evening, Board members. On behalf  
16 of Kingwood Solar I, LLC, Michael Settineri, and on  
17 behalf of the law firm of Vorys, Sater, Seymour and  
18 Pease, Columbus, Ohio 43215. Thank you.

19 MR. HICKS: We can use the  
20 microphone to the extent that folks can just walk  
21 over there and use it. We'll continue on. Mr.  
22 Settineri, thank you. I know Mr. Van Kley if you  
23 want to go ahead and make any --

24 MR. VAN KLEY: Thank you, Your  
25 Honors. My name is Jack Van Kley. I represent

1 Citizens for Green Acres and it's members. I'm  
2 with the law firm of Van Kley & Walker in Columbus,  
3 Ohio, 132 Northwoods Boulevard, Columbus, Ohio  
4 43235.

5 MR. HICKS: Thank you, Mr. Van  
6 Kley. Is there counsel here for the Board of  
7 Trustees of Cedarville Township?

8 AUDIENCE MEMBER: No.

9 MR. HICKS: Counsel for the Board  
10 of Trustees in Miami Township? Counsel for In  
11 Progress, LLC? Counsel for Tecumseh Land  
12 Preservation Association? Counsel for the Greene  
13 County Board of Commissioners? Counsel for the  
14 Ohio Farm Bureau Federation?

15 MR. ARNOLD: Good evening, Your  
16 Honors. My name's Dale Arnold. I'm Director of  
17 Energy, Utility and Local Government Policy with  
18 the Ohio Farm Bureau. I'm not counsel but we are a  
19 party of record in this case and I'm here to  
20 observe for our counsel. I will not be doing any  
21 cross, any examination, any questions but we are  
22 here to observe and I thank you very much basically  
23 for your understanding.

24 MR. HICKS: Thank you. Similar to  
25 those comments, I will note that intervenors are

1 not required to and may choose not to participate  
2 in tonight's proceeding but similar to that  
3 explanation that there may be representatives from  
4 these other intervenors here observing just without  
5 counsel here representing those parts of the  
6 hearing. The subject of tonight's hearing is an  
7 application filed by Kingwood Solar for the purpose  
8 of constructing and operating a 175 Megawatt  
9 solar-powered electric generation facility in  
10 Cedarville, Miami, and Xenia Townships in Greene  
11 County, Ohio.

12                   The proposed project would occupy  
13 approximately 1,500 acres for construction and  
14 operation. Kingwood Solar's application was filed  
15 on April 16, 2021. I also note that the Board  
16 staff filed a report of investigation on  
17 October 29, 2021. This report is a recommendation  
18 from the Board staff and does not necessarily  
19 reflect what the Board's final determination in  
20 this case will be. The purpose of tonight's public  
21 hearing is to receive testimony regarding Kingwood  
22 Solar's application from entities and persons in a  
23 local community who are effected by the proposed  
24 project. This public hearing is not a question and  
25 answer session but is an opportunity to let the

1 Board know what you think about the proposed  
2 project.

3 Today's public hearing is only one  
4 aspect of the process in this case. An evidentiary  
5 hearing is scheduled to begin via virtual hearing  
6 technology on December 13, 2021 as described in the  
7 administrative law judge entries on August 26 and  
8 November 10, 2021. The purpose of the evidentiary  
9 hearing is for the parties in this case, including  
10 the Applicant, the intervenors and Board staff to  
11 provide testimony and other evidence regarding the  
12 project. Tonight's hearing is being transcribed by  
13 a court reporter, Brittany from Britton &  
14 Associates. If you do plan to testify, please  
15 speak clearly so that the court reporter can  
16 accurately reflect your comments on the record.  
17 Please make sure you verbally respond to all  
18 questions asked so that your responses can be  
19 properly transcribed. After I finish with this  
20 introduction, I'll begin by calling individuals on  
21 the sign-in list to testify about the project.  
22 Each person who signed up to testify will be permitted  
23 to speak once about the project.

24 We will ask that you take an oath  
25 or affirmation that what you are about to say is

1 the truth. Your testimony will then be considered  
2 as part of the official record in this case and it  
3 will be reviewed by the Board before a final  
4 decision is made on the application.

5 Traditionally, the Board has encouraged testimony  
6 at the local public hearings for persons who are  
7 nonparties to the case meaning those who have not  
8 formally intervened as parties. The reason for  
9 that approach is as a courtesy to those who have  
10 not joined in the case as formal parties, because  
11 the local public hearing is the only opportunity  
12 for non-intervenors to provide the Board with their  
13 sworn testimony so that their positions are known  
14 without having to go through the formal litigation  
15 process. With that background understanding, I  
16 note that the judges do not intend to prohibit  
17 intervenors from testifying tonight. There are a  
18 couple of points to emphasize on this though and  
19 that one, we'll ask that intervenors testify after  
20 those who have not intervened, as tonight is the  
21 only for opportunity for non-intervenors to provide  
22 their testimony.

23 I will also remind intervenors  
24 that they will be subject to cross-examination by  
25 each of the parties in the case and the Bench

1 should they decide to testify tonight. As a  
2 result, you should ensure that your attorney is  
3 aware of your decision to testify and participates  
4 in the proceeding as to your cross-examination.  
5 Should you testify without your attorney's  
6 presence, your voluntary decision to testify will  
7 subject you to potential cross-examination by the  
8 parties in the case and the Bench. Lastly, I'll  
9 note that intervenors are not penalized whether  
10 they decide to testify tonight or not. As tonight  
11 is the only opportunity for nonparties to testify  
12 as to the project and intervenors have a right to  
13 testify at the evidentiary hearing, we are  
14 prioritizing non-intervenor testimony. But  
15 intervenors are equally entitled to be heard in  
16 this case, either tonight or during the upcoming  
17 evidentiary hearing.

18                   Should you decide that you do not  
19 want to testify when I call your name from the  
20 registration list, you can pass to the next  
21 witness. If you decide that you'd prefer to file  
22 written comments in the case, representatives from  
23 the Board are here and they can provide you with  
24 instructions on how to file comments in the case  
25 docket. Once you have finished testifying or if



1 you're here merely to observe, you're free to leave  
2 the hearing whenever you choose. We just ask if  
3 you could do so with a minimum of interruption as  
4 you exit.

5                   The Board appreciates your  
6 participation in tonight's hearing and we want  
7 everyone who intends to testify to have the  
8 opportunity to do so. For that reason, we ask that  
9 you that please keep your statement to a reasonable  
10 length of no more than 5 minutes. We don't mean to  
11 be rude or cut off a person's right to express  
12 themselves tonight but in order to show courtesy to  
13 all the speakers, we will enforce this time limit.  
14 I have a sign here that we will flash at the 30  
15 second warning as your 5 minutes approaches and at  
16 the 5 minutes, we'll verbally let you know. The  
17 list is quite extensive so we will be enforcing the  
18 5 minute limit so that everyone has the opportunity  
19 to speak. So we'll let you know when the 5 minutes  
20 is up, let you wrap up. And again just to remind  
21 everyone, you still are able to file public  
22 comments in the case even after tonight and Board  
23 staff again is scattered throughout or at the front  
24 table can help you if you have any questions on  
25 that process.

1                   At this time, we are going to move  
2   shortly toward calling our first witness. Just to  
3   give everyone an idea of how it works, we'll call  
4   the witness, we'll swear you in, confirm your name  
5   and address, determine if you live or work in the  
6   project area and confirm whether you're an  
7   intervenor in the case. Before we call our first  
8   witness, I know, Mr. Settineri, you had something.

9                   MR. SETTINERI: Hopefully everyone  
10   can hear me now. Hopefully, there we go. Your  
11   Honors, I'd ask you to reconsider your direction of  
12   allowing intervenors to testify tonight for a  
13   couple reasons. Number 1, the August 26th entry  
14   that's proceeding paragraph 31 require the, they're  
15   called, CGA coordinators, there was approximately  
16   14 to consolidate their examination of witnesses  
17   and presentation of testimony. So if one  
18   intervenor testifies tonight, that intervenor will  
19   essentially be testifying in all of the intervenors  
20   so that record is in place. Number 2, there's an  
21   order also on August 26 for the testimony of the  
22   intervenor to be in writing and tonight it would  
23   not be in writing. Third and most importantly, the  
24   counsel, the other counsel in this case, they've  
25   had no notice that intervenors can testify tonight.

1 They're not present for cross-examination. We  
2 don't know the positions of all of them. And so  
3 for those three reasons, I'd ask you to consider.  
4 What I've seen done in other cases, when an  
5 intervenor does not want to com to Columbus to  
6 testify, they have to, they come here and testify  
7 but they have to withdraw from the case. But I  
8 would ask, I would ask, this is what was done in  
9 the Tyler Rich case, Case Number 13-1177-ELGBN. At  
10 that public hearing, intervention allowed an  
11 intervenor to testify such as the other intervenors  
12 in the case. So that would be fine here but for  
13 the three reasons I laid out, I'd ask you to  
14 reconsider that directive because you do that, that  
15 leads to procedural irregularities here.

16 MR. HICKS: Thank you, Attorney  
17 Settineri.

18 MR. SETTINERI: Thank you,  
19 counsel.

20 MR. HICKS: Any counsel want to  
21 make a comment on the objection?

22 MR. VAN KLEY: Yes, sir. Your  
23 Honor, we don't believe that this motion has any  
24 validity. First of all, I don't know if any named  
25 intervenors who are members of The Citizens for

1 Greene Acres are going to testify tonight or not.  
2 If they, if any of them do, it's going to be a  
3 limited number of them. But if they do, I believe  
4 they would have a right to do so given that under  
5 the Board's rules, there is technically one hearing  
6 that consists of two sessions, the local session,  
7 which we're having here tonight, as well as the  
8 evidentiary session that we're going to have in  
9 Columbus later.

10 And so by virtue of fact that The  
11 Citizens for Greene Acres and its named intervenor  
12 members aren't going to solve any of their cases,  
13 that doesn't mean that one or more of those persons  
14 can't testify tonight and that they all have to  
15 testify in Columbus. So I don't think that this  
16 motion has any validity. It may not make any  
17 difference because I don't know of any named  
18 members or any persons who have been named as  
19 intervenors are going to testify tonight or if  
20 they're not. I can assure you that there are going  
21 to be members of Citizens for Greene Acres who are  
22 not named petitioners who are named petitioners for  
23 intervention that will testify. But by and large,  
24 most, if not all of those people are not named  
25 petitioners.

1 MR. HICKS: Thank you, Attorney  
2 Van Kley. Any other counsel want to weigh in on  
3 the objection or motion? I believe we're going to  
4 call it an objection. All right. Hearing none,  
5 the Board have decided to overrule the objection.  
6 We feel the testimony is permissible under the ALC  
7 rules. The ALC has broad discretion to conduct  
8 this hearing and we feel that the addition of the  
9 intervenor testimony is not going to significantly  
10 change the way this hearing is conducted. So we'll  
11 overrule the objection and proceed with our first  
12 witness.

13 Okay. And before we get started,  
14 with no counsel, there are seats up here if folks,  
15 I believe they're marked as reserved but to the  
16 extent if folks want to fill in those seats, they  
17 are certainly more than welcome to. I'm also  
18 noticing that when speaking at this mic, you may to  
19 lean in a little close because it sounds like  
20 they're having trouble hearing you but we'll go  
21 with it. Okay. Our first, I'm going to call the  
22 witness and with each witness we call, I'll also  
23 announce who is on deck, we'll call it. So our  
24 first witness of the night is Rich Hudgell.

25 THE WITNESS: Hudgell.

1 MR. HICKS: Hudgell. And, up  
2 front, I apologize if any names are mispronounced.  
3 So, Mr. Hudgell, you are up first and on deck is  
4 Jane Sweet. Good evening.

5 THE WITNESS: Good evening, Your  
6 Honors, and welcome to Greene County.

7 MR. HICKS: If you could just  
8 raise your right hand.

9 (WHEREUPON, the witness was  
10 sworn.)

11 MR. HICKS: Okay. Could you  
12 please state and spell your name for the record?

13 THE WITNESS: My name is Richard  
14 William Hudgell, H-U-D-G-E-L-L. I live at 3101  
15 Harbison Road in Cedarville.

16 MR. HICKS: And could you provide  
17 the township on the address?

18 THE WITNESS: That's Miami  
19 Township.

20 MR. HICKS: Okay. And do you live  
21 or work in the project area?

22 THE WITNESS: I'm retired. I live  
23 in the project area.

24 MR. HICKS: Okay. And are you a  
25 member of an intervenor group in this case?

1 THE WITNESS: I am not.

2 MR. HICKS: Okay. Please go ahead  
3 with your testimony.

4 THE WITNESS: Again, I say  
5 welcome, Your Honors, and guests of Greene County.  
6 My name's Rick Hudgell. I was born and raised in  
7 Cedarville, Yellow Springs area. I'm retired from  
8 the Greene County Sheriff's Office where I served  
9 as a K-9 handler and a SWAT Officer. My father,  
10 Richard Nelson, who was the Chief Ranger at Glen  
11 Helen Nature Preserve and managed Camp Greene Girl  
12 Scout camp where I grew up. My dad was a single  
13 dad. Excuse me, raising me by himself until I left  
14 for college. We had very little money but somehow  
15 dad managed to save a small amount of money to  
16 eventually build his dream home in 1990 in Miami  
17 Township, about a half mile from the Cedarville  
18 Township line. He and my stepmother married and  
19 built this beautiful home situated in the woods  
20 with lush, rolling farmland on three sides of it.

21 When this solar project began, my  
22 father made it very clear, as well as all of the  
23 neighbors living on Harbison Road, that it was not  
24 wanted. Land had been started up on Harbison by  
25 somebody who not only did not live in the area but

1 doesn't even live in the State of Ohio. In 2018,  
2 my stepmother passed away, leaving my dad to live  
3 alone in their house of dreams. As this solar  
4 project began picking up steam, my father was  
5 subjected to growing harassment by the solar panel  
6 company and their representatives. From constant  
7 phone calls to people coming directly to the house,  
8 he had to endure it all by himself. My father's  
9 health was declining and it required me leave a  
10 sign on his front door, unlocked, with a sign  
11 stating, family and friends, please come in, I am  
12 in the back room. He could not get up and answer  
13 the door very well.

14                   On two occasions, individuals from  
15 this solar panel group walked right into the house  
16 and went in to talk to him. My father's stress  
17 level and blood pressure elevated to the point that  
18 we were concerned about him having a heart attack.  
19 I then retired from my second retirement and stayed  
20 with my dad. On September 9, 2020, he had a heart  
21 attack and died September the 11th. And I will  
22 forever believe this immense of stress this  
23 project, nearly surrounding his home, coupled with  
24 the constant harassment caused my father's heart  
25 attack. In February 2021 I was doing some



1 remodeling in my father's house when I saw two men  
2 in the backyard. I went out to see who they were  
3 and was met by an angry man, who I did not catch  
4 his name, I wish I had. I was met by an angry man  
5 who immediately became aggressive and  
6 argumentative. He stated he was with the survey  
7 team connected to Vesper and he had every right to  
8 be on my property.

9                   He said, if you don't like it,  
10 I'll call the Sheriff's Department. To which I  
11 answered, go ahead. I'm retired from the Sheriff's  
12 Department. At this point, he turned around and  
13 left our property and I have not seen him since.  
14 This project has torn our tight-knit community  
15 apart. It's been friends against friends,  
16 neighbors against neighbors and even family against  
17 family. To further divide us, we're now receiving  
18 what I consider bribery letters offering thousands  
19 of dollars to sign the solar company's Good  
20 Neighbor Agreement. I'm sorry, but my integrity is  
21 not for sale. I care too much for the community I  
22 serve to sell them out to this and future  
23 generations.

24                   MR. HICKS: I would just ask if we  
25 could hold applause. We have a lot to get through.

1 So it will help with getting through all the  
2 testimony. I didn't know if you were --

3 THE WITNESS: Yeah. I'm done.

4 MR. HICKS: Okay. Just one  
5 second, sir.

6 THE WITNESS: Sure.

7 MR. HICKS: Is there any questions  
8 from the Bench?

9 MS. FRENCH: (Shaking head.)

10 MS. MERTZ: (Shaking head.)

11 MR. HICKS: Mr. Settineri?

12 MR. SETTINERI: No questions.

13 MR. HICKS: All right. Thank you,  
14 sir.

15 THE WITNESS: Thank you.

16 MR. HICKS: Up next is Jane Sweet.  
17 On deck is Sarah Knudsen.

18 THE WITNESS: Should we do a test?

19 MR. HICKS: We can hear you.

20 THE WITNESS: Okay.

21 MR. HICKS: If you could raise  
22 your right hand.

23 (WHEREUPON, the witness was  
24 sworn.)

25 MR. HICKS: Okay. If you could

1 please state and spell your name for the record.

2 THE WITNESS: My name is Jane  
3 Sweet, S-W-E-E-T.

4 MR. HICKS: Okay. Could you  
5 please provide your address including the township?

6 THE WITNESS: 3650 State Route 72  
7 in Miami Township.

8 MR. HICKS: Okay. And do you live  
9 or work in the project area?

10 THE WITNESS: I am retired and  
11 yes, I do.

12 MR. HICKS: Live in?

13 THE WITNESS: I work in the area.  
14 And as you will find out, I am one of the  
15 participants in the program.

16 MR. HICKS: Okay. And are you a  
17 member of an intervenor group?

18 THE WITNESS: No, I am not.

19 MR. HICKS: Okay. Please go ahead  
20 with your testimony.

21 THE WITNESS: My name is Jane  
22 Spencer Sweet and I am a fourth generation owner  
23 and manager of our family farm, Spencer Farms,  
24 located between Clifton and Cedarville. I grew up  
25 on this farm within a mile of the Little Miami

1 River, the Clifton Gorge, Glen Helen, Camp Clifton,  
2 John Bryan State Park, were sources of education  
3 and entertainment for us. Today, my children and  
4 grandchildren enjoy these things too. I am proud  
5 to be leasing a part of our farm for Kingwood  
6 Solar. I can produce, we can produce clean energy  
7 collected from the sun above us and used locally  
8 here in Greene County and surrounding areas. At  
9 the time, the land, at the same time, the lands  
10 will lie fallow, regenerating for the future and  
11 providing clean water for our aquifer.

#### 12 The Kingwood Solar Project

13 participants have a new problem with a positive  
14 ecological impact. This is a way to financially  
15 preserve our farmland and provide clean energy for  
16 our county. This area of Greene County is unique  
17 in having land that would qualify for this project  
18 and benefit Southwestern Ohio. This project fits  
19 the ability to transmit energy to specific  
20 transmission lines. The company that approached  
21 the farmers in this area for solar did so based on  
22 GIS information and utility utilization. This  
23 project cannot be sited on abandoned shopping malls  
24 or on building roofs. NIMBY, not in my backyard,  
25 is a message of many Kingwood neighbors. Many say

1 they want renewable energy but not if they have to  
2 look at it. I believe that the technology and  
3 equipment that brings us clean air, clean water and  
4 reduces chemical fertilizers, pesticides and  
5 herbicides, I believe that this application for  
6 land use is beautiful and then we are wrapping this  
7 land in pollinator habitats and vegetative  
8 screening. Vesper is looking at visually pleasing  
9 fencing and the nonstandard layout is spread out,  
10 has plenty of room for wildlife to roam.

11 This could be an excellent  
12 research project. Farmers are environmentalists  
13 more than you know. We need the pollinators and  
14 the quality of the soil but it doesn't happen by  
15 magic. We are business owners and we need to make  
16 a living on this land. I've been working on this  
17 project since 2017 and the enormous amount of time  
18 and energy has been sunk into this project. Ohio  
19 has been demanding clean energy for a decade and a  
20 half or longer. The reason why Senate Bill 52  
21 grandfathered in projects like Kingwood is because  
22 these are fully developed projects and have been  
23 working with landowners and the power sited work  
24 requirements and connections, the completeness  
25 review and so forth. However, just last month, the

1 Greene County Commissioners approved a resolution  
2 opposing the application of Kingwood based on  
3 guidelines that appear to have been drawn up just  
4 since the passage of Senate Bill 52. For those who  
5 are concerned about land and water quality, there  
6 is no question that land under solar conservation  
7 easement will be more environmentally sound. Under  
8 Kingwood, we would not be using the typical toxic  
9 chemicals to fertilize and control insects and  
10 weeds.

11                   These chemicals used today in  
12 landscaping, farming are, do get into our water  
13 systems. Project participants have been verbally  
14 attacked with incorrect information by those  
15 opposing the Kingwood project. We are trying to  
16 provide clean energy to citizens and preserve the  
17 land for future farming. Let's not forget the \$1.5  
18 million in annual tax revenue that will benefit the  
19 local schools. It will bring jobs and  
20 opportunities to the area. Through four  
21 generations, our family has adapted what we  
22 produce, how we chill and how we fertilize. We  
23 continue working to regenerate and preserve our  
24 land and keep our aquifer cleaner. The next  
25 generation in agriculture production will see major

1 environmental and technical changes at great  
2 expense. We want to help Greene County be ready.  
3 Thank you.

4 MR. HICKS: Thank you. Any  
5 questions from the Bench?

6 MS. MERTZ: (Shaking head.)

7 MS. FRENCH: (Shaking head.)

8 MR. HICKS: From the applicant?

9 MR. SETTINERI: (Shaking head.)

10 MR. HICKS: Mr, Ma'am --

11 THE WITNESS: Sorry.

12 MR. HICKS: I believe Mr. Van Kley  
13 has a question for you.

14 MR. VAN KLEY: I do. Do you live  
15 at the address you gave at the beginning of the  
16 testimony?

17 THE WITNESS: I have a house  
18 there. This is my land. I am there much of the  
19 time. I do have a home --

20 MR. HICKS: Folks, please, the  
21 court reporter can only pick up questions and the  
22 answers of the witnesses so please --

23 THE WITNESS: I do have a home in  
24 Berea and for 50 years, my family and I have driven  
25 back and forth between our two homes. We have been

1 working with our farmers. We have been working  
2 with our projects on our land. Yes. I consider  
3 that I work there and I do live there at times.

4 MR. VAN KLEY: Approximately what  
5 percentage of the time do you actually live in the  
6 house at the address that you've provided?

7 THE WITNESS: Right now, it is  
8 rented.

9 MR. VAN KLEY: Okay.

10 THE WITNESS: I'm not living there  
11 at this particular moment but I will be and I'm  
12 moving back to the area.

13 MR. VAN KLEY: Okay. Thank you.

14 MR. HICKS: Thank you. Up next is  
15 Sarah Knudsen. On deck is Jeffrey Grafton.

16 THE WITNESS: Hi.

17 MR. HICKS: Hi. Would you just  
18 raise your right hand?

19 (WHEREUPON, the witness was  
20 sworn.)

21 MR. HICKS: Could you please state  
22 and spell your name for the record?

23 THE WITNESS: Sarah Knudsen,  
24 S-A-R-A-H, K-N-U-D-S-E-N.

25 MR. HICKS: Okay. And could you



1 please provide your address including the township?

2 THE WITNESS: The address that I  
3 own in the area is 3731 Fishworm Road in Miami  
4 Township.

5 MR. HICKS: Okay. And do you live  
6 or work in the project area?

7 THE WITNESS: I live in Columbus  
8 and I own a house, the address that I just gave you  
9 and I work on the property, maintaining the  
10 property.

11 MR. HICKS: In the project area?

12 THE WITNESS: In the project area.  
13 Yes.

14 MR. HICKS: And are you a member  
15 of an intervenor group in the case?

16 THE WITNESS: I am not.

17 MR. HICKS: Okay. Please go ahead  
18 and give your testimony.

19 THE WITNESS: Hi. My name is  
20 Sarah Knudsen. I'm the daughter of a current owner  
21 and manager of Spencer Farms, LLC, Jane Sweet. My  
22 family has had a tie to this land since 1875 and we  
23 will be part of the Kingwood proposed project area.  
24 As a child, I spent every summer with my  
25 grandparents on this farm. Those childhood

1 experiences have shown a great appreciation for  
2 nature and living in a farming community. At the  
3 same time, I learned about the business side of  
4 farming. While sitting at the dining room table,  
5 my grandparents discussed corn prices, cost of  
6 fertilizer, Diesel, tractor repair, the list goes  
7 on. Visually speaking our land is flat. Driving  
8 at 55 miles per hour is something that shouldn't  
9 take less than 45 seconds to drive past our farm.

10           The Kingwood project would install  
11 solar panels with a maximum height of 14 feet early  
12 in the morning and late in the afternoon. For the  
13 majority of the day, the panels will lay relatively  
14 flat following the sun. Professional landscaping  
15 including trees will be planted around the proposed  
16 area and will hide the solar panels in a few years  
17 time. Being a farmer is a business. Recently, I  
18 was at a solar meeting and spoke to several farmers  
19 in the area and the overwhelming response is feast  
20 or famine. With rising costs of commodities and no  
21 clear vision on end products, many factors,  
22 including weather are out of the farmers' control.  
23 A number of farmers in the area are struggling to  
24 cover expenses and finding the labor needed to  
25 plant and harvest their crops. Farmers at times,

1 they have to explore their options. I mean, the  
2 easiest thing is just sell our land and be done  
3 with it and move on. And if we did that, we have a  
4 high probability that there be would a developer  
5 that would come in and develop homes upon this  
6 land.

7                   Constructing a large housing  
8 development takes years and years with continued  
9 construction, mud and equipment. Not to mention,  
10 the septic systems, the well systems, that cannot  
11 easily be removed to return land to farming. Our  
12 farm, our family as an emotional tie to our land  
13 and we want to keep this land for our family for  
14 future generations and not to a housing developer.  
15 So with this in mind, a solution to diversify into  
16 alternative crops such as solar, which will provide  
17 many local and environmental benefits including  
18 farmland preservation. To us, the Kingwood project  
19 seems like a winning formula. The covered crops of  
20 pollinator plants and medium growth vegetation on  
21 the fallow acreage would help regenerate our soil,  
22 be visibly appealing and absorb water. Neighboring  
23 farms would benefit from the surge of pollinating  
24 insects. We would add cleaner water to aquifers  
25 and reduce fertilizer herbicide use. There are

1 over 20 solar projects going on in Ohio. If all  
2 the current projects are developed, it would  
3 utilize less than 1 percent of the global farmlands  
4 in Ohio. I hope the Siting Board has a long-term  
5 use situation. Farmers need diversification in  
6 income streams to sustain businesses. Power will  
7 be used closest to where it's generated.

8 With that, I ask you, let the  
9 farmers do what's right for their private property,  
10 our farmland and the environment. Please do not  
11 hinder our ability to take an alternative crop like  
12 solar and plan for the continuation of our family  
13 farm into the future. With that, I have two  
14 8-year-old twins and they drew pictures of what  
15 they envisioned our solar farm to look like and I  
16 want to enter that into the record if I may. Thank  
17 you.

18 MR. HICKS: Any questions from  
19 counsel? Mr. Van Kley, go ahead.

20 MR. VAN KLEY: Yes. I believe you  
21 indicated that you live in Columbus; is that  
22 correct?

23 THE WITNESS: That is correct,  
24 sir.

25 MR. VAN KLEY: Okay. But that you

1 also said you would come back to work sometimes?

2 THE WITNESS: Every weekend, my  
3 husband and I and our children come back to the  
4 farm because we have to mow. We have to maintain  
5 our property. We have to care for the house that  
6 we own and care for some crops that we've planted.  
7 Yes.

8 MR. VAN KLEY: Okay. Are those  
9 crops that you planted located on the land that's  
10 going to be converted into solar panels?

11 THE WITNESS: The property that I  
12 own which is adjacent to our family farm is not in  
13 that project area, it's across the street from it.

14 MR. VAN KLEY: Okay. And how many  
15 acres is that?

16 THE WITNESS: Do I have to answer  
17 this question?

18 MR. HICKS: Yes.

19 THE WITNESS: Okay. It's seven  
20 acres.

21 MR. VAN KLEY: Okay.

22 THE WITNESS: Thank you.

23 MR. VAN KLEY: Thank you.

24 MR. HICKS: Do you want to bring  
25 the exhibit forward?

1                   Okay. They are working on the mic  
2 here but up next will be Jeffrey Grafton and on  
3 deck is Lisa Grafton. Bear with us for just a  
4 moment here. Could you please raise your right  
5 hand?

6                   (WHEREUPON, the witness was  
7 sworn.)

8                   MR. HICKS: Okay. Could you  
9 please state and spell your name?

10                  THE WITNESS: Can you hear me?

11                  MR. HICKS: I can and I believe  
12 the folks out there can. Okay. Maybe just lean in  
13 when you talk. Could you please state and spell  
14 your name for the record?

15                  THE WITNESS: Jeffrey Grafton,  
16 G-R-A-F-T-O-N.

17                  MR. HICKS: And could you please  
18 provide your address including the township?

19                  THE WITNESS: 1462 Bradfute Road,  
20 Cedarville Township.

21                  MR. HICKS: Okay. And do you live  
22 or work in the project area?

23                  THE WITNESS: I live in the  
24 project area.

25                  MR. HICKS: And are you a member

1 of any intervenor group in the case?

2 THE WITNESS: I am not.

3 MR. HICKS: Okay. Please go ahead  
4 with your testimony.

5 THE WITNESS: My name's Jeff  
6 Grafton. I'm a Greene County property owner in  
7 support of the Kingwood Solar project. Currently,  
8 I've leased a portion of my farm to the project and  
9 our residence is co-located with the leased  
10 property. I have two parts in my comments here.  
11 Why did I lease my land? I leased my land as a way  
12 to preserve it. Unlike a lot of the farmers, I did  
13 not inherit my land. I purchased it. I worked  
14 very hard to pay for it, that included taking an  
15 overseas job. I worked in Saudi Arabia for two and  
16 a half years to pay for my farm. Upon returning  
17 from overseas, I put my farming dream into action.  
18 I maintained a herd of approximately 20 beef cattle  
19 for about a dozen years.

20 I love doing this work. It was  
21 hard work but it was fun. But I quickly realized  
22 what I already suspected. The financial return  
23 from farming is marginal at best. We raised four  
24 children at this residence and they loved growing  
25 up on the farm. But as is with the current trend,

1 all of my children are gainfully employed in  
2 non-agriculture professions. Upon their  
3 inheritance of the farm, given the minimal income,  
4 I anticipate my farm will be sold. Most likely, I  
5 would anticipate that's to a residential developer.  
6 Just this Friday there was an article in the Dayton  
7 Daily News about a proposed development project of  
8 55 acres near Yellow Springs for 140 homes. This  
9 is not what I want to happen to my property that I  
10 worked so hard for.

11                   Solar provides an alternative. It  
12 provides a reasonable amount of revenue and will  
13 provide a way that my children can both retain the  
14 farm and receive a financial benefit from all the  
15 work I put into acquiring it. Additionally, at the  
16 community level, I believe the solar project  
17 functions similar to a land trust. It's going to  
18 preserve a large section of land from residential  
19 development and future generations will be able to  
20 decide how they want to use this. I think the  
21 rails to trails conversion is a good example of  
22 land that was preserved and is now able to be used.  
23 Part 2, I read the staff report about this project.  
24 As you well know, Ohio Law establishes eight  
25 criteria to be used in evaluating energy projects.



1 The Kingwood project successfully fulfilled seven  
2 of the eight criteria. The lacking criteria was  
3 public interest. Hence, this hearing.

4 I think it's important to note  
5 that the opposition articulates where the project  
6 is in fact deficient. It's one thing to be opposed  
7 but you have to articulate where is it deficient  
8 and then we can have a conversation. How can we  
9 mitigate those issues? As an example, Cedarville,  
10 Miami and Xenia Townships filed a notice to  
11 intervene. The common element in their  
12 intervention was adverse impacts on roads. Those  
13 have already been addressed in the project.  
14 Adverse impacts on properties. Those have already  
15 been addressed in the report. The last thing was  
16 citizens. I don't know what citizens means but I  
17 presume it has to do with the belief that non-farm  
18 owners are entitled to unencumbered viewership of  
19 farmland. But the report also outlines many  
20 measures taken to mitigate the viewing issues. The  
21 Greene County Board of Commissioner meeting on the  
22 29th, I attended it. Even though they adopted a  
23 resolution, all three commissioners said they could  
24 see both sides of this issue and in fact, if there  
25 were some changes, they could in fact support the

1 project. I strongly encourage you to look at the  
2 video of this meeting. It's publically available  
3 online and you can see their reports.

4 In summary, the opposition needs  
5 to articulate what the problem is. I believe the  
6 primary reason for opposing is the overwhelming  
7 majority of individuals that oppose this project  
8 are non-farm owners, many of them living on  
9 previous farmland that they say they want to  
10 preserve. And they have the belief that they have  
11 the right to rural view space for which they have  
12 not financially invested, occasionally worked or  
13 had any economic risk to preserve.

14 MR. HICKS: Thank you. We're at  
15 the 5 minutes.

16 THE WITNESS: Okay.

17 MR. HICKS: Need to wrap it up to  
18 keep things moving here. See if we have any  
19 questions from the Bench.

20 MS. MERTZ: (Shaking head.)

21 MS. FRENCH: (Shaking head.)

22 MR. HICKS: From counsel, Mr. Van  
23 Kley?

24 MR. VAN KLEY: Yes, sir. Do you  
25 farm your farmland yourself?

1 THE WITNESS: I have farmed it  
2 myself, currently I rent.

3 MR. VAN KLEY: Okay. You rent it  
4 to somebody else?

5 THE WITNESS: Yes, sir.

6 MR. VAN KLEY: Okay. And so how  
7 much of your acreage, how is that germane?

8 THE WITNESS: Why?

9 MR. VAN KLEY: I'm asking the  
10 questions, you're answering, sir.

11 THE WITNESS: No. I'm not asking  
12 you a question.

13 MR. VAN KLEY: My question was --

14 MR. HICKS: Sir, will you please  
15 just answer his question. Go ahead.

16 MR. VAN KLEY: How many acres are  
17 you leasing to the solar project?

18 THE WITNESS: Are these things  
19 relevant --

20 MR. WILLIAMS: It's relevant  
21 testimony. Please respond.

22 THE WITNESS: 29.

23 MR. VAN KLEY: 29. And so that  
24 means that 29 acres of the land you owned is no  
25 longer going to be rented to the farmer that's

1 currently farming that land?

2 MR. SETTINERI: Objection to no  
3 foundation related to the current requirement of  
4 currently farming there.

5 MR. WILLIAMS: Objection  
6 overruled. Please proceed with your question.

7 MR. VAN KLEY: Do you remember the  
8 question?

9 THE WITNESS: Repeat it.

10 MR. VAN KLEY: Okay. So with  
11 regards to the land that you are planning to lease  
12 to the solar project, that means that the farmer  
13 who currently farms that land will no longer be  
14 able to farm it, correct?

15 THE WITNESS: That is a logical  
16 conclusion.

17 MR. VAN KLEY: Thank you.

18 MR. HICKS: Thank you, sir. Up  
19 next is Lisa Grafton and on deck is Matthew Krizo.

20 Hi. Can you please raise your  
21 right hand?

22 (WHEREUPON, the witness was  
23 sworn.)

24 MR. HICKS: Could you please state  
25 and spell your name for the record?

1 THE WITNESS: Lisa Grafton,  
2 G-R-A-F-T-O-N.

3 MR. HICKS: And could you please  
4 provide your address including the township?

5 THE WITNESS: 1462 Bradfute Road,  
6 Xenia, Ohio. And it's in Cedarville Township.

7 MR. WILLIAMS: Could you lean into  
8 the mic?

9 THE WITNESS: Cedarville Township.

10 MR. WILLIAMS: You might want to,  
11 there you go. Perfect. Thank you.

12 MR. HICKS: And do you reside or  
13 work within the project area?

14 THE WITNESS: I reside there.

15 MR. HICKS: Okay. And are you a  
16 member of an intervenor group in the case?

17 THE WITNESS: No. I don't even  
18 know what that is.

19 MR. HICKS: Okay. So please go  
20 ahead with your testimony.

21 THE WITNESS: Why I believe the  
22 solar project should be approved. It's our  
23 property and we should be able to grow whatever  
24 crops we want, that includes growing energy with  
25 solar panels. The project will bring in over \$1

1 million in tax revenue for our schools. That helps  
2 everyone in our community, especially the young  
3 people. It has the potential of stopping the  
4 never-ending school levies from being on the  
5 ballots, always asking for more money or renewal of  
6 a once promised short-term levy. Farms are being  
7 sold to developers at an alarming rate. Families  
8 are often forced into selling because of the rising  
9 costs of farming and regulations that are almost  
10 impossible to follow. This solar project has a 30  
11 year contract.

12                   After that, these lands can be  
13 farmed again by future generations of our family,  
14 like my 3-year-old grandson, who loves the farm and  
15 every single tractor he sees. Our four children  
16 aren't interested in our farm right now. We're  
17 trying to assure that it will be there if Samuel,  
18 our grandson, wants to farm one day. If we are  
19 forced to sell because of some unforeseen action  
20 and a housing development is built, it's gone  
21 forever. Farmers aren't a charity. Many have  
22 handed down their farms through generations. We're  
23 not there to create a view for those who move in to  
24 small lots but somehow believe they own our view.  
25 No one should be able to tell landowners what to do

1 with their land.

