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BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the Application  
of Chestnut Solar, LLC for a  
Certificate of Environmental  
Compatibility and Public Need  
(Chestnut Solar, LLC)

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Case No.  
22-0988-EL-BGN

HEARING

DATE: Monday, April 29, 2024  
TIME: 5:00 p.m.  
BEFORE: Honorable Jay Agranoff  
Honorable Isabel M. Marcelletti  
LOCATION: Tri-Rivers Career Center  
2222 Marion-Mount Gilead Road  
Marion, OH 43302  
REPORTED BY: Michael Rennillo  
JOB NO.: 6414305



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1           P R O C E E D I N G S  
2           JUDGE MARCELLETTI: Good evening,  
3 everyone. The Ohio Power Siting Board calls tonight  
4 Case Number 22-988-EL-BGN, which is captioned "In the  
5 Matter of the Application of Chestnut Solar, LLC, for  
6 a Certificate of Environmental Compatibility and  
7 Public Need to Construct and Operate the Chestnut  
8 Solar Project."  
9           Again, my name is Izzy Marcelletti and  
10 with me is Judge Jay Agranoff. Together we are the  
11 board's administrative law judges assigned to hear  
12 this case tonight. And I will note on the record I do  
13 have a lengthy opening spiel, so please be patient.  
14           The passage of Senate Bill 52 provides  
15 new opportunities for county commissioners and  
16 township trustees to participate in the siting of  
17 solar projects in their communities.  
18           County commissioners may choose one  
19 commissioner or a designee to serve as an ad hoc board  
20 member for the purpose of considering this case.  
21 Likewise, township trustees may choose one trustee or  
22 a designee to serve as their ad hoc board member  
23 representative.  
24           The Marion County Commissioners'  
25 appointed designee Mr. Kenneth Lengieza -- Lengieza,

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1 thank you -- and the Board of Trustees of Pleasant  
2 Township appointed trustee David Schrote both are here  
3 with us this evening.  
4           Gentlemen, if you want to wave to the  
5 crowd. Thank you.  
6           They will be serving as the ad hoc  
7 members for this project. There are also staff  
8 members from the board assisting us with the hearing  
9 tonight.  
10          Staff, please raise your hand for the  
11 crowd. Thank you.  
12          You likely passed them on your way in  
13 this evening, but they are the individuals by the OPSB  
14 table. They are available if you have any questions  
15 concerning the board's process, if you need assistance  
16 in accessing any of the documents submitted in this  
17 case, or if you have general questions about the  
18 hearing tonight.  
19          Please reach out to the staff in the  
20 corner if you would like to be added to the list of  
21 witnesses for tonight's hearing. Additionally, staff  
22 has forms in opposition as well as in support that you  
23 may sign in lieu of testifying tonight if you wish to  
24 do so.  
25          Lastly, if there are any members of the

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1 media, I would direct you to talk with staff. You can  
2 get more information of how to stay connected with the  
3 case documents and so forth.  
4          And at this time, I would like to take  
5 appearances on behalf of the parties beginning with  
6 Applicant Chestnut Solar.  
7          MS. FLAHIVE: Good evening. This is  
8 Devan Flahive from the law firm Nelson Mullins, and  
9 with me is the applicant's representative Ben  
10 Friedell.  
11          JUDGE MARCELLETTI: Thank you.  
12          And I will note, as I mentioned before  
13 I started this introduction, there are interveners in  
14 this case who have filed timely motions to intervene.  
15 However, it seems like a counsel for them are not here  
16 tonight.  
17          We have the Ohio Farm Bureau  
18 Federation, the Marion County Commissioners, and the  
19 Concerned Citizens Group as well as Mr. Eric Queen,  
20 Ms. Melodie Little and Noel Jerome and Joe Barney and  
21 Clint Canterbury and Betty Jo Lill, Judy Lehner,  
22 George William Stump and Jeff Shettel [ph] as our  
23 interveners.  
24          Again, the subject of tonight's hearing  
25 is the application filed by Chestnut Solar for the

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1 purpose of constructing a solar-powered electric  
2 generation facility of up to 68 megawatts in Pleasant  
3 Township in Marion County, Ohio.  
4          The application was filed of March 2nd  
5 of 2023. The board staff filed their report of  
6 investigation on April 12, 2024. This report is a  
7 recommendation of the board staff and does not  
8 necessarily reflect what the board's final  
9 determination in this case will be.  
10          The purpose of this evening's public  
11 hearing is to receive testimony regarding the  
12 application from persons in the local community who  
13 are affected by the proposed project. The public  
14 hearing will not be a question-and-answer session but  
15 rather an opportunity for you to let the board know  
16 what you think about the proposed project.  
17          This public hearing is only one aspect  
18 of the process in this case. An adjudicatory hearing  
19 is currently scheduled to commence on May 20th of 2024  
20 at the board's offices in Columbus.  
21          On April 26, 2024, the applicant filed  
22 a motion to continue the hearing date to be  
23 rescheduled. However, we will not be addressing that  
24 at the hearing tonight. The purpose of the hearing is  
25 for the parties and the board staff to provide

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1 testimony and other evidence regarding the project in  
 2 Columbus, Ohio.

3 For those of you here tonight who are  
 4 parties to the case, the adjudicatory hearing will be  
 5 your opportunity to be heard. However, with that  
 6 being said, if you are a party to the case and would  
 7 like to testify tonight, you may do so.

8 If you are a party to the case, we ask  
 9 that you keep your comments brief given that you have  
 10 an opportunity to testify during the adjudicatory  
 11 hearing. Additionally, if you are a party to the case  
 12 and are represented by an attorney, you may wish to  
 13 consult with your attorney before making any comments  
 14 here tonight.

15 As you can see, tonight's hearing is  
 16 being transcribed by our court reporter. If you plan  
 17 to testify, please speak clearly so he may accurately  
 18 reflect your comments on the record. Also, if you  
 19 have prepared a written statement, it would be helpful  
 20 to provide him a copy so he can accurately transcribe  
 21 your statement.

22 I do know we do have a pile of written  
 23 statements folks have already provided us. And if  
 24 possible, please notate your name on those written  
 25 exhibits so we can keep track of everything when they

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1 are filed with tonight's transcript.

2 After I finish with my introduction, we  
 3 will begin by inviting individuals on the sign-in  
 4 sheet to speak about the proposed project. Each  
 5 person who signed up to testify will be permitted to  
 6 speak once about the proposed project tonight.

7 Before your testimony, we will ask you  
 8 to take an oath or affirmation that you are about to  
 9 say is the truth. We will also ask for your name and  
 10 address for the record and to indicate whether you  
 11 live or work within the project area. You will then  
 12 be able to provide your thoughts on the proposed  
 13 project.

14 Counsel for the parties and  
 15 Judge Agranoff and myself will be permitted to ask you  
 16 questions about your statement. Any counsel who  
 17 wishes to pursue cross-examination will be prompted,  
 18 and I will just gesture to you, Applicant.

19 The testimony you provide tonight will  
 20 be considered part of the official record and  
 21 consideration in this case. And it will be reviewed  
 22 by the board before a final decision is tendered on  
 23 the application.

24 A few more notes: If you decide that  
 25 you do not wish to testify when we read your name, you

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1 can pass to the next witness. If you decide that you  
 2 would prefer to file written comments in the case, I  
 3 would have you talk to our board staff in the corner  
 4 over there. Once you finish testifying, you may leave  
 5 or you may observe the rest of the hearing tonight.

6 If your name is called and you are a  
 7 party to the case, please state that. The board  
 8 appreciates your participation in tonight's hearing.  
 9 And we want everyone who is signed up to testify to  
 10 have the opportunity to do so.

11 For that reason, please keep your  
 12 comments brief to no more than five minutes. Again,  
 13 we will be holding up our signs, one minute and 30  
 14 seconds, to let you know when your time is up. Again,  
 15 we set these time limits so everyone who has signed up  
 16 to testify may have the opportunity to do so.

17 At this time, we will begin with the  
 18 testimony. I will note that Judge Agranoff and I will  
 19 call the person who is up to testify, and we will say  
 20 who is next on deck. So if we can have a queue, that  
 21 will keep us in an orderly fashion and get through  
 22 everyone tonight.

23 And we also may take a break depending  
 24 on how many witnesses we have. And I do apologize in  
 25 advance for any mispronunciations. We do our best.

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1 And also, I ask if we can refrain from speaking out of  
 2 turn, applauding, or cheering so we can get through  
 3 everyone tonight. It is very much appreciated. Thank  
 4 you again.

5 Oh, yes. And, please, if you can  
 6 silence your cell phones, that is always appreciated  
 7 as well. Thank you.

8 JUDGE AGRANOFF: Are there any  
 9 questions before we actually commence?

10 UNIDENTIFIED SPEAKER: If you don't  
 11 take an intermission, will you put the sign-in papers  
 12 out now?

13 JUDGE AGRANOFF: We will -- why don't  
 14 we wait until a couple of witnesses have testified?  
 15 And that way you can get a sense as to whether or not  
 16 what you heard is consistent with what you would have  
 17 said. And, therefore, you can then sign that sheet  
 18 with that representation.

19 UNIDENTIFIED SPEAKER: Will we have a  
 20 microphone to speak?

21 JUDGE AGRANOFF: And, again, as  
 22 Judge Marcelletti had indicated, we'll call both the  
 23 individual who is about to testify as well as the  
 24 person who's on deck. So that way you'll be prepared  
 25 to and know that you'll be next. Any other questions?

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1 UNIDENTIFIED SPEAKER: Are you holding  
 2 the signs from up there, the 30 and 1 minute?  
 3 JUDGE AGRANOFF: Yes.  
 4 JUDGE MARCELLETTI: Yes.  
 5 UNIDENTIFIED SPEAKER: You might want  
 6 to put them on the podium so they can see them.  
 7 JUDGE AGRANOFF: That's a fair point.  
 8 Thank you. And we will now begin with the first name  
 9 that I have on the list, which is Nissa Stump, and on  
 10 deck is Phyllis Minks.  
 11 And if I could please have you raise  
 12 your right hand? Do you solemnly swear or affirm that  
 13 the testimony you're about to give in this proceeding  
 14 is the truth?  
 15 MS. STUMP: Yes.  
 16 JUDGE AGRANOFF: Thank you. Please  
 17 state your full name and your address.  
 18 MS. STUMP: Nissa Stump, 3490 Maple  
 19 Grove Road, Marion, Ohio 43302.  
 20 JUDGE AGRANOFF: Thank you. And do you  
 21 live or work within the project area?  
 22 MS. STUMP: Yes. I'm directly across.  
 23 I live directly across the road from the project area.  
 24 JUDGE AGRANOFF: Okay. Would your home  
 25 actually be situated in the project area itself?