2                   There are signs all over saying,  
3 save our farms. Yet those with the signs never  
4 paid a dime for our land. And they've never paid  
5 taxes and they've never grew the crops praying that  
6 this year will be a good year. Please don't let  
7 some small property owners stop something that will  
8 actually save our farms and bring over \$1 million  
9 in taxes to our community. And to all the  
10 neighbors in my area, no matter what happens, we  
11 still love you and we will be there for you if you  
12 need any help.

13                   MR. HICKS: One moment, ma'am.  
14 Questions from the Bench?

15                   MS. MERTZ: (Shaking head.)

16                   MS. FRENCH: (Shaking head.)

17                   MR. HICKS: Perfect. Either  
18 counsel?

19                   MR. SETTINERI: No.

20                   MR. VAN KLEY: No.

21                   MR. HICKS: All right. Thank you  
22 for your testimony. Up next is Matthew Krizo.  
23 Apologies if I mispronounced that.

24                   THE WITNESS: You pronounced it  
25 correctly. You're one of the few that gets it

1 right on the first go.

2 MR. HICKS: Well, on deck is Emma  
3 Krizo so I won't forget.

4 THE WITNESS: There you go.

5 MR. HICKS: If you could please  
6 raise your right hand.

7 (WHEREUPON, the witness was  
8 sworn.)

9 MR. HICKS: If you could please  
10 state and spell your name for the record.

11 THE WITNESS: Matthew Krizo,  
12 K-R-I-Z-O.

13 MR. HICKS: And if you could  
14 please provide your address including the township.

15 THE WITNESS: 2948 Harbison Road  
16 in Cedarville Township.

17 MR. HICKS: Okay. You may want to  
18 push the mic up just a little. You're a little  
19 taller. And do you live or work within the project  
20 area?

21 THE WITNESS: I live in the  
22 project area.

23 MR. HICKS: Okay. And are you a  
24 member of an intervenor group?

25 THE WITNESS: I am not.



1 MR. HICKS: Okay. Please go ahead  
2 with your testimony.

3 THE WITNESS: Thank you for  
4 providing this opportunity to talk about this topic  
5 I am very passionate about. Like many here, I  
6 believe the cheap energy is critical for the  
7 prosperity of our community, our state, our country  
8 and humanity in general. I personally installed a  
9 solar system on the roof of my property but despite  
10 that, I feel that this energy project we are here  
11 to comment on isn't the best way to a clean energy  
12 future so I'm here to recommend rejecting the  
13 application. Solar energy is a profitable business  
14 which is why major companies like Vesper are even  
15 involved. But there are downsides as well. The  
16 beneficiaries of this project are clear as well.  
17 The developer, land owners, investors and lesser  
18 power plant customers.

19 However, the community immediately  
20 surrounding it carries most of the burden.  
21 Organizations like EPA and local zoning boards  
22 exist for cases like this where the costs are born  
23 by a different group than the benefits. To this  
24 day, we are requesting that the Ohio Power Siting  
25 Board to stand up for those of us who will be

1 bearing the burden of this project for the coming  
2 decades. When I moved to rural Ohio 10 years ago,  
3 I chose a property surrounded by fields not an  
4 industrial power plant. I have not yet talked with  
5 anyone who preferred the industrial site. Other  
6 major concerns are noise, lack of visual appeal, a  
7 notable eco system and wildlife impact, eco station  
8 and damage to farmland. I think the damage to  
9 farmland deserves a little more discussion because  
10 the risks are unbalanced.

11 Vesper's risk is the sudden cost  
12 of the project design approval. Because after  
13 approval, the building is an asset that can be sold  
14 as a profit and is low risk to Vesper. But the  
15 community has many risks including that when the  
16 last operator of the site sees that it's no longer  
17 profitable, they may declare bankruptcy and leave  
18 the community with the neglected industrial  
19 facility and the associated cleanup. I feel that  
20 this is a grossly unbalanced level of risk. It's  
21 frustrating to see a large company with deep  
22 pockets pick my community on the map, start  
23 offering lease agreements that disrupt the local  
24 agreeing company and are signed in many cases by  
25 those who aren't local. The site is then chosen to

1 cross township borders so the traditional zoning  
2 process is superseded by this Power Siting Board  
3 process giving the companies a home court advantage  
4 against the community who don't know the process as  
5 well. My property is surrounded on three sides by  
6 the proposed project.

7                   Vesper has offered me \$25,000 in  
8 Good Neighbor Agreement to cover the incurrence's  
9 during construction but the offer has the  
10 contingency that I don't oppose the project. I'll  
11 be equally inconveniencing construction whether I  
12 oppose it or not. Being a good neighbor in the  
13 community is more than sharing just enough profit  
14 to claim me as an ally. It means a commitment to  
15 the community that an out-of-state company just  
16 can't provide. Here in Ohio we need clean energy  
17 but we don't need large corporations that scoop  
18 profitable communities leaving the cost behind. I  
19 ask that you give consideration to community  
20 members like myself who bear the burden but don't  
21 realize the benefits. We need an energy future  
22 that works for everyone instead of just a  
23 hit-and-run site developer. Thank you for your  
24 time.

25                   MR. HICKS: Thank you. Any

1 questions from the Bench?

2 MS. FRENCH: (Shaking head.)

3 MS. MERTZ: (Shaking head.)

4 MR. HICKS: Counsel?

5 MR. SETTINERI: I have one. How  
6 many acres do you own, sir?

7 THE WITNESS: I own two acres.

8 MR. SETTINERI: Thank you.

9 MR. HICKS: Thank you for your  
10 testimony. Up next is Emma Krizo and on deck is  
11 Bill Schieman. If you could please raise your  
12 right hand.

13 (WHEREUPON, the witness was  
14 sworn.)

15 MR. HICKS: If you could please  
16 state and spell your name for the record.

17 THE WITNESS: Emma Krizo,  
18 K-R-I-Z-O.

19 MR. HICKS: Okay. Could you  
20 please provide your address including the township?

21 THE WITNESS: 2948 Harbison Road  
22 in Cedarville Township.

23 MR. HICKS: Do you live or work in  
24 the project area?

25 THE WITNESS: I live there.

1 MR. HICKS: And are you a member  
2 of an intervenor group?

3 THE WITNESS: No.

4 MR. HICKS: Okay. Please go ahead  
5 with your testimony.

6 THE WITNESS: Hello. My name is  
7 Emma Krizo. I am 12 years old and in 7th grade and  
8 my home is on Harbison Road. My house is in the  
9 project area on three sides. I am one of the  
10 youngest speakers you will hear tonight but I  
11 didn't come to speak because my parents made me. I  
12 came to speak because I care about our nature and  
13 Green Energy. I'm doing a science fair project on  
14 Green Energy --

15 MR. WILLIAMS: Ms. Krizo, could  
16 you please slow down a little bit? She's  
17 recording. I know you're nervous but our court  
18 reporter is typing what you're saying so just a  
19 little slower. Thank you.

20 THE WITNESS: Green Energy is  
21 important for everyone. It is important for our  
22 planet and everyone who lives on it. This project,  
23 however, is not the right way to change our  
24 consumption of fossil fuels. Instead of just  
25 pointing to a spot on the map, companies should

1 choose an area with fewer people, ideally the only  
2 neighbor to the industrial land. They also should  
3 get anyone who wants to plant to live there. This  
4 simple step would greatly reduce the impacts of  
5 natural beauty. Having the ambition to run track,  
6 I trained freely in my neighborhood.

7                   When I run around the block, I  
8 will be running around solar panels for two miles.  
9 A recent study that I read in a Yale article,  
10 spending time in nature can reduce stress, improves  
11 immune system function, anxiety and self-esteem.  
12 My time in nature refreshes my perspective but I  
13 feel solar panels won't provide the same benefit.  
14 The Kingwood Solar project would endanger our gas  
15 and send it to coal and water that could injure the  
16 many construction people. This is just one impact  
17 to ecosystem from this project. I enjoy science,  
18 specifically astronomy and geology. We have  
19 studied large solar arrays before and have  
20 previously gone into the field.

21                   If this project does get approval,  
22 I will no longer be able to launch rockets from my  
23 home. Lastly, I'm speaking for children who are  
24 too young to speak on our own behalf. Many of them  
25 haven't even been born yet. Some of those affected

1 won't be born for another 10 to 20 years. They are  
2 hugely impacted by your decision and they have no  
3 say, no voice. This decision that you make impacts  
4 many citizens of Ohio. Please take into  
5 consideration how this will impact everyone and  
6 everything, from future generations of Ohio, to  
7 pets who could be injured during construction, to  
8 the gorgeous triumphs that will be forever altered.  
9 Make the choice that keeps Ohio's rural communities  
10 in natural beauty for the future. Thank you for  
11 listening.

12 MR. HICKS: Questions from  
13 counsel?

14 MR. SETTINERI: (Shaking head.)

15 MR. VAN KLEY: (Shaking head.)

16 MR. WILLIAMS: Thank you, Ms.  
17 Krizo. Excellent job.

18 MR. HICKS: Thank you. Up next is  
19 Bill Schieman. On deck is Hope Taft.

20 THE WITNESS: I have an e-mail  
21 that I sent to the website on Friday. Would you  
22 like that copy if you don't have it already?

23 MR. WILLIAMS: If you want to make  
24 it a part of the record, you'll have to submit a  
25 copy.

1 THE WITNESS: It's been posted on  
2 the docket but if you wanted to follow along that  
3 would be great. And one for the typist.

4 MR. WILLIAMS: Okay. Thank you.  
5 I'll give it to her. Thank you.

6 THE WITNESS: It'll be perfect for  
7 me. Wasn't she wonderful? So enthusiastic to see  
8 young people here and there's lots of them in the  
9 audience.

10 MR. HICKS: Please raise your  
11 right hand.

12 (WHEREUPON, the witness was  
13 sworn.)

14 MR. HICKS: Could you please state  
15 and spell your name for the record?

16 THE WITNESS: My name is William.  
17 Middle initial D as in David. Last name Schieman,  
18 S-C-H-I-E-M-A-N.

19 MR. HICKS: Could you please  
20 provide your address including the township?

21 THE WITNESS: 5580 New Burlington  
22 Road. I'm in Spring Valley Township, which is in  
23 the Little Miami Watershed.

24 MR. HICKS: And do you live or  
25 work within the project area?



1 THE WITNESS: I consider, I live  
2 in the project area because I live in the Little  
3 Miami Watershed but I'm quite a bit of distance  
4 south of the actual construction site.

5 MR. HICKS: So how do you, you  
6 know, how do you see it?

7 THE WITNESS: I live in the  
8 watershed on the Little Miami River.

9 MR. HICKS: Okay.

10 THE WITNESS: If so, that's --

11 MR. HICKS: Are you a member of an  
12 intervenor group in the case?

13 THE WITNESS: No, we're not.

14 MR. HICKS: Okay. Please go ahead  
15 with your testimony.

16 THE WITNESS: So I'm one of four  
17 people who are going to give testimony tonight from  
18 the Little Miami Watershed Network. First of all,  
19 we do not believe this is an appropriate use of  
20 primary cultural land. We would like to see solar  
21 sited on things that are already brown fields,  
22 large group crops, commercial buildings, homes, not  
23 taking prime agricultural land out of use. And  
24 there is no standard or rehabilitation for that  
25 land when there is decommissioning. I've searched

1 and searched for a standard and we can't find it.  
2 So who will determine whether the land is actually  
3 rehabilitated? There are some measurements we know  
4 very well.

5 That land has productivity records  
6 on how many bushels of corn and soybeans have been  
7 produced over the years. Is rehabilitation going  
8 to be restoring that land after decommissioning to  
9 the same level of productivity as it is today or is  
10 it going to become an agricultural ground field of  
11 something that we have to deal with decades from  
12 now? We are also concerned, our watershed network  
13 is also concerned about setbacks. There's very  
14 little setback specification in the staff report.  
15 We issued our guidelines for best practices for  
16 zoning and siting of large-scale solar arrays  
17 several months ago. We worked on the document for  
18 almost a year. The staff report touches on many of  
19 the same things that we recommend in there but some  
20 of the things are totally missing like setbacks,  
21 riparian buffers, they're not in there. Even small  
22 streams need them.

23 Another key point is testing of  
24 groundwater. I saw nothing in the recommendations  
25 about testing on immediate land adjacent to the

1 construction site. If groundwater becomes  
2 contaminated, that's a first place it's going to  
3 show up. We need test wells and testing to be done  
4 there. PFAS and PFOS without going into the  
5 technical description of what they are, these are  
6 forever chemicals and there's a potential for these  
7 chemicals to get into the groundwater from  
8 structures and things buried on the site during  
9 this large solar array. So we really need  
10 competent testing done. The testing which is in  
11 the conditions, specified in the conditions doesn't  
12 test for PFAS and PFOS. It tests for volatiles  
13 such as Acetone, Benzene, things like that. That's  
14 important but we need more testing and we need it  
15 closer to a construction site.

16 Couple other points real quick.  
17 There's been discussion about the cars. Cars are  
18 these cracks in the bedrock that immediately  
19 express contaminants into groundwater. The  
20 conditions do not specify who will determine if the  
21 mitigation techniques are satisfactory. I hope  
22 it's Ohio Geological Survey or someone but it  
23 should be specified who will make the decision,  
24 whether the mitigation techniques or the mitigation  
25 is adequate or not. Noise and viewsapes are

1 important. I'm, it's viewsapes for the  
2 recreationals. The people using Glen Helen, John  
3 Bryant State Park, Clifton Gorge Nature Preserve  
4 and 4-H Camp Clifton. I mean, when kids come to  
5 camp at Camp Clifton, they expect a natural  
6 experience. They don't want to hear humming of  
7 some station and power inverters.

8 Also, there's no standard in the  
9 DB section, in the noise section for articulating  
10 solar panels. So the way we are articulating solar  
11 panels are important. They can generate a lot of  
12 noise. I don't know if these solar panels are  
13 going to be articulate or not but if they are they  
14 should be held to a standard. In summary, I think  
15 it's important to understand there's a really big  
16 chance to get quality research done by land grant  
17 universities. Central State has a world class,  
18 honestly soil labs. I know a wonderful professor  
19 there who's an expert. So let's leverage these  
20 assets in the local area.

21 MR. HICKS: Thank you, sir. Any  
22 questions from the Bench?

23 MS. FRENCH: (Shaking head.)

24 MS. MERTZ: (Shaking head.)

25 MR. HICKS: Any questions from

1 counsel?

2 MR. SETTINERI: (Shaking head.)

3 MR. VAN KLEY: (Shaking head.)

4 MR. HICKS: Thank you. Up next is  
5 Hope Taft and on deck is Wendy Dyer. Please raise  
6 your right hand.

7 (WHEREUPON, the witness was  
8 sworn.)

9 MR. HICKS: Could you please state  
10 and spell your name for the record?

11 THE WITNESS: My name is Hope  
12 Taft, T-A-F-T. I live at 2933 Lower Bellbrook  
13 Road, Spring Valley, Ohio. And that's Sugarcreek  
14 Township.

15 MR. HICKS: Okay. And do you live  
16 or work in the project area?

17 THE WITNESS: I do not. I live in  
18 Greene County. I do not live in the defined area  
19 of the project area.

20 MR. HICKS: Okay. And are you a  
21 member of an intervenor group in the case?

22 THE WITNESS: No.

23 MR. HICKS: Okay. Please go ahead  
24 with your testimony.

25 THE WITNESS: My name is Hope Taft

1 and I'm the founding co-chair of the Little Miami  
2 Watershed Network which was started in 2010 to  
3 clean up the upper Little Miami River and make sure  
4 that it's safe, fishable, swimmable, drinkable and  
5 enjoyable. We have removed over 1,000 tires since  
6 then and over 27,000 pounds of trash, which is 13.5  
7 tons of trash. We also monitor the water quality  
8 and the quality of its water in its tributaries.  
9 We know that what happens on the land affects what  
10 happens in the water and the water quality. We  
11 know that in the, we are also in the process of an  
12 economic evaluation study of the corridor with The  
13 Ohio State University and although that study will  
14 not be completed until early 2022, we know that  
15 there is a big influence of, on the river and on  
16 the corridor from tourists and it's a very  
17 important economic driver in the area. But the  
18 preliminary reports show that of the 47 access  
19 points that we have spent over 3,000 hours  
20 surveying between April and October of this year,  
21 tourism and sports are an important part and should  
22 be used to the advantage of the local economy.

23 We have surveyed Clifton Gorge,  
24 John Bryant, Glen Helen and those in the area  
25 surrounding the parks. Those that come to the

1 state parks found that most people who visit these  
2 places spend at least three hours to hike and bike  
3 and paddle and some come for as far away as 750  
4 miles. They come to relax, to have recreation and  
5 to restore their mental health. So we are  
6 concerned about anything that might impact this  
7 ability for the county and the residents of the  
8 county to make some money but also for the people  
9 who come to visit these areas to get the most out  
10 of the their recreation time that they can get.

11 So we are concerned about the  
12 geology of the lands in the corridor and what  
13 happens to it. We are concerned about the weather,  
14 particularly tornadoes, because we all know if you  
15 live in Greene County, you live in tornado alley  
16 and those winds get way over the 145 miles per hour  
17 that was listed in the report. We are also  
18 concerned about the archeology of the area. I  
19 spent much time this summer walking 160 miles from  
20 Fort Ancient to Newark to connect the potential  
21 World Heritage Sites archeological ceremonial sites  
22 of the Hopewell Culture. The goal is to encourage  
23 people to visit these spots and to see if the  
24 surrounding counties can increase visitorship to  
25 those, to the site that they have.

1                   And if we cover all these sites  
2   with solar panels, we don't have a chance to  
3   maximize their potential. I'm also concerned  
4   because these, this site is very close to the  
5   newest park that the Ohio Department of Natural  
6   Resources is proposing and has bought land for,  
7   which would highlight the heritage of the American  
8   Indian to this area and to the new ecological and  
9   archeological methods of looking for the day-to-day  
10  activities, not just the big mounds or several  
11  sites that are in the area. So we know that the  
12  Clifton Road and 72 and some of the other roads are  
13  main avenues into the recreation and tourist  
14  opportunities of this state, of this part of the  
15  state. And so we are very concerned about the view  
16  state and the impact that driving through miles and  
17  miles and rows and rows of panels might add on the  
18  tourist, the tourism potential of the area. Thank  
19  you.

20                   MR. HICKS: Thank you. Questions  
21  from the Bench?

22                   MS. FRENCH: (Shaking head.)

23                   MS. MERTZ: (Shaking head.)

24                   MR. HICKS: Questions from any of  
25  the parties?



1 MR. SETTINERI: No.

2 MR. VAN KLEY: No.

3 MR. HICKS: Thank you. Up next is  
4 Wendy Dyer and on deck is Rebecca Victor. Please  
5 raise your right hand.

6 (WHEREUPON, the witness was  
7 sworn.)

8 MR. HICKS: Okay. Please state  
9 and spell your name for the record.

10 THE WITNESS: Wendy Dyer,  
11 W-E-N-D-Y, D-Y-E-R.

12 MR. HICKS: Okay. Could you  
13 please provide your address including the township?

14 THE WITNESS: 3813 Callaway Court,  
15 Bellbrook, Ohio. I believe that's Sugarcreek  
16 Township.

17 MR. HICKS: Okay. And do you live  
18 or work in the project area?

19 THE WITNESS: No.

20 MR. HICKS: And are you a member  
21 of an intervenor group in the case?

22 THE WITNESS: No.

23 MR. HICKS: Okay. Please go ahead  
24 with your testimony.

25 THE WITNESS: Hi or hello. My

1 name is Wendy as I already said. I'm the current  
2 President or the current Chairperson of the Little  
3 Miami Watershed Network and I am here today to add  
4 to what they said and that I wanted to talk about  
5 the planning of pollinator species. It is a  
6 wonderful idea and it is a great plan but one of  
7 the things we need to remember is not all  
8 pollinators are equal. We have, one of the  
9 important things is we want to make sure that the  
10 plants are planted that will attract pollinators  
11 that are native to this area to pollinate and so we  
12 want to plant plants that are native to this area,  
13 that have, are the same type. Not all Black-Eyed  
14 Susans are the exact same plant. There's  
15 differences amongst them and the ones that, we want  
16 to make sure that they're ones from here.

17 So you can't just buy something  
18 from Illinois and think it's the right plant to  
19 plant here. The other thing about such things is  
20 we wanted to make sure that the plants that are  
21 planted also are, again, as one size doesn't fit  
22 all, they talk about buying a Monarch mix. Well,  
23 that mix might be great for down the center and  
24 where the solar panels are but underneath the solar  
25 panels, there won't be as much sun so that means

1 something that might need more shade will grow  
2 better with shade. There's also issues with how  
3 close you are to the river or to the streams.  
4 Things that have more, that are wetter environments  
5 would need a different seed packet than places that  
6 have a naturally dryer environment. This is a  
7 much, you know, this is a, about a 1,200 square  
8 foot area, or acre area.

9                   It's a lot of different space and  
10 a lot of different lands. They need a lot of  
11 different seeds to go into different spaces and the  
12 packet talks about hiring a landscape architect but  
13 that is to primarily to deal with the screening  
14 issues to make sure that everything from the  
15 viewscape is great, which is good. But again, we  
16 need a landscape architect that also knows about  
17 shade plants and about our native plants. So that  
18 would be one of my biggest concerns is that the  
19 people that we hire or that are hired by this  
20 actually know about our area and what we need for  
21 our area. The other, one of my other areas that I  
22 was concerned about was that, again, for any of the  
23 screening areas, we want to have native plants for  
24 that too.

25                   We want native plants that will

1 provide screening and we would like to, obviously  
2 for the viewscape issue, you want those to become a  
3 decent size in a short amount of time and if  
4 something takes 30 years to be fully grown, that's  
5 really not going to serve any purpose here. It's  
6 not going to do anything to improve the viewscape.  
7 So we want something in a much smaller amount of  
8 time. The other issue is they talk about cutting  
9 trees and the removal of trees and the only  
10 limitations in the packet seem to be, that they be  
11 cut at certain times of the year so that it doesn't  
12 affect bat species. I understand this and I  
13 certainly want to protect all those species but I  
14 also think that when they cut down trees, it's  
15 important that they replant trees that would be at  
16 the ratio of plant two new trees for every one tree  
17 that is taken down. This is in our document that  
18 we gave you.

19 And there's also this stuff, these  
20 issues are not, again, you can't just put them in  
21 and think that they're going to be fine tomorrow or  
22 the next day or even 30 years from now. The upkeep  
23 of these areas should be done with mowing cycles  
24 and following the rules of the ODNR, Division of  
25 Natural Areas and Preserve, so that this is not

1 just an area that ends up being, you know, pretty,  
2 we want it to actually be true nature preserve type  
3 of things to as much as it could be for this area.  
4 So thank you very much. And does anybody have  
5 anything, any questions?

6 MR. HICKS: Bench?

7 MS. FRENCH: (Shaking head.)

8 MS. MERTZ: (Shaking head.)

9 MR. HICKS: From the parties?

10 MR. SETTINERI: Thank you. I  
11 appreciate your testimony tonight.

12 THE WITNESS: Uh-huh.

13 MR. SETTINERI: Do you believe  
14 that the project can coexist with the Lower Miami  
15 Watershed?

16 THE WITNESS: I think that there's  
17 definitely a possibility. But I think that things  
18 need to be much more specific about how you're  
19 going to do these things. There are, your answers  
20 are very pad to one side, so it's all, we're going  
21 to put down pollinator plants. Well, I just want  
22 to tell you, I put down, I did a 10 foot by 10 foot  
23 pollinator garden and it wasn't easy and within  
24 three, it took me three years and it turns out that  
25 even with that little space, the parts that have

1 shade are totally different than the parts that  
2 doesn't have shade and these things need to be  
3 taken into account. I also, you know, I'm still in  
4 there after four, this is my fourth summer I think.  
5 I'm still in there pulling weeds that don't belong  
6 in there. This is not a, you know, this isn't  
7 something that you can just put that in, put the  
8 seeds down and think it's going to be taken care  
9 of.

10                   It needs to be, and I myself,  
11 found out that what I put in was not the best  
12 packet for my area. So this, if you're going to do  
13 this, it needs to be done with a true plan. An  
14 acre by acre of what's going to be done. Not just,  
15 oh, we're going to buy, you know, from this Ernst  
16 Seed Company. We're going to buy seeds and we're  
17 going to put them down and things should be great,  
18 they will be great. You really need to be work  
19 with the ODNR to find out what would be the best,  
20 the best mixture and what should be planted where.  
21 And there are practical concerns too. I mean, some  
22 of these things are quite small and although they  
23 might not get to be 14 feet tall, they, you know,  
24 they might still get in the way of mechanisms. So  
25 I just feel like you're giving a very pad answer to

1 a very difficult problem.

2 MR. SETTINERI: Would the solar  
3 and water conservation district also be a good  
4 source for these pollinator seeds if you know?

5 THE WITNESS: I'm not sure what  
6 you actually mean by water conservation.

7 MR. WILLIAMS: Okay. Any other  
8 questions?

9 MR. SETTINERI: No, that's it.  
10 Thank you.

11 MR. WILLIAMS: Thank you.

12 MR. HICKS: Thank you. Up next is  
13 Rebecca Victor.

14 MR. WILLIAMS: On deck is  
15 Stephanie Martin.

16 THE WITNESS: Thank you.

17 MR. HICKS: Okay. Could you  
18 please raise your right hand?

19 (WHEREUPON, the witness was  
20 sworn.)

21 MR. HICKS: Please state and spell  
22 your name for the record.

23 THE WITNESS: My name is Rebecca  
24 Victor. And it's Rebecca, R-E-B-E-C-C-A, Victor,  
25 V-I-C-T-O-R.

1 MR. HICKS: Could you please  
2 provide your address including the township?

3 THE WITNESS: Yes. My address is  
4 5720 Oak Valley Road. I'm in Kettering, Ohio  
5 45440. I am not a part of a township.

6 MR. HICKS: Okay. And do you live  
7 or work in the project area?

8 THE WITNESS: I work with  
9 condition, I work with the river, the Little Miami  
10 River.

11 MR. HICKS: Okay. And are you a  
12 member of an intervenor group in the case?

13 THE WITNESS: No.

14 MR. HICKS: Please go ahead with  
15 your testimony.

16 THE WITNESS: As I said, my name  
17 is Rebecca Victor. I'm the Executive Director of  
18 the Little Miami Watershed Network. I'm just here  
19 to give a voice for those who don't have a voice,  
20 so I'm here to, or it does really have a voice, it  
21 just depends on how we choose to experience this.  
22 So that's the water in the watershed. Can't speak  
23 for itself. Can't come in here and walk into this  
24 room and explain what it needs in order to fly. So  
25 we're here to do that. My colleagues went ahead



1 and presented some information and I just wanted to  
2 share a little bit about just how it feels to be a  
3 part of it. Back in 2020, when we had the  
4 Coronavirus that came in, there were a whole lot of  
5 people that had no place to go. Families were  
6 tugging and were struggling. And then they had the  
7 opportunity to come out and they had a chance to  
8 just walk along the river. They had a chance to  
9 use the bikes, use the bike paths.

10 My very first experience on the  
11 bike path was just riding through and coming in and  
12 just seeing landscape, beautiful landscape. I  
13 loved watching the farms, you know, and the crops  
14 just scintillating, just exciting to me and worth  
15 honoring for me. That's why I am standing here  
16 today to serve it. The condition of the concerns  
17 that I have is that when I consider this massive  
18 size of solar rays, how will it impact visual? How  
19 will it impact the noise that was discussed? And  
20 as far as visual, I appreciate that there's going  
21 to be, you know, some great fencing coming up at 7  
22 foot but that what I understand at some point, the  
23 arrays themselves will be rising up at early  
24 morning and evening at 14 feet. So I don't see how  
25 that 7 foot fence can help protect or provide an

1 adequate view of the, you know, block that view.

2                   So my concern would be how that  
3 can be negated, you know, so that we could negate  
4 that 14 foot and minimize that viewpoint because it  
5 brings a lot of business into this country, into  
6 these cities. A lot of people come from all over  
7 the states actually to come and ride the bike path.  
8 So when I look at that, that's one thing. But  
9 another thing I wanted to bring up is just, when I  
10 see the fence, I see a 7 foot, there's a door  
11 that's 7 foot high there and when it's coming up to  
12 that indentation right there. So I'm looking down  
13 and I'm thinking, that's a big difference. That's  
14 a huge difference. So how could that be mitigated?

15                   And on top of that, on planting,  
16 I'm grateful they went to the ODNR and got all that  
17 information but I want to say then what size plant  
18 are you going to put in and how long is it going to  
19 take for those plants to grow and protect so that  
20 we can mitigate that room? And lastly, we do have  
21 issues where, God forbid, there is a huge tornado  
22 that comes through and then it comes right through  
23 and wipes out some of the solar panels? Where are  
24 they going? Where are they going to end up? How  
25 are we going to pull that out of the environment?

1 How are we going to dig that out of the soil? Kids  
2 are going and playing and then all of a sudden they  
3 got to step on rocks because there was a piece of  
4 glass because we couldn't get to it. Just things  
5 to consider. What kind of mitigation would that  
6 be? Because this is a rich, rich resource and  
7 rich, rich with a rich history. And so that's all  
8 I really wanted to say. And if you have any  
9 questions, I'd be happy to answer them. Thank you  
10 for hearing me.

11 MR. HICKS: Questions from  
12 counsel?

13 MR. SETTINERI: (Shaking head.)

14 MR. VAN KLEY: (Shaking head.)

15 MR. HICKS: Thank you.

16 MR. WILLIAMS: Thank you. Our  
17 next witness is Stephanie Martin and our on deck  
18 witness is Marcella Balin. A couple quick  
19 administrative housekeeping matters. We have seats  
20 available so if you are still standing and you  
21 would like to sit, you could come up front, there's  
22 some seats up here or ask your neighbors to push  
23 back. In terms of future expectations, we're going  
24 to be here as long as it takes. It looks like,  
25 based on the number of witnesses we have to testify

1 and our past practices, that we're going to be here  
2 frankly well past midnight, which is fine. We'll  
3 stay as long as we have to stay.

4 I do want to offer, if you heard  
5 or hear what you want to say and have decided that  
6 you no longer want to testify, you still have the  
7 ability to record your appearance here tonight.

8 And to make known on which side you appeared and  
9 Board staff is here and can facilitate that near  
10 the door. They have sign-up sheets. Those are  
11 being part of the record. The Board reviews the  
12 transcript from tonight. The Board reviews the  
13 public comments that are filed in the case. And  
14 the Board reviews those sign-in sheets and so  
15 nobody's looking for regards to whether you  
16 participated one way or the other or frankly you  
17 participated in an overlapping fashion. So with  
18 that, Ms. Martin, I want to go ahead and swear you  
19 in.

20 (WHEREUPON, all parties giving  
21 testimony were sworn.)

22 MR. WILLIAMS: Could you please  
23 state and spell your name for the record.

24 THE WITNESS: Stephanie Martin,  
25 M-A-R-T-I-N.

1 MR. WILLIAMS: And your address?

2 THE WITNESS: 2319 Cedarville  
3 Yellow Springs Road. I live in Cedarville Township  
4 and I am just on the edge of this project.

5 MR. WILLIAMS: Thank you. Are you  
6 involved in any intervening group?

7 THE WITNESS: I am. I'm a proud  
8 member of Citizens for Greene Acres.

9 MR. WILLIAMS: So as an intervenor  
10 we're going to ask that you testify --

11 THE WITNESS: Oh, sorry. Go  
12 ahead.

13 MR. WILLIAMS: -- we're going to  
14 ask that you testify at the end of this proceeding.

15 THE WITNESS: Yes, sir.

16 MR. WILLIAMS: All right. Thank  
17 you.

18 MR. VAN KLEY: So you're not --

19 THE WITNESS: I'm not an  
20 intervenor.

21 MR. VAN KLEY: She's not an  
22 intervenor. She's just a member of the community.

23 MR. WILLIAMS: Okay. All right.  
24 Thank you, guys. My question wasn't as clear as I  
25 thought it was going to be.

1 THE WITNESS: I'm sorry.

2 MR. WILLIAMS: That's okay. I  
3 think it was my fault. So please proceed with your  
4 testimony.

5 THE WITNESS: Yes, sir. I will  
6 try to be quick. This topic has been a sincere  
7 focus. Thank you to the OFP, OPSB will deny this  
8 project. This is no place for an industrial size  
9 construction to be placed. It infuriates me that  
10 the individual landowners who have voluntarily  
11 brought Vesper Energy to our area have turned their  
12 land over to erase that this beauty of property are  
13 able to stand and say that they are doing what is  
14 best for their lands, families and community. This  
15 land that is fertile and prosperous is not a  
16 Brownfield or some wasteland. It encompasses many  
17 homes and follows along some of Greene County's  
18 most beautiful God given wonders.

19 The only good they are doing is  
20 for themselves and patting their pockets with money  
21 for a greedy corporation that cares nothing for  
22 this area beyond what it can do for them. I ask  
23 you, what is a good neighbor? Webster defines a  
24 good neighbor as marked by principle of friendship,  
25 cooperation, noninterference and the internal

1    affairs of another. It seems to me that Vesper  
2    defines it as an awful rigged bribe based on a tier  
3    system to keep your mouth shut and turn your head  
4    the other way. I define a good neighbor as one  
5    that follows as the Bible commands, one who does  
6    unto others as they would do unto themselves. They  
7    live to edify, protect and aid in times of hardship  
8    and they stand unified when a wolf in sheep's  
9    clothing is brought into their community. They do  
10   not usher the wolves in, in allowing them to feed  
11   off of and steal from their neighbor by taking away  
12   from their quality of life by diminishing property  
13   values and their slice of the American Dream each  
14   worked so hard to acquire.

15                    Jane Sweet has stated many times  
16   throughout this process that her father taught her  
17   brother and she that diversification was a  
18   necessary thing. I do not disagree with that. But  
19   I do disagree with her version of diversification.  
20   My father, who is also a farmer, has taught my  
21   bother and I many valuable lessons throughout our  
22   years as well. His version of diversification is  
23   finding a way for providing your family, providing  
24   for your family while making your community a  
25   better place so that all prosper in the end. He is

1 charged as with not only being a good neighbor but  
2 also a good steward to the land and understanding  
3 that it is our job to protect it by putting  
4 responsibilities, responsible practices in place.  
5 If this industrial-size solar array is allowed to  
6 be placed on our productive lands, it will forever  
7 be scarred. There will be no returning to,  
8 returning it to its current state. As the legacy  
9 these owners are leaving to their children and  
10 future generations to take the easy way out, a take  
11 the money and turn your head approach. I implore  
12 each of you, as a Board, to vote no. Thank you for  
13 your time and willingness to hear me speak.

14 MR. HICKS: Thank you, Ms. Martin.  
15 Before you step away, Ms. Martin, any questions  
16 from the Bench?

17 MS. FRENCH: (Shaking head.)

18 MS. MERTZ: (Shaking head.)

19 MR. HICKS: No questions from the  
20 Bench. Any questions from intervenors?

21 MR. VAN KLEY: (Shaking head.)

22 MR. SETTINERI: (Shaking head.)

23 MR. HICKS: Thank you, Ms. Martin.  
24 The next witness is Marcella Balin and our on deck  
25 witness is Kathleen McCloud.



1 MR. HICKS: Good evening, Ms.

2 Balin.

3 THE WITNESS: Good evening.

4 MR. HICKS: Would you raise your  
5 right hand?

6 (WHEREUPON, the witness was  
7 sworn.)

8 MR. HICKS: Would you please state  
9 and spell your name for the record?

10 THE WITNESS: My name's Marcella  
11 Balin, B-A-L-I-N, M-A-R-C-E-L-L-A. I live at 2661  
12 Wilberforce Clifton Road and it's Cedarville  
13 Township.

14 MR. HICKS: And is that within the  
15 project area?

16 THE WITNESS: Both.

17 MR. HICKS: You live and work in  
18 the project area?

19 THE WITNESS: Yes.

20 MR. HICKS: Okay. And are you an  
21 intervenor in the case?

22 THE WITNESS: I am in an  
23 intervening group but tonight I'm speaking  
24 completely on behalf of myself as a local resident.

25 MR. HICKS: She is not an

1 intervenor?

2 MR. VAN KLEY: No.

3 MR. HICKS: Please proceed.

4 THE WITNESS: Okay. So my name is  
5 Marcella Balin. I have lived at the address on  
6 Wilberforce Clifton Road for 35 years and I oppose  
7 the Kingwood project. Unlike many of the people  
8 that have spoken, I was not blessed to be raised in  
9 this area but I have lived in Greene County for 45  
10 years. I actually grew up and was born and bred in  
11 the largest city in America, New York, and I can  
12 tell you that from that perspective all I ever  
13 wanted to do was live in a place like I live at  
14 right now and that we have to have a reverence for  
15 this. We have to have an appreciation, and a real  
16 reverence to love what we see out of our windows.  
17 I can't imagine seeing a glare from my, actually  
18 adjacent to the project area. And there's always a  
19 myth when you move to a rural area that, you know,  
20 development will happen around you.