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1 MS. STUMP: Yes.  
 2 JUDGE AGRANOFF: Thank you. Please  
 3 proceed.  
 4 WHEREUPON,  
 5 NISSA STUMP,  
 6 called as a witness and having been first duly sworn  
 7 to tell the truth, the whole truth, and nothing but  
 8 the truth, was examined and testified as follows:  
 9 DIRECT STATEMENT  
 10 MS. STUMP: Ohio Power Siting Board  
 11 members and staff, as the Chair of the Concerned  
 12 Citizens of Pleasant Township, LLC, I'm requesting on  
 13 behalf of our 100-plus members that you deny Chestnut  
 14 Solar's application for a certificate of environmental  
 15 compatibility as there is no public need to construct  
 16 a solar power facility generation, electric generation  
 17 facility in Pleasant Township, Marion County, Ohio.  
 18 Our group was formed in late 2020 as we  
 19 initially learned about this project. My husband and  
 20 I, along with a couple of our neighbors, went door to  
 21 door and invited all to gather in our backyard and  
 22 discuss what we knew about this solar facility.  
 23 Together we created a proposal for the Pleasant  
 24 Township Zoning Board to protect the health and safety  
 25 of residents, our property values, future land

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1 development, and the aesthetic in our township  
 2 regarding commercial wind and solar.  
 3 On February 11, 2021, the Pleasant  
 4 Township Zoning Board voted no commercial solar under  
 5 50 megawatts. We had won as Chestnut Solar was  
 6 originally planned for 48 megawatts.  
 7 Then in 2021, we learned that the  
 8 project had been proposed to the OPSB at 68 megawatts.  
 9 We are still wondering how and why the change.  
 10 Luckily, we learned that Senate Bill 52 would protect  
 11 us with its passing on October 11, 2021.  
 12 But as we all know, the grandfather  
 13 clause is exactly why we are here tonight, so we  
 14 didn't sell. On June 7, 2022, the Pleasant Township  
 15 Trustees with the Marion County Commissioners passed a  
 16 resolution that no solar or windfarms considered major  
 17 utility would be considered in Pleasant Township.  
 18 Following our lead, seven other  
 19 townships in Marion County also passed resolutions.  
 20 The Marion County Commissioners also signed a letter  
 21 of engagement with Attorney Jack Van Kley on  
 22 September 6, 2022, to advise them in fighting Chestnut  
 23 Solar.  
 24 We did all of this before the public  
 25 information meeting on December 6, 2022. Shouldn't

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1 that have been enough to tell Chestnut Solar that our  
 2 community isn't interested? But no, they went forward  
 3 in submitting their official application on  
 4 March 2, 2023.  
 5 Thankfully, the Marion County  
 6 Commissioners with their advisory from Mr. Van Kley  
 7 passed a resolution on February 9, 2023, specifically  
 8 opposing Chestnut Solar as the construction and  
 9 operation of the facility would be incompatible with  
 10 the general health, safety, and welfare of the  
 11 residents of Marion County and, therefore, would not  
 12 serve the public interest, convenience, or necessity  
 13 of the residents of the county or the state of Ohio.  
 14 I've provided all of the resolutions  
 15 referenced to be added to the case. Unfortunately,  
 16 this still wasn't enough. And now here we are with  
 17 the county commissioners and our group of concerned  
 18 citizens intervening in this case.  
 19 While we can go on and on about the  
 20 reasons that we're against this project, a few that  
 21 are at the top of the list are the short- and long-  
 22 term health implications, the loss of property values,  
 23 the loss of fertile farmland, flooding, negative  
 24 effects on quality of drinking water, detrimental  
 25 effects on wildlife, increased noise, public safety,

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1 and the possible strain on our emergency services.  
 2 This project would directly affect the  
 3 health, safety, and security of our community. The  
 4 unknown long-term consequences of commercial solar  
 5 panel facilities is truthfully unknown. And no one  
 6 wants another Marion County environmental disaster on  
 7 their hands.  
 8 In the midst of all this worry,  
 9 headache, and heartache I do have to say thank you.  
 10 Thank you for giving me a reason to better know my  
 11 neighbors, my political representatives, and my  
 12 community. Marion County has been known for a few  
 13 different things. But the people of Marion County  
 14 should be known for their hard work, their grit, and  
 15 their unwillingness to give up.  
 16 You see, we've been fighting this fight  
 17 for nearly four years, and now we're finally nearing  
 18 the end. Chestnut Solar has the audacity to ask for a  
 19 pause? When is enough enough? How loud do we have to  
 20 be for our voices to be heard?  
 21 Ms. French and the board, if you want  
 22 to restore the public trust in the Public Utilities  
 23 Commission of Ohio, you have the opportunity to do so  
 24 starting right here in Marion County by denying  
 25 Chestnut Solar's application. Thank you.

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1 JUDGE AGRANOFF: Ms. Stump, if I could  
 2 please have you wait until after we have the cross-  
 3 examination. You're still --  
 4 THE REPORTER: Ms. Flahive wants to ask  
 5 you something.  
 6 JUDGE AGRANOFF: You're still with us.  
 7 MS. STUMP: No. I was going to give  
 8 you my paper.  
 9 JUDGE AGRANOFF: You can do that once  
 10 we're done.  
 11 MS. STUMP: Okay. Sorry.  
 12 JUDGE AGRANOFF: Yes. And now  
 13 Ms. Flahive, do you have any questions?  
 14 MS. FLAHIVE: Do you want me to use the  
 15 microphone, Judge?  
 16 JUDGE AGRANOFF: You might as well.  
 17 THE REPORTER: There you go.  
 18 JUDGE MARCELLETTI: We're going to have  
 19 to share a mic.  
 20 CROSS-EXAMINATION  
 21 BY MS. FLAHIVE:  
 22 Q Just a couple questions.  
 23 A Yes.  
 24 Q Do you recall at the beginning of your  
 25 remarks using the term "project area"?

Page 24

1 A Yes.  
 2 Q The way you used that term is not how the  
 3 project area is defined in the application, though;  
 4 true?  
 5 A No. The project area is larger than the  
 6 actual area of the solar panels.  
 7 Q Your understanding of the application is  
 8 that the project area encompasses both sides of Maple  
 9 Grove Road?  
 10 A Yes.  
 11 MS. FLAHIVE: Nothing further.  
 12 JUDGE AGRANOFF: Thank you. Anything  
 13 more?  
 14 JUDGE MARCELLETTI: I do not.  
 15 JUDGE AGRANOFF: We appreciate your  
 16 testimony. Thank you. Please give the court  
 17 reporter -- and each of those pages have your name  
 18 noted on them?  
 19 (Exhibit 1 was marked for  
 20 identification.)  
 21 THE REPORTER: Okay. Hey, one minute.  
 22 Okay. I see your name on it. Thank you. I  
 23 apologize.  
 24 JUDGE AGRANOFF: Okay. Next, we have  
 25 Phyllis Minks.

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1 MS. MINKS: Minks.  
 2 JUDGE AGRANOFF: Minks. I'm sorry.  
 3 And on deck is Harold Cooper.  
 4 Please raise your right hand. Do you  
 5 solemnly swear the testimony you're about to give in  
 6 this proceeding is the whole truth?  
 7 MS. MINKS: Yes.  
 8 JUDGE AGRANOFF: Thank you. Please  
 9 give your full name and address.  
 10 MS. MINKS: Phyllis Minks, 640 Newmans  
 11 Cardington Road East, Marion, Ohio 43302.  
 12 JUDGE AGRANOFF: Thank you. And do you  
 13 reside within the project area or work within the  
 14 project area?  
 15 MS. MINKS: Reside.  
 16 JUDGE AGRANOFF: Thank you.  
 17 JUDGE MARCELLETTI: Is she a party to  
 18 the case?  
 19 JUDGE AGRANOFF: Are you a party to the  
 20 case?  
 21 MS. MINKS: I don't know what that  
 22 means.  
 23 JUDGE AGRANOFF: Are you a part of one  
 24 of the intervenor groups?  
 25 MS. MINKS: No. Well, I'm part of

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1 Concerned Citizens.  
 2 JUDGE AGRANOFF: Okay. Thank you.  
 3 Please proceed. But you yourself are not as an  
 4 individual a party?  
 5 THE WITNESS: I am not an intervener.  
 6 No.  
 7 JUDGE AGRANOFF: Okay.  
 8 WHEREUPON,  
 9 PHYLLIS MINKS,  
 10 called as a witness and having been first duly sworn  
 11 to tell the truth, the whole truth, and nothing but  
 12 the truth, was examined and testified as follows:  
 13 DIRECT STATEMENT  
 14 MS. MINKS: I am stating my opposition  
 15 to the Chestnut Solar project tonight. My husband and  
 16 I have lived in our home for over 20 years. This is  
 17 our dream home. The solar project is not in a  
 18 convenient location. There are over 200 family homes  
 19 in the area. Many of these homes are million-dollar  
 20 homes; a loss of property values with no benefits.  
 21 The representative from Chestnut Solar  
 22 told us that there would be a negative effect on our  
 23 property values at the very first public meeting held  
 24 at Waldo. This project is located adjacent to US-23,  
 25 which is the gateway to Marion. This would be an

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1 eyesore, not a welcoming sight.  
 2 Solar panels would project constant  
 3 sound day and night in the area, which will  
 4 potentially keep us locked in our homes and may even  
 5 drive some of us crazy. Every resident in this area  
 6 has their own well for their drinking -- for their  
 7 source of water. Toxic waters and runoff will  
 8 compromise our drinking water.  
 9 On page 55, item 55 in the staff report  
 10 detailing post-construction/operation conditions  
 11 describes disposal of the solar panels mentioning  
 12 disposal methods designed to prevent leaching of  
 13 materials into soils and groundwater. Well, what  
 14 happens to our groundwater from broken or damaged  
 15 panels during operation?  
 16 In my mind this tells me there are  
 17 definitely hazardous materials in these panels and a  
 18 very great possibility that leaching of chemicals into  
 19 our groundwater and Qu Qua Creek, which feeds into the  
 20 Delaware Reservoir and serves as the water source for  
 21 Delaware County.  
 22 Solar panels are too close to  
 23 residential family homes, very nice homes. There is  
 24 only a 300-foot requirement for residences and only a  
 25 100-foot requirement from the residence property lines

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1 per staff report. That is way too close.  
 2 A loss of wildlife and habitat during  
 3 and after construction. There is not a public need.  
 4 None of the electric generated stays here. No free  
 5 electric for the residents. This is prime farmland  
 6 turned into an industrial zone or wasteland.  
 7 We moved into this area so as not to be  
 8 near a commercial enterprise or an industrial area.  
 9 We wanted peace and quiet. This is farm country for  
 10 growing crops. A solar farm is not agricultural.  
 11 It's like putting lipstick on a pig.  
 12 Our township road is narrow and not  
 13 constructed for heavy trucks and/or construction  
 14 equipment. The road is already in poor shape,  
 15 breaking off at the edges with potholes, two 90-degree  
 16 turns with a narrow bridge at the Qu Qua Creek to  
 17 State Route 423. Weight limit on this bridge is in  
 18 question.  
 19 We in Pleasant Township pay taxes for  
 20 the repair. ODOT just closed access entirely to US-23  
 21 at Bethlehem Road on April the 11th, 2024. This has  
 22 already increased traffic on Newmans Cardington Road  
 23 East.  
 24 Water drainage problems in our area are  
 25 no secret. We had our yard tiled after we moved in

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1 many years ago with a sump pump that runs and runs,  
 2 seldom shutting off. We have observed extreme  
 3 flooding to the north of us that appears to be a lake  
 4 at times after a rain. Disturbing the soil will only  
 5 make flooding worse.  
 6 From our home, water runoff goes to the  
 7 Qu Qua Creek, which dumps into the Delaware Reservoir,  
 8 definitely not sufficient drainage for our  
 9 neighborhood and The Groves at the crossing area  
 10 homes. Sump pumps in the area, according to friends,  
 11 neighbors run even when it does not rain.  
 12 Solar panels are often made from  
 13 cadmium, tellurite, silicon thin film, gallium  
 14 arsenide among many other chemicals. More often than  
 15 not, solar panels are made in foreign countries.  
 16 JUDGE MARCELLETTI: Thirty seconds.  
 17 MS. MINKS: Gallium causes toxicity to  
 18 various organs including lungs, testes, kidneys,  
 19 brain, and the immune system. The toxicity can be  
 20 attributed to synergistic toxic effects associated  
 21 with gallium and arsenic.  
 22 What about smoke or fire from  
 23 accidents, hailstorms, or tornadoes? What are the  
 24 proven long-term effects? There will be negative  
 25 effects short- and long-term for our health and our



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1 families. We are asking Ohio Power Siting Board for  
 2 no vote on this project.  
 3 JUDGE AGRANOFF: Do you have  
 4 documentation as part of your testimony that you're  
 5 going to give to the court reporter and it has your  
 6 name?  
 7 MS. MINKS: Yes.  
 8 JUDGE AGRANOFF: Thank you.  
 9 THE REPORTER: Thank you very much.  
 10 (Exhibit 2 was marked for  
 11 identification.)  
 12 JUDGE AGRANOFF: Next we have Harold  
 13 Cooper, and on deck is Paul Cotton.  
 14 Please raise your right hand. Do you  
 15 solemnly swear the testimony you're about to give in  
 16 this proceeding is the truth?  
 17 MR. COOPER: Yes.  
 18 JUDGE AGRANOFF: Thank you.  
 19 MR. COOPER: My name is Harold Cooper  
 20 I live at 5198 Marion-Waldo Road. It's a Prospect  
 21 address and just a couple miles south of -- just right  
 22 near the intersection of Bethlehem and 423.  
 23 JUDGE AGRANOFF: Do you live or work  
 24 within the project area?  
 25 MR. COOPER: Yes. I do.

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1 JUDGE AGRANOFF: Which?  
 2 MR. COOPER: I live.  
 3 JUDGE AGRANOFF: Thank you. Are you a  
 4 member of the Concerned Citizens interveners?  
 5 MR. COOPER: Yes.  
 6 JUDGE AGRANOFF: Are you an individual  
 7 as an intervener in this proceeding?  
 8 MR. COOPER: No.  
 9 JUDGE AGRANOFF: Okay. Thank you.  
 10 Please proceed.  
 11 WHEREUPON,  
 12 HAROLD COOPER,  
 13 called as a witness and having been first duly sworn  
 14 to tell the truth, the whole truth, and nothing but  
 15 the truth, was examined and testified as follows:  
 16 DIRECT STATEMENT  
 17 MR. COOPER: Okay. I pulled a lot of  
 18 information up. I don't have a lot of flashy things  
 19 to say. I grew up in this community. I remember Bob  
 20 Zieg [ph] owned all that farmland there. And I  
 21 remember going over several times working with Bob and  
 22 his son John, Johnny and Tom, both of whom have passed  
 23 away. This is a residential community.  
 24 I spent the time driving down through  
 25 there in from Myers Road south to Waldo in between 423

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1 or Marion-Waldo Road and 23. There's 183 homes. I  
 2 personally counted them, okay. And I've got a real  
 3 concern about that. Who makes all these panels?  
 4 Where do these panels come from?  
 5 China makes roughly 76 percent of all  
 6 of the solar panels. The crazy thing is they make  
 7 over 90 percent of all the components that go into all  
 8 the solar panels that everybody else makes. So China  
 9 is the source for these solar panels. And I don't  
 10 know what you know about China or what's gone on, but  
 11 they're out to take the United States down. There's  
 12 nothing good coming from China to us, okay.  
 13 Solar panels depend on sunlight. When  
 14 the sun ain't shining, they don't work. If it's a  
 15 cloudy day, they don't work, okay. On average, Marion  
 16 County has 174 days with sunshine. We don't live in a  
 17 desert. We don't live in a sunshine community. We  
 18 live where there's 174 days of sunshine in our  
 19 community.  
 20 Some information I pulled up: Solar  
 21 panels work when the sun isn't out. No. They don't  
 22 work when the sun isn't out, and they don't work at  
 23 night either. They don't work when they're covered  
 24 with snow. And some of the problems you get into, a  
 25 lot of people have said, well, solar panels don't

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1 contaminate anything. They don't do this; they don't  
 2 do that. That's not true.  
 3 There's components in the solar panels  
 4 that when they're rained on if they happen to be  
 5 damaged, if they're not properly installed, if they're  
 6 not properly maintained, they will leach chemicals  
 7 into the soil.  
 8 Now, where we live I went out and  
 9 measured a few wells, so I could get the depth of the  
 10 water table. The depth of the water table in our area  
 11 is roughly about 26 to 29 feet. You do that by taking  
 12 the cap off the well, dropping a string in it with a  
 13 bobber on it. And when the string goes limp, that's  
 14 the top of the water. That's -- that's where you are.  
 15 So we're not very deep.  
 16 And if these darn things start  
 17 contaminating the water, you don't fix that. You  
 18 know, you don't call a neighbor. You don't call a  
 19 mechanic. You don't call some plumber to come fix it.  
 20 You're stuck. And so you've got all these homes and  
 21 all that area with contaminated water.  
 22 Now, this contamination also comes off  
 23 of these panels while they're working in the form of  
 24 smoke or gases that we can't see. And while you're  
 25 inhaling this stuff, it can cause all kinds of

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1 problems: cancer, Alzheimer's, all kinds of diseases  
2 from the gases we can't see.  
3 Now, who's going to clean these panels?  
4 Because being in an agriculture area, they're going to  
5 get dirt on them. They're going to get bird poop on  
6 them. Who's going to clean these things? Because  
7 when they get dirty, they don't function very well.  
8 You get the problems with them. You get problems with  
9 contamination and toxicity.  
10 Hazardous waste testing on solar panels  
11 indicates that different varieties of solar panels  
12 have different metals in them. And these  
13 semiconductors are solder, cadmium, lead, all of which  
14 are harmful to humans. None of it is good for us.  
15 Also, the leaching of the material into the water is  
16 irreversible. It's something you just can't fix. We  
17 covered that a little bit ago. And I mentioned the  
18 fact that you get -- you get smoke come off these  
19 solar panels. It's invisible [sic], and you can see  
20 that also.  
21 Rain won't clean the solar panels.  
22 When they get the dirt and dust on them, bird poop,  
23 somebody's got to go clean them. Rain isn't going to  
24 wash it off. And the more contaminated they get, the  
25 worse -- the worse they become. What do we do when

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1 these solar panels have to wind up in the landfills  
2 and have to get replaced? It's all bad. It's a bad  
3 situation.  
4 So I'm here stating that we need to  
5 take a strong look at this, and I hope that the board  
6 or whoever is responsible will terminate this project.  
7 You're destroying a beautiful area. You're destroying  
8 farmland, and there's nothing good coming out of this  
9 thing for Marion. Thank you.  
10 JUDGE AGRANOFF: Mr. Cotton [sic], if  
11 you could please return to the witness stand for a --  
12 MS. FLAHIVE: Your Honor, I don't have  
13 cross for this witness.  
14 JUDGE AGRANOFF: Okay.  
15 MS. FLAHIVE: I wanted to request  
16 clarification from the board as far as the use of the  
17 term "project area" because thus far, none of the  
18 public comments have come from individuals within or  
19 adjacent to the project area as defined in --  
20 MULTIPLE SPEAKERS: What are you  
21 talking about? The project area --  
22 JUDGE AGRANOFF: One moment. One  
23 moment. Excuse me. In order for this to be orderly  
24 public hearing with a transcript that can be properly  
25 relied upon, I can't have people shouting out.

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1 MULTIPLE SPEAKERS: Give her a mic. We  
2 can't hear back here what she has to say.  
3 JUDGE AGRANOFF: I'm sorry. I will  
4 hand her the microphone in a second. So, again, if  
5 there's a question about whether an individual lives  
6 within the project area, I would just ask Counsel to  
7 on cross-examination, you can certainly seek that  
8 clarification to bring out whatever point that you're  
9 attempting to make.  
10 MS. FLAHIVE: Your Honor, my request  
11 for clarification is whether the term "project area"  
12 should refer to the area that Applicant has proposed  
13 in terms of the boundaries of those parcels.  
14 JUDGE AGRANOFF: And you can seek  
15 clarification of the witness as to where they reside  
16 in relationship to what you believe the project area  
17 is.  
18 MS. FLAHIVE: Thank you, Your Honor.  
19 UNIDENTIFIED SPEAKER: If we could have  
20 letter from you, then we're in the project area;  
21 correct?  
22 JUDGE AGRANOFF: We're not going to be  
23 having dialog back and forth.  
24 UNIDENTIFIED SPEAKER: But I want to --  
25 I want clarification for --

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1 THE REPORTER: Ma'am, I can't -- I  
2 can't ascribe what you're speaking to right now to  
3 the --  
4 JUDGE AGRANOFF: We can't have dialog.  
5 We cannot have these kinds of back-and-forth  
6 discussions.  
7 So Mr. Cotton?  
8 MR. COOPER: I'm Cooper.  
9 JUDGE AGRANOFF: Mr. Cotton?  
10 MR. COTTON: That's me.  
11 JUDGE AGRANOFF: Oh.  
12 JUDGE MARCELLETTI: Mr. Cooper.  
13 JUDGE AGRANOFF: Mr. Cooper.  
14 Mr. Cooper, I'm sorry. Do you have documentation that  
15 you were going to be providing to the court reporter?  
16 MR. COOPER: I can give you -- I can  
17 give you these sheets that I prepared.  
18 THE REPORTER: If you'd like, yeah.  
19 JUDGE AGRANOFF: Please make sure that  
20 your name is identified on each of those sheets.  
21 Thank you.  
22 (Exhibit 3 was marked for  
23 identification.)  
24 And at this time, I will call  
25 Mr. Cotton and Mr. Welch, Jeremy Welch, I believe is