21 I was the only house where I  
22 lived. Now, of course, there's lots of houses.  
23 I'm sort of the shack on the street but I revere  
24 every inch. I feel like when you put artificial  
25 light into a situation, you lose what I know is

1   incredibly rare. You can't see the stars in a city  
2   like New York. You can't see a moonlit field. You  
3   can't hear your horses outside which I have had for  
4   35 years in my field and farmland is for farms. We  
5   need to create better solutions than what we have.  
6   There are many abandoned malls all over these  
7   counties that could be put to this kind of use and  
8   I think there's also something to be said for the  
9   historical significance of the exact place that  
10   you're trying, that Kingwood wants to develop.

11                   This was an underground railroad  
12   site. I have a place right on my area where you  
13   can see where people had to hide and I was blessed  
14   to learn that from a local history teacher who  
15   taught me about the significance. There was an  
16   anthropological survey on my very land. And all of  
17   that needs to be preserved and sanctified and we  
18   need to see how sacred the land really is. So that  
19   I am opposed to the Kingwood's project. And, you  
20   know, one thing, this is an unprecedented time that  
21   we're living in. That's for sure. But it's also  
22   an opportunity for us to protect the future  
23   generations. It reminds me of a sign that I once  
24   saw in a nursery, it said, when is the best time to  
25   plant a tree? And it said 20 years ago. When's

1 the next best time? Today. When's the best time  
2 for us to have taken a better interest in our  
3 ecology, in our land preservation, in our beauty  
4 and in the sanctity of the earth? Along time ago.  
5 When's the next best time? It's today. Thank you.

6 MR. WILLIAMS: Thank you, Ms.  
7 Balin. Before you step away, any questions from  
8 the Bench?

9 MS. FRENCH: (Shaking head.)

10 MS. MERTZ: (Shaking head.)

11 MR. WILLIAMS: Thank you for your  
12 testimony. Our next witness is Kathleen McCloud  
13 and our on deck witness is Jessica Shelton.

14 Good evening, Ms. McCloud.

15 THE WITNESS: Good evening.

16 MR. WILLIAMS: Would you raise  
17 your right hand?

18 (WHEREUPON, the witness was  
19 sworn.)

20 MR. WILLIAMS: Please proceed with  
21 your statement and spell your name for the record.

22 THE WITNESS: Okay. My name is  
23 Kathleen, K-A-T-H-L-E-E-N, McCloud, M-C-C-L-O-U-D.

24 MR. WILLIAMS: And your address?

25 THE WITNESS: 116 West Whiteman

1 Street in Yellow Springs.

2 MR. WILLIAMS: Do you live or work  
3 within the project area?

4 THE WITNESS: No, I don't.

5 MR. WILLIAMS: Thank you. And are  
6 you an intervenor in the case?

7 THE WITNESS: I am in the group  
8 but I am here speaking on my behalf as a local  
9 resident.

10 MR. WILLIAMS: Okay. Please  
11 proceed with your testimony.

12 THE WITNESS: My name is Kathleen  
13 McCloud and I have lived in Yellow Springs for the  
14 last 38 years. One of the things I have loved  
15 about Yellow Springs is that it is surrounded by  
16 countryside. While I think Greene County is one of  
17 the most beautiful counties in the State of Ohio, I  
18 also think Miami Township, Cedarville Township and  
19 Xenia Township are the most beautiful areas in this  
20 country, county, in just the way they are and that  
21 is a treasure for us all. I also love to walk  
22 outside.

23 I have been fortunate to have  
24 several dear friends who live in Cedarville  
25 Township and Xenia Township, where I have walked

1 miles and miles across the land. It is one of my  
2 favorite things to do and the land is incredible  
3 just the way it is now. Also, I must say I have a  
4 very healthy appetite and I love my food, as many  
5 people do. Growing up with a garden in my backyard  
6 made me understand the value of having a food  
7 source close at hand. Let's leave the farmland in  
8 Cedarville Township, Xenia Township and Miami  
9 Township for food, not solar panels. Thank you.

10 MR. WILLIAMS: Thank you, Ms.  
11 McCloud. Any questions from the Bench?

12 MS. FRENCH: (Shaking head.)

13 MS. MERTZ: (Shaking head.)

14 MR. WILLIAMS: Any questions from  
15 intervenors?

16 MR. VAN KLEY: (Shaking head.)

17 MR. WILLIAMS: Thank you for your  
18 testimony this evening. Our next witness is  
19 Jessica Shelton. Is Kyle Shelton a named  
20 intervenor?

21 MR. VAN KLEY: Yes. Kyle is an  
22 intervenor.

23 MR. WILLIAMS: Okay. After  
24 Jessica Shelton our on deck witness will be Fred  
25 Harmon. Good evening, Ms. Shelton. Would you

1 raise your right hand?

2 (WHEREUPON, the witness was  
3 sworn.)

4 MR. WILLIAMS: Thank you. Please  
5 state and spell your name for the record.

6 THE WITNESS: Jessica Shelton,  
7 S-H-E-L-T-O-N.

8 MR. WILLIAMS: And your address?

9 THE WITNESS: 3076 Harbison Road  
10 and it's Miami Township.

11 MR. WILLIAMS: Do you live or work  
12 within the project area?

13 THE WITNESS: I live.

14 MR. WILLIAMS: Thank you. And  
15 we've established you're not a member, you're not  
16 an intervenor?

17 THE WITNESS: Correct. I am not a  
18 member.

19 MR. WILLIAMS: Please proceed.

20 THE WITNESS: My home is adjacent  
21 to this project on two sides. We bought our  
22 property from someone who lived out of state, only  
23 to find shortly after that she leased the  
24 surrounding land for the Kingwood project. We  
25 didn't hear this from the developer or the

1 landowner. And in fact, we still have yet to hear  
2 it from that landowner. We discovered this project  
3 through a group of engaged neighbors who were  
4 passionate about the history and the rural charm of  
5 our community. Most of what we've learned about  
6 this project and this process has been from those  
7 concerned citizens who oppose the project while the  
8 Applicant remains silent.

9                   It's unclear if their silence  
10 indicates embarrassment, regret, or it just means  
11 much more to us than it does to them. For most of  
12 them, this is an opportunity to make a few bucks  
13 off of inherited land. For the rest of us, this  
14 has lasting effects on the homes we've worked our  
15 whole life to build. If the project is approved,  
16 my view will be of thousands of pounds of metal and  
17 glass from every window of my home.

18                   While some of the lessees may  
19 never see a single panel from theirs and others  
20 would have to drive many miles from their coastal  
21 true to view this vision of this community. I  
22 strongly oppose this project and I'm here tonight  
23 to ask the Board for help. I know you think that  
24 it looks bad to say no to green energy but this,  
25 there is responsible solar and there's



1 irresponsible solar. By placing this project in  
2 this community, it would be irresponsible of you.  
3 The risk far outweighs the reward at this time.  
4 Help us protect our views, our property values and  
5 our peace of mind. Thank you.

6 MR. WILLIAMS: Thank you for your  
7 testimony. Any questions?

8 MS. FRENCH: (Shaking head.)

9 MS. MERTZ: (Shaking head.

10 MR. WILLIAMS: Any questions from  
11 the intervenors?

12 MR. VAN KLEY: (Shaking head.)

13 MR. WILLIAMS: Thank you. Have a  
14 great evening. Our next witness is Fred Harmon  
15 followed by Zach Morgan.

16 Good evening, Mr. Harmon. Would  
17 you raise your right hand?

18 (WHEREUPON, the witness was  
19 sworn.)

20 MR. WILLIAMS: Would you please  
21 state and spell your name for the record?

22 THE WITNESS: Frederick Harmon,  
23 H-A-R-M-O-N.

24 MR. WILLIAMS: And your address?

25 THE WITNESS: 3373 Harbison Road,

1 Cedarville, Ohio in Miami Township.

2 MR. WILLIAMS: Do you live or work  
3 within the project area?

4 THE WITNESS: I live and work in  
5 the project area.

6 MR. WILLIAMS: Thank you. And are  
7 you an intervenor in the case?

8 THE WITNESS: No. I am not.

9 MR. WILLIAMS: Thank you. You can  
10 put your hand down. Please proceed with your  
11 testimony.

12 THE WITNESS: Good evening. My  
13 name is Fred Harmon. And I would like to thank the  
14 members of the OPSB for taking the time to listen  
15 to each of us tonight give testimony concerning the  
16 proposed solar facility. I am a nonparticipating  
17 adjacent property owner and I am opposed to the  
18 project. I would like to make several observations  
19 concerning the proposed facility and compare it to  
20 other commercial solar facilities. Before living  
21 in Greene County, I lived in places such as  
22 Montana, where I grew up on a farm, and in Arizona  
23 and California while attending engineering college  
24 and serving on active duty in the Air Force. I  
25 come from generations of farmers and ranchers. And

1 as I've mentioned here, I've taken an interest in  
2 various sources of energy for residential use but  
3 also for defense applications.

4           After seeing solar facilities in  
5 other states, such as in the Southwest, I want to  
6 briefly describe why the location that Vesper  
7 Energy has chosen for this solar farm is a very  
8 poor location. The reasons include an inefficient  
9 and sprawling layout on uneven land, a high  
10 probability of damage due to extreme weather and  
11 excessive noise for adjacent property owners. And  
12 I will briefly summarize these points tonight. The  
13 first observation is that the layout is sprawling,  
14 scattered and definitely not compact like most  
15 solar facilities that I have seen. The sprawling  
16 layout requires extensive fencing, wiring, gravel  
17 access routes and maintenance because so many of  
18 these parcels are not contiguous. If the 1,025  
19 acres of planned solar panels were placed in a  
20 compact rectangular or square layout, then  
21 approximately 6 miles of parameter fence would be  
22 needed with 1 and a half miles per side but  
23 instead, it requires approximately 25 to 35, I'm  
24 sorry, 25 to 30 miles of fencing. If it was  
25 compact then only a few homes at most would be

1     disturbed.   Instead, we have a layout that is  
2     approximately 5 or 6 miles long and 2 miles wide  
3     and near about 75 nonparticipating homes with  
4     patches of solar panels scattered across the  
5     countryside.

6                     The Bowling Green Solar Facility  
7     here in Ohio is a great example of a compact layout  
8     that is squared or rectangular and disturbs  
9     practically zero homes.   My grandparents widely  
10    placed their panels close together to minimize the  
11    amount of irrigation pipe and the moving of farm  
12    equipment.   Since this planned solar facility is  
13    anything but compact and is extremely scattered,  
14    there will be power losses and extra miles of wire  
15    required and excessive maintenance due to all the  
16    wasted space and extra fencing.   A second  
17    observation in the area of the proposed facility  
18    was known to the Shawnees as the Land of Devil  
19    Winds or Crazy Winds.   Many of us know about the  
20    recent Cedarville and Beavercreek tornadoes in the  
21    1974 F5 Xenia tornado.   It does not seem wise to me  
22    to place over 1,000 acres of solar panels in this  
23    type of area that is prone to extreme weather.   And  
24    studies show that tornado alley is moving east  
25    including Southwest Ohio.   For example, The

1 National Weather Service statistics show that just  
2 for one day in May, it's May 20th, in just one  
3 year, there is a .6 percent chance of a tornado  
4 coming within 25 miles of a spot in Greene County.  
5 That statistic is just for one spot for just one  
6 day out of one year.

7                   Now include over 1,000 acres 365  
8 days a year and 30 to 40 years in that calculation.  
9 That would mean that there's a relatively high  
10 probability that a tornado will strike the facility  
11 during its operational time. In addition, since  
12 the proposed facility will be within a couple 1,000  
13 feet of a historic site, such as the Clifton Mill,  
14 there's a high risk of extreme weather causing  
15 damage and extensive clean-up efforts to sites such  
16 as the Clifton Mill and Gorge and adjacent homes.  
17 On a related note, the solar panels of a single  
18 access system need to be stowed during high winds  
19 such as around 40 miles per hour which means they  
20 will capture much less solar energy during windy  
21 days. If this area is prone to high winds then how  
22 many days will the panels need to be stowed in  
23 reducing the amount of power generated? And the  
24 third observation I have concerns the rolling of  
25 the property of the land which means the land is

1 not flat. Oh, is that 30 seconds? Okay.

2                   The fourth observation concerns  
3 the excessive noise from inverters, transformers  
4 and tracking orders, which is unacceptable with 75  
5 nonparticipating homes. The ambient after  
6 reviewing Appendix K, large, inaccurate ambient  
7 noise levels at nonparticipating homes were used to  
8 determine the noise above the ambient level coming  
9 from the operational equipment. The noise at our  
10 homes is not the same as the noise you spot right  
11 next to a busy road such as Wilberforce Clifton  
12 Road --

13                   MR. WILLIAMS: Mr. Harmon, thank  
14 you.

15                   THE WITNESS: Thank you.

16                   MR. WILLIAMS: You are welcome to  
17 supplement the records like we described before  
18 with comments in the docket of the case including  
19 you can provide the information you have there in  
20 your hand, okay?

21                   THE WITNESS: Yeah. I had a  
22 poster.

23                   MR. WILLIAMS: And I'm going to  
24 ask that you meet with the Board. They'll probably  
25 have you image that and send it to them

1 electronically so it could be stored on the system.

2 Any questions from the Bench?

3 MS. FRENCH: (Shaking head.)

4 MS. MERTZ: (Shaking head.)

5 MR. WILLIAMS: Any question from  
6 intervenors?

7 MR. VAN KLEY: (Shaking head.)

8 MR. WILLIAMS: Thank you for your  
9 testimony this evening. Our next witness is Zach  
10 Morgan and our on deck witness is Matt Pitstick.  
11 I'm sure I messed that up but your handwriting is  
12 not very legible.

13 Good evening, Mr. Morgan. Would  
14 you raise your right hand?

15 (WHEREUPON, the witness was  
16 sworn.)

17 MR. WILLIAMS: Would you state and  
18 spell your name for the record?

19 THE WITNESS: Zach Morgan,  
20 Z-A-C-H, M-O-R-G-A-N.

21 MR. WILLIAMS: And your address?

22 THE WITNESS: 2233 Clifton Road,  
23 Yellow Springs, Miami Township 45387.

24 MR. WILLIAMS: Do you live or work  
25 within the project area?

1 THE WITNESS: Yes.

2 MR. WILLIAMS: And are you an  
3 intervenor?

4 THE WITNESS: No.

5 MR. WILLIAMS: Please proceed --

6 THE WITNESS: Yes. Yes. Sorry.  
7 But not part of a group, as a homeowner.

8 MR. WILLIAMS: So you're not a  
9 named intervenor in the case?

10 THE WITNESS: As far as what,  
11 writing my name down on a paper to speak?

12 MR. WILLIAMS: I understand with  
13 counsel you are not an intervenor so please  
14 proceed.

15 THE WITNESS: Okay. So a lot of  
16 stuff has already been said. I just want to start  
17 out with, you know, despite the hush money I got  
18 from these puppet seats over here, I'm still going  
19 to be here. And, you know, talk about just, so  
20 with the few minutes I have is, you know, most of  
21 the people that have signed up for the solar  
22 companies in our area have inherited the land that  
23 they're selling. You know, one of the homeowners  
24 at, to be exactly 2423, was actually indicted on  
25 sexual conduct with a minor in 2018 who has still



1 not been to trial. He's used insurance money and  
2 everything he's owned since then so, I mean, that's  
3 a no-brainer on why, you know, he's going with  
4 solar panels on his land.

5                   You know, this information is  
6 coming from someone that owns 80 acres in the  
7 project that has offered money for the solar  
8 panels. You know, we're one of the few that can't  
9 be bought out in this whole process. But what I  
10 wanted to say more than anything was, you know,  
11 just, I'm a salesman. I sell product. As far as,  
12 you know, the solar panel company that showed up to  
13 these doorsteps and showed them how much money they  
14 were going to make. You know, waved all this money  
15 in their faces, had them sign the papers and then,  
16 you know, the negative effects of everything wasn't  
17 really brought up. I personally know people in the  
18 neighborhood that want to back out of the  
19 agreement. Okay. And they can't.

20                   You know, it's, you know, I sell  
21 concrete for a living. When I go and sell  
22 concrete, I don't tell them about the negative  
23 effects of what I'm selling. And I just feel like  
24 a lot of people that have signed up are very  
25 undereducated. A lot of people inherited the land.

1 They mismanaged their money throughout their entire  
2 lives. This is an easy way out. This is a  
3 retirement. They don't care about their grandkids.  
4 They don't care about their neighbors. It's  
5 nothing like that. How many 3 acre lots can we  
6 talk about that these families worked their entire  
7 lives to grind it? They didn't get bought out by a  
8 company. They grinded and they bought this land  
9 and now it's going to be surrounded completely by a  
10 solar company that's about money.

11 They don't care about green  
12 technology and, you know, as far as, you know, the  
13 renewable energy and as far as that goes, they're  
14 just, you know, they're interested in lining their  
15 pockets. And, you know, we're all for our  
16 community, you know, as far as solar panelings go  
17 or someone residentially wants to put them in.  
18 That is, you know, that's a completely different  
19 story. This is about, you know, these guys making,  
20 you know, money off of our area. I mean, where are  
21 you guys from, where are you from --

22 MR. WILLIAMS: I'm going to ask  
23 that you address your comments to the Bench,  
24 please.

25 THE WITNESS: -- so, pretty much,

1 you know, all I want to say is I personally know  
2 just about every person who signed up for this  
3 project. And 90 percent of them have inherited the  
4 money, they have mismanaged their money and they're  
5 looking for an easy way out. And, you know, like  
6 we're in the heart of it and, you know, there's a  
7 lot of people here to protest. The handful of  
8 people who have made a profit from here is not  
9 here, a couple of them maybe. But, you know, if  
10 they were proud in what they were doing, why aren't  
11 they here to support these solar panel companies?

12               You know, it's like, it's been  
13 kind of shady since it started. You know, we got a  
14 letter about the meeting. Well on that day, it was  
15 a letter from them offering us money about the push  
16 back or politically correct, if you were to say,  
17 the Good Neighbor Agreement or whatever. So it's  
18 just, you know, just coming from a blue-collar guy  
19 that's grinded his whole life. My family come from  
20 nothing on both sides. We bought 80 acres in the  
21 heart of this project 30 years ago, a little less  
22 than 30 years ago, 26 years ago. And we grind. We  
23 grind, 6 a.m. until dark. You know, we find a way  
24 to do it and, you know, I just feel like these guys  
25 have bullied their way into our area and, you know,

1 I just feel like a lot of people that have signed  
2 up are not educated on the long-term effects of  
3 their community plus the project so --

4 MR. WILLIAMS: Thank you, sir.  
5 Before you step away, any question from the  
6 representatives?

7 MR. VAN KLEY: (Shaking head.)

8 MR. SETTINERI: (Shaking head.)

9 MR. WILLIAMS: No question from  
10 either representative. Thank you for your  
11 testimony this evening.

12 THE WITNESS: Thanks.

13 MR. WILLIAMS: Our next witness is  
14 Matt Pitstick and followed by Colin or, Glen  
15 Courtnight, I apologize. Would you please raise  
16 your right hand?

17 (WHEREUPON, the witness was  
18 sworn.)

19 MR. WILLIAMS: Would you please  
20 state and spell your name for the record?

21 THE WITNESS: My name is a Matt  
22 Pitstick. My address is 3008 Tobias Road,  
23 Cedarville, Ohio, Cedarville Township.

24 MR. WILLIAMS: Do you live or work  
25 within the project area?

1 THE WITNESS: Yes, sir. I do.

2 MR. WILLIAMS: Which one?

3 THE WITNESS: Both.

4 MR. WILLIAMS: Thank you. And are  
5 you an intervenor in the case?

6 THE WITNESS: No.

7 MR. WILLIAMS: Please proceed.

8 THE WITNESS: So this project was  
9 a, on the fence for me for a long time. I took the  
10 time to evaluate it and look at it in the long run.  
11 I did this for my family. Years ago, I lost a  
12 child on the farm. And excuse me, but the Good  
13 Lord has blessed me with another child. He has a  
14 handicap and this is my way for him to have income  
15 when he gets older. You know, this is, you know,  
16 there's a lot of neighbors that come out that have  
17 bought these lots in the country, 3 to 5 acre lots.  
18 It's all about change. They think that they move  
19 to the country, everything is going to stay the  
20 same like this for years and years to come. But us  
21 as farmers, they come out here and make these  
22 little lots, make it troublesome for us to get down  
23 roads. Make it troublesome to, you know, they  
24 complain of noise. They complain of animal smell.  
25 You know, we're always the bad one. You know, as a

1 farmer, we buy everything whole or retail and sell  
2 wholesale. This is a way for us to, for my  
3 retirement and for my children. I'm done.

4 MR. WILLIAMS: Thank you, sir. So  
5 you are a lease holder? You just signed a lease?

6 THE WITNESS: Did I sign a lease?  
7 Yes. I am a lease holder.

8 MR. WILLIAMS: Great. Thank you.  
9 Any questions from the Bench?

10 MS. FRENCH: (Shaking head.)

11 MS. MERTZ: (Shaking head.)

12 THE WITNESS: I am for the  
13 project.

14 MR. WILLIAMS: Any questions from  
15 intervenors?

16 MR. VAN KLEY: (Shaking head.)

17 MR. WILLIAMS: Thank you for your  
18 testimony this evening. So before I hand the  
19 microphone back. It is about 10 until 8. We're  
20 probably going to go until about 8:45 or so and  
21 take a 5 minute break. Again, if you decide you've  
22 heard what you wanted to say, please find Board  
23 staff at the door and sign one of the sheets  
24 otherwise we're going to keep proceeding.

25 MR. HICKS: Up now is Glen

1 Courtright.

2 THE WITNESS: Courtright.

3 MR. HICKS: Courtright. I

4 apologize. And on deck is Kathy Garrison.

5 (WHEREUPON, the witness was

6 sworn.)

7 MR. HICKS: Please state and spell

8 your name for the record.

9 THE WITNESS: Glen Neil

10 Courtright. Address is 8620 Selma Pike, South

11 Charleston, Ohio. And that's in Madison Township.

12 We're 5 miles outside.

13 MR. HICKS: Okay. So you do not

14 work or live in the project area?

15 THE WITNESS: I do not.

16 MR. HICKS: Okay. And are you an

17 intervenor in the case?

18 THE WITNESS: I am not.

19 MR. HICKS: Okay. Please go ahead

20 with your testimony.

21 THE WITNESS: Well, for the

22 record, I'm opposed for the project. My wife Karen

23 and I are long-term residents of this region. We

24 operate the Green Plains Farm where we raise

25 storage crops. We harvest nuts with market place

1 and my wife operates The Green Plains Cabin Bed and  
2 Breakfast. And we're right outside of Cedarville,  
3 Ohio. Our B and B guests come to this part of Ohio  
4 to enjoy the local scenery, hiking John Bryant  
5 State Park and Glen Helen, visit Yellow Springs and  
6 reside in the countryside. I'm the founder and  
7 prior CEO of EnviroFlight in Yellow Springs. This  
8 is a globally recognized environmental company that  
9 changed the nature of the animal protein for  
10 animals across the world.

11 Prior to that, I was an engineer  
12 in a global engineering company doing large  
13 projects in energy and telecommunications. My wife  
14 is the former South Charleston, Ohio village  
15 manager and is currently in the Yellow Springs  
16 Chamber of Commerce and the Little Art Theatre.  
17 Between the two of us, we have decades of  
18 experience on what constitutes well thought out or  
19 overly aggressive infrastructure projects. I share  
20 the concerns of my fellow citizens regarding this  
21 project. Some of the documented project concerns  
22 include, and these are your words, decommissioning,  
23 impact the agriculture land use, impact the  
24 wildlife of environment, impact the drinking water  
25 and groundwater, impact the property values, public



1 health, aesthetics and view shed, testing and  
2 vegetative screening, noise, road impacts, and  
3 things that are surrounded by the project on  
4 multiple sides and setbacks. I understand that  
5 many of these concerns can be administratively  
6 mitigated or justified by the submission of  
7 documents and presentations to the OPSB.

8                   However, it's often difficult and  
9 expensive to remedy these problems once the project  
10 is in the ground. I'm also very sceptical of  
11 recorded benefits to our local economy. The  
12 applicant claims the benefits of clean energy in  
13 the environment protects revenue and job creation.  
14 The clean energy generated by this project will be  
15 ingested into the grid but will not benefit our  
16 local community in the form of reduced energy  
17 prices. According to the United Nations, food  
18 production must double by the year 2050 to meet the  
19 demands of the World's population and we must  
20 incorporate innovative strategies to help combat  
21 hunger. There's over a billion people in the world  
22 today that are challenged by hunger. Removing  
23 1,000 acres of productive farmland for the next 30  
24 years in favor of the solar panels is unthinkable  
25 and frankly irresponsible.

1                   The applicant claims between \$1.2  
2   and \$1.5 million for local taxes through a payment  
3   in lieu of taxes. The question I have, does this  
4   estimated pilot plant offset the economic loss of  
5   private agriculture related spending? Private  
6   sector adds spending includes items such as  
7   fertilizer, seed, farm labor, equipment,  
8   maintenance, fuel, agronomy services, renters who  
9   are renting farm ground, grain sales and storage  
10   sales. What's missing is an economic feasibility  
11   study to quantify the true economic impact to our  
12   local economy.

13                   I surmise it's not going to be as  
14   rosy that's been proposed within the community.  
15   The applicant claims 440 construction related jobs  
16   and 23 long-term operational jobs with the State of  
17   Ohio. Most large-scale infrastructure jobs, which  
18   I have a lot of experience in, use deployment  
19   perks. You're not going to find all these people  
20   in Greene County to permit this project, more  
21   likely than within a 5 county region. And the  
22   long-term operational jobs will be most likely  
23   unskilled maintenance workers that once again this  
24   needs to be subject to a feasibility study. So I  
25   agree with the staff report of investigation

1 findings and quote from the report, while some  
2 local oppositions comment on siting projects,  
3 considering the above opposition filed in the  
4 docket and expressed at local public hearings,  
5 staff recognizes that in the proceeding if it has  
6 been officially prominent, one-sided and  
7 compelling. Staff believes that the public  
8 opposition will create negative impacts to your  
9 local community. Board staff believes that any  
10 benefits to the local community are outweighed by  
11 this overwhelming, public opposition, therefore --

12 MR. HICKS: Thank you. Sir, we're  
13 out of time. I would encourage you, you can  
14 supplement your testimony --

15 THE WITNESS: I submitted it  
16 online.

17 MR. HICKS: Okay. Any questions  
18 from the Bench?

19 MS. FRENCH: (Shaking head.)

20 MS. MERTZ: (Shaking head.)

21 MR. HICKS: Any questions from  
22 counsel?

23 MR. SETTINERI: (Shaking head.)

24 MR. VAN KLEY: (Shaking head.)

25 MR. HICKS: Thank you for your

1 testimony. Up next is Kathy Garrison and on deck  
2 is Susan Fischer.

3 Please raise your right hand.  
4 (WHEREUPON, the witness was  
5 sworn.)

6 MR. HICKS: Would you please state  
7 and spell your name for the record.

8 THE WITNESS: Kathy Garrison,  
9 K-A-T-H-Y, G-A-R-R-I-S-O-N.

10 MR. HICKS: Would you please  
11 provide your address including the township?

12 THE WITNESS: 3350 Larkins Road,  
13 Miami Township.

14 MR. HICKS: And do you live or  
15 work in the project area?

16 THE WITNESS: I live in the  
17 project area.

18 MR. HICKS: Okay. And are you an  
19 intervenor in the case?

20 THE WITNESS: I am not.

21 MR. HICKS: Okay. Please go ahead  
22 with your testimony.

23 THE WITNESS: Our house is  
24 directly across the road from the proposed  
25 industrial solar installation. Let me first say

1 that I oppose this project and I am speaking on  
2 behalf of myself. The first, I have many concerns  
3 about this project, however tonight, I'm going to  
4 address just two. The first being tornadoes and  
5 severe weather. Greene County is a high risk area  
6 for tornadoes and severe weather including hail.  
7 According to NOAA, according to a NOAA publication,  
8 the Greene County Local Hazard Mitigation Plan,  
9 they quote, Greene County considers tornadoes major  
10 hazards with the potential of high damage, personal  
11 injury and loss of life, end quote. The 2015  
12 Greene County Natural Hazard Mitigation Plan  
13 states, quote, According to the Disaster Center,  
14 Ohio is ranked fifth in the nation when considering  
15 a frequencies of tornadoes, number of fatalities,  
16 number of injuries and costs of damages for tornado  
17 disasters. Another source is Homefacts. A company  
18 that aggregates key real estate and neighborhood  
19 data from multiple sources.

20 Homefacts states that Greene  
21 County is a high risk area for tornadoes and  
22 alerting home buyers looking into the area of  
23 potential possibilities. According to the National  
24 Weather Service Storm Prediction Center, there have  
25 been a least 19 tornadoes in Greene County from

1 1950 through 2018, the deadliest being the 1974 F5  
2 Xenia tornado who's path passed south of our  
3 property. Also included in this number was the  
4 2014 EF3 tornado near Centerville or I'm sorry,  
5 Cedarville. Not included in this total was the  
6 2019 EF3 Memorial Day tornado. Our house was  
7 largely damaged by the tornado in 2018 and by large  
8 hail associated with the tornado in 2019. In 2018,  
9 parts of the barn and roof on all sides, and all  
10 but two sides was damaged and replaced. The house  
11 roof was also damaged and replaced. In 2019, our  
12 property was hit with large hail. The entire barn,  
13 roof, gutters and downspouts were damaged and  
14 replaced. The house damage resulted in the entire  
15 house being resided along with all windows or trim.  
16 All gutters, doors, window shutters, and all  
17 screens were also damaged and replaced. The 2018  
18 and 2019 repair costs exceeded \$100,000.

19 According to a 2019 NOAA  
20 Publication, Greene County has the highest total  
21 damage figure of all Ohio counties and is estimated  
22 to have the highest estimated future income losses  
23 for all Ohio counties. The publication sources  
24 were the National Weather Service, The National  
25 Oceanic and Atmospheric Administration and the Ohio

1 Emergency Management Agency. One question Vesper's  
2 never answered is, is Vesper monetarily responsible  
3 to the homeowner if Vesper's property, such as  
4 debris from the dust of solar installation damages  
5 homeowners property during a tornado or severe  
6 weather? Based on my research and experience, I  
7 understand why Southwestern Ohio is now included in  
8 tornado valley and reaffirmed why we built the  
9 tornado shelter in our basement.

10 My second concern is that  
11 considering what is happening with shortages in our  
12 world today, I feel that trading our farmland for  
13 industrial solar installation could have a very  
14 negative effect on our food supply. Thank you for  
15 your consideration.

16 MR. HICKS: Any questions from the  
17 parties?

18 MS. FRENCH: (Shaking head.)

19 MS. MERTZ: (Shaking head.)

20 MR. SETTINERI: (Shaking head.)

21 MR. VAN KLEY: (Shaking head.)

22 MR. HICKS: All right. Thank you.

23 Up next is Susan Fischer and on deck is Michael  
24 Young.

25 Please raise your right hand.

1 (WHEREUPON, the witness was  
2 sworn.)

3 MR. HICKS: Okay. Please state  
4 and spell your name for the record.

5 THE WITNESS: Susan Fischer,  
6 F-I-S-C-H-E-R. And I live 3467 Larkins Road and we  
7 are right to the north of the project. There's  
8 only a driveway to the neighbors'.

9 MR. HICKS: Okay. And in what  
10 township?

11 THE WITNESS: Miami.

12 MR. HICKS: Okay. But not in the  
13 project area?

14 THE WITNESS: Well, it's right  
15 along the side of our house.

16 MR. HICKS: Okay. And are you an  
17 intervenor in the case?

18 THE WITNESS: No.

19 MR. HICKS: Please go ahead with  
20 your testimony.

21 THE WITNESS: I'll make it short  
22 and sweet. I just want to officially register that  
23 I oppose this project.

24 MR. HICKS: I'm going to say I  
25 guess no questions from the Bench or from counsel?



1 MS. FRENCH: (Shaking head.)

2 MS. MERTZ: (Shaking head.)

3 MR. SETTINERI: (Shaking head.)

4 MR. VAN KLEY: (Shaking head.)

5 MR. HICKS: Up next is Michael

6 Young and on deck is Geof Garrison.

7 Please raise your right hand.

8 (WHEREUPON, the witness was  
9 sworn.)

10 MR. HICKS: Okay. Please state  
11 and spell your name for the record.

12 THE WITNESS: Michael Young,  
13 Y-O-U-N-G.

14 MR. HICKS: Okay. Could you  
15 please provide your address with the township?

16 THE WITNESS: 1861 Turnbill Road,  
17 Beavercreek, Ohio. And no township.

18 MR. HICKS: Okay. Do you live or  
19 work in the project area?

20 THE WITNESS: No, sir. I do not.

21 MR. HICKS: And are you an  
22 intervenor in the case?

23 THE WITNESS: No, sir. I am not.

24 MR. HICKS: Please go ahead.

25 THE WITNESS: On behalf of the

1 operating engineers of local Union 18, I am here to  
2 support the approval of the Kingwood solar project.  
3 The operating engineers are the individuals who  
4 operate heavy equipment such as bulldozers,  
5 excavators, backhoes, forklifts and so forth. The  
6 roads and bridges you drive on were most likely  
7 built by members of the Local 18 along with our  
8 fellow union traits men and women.

9                   Although we do not have an  
10 agreement signed with Vesper Energy to perform the  
11 work associated with this project, we believe our  
12 local signatory contractors will secure this one.  
13 Thus providing our membership with numerous  
14 employment opportunities, in turn, high-paying  
15 wages, healthcare benefits and apprenticeship  
16 programs can continue to grow because of the solar  
17 industry. If approved, the Kingswood Solar project  
18 would not only create jobs but you can expect an  
19 economic impact, additional tax money and clean  
20 energy for Ohio as a result from this project. We  
21 encourage the Ohio Power Siting Board to support  
22 the jobs of the men and women of Local 18 by  
23 approving Kingswood Solar project.

24                   MR. HICKS: Questions of counsel?

25                   MR. SETTINERI: (Shaking head.)

1 MR. VAN KLEY: (Shaking head.)

2 MR. HICKS: All right. Thank you.

3 THE WITNESS: Yeah.

4 MR. HICKS: Up next is Geof

5 Garrison and on deck is Gary Fisher.

6 THE WITNESS: Who do I give a copy  
7 to?

8 MR. WILLIAMS: (Indicating.)

9 Thank you, sir.

10 MR. HICKS: Please raise your  
11 right hand.

12 (WHEREUPON, the witness was  
13 sworn.)

14 MR. HICKS: Please state and spell  
15 your name for the record.

16 THE WITNESS: My name is Geof,  
17 G-E-O-F, Garrison, G-A-R-R-I-S-O-N.

18 MR. HICKS: Okay. And could you  
19 please provide your address including the township?

20 THE WITNESS: 3350 Larkins Road,  
21 Yellow Springs, Ohio 45387, Miami Township.

22 MR. HICKS: And do you live work  
23 in the project area?

24 THE WITNESS: I live directly  
25 across the from it.

1 MR. HICKS: Okay. And are you an  
2 intervenor in the case?

3 THE WITNESS: No. I am not.

4 MR. HICKS: Please go ahead.

5 THE WITNESS: Let me say first, I  
6 am very opposed to this project. I have many  
7 concerns and they are as follows: Where's the list  
8 of promises that Vesper has made to the neighboring  
9 landowners? Who will ensure that Vesper will keep  
10 their promises? What will be the penalties to  
11 Vesper if they don't keep their promises? Vesper  
12 is on at least their fourth project manager. The  
13 company has changed hands at least twice and is now  
14 in the hands of a hedge fund. Why should we  
15 believe that they have the best interests of this  
16 area at heart? They negotiated with property  
17 owners in secret for years, pitting neighbors and  
18 family members against one another.

19 They lobbied our state legislators  
20 to change the law so that our local planning and  
21 zoning boards have no say in this project. The  
22 project doesn't fit the Greene County land use  
23 document, I don't know what else to call it.  
24 Vesper is not committed to using American made  
25 solar panels nor have they shared their

1 decommissioning and recycling plan with us. They  
2 have also not committed to using only local labor.  
3 Such a solar panel array can have, conceivably  
4 raise the average temperature around the array by 2  
5 or 3 degrees Fahrenheit which could result in the  
6 change of the insect populations. Vesper indicates  
7 that they only intend to spray herbicides once or  
8 twice a year. That's what they told us. That  
9 won't be sufficient and will result in unsightly  
10 weeds throughout the project. Spraying herbicides  
11 more frequently will cause or will risk  
12 contamination of the groundwater, wells and our  
13 scenic waterways.

14           If our wells, groundwater or  
15 scenic waterways are contaminated, how does Vesper  
16 intend to remediate those problems and compensate  
17 the victims? We have, we personally have an  
18 unimpeded view to the West for a mile and we love  
19 it. We really do. Once this project is completed,  
20 we won't have that view at all. The construction  
21 noise during installation will be intolerable while  
22 the constant electrical hum of operation will be  
23 annoying at the very least. What are the long-term  
24 effects of being exposed to that constant hum and  
25 electromagnetic fields?