<p style="text-align: right;">Page 38</p> <p>1 on deck.  2 MR. COOPER: They're stapled together.  3 You can write my name wherever you want.  4 THE REPORTER: All right.  5 JUDGE AGRANOFF: Please come forward.  6 Please raise your right hand. Do you solemnly swear  7 or affirm that the testimony you're about to give in  8 this proceeding is the truth?  9 MR. COTTON: Yes. I do.  10 JUDGE AGRANOFF: Please state your full  11 name and address for the record.  12 MR. COTTON: Paul Cotton and I live at  13 3922 Maple Grove Road, Pleasant Township, Marion.  14 JUDGE AGRANOFF: And do you reside or  15 work within the project area?  16 MR. COTTON: I reside.  17 JUDGE AGRANOFF: And are you an  18 intervener in this proceeding as an individual?  19 MR. COTTON: No. I'm not.  20 JUDGE AGRANOFF: Are you a member of  21 the Concerned Citizens Group?  22 MR. COTTON: Yes. I am.  23 JUDGE AGRANOFF: Thank you. Please  24 proceed.  25 //</p>	<p style="text-align: right;">Page 40</p> <p>1 project in Pleasant Township. In 2003 my wife Linda  2 and I, we made a financial and emotional investment  3 when we bought our house on Maple Grove Road. We  4 anticipated living in a quiet rural environment as  5 well as, hopefully, seeing the value of our home  6 appreciate over time.  7 Now 21 years later, instead of the  8 quiet country life we have enjoyed, we now find  9 ourselves living in the early chapters of a Stephen  10 King nightmare. Where we presently have a comfortable  11 and safe environment, we now face a future of  12 flooding, property value depreciation, and  13 environmental issues, the like of which haven't  14 existed before in Pleasant Township.  15 My concerns with the Chestnut project  16 are many. However, the time doesn't permit me to  17 address all of them. Here are the most pressing  18 concerns for me: the potential for flooding and  19 impact on septic systems along Maple Grove Road. The  20 field tile in Mr. Niedhart's field serves to not only  21 drain rainwater from the agricultural field but is  22 engineered to also assist the residential septic  23 systems along the east side of Maple Grove Road to  24 work efficiently.  25 Since the only known maps of</p>
<p style="text-align: right;">Page 39</p> <p>1 WHEREUPON,  2 PAUL COTTON,  3 called as a witness and having been first duly sworn  4 to tell the truth, the whole truth, and nothing but  5 the truth, was examined and testified as follows:  6 DIRECT STATEMENT  7 MR. COTTON: I'm here tonight to  8 express my opposition to the Chestnut Solar project in  9 Pleasant Township. In 2003 my wife --  10 MULTIPLE SPEAKERS: We can't hear you.  11 THE REPORTER: I would ask that you  12 speak into the microphone, sir, and speak up loudly  13 and clearly.  14 MR. COTTON: Okay. Can you hear me  15 now?  16 UNIDENTIFIED SPEAKER: No.  17 MR. COTTON: No?  18 JUDGE MARCELLETTI: Hold on, folks.  19 So you're going to really have to  20 project.  21 MR. COTTON: Okay. Can you hear me  22 now?  23 UNIDENTIFIED SPEAKER: Yes. No.  24 MR. COTTON: All right. I'm here  25 tonight to express my opposition to the Chestnut Solar</p>	<p style="text-align: right;">Page 41</p> <p>1 Mr. Niedhart's field tile system were destroyed in a  2 barn fire five or six years ago, it is inevitable that  3 without the maps to guide the construction crews, the  4 field tiles will be impacted during construction by  5 the grading, digging, compacting, and driving a post  6 into the ground.  7 These actions will, at the very least,  8 severely damage the existing tiles, if not destroy the  9 tile system rendering it useless in draining water.  10 With the damage to the tile system, the result will be  11 a toxic mixture of standing rainwater and raw sewage  12 pools in the yards of Maple Grove Road residents.  13 Environmental hazards can take many  14 forms. Not only can they be toxic poop, toxic pools  15 of sewage, but they can also be present in the form of  16 noise hazards. Noise from solar farm inverters and  17 transformers are regularly measured in the range of  18 74 to 78 decibels at a one-mile distance from the  19 solar farm inverter. This is the equivalent to a  20 dishwasher or washing machine running 24 hours a day,  21 7 days a week in your house.  22 Reduce the distance to a couple hundred  23 feet in the case of the Lehner home or a quarter to a  24 half a mile in the case of Maple Grove residences, and  25 you have a toxic level of noise surrounding you</p>

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1 equivalent to a freight train, a printing press, or a  
 2 garbage truck in your living room 24 by 7. That is in  
 3 the range that can cause mental stress issues.  
 4 Lastly but maybe the largest concern is  
 5 the potential for property value decreasing. It's  
 6 impossible to predict exactly how much my property  
 7 will depreciate when the solar farm is built. There's  
 8 lots of information on the internet, but most of it is  
 9 from energy-related sources and paints a heavily  
 10 biased picture in the form of -- in the favor, rather,  
 11 of solar farms.  
 12 The reality is how can you sell a  
 13 \$450,000 home with a toxic pool of raw sewage and  
 14 rainwater in the backyard that also has a background  
 15 noise level of a garbage truck or a freight train  
 16 24 by 7? There's only one conclusion can be drawn,  
 17 and that is home values along Maple Grove will go down  
 18 dramatically.  
 19 Marion County and Pleasant Township, in  
 20 particular, don't need excessive noise or toxic  
 21 drainage, environmental disasters, nor a drastic  
 22 reduction of property values all due to an unneeded  
 23 and unwanted solar field. In conclusion, please take  
 24 my concerns into consideration when you make your  
 25 decision on this project and vote against the Chestnut

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1 Solar project. Thank you.  
 2 JUDGE AGRANOFF: Any questions,  
 3 Counsel?  
 4 MS. FLAHIVE: No.  
 5 JUDGE AGRANOFF: Mr. Cotton, if you  
 6 have any additional documents --  
 7 MR. COTTON: I gave two copies up here  
 8 at the front desk.  
 9 JUDGE AGRANOFF: We need the court  
 10 reporter to actually have documentation.  
 11 JUDGE MARCELLETTI: He said he gave us  
 12 a copy. Yeah. We have Mr. Cotton's and photos  
 13 accompanying, sir?  
 14 (Exhibit 4 was marked for  
 15 identification.)  
 16 THE REPORTER: Thank you.  
 17 JUDGE AGRANOFF: Thank you, Mr. Cotton.  
 18 Next, we'll have Jeremy Welch, and on  
 19 deck is Kay Lamb.  
 20 Please raise your right hand. Do you  
 21 solemnly swear or affirm the testimony you're about to  
 22 give in this proceeding is true?  
 23 MR. WELCH: I do.  
 24 JUDGE AGRANOFF: Please state your full  
 25 name and address.

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1 MR. WELCH: My name is Jeremy Welch. I  
 2 live at 3331 East Augusta Drive in McConnelssville,  
 3 Ohio. I do not live in the area, but I do work in the  
 4 area.  
 5 JUDGE AGRANOFF: When you say "the  
 6 area," you're referring to the project area?  
 7 MR. WELCH: Yes.  
 8 JUDGE AGRANOFF: And are you a member  
 9 of one of the intervening entities or are you yourself  
 10 as an individual an intervener?  
 11 MR. WELCH: No. I'm not.  
 12 JUDGE AGRANOFF: Okay. Please proceed.  
 13 MR. WELCH: Thank you.  
 14 WHEREUPON,  
 15 JEREMY WELCH,  
 16 called as a witness and having been first duly sworn  
 17 to tell the truth, the whole truth, and nothing but  
 18 the truth, was examined and testified as follows:  
 19 DIRECT STATEMENT  
 20 MR. WELCH: So I'm a business rep for  
 21 the carpenters union. And one of the things that I do  
 22 as a business rep is represent members who live in  
 23 various areas of this state. We have over 130 union  
 24 brothers who live and work in this county. As a  
 25 business rep, I come from a small town in southeastern

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1 Ohio where work is scarce. You can't buy a job. My  
 2 members travel over two hours to go to work. And I  
 3 imagine there's several people who live in this county  
 4 who do the same: travel a ways for work.  
 5 As a representative for the carpenters  
 6 union, any time I can get workers close to home, I  
 7 take that opportunity. This Chestnut Solar field is  
 8 an opportunity to put carpenters to work. A 65-  
 9 megawatt solar field will put roughly 100 people,  
 10 carpenters, to work on that field, and over half of  
 11 them will be apprentices.  
 12 So that means young men and women who  
 13 live in this -- this area will have the opportunity to  
 14 joint our apprenticeship program where they'll learn  
 15 not only solar installation. But they're also going  
 16 to learn copper form work, scaffolding, blueprint  
 17 reading, metal studs and drywall, the skills that we  
 18 can provide that they can have a 30-year career and  
 19 then retire. That's our goal.  
 20 So as a representative for the  
 21 carpenters union, we support this Chestnut Solar  
 22 project. We'd like for you to take into consideration  
 23 the jobs that this is going to provide. Thank you.  
 24 JUDGE AGRANOFF: Thank you.  
 25 Any questions of the witness?

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1 MS. FLAHIVE: Yes, Your Honor.  
 2 CROSS-EXAMINATION  
 3 BY MS. FLAHIVE:  
 4 Q Thank you, sir. Could you elaborate just a  
 5 little bit about what concerns your members have in  
 6 the event that a certificate is denied for this  
 7 project?  
 8 A A lot of my members are going to have to  
 9 continue traveling for work. When you have to travel  
 10 for work, you miss things. And I tell a lot of my  
 11 members, especially around Mother's Day, you know,  
 12 everybody talks about a mother's love, but nobody  
 13 talks about a father's sacrifice: having to drive,  
 14 you know, two -- two hours to work in the morning and  
 15 at night. You're missing ballgames. You're missing  
 16 birthday parties. You're missing dance recitals. You  
 17 know this is an opportunity for those fathers to get  
 18 home -- even mothers, you know -- to see their  
 19 children, to see their family grow.  
 20 Q And you have members who live within two  
 21 hours or less than two hours of the project area?  
 22 A Oh, yeah. We have 130-plus members who live  
 23 in Marion County.  
 24 MS. FLAHIVE: Thank you.  
 25 JUDGE AGRANOFF: I would like to remind

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1 everybody that because we do have a large group of  
 2 people here and we have a limited number of  
 3 microphones, if you could please make sure that any of  
 4 the crosstalk does not occur while the witness is  
 5 testifying so that we're able to all hear what is  
 6 being said. That would be much appreciated.  
 7 In addition, I would point out we do  
 8 have a couple of empty seats still if those of you  
 9 that are standing in the back would prefer to be  
 10 seated, we do have some empty seats.  
 11 Do you have any documentation,  
 12 Mr. Welch, that you want to give the court reporter?  
 13 MR. WELCH: No. I do not.  
 14 JUDGE AGRANOFF: Okay. Then thank you  
 15 for your testimony.  
 16 Next, we have Kay Lamb and on deck is  
 17 Georgia --  
 18 MS. CACKLER: Cackler.  
 19 JUDGE AGRANOFF: -- Cackler. Thank  
 20 you.  
 21 Please raise your right hand. Do you  
 22 solemnly swear or affirm that the testimony you're  
 23 about to give in this proceeding is the truth?  
 24 MS. LAMB: Yes.  
 25 JUDGE AGRANOFF: Thank you. Please

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1 state your full name and address for the record.  
 2 MS. LAMB: My name is Kay Lamb, 3096  
 3 Neidhart Road, Marion, Ohio 43302.  
 4 JUDGE AGRANOFF: And are you a member  
 5 of one of the intervening entities, or are you  
 6 yourself an intervener in this proceeding?  
 7 MS. LAMB: No.  
 8 JUDGE AGRANOFF: And do you reside or  
 9 work within the project area?  
 10 MS. LAMB: Yes.  
 11 JUDGE AGRANOFF: Which?  
 12 MS. LAMB: I reside.  
 13 JUDGE AGRANOFF: Okay. Thank you.  
 14 Please proceed.  
 15 WHEREUPON,  
 16 KAY LAMB,  
 17 called as a witness and having been first duly sworn  
 18 to tell the truth, the whole truth, and nothing but  
 19 the truth, was examined and testified as follows:  
 20 DIRECT STATEMENT  
 21 MS. LAMB: Okay. To members of the  
 22 Ohio Power Siting Board, I am opposed to this solar  
 23 project going forward in Pleasant Township, Marion,  
 24 Ohio. There are many homes and farms that will be  
 25 affected by this project in a very negative way.

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1 There are many families involved, especially on  
 2 Owens Road, Maple Grove Road, Myers Road,  
 3 Newman-Cardington Road, Neidhart Road, Somerlot  
 4 Hoffman Road, and all the subdivisions of Southern  
 5 Estates, Maplewood, and The Groves at Newman's  
 6 Crossing.  
 7 We have attended many meetings with  
 8 Chestnut Solar representatives and have vehemently  
 9 expressed why we do not want a solar project in our  
 10 midst. The wildlife, including birds that we enjoy,  
 11 will be gone. Our home values, which we have worked  
 12 hard for, will most certainly be drastically reduced.  
 13 The constant noise level we will be exposed to will be  
 14 intolerable. Our wells, which we depend on totally,  
 15 will be in danger of contamination.  
 16 Chestnut Solar, LLC, says none of this  
 17 will happen. We know it is a real possibility that it  
 18 could happen. Our Marion County commissioners have  
 19 sent in two resolutions, one actually mentioning  
 20 Chestnut Solar, LLC, by name that the citizens of  
 21 Pleasant Township do not want a solar facility so  
 22 close to them.  
 23 Our Pleasant Township trustees have  
 24 sent in a resolution stating the same. Also, the  
 25 Marion County Regional Planning Commission has

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1 submitted a resolution stating a real concern and that  
 2 is a very poor location for this project, as it would  
 3 sit in the middle of many homes and farms.  
 4         There are many who oppose this project  
 5 and for good reason. Solar panels contain hazardous  
 6 materials such as cadmium, tellurite, lead, and  
 7 arsenic, which can leach into the soil and water and  
 8 pollute the environment during disposal which could  
 9 occur at the 25.30-year timeframe or if panels are  
 10 damaged in the interim from hail or tornadoes. The  
 11 damage would be done too late to keep it from our  
 12 field tiles and drinking water. We depend on our  
 13 wells for everything.  
 14         Construction of solar facilities on  
 15 large areas of land requires cleaning and grading of  
 16 soil and results in soil compaction, potential  
 17 alternation for drainage tiles, and increased runoff  
 18 and erosion. This can significantly impact local  
 19 biodiversity by displacing local wildlife and birds  
 20 and destroy natural ecosystems.  
 21         There is a cell tower on Richland [ph]  
 22 Road, which services all the citizens in this area.  
 23 The proposed solar project will completely sit between  
 24 the cell tower and these citizens. Some solar panels  
 25 are built in metal frames and other conductive

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1 materials that can block or weaken cell signals.  
 2         Additionally, solar panels can create a  
 3 physical barrier between the cell tower and the  
 4 location where the signal is needed, causing  
 5 significant loss or interference in transmission.  
 6 This could affect this entire area. Many people here  
 7 count exclusively on their cell phones. Our lack of  
 8 good communication could create very serious problems.  
 9         I have a farm, which is adjacent to  
 10 this proposed solar project. I am very concerned  
 11 about the crops we produce, the tiling, et cetera,  
 12 that also if these crops were contaminated, a real  
 13 possibility, we would lose our livelihood.  
 14         We are asking for your no vote to move  
 15 this project forward in Pleasant Township, Marion,  
 16 Ohio. Please listen to our real concerns and help us  
 17 keep our homes and farms in this beautiful area as  
 18 they are. Thank you.  
 19         JUDGE AGRANOFF: Thank you.  
 20         Any cross-examination?  
 21         MS. FLAHIVE: No.  
 22         JUDGE AGRANOFF: Ms. Lamb, do you have  
 23 any documentation as part of your testimony that you'd  
 24 like to have as part of the record?  
 25         MS. LAMB: Yes.

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1         JUDGE AGRANOFF: If you could make  
 2 sure, please, that your name is on all of that  
 3 documentation.  
 4         (Exhibit 6 was marked for  
 5 identification.)  
 6         THE REPORTER: Thank you, ma'am.  
 7         JUDGE AGRANOFF: Next we have Georgia  
 8 Cackler?  
 9         MS. CACKLER: Cackler.  
 10         JUDGE AGRANOFF: Cackler? Thank you.  
 11         And on deck will be Valerie Witten?  
 12 Wigton?  
 13         MS. WIGTON: Wigton.  
 14         JUDGE AGRANOFF: Wigton.  
 15         THE REPORTER: How do you spell your  
 16 name, ma'am?  
 17         MS. CACKLER: Me?  
 18         THE REPORTER: Yes.  
 19         MS. CACKLER: C-A-C-K-L-E-R.  
 20         THE REPORTER: Thank you.  
 21         JUDGE AGRANOFF: Please raise your  
 22 right hand. Do you solemnly swear the testimony  
 23 you're about to give at this proceeding is the truth?  
 24         MS. CACKLER: Yes.  
 25         JUDGE AGRANOFF: Thank you. Please

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1 state your full name and address for the record.  
 2         MS. CACKLER: Oh, man, I just broke it.  
 3 All right. Can you hear me?  
 4         THE REPORTER: Hold on.  
 5         MS. CACKLER: Sorry. Shouldn't have  
 6 touched it.  
 7         Okay. My name is Georgia D. Cackler.  
 8 I live at 3694 Maple Grove Road, Marion, Ohio 43302.  
 9         JUDGE AGRANOFF: And do you either live  
 10 or work within the project area.  
 11         MS. CACKLER: Oh, I live within the  
 12 project area.  
 13         JUDGE AGRANOFF: Okay. And are you a  
 14 member of the Concerned Citizens?  
 15         MS. CACKLER: Yes. I am.  
 16         JUDGE AGRANOFF: Are you yourself as an  
 17 individual an intervener in this proceeding?  
 18         MS. CACKLER: No.  
 19         JUDGE AGRANOFF: Okay. Please proceed.  
 20 Thank you.  
 21 WHEREUPON,  
 22         GEORGIA CACKLER,  
 23 called as a witness and having been first duly sworn  
 24 to tell the truth, the whole truth, and nothing but  
 25 the truth, was examined and testified as follows:

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1           **DIRECT STATEMENT**  
2           MS. CACKLER: Okay. I have lived on  
3 this road for 44 years, 12 years on the south end and  
4 32 years on the north end. I am here to speak against  
5 the solar field due to the water problems we have in  
6 this area.  
7           We are not only -- we are not the only  
8 house that suffers from rainwater just standing on top  
9 of the ground. The area of the Chestnut Solar field  
10 includes over 200 houses if you include Southern  
11 Estates in there. And many of us have problems with  
12 standing water or backed-up water.  
13           The field has been tiled since I lived  
14 there, and still the water problems persist. If it  
15 rains hard or rains over several days, the water  
16 stinks. This isn't just a spring and summer problem.  
17 We've had standing water in January. This problem  
18 happens year after year.  
19           I am concerned since we found research  
20 suggesting the drilling to set up the solar panels  
21 could further destroy what little tiling is there, and  
22 the standing water problem will get worse. I've  
23 brought a few pictures of what it looks like. This  
24 one is straight out my back door.  
25           This one is looking north out my back

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1 door. This one is looking south at my back door down  
2 to Myers Road. And this one is a picture of my  
3 granddaughter's 4-H goats being drug out of 21 inches  
4 deep water that came up overnight. And let me tell  
5 you, goats don't swim. Thank you for your time. Got  
6 lots of pictures if you guys need them.  
7           JUDGE AGRANOFF: Any questions?  
8           MS. FLAHIVE: Yes, Your Honor.  
9           **CROSS-EXAMINATION**  
10 **BY MS. FLAHIVE:**  
11        Q Thank you, ma'am. If you were to be assured  
12 that the project could alleviate that kind of flooding  
13 that your property is experiencing, would you continue  
14 to oppose it?  
15        A Yes. I would. I have other problems with  
16 it. I just wanted to talk to the water because other  
17 people are talking to the other problems.  
18           MS. FLAHIVE: Nothing further.  
19           JUDGE AGRANOFF: Ms. Cackler, you're  
20 going to give the photos to the court reporter?  
21           MS. CACKLER: Yeah.  
22           JUDGE AGRANOFF: Thank you.  
23 Ms. Cackler?  
24           MS. CACKLER: Yes?  
25           JUDGE AGRANOFF: Might you have a

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1 reduced version of those photos?  
2           MS. CACKLER: No. I didn't bring them.  
3 I'm sorry.  
4           JUDGE AGRANOFF: Okay. That's okay.  
5 Thank you.  
6           (Exhibit 7 was marked for  
7 identification.)  
8           Next, we have Valerie Wigton, and on  
9 deck is --  
10          THE REPORTER: How do you spell your  
11 last name?  
12          MS. PRASAD: Anjana Prasad.  
13          JUDGE AGRANOFF: Thank you.  
14          THE REPORTER: How do you spell?  
15          MS. WIGTON: W-I-G-T-O-N.  
16          THE REPORTER: Thank you.  
17          JUDGE AGRANOFF: Please raise your --  
18          MS. WIGTON: V-A-L-E-R-I-E.  
19          JUDGE AGRANOFF: Please raise your  
20 right hand. Do you solemnly swear or affirm that the  
21 testimony you're about to give in this proceeding is  
22 the truth?  
23          MS. WIGTON: I do.  
24          JUDGE AGRANOFF: Thank you. Please  
25 state for the record your full name and address.

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1           MS WIGTON: Valerie Adler Wigton,  
2 3052 Conrad's Trace, Marion, Pleasant Township,  
3 Marion, Ohio 43302.  
4           JUDGE AGRANOFF: And do you live or  
5 work within the project area?  
6           MS WIGTON: I live within the project  
7 area.  
8           JUDGE AGRANOFF: Thank you. And are  
9 you a member of the Concerned Citizens intervening  
10 group?  
11          MS WIGTON: Yes, I am, proudly.  
12          JUDGE AGRANOFF: Are you also an  
13 individual intervener in this proceeding?  
14          MS WIGTON: No. I am not.  
15          JUDGE AGRANOFF: Please proceed.  
16 **WHEREUPON,**  
17          **VALERIE WIGTON,**  
18 called as a witness and having been first duly sworn  
19 to tell the truth, the whole truth, and nothing but  
20 the truth, was examined and testified as follows:  
21          **DIRECT STATEMENT**  
22          MS WIGTON: I am speaking tonight on  
23 behalf of myself and my husband Dan, who is ill an  
24 unable to attend this evening.  
25          First, the term "solar farm" is truly

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1 deceptive. What Chestnut Solar is proposing is not  
 2 any kind of farm as we know it but an energy utility  
 3 company removing award-winning, high-producing quality  
 4 farmland out of food production, disturbing habitats,  
 5 infecting waterways, damaging tiles, draining the  
 6 land, overall disrupting its integrity.

7           It's not that I oppose smart solar  
 8 energy development. It's the location of this  
 9 project. More than 200 homeowners and their families  
 10 live adjacent to the proposed project and would be  
 11 directly impacted. We cannot afford to risk health or  
 12 environmental issues caused by the installation of  
 13 thousands of solar panels.

14           One such adverse effect is the creation  
 15 of heat islands. According to a recent report by  
 16 energy researchers at four universities in the Midwest  
 17 and I quote, "The understanding of energy balance, how  
 18 heat moves in and out of ecosystems that change from  
 19 natural to built settings such as a solar farm, is a  
 20 big gamechanger for the future.