1                   If there are any negative health  
2 effects, how does Vesper intend to compensate the  
3 victims? I am fearful for the animals because they  
4 will be forced onto the neighboring property and  
5 into the roads with disastrous consequences.  
6 Damage to the panels could release the toxic  
7 chemicals inside of them, again risking  
8 contamination of groundwater, wells and our scenic  
9 waterways. Tornadoes and severe weather are common  
10 in this area. What is Vesper going to do about  
11 cleanup and restoration of adjacent property when  
12 the damage was caused by their property? They have  
13 stated that they have good insurance but does that  
14 cover adjacent property? After years of secrecy,  
15 Vesper has recently sent their neighbors a quote,  
16 unquote, good neighbor letter, in which they offer  
17 money for acquiescence. Nothing Vesper has done  
18 leads me to believe that they are trustworthy.  
19 Thank you for your cooperation.

20                   MR. HICKS: Questions from  
21 counsel, no?

22                   MR. VAN KLEY: (Shaking head.)

23                   MR. SETTINERI: (Shaking head.)

24                   MR. HICKS: All right. Thank you.

25                   MR. WILLIAMS: Thank you.

1 MR. HICKS: Up next is Gary  
2 Fischer and on deck is Paul Wetzel.

3 THE WITNESS: I'm going to pass at  
4 this time, Gary Fischer.

5 MR. HICKS: Okay. So up now is  
6 Paul Wetzel.

7 AUDIENCE MEMBER: He's a pass.

8 AUDIENCE MEMBER: He's passing.

9 MR. HICKS: Okay.

10 MR. HICKS: Then we are to Brent  
11 Martindale. And on deck is Rachel Ramey.

12 Okay. Please raise your right  
13 hand.

14 (WHEREUPON, the witness was  
15 sworn.)

16 MR. HICKS: Okay. If you could  
17 please state and spell your name for the record.

18 THE WITNESS: Brent Martindale,  
19 B-R-E-N-T, M-A-R-T-I-N-D-A-L-E.

20 MR. HICKS: And could you provide  
21 your address including the township?

22 THE WITNESS: Springfield, 902  
23 South Fountain, Clark County.

24 MR. HICKS: And do you live or  
25 work in the project area?

1 THE WITNESS: I do not. My family  
2 does.

3 MR. HICKS: Okay. And you are not  
4 an intervenor in the case?

5 THE WITNESS: I am not.

6 MR. HICKS: Okay. Please go  
7 ahead.

8 THE WITNESS: I would like to go  
9 on the record and say that I'm opposed to the  
10 project. My children and my grandchildren live  
11 down around Clifton Mill and last thing we want to  
12 see is a bunch of solar panels around that whole  
13 area. So that's all I was going to say.

14 MR. HICKS: Okay. Questions,  
15 questions from counsel, no?

16 MR. VAN KLEY: (Shaking head.)

17 MR. SETTINERI: (Shaking head.)

18 MR. HICKS: All right. Thank you,  
19 sir. Up next is Rachel Ramey. And on deck is Mary  
20 Martindale.

21 Please raise your right hand.

22 (WHEREUPON, the witness was  
23 sworn.)

24 MR. HICKS: Okay. Please state  
25 and spell your name for the record.



1 THE WITNESS: Rachel Ramey,  
2 R-A-M-E-Y.

3 MR. HICKS: And could you please  
4 provide your address including the township?

5 THE WITNESS: 3709 Wilberforce  
6 Clifton Road, Cedarville, Ohio, Miami Township.

7 MR. HICKS: Okay. And do you live  
8 or work in the project area?

9 THE WITNESS: I live.

10 MR. HICKS: Okay. And are you an  
11 intervenor in the case?

12 THE WITNESS: No.

13 MR. HICKS: Okay. Please go  
14 ahead.

15 THE WITNESS: I just want to start  
16 out by saying that I'm very much opposed to this  
17 project. My house was built by my grandparents  
18 about 50 years ago and I just recently, I grew up  
19 in this area. I just recently moved back in 2018  
20 in hopes that this will be my forever home and I  
21 hope to pass this down to my children some day. My  
22 house sits directly in the middle of the solar  
23 panel property, surrounded on all three sides and  
24 not to mention, the substation is almost directly  
25 across the street. I value the beauty of this

1 land. Like I said, I wouldn't come back if I  
2 didn't. My biggest concern, I agree with  
3 everything that everyone has said tonight about the  
4 opposition and a lot of those points I was going to  
5 talk about but one thing I wanted to mention, the  
6 tornado of 2018. It hit, it took out 50 trees at  
7 my personal property and I have a picture that I  
8 would just like to put on the record of the damage  
9 that was, that occurred to my personal property.

10 And I think that when you look at  
11 this picture, you will understand that if a tornado  
12 goes through these solar panels that significant  
13 damage could happen or concern my home. And I  
14 think the problem I have is that, in that, they  
15 have really not given any discreet or just concrete  
16 plans on how they would fix it. And so, I do have  
17 a problem with that. They stated that they had  
18 insurance but we don't have any direct contact on  
19 who we would go to if something were to happen to  
20 our land. So I'm worried about the noise just  
21 because of where I'm sitting on this particular  
22 property and I just hope that you will listen to  
23 all of these people in this community because it's  
24 a big deal and it's going to change our lives  
25 forever and my children's lives. And years ago,

1 those came before I set aside 13 acres and reserved  
2 these acres as a landmark for us to enjoy. We look  
3 back in appreciation. I wonder what future  
4 generations will say of us. Did we preserve what  
5 is good and of good value or did we change courses  
6 from those before us and choose something of  
7 short-term financial gain that changes any value  
8 for generations to come?

9 MR. WILLIAMS: You said you have a  
10 picture, could you bring it forward? And to  
11 authenticate the picture, did you take the picture?

12 THE WITNESS: My mother did.

13 MR. WILLIAMS: And her name is?

14 THE WITNESS: Mary Martindale.  
15 She'll be speaking next.

16 MR. WILLIAMS: Okay. And when was  
17 it taken?

18 THE WITNESS: 2018.

19 MR. WILLIAMS: In what month, if  
20 you know? If you don't know --

21 THE WITNESS: Yeah. It was right  
22 around Memorial Day. I moved in after all of that  
23 damage was done and currently have planted about 20  
24 trees to replace the others.

25 MR. WILLIAMS: Okay. Thank you.

1 Any other questions, any questions from counsel?

2 MR. SETTINERI: (Shaking head.)

3 MR. VAN KLEY: (Shaking head.)

4 MR. HICKS: Thank you. Up next is

5 Mary Martindale and on deck is Phyllis Divito.

6 Sorry if I mispronounced it.

7 Looks like it might be difficult

8 to raise your right hand.

9 THE WITNESS: I can raise it.

10 (WHEREUPON, the witness was  
11 sworn.)

12 MR. HICKS: Okay. And could you  
13 please state and spell your name for the record?

14 THE WITNESS: My name is Mary  
15 Martindale, M-A-R-Y, M-A-R-T-I-N-D-A-L-E.

16 MR. HICKS: Okay. And could you  
17 please provide your address and township?

18 THE WITNESS: It's 245 Main Street  
19 in Clifton, Ohio, 45316.

20 MR. HICKS: And township?

21 THE WITNESS: Miami.

22 MR. HICKS: And do you live or  
23 work in the project area?

24 THE WITNESS: I live near it.

25 MR. HICKS: Okay. And you're not

1 an intervenor in the case, correct?

2 THE WITNESS: No.

3 MR. HICKS: Okay. Please go  
4 ahead.

5 THE WITNESS: I just strongly  
6 oppose the Kingwood Solar project. I think it's  
7 really bad for Greene County. And that's it.

8 MR. HICKS: Thank you. Any  
9 questions?

10 MR. SETTINERI: I have one.

11 MR. WILLIAMS: Oh, there's one  
12 question. Sorry. Please go ahead.

13 THE WITNESS: Yes.

14 MR. SETTINERI: Are you the mother  
15 of the person who testified just before you?

16 THE WITNESS: Yes.

17 MR. SETTINERI: Okay. Could you  
18 identify that picture for us and tell us if you  
19 took it?

20 THE WITNESS: Yes, I did.

21 MR. SETTINERI: Okay.

22 THE WITNESS: And that was on  
23 April 3rd or 4th, same damage as the 1974 tornado.

24 MR. SETTINERI: Okay. Can you see  
25 the picture from here?

1 THE WITNESS: Yeah. I sent it to  
2 her.

3 MR. SETTINERI: Okay.

4 THE WITNESS: Yes.

5 MR. SETTINERI: Very good. Thank  
6 you.

7 THE WITNESS: Uh-huh.

8 MR. WILLIAMS: Thank you for your  
9 testimony. So I know some people have started to  
10 leave. When you leave, make sure you do check in  
11 with Board staff to make sure your presence is  
12 acknowledged if you have not testified and decide  
13 to leave before giving your testimony. Our next  
14 witness, and it's about 8:15, we'll probably go  
15 until about 8:45, Ms. Dicitto?

16 THE WITNESS: Dicitto.

17 MR. WILLIAMS: Dicitto. I tried to  
18 let Mr. Hicks follow in the sport here. Ms.  
19 Dicitto, would you raise your right hand?

20 (WHEREUPON, the witness was  
21 sworn.)

22 MR. WILLIAMS: Thank you. Would  
23 you please state and spell your name for the  
24 record.

25 THE WITNESS: Phyllis Dicitto, 227

1 Pleasant Street in Xenia, City of Xenia.

2 MR. WILLIAMS: Do you live or work  
3 within the project area?

4 THE WITNESS: No.

5 MR. WILLIAMS: Are you in a  
6 township?

7 THE WITNESS: No.

8 MR. WILLIAMS: Okay. And are you  
9 an intervenor in the case?

10 THE WITNESS: No.

11 MR. WILLIAMS: Please proceed.

12 THE WITNESS: I am in opposition  
13 to this project. My daughter and son-in-law live  
14 on Harbison Road and it is so beautiful out there.  
15 My dream is to, I plan to move in with them and I  
16 love going out there. Sitting on the front porch  
17 looking at the sunset and all and the idea of that  
18 property being surrounded on three sides or  
19 possibly four with these panels just breaks my  
20 heart. So that's it. I'm opposed to it. Thank  
21 you.

22 MR. WILLIAMS: Thank you. Okay.  
23 Before you step away, any questions from the Bench?

24 MS. FRENCH: (Shaking head.)

25 MS. MERTZ: (Shaking head.)

1 MR. WILLIAMS: Any questions from  
2 counsel?

3 MR. VAN KLEY: (Shaking head.)

4 MR. SETTINERI: (Shaking head.)

5 MR. WILLIAMS: Thank you for your  
6 testimony. Our next witness is Scott Marvia or  
7 Scott Marvin, I think Marvin. And on our deck  
8 witness is Christina Church.

9 MR. WILLIAMS: Good evening, Mr.  
10 Martin.

11 THE WITNESS: Marvin.

12 MR. WILLIAMS: Marvin?

13 THE WITNESS: Marvin. Yeah. Good  
14 evening.

15 MR. WILLIAMS: Thank you.

16 (WHEREUPON, the witness was  
17 sworn.)

18 MR. WILLIAMS: Would you please  
19 state and spell your name for the record?

20 THE WITNESS: Scott Marvin,  
21 S-C-O-T-T, M-A-R-V-I-N.

22 MR. WILLIAMS: And your address?

23 THE WITNESS: 1334 Bradfute Road,  
24 Xenia, Ohio.

25 MR. WILLIAMS: Are you in a



1 township?

2 THE WITNESS: Cedarville.

3 MR. WILLIAMS: Okay. And do you  
4 live or work within the project area?

5 THE WITNESS: Both.

6 MR. WILLIAMS: Are you an  
7 intervenor?

8 THE WITNESS: I am part of a  
9 group. But I'm here speaking for my part, for  
10 myself and my partner.

11 MR. WILLIAMS: Please proceed.

12 THE WITNESS: Thank you. Let me  
13 start by saying that I do not oppose solar. I  
14 thought about putting solar panels on my roof at  
15 the barn at the farm. I do oppose the Kingwood  
16 Solar project due to the proposed location.  
17 Productive farmland is not a responsible place to  
18 site a power generation plant. I've worked for  
19 various farmers in the area throughout my life. I  
20 searched for land for 23 years in this area,  
21 finally found it and had a sustainable farm.

22 The Kingwood Project area is full  
23 of lands that has significant historical ties to  
24 first people and people of color due to the  
25 previous presence of the underground railroad. It

1 is sacred ground. Construction for this project  
2 will likely take 16 months per their application.  
3 I am concerned that construction will have a  
4 detrimental impact on our health, as I have  
5 respiratory issues. As far as the land where the  
6 solar panels will be placed per Kingwood's layout,  
7 we would be able to see them from the house. 16  
8 months of construction is a long time to try to  
9 hide from dust. If Kingwood plans were to go under  
10 Clark Run Creek in front of our house, to connect  
11 parcels to the project area, I wonder how all this  
12 construction noise and dust will impact in the  
13 wildlife. The Blue Heron's depend on Clark Run for  
14 assistance, don't even like the disturbance of us  
15 walking down the road let alone construction  
16 equipment. We have plenty of wildlife that we have  
17 become accustomed to seeing for the last six years.  
18 And this project will have a negative impact on  
19 them. I'm going to skip the weather. I think  
20 everybody knows the weather sucks. But I will say  
21 this about the weather, the winds and the weather  
22 that we get out here is enough to deny this project  
23 alone. The path that the last tornado took was  
24 right behind my house which is right where the  
25 panels will be, half of the project. So, well,

1 don't quote me on half. A percentage of the  
2 project. Recently, we were asked if we wanted to  
3 sign a Good Neighbor Agreement with Vesper.

4                   For two and a half years,  
5 developers of Kingwood have focused on lease  
6 holders and on their financial interest. If they  
7 wanted to be good neighbors, they would have met  
8 with the public officials and joined land our land  
9 years ago to learn about Greene County's values.  
10 They would have seen our values and known that we  
11 wouldn't want to convert agricultural land into  
12 industrial power plants. We know the value of land  
13 in Greene County and feel protecting it is our  
14 responsibility. And thank you, OPSB staff, for  
15 recommending that the Board deny this certificate  
16 for this project. You are right, Kingwood is not  
17 in Greene County's best interest. It will  
18 definitely not be convenient and it's totally  
19 unnecessary for our community. And that's it.

20                   MR. WILLIAMS: Thank you, Mr.  
21 Marvin. Any questions from the parties?

22                   MS. FRENCH: (Shaking head.)

23                   MS. MERTZ: (Shaking head.)

24                   MR. VAN KLEY: (Shaking head.)

25                   MR. SETTINERI: (Shaking head.)

1 MR. WILLIAMS: Thank you for your  
2 testimony this evening. Our next witness is  
3 Christina Church and our on deck witness is Bill  
4 McCuddy. Good evening, Ms. Church.

5 THE WITNESS: Good evening.

6 MR. WILLIAMS: Would you raise  
7 your right hand?

8 (WHEREUPON, the witness was  
9 sworn.)

10 MR. WILLIAMS: Would you please  
11 state and spell your name for the record?

12 THE WITNESS: Christina Church,  
13 C-H-R-I-S-T-I-N-A, C-H-U-R-C-H.

14 MR. WILLIAMS: And your address?

15 THE WITNESS: 2986 Harbison Road  
16 in Cedarville. And we have six acres in the  
17 township, Miami Township and Cedarville Township.  
18 The line goes right through it so I'm kind of in  
19 both.

20 MR. WILLIAMS: Okay. Are you in  
21 project area?

22 THE WITNESS: Yes. We're  
23 surrounded by, on, yeah, so I'll say, yes.

24 MR. WILLIAMS: And are you an  
25 intervenor in the case?

1 THE WITNESS: I am a member of BGA  
2 but I am speaking tonight on behalf of myself. I  
3 am not an official intervenor.

4 MR. WILLIAMS: Okay. Please  
5 proceed.

6 THE WITNESS: Okay. My name is  
7 Christina Church. I live on Harbison Road and I am  
8 completely opposed to the Kingwood Solar Panel  
9 project. Our property will be surrounded on three  
10 sides right next to us and then probably about 300  
11 feet across from us. So basically on all four  
12 sides, we'll be able to see the solar panels. Many  
13 people who are for this project do not live in the  
14 area and are not directly affected by this. My  
15 husband and I have worked very hard to be able to  
16 purchase our six acres that we own and build our  
17 forever home. We are currently surrounded by corn  
18 and bean fields and wouldn't want it any other way.  
19 We love it. We both grew up in Cedarville. He  
20 stayed the whole time, I left and came up. But it  
21 has always been for the farm country.

22 For many years, I actually lived  
23 in Cedarville and worked in Cincinnati and drove  
24 over an hour each way to get back and forth from  
25 home to work. The people I worked with never

1 understood why I wanted to live so far away and do  
2 that drive until they came to visit one day and  
3 then they knew. It's our little piece of heaven.  
4 Another major concern that I have is the noise and  
5 I know several people have mentioned that here  
6 today. There's going to be an inverter kind of  
7 right behind our property like kind of diagonal  
8 from our property and our 14-year-old son is blind.  
9 He was born blind. His, and it's very true when  
10 they say, when you lose one sense, all other senses  
11 are heightened. He can hear everything. Like  
12 he'll be in the back of the house and my husband  
13 and I will be whispering in the kitchen, he'll know  
14 exactly what we said. Like he can just, he can  
15 hear so well. And any continuous noise or noise  
16 that keeps going, it really disturbs him and his  
17 thought process and things like that. So not  
18 knowing what's going to happen.

19 But part of the construction, I  
20 think part of the construction site is going to be  
21 right next to us. So with not knowing what that's  
22 going to be like, I think that might be an issue  
23 for him and I just don't want that for him. We are  
24 a family that likes to be outdoors a lot and if  
25 that happens and there is that noise, I don't want

1 to take that from him, you know. Cedarville has  
2 always been a small, tight-knit community where  
3 family and neighbors will do anything for each  
4 other. The proposed solar panel project is  
5 throwing a wrench in the community. People who  
6 used to speak in passing no longer speak. They no  
7 longer wave. It's truly sad. If this project goes  
8 forward, it will not only permanently damage the  
9 farmland that it encompasses, it will also do the  
10 same to our small community. Thank you.

11 MR. WILLIAMS: I have one  
12 question.

13 THE WITNESS: Sure.

14 MR. WILLIAMS: You indicated you  
15 would be close to an inverter, how far would that  
16 be from your house?

17 THE WITNESS: Gosh, I don't know.  
18 Maybe a couple 100 feet. I don't, Jake, do you  
19 know?

20 MR. WILLIAMS: If you know.

21 THE WITNESS: It's pretty close.  
22 Like it's like you're, between the two of our  
23 properties, it's pretty close.

24 MR. WILLIAMS: Okay.

25 THE WITNESS: I don't know the

1 feet. We can --

2 MR. WILLIAMS: No other questions  
3 from the Bench or counsel?

4 MS. FRENCH: (Shaking head.)

5 MS. MERTZ: (Shaking head.)

6 MR. VAN KLEY: (Shaking head.)

7 MR. SETTINERI: (Shaking head.)

8 MR. WILLIAMS: Thank you for your  
9 testimony. Our next witness is Bill McCuddy and  
10 our on deck witness is Sue Shay. Thank you.

11 Would you raise your right hand?

12 (WHEREUPON, the witness was sworn.

13 MR. WILLIAMS: Would you please  
14 state and spell your name for the record?

15 THE WITNESS: My name is William  
16 McCuddy, M-C-C-U-D-D-Y.

17 MR. WILLIAMS: And your address,  
18 sir?

19 THE WITNESS: I live at 3111  
20 Wilberforce Clifton Road near Cedarville and Miami  
21 Township.

22 MR. WILLIAMS: Do you live or work  
23 within the project area?

24 THE WITNESS: I live very close to  
25 the project area and I'm also a ranger at Glen



1 Helen.

2 MR. WILLIAMS: A ranger?

3 THE WITNESS: Yes.

4 MR. WILLIAMS: Okay. And are you  
5 an intervenor in the case?

6 THE WITNESS: I am not a named  
7 intervenor.

8 MR. WILLIAMS: Please proceed.

9 THE WITNESS: My name is William  
10 McCuddy and I live at 3111 Wilberforce Clifton  
11 Road, a few 100 yards downhill from the North array  
12 of this intended project. I've long held concerns  
13 about the effects it would have on the aquifer and  
14 on the wells of the many farms and houses that  
15 surround Kingwood if it were approved, including  
16 mine. Specifically, I am concerned that these  
17 100's of acres of glass sitting on top of what are  
18 now open fields that currently soak up water and  
19 store it in the shallow alluvial layer will instead  
20 run the water off and choke the recharge in what is  
21 a very sensitive, very shallow aquifer.

22 I have voiced these concerns at  
23 two previous meetings. The first on 6, April 2021  
24 at the Greene County Commission Hearing and  
25 secondly, at the Vesper informational hearing on

1 29, June 2021. At this event, I expressed my  
2 concerns to a Vesper legal representative who took  
3 my contact information and promised that someone  
4 from the company would call me back to address the  
5 issue. I never heard back. I am here tonight to  
6 once again ask that careful consideration be given  
7 to the possible damage this project could inflict  
8 on the surrounding community. In my understanding,  
9 the alluvial layer acts like a sponge, not only to  
10 soak up rainwater but to store it and slow its  
11 dispersal into the underlying bedrock.

12 In this case, the alluvial layer  
13 may also overlies Karstic, Limestone and Dolomite  
14 with myriad joints and bedding planes which can  
15 quickly drain groundwater to the lowest places in  
16 the terrain, such as the Little Miami River. The  
17 thicker this alluvial sponge, the more water it can  
18 hold. However, in some portions of the project  
19 area, the alluvial layer appears to be less than 25  
20 feet in depth. Residents of the area are highly  
21 dependent on groundwater wells for residential and  
22 farming use, and the recharge of water from the  
23 surface is important to maintaining those wells.  
24 It is unclear at this point what impact the solar  
25 panel arrays will have on groundwater recharge

1 within the project area and Vesper has, to date,  
2 provided no information on that potential impact.

3 I firmly believe that the acres of  
4 glass over the aquifer and the soil compaction from  
5 heavy construction traffic and 100's of 10 foot  
6 metal piers per acre being driven into the ground  
7 have the potential to significantly disrupt the  
8 recharge rate and endanger wells in the many homes  
9 and farms which surround, and in some cases are even  
10 surrounded by, this ill-conceived project.

11 Kingwood Solar is not a benefit to our community.

12 It doesn't take much diligence to find the  
13 information I presented here. It doesn't look like  
14 Vesper has even made the attempt, just as they  
15 never tried to call me and discuss the issue. I  
16 would respectfully ask that this project be denied.

17 Thank you.

18 MR. WILLIAMS: Thank you, Mr.  
19 McCuddy. Any questions from the Bench?

20 MS. FRENCH: (Shaking head.)

21 MS. MERTZ: (Shaking head.)

22 MR. WILLIAMS: Any questions from  
23 counsel?

24 MR. VAN KLEY: (Shaking head.)

25 MR. SETTINERI: (Shaking head.)

1 MR. WILLIAMS: Thank you for your  
2 testimony this evening. Our next witness is Sue  
3 Shay on our on deck witness is Jim Dichito.

4 Good evening, Ms. Shay. Would you  
5 raise your right hand?

6 (WHEREUPON, the witness was  
7 sworn.)

8 MR. WILLIAMS: Would you please  
9 state and spell your name for the record?

10 THE WITNESS: First name, Sue.  
11 Last name, Shay, S-H-A-Y.

12 MR. WILLIAMS: And your address?

13 THE WITNESS: 7887 Lockport  
14 Boulevard. That's Centerville, Montgomery County,  
15 Washington Township.

16 MR. WILLIAMS: Do you live or work  
17 within the project area?

18 THE WITNESS: I do not.

19 MR. WILLIAMS: And are you an  
20 intervenor in the case?

21 THE WITNESS: Somebody else said  
22 my answer. They don't know what one is so, no, I'm  
23 not.

24 MR. WILLIAMS: Please proceed.

25 THE WITNESS: Thank you. I

1 classify myself as being an independent. Not left,  
2 not right. My background is as a researcher and a  
3 librarian. And I always research before I form an  
4 opinion, almost always. My kids might disagree  
5 once in a while but I try to have my opinions be  
6 well-rounded before I form one. I am absolutely a  
7 proponent of green energy but this solar project is  
8 wrong and I'd like to tell you my feelings on why.  
9 I am a die-hard Army brat. Brought up in a  
10 military family, we traveled all over the country  
11 including in Alaska, right after it became a state.  
12 After I got settled and married and lived in  
13 Washington, my husband had a job opportunity for  
14 Fairbanks. Oh, yeah, let's go back to Alaska and  
15 so, for several years I reconnected with the beauty  
16 of what Alaska, Wyoming, the town, I reconnected  
17 with the beauty of our country.

18                   Then I had three children, a baby  
19 two weeks old and a husband that decided he did not  
20 want to be married anymore. Well, a logic person  
21 that I am, a dude who wanted a divorce with a  
22 2-year-old, a 4-year-old and a 2-week-old, ain't no  
23 way he's paying child support for 18 years. So I  
24 decided to move away from the most expensive state  
25 to someplace that would be good for me and my

1 children. I'd been all over the country. I knew  
2 so many different places. And I chose Ohio. Three  
3 reasons primarily, I have a sister who lives there,  
4 she can help me with my kids. Huge, was that it's  
5 in the heartland of America. Left, right, blue,  
6 red, had to learn, had to try to get along with  
7 your neighbor because that's what America is all  
8 about.

9                   And the third reason was the  
10 clincher, the Buckeyes. And so I moved to Ohio  
11 with my children, Centerville, and began a new  
12 journey and a new life. And I lived here for about  
13 a year, two years, and I just struggled because I  
14 saw buildings and I saw renovation, imaging, I saw  
15 homes, there was stuff everywhere. But where was  
16 the country? Where was the beauty? And so I  
17 started road trips and I found Yellow Springs. And  
18 with Yellow Springs, I found John Bryan, I found  
19 Clifton Gorge. And that's when I finally fell in  
20 love with Ohio and the impact of Yellow Springs. I  
21 know one person sort of ridiculed that beauty and  
22 what you look at matters. And it really does. I  
23 mean, it's one of the reasons why I love this  
24 state, and the animals, the birds, nature.

25                   When I visit this area, my heart

1 is full. I've got time for that other stuff but  
2 this just goes deep. And so, solar farm in this  
3 area that I love; and I researched, and I  
4 researched a lot and you know what I found? What  
5 happens to solar panels when the company is done  
6 with them? You know where those go? They go to a  
7 landfill. And the research has been done on the  
8 materials made for solar panels and we're talking  
9 Lithium and all sorts of organic chemicals and  
10 metals, plastics. Estimated degradation time  
11 period for solar panels is 500 to 1,000 years once  
12 they get thrown away. One of the speakers, a  
13 person mentioned 30-year lease that they are  
14 signing. I think they said 30 years. So what  
15 happens after 30 years? What happens if there's a  
16 tornado?

17 MR. WILLIAMS: Ms. Shay, as a  
18 fellow Buckeye, I'd love to give you more time but  
19 --

20 THE WITNESS: Thank you. I  
21 understand.

22 MR. WILLIAMS: Good. Any  
23 questions from the Bench?

24 MS. FRENCH: (Shaking head.)

25 MS. MERTZ: (Shaking head.)

1 THE WITNESS: One last comment.

2 MR. WILLIAMS: Ms. Shay, your time  
3 is up. You can supplement with comments to the  
4 Board through the website and they'll help you get  
5 through that at the door. Any questions from the  
6 intervenors?

7 MR. VAN KLEY: (Shaking head.)

8 MR. SETTINERI: (Shaking head.)

9 MR. WILLIAMS: Thank you, Ms.  
10 Shay.

11 THE WITNESS: Thank you.

12 MR. WILLIAMS: Our next witness is  
13 Jim Dichito and our on deck witness is Beki Ryan.

14 THE WITNESS: All my concerns have  
15 been addressed. I'm good.

16 MR. WILLIAMS: Thank you, Mr.  
17 Dichito. Beki Ryan, followed by Victoria Hennessy.

18 Good evening, Ms. Ryan. Please  
19 raise your right hand.

20 (WHEREUPON, the witness was  
21 sworn.)

22 MR. WILLIAMS: Please state and  
23 spell your name for the record.

24 THE WITNESS: Rebecca Ryan,  
25 R-E-B-E-C-C-A, R-Y-A-N.



1 MR. WILLIAMS: And your address?

2 THE WITNESS: 3030 State Route 72  
3 North in Cedarville Township.

4 MR. WILLIAMS: Do you live or work  
5 within the project area?

6 THE WITNESS: I live and work with  
7 an eyeshot of all of it.

8 MR. WILLIAMS: Thank you. Are you  
9 an intervenor in the case?

10 THE WITNESS: No.

11 MR. WILLIAMS: Please proceed.

12 THE WITNESS: My name is Beki Ryan  
13 and I live at 3030 State Route 72 North in  
14 Cedarville Township and my family and I own Kent's  
15 Feed Barn and the nearly 200 acre farm surrounding  
16 my home and business. I'm a lifelong resident of  
17 Greene County living in the project area and I  
18 oppose the Kingwood project. My late father  
19 started farming this land many years ago and he and  
20 my mother saved up enough to open our small feed  
21 store in 2002. I worked alongside my dad from 2005  
22 to his passing in 2020. I have big concerns on how  
23 this project may impact the business that my dad  
24 and I built together.

25 A majority of my customers live on

1 5 to 9 acre parcels with a few small animals in  
2 their backyard. A lot of them are nestled in the  
3 small areas in the edge of the proposed solar farm  
4 area. I know of at least two customers who have  
5 moved out of the area due to the possibility of the  
6 solar farm. I am worried about the financial  
7 impact on my business as well as my community. I  
8 love this community and what it offers and I do not  
9 see anyplace for this project to fit into the  
10 fabric of this community successfully. It has  
11 divided relationships that were longstanding and  
12 multigenerational. The risk of losing what makes  
13 this community what it is, is enough for me to  
14 object it.

15 But couple that with the thought  
16 of losing this much farmland and I must adamantly  
17 oppose. Farmland is a limited resource. Once it's  
18 gone, it's gone. The solar project will renew this  
19 land's uses. It will never be restored to the  
20 production levels of today. For these reasons, I  
21 strongly oppose this project. Thank you for  
22 listening to my concerns.

23 MR. WILLIAMS: Thank you, Ms.  
24 Ryan. Any questions from the Bench?

25 MS. FRENCH: (Shaking head.)

1 MS. MERTZ: (Shaking head.)

2 MR. WILLIAMS: Any questions from  
3 intervenors?

4 MR. VAN KLEY: (Shaking head.)

5 MR. SETTINERI: (Shaking head.)

6 MR. WILLIAMS: Thank you for your  
7 testimony this evening. Our next witness is  
8 Victoria Hennessy and our on deck witness is Bob  
9 Huston.

10 AUDIENCE MEMBER: I think he left.

11 MR. WILLIAMS: Victoria Hennessy?  
12 I assume a pass. Bob Huston? Okay. So our next  
13 witness is going to be Linda Fife and that's going  
14 to take us to our first break. We'll break about  
15 five minutes and then come back.

16 So, Ms. Fife, would you raise your  
17 right hand?

18 (WHEREUPON, the witness was  
19 sworn.)

20 MR. WILLIAMS: Would you please  
21 state and spell your name for the record?

22 THE WITNESS: My name is Linda  
23 Fife, L-I-N-D-A, F-I-F-E.

24 MR. WILLIAMS: And your address?

25 THE WITNESS: I live in Plain,

1 Ohio, which is in Athens County.

2 MR. WILLIAMS: Do you live or work  
3 within the project area?

4 THE WITNESS: No. I do own  
5 property adjacent to the project area.

6 MR. WILLIAMS: And are you an  
7 intervenor in the case?

8 THE WITNESS: No. I am not.

9 MR. WILLIAMS: Please proceed.

10 THE WITNESS: I was born and  
11 raised in Greene County where my family has deep  
12 roots. We have owned and farmed property in Xenia  
13 and Cedarville Township for more than 200 years.  
14 My sister and I own a home adjacent to the proposed  
15 Kingwood project on Bradfute Road. I can honestly  
16 tell you that this is my happy place. And I am  
17 proud to call it home. I have always dreamed that  
18 one day I would retire to this picturesque and  
19 tranquil spot. The thought of transforming the  
20 surrounding 1,500 acres of pristine farmland into  
21 an ugly, noisy array of metal and glass solar  
22 panels gives me a multitude of reasons to  
23 reconsider. Please deny the Kingwood project.  
24 This valuable, beautiful and productive  
25 agricultural land needs to be protected and

1 preserved. Thank you.

2 MR. WILLIAMS: Ms. Fife, thank you  
3 for your testimony. Any questions from the Bench?

4 MS. FRENCH: (Shaking head.)

5 MS. MERTZ: (Shaking head.)

6 MR. WILLIAMS: Any question from  
7 intervenors?

8 MR. SETTINERI: (Shaking head.)

9 MR. VAN KLEY: (Shaking head.)

10 MR. WILLIAMS: Thank you very  
11 much. So it is 8:40. We'll come back at 8:45 and  
12 when we do, Molly Barnes will lead off. We're on  
13 break.

14 (WHEREUPON, a recess was taken.)

15 MR. HICKS: Up next is Molly  
16 Barnes and on deck is David Bruce. We'll go back  
17 on the record if you're ready.

18 If you could please raise your  
19 right hand.

20 (WHEREUPON, the witness was  
21 sworn.)

22 MR. HICKS: Would you please state  
23 and spell your name for the record?

24 THE WITNESS: My name is Molly  
25 Barnes, B-A-R-N-E-S. And that's Molly with a Y.

1 And I live at 1433 South Boulevard in Evanston,  
2 Illinois and that is 60202.

3 MR. HICKS: And do you live or  
4 work in the project area?

5 THE WITNESS: I do not but my  
6 parents do.

7 MR. HICKS: And you are not an  
8 intervenor in the case, correct?

9 THE WITNESS: I am not.

10 MR. HICKS: Okay. Please go  
11 ahead.

12 THE WITNESS: Good evening. Thank  
13 you for having me here tonight. I was born and  
14 raised in Chicago but seven generations of my  
15 family have called The Clark Run Neighborhood home  
16 for the past 200 years. Throughout my life, this  
17 beautiful, rural neighborhood known for it's  
18 productive farmland and livestock, remarkable,  
19 recreational and cultural landmarks with local and  
20 even national significance. Its vital waterways,  
21 country homes, both old and new, and three distinct  
22 township cemeteries have been a touchstone for me.  
23 This same can now be said about my 2-year-old  
24 daughter who has spent nearly a third of her young  
25 life in the Clark Run neighborhood.

1                   The controversies that have  
2 accompanied the proposed Kingwood project have  
3 adversely affected a number of local families,  
4 including my own. There has been little public  
5 discussions of the pain and anguish that is now  
6 palpable in my parents' neighborhood and among my  
7 family and friends who are residents and those who  
8 have ties to this area. I learned from my  
9 grandmother who lived most of her life on Bradfute  
10 Road what it means to be a good neighbor. It meant  
11 honking the horn loudly upon entering and exiting  
12 the Covered Bridge in order to warn others to wait  
13 their turn and avoid a collision. It meant  
14 bringing a basket of flower bulbs to new families  
15 when they moved into the neighborhood. It meant  
16 baking a casserole and a cake to take to a  
17 long-time neighbor or a new neighbor, sometimes  
18 miles away when someone was sick or injured in a  
19 farm accident. It meant cutting someone's grass,  
20 watering their garden or plowing their lane when  
21 they could not do so for themselves.

22                   When someone in the neighborhood  
23 died, it is the country custom to offer to housesit  
24 during visiting hours at the funeral home to make  
25 sure the families home is safe and secure since

1 local obituaries typically list those hours when  
2 members of the grieving family will be in town.  
3 That is what being a good neighbor meant to my  
4 grandmother and to her mother and to generations of  
5 my ancestors. Never did my grandmother expose me  
6 to the notion that being a good neighbor involved  
7 taking an action that was compromised or adverse  
8 the effect of neighbor's enjoyment of their home or  
9 their property. I grew up thinking that the Golden  
10 Rule of doing unto others as you would have them do  
11 unto you was the motto for the entire neighborhood  
12 of my grandparents and their extended family that  
13 lives and worked in for so many generations.

14 My grandmother would certainly be  
15 appalled at the notion of contract design to keep  
16 land out of agricultural production for 40 years.  
17 And the idea that such contracts should be kept on  
18 the down-low withholding important information from  
19 relatives and neighbors would have been abhorrent  
20 to her values on notions of transparency and  
21 neighborliness. She would have considered the very  
22 idea of paying someone to sign a Good Neighbor  
23 Agreement in exchange for support of the project or  
24 at least not criticizing the project to be morally  
25 bankrupt. Though I grew up in a city, I have spent



1 my entire life traveling back and forth to Greene  
2 County to visit my grandparents, to come home from  
3 college while I was at Otterbein University and now  
4 to visit my parents.

5 I have always hoped to one day end  
6 up living in rural Greene County. And as changes  
7 in how we eat, what we eat, how we feed local  
8 communities and even the larger world takes place,  
9 there will be many new challenges but also many new  
10 opportunities from my generation and that of my  
11 daughters in the world of American agriculture. I  
12 would like to have the opportunity to pursue these  
13 new ways of land stewardship that so many people in  
14 this room have done here for so many years. But if  
15 that land is leased to a Texan or a Chinese energy  
16 developer for four decades, those in my generation  
17 will be old women and old men and our opportunities  
18 of, our window of opportunities will have closed.  
19 And our own children will be completely aced out  
20 from opportunities we cannot even imagine. When my  
21 parents decided to retire to the house and the  
22 neighborhood where my mother grew up and where her  
23 own grandparents had lived and died, the  
24 possibility of bringing my own young family back to  
25 Ohio became even more attractive of an option.