21           "Consider how solar panels absorb and  
 22 reflect certain types of radiation, which prevents the  
 23 soil beneath from cooling like it would under a  
 24 regular night sky. Does it not make more sense to  
 25 encourage state and national leaders to develop solar

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1 on abandoned industrial sites, landfills, degraded  
 2 land, rooftops, and parking lots?

3           "According to the Department of Energy,  
 4 if combined, all of these could in theory meet nearly  
 5 80 percent of the nation's electricity needs only if  
 6 there were government incentives to do so." This is  
 7 from an article in The New York Times dated  
 8 September 20, 2022.

9           But what about all the money that the  
 10 project supposedly will generate for our schools? I  
 11 point out another article in Reuter's in which a Texas  
 12 community rallied against and won so-called millions  
 13 of dollars in tax revenue over decades promised by the  
 14 solar company. They knew the project would undermine  
 15 the region's rural culture and create just a few  
 16 permanent jobs.

17           We, the Concerned Citizens of Pleasant  
 18 Township, agree that a solid residential tax base  
 19 provided by homeownership is the best solution. The  
 20 need for more homes is here. The Ohio Building  
 21 Industry Association, which represents over 90 percent  
 22 of homebuilders in Central Ohio, including Marion,  
 23 says when it comes to housing, Marion is the next  
 24 frontier. And that frontier is Southern Marion  
 25 County, Pleasant Township, for homes, not for a solar

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1 farm.

2           Finally, when this project became  
 3 public knowledge years after the contract was signed  
 4 between the landowners and the solar utility company,  
 5 both the Marion County Commissioners and the Pleasant  
 6 Township Trustees voted against it and similar future  
 7 projects. Just as any company would have to adhere to  
 8 local zoning laws, what if a metal processing  
 9 facility, a nuclear company, or a commercial dragstrip  
 10 wanting to be built in Pleasant Township? They would  
 11 have to follow the law. So should Chestnut Solar.

12           Quoting staff recommendations of the  
 13 Ohio Power Siting Board, the board should deny the  
 14 applicant's request for a certificate due to its  
 15 inability to establish at least one of the eight  
 16 statutory criteria. Specifically, staff recommends  
 17 the board find that the applicant has failed to  
 18 establish whether the facility will serve the public  
 19 interest, convenience, and necessity as required.

20           Like Senator Matt Huffman has said,  
 21 "Innovative energy technology is always welcome in the  
 22 state of Ohio but not at the expense of rural  
 23 communities who do not want them." Please vote  
 24 against this project. Thank you.

25           JUDGE AGRANOFF: Any questions from

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1 Counsel?

2           MS. FLAHIVE: Yes.

3           CROSS-EXAMINATION

4 BY MS. FLAHIVE:

5           Q Just to clarify, is your residential  
 6 property adjacent to where the proposed solar array  
 7 is -- will be sited?

8           A Yes. It is in the project area. We have  
 9 received regular communication from Chestnut Solar  
 10 just recently.

11          Q So I just want to ask a few questions  
 12 regarding your points on zoning. I understand your  
 13 opposition to the project is based on the project's  
 14 perceived impacts; is that fair?

15          A Perhaps.

16          Q And when it comes to zoning, you feel that  
 17 Pleasant Township's zoning resolution affords your  
 18 property adequate protection?

19          A It depends. We have had to have  
 20 conversations with the zoning board on several issues.

21          Q You realize, though, that currently that  
 22 adjacent property is zoned agricultural, A1; true?

23          A Which property are you referring to?

24          Q The properties for which the solar arrays  
 25 are proposed that would be adjacent.



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1 A Zoned agriculture? I'm not aware of what  
 2 the current zoning is. I would assume it is zoned  
 3 agricultural.  
 4 Q So you're not aware of the array of uses  
 5 that would be permitted on the land as it exists now?  
 6 A No comment.  
 7 MS. FLAHIVE: Nothing further.  
 8 JUDGE AGRANOFF: Thank you.  
 9 Ms. Wigton?  
 10 MS. WIGTON: Yes. I have provided the  
 11 materials in advance.  
 12 JUDGE AGRANOFF: Thank you.  
 13 MS. WIGTON: The first line has my name  
 14 on it.  
 15 JUDGE AGRANOFF: Appreciate it. Just  
 16 confirming that that is it. Yes.  
 17 (Exhibit 8 was marked for  
 18 identification.)  
 19 THE REPORTER: Thank you.  
 20 JUDGE AGRANOFF: Before we call the  
 21 next witness, which is Ms. Prasad, I wanted to make  
 22 sure that at this point in time if you have heard  
 23 testimony from the prior nine witnesses that sound  
 24 very similar to the types of issues and thoughts that  
 25 you were going to be conveying through your testimony

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1 and you would, therefore, prefer to simply file or to  
 2 sign a sheet that we'll have up at the table where our  
 3 staff is reflecting the fact that you're in support of  
 4 the testimony that's been provided previously -- that  
 5 is either in favor of or against the project, you can  
 6 do so.  
 7 And, therefore, when we call your name,  
 8 simply say that you're willing to pass in terms of  
 9 giving your testimony tonight. You have that as an  
 10 option if you so desire, so I did want to let you know  
 11 that choice that you have in case that's how you  
 12 wanted to proceed. And at this point?  
 13 JUDGE MARCELLETTI: Before we start,  
 14 Judge, the microphone fell off.  
 15 Mike, do you want to double check it?  
 16 THE REPORTER: Yeah. Thank you. I  
 17 apologize.  
 18 JUDGE MARCELLETTI: The court reporter  
 19 has another mic.  
 20 THE REPORTER: I think we're okay.  
 21 JUDGE AGRANOFF: Please raise your  
 22 right hand. Do you solemnly swear or affirm that the  
 23 testimony you're about to give in this proceeding is  
 24 the truth?  
 25 MS. PRASAD: I do.

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1 JUDGE AGRANOFF: Thank you. Please  
 2 state your full name and address for the record.  
 3 MS. PRASAD: Anjana Prasad, 883 Edwards  
 4 Glen, Marion, Ohio.  
 5 THE REPORTER: Can you spell your last  
 6 name, ma'am?  
 7 MS. PRASAD: Prasad, P-R-A-S-A-D.  
 8 JUDGE AGRANOFF: And do you either live  
 9 or work within the project area?  
 10 MS. PRASAD: I live.  
 11 JUDGE AGRANOFF: And are you a member  
 12 of the Concerned Citizens intervening group?  
 13 MS. PRASAD: Yes.  
 14 JUDGE AGRANOFF: Are you as an  
 15 individual an intervener in this proceeding?  
 16 MS. PRASAD: No.  
 17 JUDGE AGRANOFF: Thank you. Please  
 18 proceed.  
 19 WHEREUPON,  
 20 ANJANA PRASAD,  
 21 called as a witness and having been first duly sworn  
 22 to tell the truth, the whole truth, and nothing but  
 23 the truth, was examined and testified as follows:  
 24 DIRECT STATEMENT  
 25 MS. PRASAD: Good evening, ladies and

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1 gentlemen. I live in Pleasant Township. I strongly  
 2 oppose the solar farm project because the risks and  
 3 harm of the solar farm project far outweighs any  
 4 perceived benefits.  
 5 I am a naturalized U.S. citizen who  
 6 fell in love with Ohio for its agricultural land. My  
 7 husband and I moved to Marion because of the lush  
 8 green agricultural land and fresh air and wonderful  
 9 habitat for birds and animals.  
 10 However, if solar farms are installed,  
 11 it could become a hostile place for habitat. And  
 12 almost instantly, the birds and animals will vanish.  
 13 Our quality of life will diminish for sure.  
 14 According to a 2023 environmental  
 15 impact report in California, the distance from the  
 16 residential homes should be a minimum of half a mile,  
 17 but required suggestion is 1.2 miles. But in our  
 18 case, it would be literally in our backyard, perhaps  
 19 less than 20 feet away from our birdfeeder.  
 20 According to a recent research paper  
 21 published on January 15, 2024, in Science Direct, the  
 22 impacts of solar farms adversely affected natural  
 23 ecosystems and biodiversity. It led to vegetation  
 24 destruction and intensified desertification.  
 25 My husband and I work in

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1 Bellefontaine, and we enjoy taking the backroads on  
2 State Route -- State Road 47. The rolling hills with  
3 beautiful green fields is breathtaking. Suddenly, in  
4 the past year or so we were horrified to see the  
5 changes that had occurred.  
6 State Route 47 between Richland and  
7 West Mansfield is now littered with solar farms. I  
8 present to you the pictures of the national landscape  
9 and topography of the area. In stark contrast, please  
10 see the photos of the fence built around the solar  
11 farm on State Road 47. It is an ugly and shocking  
12 reminder of the devastation that people are capable of  
13 making.  
14 The fence has a huge bolt and a locking  
15 mechanism with a sign "Danger, Electrical Hazard."  
16 The beautiful greenery is replaced with ugly gravel in  
17 the perimeter. The flora and fauna has disappeared  
18 altogether.  
19 To compound the problem, consider the  
20 violent storms of Ohio, the terrible devastation  
21 caused by the recent tornado at Indian Lake warns us  
22 about the risk of solar farm in close proximity to a  
23 residential area. Just imagine the debris flying all  
24 over our neighborhood. Our bedroom and living room  
25 windows will shatter in an instant should the debris

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1 strike it.  
2 I present to you an internet downloaded  
3 photos of the solar farm destroyed by storms in  
4 another society. I present to you another photo of an  
5 abandoned solar farm. Consider this. United States  
6 is in debt crisis with the International Monetary  
7 Fund. As a result, there is a potential for several  
8 companies to go out of business. If that has a ripple  
9 effect on the economy and the owners of the solar  
10 farms file bankruptcy, imagine the terrible outcomes  
11 of vandalism in abandoned solar farms.  
12 Ladies and gentlemen of the board and  
13 the audience, the scenarios I presented are not just  
14 hypothetical. These are factual experiences of other  
15 societies that are very regretful of their actions  
16 now. If we don't learn from the mistakes of other  
17 societies, we will bring upon our own destruction and  
18 demise, not just rhetorically but literally.  
19 These solar farms in process of serving  
20 the interests of few pockets will permanently and  
21 irreversibly ruin the natural resources of Marion and  
22 our beautiful Ohio. On behalf of the residents of  
23 Pleasant Township, I vehemently oppose the solar farms  
24 because they will not meet the needs, convenience, and  
25 the necessity of the community. Thank you.

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1 JUDGE AGRANOFF: Cross-examination?  
2 MS. FLAHIVE: Yes, Your Honor.  
3 CROSS-EXAMINATION  
4 BY MS. FLAHIVE:  
5 Q Residential development would destroy the  
6 lush, green agricultural lands; true?  
7 A True.  
8 Q You're hoping that the land for which the  
9 project is proposed will just remain as it is?  
10 A As agricultural, yes, because that reason we  
11 chose to live there.  
12 Q And that's because that's how you like it;  
13 true?  
14 A True.  
15 UNIDENTIFIED SPEAKER: That's very  
16 vague.  
17 JUDGE AGRANOFF: Excuse me.  
18 Do you have any documentation that  
19 you'd like to leave the court reporter? And is your  
20 name identified on that documentation?  
21 MS. PRASAD: Yes.  
22 JUDGE AGRANOFF: Thank you.  
23 (Exhibit 9 was marked for  
24 identification.)  
25 //

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1 JUDGE MARCELLETTI: Thank you. We have  
2 next Dr. Prasad who is going to testify. And on deck  
3 I have a Jenica Runkle?  
4 Ms. Runkle, you'll be next on deck.  
5 Good evening, sir. If you'll please  
6 raise your right hand. Do you swear or affirm that  
7 the testimony you are about to provide will be the  
8 truth?  
9 DR. PRASAD: I do.  
10 JUDGE MARCELLETTI: Thank you. Please  
11 state and spell your name for the record.  
12 DR. PRASAD: My name is Dr. Shiva  
13 Prasad, S-H-I-V as in Victor, A as in aardvark,  
14 Prasad, P-R-A-S-A-D.  
15 JUDGE MARCELLETTI: Thank you.  
16 Apologies, Doctor. Did you provide your address for  
17 the record already?  
18 DR. PRASAD: I'm going to provide.  
19 Shall I start?  
20 JUDGE MARCELLETTI: Please provide your  
21 address.  
22 DR. PRASAD: 883 Edwards Glen, Marion,  
23 Ohio 43302.  
24 JUDGE MARCELLETTI: Do you live or work  
25 within the project area, sir?

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1 DR. PRASAD: Live within the project  
 2 area.  
 3 JUDGE MARCELLETTI: Are you a party or  
 4 a member to the Concerned Citizens Group, sir?  
 5 DR. PRASAD: I am a member of the  
 6 Concerned Citizens Group.  
 7 JUDGE MARCELLETTI: And you are not an  
 8 individual intervener; correct?  
 9 DR. PRASAD: No.  
 10 JUDGE MARCELLETTI: Okay. You may  
 11 proceed, sir.  
 12 WHEREUPON,  
 13 DR. SHIVA PRASAD,  
 14 called as a witness and having been first duly sworn  
 15 to tell the truth, the whole truth, and nothing but  
 16 the truth, was examined and testified as follows:  
 17 DIRECT STATEMENT  
 18 DR. PRASAD: My name is Dr. Shiva  
 19 Prasad. I'm a resident at 883 Edwards Glen, Marion,  
 20 Ohio. I'm strongly opposed to this solar farm project  
 21 because of scientific reasoning rather than an emotive  
 22 response. I'm a practicing physician and psychiatrist  
 23 in Bellefontaine, Ohio, and have resided in Pleasant  
 24 Township for the past 11 years to enjoy the pristine  
 25 surroundings and tranquil life in rural Ohio.

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1 The building of solar farms will be an  
 2 industrial assault on residents of Pleasant Township  
 3 in enjoying the natural farmland surroundings,  
 4 wildlife including birds, squirrels, deer, rabbits,  
 5 and occasional sightings of raccoons and coyotes on a  
 6 wintry day. The negative impact of solar farms are  
 7 many, and the following are the reasons which I would  
 8 like to enumerate and elaborate.  
 9 Number one, hazardous chemicals in  
 10 solar panels contain sulfuric acid, hydrochloric acid,  
 11 and silicon tetrachloride. When silicon tetrachloride  
 12 comes in contact with environment due to strong storms  
 13 as we experienced in the recent weeks, can cause  
 14 damage to digestive, reproductive, nervous systems and  
 15 can cause skin rashes, eye irritation, and respiratory  
 16 infections.  
 17 Number two, electromagnetic  
 18 hypersensitivity from solar panels can cause skin  
 19 rashes, sleep disturbances leading to poor mental  
 20 health. Low-frequency electromagnetic fields could be  
 21 carcinogenic with potential to cause cancer as  
 22 suggested by European Commission Scientific Committee  
 23 and World Health Organizations. As a practicing  
 24 physician, I'm cognizant of increasing incidence of  
 25 malignancies in younger population in the recent

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1 years.  
 2 Number three, solar panels with  
 3 inverters also cause noise and light pollution. The  
 4 inverters could cause noise of up to 45 decibels,  
 5 which can be accentuated to 70 decibels at night due  
 6 to the blowing wind mimicking the sound of a running  
 7 motorcycle, thus resulting in sleep disturbances.  
 8 As a practicing physician and a  
 9 psychiatrist, I'm fully aware of the disturbances in  
 10 sleep affecting mental health. Poor sleep leads to  
 11 depression, anxiety, poor focus and concentration  
 12 affecting the quality of life. Poor performance in  
 13 work due to lack of concentration can lead to  
 14 industrial accidents.  
 15 Number four, destruction of trees and  
 16 local vegetation can result in major contamination of  
 17 water as we all saw in the contamination of  
 18 Chattahoochee River in Alabama from solar farms  
 19 installation in 2018.  
 20 Number five, solar panels when  
 21 electrified can lead to fire hazard stretching the  
 22 local fire department's ability to extinguish fires,  
 23 thus possibly leading to deadly accidents in the  
 24 Pleasant Township neighborhood.  
 25 Due to the above reasons with

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1 scientific basis, we the residents of Pleasant  
 2 Township very strongly oppose the building of solar  
 3 farms in Pleasant Township due to lack of its need,  
 4 interest, convenience and necessity. Thank you for  
 5 your attention to this matter.  
 6 JUDGE MARCELLETTI: Thank you for your  
 7 comments, sir.  
 8 Folks, if we could hold your applause,  
 9 we can get through this a bit quicker. And I know we  
 10 don't have AC really running, so I appreciate your  
 11 cooperation.  
 12 Any questions from Counsel?  
 13 MS. FLAIVE: No, Your Honor.  
 14 JUDGE MARCELLETTI: No questions?  
 15 Doctor, do you have any -- thank you.  
 16 (Exhibit 10 was marked for  
 17 identification.)  
 18 JUDGE MARCELLETTI: Ms. Runkle, if you  
 19 want to come forward, and I have Ms. Sue Alig who will  
 20 be next on deck.  
 21 THE REPORTER: Okay. I thought you  
 22 gave me one but --  
 23 JUDGE MARCELLETTI: Ms. Runkle, if  
 24 you'd please raise your right hand. Do you swear or  
 25 affirm that the testimony you are about to provide

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1 will be the truth?  
 2 MS. RUNKLE: I do.  
 3 JUDGE MARCELLETTI: Great. If you  
 4 would please state and spell your name for the record?  
 5 MS. RUNKLE: Jenica Runkle,  
 6 J-E-N-I-C-A, R-U-N-K-L-E. I live at 1525 Somerlot  
 7 Hoffman Road East, Marion, Ohio 43302.  
 8 JUDGE MARCELLETTI: Do you live or work  
 9 within the project area, ma'am?  
 10 MS. RUNKLE: Yes, both.  
 11 JUDGE MARCELLETTI: Both you said?  
 12 Thank you.  
 13 MS. RUNKLE: Correct.  
 14 JUDGE MARCELLETTI: Are you a party to  
 15 this case as a member of the Concerned Citizens Group?  
 16 MS. RUNKLE: Correct.  
 17 JUDGE MARCELLETTI: But you are not an  
 18 individual intervener?  
 19 MS. RUNKLE: Correct.  
 20 JUDGE MARCELLETTI: Thank you. You may  
 21 proceed. thank you.  
 22 //  
 23 //  
 24 //  
 25 //

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1 WHEREUPON,  
 2 JENICA RUNKLE,  
 3 called as a witness and having been first duly sworn  
 4 to tell the truth, the whole truth, and nothing but  
 5 the truth, was examined and testified as follows:  
 6 DIRECT STATEMENT  
 7 MS. RUNKLE: I here -- I stand here  
 8 tonight in opposition of proposal solar farm because  
 9 of my passion and my values for my community. I feel  
 10 that it is my duty as a Pleasant Township citizen to  
 11 help protect our community and our drinking water for  
 12 now and our future generations.  
 13 According to the Ohio Department of  
 14 Natural Resources, about 42 percent of Ohioans rely on  
 15 groundwater for drinking and use in their households,  
 16 both municipal and private wells in Ohio that make up  
 17 approximately 750,000 rural households that depend on  
 18 these private wells in Ohio. Seventy-two hundred of  
 19 these wells exist in Marion County.  
 20 Marion sits on top of a large carbonate  
 21 aquifer that feeds these wells and surrounding areas.  
 22 The replenish rate of the aquifer can be at a rate of  
 23 100 to 500 gallons per minute. The many  
 24 characteristics of the aquifer system in the state  
 25 makes groundwater highly vulnerable to contamination.

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1 Because Marion County's shallow  
 2 groundwater and poor topsoil makes our area more  
 3 susceptible to groundwater contamination, if  
 4 environmental issues were to occur, then Marion would  
 5 be dealing with another huge devastating disaster and  
 6 won't have enough resources to control. This would  
 7 create a huge strain and inconvenience to our  
 8 emergency responders, roadways, and community.  
 9 As in the past, Marion County has had  
 10 more than one manmade disaster that has caused  
 11 repercussions still felt today. The need for further  
 12 protection and management of groundwater resources in  
 13 Ohio is high and often overlooked. Measures to  
 14 protect groundwater from contamination cost less and  
 15 create less impact on groundwater and community.  
 16 We have the right to clean water that  
 17 was established under the Clean Water Act of 1969. We  
 18 have the right to safe drinking water that was  
 19 established under the Safe Drinking Water that was  
 20 amended to the Clean Water Act in 1996.  
 21 We, the citizens of Pleasant Township,  
 22 do not want to be the next Cuyahoga County. We don't  
 23 want to be the next mistake on the lake. We have the  
 24 right to protect our watersheds in Ohio. Marion  
 25 County's watershed meets up with the Ohio River and

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1 supplies drinking water to more than three million  
 2 people. Allowing a solar farm in a residential  
 3 agriculture area where environmental issues are sure  
 4 to arise will have long-lasting negative impacts to  
 5 our community as well as the rest of the state.  
 6 Solar panels are compromised [sic] of  
 7 PV cells that convert sunlight to electricity. These  
 8 solar panels use inverters that change the DC electric  
 9 current to AC. The term "dirty electricity" occurs  
 10 when the electricity is changed from the DC to AC.  
 11 Dirty electromagnetic energy can affect people and our  
 12 ecosystem.  
 13 One way it can affect is through our  
 14 water. It is well-known that water responds to  
 15 frequency and holds memory. While water does not  
 16 conduct electricity itself, it does make a convenient  
 17 superhighway for dirty particles of energy to travel  
 18 on. These solar inverters produce dirty energy that  
 19 travel through the ground and into our wells and  
 20 aquifers creating negative impact on our environment,  
 21 aquatic life, and surrounding area.  
 22 When these panels enter landfills and  
 23 contain toxic materials like lead that can leach out  
 24 as they break down, long-term effects from solar  
 25 toxicity have not had enough research done to know

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1 what long-term health effects can cause on a human  
 2 body.  
 3 People who are hypersensitive to  
 4 electromagnetic interference often complain of  
 5 headaches, nausea, and brain fog, just to name a few.  
 6 This causes -- this is caused because the solar  
 7 inverters produce decibels at low-frequency  
 8 wavelengths that allow these waves to travel farther  
 9 distances and penetrate through anything.  
 10 Constant bombardment from solar  
 11 inverters will not only affect the human body but also  
 12 animals, aquatic life. Only recently are people  
 13 speaking up regarding negative impacts caused by the  
 14 electromagnetic interference.  
 15 In opposition to Chestnut Solar farm,  
 16 Pleasant Township has spoken. We, as a community, do  
 17 not want this eyesore in our backyard. The  
 18 overwhelming support from our community, the support  
 19 from our state representatives, our local and county  
 20 officials and surrounding counties it is clear.  
 21 Pleasant Township has said no to this solar farm.  
 22 Will you say no, too?  
 23 JUDGE MARCELLETTI: Thank you,  
 24 Ms. Runkle.  
 25 Questions from Counsel?