1                   If the Kingwood project is  
2   constructed, my husband and I will no longer  
3   consider this an option. If Kingwood is  
4   constructed, the neighborhood will certainly cease  
5   to exist in the way that it has for 200 years. Who  
6   would willingly relocate and continue to live in  
7   the middle of an industrial energy field? Who  
8   would want their young children to grow up hearing  
9   the constant hum of electric motors that will  
10   rotate near 1 million solar panels? Who would  
11   drive to and from their home and just see nothing  
12   but steel and glass 365 days a year? Decreasing  
13   the acres of farmland in the Clark Run neighborhood  
14   will have unintended consequences down the line for  
15   neighbors, for families and certainly for future  
16   generations of Ohioans. Thank you.

17                   MR. HICKS: Thank you. Any  
18   questions from, I believe both counsel have  
19   questions. Go ahead, Mr. Settineri.

20                   THE WITNESS: Hi.

21                   MR. SETTINERI: Thank you for your  
22   testimony. Just real quick, if you don't mind, the  
23   address where your parents live?

24                   THE WITNESS: 2330 Clark Run Road.

25                   MR. SETTINERI: Thank you.

1 MR. HICKS: Mr. Van Kley?

2 MR. VAN KLEY: Just a matter of  
3 clarification, when you talk about the Clark Run  
4 neighborhood, would you just describe this location  
5 with respect to the area where the solar company  
6 wants to put the solar project?

7 THE WITNESS: I know, my  
8 understanding is that there's going to be a  
9 significant amount of panels in the middle of the  
10 valley, which runs all along Clark Run, which is in  
11 the stream. And that's where my family has farmed  
12 and lived since the 1820's and I believe there's  
13 going to be panels all along, you know, Clifton  
14 Road and even up into the hill and I mean, we're  
15 right in the middle of it.

16 MR. VAN KLEY: Okay. Thank you.

17 THE WITNESS: Thank you.

18 MR. HICKS: Thank you. Up next is  
19 David Bruce and on deck is Anne Rich.

20 Please raise your right hand.

21 (WHEREUPON, the witness was  
22 sworn.)

23 MR. HICKS: Okay. Could you  
24 please state and spell your name for the record?

25 THE WITNESS: My name is David

1 Bruce, D-A-V-I-D, B-R-U-C-E.

2 MR. HICKS: And your address?

3 THE WITNESS: 1555 Deer Creek  
4 Drive, Apartment 5, Xenia, Ohio 45385.

5 MR. HICKS: Is that in a township?

6 THE WITNESS: No. City of Xenia.

7 MR. HICKS: Okay. And do you live  
8 or work in the project area?

9 THE WITNESS: I do not.

10 MR. HICKS: Okay. Please go  
11 ahead.

12 THE WITNESS: Members of the Ohio  
13 Siting Board, my name is David Bruce. I am the  
14 Special Projects Coordinator at the International  
15 Brotherhood of Electrical Workers Local Union 82  
16 and I am a lifetime resident of Greene County in  
17 the City of Xenia. I'm also an active voter in my  
18 community as well as a football catch for my son's  
19 team. Needless to say, my roots run deep and I  
20 care deeply for the place I reside. I am speaking  
21 today in support of this project. I am glad to see  
22 that a project of this caliber come to Greene  
23 County. As a resident of the county, I can only  
24 see the benefits of putting a solar project this  
25 size in our own backyard. I believe it will be a

1 great push forward into the future of Greene County  
2 and I believe this project will help Ohio catch up  
3 to its neighboring states.

4 I have attended multiple meetings  
5 for solar projects in the Union's jurisdiction,  
6 including meetings for this one. I have heard the  
7 negatives about the project but rarely have I heard  
8 the positives. The PILOT Program is going to  
9 provide crucial money for the county's schools and  
10 townships. PILOT will provide funding so the  
11 schools will not have to beg the citizens to levy  
12 for funds or a new school. My children attend  
13 school in Xenia where this money will be useful and  
14 I would love for Xenia Schools to not have to beg  
15 for funding by having to bring up a levy for  
16 multiple years only to be denied by the community.  
17 This project could solve that issue.

18 Another benefit from the PILOT  
19 Program is the requirement that the solar project  
20 would be built by 80 percent of Ohio workers. And  
21 one of the many problems we face is out-of-town  
22 contractors or even worse, out-of-state contractors  
23 that will come and reap the benefits of the work in  
24 our area and when they return, they take the money  
25 with them and it does not stay here to stimulate

1 our economy. Greene County has an even better  
2 advantage with that 80 percent requirement because  
3 now IBEW Locals Union 82, 156 members reside here  
4 in Greene County. And we have a partnership with  
5 our illustrious Greene County Career Center which  
6 we will put students on the project.

7 I am a graduate of the Greene  
8 County Career Center as well as Xenia High School  
9 and I have firsthand experience in the  
10 opportunities that school can provide. Recently,  
11 our contractors from our local wired Greene County  
12 Career Center rebuilt the career center along Route  
13 68. And I am proud how that project turned out. I  
14 carry the upmost pride in the fact that fellow  
15 Greene County Career Center alumni and students  
16 worked on that project, many of whom which still  
17 reside in the county. That school is a full  
18 turnaround of what a local economy is supposed to  
19 be; community educates the workers, workers build  
20 the facilities of the community and the money and  
21 education stays within our community making sure  
22 that everybody prospers. I know the same will ring  
23 true for the Kingwood Solar project. I know that  
24 our signatory contractors will put students and  
25 residents of our community on this project.

1                   In closing, I urge the Ohio Power  
2   Siting Board to approve this project. I believe  
3   that with the solar project, our community can  
4   flourish and provide the working people good-paying  
5   local jobs for them to stay at home and spend their  
6   hard-earned money here with their families. As a  
7   member of this community, I would like to see  
8   Greene County take the steps for the future.  
9   Please do not let this opportunity pass us up.  
10   Thank you.

11                   MR. HICKS: Any questions from the  
12   Bench?

13                   MS. FRENCH: (Shaking head.)

14                   MS. MERTZ: (Shaking head.)

15                   MR. HICKS: Any questions from,  
16   Mr. Van Kley?

17                   MR. VAN KLEY: What's your  
18   understanding of why you believe that 80 percent of  
19   the workers you described are required to be local  
20   workers?

21                   THE WITNESS: Do you want --

22                   MR. SETTINERI: That's not what he  
23   said. He said Ohio workers.

24                   THE WITNESS: Yeah. Ohio workers,  
25   80 percent is from Ohio.

1 MR. VAN KLEY: Okay. What's your  
2 understanding of where that requirement comes from?

3 THE WITNESS: What do you mean?  
4 It gets stated in the PILOT Program.

5 MR. VAN KLEY: In the PILOT  
6 Program?

7 THE WITNESS: Yes.

8 MR. VAN KLEY: Okay. So it's your  
9 understanding that if the county commissioners  
10 passed a PILOT, that 80 percent of the workers  
11 would have to be from Ohio?

12 THE WITNESS: Yes.

13 MR. VAN KLEY: Okay. Thank you.

14 MR. HICKS: Thank you for your  
15 testimony.

16 THE WITNESS: Can I submit this in  
17 the record?

18 MR. WILLIAMS: Yes. Thank you.

19 MR. HICKS: Up next is Anne Rich.  
20 On deck, I think the last name is also Rich.  
21 Begins with a D.

22 THE WITNESS: Yes. That's my  
23 husband.

24 MR. HICKS: Okay. Well, your  
25 husband is on deck.



1                   Could you please raise your right  
2 hand?

3                   (WHEREUPON, the witness was  
4 sworn.)

5                   MR. HICKS: Could you please state  
6 and spell your name for the record?

7                   THE WITNESS: My name is Anne  
8 Rich, R-I-C-H.

9                   MR. HICKS: Okay. And your  
10 address including the township?

11                  THE WITNESS: 3131 Harbison Road,  
12 Cedarville. That's in Miami Township.

13                  MR. HICKS: Okay. And do you live  
14 or work in the project area?

15                  THE WITNESS: Both. Our home is  
16 adjacent to the solar proposed facility.

17                  MR. HICKS: Okay. And are you an  
18 intervenor in the case?

19                  THE WITNESS: I am not  
20 an intervenor.

21                  MR. HICKS: Okay. Please go  
22 ahead.

23                  THE WITNESS: I live on Harbison  
24 Road in Cedarville and I am opposed to the Kingwood  
25 Solar facility. We built our home about 17 years

1 ago. I've been teaching at Cedarville University  
2 for 28 years. Our son and his family built their  
3 home on the property adjoining ours four years ago.  
4 As you can see from this map, our residential  
5 community would be surrounded by this massive 175  
6 megawatt industrial solar plant. (Indicating.) Our  
7 home is located here in this group of homes with  
8 the solar panels all around and you can see how  
9 laid out this is when we talk about being, the  
10 facility being spread out over three townships.  
11 (Indicating.)

12 All three townships oppose this  
13 solar facility as well as Greene County. This  
14 facility will be located on the property line of  
15 all those homes you see in or many of those in red  
16 there, over 100 homes including ours. It'll be  
17 within 1,500 feet of 158 homes, a 4-H camp, and  
18 seven Cedarville University structures. As a  
19 homeowner, I'm concerned about the decline in our  
20 property value. Any reasonable person can look at  
21 this project and see that our property will be  
22 severely impacted with solar panels on our back  
23 property line, inverters, and a new road in the  
24 field behind. I am concerned as well about our  
25 well and the risk to our drinking water. I noticed

1 that one condition of the OPSB Staff Report is that  
2 old panels should be sent to, quote, engineered  
3 landfills with various barriers and methods  
4 designed to prevent leaching of materials into soil  
5 and groundwater.

6 Ohio is rightly concerned about  
7 contamination of their landfills from the Cadmium  
8 and Lead in the panels. But what about our home?  
9 When, not if, a tornado rips through this area, our  
10 yards will be strewn with glass debris and toxic  
11 chemicals leaching into the fields of groundwater  
12 and wells. One of the things I enjoy most about  
13 where we live is the quiet of the country. We're  
14 told by Vesper Energy that there will be low noise  
15 impact but there will be 410,000 motorized solar  
16 panels rotating by the glimpse of sun. In the  
17 field behind our property, there will be five  
18 inverters and a new road. This sounds like a busy  
19 industrial site to me, incompatible with  
20 residential community.

21 Vesper Energy states that this  
22 solar industrial site will not have significant  
23 impact on property values. Based on their  
24 statement on the property evaluation study  
25 submitted with their application, a review of that

1 property evaluation study conducted by CohnReznick  
2 shows, I believe, that the research is  
3 fundamentally flawed and not reliable. They looked  
4 at 11 solar projects. Four of the 11 solar  
5 installations included in the study are very small,  
6 ranging in size from 9 megawatts to 25 megawatts.  
7 These solar facilities should be eliminated from  
8 the study as they are not at all comparable in size  
9 to the 175 megawatt Kingwood Solar to show some  
10 impact on home values. Another 6 of the 11 solar  
11 projects included in the study ranged in size from  
12 40 to 75 megawatts in size.

13                   Again, not even half the size of  
14 this massive solar project. The remaining solar  
15 installation included in the evaluation studies,  
16 The North Star, 100 megawatt solar facility located  
17 in Minnesota. This solar facility impacts far  
18 fewer homes than we're looking at here. The  
19 research studies, quote, found four adjoining  
20 properties that qualified for paired sales  
21 analysis, one of which sold twice for a total of  
22 five sales. A study conducted by researchers at  
23 the University of Rhode Island published in  
24 September of 2020 is an extensive analysis of over  
25 400,000 property transactions.

1 CohnReznick mischaracterized  
2 researches including that, quote, the total impact  
3 on adjacent property was considered by the model to  
4 be 1.7 percent which was a set quote in materials.  
5 In fact, that statistic of 1.7 percent referred to  
6 the decline in homes a mile away. The studies  
7 found also that homes within a tenth of a mile of  
8 the solar facility declined by 7 percent and  
9 indicated that property values will decline even  
10 more from homes in a natural area as we are. The  
11 study also estimated a net loss of \$1.66 billion in  
12 average in housing value due to proximate solar  
13 installations in Massachusetts and Rhode Island.  
14 Any reasonable person --

15 MR. HICKS: Ms. Rich, we have  
16 reached the five minutes.

17 THE WITNESS: Is that five? Okay.  
18 Not a public need.

19 MR. HICKS: Questions --

20 MR. WILLIAMS: Regarding the  
21 exhibit, is that a blow-up of an exhibit that's  
22 already on the docket in the case?

23 THE WITNESS: I could blow it up  
24 but I don't know.

25 MR. WILLIAMS: Do you know where

1     you got it or how's --

2                   THE WITNESS:   We made it ourself.

3                   MR. WILLIAMS:   You made it  
4     yourselves?

5                   THE WITNESS:   Yeah.   My husband  
6     did.

7                   MR. WILLIAMS:   Yeah.   If you would  
8     e-mail that.   I'd be happy to put that in the  
9     record at that size.   If you want to e-mail it,  
10    submit the document with your testimony.

11                  THE WITNESS:   I will submit it in  
12    the public comments to the OPSB.

13                  MR. WILLIAMS:   Okay.   Thank you.  
14    Any questions from intervenors?

15                  MR. VAN KLEY:   (Shaking head.)

16                  MR. SETTINERI:   (Shaking head.)

17                  THE WITNESS:   All right.   Thank  
18    you.

19                  MR. HICKS:   Thank you.   Up next is  
20    Mr. Rich, David Rich.   And on deck is Krista  
21    Harding.

22                  THE WITNESS:   Also known as the  
23    husband.

24                  MR. HICKS:   Can you please raise  
25    your right hand?

1 (WHEREUPON, the witness was  
2 sworn.)

3 MR. HICKS: Okay. Please state  
4 and spell your name for the record.

5 THE WITNESS: David Rich,  
6 D-A-V-I-D, R-I-C-H.

7 MR. HICKS: And could you please  
8 provide your address including the township?

9 THE WITNESS: 3131 Harbison Road,  
10 Cedarville. And it's Miami Township.

11 MR. HICKS: And do you live or  
12 work in the project area?

13 THE WITNESS: Yes, both.

14 MR. HICKS: And are you an  
15 intervenor in the case?

16 THE WITNESS: No.

17 MR. HICKS: Okay. Please go  
18 ahead.

19 THE WITNESS: I live on Harbison  
20 Road, as I stated, and I'm opposed to the Kingwood  
21 Solar project. My educational background is a  
22 Doctorate in Public Administration. I've been  
23 teaching Public Policy and Administration at the  
24 University for over 20 years. Prior to that, I was  
25 a city manager in three cities in two different

1 states. As manager, I worked hard to bring  
2 compatible economic development to communities.  
3 I've sited industrial parks, I've expanded  
4 airports, I've redeveloped Brownfields and I've  
5 established Downtown Development Authorities. In  
6 my 30 years of government experience, I've never  
7 seen a weaker industrial development plan than  
8 this. Any benefits to the State of Ohio or our  
9 local governments are more than erased by the  
10 negative impact this project will produce.

11 I have serious concerns about the  
12 need for this industrial electric facility and the  
13 impact it will have both on our community and,  
14 excuse me, the environment. Kingwood Solar has not  
15 shown a need for this facility or a net benefit to  
16 either the State or our local communities. The  
17 economic impact, the placement of this facility  
18 will be a blight on our local and regional economy.  
19 In recent years, and I won't show this on the map  
20 but I'll do that online, have seen new home  
21 development in the Cedarville area. Homes valued  
22 at 300 to 500,000. That's where I live. All new  
23 home building will be stopped by this project or  
24 severely limited. The appraised value and tax of  
25 those homes that exist will decline sharply.



1                   The demand for new housing related  
2 to the Cedarville area is driven a lot by the  
3 university. The university, at which I work, our  
4 student enrollment over the past five years has  
5 increased by 25 percent and in the Fall of '21, we  
6 had 4,700 students. This growth that were actually  
7 seeing is present, projected to continue. We have  
8 562 faculty and staff employed full-time at the  
9 university, all needing adequate housing. We  
10 already have housing shortage in our area and this  
11 project would exasperate that problem. Kingwood  
12 Solar, with their promise of 23 jobs full-time has  
13 placed their industrial electric facility within  
14 approximately 1,500 feet of seven university  
15 structures. It's incompatible with the university,  
16 campus and it's incompatible with our community.

17                   Economically, we are a farming  
18 community that's been testified already. We're  
19 also a college community. Historically, the  
20 younger generation of farmers and families have  
21 been able to lease retired farmers fields in  
22 addition to their own to be able to make their  
23 operations profitable. I'm concerned economically  
24 that this project will significantly reduce the  
25 number of families farming in the future as well as

1 making it difficult to access the remaining fields  
2 and farming there is in this project area. As a  
3 city manager, I also have dealt with Brownfields.  
4 I have had to deal with the aftermath of bad  
5 decisions of private and public related placement  
6 of industrial facilities. Placing 410,000 solar  
7 panels containing Cadmium and other environmental  
8 chemicals within 200 feet of drinking wells is an  
9 environmental health hazard leading to disaster.

10               There are over 100 homes in the  
11 proposed footprint of this exact project with  
12 drinking wells that can be contaminated. We've  
13 already had concerns, you know, we've stressed  
14 about tornadoes. This is an unnecessary risk. We  
15 would, if we were to see a tornado come through,  
16 toxic chemicals would leak into our wells, the Girl  
17 Scout Camp, The Little Miami, Clifton Gorge, John  
18 Bryan State Park and the Yellow Springs drinking  
19 water well fields. The cost of one environmental  
20 cleanup is more than offset any benefits claimed by  
21 the applicants. We would face at the minimum, 25  
22 years of toxic chemicals leaking into the water  
23 treatment. This proposed massive 175 watt solar  
24 facility is economically incompatible with our  
25 communities. I respectfully petition that the

1 Board reject this application in the placement of  
2 the facility.

3 MR. HICKS: Thank you. Any  
4 questions, Mr. Settineri?

5 MR. SETTINERI: Thank you for your  
6 testimony tonight. You're aware that Cedarville  
7 University has an array next to the college?

8 THE WITNESS: Yes. It's a very  
9 small array. Do you know how many watts it  
10 generates?

11 MR. SETTINERI: I don't. I'll ask  
12 the questions.

13 THE WITNESS: Oh, sorry.

14 MR. SETTINERI: No, that's fine.  
15 Is it approximately 10 acres?

16 THE WITNESS: Or less. Probably  
17 closer to five.

18 MR. SETTINERI: Okay. And some of  
19 that solar array is used by the university?

20 THE WITNESS: Yes.

21 MR. SETTINERI: And that solar  
22 array is next to a residential neighborhood,  
23 correct?

24 THE WITNESS: Yes.

25 MR. SETTINERI: Thanks.

1 MR. HICKS: Mr. Van Kley?

2 MR. VAN KLEY: I take it from your  
3 remarks that you're with Cedarville University?

4 THE WITNESS: Yes.

5 MR. VAN KLEY: Okay. And do you  
6 know what the wattage of Cedarville's solar array  
7 is?

8 THE WITNESS: I do not.

9 MR. VAN KLEY: Okay. All right.  
10 Thank you.

11 MR. HICKS: Up next is Krista  
12 Harding and on deck is Robbie Harding. Krista or  
13 Robbie? Okay. And next on our list is Virginia  
14 Pinkerton.

15 THE WITNESS: I got off to a bad  
16 start stepping on something tonight already.

17 MR. HICKS: Well, it can only go  
18 up from here.

19 THE WITNESS: That's right.

20 MR. HICKS: Would you raise your  
21 right hand, please?

22 (WHEREUPON, the witness was  
23 sworn.)

24 MR. HICKS: Okay. Could you  
25 please state and spell your name for the record?

1 THE WITNESS: Virginia Pinkerton,  
2 P-I-N-K-E-R-T-O-N.

3 MR. HICKS: And could you please  
4 provide your address including the township?

5 THE WITNESS: Yes. I live in  
6 Cedarville Township at 3676 Cortsville Road in  
7 Cedarville. And I am about four or five miles from  
8 the area. But I have grandchildren living in the  
9 area.

10 MR. HICKS: In the project area?

11 THE WITNESS: In the project area.

12 MR. HICKS: Okay. And are you an  
13 intervenor in the case?

14 THE WITNESS: No. I am not.

15 MR. HICKS: Okay. Please go ahead  
16 with your testimony.

17 THE WITNESS: Okay. First of all,  
18 I want to thank you people. This is a long day for  
19 you. I apologize but I'll go quickly. I'm a  
20 75-year-old third generation resident of Cedarville  
21 Township with 16 members of my immediate family  
22 living in this area. I'm here tonight to oppose  
23 the installation of solar panels on the farmland of  
24 our area. I drive the Clifton Road from the Route  
25 72 and the Wilberforce Clifton Road and the

1 Cedarville Yellow Springs Road several times a  
2 week. With solar panels installed, I would miss  
3 watching the changing of the landscape as the  
4 seasons change. This farmland is an area that is  
5 very fertile and very high-yielding. We farmers  
6 are in the business of feeding the growing  
7 population of the world through hard work,  
8 determination, and grit. It is our way of life and  
9 we like it and it is good. Our family is hopeful  
10 that OPSB will vote against the Kingwood project  
11 that would save our scenic area and our fertile  
12 fields for the harvest that feeds America. Thank  
13 you so much for your time.

14 MR. HICKS: Questions from the  
15 parties?

16 MS. FRENCH: (Shaking head.)

17 MS. MERTZ: (Shaking head.)

18 MR. VAN KLEY: (Shaking head.)

19 MR. SETTINERI: (Shaking head.)

20 MR. HICKS: Okay. Thank you. Up  
21 next is Steven Stewart and on deck is Lamar  
22 Spracklen.

23 THE WITNESS: Hello.

24 MR. HICKS: Hi. Please raise your  
25 right hand.

1 (WHEREUPON, the witness was  
2 sworn.)

3 MR. HICKS: Okay. Could you  
4 please state and spell your name for the record.

5 THE WITNESS: My name is Steven H.  
6 Stewart. S-T-E-V-E-N, H, S-T-E-W-A-R-T.

7 MR. HICKS: Okay. Could you  
8 please provide your address including the township?

9 THE WITNESS: My address is 3884  
10 State Route 72 North. It's Cedarville, Ohio.

11 MR. HICKS: And township?

12 THE WITNESS: Miami Township.

13 MR. HICKS: I'm sorry?

14 THE WITNESS: Miami Township.

15 MR. HICKS: And do you live or  
16 work in the project area?

17 THE WITNESS: I live in there.

18 MR. HICKS: Okay. And are you an  
19 intervenor in the case?

20 THE WITNESS: No, sir.

21 MR. HICKS: Okay. Please go  
22 ahead.

23 THE WITNESS: I just wanted to  
24 make a few comments based on some major concerns.  
25 We supposedly, proposal for about 33 acres with a

1 major water shed running down through the middle  
2 of, right across in front of my property, which is  
3 approximately about 1,100 feet of road frontage  
4 straight out the front door which would be engulfed  
5 in the whole peripheral vision of my road frontage.  
6 My main concerns with this project is that being in  
7 this area, with the Gorge, the runoff, concerns me.  
8 With the panels that I believe produce what they  
9 call an EMS radiation, the disposal of these panels  
10 when they have reached their life expectancy and  
11 who's going to be responsible for those? Because,  
12 you know, we can make a commitment based on a deal  
13 right now but 30 or 40 years from now, who's really  
14 going to be responsible for cleaning this stuff up?

15                   And I think that is a serious  
16 concern. So it's not passed on to someone else and  
17 passed on to someone else and passed on to someone  
18 else and we all know how that game works. And I  
19 believe that I've got health issues, respiratory  
20 issues and I got a predominant south wind to west  
21 year round. That's going to blow straight in at  
22 the front of my house all the time. And concerns  
23 about the tornadoes come up. I've been hit by a  
24 tornado out there at my property. I've lived there  
25 for 11 and a half years and it's a concern. It's



1 wind alley right through there and the tornado on  
2 April 3rd of '18. It went straight through down  
3 Clifton Road right through, excuse me, my place and  
4 many others.

5 That watershed runs down through  
6 the middle of that 33 acres, goes right into the  
7 Clifton Gorge. I want to know how that's going to  
8 be protected and I'd like to actually read answers  
9 on that, please, on how that's going to be  
10 protected and if these panels are a requisite and  
11 if, and God for sake they are, I hope that the  
12 landowners that agreed to do this, if it is passed,  
13 will be responsible for cleaning them up if the  
14 company that puts them up doesn't clean them up.  
15 You know 30, 40 years from now is a long time. A  
16 lot of us won't even be around here to see what  
17 happens but our kids and grandkids will be. And  
18 that's a very serious concern of mine and I'm sure  
19 it's for everybody.

20 This energy that's going to be  
21 produced from these panels goes to the East Coast.  
22 Let them build them out there on the East Coast.  
23 We don't want them here. I strongly oppose these  
24 panels. They're not healthy for anybody. They're  
25 not doing us any good here and the revenue coming

1 off of them? Come on now, let's get serious.  
2 We're talking about greed here. The money is going  
3 to probably be mismanaged like every bit of the  
4 money that we all pay taxes for already. The  
5 levies will keep coming. The tax increases will  
6 keep coming. State of Ohio allows every six years  
7 for the counties in the State of Ohio to raise your  
8 taxes, your property taxes. I don't think they've  
9 ever given money back. So I believe, that this  
10 money issue that's going to be generated is just a  
11 bunch of bull, okay? And there's too many greedy  
12 people involved in this. I can't believe that the  
13 pristine, beautiful area that I worked my whole  
14 life to obtain where I'm at is going to be trashed  
15 up and uglyed by these damn solar panels. And it's  
16 a shame and I strongly advise that this not be  
17 passed because it's not good for any of us.

18 MR. HICKS: Thank you, sir. Any  
19 questions from the Bench?

20 MS. FRENCH: (Shaking head.)

21 MS. MERTZ: (Shaking head.)

22 MR. HICKS: Questions from  
23 counsel?

24 MR. VAN KLEY: (Shaking head.)

25 MR. SETTINERI: (Shaking head.)

MR. HICKS: Okay. Thank you. Up next is Lamar Spracklen. Okay.

MR. WILLIAMS: To see a handle on where we are, we have 50 witnesses still registered to testify and we received testimony from 39 people to this point. Again, if you have heard what you wanted to say and you want to be registered as attending and agreeing with one side or the other, you're welcome to see Board staff on the way out the door. Otherwise, we'll continue to proceed. Our next two witnesses are Randy Wilson followed by Bonnie Wilson.

MR. HICKS: Sorry. I got distracted. Could you raise your right hand?

(WHEREUPON, the witness was sworn.)

MR. HICKS: Would you please state and spell your name for the record, please?

THE WITNESS: My name is Randy, R-A-N-D-Y, Wilson, W-I-L-S-O-N.

MR. HICKS: And your address, sir?

THE WITNESS: My address is 3345 Wilberforce Clifton Road. That's in Miami Township.

MR. HICKS: Do you live or work

1 within the project area?

2 THE WITNESS: I live within the  
3 project area. I am retired.

4 MR. HICKS: And are you an  
5 intervenor in the case?

6 THE WITNESS: No. I am not.

7 MR. HICKS: Please proceed, sir.

8 THE WITNESS: I am an adjoining  
9 landowner of the proposed Kingwood Solar project in  
10 Greene County and I wanted to express my position  
11 on the project tonight. I support the Kingwood  
12 Solar project. I will be able to see the panels  
13 from my home both immediately behind me since I am  
14 adjoined to a field that's going to hold the panels  
15 and as well as probably in front of me although  
16 it'll be several 100 yards away from me at that  
17 point. But despite that, I'm comfortable with the  
18 project and I'm very comfortable with the  
19 landscaping plan that I've seen to minimize the  
20 impact to area views.

21 I don't see the project as a  
22 negative. I am pro-solar in my outlook and I  
23 believe that we desperately need to transition the  
24 electrical grid away from fossil fuels to provide  
25 for a secure environment and a future for our

1 children and grandchildren. The future cannot be  
2 coal plants on the Ohio River. The future is  
3 projects like Kingwood. Our area has been changing  
4 for years and it's not nearly the same place it was  
5 25 years ago when I moved into my house. I've  
6 watched more and more houses being built on  
7 farmland causing much more traffic and noise.

8 I miss the quiet and the minimal  
9 traffic of past years that made it safe to walk on  
10 the road. With the Kingwood Solar lands being  
11 leased, the land will be preserved for future  
12 return to farming and it will prevent the permanent  
13 loss of land to additional housing projects.  
14 Kingwood Solar will be taking land out of  
15 production and it will now allow the soils to rest,  
16 remain fallow and be regenerated with pollinators  
17 and natural grasses. Additionally, I believe the  
18 reduction of farming chemicals in use around my  
19 property will actually make our groundwater safer  
20 than it is today. I want to thank you for the  
21 opportunity to share my thoughts with you and hope  
22 you will take them into consideration.

23 MR. WILLIAMS: Thank you for your  
24 testimony. Any questions from the Board?

25 MS. FRENCH: (Shaking head.)

1 MS. MERTZ: (Shaking head.)

2 MR WILLIAMS: No questions. We're  
3 not going to entertain any from the  
4 cross-examination at this stage.

5 MR. VAN KLEY: It's not going to  
6 be friendly.

7 MR. WILLIAMS: Oh, I'm sorry.  
8 Please proceed.

9 MR. VAN KLEY: Have you signed  
10 what's called a Good Neighbor Agreement with the  
11 solar company?

12 THE WITNESS: I have not.

13 MR. VAN KLEY: Have you been  
14 promised any money by the solar company?

15 THE WITNESS: I have been. I have  
16 been sent a letter about the agreement but I have  
17 not taken any action on it yet.

18 MR. VAN KLEY: Do you plan to sign  
19 that agreement?

20 THE WITNESS: Yes, I do.

21 MR. VAN KLEY: And in that  
22 agreement that has been proposed to you, the solar  
23 company has offered to pay you money for signing  
24 the agreement?

25 THE WITNESS: Yes.

1 MR. VAN KLEY: Okay. Thank you.

2 No further questions.

3 MR. WILLIAMS: Thank you, sir.

4 Our next witness is Bonnie Wilson and our on deck

5 witness is Mark Fife.

6 Would you please raise your right

7 hand?

8 (WHEREUPON, the witness was

9 sworn.)

10 MR. WILLIAMS: Thank you. Please

11 state and spell your name for the record.

12 THE WITNESS: It's Bonnie,

13 B-O-N-N-I-E, Wilson, W-I-L-S-O-N.

14 MR. WILLIAMS: And your address?

15 THE WITNESS: 3345 Wilberforce

16 Clifton Road and that's Miami Township.

17 MR. WILLIAMS: Do you live or work

18 within the project area?

19 THE WITNESS: I am retired and I

20 do live within the project area.

21 MR. WILLIAMS: And are you an

22 intervenor in the case?

23 THE WITNESS: I am not.

24 MR. WILLIAMS: Please proceed.

25 THE WITNESS: Tonight I'd like to

1 talk about change. Whether we like it or not,  
2 change is the one conflict in life, sometimes it's  
3 even necessary. One thing that really needs to  
4 change is our use of fossil fuels for energy which  
5 is mainly burning coal in Ohio. There's a limit to  
6 these current resources and we really need to look  
7 now, start now and look at developing renewable  
8 replacement before things become dire as I know we  
9 are running out of these resources, probably in the  
10 not near future but in a very close time.

11 Now, we can put up windmills which  
12 I'm sure nobody would really like so solar power  
13 seems to be a good option and it may as well be in  
14 Greene County because let's face it, there's really  
15 never going to be somebody else that says, please  
16 put this in my backyard. And I do believe we do  
17 get benefits from the project being here. One  
18 change that I don't particularly care for is the  
19 number of houses that have been put up in the last  
20 20 or 25 years that we've lived here. How many of  
21 these farm acres, these same farm acres that we're  
22 talking about, have already been lost to the  
23 housing, not to mention the traffic and noise they  
24 have introduced?

25 Just tonight, I counted at least



1 50 cars in five minutes, 55 miles an hour going  
2 past my house. And this is without solar projects.  
3 But the farmers obviously need money and are  
4 selling off their land. Many times, it's really no  
5 longer safe to walk along the road where we live.  
6 Also, in 30 years from now, when this lease is up,  
7 if we decide that we really need the land for  
8 farming again, I understand the conversion is a  
9 fairly simple process. Whereas, I don't think  
10 we'll be tearing down too many houses if we need  
11 that farmland again. I support the Kingwood Solar  
12 project as I think the time is now for this kind of  
13 development and this really is the best alternative  
14 for the future.

15 MR. WILLIAMS: Thank you. Any  
16 questions from the Board?

17 MS. FRENCH: (Shaking head.)

18 MS. MERTZ: (Shaking head.)

19 MR. SETTINERI: I have a question.  
20 Ms. Wilson --

21 MR. WILLIAMS: Mr. Settineri,  
22 we're not going to have --

23 MR. SETTINERI: Mr. Van Kley was  
24 allowed to ask this question if her husband  
25 testified and also whether you and your husband

1 supported the project prior to receiving a Good  
2 Neighbor Agreement?

3 THE WITNESS: Yes, we did.

4 MR. SETTINERI: Thank you.

5 MR. WILLIAMS: Mr. Van Kley?

6 MR. VAN KLEY: Your husband is  
7 Randy Wilson who testified just before you, right?

8 THE WITNESS: Yes.

9 MR. VAN KLEY: Okay. Do you also  
10 plan to sign the Good Neighbor Agreement?

11 THE WITNESS: Most likely, yes.

12 MR. VAN KLEY: Okay. And you will  
13 be getting money as a result of that agreement if  
14 you sign?

15 THE WITNESS: If that's what the  
16 agreement says then that's what we will be getting.

17 MR. VAN KLEY: Okay. Thank you.

18 MR. WILLIAMS: Thank you. Our  
19 next witness is Mark Fife followed by Mike Uecker.

20 AUDIENCE MEMBER: Mark Uecker's  
21 gone.

22 MR. WILLIAMS: Thank you. The on  
23 deck witness will be Steve Adams then.

24 Good evening, Mr. Fife.

25 THE WITNESS: Good evening.

1 MR. WILLIAMS: Will you raise your  
2 right hand?

3 (WHEREUPON, the witness was  
4 sworn.)

5 MR. WILLIAMS: Thank you. Please  
6 state and spell your name for the record.

7 THE WITNESS: My name is Mark  
8 Fife, F-I-F-E.

9 MR. WILLIAMS: And your address?

10 THE WITNESS: 1139 Bradfute Road  
11 in Xenia Township.

12 MR. WILLIAMS: Do you live or work  
13 within the project area?

14 THE WITNESS: Both.

15 MR. WILLIAMS: And are you an  
16 intervenor in the case?

17 THE WITNESS: I am not.

18 MR. WILLIAMS: Please proceed.

19 THE WITNESS: As I stated earlier,  
20 my name is Mark Fife and I live with my wife at  
21 1139 Bradfute Road. We own property in both Xenia  
22 and Cedarville Township. Our house will directly  
23 overlook these solar panels. The surrounding  
24 family farm runs along both sides of Bradfute Road  
25 in Xenia and Cedarville Township. It has been

1 especially important for my parents to sustain the  
2 farm and with their direction, I have managed,  
3 maintained and improved our farm with the help of  
4 other family members.

5                   In the Fall of 2018, we were  
6 approached by the company that is now known as  
7 Vesper to lease acres for the solar project. Our  
8 family voted overwhelmingly to participate in this  
9 solar project. It's my belief that this venture of  
10 Kingwood supports sustainability of our farm while  
11 they need positive contributions on a broader  
12 scale. My family members that support this project  
13 believe that solar energy, being a green energy  
14 source, will help decarbonize electrical generation  
15 and therefore reduce greenhouse gases. Our society  
16 is at a very critical junction as far as energy  
17 production and usage to this concern.

18                   The U.S. is the second largest  
19 energy consumption per capita in the world. And  
20 which one of us as a society are willing to use  
21 less energy? So we have this conflict that we want  
22 the energy, how do we generate it? The demand is  
23 increasing and generating power via fossil fuel  
24 will continue to disperse harmful emissions.  
25 Kingwood will contribute to the already straining

1 power grid in a cleaner, healthier way. In  
2 addition, it will allow farmers to diversify while  
3 keeping their land intact for future generations.  
4 I believe that the citizens who own the acres in  
5 Greene County, should be able to control the  
6 destiny of their own property. After all, they are  
7 the ones who, through the years, decades and  
8 generations have cultivated those acres to be  
9 green. This is our opportunity to cultivate green  
10 energy. Thank you.

11 MR. WILLIAMS: Thank you, sir.

12 Any questions from the Bench?

13 MS. FRENCH: (Shaking head.)

14 MS. MERTZ: (Shaking head.)

15 MR. WILLIAMS: Any questions from  
16 either party?

17 MR. VAN KLEY: (Shaking head.)

18 MR. SETTINERI: (Shaking head.)

19 MR. WILLIAMS: Thank you for your  
20 testimony this evening. Our next witness is Steve  
21 Adams followed by John Hochsteffler.

22 Good evening, Mr Adams.

23 THE WITNESS: Good evening.

24 MR. WILLIAMS: Would you raise  
25 your right hand?

1 (WHEREUPON, the witness was  
2 sworn.)

3 MR. WILLIAMS: Please state and  
4 spell your name for the record.

5 THE WITNESS: My name's Steve  
6 Adams --

7 MR. WILLIAMS: And are you --

8 THE WITNESS: S-T-E-V-E,  
9 A-D-A-M-S.

10 MR. WILLIAMS: And your address,  
11 sir?

12 THE WITNESS: 3258 Harbison Road,  
13 Cedarville, Ohio, Miami Township.

14 MR. WILLIAMS: Do you live or work  
15 within the project area?

16 THE WITNESS: I live adjacent and  
17 I'm a full-time resident living adjacent to the  
18 project.

19 MR. WILLIAMS: Thank you, sir.  
20 And are you an intervenor in the case?

21 THE WITNESS: No.

22 MR. WILLIAMS: Please proceed.

23 THE WITNESS: Once again, our  
24 government believes they have figured out what will  
25 save the world. If they plan to achieve it by

1 funneling money to cash hungry corporations willing  
2 to get rich as false profits of green energy. So  
3 here we are trying to defend our community against  
4 the gross disregard of zoning walls and land use --  
5 -

6 MR. WILLIAMS: Sir, I'm sorry to  
7 interrupt. Could you please slow down just a  
8 little bit? She needs to --

9 THE WITNESS: I sure can. I'll do  
10 more than that. The land use plan was established  
11 by and for our townships and counties. Let's not  
12 forget this area's own agricultural use and just  
13 because you put items in a row and they all look  
14 the same does not make it a farm. If I put my  
15 trash bags and tire rods on my property, have I  
16 created a farm? And you'll have to, I'll have to  
17 apologize for my lowly personality many of these  
18 leaseholders turn their nose up at.

19 It is the best I could do to  
20 provide my kids an opportunity to actively work a  
21 homestead. I've discovered during my involvement  
22 with this project that if a question can't be  
23 answered with Vesper's usual propaganda, you simply  
24 will not receive one. During the public  
25 information meeting, I witnessed an interaction

1 with the fourth project manager, Dylan Stickney. I  
2 do not recall hearing an answer to any question  
3 that did not come into some form of I don't know or  
4 I'll have to look into it. At this time, Vesper  
5 was trying to verbally appease the maximum promises  
6 of one thing or another. When asked how they were  
7 documenting the promises being made at the  
8 community and if they were ensured the promises  
9 would be made conditions of the certificate, Dylan  
10 Stickney was dumbfounded.

11 As if surprised, by the fact the  
12 community would actually expect those promises to  
13 be kept. Likewise, the young project engineer who  
14 sprints off a plane from California had too many  
15 unanswered questions for a subject matter expert.  
16 It was painfully obvious they lack the knowledge  
17 and experience that Vesper wants us to believe they  
18 have. The application is drafted in a similar  
19 manner. It is full of vague statements and  
20 oversimplified solutions to topics of serious  
21 concern. They just want the OPSB to grant the  
22 certificate and the contractor they sell it to will  
23 sort it all out later.

24 No one in their right mind would  
25 enter into a personal or business contract with



1   ambiguous language describing the statement of  
2   work. Why is this the same language acceptable  
3   with such a large scale power plant proposal?  
4   Vesper wants you to believe there is community  
5   support for the fact Dylan Stickney has quoted that  
6   they have recreated claims to have a solid support  
7   base from others within the community. This  
8   precise support assembly isn't there as you can see  
9   tonight. Aside from the view that have sold out  
10   the community through leases, a few have been  
11   bought with these so called, Good Neighbor  
12   Agreements. These agreements are nothing more than  
13   hush money.

14                   Vesper holds these people hostage  
15   with courtesy, like viewshed and courtesy issues  
16   that should be implemented in the first place.  
17   Vesper is willing to be neighborly if you keep  
18   quiet. The only people being neighborly in  
19   Cedarville are the people trying to prevent our  
20   community from being taken advantage of by Vesper.  
21   We are a target of opportunity. It is simply about  
22   making the most money in the quickest way possible.  
23   And according to their Good Neighbor Agreement, and  
24   I quote, construction is scheduled to begin in 2022  
25   as if this application is a certainty. Vesper's

1 deliberately misleading this community. I ask you  
2 to avoid buying into this deception and deny this  
3 project.

4                   The process to bring a solar based  
5 plant to a state of usual, Carmanah Manufacturing  
6 means that any other time would be raged against.  
7 However, some are willing to turn a blind eye to  
8 this very little secret for the sake of Vesper's  
9 green energy. To believe the energy generated by  
10 these sides counteract the adverse effects who were  
11 trained by minor manufacturing and installing the  
12 equipment, that's foolishness. The technology is  
13 simply not there yet. And speaking of  
14 manufacturing, Vesper replied that solar panels  
15 will be built in America, if they make no  
16 commitment to buy equipment made in America.

17                   Cheap labor and cheap material  
18 will be the word of the day. If they can get  
19 around paying union wages, they will. The  
20 materials will be straight from China. This  
21 project is not improving our community, state or  
22 environment. It is about making money. Tonight is  
23 the first time I'm hearing about Vesper's crew  
24 assuming they were family and friends at a sick  
25 bedroom, of a sick bedroom man and entered his

1 home. I find this disgusting. It demonstrates the  
2 caliber of people they are. In conclusion, I ask  
3 you to rule in favor of this community and deny the  
4 Kingwood application.

5 MR. WILLIAMS: Thank you for you  
6 testimony, Mr. Adams. Any questions from the  
7 Bench?

8 MS. FRENCH: (Shaking head.)

9 MS. MERTZ: (Shaking head.)

10 MR. WILLIAMS: There's a question  
11 from counsel.

12 MR. SETTINERI: Thank you for your  
13 testimony. My question, are you related to any  
14 intervenors in the case?

15 THE WITNESS: Yes.

16 MR. SETTINERI: And who would that  
17 be?

18 THE WITNESS: Jennifer Adams.

19 MR. SETTINERI: And what's the  
20 relation?

21 THE WITNESS: Spouse.

22 MR. SETTINERI: Thank you, sir.

23 MR. WILLIAMS: Thank you for your  
24 testimony, sir. Our next witness is John  
25 Hochsteffler followed by Patricia Fife. John

1 Hochsteffler?

2 AUDIENCE MEMBER: I think John  
3 went home.

4 MR. WILLIAMS: Thank you.  
5 Patricia Fife, followed by Natalie Pitstick.

6 Good evening, Ms. Fife.

7 THE WITNESS: Good evening.

8 MR. WILLIAMS: Would you raise  
9 your right hand?

10 (WHEREUPON, the witness was  
11 sworn.)

12 MR. WILLIAMS: Thank you. Please  
13 state and spell your name for the record.

14 THE WITNESS: My name is Patricia  
15 Fife, P-A-T-R-I-C-I-A, F-I-F-E.

16 MR. WILLIAMS: And your address?

17 THE WITNESS: 1139 Bradfute Road  
18 in Xenia Township.

19 MR. WILLIAMS: Do you live or work  
20 within the project area?

21 THE WITNESS: Yes.

22 MR. WILLIAMS: Which?

23 THE WITNESS: I live.

24 MR. WILLIAMS: Thank you. And are  
25 you an intervenor?

1 THE WITNESS: No. I am not.

2 MR. WILLIAMS: Please proceed.

3 THE WITNESS: Thank you. I am  
4 here in support of the Kingwood Solar Farm. My  
5 husband is a long-time resident of Xenia Township  
6 and a seventh generation caring for the farm. We  
7 live on land that was part of the farm and my  
8 husband manages the workings of the crop and animal  
9 production that goes on today. The family voted in  
10 favor of putting part of the farm into Kingwood and  
11 we intend to continue living here and make our home  
12 where it is now. We practice good stewardship.  
13 We'll continue to do so and we accept that solar  
14 panels will be part of our view. I support  
15 Kingwood because of the Farm Bureau reports.

16 Ohio is decommissioning all  
17 coal-fired power plants while energy demands  
18 increase. Changes must be made in our energy  
19 sector and I believe that solar energy leans into a  
20 healthier and more sustainable future. There is  
21 concern that the energy generated at Kingwood will  
22 not stay in this area, therefore, not serve local  
23 communities. At present, Ohio is one of several  
24 states served by a large, common electrical grid.  
25 And electricity has already moved long distances

1 from its source to serve wide areas.

2 Consider for a moment the farm  
3 commodity. Do all the crops and/or animals raised  
4 by farmers on our local lands stay in the area only  
5 to serve nearby communities? Of course not. They  
6 are transported away and likely end up in distant  
7 markets. I support Kingwood because solar energy  
8 relative of, to other sources is non-polluting as  
9 noted in the Power Siting Board report. Burning a  
10 fossil fuel is hands-down the greatest polluting  
11 energy source. Threats to air and water quality,  
12 health costs, harmful emissions and loss of  
13 agricultural output are all serious consequences of  
14 continual reliance on fossil fuels. Using solar  
15 power to replace an even small portion of coal, oil  
16 and/or natural gases is beneficial to my neighbors  
17 and beyond.

18 I support Kingwood because I  
19 believe the solar farm will allow land to  
20 regenerate. Large-scale farming practices  
21 typically result in land degradation and in order  
22 to increase output, farmers must rely on ever  
23 increasing doses of synthetic fertilizers,  
24 herbicides and pesticides year after year. Some of  
25 these have been proven to negatively affect water

1 quality, biodiversity and human health. Decreased  
2 use of agricultural chemicals and establishment of  
3 pollinator species as Kingwood intends will be  
4 beneficial to my neighbors and beyond.

5 I support Kingwood because  
6 landowners who have signed leases are being told by  
7 opponents that farmland should be preserved.  
8 Essentially, that those farmers must continue to  
9 farm. Why do people who don't own the land or work  
10 the land have the right to decide how it should be  
11 used? If Kingwood is denied and the landowner then  
12 decides to sell their acreage for a housing tract  
13 or industrial park, will there be another battle to  
14 stop that? Can I only do with my land what my  
15 neighbors believe will suit them? I believe a  
16 dangerous precedent is being set if that becomes  
17 reality. Thank you.

18 MR. WILLIAMS: Thank you, Ms.  
19 Fife. Any questions from the Bench?

20 MS. FRENCH: (Shaking head.)

21 MS. MERTZ: (Shaking head.)

22 MR. WILLIAMS: Mr. Van Kley?

23 MR. VAN KLEY: Just one question.  
24 You're married to Mark Fife who testified earlier  
25 tonight, yes?

1 THE WITNESS: Yes.

2 MR. VAN KLEY: Thank you.

3 MR. WILLIAMS: Thank you. Our  
4 next witness is Natalie Pitstick. And our on deck  
5 witness is Karyn Stillwell Curvent. Natalie  
6 Pitstick is not here. Karyn Stillwell Curvent?

7 AUDIENCE MEMBER: She left. She  
8 is not here.

9 MR. WILLIAMS: Our next witness is  
10 Steve Curvent.

11 AUDIENCE MEMBER: He's gone.

12 MR. HICKS: Next on the list is  
13 Kristy Christian. And on deck is John Kyle.  
14 Could you please raise your right  
15 hand?

16 (WHEREUPON, the witness was  
17 sworn.)

18 MR. HICKS: Okay. Please state  
19 and spell your name for the record.

20 THE WITNESS: Kristy Christian,  
21 K-R-I-S-T-Y, Christian, C-H-R-I-S-T-I-A-N.

22 MR. HICKS: Okay. And could you  
23 please provide your address including the township?

24 THE WITNESS: 3778 Cortsville  
25 Road, Cedarville, Ohio, Cedarville Township.



1 MR. HICKS: Okay. And do you live  
2 or work in the project area?

3 THE WITNESS: No.

4 MR. HICKS: And are you --

5 THE WITNESS: About a mile from  
6 there, a couple miles from there.

7 MR. HICKS: Okay. And are you an  
8 intervenor in the case?

9 THE WITNESS: No.

10 MR. HICKS: Okay. Please go  
11 ahead.

12 THE WITNESS: I came here tonight  
13 to support my family who lives, has a home right  
14 there in the middle of everything. And I was  
15 planning on coming up here just to say I wanted to  
16 go on record that I oppose the project and I still  
17 want to say that but I'd like to go on record that  
18 I oppose the project. But through the evening just  
19 listening to what's been being said, I was like,  
20 well, I might have something else to say. So I  
21 keep thinking like 30 years from now or 40 years, I  
22 can't, I've heard both, how long these solar panels  
23 are going to last. And I keep thinking about how  
24 technology is quickly moving and my computer is in  
25 my, you know, purse. Now I can do everything on my

1 computer on my phone.

2 And, you know, 40 years ago the  
3 computer like almost filled this room and so I keep  
4 thinking, there's got to be a better way. I just  
5 feel like, I mean, solar. I'm for solar energy. I  
6 would love to buy something to put on the roof of  
7 my house but I just can't imagine trying, trying to  
8 understand why we would want to put these solar  
9 panels here. It's a freight camp. So many kids  
10 from all across Ohio come during the weeks of  
11 summer from different counties. Clark County is  
12 one week. Greene County is one week. Shelby  
13 County is another week. And hundreds of kids come  
14 enjoy 4-H Camp Clifton. There's Girl Scout Camp.  
15 There's John Bryan State Park. There's the Clifton  
16 Gorge, The Clifton Mill. There's just so many  
17 beautiful things in this area and I just, I can't  
18 understand that, why, I just don't. I don't get,  
19 why there?

20 It seems like, you know, I keep  
21 hearing a lot of people will benefit from this and  
22 it doesn't seem like that to me. We support our  
23 school levies. We trust our School Board to use  
24 their money wisely. We don't get asked excesses of  
25 amounts for levies I don't think. And, I don't,

1     there will be people that are benefitting but it  
2     won't be the community is what my concern is.  
3     There have been homes built in the area but because  
4     I've lived here by whole life, I know the homes, a  
5     lot of the homes built in the area were built like,  
6     a grandfather gave his land to his grandchildren  
7     and they, or his children. And so, they, it's  
8     homes built from people who, it was their land. So  
9     I know people are saying that they're tired of  
10    seeing homes built but it's kind of, that's what  
11    I've noticed is that it's already the families that  
12    I, so I guess that's it. I just would like to go  
13    on record to say I oppose and thank you for at  
14    least giving everybody a voice here tonight. We  
15    appreciate that.

16                   MR. HICKS: Thank you. Any  
17    questions from the Bench?

18                   MS. FRENCH: (Shaking head.)

19                   MS. MERTZ: (Shaking head.)

20                   MR. HICKS: Mr. Settineri?

21                   MR. SETTINERI: No.

22                   MR. HICKS: Thank you. Up next, I  
23    believe it's John Kyle but I might be wrong on the  
24    first name. And on deck is Carla Markley.

25                   Could you please raise your right

1 hand?

2 (WHEREUPON, the witness was  
3 sworn.)

4 MR. HICKS: Please state and spell  
5 your name for the record.

6 THE WITNESS: John Kyle, K-Y-L-E.

7 MR. HICKS: Can you please provide  
8 your address including the township?

9 THE WITNESS: 2490 Clark Run Road.  
10 The house is in Xenia Township. The farm is in  
11 both Xenia and Cedarville.

12 MR. HICKS: Okay. And do you live  
13 or work in the project area?

14 THE WITNESS: Yes.

15 MR. HICKS: Okay. And are you,  
16 live and work?

17 THE WITNESS: Both.

18 MR. HICKS: Okay. And are you an  
19 intervenor in the case?

20 THE WITNESS: No.

21 MR. HICKS: Please go ahead with  
22 your testimony.

23 THE WITNESS: I'm in favor of the  
24 project. I'm a leaseholder in the deal and the  
25 main reason, I had two things. The first thing

1 was, would they take it out at the end of the  
2 project? And actually, I had attorneys go over  
3 that and the clauses are there. If they break the  
4 lease, you know, whatever, we don't have to deal  
5 with that. So if the thing goes 30 years, fine.  
6 If it goes 20, they'll take it out and we'll be,  
7 whoever buys that out whether it's switched, you  
8 know, down the road, down the road. It has to be  
9 taken out if they don't renew the lease properly.

10           The other reason is keep farm in  
11 family. I share some ancestors with several other  
12 people who have talked, both pro and against. And  
13 we've been in there about 200 years on that section  
14 in the lineup. And we're kind of ready to get out  
15 of the lease, at least another generation or so. I  
16 provide some income for my grandchildren to go to  
17 college some day. I don't plan on moving out of  
18 the area. I'm going to live with this stuff,  
19 there's panels on three sides of my house and I'm  
20 not particularly worried about it. The farmland  
21 that's been talked about, I manage farms in five  
22 counties, got 4,000 some acres. I wish the farming  
23 we had was as good as some of those. That land is  
24 average at best. This idea of prime farmland, it  
25 is pretty. It's got trees and grapes and all of

1 that.

2                   It's pretty but it's not the  
3 high-yielding land. We've got about, out of our  
4 240 fillable acres, about 60 of it be classed as  
5 well. The rest of it, I'll trade you for anything  
6 in Fayette County anytime. And up the other end,  
7 the east end, it's about the same way. There's  
8 probably 200 acres of really good farmland up  
9 there. So that's 300 or so out of the 1,500. That  
10 is prime. The other is farmable. It's not  
11 horrible but it's rocky, it's droughthy. If we  
12 don't get rain in July and August, crops be cut in  
13 half. So this is not prime farmland for corn and  
14 soybean, which is what we grow. The ancestors like  
15 it because you could grow good hay off of milgrain  
16 soil like wheat and livestock. We can't afford to  
17 do those things anymore.

18                   The livestock industry has  
19 changed. I use to farm on this farm where we are,  
20 \$1,500 a year. We don't raise any of those because  
21 there's no market for it unless we are tied into a  
22 major packer erasing, at least 5,000 cases in one  
23 location. I'm not going to do that, too old for  
24 one thing. But if the way, you know, I understand  
25 the leverages but people, the arguments against

1 this plan would seem to fit every solar farm in the  
2 state. Maybe in every state. If you like your  
3 neighborhood and it's pretty, nobody wants it to  
4 change. But we need solar energy to supplement, I  
5 don't think we'll ever replace fossil fuel but to  
6 make it last longer. We have to have natural gas  
7 for fertilizer. It's not just for electricity.  
8 It's fertilizer for homes heat. We need coal to  
9 make steel, not just for electricity. We have to  
10 have coal to make coke to make steel. And we don't  
11 have steel, we don't have much of the so  
12 production. So those things aren't going to go  
13 away but I think we can have a little bit of  
14 everything.

15 I'd like to see a nuclear plant  
16 wherever there's enough water to keep it cool  
17 somewhere. There's one up on Lake Erie and that  
18 could be expanded. And the fact we wouldn't need  
19 solar or wind if we have enough nuclear. But I  
20 don't think that would pass any public inspection  
21 or popularity contest any more than these panels  
22 do. But the panels are relatively passive.  
23 They're low-maintenance. I have a friend in  
24 Nebraska that got a wind contract offered to him.  
25 When the windmill's bearings go out and they quit

1 spinning, he owns it. They do not take it out.  
2 That's a big pile of steel and fiberglass and other  
3 things. If, I don't know what he's going to do  
4 with it. He figures it will out live him so he's  
5 going to go with it. But these panels are not  
6 concreted in. They're postmarked and they can be  
7 taken out relatively simply. So that's why I think  
8 the project would work. Thank you for your time.

9 MR. HICKS: Just one second, sir.  
10 Questions here?

11 MS. FRENCH: (Shaking head.)

12 MS. MERTZ: (Shaking head.)

13 MR. HICKS: Questions?

14 MR. VAN KLEY: (Shaking head.)

15 MR. SETTINERI: (Shaking head.)

16 MR. HICKS: Okay. Thank you for  
17 your testimony. Up next is Carla Markley and on  
18 deck is Tom Markley.

19 Please raise your right hand.

20 (WHEREUPON, the witness was  
21 sworn.)

22 MR. HICKS: Okay. Please state  
23 and spell your name for the record.

24 THE WITNESS: Carla Markley,  
25 C-A-R-L-A, M-A-R-K-L-E-Y.



1 MR. HICKS: Could you please  
2 provide your address including the township?

3 THE WITNESS: 3169 Larkins Road,  
4 Cedarville. And that's in Miami Township.

5 MR. HICKS: And do you live or  
6 work in the project area?

7 THE WITNESS: Live. My husband's  
8 a farmer so kind of work, both.

9 MR. HICKS: Okay. And are you an  
10 intervenor in the case?

11 THE WITNESS: No.

12 MR. HICKS: Please go ahead with  
13 your testimony.

14 THE WITNESS: Okay. I want to  
15 thank you for the opportunity to be here tonight  
16 and thank you for listening to our position on the  
17 Kingwood Solar project. I have lived in Greene  
18 County my whole life, my husband's farm and I was  
19 the rural mail carrier for The U.S. Postal Service  
20 for 38 years. We live on Larkins Road and have  
21 lived here for 41 years. We raised four children  
22 on the farm. We are part of the Kingwood Solar  
23 project and if the project is installed, Tom will  
24 continue to farm.

25 I say this because in many cases,

1 farmers will continue to farm and those who were  
2 going to retire or don't have kids to pass onto  
3 their farms to are going to sell their land in any  
4 way. Being a part of the solar project allows us  
5 to keep the land in our families and provide income  
6 that is necessary for us to continue to farm. This  
7 is what is best for our family and for our farm.  
8 We paid a lot of taxes over the years and have  
9 taken the loss. County nor our neighbors should be  
10 able to dictate on our land, how our land is used.  
11 If we are operating inside the regulatory framework  
12 that was afforded to us by our government, which we  
13 are. If you like to eat and you like to keep the  
14 lights on, I suggest we move forward with the  
15 Kingwood Solar. Thank you.

16 MR. HICKS: Thank you. Questions  
17 from the Bench?

18 MS. FRENCH: (Shaking head.)

19 MS. MERTZ: (Shaking head.)

20 MR. HICKS: Questions, counsel?

21 MR. VAN KLEY: (Shaking head.)

22 MR. SETTINERI: (Shaking head.)

23 MR. HICKS: Okay. Thank you. Up  
24 next is Tom Markley.

25 THE WITNESS: I turned my written

1 statement in.

2 MR. HICKS: Okay. And that will  
3 take us to Emilie Tyree.

4 AUDIENCE MEMBER: She passes.

5 THE WITNESS: I pass.

6 MR. HICKS: Okay. Elizabeth  
7 Kelly, and on deck is Michelle Baldwin.

8 Please raise your right hand.

9 (WHEREUPON, the witness was  
10 sworn.)

11 MR. HICKS: Could you please state  
12 and spell your name for the record?

13 THE WITNESS: Elizabeth Markley or  
14 Elizabeth Kelly, K-E-L-L-Y.

15 MR. HICKS: Could you please  
16 provide your address including the township?

17 THE WITNESS: Yep. 5674  
18 Springfield Xenia Road, Springfield. And it's  
19 Greene Township.

20 MR. HICKS: And do you live or  
21 work in the project area?

22 THE WITNESS: No.

23 MR. HICKS: Okay. And are you an  
24 intervenor in the case?

25 THE WITNESS: No.

1 MR. HICKS: Okay. Please go  
2 ahead.

3 THE WITNESS: I live in Clark  
4 County. However, I grew up in Greene County and my  
5 parents are part of the solar project. My parents  
6 worked tirelessly their whole lives to provide for  
7 our entire family. My dad was, has kept farming  
8 going for everyone in my family. My dad missed out  
9 on sports events and family activities to take care  
10 of the farm and his family. I am not sure how to  
11 say this in any other way than just to say it but  
12 we had some, the same couch for my entire life and  
13 there are holes in our Linoleum meaning that my  
14 parents put everything back into the farm at the  
15 expense of luxury and new things in our home.

16 Solar farms in Ohio provide our  
17 rural communities and people like my dad the  
18 opportunity to have additional revenue that would  
19 not typically happen without these investments.  
20 Under the agreement with Kingwood Solar, the land  
21 stays with our family for generations to come.  
22 This is very atypical for other development  
23 opportunities. Please consider landowner rights  
24 when you are making a decision on this project.  
25 Thank you.

1 MR. HICKS: Thank you. Questions  
2 from the Bench?

3 MS. FRENCH: (Shaking head.)

4 MS. MERTZ: (Shaking head.)

5 MR. HICKS: Questions from  
6 counsel?

7 MR. VAN KLEY: (Shaking head.)

8 MR. SETTINERI: (Shaking head.)

9 MR. HICKS: Okay. Thank you. Up  
10 next is Michelle Baldwin. And on deck is Robert  
11 Trout.

12 Please raise your right hand.

13 (WHEREUPON, the witness was  
14 sworn.)

15 MR. HICKS: Please state and spell  
16 your name for the record.

17 THE WITNESS: Michelle Baldwin,  
18 M-I-C-H-E-L-L-E, B-A-L-D-W-I-N.

19 MR. HICKS: Could you please  
20 provide your address including the township?

21 THE WITNESS: 2819 Harbison Road.  
22 And that's in Cedarville Township.

23 MR. HICKS: And do you live or  
24 work in the project area?

25 THE WITNESS: I live in the

1 project area.

2 MR. HICKS: Okay. And are you an  
3 intervenor in the case?

4 THE WITNESS: I am not. I am a  
5 member of Citizens for Greene Acres but I'm not an  
6 intervenor on this case. I'm speaking on my own  
7 behalf.

8 MR. HICKS: Okay. Please proceed.

9 THE WITNESS: Hi. I want to start  
10 out by saying, thanks for the opportunity to speak  
11 tonight. I really appreciate that and the  
12 opportunity to speak and be heard. My name is  
13 Michelle Baldwin. I'm a resident of Greene County,  
14 as I previous stated. More specifically, I live in  
15 Cedarville Township. And with my husband and my  
16 two boys, we own land that would sit across from or  
17 abut be proposed, or the proposed large solar scale  
18 facility. I would like to express my strenuous and  
19 heartfelt opposition to this project. We love  
20 Cedarville. It's a small, safe, rural farm  
21 community where community is more than a word and  
22 neighbors look after each other.

23 My husband's a third generation  
24 farmer in the area and we strive to be good  
25 stewards of the rich land, which generations of my

1 husband's family have put much work, sweat, blood  
2 and sometimes tears in too over the years. We  
3 believe that farm grounds is one of our most  
4 precious, renewable resources on this earth and  
5 make no mistakes. The ground that's here marked  
6 for this project is rich and highly productive farm  
7 ground. Never has it been more clear in light of  
8 this recent pandemic that we as a society need to  
9 be up to the skill in our food sources. Taking  
10 rich soil for farming out of production for use in  
11 solar facilities is not only counterproductive,  
12 it's heartbreaking. It will also change the state  
13 and the heart of our community, the very fashions  
14 of our community in Cedarville.

15 In closing, to quote a line off  
16 the famous author, Mark Work, I quote, land is the  
17 only thing in the world worth working for, worth  
18 fighting for, worth dying for because it is the  
19 only thing that lasts. Please, please help us  
20 protect our farmland and preserve our community by  
21 denying this application. Thank you.

22 MR. HICKS: Questions from the  
23 Bench?

24 MS. FRENCH: (Shaking head.)

25 MS. MERTZ: (Shaking head.)

1 MR. HICKS: Mr. Settineri?

2 MR. SETTINERI: Thank you for your  
3 time. Are you related to an intervenor in the  
4 case?

5 THE WITNESS: Yes. My husband.

6 MR. SETTINERI: Okay. Thank you.

7 THE WITNESS: Uh-huh.

8 MR. HICKS: Thank you. Up next is  
9 Robert Trout and on deck is Richard Adams.  
10 Could you please raise your right  
11 hand?

12 (WHEREUPON, the witness was  
13 sworn.)

14 MR. HICKS: Okay. Please state  
15 and spell your name for the record.

16 THE WITNESS: It's Robert Trout,  
17 R-O-B-E-R-T. Last name, Trout, T-R-O-U-T.  
18 Address, 2187 Bassett Court, Beaver creek.

19 MR. HICKS: And do you live or  
20 work in the project area?

21 THE WITNESS: I do not live within  
22 the project area but I have a son and  
23 daughter-in-law that do.

24 MR. HICKS: Okay. And you are not  
25 an intervenor in the case?



1 THE WITNESS: No. I am not.

2 MR. HICKS: Okay. Please go  
3 ahead.

4 THE WITNESS: So more concern that  
5 I have is the country of origin and the labor laws  
6 that will be applying to this project. And I am  
7 curious if all the components are going to be  
8 produced in America? If not, which countries? And  
9 also I'm looking for guarantees that know of the  
10 component, the manufacturing or mining of materials  
11 would be performed by trial or state labor. It's  
12 my perception that this community in Greene County  
13 as a whole would not tolerate child or slavery to  
14 support this project.

15 I also feel that if there is a  
16 determination continuance order of violation to  
17 this requirement, I believe that we would expect  
18 immediate termination, legal action against  
19 Kingwood Solar could be taken. And also, report  
20 any violations up to Federal authorities for their  
21 review and action. Some of the things that also  
22 concern me, is the fact that this project just  
23 feeds an existing power grid, which is turn feeds  
24 the residents in this community. Basically, this  
25 only provides or serves no purpose under the

1 degenerate revenue for the company and does not do  
2 anything really long-term except reducing power to  
3 the existing grid that gets fed back to the  
4 community.

5 I kind of liken it to a pack of  
6 weasels but that would be an insult to weasels.  
7 Environmental impacts, we know that there's going  
8 to be snow and ice removed from the solar panels.  
9 And I'm concerned what chemicals will be used to  
10 clean these devices. It would be expected you  
11 provide the evidence on the materials safety data  
12 sheet that will be provided on the chemicals that  
13 we use. And also, the threshold limits specified  
14 within the MSDA to be complied with. And also,  
15 what steps are you going to take to ensure that  
16 chemicals are used to clean off these items will  
17 not get into the groundwater, leaking into the  
18 groundwater?

19 And we know many people within  
20 that community utilize for cooking, for livestock,  
21 things of that nature. And also, many areas within  
22 the county have strict groundwater protection  
23 guidelines. We do know that solar cells contain  
24 very hazardous and toxic materials and as stated  
25 earlier, Cadmium, Telluride, Copper, Geridium,

1 Selenite, Cavioln, Copper and two other items  
2 including Led and Polymerize. How will you handle  
3 damage to solar panels to ensure the environment  
4 and persons that aren't subject to contamination?  
5 My final thoughts on this is I strongly encourage  
6 that we reject the solar panel project. It is not  
7 going to be a long-term benefit. It's time for the  
8 jobs, talking about the jobs is less than two years  
9 other than the long-term small team to maintain it.

10                   So I am concerned with that.  
11 Revenue that would normally generate and kept  
12 within the community is being farmed out and that  
13 is not a good economic plan for this community  
14 whatsoever. And again, I stated that my son and  
15 daughter-in-law do live within close proximity to  
16 Cedarville University and the project area's just  
17 right out there. And I am concerned for future  
18 grandkids and things of that nature because water  
19 contamination and also aesthetics is a high  
20 concern. And although for the other folks that  
21 say, they'd like to be able to do what they want  
22 with their property, I wholeheartedly agree but it  
23 also is responsible to be a good neighbor and with  
24 that, I do encourage that we as a community come  
25 together and not support this project. Thank you.

1 MR. HICKS: Thank you. Questions  
2 from the Board?

3 MS. FRENCH: (Shaking head.)

4 MS. MERTZ: (Shaking head.)

5 MR. HICKS: Thank you. Up next is  
6 Richard Adams.

7 MR. WILLIAMS: So you know where  
8 we are, it's 10:05. We have approximately 30  
9 witnesses left who are signed up. Our next witness  
10 is Setys Kelly and our on deck witness is Christina  
11 Nash.

12 THE WITNESS: Did you say on deck  
13 for me because I was here and didn't hear it?

14 MR. WILLIAMS: Are you, Ms. Nash?

15 THE WITNESS: Oh, no. Nash is --

16 MR. WILLIAMS: No. Are you Setys?  
17 I'm sorry --

18 THE WITNESS: Setys, yes.

19 MR. WILLIAMS: Yes. When we had  
20 some people who had waived, so I didn't even --

21 THE WITNESS: Did you take French  
22 in school?

23 MR. WILLIAMS: No. But your  
24 phonetics were really appreciated.

25 THE WITNESS: Oh, that would be my

1 friend Carolyn, not me. But thank you.

2 MR. WILLIAMS: Ms. Kelly, would  
3 you raise your right hand?

4 THE WITNESS: Yes.

5 (WHEREUPON, the witness was  
6 sworn.)

7 THE WITNESS: Yes. Whole truth,  
8 nothing but the truth so help you God.

9 MR. WILLIAMS: Would you state and  
10 spell your name for the record?

11 THE WITNESS: 4713 Ashley Drive,  
12 Springfield, Ohio 45503. I reside in Norfield  
13 Township.

14 MR. WILLIAMS: Do you live or work  
15 within the project area?

16 THE WITNESS: No. I do not.

17 MR. WILLIAMS: And are you an  
18 intervenor in the case?

19 THE WITNESS: No, I'm not.

20 MR. WILLIAMS: Please proceed.

21 THE WITNESS: I'd like to tell you  
22 what my position is, my authority to speak here  
23 today. I am the State Security for the Ohio  
24 Federation of Republican. I sit on the Clark  
25 County Central Committee Board. I am the treasurer

1     there. I'm also the Regional Lead for the Senate  
2     Campaign for 2022 for Mark Pukita and I am a child  
3     of a family who has done nothing their whole lives  
4     except deal with mineral rights and energy. My  
5     family started in southeastern Kentucky where they  
6     own the crops.

7                     They went and bought three  
8     counties of land immediately after the Civil War.  
9     They dealt with the lumbar rights and logging  
10    rights which then transferred over into the  
11    railroad which then transferred over into coal  
12    which then transferred over into gas. So I've been  
13    through all of those. I know that you guys are,  
14    there's like 11 of you, four elected for which are  
15    appointed. Some vote, some don't. Can you tell me  
16    which, are you the voters or the nonvoters?

17                    MR. WILLIAMS: We are not able to  
18    do question and answer right now --

19                    THE WITNESS: That's fine --

20                    MR. WILLIAMS: -- we have a time  
21    --

22                    THE WITNESS: -- you don't have to  
23    answer me. Just bringing up a point.

24                    MR. WILLIAMS: There are Board  
25    personnel who can answer those questions after

1 you're done speaking tonight.

2 THE WITNESS: That's fine. I'm  
3 just bringing the point to light. So my past  
4 experiences, I have worked with zoning commissions  
5 and zoning boards, we had a builder who wanted to  
6 build condominiums across the street from my home.  
7 I didn't have any problems with building but I  
8 wanted them to be regular homes just like our homes  
9 and instead he wanted to put in multiple family  
10 dwellings. So I worked with the township and I  
11 worked with the county commissioner in keeping him  
12 from building those condominiums for approximately  
13 nine years. I brought in a wild life expert who  
14 told the conditions of the wildlife, identified  
15 species that were in danger so we could have safe  
16 waterways and block off some of the land for  
17 wildlife refuge.

18 I'm a student of Constitution. I  
19 haven't heard anyone here tonight speak at all  
20 about The Constitution. I know they teach  
21 Constitutional Law but have they had a class on The  
22 Constitution --

23 MR WILLIAMS: You could address  
24 your comments to the Board when you're done  
25 speaking.

1                   THE WITNESS:  -- again, they don't  
2   have that in school.  But I do teach The  
3   Constitution.  I am certified to teach The  
4   Constitution so if you haven't had class, hit me up  
5   and I'll teach you.  With that being said, I wanted  
6   to bring something to your attention that according  
7   to The Constitution, anyone who sits on this Board  
8   has absolutely no authority on anything to do with  
9   these people's lands or mineral rights.  You're  
10  appointed.  You're not elected.  You don't  
11  officiate over anything.  You don't represent  
12  anyone.  No one chose you to be here.  Therefore,  
13  these people can invoke what is called The Doctrine  
14  of the Lesser Magistrates.  So their township  
15  officials can go in and vote to be a separate  
16  entity.  They have the sovereignty to do that and  
17  then they can make their own rules, ordinances and  
18  laws to prevent anyone from coming in and building  
19  anything that they so desire.

20                   So they got people they'll take  
21  advantage of and they don't know about it because  
22  they don't know The Constitution.  But you can go  
23  online and you can go look up this book and the  
24  author does have a website.  He has several  
25  situations across the country where people have him



1 vote on The Doctrine of the Lesser Magistrates and  
2 things such as this has stopped immediately. So my  
3 last thing is comparison to, finally someone  
4 mentioned something about nuclear. We have a  
5 nuclear plant in northern Ohio, sits on 231 acres  
6 and it produces 908 megawatts which is enough to  
7 power 450,000 homes.

8 It releases no gases. \$850  
9 million a year is its economic output just in the  
10 Ottawa County alone, 1.1 billion statewide. And  
11 I'm probably going to get this name wrong but in  
12 this Qinghai region desert in northern China, one  
13 of the world's largest solar panel farms is in  
14 existence. 248 acres with thousands of solar  
15 panels which produce 100 megawatts. There  
16 currently is absolutely no info that anyone can  
17 find on whether that power plant contributes any  
18 money whatsoever into the economic community.  
19 Thanks.

20 MR. WILLIAMS: Thank you for your  
21 testimony. Any questions from the Bench?

22 THE WITNESS: Nope.

23 MS. FRENCH: (Shaking head.)

24 MS. MERTZ: (Shaking head.)

25 MR. WILLIAMS: Any questions from

1 intervenors?

2 MR. VAN KLEY: (Shaking head.)

3 MR. SETTINERI: (Shaking head.)

4 MR. WILLIAMS: Thank you very  
5 much.

6 THE WITNESS: Uh-huh.

7 MR. WILLIAMS: Our next witness is  
8 Christina Nash and our on deck witness is Christine  
9 Rinalde.

10 Would you raise your right hand?  
11 (WHEREUPON, the witness was  
12 sworn.)

13 MR. WILLIAMS: Would you please  
14 state and spell your name for the record?

15 THE WITNESS: My name is Christina  
16 Nash, C-H-R-I-S-T-I-N-A, N-A-S-H.

17 MR. WILLIAMS: And your address?

18 THE WITNESS: 745 Jacoby Road in  
19 Xenia Township. And I live within the project area  
20 and I'm not an intervenor.

21 MR. WILLIAMS: Thank you very  
22 much. Please proceed.

23 THE WITNESS: I just would like to  
24 say dittos to many of the analysis, comments and  
25 the facts that have been brought up tonight. I do

1 oppose this project. So I don't want to reiterate  
2 those but I'd just like to talk quickly about a  
3 couple of things. I am for renewable energy. I  
4 think it's great that we are bringing out the  
5 technologies. I don't believe solar technology is  
6 there yet. But I don't think it's high efficiency.  
7 I think that down the roads we're going to have  
8 better ways of using it.

9 I'm all for smart fighting and  
10 application and innovative ways for that. I don't  
11 believe this project really, doesn't apply to this  
12 project at our current technologies. I don't think  
13 this is good for our county. I don't think it's  
14 necessary. Talking about a couple of the studies  
15 that have been submitted in support of the  
16 application, a couple of the facts that have been  
17 brought up tonight that data was used in misleading  
18 ways. For instance, the measurements of ambient  
19 noise in the middle of a busy road and then  
20 equating that to the ambient noise at homes which  
21 do not equate one to another was brought up and  
22 that's a concern of mine. Another study was about  
23 the evaluation of property near solar projects as  
24 Mrs. Rich lined out in great detail for us was  
25 facts used in a misleading way in projects that

1 don't compare to the ones we're talking about here  
2 bringing us to some false conclusions that homes  
3 would not be devalued near solar projects.

4                   When I think all of us know that  
5 in real estate, location, location, location is  
6 what we talked about and this would not be as a  
7 desirable situation for homes as somewhere away  
8 from a project like this for most people. And the  
9 last point I'd like to bring up is representation  
10 for the community and the way Ohio has cited these  
11 power projects in the past. I know we're in a bit  
12 of a transition with SB-62 where more local voices  
13 will be heard. Our county representative and our  
14 township representative have submitted  
15 recommendations and I appreciate that and hope they  
16 will be heard. They are our elected  
17 representatives and I'm glad that tonight we could  
18 give our opinions and that we also have  
19 representation through those elected officials.

20 Thank you.

21                   MR. WILLIAMS: Thank you for your  
22 testimony. Any questions, any questions from the  
23 parties?

24                   MS. FRENCH: (Shaking head.)

25                   MS. MERTZ: (Shaking head.)

1 MR. VAN KLEY: (Shaking head.)

2 MR. SETTINERI: (Shaking head.)

3 MR. WILLIAMS: Thank you. Have a  
4 great night. Our next witness is Christine  
5 Rinalde.

6 AUDIENCE MEMBER: Christine just  
7 left.

8 MR. WILLIAMS: Our next witness is  
9 Kris Williams. And our on deck witness is Scott  
10 Fife.

11 Would you raise your right hand?  
12 (WHEREUPON, the witness was  
13 sworn.)

14 MR. WILLIAMS: Would you please  
15 state and spell your name for the record?

16 THE WITNESS: My name's Kris  
17 Williams. I live at 3320 Larkins Road in Miami  
18 Township and the solar fuels are on the east and  
19 the south side of my property.

20 MR. WILLIAMS: Are you an  
21 intervenor in the case?

22 THE WITNESS: I am not.

23 MR. WILLIAMS: Please proceed.

24 THE WITNESS: Responsible green  
25 energy is supposed to be making our air cleaner but

1 this is irresponsible green energy. Because what  
2 good is clean air if people are going hungry  
3 because our farm fields are under glass and metal?  
4 I also watch wildlife from my house crossing the  
5 fields in front of me, mainly deer as they are  
6 traveling across the woods in one side to the John  
7 Bryan park area. And as I watch those deer, if we  
8 go in there and put a bunch of fences and stuff  
9 around these solar fields that are supposed to go  
10 in near me, that means the deer have one access way  
11 to get over there and that's down the road. I want  
12 to know who's going to pay for my car damage when  
13 it gets hit by a deer because they have no place to  
14 get out of the way? I strongly oppose this for  
15 multiple reasons, many of which were mentioned  
16 tonight but if Vesper really wants an act in good  
17 faith, they shouldn't be paying us money to join  
18 them but they should take their lies and deceptions  
19 and just get out of our area. Thank you.

20 MR. WILLIAMS: Thank you for your  
21 testimony. Any questions from the Bench?

22 MS. FRENCH: (Shaking head.)

23 MS. MERTZ: (Shaking head.)

24 MR. WILLIAMS: Any questions from  
25 the parties?

1 MR. VAN KLEY: (Shaking head.)

2 MR. SETTINERI: (Shaking head.)

3 MR. WILLIAMS: Thank you. Have a  
4 good night. Our next witness is Scott Fife and our  
5 on deck witness is Kate Bertelson.

6 Mr. Fife, would you raise your  
7 right hand?

8 (WHEREUPON, the witness was  
9 sworn.)

10 MR. WILLIAMS: Thank you. Please  
11 state and spell your name for the record.

12 THE WITNESS: My name is Scott  
13 Fife, S-C-O-T-T. You probably can get Fife by now  
14 but I'll spell it anyway, it's F-I-F-E --

15 MR. WILLIAMS: Thank you.

16 THE WITNESS: I live at 340  
17 Stewart Drive in Yellow Springs which is in Miami  
18 Township.

19 MR. WILLIAMS: Do you live or work  
20 within the project area?

21 THE WITNESS: I do not.

22 MR. WILLIAMS: And are you an  
23 intervenor in the case?

24 THE WITNESS: I am not.

25 MR. WILLIAMS: Please proceed.

1                   THE WITNESS: Thank you for your  
2 patience here tonight. There's lots of heartfelt  
3 emotions in this room tonight and I really do  
4 understand a great deal of it. But I also know  
5 that this is a matter of law and public policy so I  
6 don't envy you, the Board, and their task in this  
7 case. It is, however, your job and it is important  
8 that you do it with the deliberation and  
9 unemotionally which is why I encourage you to do  
10 the job here and not to leave it to the county  
11 commissioner or local officials. I've already  
12 issued a document in the depository with all the  
13 pros, my argument on the pro and cons. So what I  
14 would like to do tonight is talk about public  
15 interest, convenience and necessity.

16                   I know that this is what this case  
17 is going to turn on and I know this because one, I  
18 read the Ohio Revised Code and I read the staff  
19 report and I also know it because it was referred  
20 to in resolution 21-10-28-8, which is adopted by  
21 the county commissions stating its opposition to  
22 this project. I'm not a lawyer. I don't play one  
23 on TV but I do know just enough about the law to  
24 understand that I'm not going to be the person that  
25 decides what that phrase means. I want it to be



1 the Power Siting Board and the legal apparatus.  
2 However, because I am following it closely in  
3 evaluating whether this project meets the burden of  
4 public interest, convenience and necessity, I  
5 logically began by looking at the staff report.

6 This carefully explains the eight  
7 criteria from section 4906.10-A, most of which are  
8 pretty technical and complex. With the exception  
9 to that is of course, number 6, public interest,  
10 convenience and necessity. And this is one of  
11 those wonderful vague legal terms that I think is  
12 necessary and important to all legal matters  
13 because it allows judicial evaluation of a  
14 situation and application of facts based on the  
15 setting. It does seem, however, in reading my  
16 reading of the staff report that the staff believe  
17 that this project doesn't meet the burden and I  
18 tried to figure this out and I think it's because  
19 they believe that there's more organized opposition  
20 than you do in this case and also that the county  
21 commission opposed it. There's a brief history of  
22 land use planning for Greene County.

23 This is a perspectives 2020, the  
24 land use plan that's been referred to briefly a  
25 couple times tonight. There was a predecessor

1 document, perspectives 2000, and there's supposed  
2 to be a successor document, perspective 2040, but  
3 that hasn't been produced despite the fact that it  
4 was promised over a year ago. Prior to the summer  
5 of 2021, there was not a single reference in this  
6 or any of those documents I just mentioned to the  
7 solar, wind or any other renewable energy source  
8 and any of the land use planning literature  
9 anywhere in this county. After intense lobbying  
10 from Citizens of Green Acres, the commission  
11 amended, rather quickly I might add, perspectives  
12 2020 on August the 26th.

13               This five page amendment reads  
14 much like this document here until you get to the  
15 policies and recommendations section. And I  
16 believe if you carefully read the policy and  
17 recommendations in this document, you would almost  
18 certainly have to conclude that there will never  
19 ever be a renewable energy project of any kind in  
20 Greene County ever. The policy and recommendations  
21 are prohibitively restrictive. This amendment was  
22 passed just 63 days before the resolution opposing  
23 this project. And as we know, just shortly after  
24 Senate Bill 52, which, as we also know, that the  
25 grandfather of this project from the Senate Bill 52

1 did grandfather this project, however, the county  
2 commissioners seem to intend on working around that  
3 problem.

4 So if we're so interested in land  
5 use planning, where's the evidence of it? I'd like  
6 to read a sentence from this from page 49, people  
7 tend to overlook the fact that agriculture is an  
8 industry. It is an industry which not unlike steel  
9 production and or auto manufacturing, it involves a  
10 degree of physical danger, makes some noise and  
11 creates a certain amount of air pollution even when  
12 employing best management practices.

13 MR. WILLIAMS: Mr. Fife, your time  
14 has concluded. Do you intend to make that a part  
15 of your testimony?

16 THE WITNESS: Okay. I'll be happy  
17 to do that. That's the end.

18 MR. WILLIAMS: Go ahead and bring  
19 it forward.

20 THE WITNESS: I would simply like  
21 to say that --

22 MR. WILLIAMS: Sir, your time is  
23 over --

24 THE WITNESS: Okay.

25 MR. WILLIAMS: -- I'm sorry. Any

1 questions from the Bench?

2 MS. FRENCH: (Shaking head.)

3 MS. MERTZ: (Shaking head.)

4 MR. WILLIAMS: There is a question  
5 from both of the parties.

6 MR. SETTINERI: Mr. Fife, I don't  
7 know, do you support the project?

8 THE WITNESS: I absolutely support  
9 the project.

10 MR. WILLIAMS: Thank you. Mr. Van  
11 Kley, you can go ahead.

12 MR. VAN KLEY: Mr. Fife, are you a  
13 leaseholder for the project?

14 THE WITNESS: No.

15 MR. VAN KLEY: Okay. Have you  
16 made any agreements with Kingwood Solar of any  
17 nature?

18 THE WITNESS: No.

19 MR. VAN KLEY: Do you plan to?

20 THE WITNESS: No.

21 MR. VAN KLEY: Okay. Thank you.

22 MR. WILLIAMS: Mr. Fife, if you  
23 intend to make that document a part of the record,  
24 you need to give it to the Bench, please.

25 THE WITNESS: Oh, this is a

1 partial of the document I was using to read from.

2 I'll be happy to --

3 MR. WILLIAMS: If you want it to  
4 be a part of the record, it's up to you, sir.

5 THE WITNESS: Thank you.

6 MR. WILLIAMS: Thank you. Our  
7 next witness is Kate Bertelson followed by Kelli  
8 Huesman. Our next witness is Richard Zopf.

9 THE WITNESS: Oh, sorry.

10 MR. WILLIAMS: Kelli Huesman? I'm  
11 sorry.

12 THE WITNESS: Good evening to the  
13 members of the --

14 MR. WILLIAMS: Will you please  
15 raise your right hand so I can swear you in?

16 THE WITNESS: Yes. Sorry.

17 (WHEREUPON, the witness was  
18 sworn.)

19 MR. WILLIAMS: Will you please  
20 state and spell your name for the record?

21 THE WITNESS: Sure. Kelli,  
22 K-E-L-L-I, Huesman, H-U-E-S-M-A-N. My address is  
23 2075 Wilberforce Clifton Road and that's Xenia  
24 Township. And work and live adjacent to the  
25 project.

1 MR. WILLIAMS: And are you an  
2 intervenor in the case?

3 THE WITNESS: No.

4 MR. WILLIAMS: Please proceed.

5 THE WITNESS: Good evening,  
6 members of the OPSB. First of all, thank you so  
7 much for taking the time to listen to us this  
8 evening and especially for being here so late. We  
9 do greatly appreciate the chance to speak. As  
10 stated, my name is Kelli Huesman. My husband  
11 Joshua Foreman and I live at 2075 Wilberforce  
12 Clifton Road. And I'm here this evening to voice  
13 my opposition to the Kingwood Solar project. We  
14 lived in this home for almost four years. We've  
15 worked very hard to rebuild our property which we  
16 bought as a bank home foreclosure. Our house was  
17 the eyesore of our area for many years. We've  
18 spent time, money and lots of energy and we feel  
19 very, very fortunate to become part of the  
20 Wilberforce Clifton Road family.

21 We were the eyesore and we only  
22 own five acres. I cannot imagine the eyesore that  
23 creating 1,000 plus acres of having solar panels  
24 will become. I'm not going to give you any  
25 additional information or new revelation of facts

1 that have not already been presented tonight.  
2 These concerns are valid, they're numerous and they  
3 would take well past the five minutes that we are  
4 allowed to speak here. I am going to ask in  
5 closing that you consider one question, would you  
6 want this in your backyard to look at every single  
7 day potentially for 40 years? If the answer is no,  
8 then I respectfully ask that you do not make the  
9 Citizens of Greene County do something that you  
10 yourself would not want to be subjected to. Thank  
11 you for the time and considerations.

12 MR. WILLIAMS: Thank you, Ms.  
13 Huesman. Any questions from the Bench?

14 MS. FRENCH: (Shaking head.)

15 MS. MERTZ: (Shaking head.)

16 MR. WILLIAMS: Any questions from  
17 the parties?

18 MR. VAN KLEY: (Shaking head.)

19 MR. SETTINERI: (Shaking head.)

20 MR. WILLIAMS: Thank you for your  
21 testimony. Our next witness is Richard Zopf.

22 MR. WILLIAMS: Good evening, Mr.  
23 Zopf.

24 THE WITNESS: Good evening.

25 (WHEREUPON, the witness was

1 sworn.)

2 MR. WILLIAMS: Would you please  
3 state and spell your name for the record?

4 THE WITNESS: Richard Zopf,  
5 R-I-C-H-A-R-D, Z-O-P-F.

6 MR. WILLIAMS: And your address,  
7 sir?

8 THE WITNESS: 1112 Xenia Avenue in  
9 Yellow Springs, Ohio. And I am not involved with  
10 the site in any way.

11 MR. WILLIAMS: Are you an  
12 intervenor in the case?

13 THE WITNESS: I am not an  
14 intervenor.

15 MR. WILLIAMS: Please proceed with  
16 your testimony.

17 THE WITNESS: Okay. I am here  
18 because I happen to be the Zoning Inspector for  
19 Miami Township and I just want to share a tiny bit  
20 of familiarity with Miami Township. One is that we  
21 have about 12,000 acres of agricultural land in our  
22 township, okay? And we're talking about losing  
23 1,000 of it, taking it out of production. Maybe  
24 not losing it permanently. That's a significant  
25 impact on our, and change to our community. We can



1 say that that's the right of the landowners but  
2 every time land is taken out of production, it  
3 effects all the people that are still farming,  
4 okay?

5                   They have fewer services available  
6 to them because they're a little bit more isolated  
7 than they were in the past. All of the pros and  
8 cons that we heard tonight tend to be a little bit  
9 exaggerated in one way or another but this, those  
10 two numbers that I gave you are facts as far as I  
11 can tell. The 12,000 came from the county auditor  
12 and they assign whether a property is agricultural  
13 or not. 1,000 came from the record of the  
14 Applicants, okay? And that's just what I want  
15 everyone to consider, is just the significance of  
16 the impact on the community.

17                   MR. WILLIAMS: Thank you, sir.  
18 Any questions from the Bench?

19                   MS. FRENCH: (Shaking head.)

20                   MS. MERTZ: (Shaking head.)

21                   MR. WILLIAMS: Any questions from  
22 the parties?

23                   MR. VAN KLEY: (Shaking head.)

24                   MR. SETTINERI: (Shaking head.)

25                   MR. WILLIAMS: Thank you for your

1 testimony, sir. Our next witness is Sarah Kelly.

2 All right. It is 10:30. We're going to take 5  
3 minutes and then, oh, Ms. Kelly, I'm sorry. No  
4 please. My eyes aren't as good as they used to be.

5 THE WITNESS: Sorry. I'm wearing  
6 camouflage.

7 MR. WILLIAMS: Ms. Kelly, would  
8 you raise your right hand?

9 (WHEREUPON, the witness was  
10 sworn.)

11 MR. WILLIAMS: Please state and  
12 spell your name for the record.

13 THE WITNESS: Sarah Kelly,  
14 S-A-R-A-H, K-E-L-L-Y.

15 MR. WILLIAMS: And your address?

16 THE WITNESS: 5674 Springfield  
17 Xenia Road, Springfield Township.

18 MR. WILLIAMS: Do you live or work  
19 within the project area?

20 THE WITNESS: I work in it.

21 MR. WILLIAMS: Are you an  
22 intervenor in the case?

23 THE WITNESS: No.

24 MR. WILLIAMS: Please proceed.

25 THE WITNESS: Okay. Thank you for

1 being here tonight and taking testimony from all of  
2 the community. My in-laws are working with  
3 Kingwood Solar so I've gotten to know the project  
4 and the environmental attributes, especially the  
5 additional upon made plans. Not all solar  
6 companies are committed like Kingwood to theirs.  
7 Bees and other pollinators, butterflies and also  
8 native bees, I don't know if you guys know this but  
9 honey bees are not native to Ohio. Bees are in  
10 serious need of a healthy habitat.

11 As a bee keeping farmer myself, I  
12 have personally felt the effects of unhealthy land,  
13 land that is sprayed with pesticides and  
14 fungicides. Bees are dying at an alarming rate.  
15 Providing healthy habitat is one of the greatest  
16 responses we can do to help them. Back to  
17 Kingwood, they are actually working with a  
18 nationally recognized company to make sure that  
19 they get it right here. They're also working with  
20 local professionals to make sure they get the right  
21 plants. I know a lot of people in the community  
22 are concerned about the environment so it should be  
23 highlighted tonight that the project will allow  
24 this land to be what I would refer to as a solar  
25 conservation easement.

1                   The land will remain fallow and  
2   pollinators with deep roots will be planted which  
3   will allow for an increase in biodiversity. My  
4   background is in beekeeping and my in-laws and I  
5   will be working, and my in-laws will be working  
6   with us on a serious expansion. There are studies  
7   that show why solar farms plant pollinators.  
8   There's an increase in production around the  
9   surrounding farms. There's no question that  
10   Kingwood Solar will add value to our community, our  
11   farmers and our children's lives. Thank you.

12                   MR. WILLIAMS: Thank you. Any  
13   questions from the Bench?

14                   MS. FRENCH: (Shaking head.)

15                   MS. MERTZ: (Shaking head.)

16                   MR. WILLIAMS: Any questions from  
17   the parties, Mr. Van Kley?

18                   MR. VAN KLEY: Are you related to  
19   Jane Sweet who testified earlier tonight?

20                   THE WITNESS: Never heard of her.

21                   MR. VAN KLEY: Okay. How about,  
22   do you know Spencer Farms?

23                   THE WITNESS: Never heard of him.

24                   MR. VAN KLEY: Okay. Who are your  
25   in-laws that are participating in this project?

1 THE WITNESS: Thomas and Carla  
2 Markley.

3 MR. VAN KLEY: Okay. Thank you.

4 MR. WILLIAMS: Thank you for your  
5 testimony. Okay. As promised, we'll take a five  
6 minutes. It is now 10:33. We'll come right back  
7 at 10:38 to 10:40. We have 19 witnesses still to  
8 hear from. Thank you.

9 (WHEREUPON, a recess was taken.)

10 MR. HICKS: Okay, folks. If you  
11 could make your way back to your seats. Hopefully  
12 you got down a little stretch there. The next  
13 witness on the list is William Landon. And on deck  
14 is George Landon.

15 AUDIENCE MEMBER: They just left.  
16 It's a little late for a child.

17 MR. HICKS: Okay. Then that  
18 brings us to Paulette Stevenson. Peter Mahon? We  
19 are to Chad Mossing. Sierra Nash? You are up and  
20 on deck is Phil Nash.

21 (WHEREUPON, the witness was  
22 sworn.)

23 MR. HICKS: Okay. Please state  
24 and spell your name for the record.

25 THE WITNESS: Sierra Nash,

1 S-I-E-R-R-A, N-A-S-H.

2 MR. HICKS: And could you please  
3 provide your address including the township?

4 THE WITNESS: 745 Jacoby Road,  
5 Xenia Township.

6 MR. HICKS: Okay. And do you live  
7 or work in the project area?

8 THE WITNESS: Both.

9 MR. HICKS: Okay. And are you an  
10 intervenor in the case?

11 THE WITNESS: I am not.

12 MR. HICKS: Okay. Please go  
13 ahead.

14 THE WITNESS: I have lived on  
15 Jacoby Road for 14 years. It is a dead-end road  
16 that only opens on to Clifton Road, directly across  
17 from the proposed project. I greatly appreciate  
18 efforts to make this item more sustainable. As  
19 steward of this planet and our local community, I  
20 believe we have a responsibility to maintain our  
21 land, resources and community for generations to  
22 come. Jacoby Road has been a wonderful place to  
23 live. I enjoy my neighbors. I enjoy the space,  
24 the quiet and the lessons learned from working on  
25 the farm.

1 I am opposed to this project and  
2 here's why. As it's been said, Greene County is a  
3 beautiful place. People living in the township  
4 live in the township because they like the township  
5 for what it is. And we are seeking sanctuary for  
6 being a project in the big industry to believe it  
7 is a real one instead of a man-made one. Here in  
8 Greene County, we have an act for natural and  
9 historical fashion. The people come from all over  
10 the state to see Clifton Gorge, John Bryan, The  
11 Cedarville Mound Park, Clifton Mill, Jacoby Road  
12 Launch and others. Some may argue that the solar  
13 project could be viewed from within these places.  
14 But there is nothing that stops you from seeing  
15 coming and going which would be a distraction in  
16 the countryside. And the site land of this project  
17 would effect not only the residents but anybody who  
18 visits Greene County.

19 I would submit that while  
20 renewable energy is an admirable goal, the current  
21 practices of implementing global energy processes  
22 is proven ineffective. I spent six years in Iowa  
23 for my education where I observed the failures of  
24 the subsidized industries by the project. And the  
25 last the thing I'm going to talk about. The thing

1 is that most of the those turbines don't turn.  
2 When the project fails to make money, the project  
3 owners go bankrupt, pickup and leave. The farmers  
4 can't afford to take the turbines back down and  
5 they never get their land back. The Ohio is ranked  
6 46th in terms of solar potential and its use by the  
7 Board of this state. To me, it makes more sense  
8 that the project be in a different location like  
9 one that has more potential for success.

10                   However, should the project be  
11 approved in Greene County, I would propose that  
12 they would be required to provide insurance and a  
13 bond that would accommodate for the remediation of  
14 the land in the event that the project fails. The  
15 only thing worse here than an ugly 1,500 acre solar  
16 farm is an ugly 1,500 acres of junk yard that no  
17 one has the money to reclaim. I would like to  
18 respectfully petition, therefore, on behalf of the  
19 township executive and their visitors that would  
20 approve the application of this project. Thank you  
21 for your consideration.

22                   MR. HICKS: Thank you. Questions  
23 from the Bench?

24                   MS. FRENCH: (Shaking head.)

25                   MS. MERTZ: (Shaking head.)



1 MR. HICKS: Any questions from  
2 intervenors?

3 MR. VAN KLEY: (Shaking head.)

4 MR. SETTINERI: (Shaking head.)

5 MR. HICKS: Thank you very much  
6 for your testimony. Up next is Phil Nash. And on  
7 deck is Lynn Arnett.

8 Please raise your right hand.

9 (WHEREUPON, the witness was  
10 sworn.)

11 MR. HICKS: Please state and spell  
12 your name for the record.

13 THE WITNESS: Phil Nash. P-H-I-L,  
14 N-A-S-H. I live at 745 Jacoby Road in Xenia  
15 Township.

16 MR. HICKS: Okay. Do you live or  
17 work in the project area?

18 THE WITNESS: I live there and if  
19 you know what it's like to run a family farm, I  
20 would have to say I work there too although that's  
21 not where I make my living.

22 MR. HICKS: Okay. And are you an  
23 intervenor in the case?

24 THE WITNESS: No.

25 MR. HICKS: Please go ahead with

1 your testimony.

2 THE WITNESS: Thank you. While I  
3 sympathize and actually emphasize with people who  
4 try to make the most of what they have in any way  
5 possible, I do have a vested interest in the  
6 property that I own. Two people that you've  
7 already heard from, you know, stand to lose a great  
8 deal either in terms of what we have or what they  
9 may stand to inherit. I was given the good fortune  
10 to be taught by a mother who handled her resources  
11 very well. I tell you she left me a great deal of  
12 money but she hasn't left us yet and she's well  
13 into her 90s and still living on the money she  
14 earned and saved herself.

15 I would like to be able to say I  
16 can do the same thing and potentially pass some of  
17 that along to my children and maybe grandchildren,  
18 should they come along. With that being said, I  
19 also have a bone to pick with the way the government  
20 subsidizes projects such as this. I do not  
21 particularly care for having my life, which is  
22 represented by the money that is extracted from me  
23 in taxes being put into projects that are not done  
24 well. And as my daughter indicated, you know,  
25 solar in Ohio is not very well, well, it's not the

1 best idea as the insulation and other factors  
2 governing how well solar behaves in this  
3 environment are not very well suited to the task.

4                   Lastly, as a property owner, you  
5 know, I would certainly request that if this does  
6 go through, that careful consideration be given to  
7 require certain standards for the panels and the  
8 materials and the building structures that are put  
9 up. At the very least they should be meeting the  
10 reduction of hazardous substances type  
11 requirements. If they come out of the far east,  
12 which is almost a certainty, I would personally  
13 require that they be lock checked and as they, from  
14 time to time, to make sure that each lock and those  
15 things don't have chemicals that will, that can  
16 leak regardless of how they're labeled. And,  
17 anyway, that is what I have to say.

18                   MR. HICKS: Thank you. Any  
19 questions from the Bench?

20                   MS. FRENCH: (Shaking head.)

21                   MS. MERTZ: (Shaking head.)

22                   MR. HICKS: Thank you, sir. Up  
23 next is Lynn Arnett. And on deck is Sue Stormont.  
24 Can you just adjust the microphone to make sure  
25 you're speaking into it?

1 THE WITNESS: Okay.

2 (WHEREUPON, the witness was  
3 sworn.)

4 MR. HICKS: Okay. Please state  
5 and spell your name for the record.

6 THE WITNESS: Lynn, L-Y-N-N,  
7 Arnett, A-R-N-E-T-T. My address is 2470 Clark Run  
8 Road, Xenia. That's in Xenia Township.

9 MR. HICKS: And do you live or  
10 work in the project area?

11 THE WITNESS: I live definitely in  
12 it.

13 MR. HICKS: Okay. And are you an  
14 intervenor in the case?

15 THE WITNESS: No. I am not.

16  
17 MR. HICKS: Okay. Please go  
18 ahead.

19 THE WITNESS: Okay. My mom and  
20 dad were both farmers. They're both born and  
21 raised on farms. And when my dad got out of the  
22 Air Force, he was, he had farmed with the Bradfute  
23 family growing up and he purchased some lands for  
24 them on a corner in Xenia Township and built a home  
25 himself, finished it in 1950. I was born in '51.

1 I've lived in that house my whole life. I bought  
2 it from him then in 1976 when they moved. So I've  
3 probably been in this area as long or longer than  
4 anybody in this room tonight.

5                   When I was on the Xenia Zoning  
6 Commission for a period of time, we had a meeting  
7 one night with the land agent for Greene County and  
8 he had everybody come up and point to a map where  
9 you live on the map. And I show him and he said,  
10 oh, you live on the some of the very best farm land  
11 in Greene County. So whether it's best in all of  
12 the state, I can't answer say an answer for that.  
13 But as far as Greene County, he said this area  
14 through where I live, which is on the bottom end of  
15 this solar array on up is my house. Now, as it  
16 states right now, other than, well, thank goodness  
17 that Xenia, when it comes to Tecumseh Land Truss,  
18 we will be surrounded on three sides by solar  
19 panels.

20                   Thank goodness for the last truss,  
21 which is right across the road from us. That will  
22 be my only area that I can see real, true farmland  
23 any longer. So whether somebody can do what they  
24 want to with their land, it's kind of a shame to me  
25 that I get forced to live with these panels all the

1 way around my house. We didn't know about this  
2 when the project started. It kind of was, kind of  
3 kept secret and we kind of found out about it. My  
4 wife actually heard about it at a funeral of all  
5 places and then the word started getting out that  
6 this was going to happen. So we never heard from  
7 anybody from Vesper until like a lot of other  
8 people, we suddenly got a letter in the mail that  
9 we could be a good neighbor if we wanted to. And  
10 because we were surrounded on all sides, we were  
11 tier 1, that's not enough to make me want to do  
12 this.

13                   So the secret of things is not  
14 real good. So that's one of the reasons I really  
15 oppose this. I do oppose this because it's going  
16 to be all the way around, it's going to ruin, I  
17 grew up on this land. I, we hunted on this land.  
18 I worked on the farms all the way around. There  
19 were actually three different farmers that owned  
20 land right around me and my brothers and I farmed  
21 all this land. So I have worked this land as well  
22 and lived and worked all my life in Greene County.  
23 And it's a shame that the energy is going to go  
24 somewhere else. It's not going to benefit this  
25 county. We are concerned about our property value.

1 The very first Zoom meeting that I was able to get  
2 on to, it might have been one of the very first  
3 ones that was actually public, I did submit a  
4 question to the gentleman that was boarding or  
5 controlling that meeting about, would you want  
6 solar panels all the way around your house? His  
7 answer to me was, oh, I'd look at that as a sign of  
8 progress.

9 I don't quite believe that. I  
10 don't think he'd want panels on all three. I know  
11 somebody else asked that question earlier. Would  
12 you, any of you folks love to have, you know, a  
13 solar, that be your view everyday. I was out  
14 mowing my grass the other night just as the sun was  
15 going down. I stopped for a minute and looked out  
16 across the fields. I hate the thought of all of  
17 that disappearing and not being able to see that.

18 So I'm not going to stand up here  
19 and give you numbers and resolution prospects and  
20 everything else. But I am opposed to it for that  
21 reason today. This has been my home all of my life  
22 and I like to see it the way it is. I raised two  
23 kids here and they still love to come out to the  
24 house. We walked the road tonight with our  
25 grandkids and it's a wonderful place to live. So

1 that's all I have to say.

2 MR. HICKS: Thank you. Any  
3 questions from the Bench?

4 MS. FRENCH: (Shaking head.)

5 MS. MERTZ: (Shaking head.)

6 MR. HICKS: Mr. Settineri?

7 MR. SETTINERI: One more number  
8 question for you.

9 THE WITNESS: Yes.

10 MR. SETTINERI: How many acres do  
11 you own?

12 THE WITNESS: Three acres.

13 MR. SETTINERI: Appreciate it.  
14 Thank you for your testimony.

15 MR. HICKS: Thank you, sir. Up  
16 next is Sue Stormont.

17 AUDIENCE MEMBER: She's gone.

18 MR. HICKS: Okay.

19 MR. WILLIAMS: We have eight  
20 witnesses left to hear from. Our next witness is  
21 Bob Paris followed by Leah Lind.

22 AUDIENCE MEMBER: Bob left to go  
23 home.

24 MR. WILLIAMS: Our next witness is  
25 Carla Deger followed by Dianne Nash.



1 AUDIENCE MEMBER: Leah Lind is  
2 here.

3 MR. WILLIAMS: Oh.

4 THE WITNESS: Leah Lind?

5 MR. WILLIAMS: Yes, Ms. Lind.

6 THE WITNESS: Thank you. Sorry.

7 I think my foot, and everything else on me has  
8 fallen asleep.

9 MR. WILLIAMS: Would you raise  
10 your right hand?

11 (WHEREUPON, the witness was  
12 sworn.)

13 MR. WILLIAMS: Would you please  
14 state and spell your name for the record?

15 THE WITNESS: My name is Leah  
16 Lind, L-E-A-H. Last name, Lind, L-I-N-D.

17 MR. WILLIAMS: And your address?

18 THE WITNESS: 3240 Harbison Road  
19 on the Miami Township side.

20 MR. WILLIAMS: Do you live or work  
21 within the project area?

22 THE WITNESS: I live right in the  
23 project area. Yes.

24 MR. WILLIAMS: And are you an  
25 intervenor in the case?

1 THE WITNESS: No.

2 MR. WILLIAMS: Please proceed.

3 THE WITNESS: Thank you. My name  
4 is Leah Lind. And actually I live, my husband is,  
5 we actively together live on Harbison Road on the  
6 Miami Township side. My husband and I have lived  
7 on that property for over 20 years. Let me first  
8 say, I am not opposed to green energy. I grew up  
9 in Yellow Springs. I'm a hippy at heart. My  
10 Cedarville neighbors like to give me lots of grief  
11 about how I'm probably the only liberal in  
12 Cedarville. I am, however, in opposition to the  
13 Kingwood Solar project.

14 I know there is a lot of research  
15 and on the long-term and negative effects in  
16 general of those large scope industrial projects  
17 and this concerns me a great deal. But I will let  
18 those people who are far more red in this research  
19 than I to speak to this. What I can speak to is  
20 what I am seeing here in my community and also what  
21 is in my heart. Every neighbor I've talked to  
22 about this project has adamantly been opposed to  
23 it. When I drive back and forth to work from  
24 Cedarville to Xenia everyday, I see signs in  
25 opposition plastered all over the area. But also,

1 what I'm hearing is that many people in this area  
2 think that it's already a done deal and they think  
3 there is little that they can do to stop it.

4               These are small-town rural people,  
5 many who have lived here their whole lives. They  
6 aren't people who want drama in their lives. They  
7 like to live simply, work hard and care for their  
8 families. They aren't people who want to go up  
9 against big corporations or against government  
10 agencies. Many think that their say doesn't even  
11 matter. The money will prevail over what makes it  
12 best for our community. And some have given in to  
13 what, for some small rural communities have been  
14 given big offers of significant sums of money. And  
15 they think that if it's a done deal, at least let  
16 me get something out of it. And I don't even blame  
17 those who did lease their land. Kingwood came in  
18 with promises and big money. For small, sometimes  
19 struggling farmland.

20              But some things aren't worth it no  
21 matter how big the payout. For me, it's really  
22 much very simplistic. There's lots of reasons  
23 people have talked about tonight. They've talked  
24 about the damage and the long-term effects. For  
25 me, again, it's simplistic. I work hard at a very

1 stressful job and I love nothing more than coming  
2 home, sitting on the deck with my coffee or a beer  
3 on the hard days and watching the sun come across  
4 the field. I am heartbroken to think of how the  
5 local wildlife will be effected with thousands of  
6 acres of land being used for this project.

7 We have deer, fox, many types of  
8 wild birds, Osprey hawks, a Heron and I've even  
9 seen a bald eagle flying in our area. I am  
10 concerned about my property value, potential toxins  
11 and damages that may have long-term negative  
12 effects to my home, my families health, my  
13 community and the wildlife who live here. Thank  
14 you.

15 MR. WILLIAMS: Thank you for your  
16 testimony. Questions from the Bench?

17 MS. FRENCH: (Shaking head.)

18 MS. MERTZ: (Shaking head.)

19 MR. WILLIAMS: Question from the  
20 parties?

21 MR. VAN KLEY: (Shaking head.)

22 MR. SETTINERI: (Shaking head.)

23 MR. WILLIAMS: Thank you, Ms.  
24 Lind. Our next witness is Carla Deger. And our on  
25 deck witness is Dianne Nash.

1 AUDIENCE MEMBER: Dianne's gone.

2 MR. WILLIAMS: Our on deck witness  
3 is then Tara Melvin.

4 MR. WILLIAMS: Ms. Deger, would  
5 you raise your right hand?

6 (WHEREUPON, the witness was  
7 sworn.)

8 MR. WILLIAMS: Would you please  
9 state and spell your name for the record?

10 THE WITNESS: Carla Deger,  
11 C-A-R-L-A, D-E-G-E-R.

12 MR. WILLIAMS: And your address?

13 THE WITNESS: 1071 Yellowstone  
14 Road, Xenia Township.

15 MR. WILLIAMS: Do you live or work  
16 within the project area?

17 THE WITNESS: I'm not in the  
18 project area but I live pretty close to it.

19 MR. WILLIAMS: Pretty close?

20 THE WITNESS: Yeah. About, if I  
21 was in my car, I would be on Clifton Road in about  
22 four minutes from my house.

23 MR. WILLIAMS: Thank you. And are  
24 you an intervenor in the case?

25 THE WITNESS: No.

1 MR. WILLIAMS: Please proceed.

2 THE WITNESS: Okay. Basically  
3 just about every major argument I would have wanted  
4 to have made has already been made by people who  
5 said it far better than I could. So what I've got  
6 here is a pile of things that came into my mind  
7 while I was listening to everybody else and a  
8 little bit of what I wanted to say to begin with.  
9 For one thing, they say you can't stand in the way  
10 of progress and we all know what irresponsible  
11 progress has done to this planet. Once you make a  
12 mistake of this magnitude, you can't unmake it.

13 I am not insensitive to farmers  
14 and their arguments in this case. I am a sixth  
15 generation resident of Greene County. I've spent  
16 my whole life here. Four generations of my family  
17 were farmers. And something that people kept  
18 saying over and over is like, well, why can't we do  
19 anything we want with our land? How can you tell  
20 us what we do with our land? I just live in the  
21 house in a suburb and I can tell you and I'm sure  
22 anybody else who has a property in the suburbs will  
23 tell you that if you want to do anything of any  
24 significance on your land, you have to get it  
25 approved and get a permit. You don't get to just

1 go do whatever you want. I cant put a helipad in  
2 my backyard. Okay. Some of the things that they  
3 say were proposed to go around, some of these  
4 arrays that they constructed was like they were  
5 going to hide them with trees.

6 Are they planting mature trees?  
7 Do you know how long it takes to grow a mature  
8 tree? How long do you think it's going to take  
9 these little sprouts to grow before they cover up  
10 these 14 foot arrays? You know, at the same time,  
11 I grew up in Beavercreek not far from the Fairfield  
12 mall. And they, it doesn't matter if it's solar  
13 arrays or a shopping mall and all its intended  
14 clutter. It's the same crap. They come in here  
15 and they spread their little fairytale and they say  
16 everything is going to be wonderful. We're going  
17 to be put up this shopping mall. It's going to be  
18 wonderful. All these beautiful trees are going to  
19 grow up just like a big park all around it. Have  
20 you ever seen a shopping mall surrounded by mature  
21 trees? No. You see little sprout that get so big  
22 and then they turn brown and bad and then they  
23 plant more sprouts. So that's not going to work  
24 and I don't believe we are going to have a field of  
25 wildflowers either.

1                   Beyond that, the thing about the  
2 money funding the school, that's also a load of  
3 crap. They pull that same crap when they were  
4 building the shopping malls. It never mattered.  
5 Greene County Schools, the Beavercreek Schools and  
6 all that. Levy, levy, levy, levy, levy. It's not  
7 ever going to change anything so don't believe  
8 that. Another thing is that's really surprising is  
9 the idea of they get to lease this land for 30 to  
10 40 years. Not 10 years, not 15 years. Why?  
11 Because 30 or 40 years from now, we'll either be  
12 retired or dead. So that gets them off the hook.  
13 And I'm not going to go into all of this business  
14 about who's going to clean up the arrays because  
15 you've heard all those arguments and they're  
16 totally true. I grew up in Beavercreek. I moved  
17 to Xenia Township to be near Glen Helen and John  
18 Bryan and the whole Yellow Springs area and I grew  
19 up here and I rode my bicycle out to. And I just  
20 love it. And for four years after, I worked for  
21 the government. I worked for the Library of  
22 Congress for 21 and a half years on the base. And  
23 then I've worked some other jobs once my position  
24 moved out of state. And I stayed in Greene County  
25 where all my ancestors are buried.



1                   And I had a job for four years in  
2   Springfield and I went up and down Clifton Road  
3   alongside those parks and alongside those farms  
4   everyday before dawn and in the afternoon and I  
5   can't tell you, the herds of deer I saw. I saw  
6   quail, I saw badgers, I saw foxes, blue Herons,  
7   eagles, hawks. I can't imagine what's going to  
8   happen when there's a sea of glass and metal out  
9   there for those animal to crash into. You had to  
10   be so careful going up and down Clifton Road  
11   especially in the morning in the wintertime in the  
12   fields where you would just see like 20, 30 deer at  
13   a time. They would go springing over the road  
14   right in front of me. You had to be so careful.  
15   So now they're going to spring over directly in a  
16   pile of glass? Let's see, other than that, near  
17   where I live in Amlin Heights, there's the Sara Lee  
18   Arnovitz Wetlands Facility on Kinsey Road and then  
19   there's also another preserve off of Old  
20   Springfield Pike that has blue Heron and nesting  
21   foxes. And what's going to happen with all the  
22   birds and things in the area when there's a sea of  
23   glass? And if you read anything about what these  
24   solar arrays do, about the damage they do to the  
25   bird population. They go slamming into the --

1 MR. WILLIAMS: Ms. Deger, your  
2 time is up.

3 THE WITNESS: Okay.

4 MR. WILLIAMS: Thank you so much.  
5 Any questions from the Bench?

6 MS. FRENCH: (Shaking head.)

7 MS. MERTZ: (Shaking head.)

8 MR. WILLIAMS: Any questions from  
9 the parties?

10 MR. VAN KLEY: (Shaking head.)

11 MR. SETTINERI: (Shaking head.)

12 MR. WILLIAMS: Thank you for your  
13 testimony. Just wanted to make sure my notes are  
14 clear, Scott Marvin? I didn't think so. Dianne  
15 Nash?

16 AUDIENCE MEMBER: She's gone.

17 MR. WILLIAMS: Okay. Tara Melvin  
18 is our next witness followed by Robert Albright.

19 THE WITNESS: Oh wait, it's my  
20 turn.

21 MR. WILLIAMS: Will you raise your  
22 right hand?

23 (WHEREUPON, the witness was  
24 sworn.)

25 MR. WILLIAMS: Would you please

1 state and spell your name for the record?

2 THE WITNESS: First name is Tara,  
3 T-A-R-A. Last name is Melvin, M-E-L-V-I-N.

4 MR. WILLIAMS: And your address?

5 THE WITNESS: 429 Country Club  
6 Drive in Xenia.

7 MR. WILLIAMS: Do you live or work  
8 within the project area?

9 THE WITNESS: I don't live or work  
10 in the project area. However, I work with the  
11 Sheriff's office who does service the project area.

12 MR. WILLIAMS: Thank you. And are  
13 you an intervenor in the case?

14 THE WITNESS: No.

15 MR. WILLIAMS: Please proceed.

16 THE WITNESS: Okay. First of all,  
17 I want to it abundantly clear that I'm not speaking  
18 on behalf of the Sheriff's office and I'm not  
19 representing them. This is my opinion only. First  
20 thing I want to talk about it is Copper. All of  
21 the solar and green energy sounds good, however,  
22 there's no such thing as a free lunch. Wind and  
23 solar have the highest Copper content of all these  
24 renewable technology. They operate about 5 and a  
25 half tons of Copper per megawatt of power

1 generation. So you do the math on a 1,500 acre  
2 solar farm. That's a lot of copper. University of  
3 Michigan and Syracuse did a joint study. Humans  
4 use 18,000 times more Copper than the earth can put  
5 into new deposits. So it is considered a  
6 nonrenewable source. Another thing I want to talk  
7 about is Ohio is hit especially hard with the  
8 opioid epidemic. Why am I talking about that?  
9 Because everybody knows people love to steal Copper  
10 and people steel Copper for drugs. US-35, which is  
11 only about 15 miles from this farm, is known as  
12 heroin highway. Ohio has been number 1 in the  
13 country for five years in the row in Copper theft.  
14 Metropolitan, remote and rural areas and in  
15 construction sites are hit the hardest. And we  
16 have two of those three right here. Large scale  
17 farms is just an open invitation for people to  
18 steal Copper. Security systems will only work so  
19 far. Anybody who thinks that nobody will steal it  
20 has no idea the extent that people will go to steal  
21 Copper for drugs.

22                   Second thing is noise pollution.  
23 National Geographic Society says that the noise  
24 generated from anything with decibels, including  
25 the solar farms, it'll cause caterpillars hearts to

1 beat faster, blue birds can have fewer chicks and  
2 it is disorienting because animals use sound to  
3 navigate, find food, avoid predators and find mates  
4 for reproduction. This will be devastating on John  
5 Bryan and Glen Helen which is both very close to  
6 the solar farm.

7 Third thing I want to talk about  
8 is history. Do these people even know that  
9 Tecumseh was born in 1768 near Oldtown or what was  
10 known as Chalahgawth? That's only about three  
11 miles from the solar farm. It might not be an  
12 Indian mound, however, everyday life will, did  
13 occur on what will be the solar farm. An example  
14 of a construction discovery in 2012, King Richard  
15 the Third's bones were discovered in a parking lot  
16 in England. That excavation took precedence. I  
17 don't believe that a solar company will be such  
18 good stewards towards history if they were to  
19 uncover something similar.

20 Lastly, the Ohio State University  
21 Farm Office printed the Farmland Owners Guide to  
22 Solar in August 2019. On page 12, section 2.3,  
23 explicitly states, since we have not previously  
24 experienced utility scale solar energy development  
25 in Ohio, it is difficult to know how such long-term

1 physical impacts will be and how successfully the  
2 land can be converted back to agricultural uses at  
3 the end of the solar lease period. If the Ohio  
4 State University is saying that, then what gives  
5 the solar company the right to say that it will be  
6 safe afterwards? It's naive at best that we have  
7 lied at worst.

8 Finally, historian, Bert Bonser,  
9 said in 1897 that is a source of regret that more  
10 care has not been taken to preserve the history of  
11 the early settlers of the County Greene. An ounce  
12 of prevention is worth a pound of cure. Preventing  
13 the solar farm now will save us from a multitude of  
14 problems later. The current mentality is penny  
15 rich but not a dollar poor and I feel that the  
16 solar farm is a short-term gain but a long-term  
17 sacrifice. Thank you.

18 MR. WILLIAMS: Thank you for your  
19 testimony. Anything from the Bench?

20 MS. FRENCH: (Shaking head.)

21 MS. MERTZ: (Shaking head.)

22 MR. WILLIAMS: Mr. Settineri?

23 MR. SETTINERI: A very quick  
24 question. Thank you for your testimony.

25 THE WITNESS: Okay.

1 MR. SETTINERI: You said you work  
2 with or for the Sheriff's department?

3 THE WITNESS: I'm a dispatcher  
4 countywide.

5 MR. SETTINERI: Thank you.

6 THE WITNESS: Yep. Thanks.

7 MR. WILLIAMS: Thank you. Our  
8 next witness is Robert Albright followed by Seth  
9 Wright.

10 THE WITNESS: Can you hear me  
11 okay?

12 MR. WILLIAMS: Yes, sir. Would  
13 you raise your right hand?

14 (WHEREUPON, the witness was  
15 sworn.)

16 MR. WILLIAMS: Would you state and  
17 spell your name for the record?

18 THE WITNESS: Robert E. Albright.  
19 R-O-B-E-R-T, E, middle name or middle initial and  
20 A-L-B-R-I-G-H-T.

21 MR. WILLIAMS: And your address?

22 THE WITNESS: 5149 Mud Run Road,  
23 Yellow Springs, Ohio.

24 MR. WILLIAMS: Do you live in a  
25 township?

1 THE WITNESS: Do I live in a  
2 township?

3 MR. WILLIAMS: Do you live in a  
4 township?

5 THE WITNESS: Bath Township.

6 MR. WILLIAMS: Okay. And do you  
7 work or live in the project area?

8 THE WITNESS: No, sir. But I do  
9 own 43 acres that is right smack dab in the middle  
10 of the panels in the farm.

11 MR. WILLIAMS: Okay. And are you  
12 an intervenor in the case?

13 THE WITNESS: No, sir.

14 MR. WILLIAMS: Please proceed.

15 THE WITNESS: So I am not one of  
16 the kind of people that had family that grew up  
17 here but I grew up in Huber Heights. And so I used  
18 to come out to John Bryan when I was like 15, 16, I  
19 would come out because that's what you do in this  
20 area. You come out to Yellow Springs to check out  
21 the unique landscape. So my goal was to always buy  
22 land out here to move out here. So I bought this  
23 43 acres in '05 with the plan to build out there  
24 because it's an extremely pristine area, very  
25 remarkable. And then you have the Glen Helen, John



1 Bryan and Clifton Mill. All those things are very  
2 unique and so the idea of going out into Yellow  
3 Springs and this area is something a lot of people  
4 do just to get away from the industrial hustle  
5 bustle of heightened development and whatever  
6 commercial development. And so, we live on the  
7 other side of Yellow Springs, which is okay.

8                   So I first got the mailer on this  
9 back in like 2017 or '18. And I thought, well,  
10 that doesn't bother me. That sounds pretty good.  
11 But we're talking about a back door conversion to  
12 industrial land from farmland. Industrial land  
13 sells for like multiples, 25 times on the eyesight  
14 and the low amount it was worth. And we're getting  
15 maybe four times the money over farm rent of 250 an  
16 acre for \$1,000 an acre. This is not really a fair  
17 trade. Why would I want to commit for 45 years,  
18 which is what it would have been, basically walk  
19 away from my property that I wanted to come out and  
20 have as a phenomenal place?

21                   Well, why would I want to trade  
22 that if I can go somewhere else and buy a place  
23 that met those original criteria? So what this  
24 project does is essentially transform an area,  
25 transform an area that is you got John Bryan Dam,

1     turned it over and dedicated their money to save  
2     and preserve this area. And this project was  
3     basically, tear that apart. Now, so I have looked  
4     at some of the other nonemotional sides. So  
5     there's three things this project is supposed to  
6     satisfy to meet approval. Does it serve the public  
7     interest? Is it a convenience for the community?  
8     Is it a necessity for the community? Say public  
9     interest, this serve the interest of the small  
10    group of farmers and I sympathize with any of those  
11    that truly need this money but I do not sympathize  
12    with those that do not need this money. And it  
13    serves the health foundation. Health officials  
14    only care about Wall Street, care about Wall Street  
15    and that is it. Okay. It does not serve the local  
16    remaining land owner whatsoever. The website for  
17    Kingwood Solar, the power's already bought and paid  
18    for. But if this project gets built, none of this  
19    power is going to Greene County or even Ohio. It  
20    serves Ohio zero, okay? Including what I'm reading  
21    right here. In other forms I've seen written.  
22    It's pretty inconsistent with the surrounding  
23    agricultural and state and local parts of National  
24    River designation and so forth. So in my  
25    assessment is, I'm an engineer myself, it does not

1 serve the public interest, the public being people  
2 that live in this area.

3 It's an absolute inconvenience.

4 It does not serve convenience whatsoever. To build  
5 this, operate and maintain it, would just be a  
6 mistake with trucks, pickup trucks, semitrucks,  
7 agricultural equipment, up and down these small  
8 little roads. I pull trailers and RVs, these  
9 aren't even hardly wide enough for that. You're  
10 going to be driving these trucks around all day  
11 long. It does not add to me if it has complete  
12 interest, okay, is this a necessity? Absolutely  
13 not. Yellow Springs, Clifton, Cedarville, they  
14 don't want it either. So basically we're building  
15 a plan if we approve this. To let somebody make  
16 money off of us to serve somebody who's not us.  
17 How does that make sense? It solves no local  
18 necessity whatsoever. It is a negative, I totally  
19 approve to oppose this project. Thank you.

20 MR. HICKS: Thank you, sir.

21 THE WITNESS: Any questions?

22 MR. HICKS: Sir, the Bench first.

23 You said that you own 48 acres near the project  
24 area?

25 THE WITNESS: Correct.

1 MR. WILLIAMS: And by the project  
2 area?

3 THE WITNESS: Yes, sir.

4 MR. WILLIAMS: And what's the  
5 current use of that acreage?

6 THE WITNESS: Agricultural. And I  
7 am a crop grower where I live on Mud Run and Enon  
8 and this farm, I work a full-time job. I rent the  
9 farm through the Markley family since I bought it.

10 MR. WILLIAMS: Okay. Thank you.  
11 Any other questions from the Bench?

12 MS. FRENCH: (Shaking head.)

13 MS. MERTZ: (Shaking head.)

14 MR. WILLIAMS: Any questions from  
15 the parties?

16 MR. VAN KLEY: (Shaking head.)

17 MR. SETTINERI: (Shaking head.)

18 MR. WILLIAMS: Thank you for your  
19 testimony, sir.

20 THE WITNESS: Thank you.

21 MR. WILLIAMS: Our next witness is  
22 Seth Wright.

23 Would you raise your right hand?

24 (WHEREUPON, the witness was  
25 sworn.)

1 MR. WILLIAMS: Thank you. Would  
2 you please state and spell your name for the  
3 record?

4 THE WITNESS: Seth Wright,  
5 S-E-T-H, W-R-I-G-H-T.

6 MR. WILLIAMS: And your address,  
7 sir?

8 THE WITNESS: 3398 Harbison Road,  
9 Cedarville, Ohio, Miami Township.

10 MR. WILLIAMS: Do you live or work  
11 within the project area?

12 THE WITNESS: I do, live.

13 MR. WILLIAMS: Okay. And are you  
14 an intervenor in the case?

15 THE WITNESS: No, sir.

16 MR. WILLIAMS: Please proceed.

17 THE WITNESS: So I would like to  
18 talk more about the jobs that are coming with the  
19 project. I oppose the project on record. My  
20 concern is, growing up I worked construction now,  
21 have for 11 years. Straight out of high school.  
22 Before that, I helped local farmers, you know, bail  
23 straw and hay. My father was, you want something,  
24 you earn it, you know, you work for the money you  
25 get. That's how it was. My concern is the jobs

1 coming in and the property lost due to solar array.  
2 Would that not kind of contradict the jobs that we  
3 would lose locally for people like myself when I  
4 was younger and farmer's hands? Like, they're  
5 going to loose these 1000 plus acres.

6 Are they going to be able to  
7 afford to keep the hired hands around and keep that  
8 money locally to be pushed back into local  
9 businesses, agricultural, or not, even just little  
10 storefronts in Cedarville is where I'm from? My  
11 parents have owned some small businesses in  
12 Cedarville before and have been pretty successful  
13 at it. And all there business is local people. So  
14 my worry is all that money going away. I mean, the  
15 little, is the risk worth the reward kind of? And  
16 to me there is no reward. The only rewards I would  
17 see would be the schools which, like a lady said  
18 earlier. There's still going to be levies on the  
19 ballot. We're still going to pay those taxes, same  
20 if not more. They ain't going to go down any.  
21 That's for sure. So I just wanted, I guess, I just  
22 ask you guys if you could take that into  
23 consideration, please.

24 MR. WILLIAMS: Thank you, sir.  
25 Any questions from the Bench?

1 MS. FRENCH: (Shaking head.)

2 MS. MERTZ: (Shaking head.)

3 MR. WILLIAMS: Any questions from  
4 the parties?

5 MR. VAN KLEY: (Shaking head.)

6 MR. SETTINERI: (Shaking head.)

7 MR. WILLIAMS: Thank you for your  
8 testimony. Our next witness is David Rich. And  
9 our on deck witness is Jed Hanna.

10 THE WITNESS: Hello.

11 MR. WILLIAMS: Good evening.  
12 Would you raise your right hand?

13 THE WITNESS: Yes.

14 (WHEREUPON, the witness was  
15 sworn.)

16 MR. WILLIAMS: Would you please  
17 state and spell your name for the record?

18 THE WITNESS: 3165, oh, wait, no.  
19 Sorry.

20 MR. WILLIAMS: It's getting late.

21 THE WITNESS: It is. David Rich.  
22 That's R-I-C-H, J. My address is 3165 Harbison  
23 Road. That's Miami Township.

24 MR. WILLIAMS: Do you live or work  
25 within the project area?

1 THE WITNESS: Both.

2 MR. WILLIAMS: And are you an  
3 intervenor in the case?

4 THE WITNESS: I am not.

5 MR. WILLIAMS: Please proceed.

6 THE WITNESS: Okay. My name is  
7 David and I'm the guy that everyone sees out here  
8 one running on Harbison Road. Thanks for waving.  
9 Personally, my running route is pretty much going  
10 to become a prison. It's going to have chained  
11 link fences on both sides. Not super fun. I most  
12 likely will have to drive somewhere else when I go  
13 out to exercise. My understanding is that a large  
14 majority of the hearings such as this really do not  
15 take as long as this one has. I think that points  
16 to the fact that there are so many people who are  
17 not willing parties to this transaction. The  
18 number of residents significant that do not want  
19 this significantly outweighs the few that do. And  
20 I would contest that they likely are not residents  
21 or do not plan on being residents once this occurs.  
22 I think also it's incredibly surprising the number  
23 of people that have spoken and have had unique  
24 perspectives and reasons why this is not going to  
25 be a good thing for them personally.



1                   Another observation that I've had  
2 tonight is the number of people here that are  
3 speaking for in support of this proposal that are  
4 over the age of 60. I do not believe I've seen one  
5 person here that is under the age of 60 that has  
6 been in favor of this. I'm 31 years old. My  
7 daughter is four. My other daughter is one. My  
8 wife and I are forced to think about this with the  
9 long-term perspectives. Because of that, I really  
10 can't justify taking a payment from solar just to  
11 turn on my neighbors. Even more importantly, I'm  
12 deeply concerned about the chemicals that are in  
13 these solar panels and I have to consider the  
14 seepage that your staff Board has said would not be  
15 even suitable for unmodified landfills. That  
16 terrifies me. I would have to test my water every  
17 month if not more and that would be a burden on me.  
18 I grew up in Cedarville.

19                   I moved to the great, big Columbus  
20 to work and when my wife and I decided to have a  
21 family, we moved back home to Cedarville. We did  
22 this to get away from commercial and industrial  
23 sites. We did this to go to, what is really a  
24 beautiful place to live. If we knew that it was  
25 going to be solar panels, we most certainly would

1 not have done that. We would have moved far away.  
2 I hear a lot about property rights and I understand  
3 that but I would not be permitted to build a casino  
4 on my property. I think would be quite profitable  
5 most likely but I mean, it's just not something  
6 that is in the public's interest. It would  
7 completely alter the nature of our community.  
8 Really, my opinion, this is a transfer of wealth  
9 from these few land holders to, from us to these  
10 few land holders. I think they're going to get 10  
11 cents, 5 cents on the dollar of our wealth. But  
12 the reality is that hedge funds will be getting 95  
13 or more percent of that value. I just don't think  
14 that's right.

15 I would love to see, I've seen  
16 that they say that property values will not be  
17 impacted. I would like to see the solar group and  
18 the hedge fund put their money behind that, create  
19 a fund, add to a fund and promise to protect our  
20 money at an inflation-protective rate. I also do  
21 not buy the argument that tax dollars will protect,  
22 will improve our schools. I think there's numerous  
23 studies that show that tax dollars do not improve  
24 student performance. I do think that lots of  
25 students leaving and leaving my daughters as the

1 only ones in that school would. Further talking  
2 about property values, I guarantee you that we  
3 would significantly, we would seriously have to  
4 consider leaving, which would create a rush to get  
5 out, lowering property values. Another interesting  
6 and unique thing I saw in your staff report was the  
7 comment about bats, which is incredibly, I just  
8 wasn't expecting to see it.

9 But we have lots of bats on our  
10 property and apparently they didn't see any and I  
11 would guess because they're all at my house. My  
12 daughters are looking out every night and they will  
13 count the bats and I mean, seriously, we can't  
14 count the bats. Five, 10, 20, who knows? It's a  
15 lot. But, I mean, the reality is that it's just  
16 not good. Lastly, I understand that this is going  
17 to be one of the largest solar installations in the  
18 country which is ridiculous. If you look at the  
19 nature of our, like where we live, and just answer  
20 one of the questions that was asked earlier, the  
21 Cedarville University solar insulation is 2.1 or  
22 2,100 kilowatts, which is not even a fraction of  
23 what this is. Thank you. I will look forward to  
24 any questions.

25 MR. WILLIAMS: Thank you for your

1 testimony. Any questions from the Bench?

2 MS. FRENCH: (Shaking head.)

3 MS. MERTZ: (Shaking head.)

4 MR. WILLIAMS: Any questions from  
5 the parties?

6 MR. VAN KLEY: (Shaking head.)

7 MR. SETTINERI: (Shaking head.)

8 MR. WILLIAMS: Thank you for your  
9 testimony this evening.

10 MR. VAN KLEY: Your Honor, have we  
11 reached the point now where intervenors are allowed  
12 to testify?

13 MR. WILLIAMS: I have two  
14 witnesses left and I believe they're both  
15 intervenors.

16 MR. VAN KLEY: Okay.

17 MR. WILLIAMS: Okay. I, Mr.  
18 Hanna?

19 THE WITNESS: Yes, sir.

20 MR. WILLIAMS: Mr. Shelton, if  
21 you're still here, I do apologize that my sheets  
22 became out of order. Mr. Hanna, you're here so I  
23 will swear you in.

24 MR. SETTINERI: Your Honor, I just  
25 want to, sorry to interrupt. But I just want to

1 renew my objection. I'd also note, besides my two  
2 other arguments previously, actually have a  
3 discovery pending, we haven't gotten a response  
4 either. So yeah, I do view it as a prejudicial and  
5 I'll renew the objection for the record.

6 MR. WILLIAMS: As before, your  
7 objection is overruled. Thank you.

8 Mr. Hanna, would you raise your  
9 right hand?

10 THE WITNESS: I do. Go ahead.

11 MR. WILLIAMS: Uh-huh.

12 (WHEREUPON, the witness was  
13 sworn.)

14 MR. WILLIAMS: Would you please  
15 state and spell your name for the record?

16 THE WITNESS: Jed Hanna, J-E-D,  
17 H-A-N-N-A.

18 MR. WILLIAMS: And your address?

19 THE WITNESS: 3251 Wilberforce  
20 Clifton Road, in the center of the mayhem. We're  
21 surrounded, I'd say by three sides of our property.  
22 We actually have two houses on this area now. I  
23 was born and raised here in Cedarville. The  
24 property I do live at now, I've lived there for 20  
25 years. I had to completely rebuild an old

1 farmstead that was there. I tore down the old barn  
2 and built a new barn. Now, I'm being threatened, I  
3 feel very much so, by a company that has no,  
4 there's no obligations here. They're not from  
5 here. They don't care about any of us. You know,  
6 they have come to my property. They have talked to  
7 me to my face, said they're going to turn off the  
8 power to my place. They're going to turn off the  
9 power. I don't think so. This is America. We  
10 generate power, I guess through coal is our main  
11 thing. And in saying that, why don't we take the  
12 coal? We're still taking that. We're going to and  
13 then we go put a solar array on the coal fields  
14 once we're done taking the coal. Does that make  
15 sense? I don't think so. You know, my family,  
16 we've lived here, we've farmed for over 150 years.  
17 We have not put any of our farmland into such a  
18 distressed point of, you know, we're not going this  
19 far. We're going to the other way. Everybody  
20 says, there's people that says, we are preserving  
21 our farmland. No. They're not. We preserve it.  
22 We put in the funds to care for this and it'll be  
23 preserved for who knows how many years? Forever  
24 hopefully. We don't know what they're doing with  
25 their land. They're, you know, they're trying to

1 preserve it but it's not the right way. It's not  
2 at all. Sorry for the getting so distraught here.  
3 Even on the way here, me and my wife were thinking  
4 of this. We're driving through the farmlands where  
5 we drive through everyday. We live there. We work  
6 there and I thought of the song America the  
7 Beautiful. And I just thought, while we were  
8 trying to sing to ourselves, I said, you know,  
9 that, doesn't it say, Amber Waves of Grain? I  
10 don't see it ever saying anything about fucking  
11 solar panels. Any questions?

12 MR. WILLIAMS: Any questions from  
13 the Bench?

14 MS. FRENCH: (Shaking head.)

15 MS. MERTZ: (Shaking head.)

16 MR. WILLIAMS: Any questions from  
17 the parties, Mr. Settineri?

18 MR. SETTINERI: Yeah. Mr. Hanna,  
19 you're an intervenor in the case, correct?

20 THE WITNESS: My wife is, I  
21 believe.

22 MR. SETTINERI: Do you know?

23 THE WITNESS: I don't. I'm sorry.

24 MR. SETTINERI: It's al right.  
25 You mentioned you had two houses in the area, when

1 did you buy those houses?

2 THE WITNESS: The one was 20 years  
3 ago that I had to redo. The language, going to the  
4 house that I bought 20 years ago was not on my  
5 property. So I bought the front house just in the  
6 last year because of the language that goes to it.

7 MR. SETTINERI: How do --

8 THE WITNESS: And I'm assuming I'm  
9 going to go have sell both of those if this thing  
10 goes through and leaves a couple \$100,000.

11 MR. SETTINERI: -- how did you  
12 previously get to that first house?

13 THE WITNESS: To the language. It  
14 was prior to getting there.

15 MR. SETTINERI: So you had access  
16 to the house?

17 THE WITNESS: Yes.

18 MR. SETTINERI: Okay. Did you  
19 read the staff report that was issued to this case?

20 THE WITNESS: No.

21 MR. SETTINERI: Are you aware that  
22 staff is recommending some issues that would apply  
23 to this project if it was approved by the Board?

24 THE WITNESS: Say it again.

25 MR. SETTINERI: Are you aware that



1 the staff recommends conditions that would apply to  
2 this project if the Board approves it?

3 THE WITNESS: I don't know where  
4 you're coming from.

5 MR. SETTINERI: Okay. No further  
6 questions.

7 MR. WILLIAMS: Thank you. Thank  
8 you for your testimony. I have our last witness as  
9 Kyle Shelton. Mr. Shelton, thank you and thank you  
10 for all of your patience this evening. Could you  
11 please raise your right hand?

12 (WHEREUPON, the witness was  
13 sworn.)

14 MR. WILLIAMS: Would you please  
15 state and spell your name for the record?

16 THE WITNESS: Kyle Shelton,  
17 K-Y-L-E, S-H-E-L-T-O-N.

18 MR. WILLIAMS: And your address?

19 THE WITNESS: 3076 Harbison Road  
20 in Cedarville, Miami Township.

21 MR. WILLIAMS: Do you live or work  
22 within the project area?

23 THE WITNESS: I live.

24 MR. WILLIAMS: And you are an  
25 intervenor?

1 THE WITNESS: I am an intervenor.

2 MR. WILLIAMS: Please proceed.

3 THE WITNESS: Thank you. As I  
4 said, I live on Harbison Road in Cedarville and the  
5 proposed project will border two sides of my  
6 property and be visible on either side. Like many  
7 others here, I'm opposed to the Kingwood proposal.  
8 As you see from the showing tonight, it is a strong  
9 and passionate community. The strongest I've ever  
10 seen. Our town is full of farmers, veterans,  
11 laborers, teachers. The way people have organized  
12 and educated the community on this process is  
13 nothing short of amazing. But as strong as we are,  
14 and as organized as we are, there's one fact that  
15 remains constant, we are severely under matched in  
16 this fight.

17 We cannot contend with the money,  
18 time and resources this large company brings to the  
19 process. We also lack the willingness to employ  
20 unethical business practices of a desperate  
21 company. That's the purpose of government. The  
22 low-playing field and ensure the actions of the few  
23 don't negatively impact society as a whole. When  
24 it comes to a 175 megawatt industrial sized solar  
25 facility, the state has charged the OPSB with that

1 work and responsibility. I'm here tonight to plead  
2 with the OPSB to treat this as a local issue and  
3 not a business transaction for the State of Ohio.  
4 Nearly every citizen, township trustee and county  
5 commissioner live in dusk into the details of  
6 Kingwood and have come to the same conclusion.

7           The conclusion that the OPSB staff  
8 confirmed in their recent staff report, that this  
9 project does not make sense here. The list of the  
10 problems is overwhelming but my first concern was  
11 the sheer number of individuals who would be  
12 negatively affected. Multiple credible studies  
13 like the University of Texas at Austin study from  
14 2018 or The University of Rhode Island study from  
15 2020 highlights the negative impact to property  
16 value near solar facilities. As you would assume,  
17 the impacts worsen as the size of the project grows  
18 and your proximity of the project shrinks. As you  
19 know, this project is quite large and a lot of us  
20 are extremely close to it.

21           In fact, the data out of the  
22 studies at University of Texas at Austin studied  
23 the findings at a 100 plus megawatt solar facility  
24 in Key West had on average 1.11 homes indicate  
25 within a one mile radius. One home within one

1 mile. I would, I don't know if anyone would care  
2 to guess the number of homes within a mile of the  
3 proposed Kingwood project or the number of  
4 properties. It's over 600. 600 properties to 600  
5 times more densely populated than the average solar  
6 facility in its size class.

7                   One home within a one mile radius  
8 to me indicates a record of responsible sites at  
9 these massive industrial facilities. 600, not so  
10 much. Approval of the Kingwood project would not  
11 only be incredibly damaging to our community, it  
12 would be seemingly unprecedented on a national  
13 scale. I believe it was Jane Sweet who mentioned  
14 in an earlier testimony that this would be a great  
15 research project. I agree it would be that. It  
16 would be a research project. Something that ties  
17 into the area that's densely populated is  
18 unprecedented. I ask that you please deny the  
19 Kingwood proposal specifically so we can get back  
20 to our lives. For many people, this has been a  
21 three or four year long journey and longer for some  
22 others. This project has been a conflict of burden  
23 on our time, a burden on our finances and most of  
24 all, it's been a burden on mental health of  
25 hundreds of families across our community. Thanks

1 for your time.

2 MR. WILLIAMS: Thank you for your  
3 testimony. Anything else from the Bench?

4 MS. FRENCH: (Shaking head.)

5 MS. MERTZ: (Shaking head.)

6 MR. WILLIAMS: Anything else from  
7 the parties, Mr. Settineri?

8 MR. SETTINERI: Good evening, Mr.  
9 Shelton.

10 THE WITNESS: What's your  
11 question?

12 MR. SETTINERI: You're an  
13 intervenor in the case?

14 THE WITNESS: Correct.

15 MR. SETTINERI: You're represented  
16 by counsel?

17 THE WITNESS: Correct.

18 MR. SETTINERI: Have you read the  
19 staff report?

20 THE WITNESS: Yep.

21 MR. SETTINERI: Are you aware that  
22 staff recommends conditions --

23 THE WITNESS: Yes.

24 MR. SETTINERI: -- if the Board  
25 approves?

1 THE WITNESS: I am aware.

2 MR. SETTINERI: Did you review  
3 those conditions?

4 THE WITNESS: Yes.

5 MR. SETTINERI: You are aware of  
6 those conditions?

7 THE WITNESS: Correct. Yes.

8 MR. SETTINERI: Yes? Okay. Good.  
9 What's your occupation?

10 THE WITNESS: I'm a program  
11 manager.

12 MR. SETTINERI: And what does that  
13 mean?

14 THE WITNESS: I manage  
15 applications for Department of Defense.

16 MR. SETTINERI: Okay. All right.  
17 All right. That's it. Thank you.

18 MR. WILLIAMS: Thank you, sir.

19 MR. HICKS: I believe that  
20 concludes our list of witnesses. I want to thank  
21 everyone for sticking it out until the end here.  
22 The Board appreciates everyone's participation in  
23 this hearing. Mr. Settineri, I was going to ask  
24 you something before we adjourn here so go ahead.

25 MR. SETTINERI: I do speak quietly

1 sometimes. Your Honors, one thing I wanted to just  
2 request. I know that there was a reference to a  
3 sheet in the back where people could write pluses  
4 or minuses basically if they were in support or  
5 opposed. I would ask that those go on the public  
6 comment docket as those individuals would not have  
7 been sworn in to testify. And I'd also note,  
8 there's a very good chance of abuse of a document  
9 like that. Just in general, I think for the  
10 preservation of the records that those sheets  
11 should go on the public comment docket.

12 MR. WILLIAMS: We'll take your  
13 motion under advice but I will advise though, given  
14 the fact that we let witnesses know that they could  
15 sign the sheet in lieu of appearing and testifying.  
16 My inclination is those will be affixed in the  
17 transcript.

18 MR. SETTINERI: I'm just resting  
19 my objection.

20 MR. WILLIAMS: So noted. Thank  
21 you. Anything else from the parties?

22 MR. VAN KLEY: No, Your Honor.

23 MR. HICKS: Once again, I want to  
24 thank everyone. Have a good evening but be safe  
25 driving home and we are adjourned.

(WHEREUPON, hearing concluded at

12:38 a.m.)



C E R T I F I C A T E

I, Brittany R. Montour, a Court  
Reporter and Notary Public, do hereby certify that  
the foregoing is a full, true and correct  
transcript of my notes taken in the above-styled  
case and thereafter transcribed by me.

*Brittany R. Montour*



\_\_\_\_\_  
Brittany R. Montour

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