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1 CROSS-EXAMINATION  
 2 BY MS. FLAHIVE:  
 3 Q Ms. Runkle, you have a well?  
 4 A Yes.  
 5 Q And your neighbors have wells?  
 6 A Yes.  
 7 Q Do you have a septic system?  
 8 A Yes.  
 9 Q Your neighbors have a septic system?  
 10 A Correct.  
 11 Q You understand that solar arrays are  
 12 constructed above the ground; true?  
 13 A I understand what you're trying to do is  
 14 contaminate our water system. No further comment.  
 15 JUDGE MARCELLETTI: Ma'am, please  
 16 answer the cross-examination question. Let Counsel  
 17 finish her cross-examination questions. Thank you.  
 18 MS. KUNKLE: Okay, got you.  
 19 BY MS. FLAHIVE:  
 20 Q Do you recall my question, ma'am?  
 21 A No comment.  
 22 MS. FLAHIVE: Will you instruct the  
 23 witness to please --  
 24 JUDGE MARCELLETTI: Will you please  
 25 repeat your question, Counsel?

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1 BY MS. FLAHIVE:  
 2 Q You're aware that solar arrays are  
 3 constructed above the ground, aren't you?  
 4 A I'm aware that the things that hold the  
 5 solar panels are in the ground.  
 6 Q And the solar arrays themselves are above  
 7 the ground; true?  
 8 A Your panels are. Yes.  
 9 Q Your well isn't contaminated currently, is  
 10 it?  
 11 A I don't know. Have you tested it? That's a  
 12 good question because John Neidhart likes to do things  
 13 he shouldn't.  
 14 Q So is it fair to say you're not aware of any  
 15 well contamination on your property?  
 16 A Not since last time I had to have it checked  
 17 because of John Neidhart.  
 18 Q Are you aware of anyone who has well  
 19 contamination on your road?  
 20 A Currently?  
 21 Q Currently.  
 22 A Not currently but I don't go around asking  
 23 either.  
 24 Q The land where the project is proposed as  
 25 agriculture has fertilizer applied; true?

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1 A True.  
 2 Q Pesticides applied; true?  
 3 A True.  
 4 Q You understand how septic systems work?  
 5 A True.  
 6 Q And none of those wells, to your knowledge,  
 7 are contaminated; true?  
 8 A I'm not an expert so no comment.  
 9 MS. FLAHIVE: Nothing further.  
 10 JUDGE MARCELLETTI: Ms. Runkle, would  
 11 you like to give a copy of your remarks to the court  
 12 reporter? Thank you.  
 13 (Exhibit 11 was marked for  
 14 identification.)  
 15 MS. RUNKLE: Thank you.  
 16 JUDGE MARCELLETTI: Ms. Alig, if you  
 17 would like to come forward.  
 18 JUDGE MARCELLETTI: And I have next on  
 19 deck Ms. Sharon Lupica [ph].  
 20 MS. LUPICA: I'll pass.  
 21 JUDGE MARCELLETTI: Okay. Thank you.  
 22 Mr. David Carpenter, if you want to be next on deck,  
 23 thank you.  
 24 One moment to adjust my mic. I can  
 25 hold it this way, Mike. It looks like it fell off.

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1 THE REPORTER: I apologize.  
 2 JUDGE MARCELLETTI: I can just hold it  
 3 here.  
 4 THE REPORTER: There you go. That  
 5 spins on the --  
 6 JUDGE MARCELLETTI: Thank you for your  
 7 patience, Ms. Alig. If you would raise your right  
 8 hand, do you swear or affirm that the testimony you  
 9 are about to provide is the truth?  
 10 MS. ALIG: Yes.  
 11 JUDGE MARCELLETTI: Thank you. Please  
 12 state and spell your name for the record.  
 13 MS. ALIG: My name is Susan Alig. Last  
 14 name is A-L-I-G. I live at 4432 Maple Grove Road,  
 15 Marion, Ohio 43302.  
 16 JUDGE MARCELLETTI: Do you reside or  
 17 work within the project area, ma'am?  
 18 MS. ALIG: Yes. I do.  
 19 JUDGE MARCELLETTI: Are you a party to  
 20 this case, slash, are you a member of the Concerned  
 21 Citizens Group, ma'am?  
 22 MS. ALIG: Yes.  
 23 JUDGE MARCELLETTI: And I'm sorry,  
 24 Ms. Alig, could you please clarify do you reside or  
 25 work? Which of the two, ma'am?

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1 MS. ALIG: I reside.  
 2 JUDGE MARCELLETTI: Thank you. And  
 3 just to clarify, you are not an individual intervener  
 4 in this case; correct?  
 5 MS. ALIG: No. I'm not.  
 6 JUDGE MARCELLETTI: All right. Thank  
 7 you. You may proceed.  
 8 WHEREUPON,  
 9 SUSAN ALIG,  
 10 called as a witness and having been first duly sworn  
 11 to tell the truth, the whole truth, and nothing but  
 12 the truth, was examined and testified as follows:  
 13 DIRECT STATEMENT  
 14 MS. ALIG: We will butt up against the  
 15 solar farm where we live. I am against the solar farm  
 16 coming into our community. We are a community. Every  
 17 day we have people walking, running, and biking on our  
 18 roads. We support our schools. We help out our  
 19 neighbors. We beautify our properties. We do not  
 20 need an eyesore in our community with fencing and  
 21 barbed wire.  
 22 We live on a narrow road. If you pass  
 23 a school bus, delivery truck, large vehicles, you must  
 24 get on the grass. One side is steep. If you bring in  
 25 a solar farm, it will increase traffic. You only have

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1 to drive this road to see this problem.  
 2 We also have countless wrecks on 23. I  
 3 feel this will cause more wrecks. They have closed  
 4 one road already, and Newman Cardington is next.  
 5 Barrier is in the ditch already. If we have this  
 6 eyesore out there, people are constantly looking.  
 7 We've had state trucks run in by cars driving not  
 8 paying attention, so that is going to add to it.  
 9 I will touch on the environment. In  
 10 Marion County, we have several game preserves and  
 11 watersheds to protect wildlife. We have one of the  
 12 biggest eagle nests I've seen. We also have one on  
 13 James Way over by the golf course within one mile from  
 14 our house. We have had six in our field behind our  
 15 house. We enjoy the many birds, deer, fox in the  
 16 woods.  
 17 We get a lot of runoff from the fields.  
 18 We also have wells and septics this will affect. We  
 19 don't need to bring more sickness to our county.  
 20 We've had the River Valley cancer issues that cause  
 21 losses and heartaches that will never go away. We  
 22 don't need a second one, This caused by stored  
 23 chemicals that leaked into waterways also.  
 24 We plan to grow our community. This  
 25 will stop that. We all know they'll want more ground.

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1 They're trying to put more in our county and  
 2 surrounding ones. This is not a benefit to any of us.  
 3 Substations transferring power out.  
 4 Look at the size of one in Union County, and they want  
 5 more there. The state passed a Farm Bureau bill to  
 6 help keep agriculture in state. Now you want to pass  
 7 the opposite. If they lease ground, do they still get  
 8 lower taxes, which won't end up helping the schools.  
 9 Who will eventually feed our country?  
 10 Oak Run paper in here. They have 6,000  
 11 acres already taken. Now they want 6,050 more.  
 12 According to their thing, they said this will be  
 13 astronomical to the farms, the production. Acreage to  
 14 this kind of energy production, the prime farmland  
 15 taken out of production would be astronomical. We  
 16 need that food down the line here. Everything is  
 17 stressed right now. People are without food. We  
 18 don't need to lose more farm ground to this.  
 19 The cost comes down to us. We lose our  
 20 way of life, health, tax dollars. Our property values  
 21 are dropping the 25 percent. They bring in their own  
 22 workers, so it's not actually all hiring from here  
 23 because they bring their own in. After installation,  
 24 handful of workers only.  
 25 They say this increases temperatures.

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1 Our electric bill is already higher. Now we have to  
 2 add on paying for this monstrosity.  
 3 Will we be able to get insurance on our  
 4 houses? Example, some are flood areas we can't get.  
 5 Are we going to have a problem with insurance on fire  
 6 if nobody knows how to put these out?  
 7 What happens to old panels, debris?  
 8 Are they left onsite? You might lease for 30 to 45  
 9 years, but the ground is worthless after. This is a  
 10 life investment we don't need or want. How will  
 11 reflections affect us? You say one affect for 1.5  
 12 miles away. We are not that distance. I have a  
 13 husband who suffers from severe migraines. What will  
 14 the electromagnetic waves add to this?  
 15 Were components made out of China?  
 16 China has not the same restrictions as the USA. We  
 17 don't know what we're getting in those materials  
 18 they're talking about. You look at the windfarms in  
 19 Logan County. Half don't work. The repair is too  
 20 costly, so they sit empty.  
 21 Jim Ganole [ph] this year said in  
 22 January we had 23 days out of the whole month that was  
 23 cloudy, so how is this going to help us? We also have  
 24 a paper here where these farms cause more tornadoes.  
 25 We had 33 in Ohio already this year. This guy that I

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1 have the article on actually works for NASA. And he  
 2 tells in here where the solar farms will become  
 3 thunderstorm and tornado incubators and magnets for  
 4 us. He's also worked on all these. He also says it  
 5 will increase the heat in our areas. It'll also be  
 6 colder in winter. So we're not actually gaining.  
 7 We're losing more energy.  
 8 We also run two -- two sump pumps at  
 9 our house year-round because of the water. We sit on  
 10 like 10 inches where we live.  
 11 JUDGE MARCELLETTI: Thank you. Thank  
 12 you, Ms. Alig. If there are any more remarks you  
 13 would like to make, I tell you as well as the crowd,  
 14 you are welcome to file written comments in the case  
 15 docket, and you can talk to staff about that.  
 16 No questions from Counsel? Any  
 17 questions?  
 18 And my last question for you, ma'am, do  
 19 you have any paperwork? Thank you very much.  
 20 (Exhibit 12 was marked for  
 21 identification.)  
 22 MS. ALIG: I have questions in here  
 23 from you guys on the staff report we got that don't  
 24 match up with stuff.  
 25 JUDGE MARCELLETTI: Sure.

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1 MS. ALIG: So I believe -- thank you.  
 2 JUDGE MARCELLETTI: After Mr. Carpenter  
 3 on deck, I have Ms. Emily Bamey [ph]?  
 4 MS. BARNEY: Barney.  
 5 JUDGE MARCELLETTI: Barney. Thank you.  
 6 We have all the equipment situated?  
 7 MR. CARPENTER: I hope so. Does it  
 8 work?  
 9 JUDGE MARCELLETTI: Excellent. Thank  
 10 you. Please raise your right hand, sir. Do you swear  
 11 or affirm that the testimony you are about to provide  
 12 will be the truth?  
 13 MR. CARPENTER: Yes. I do.  
 14 JUDGE MARCELLETTI: Thank you. Please  
 15 state and spell your name for the record.  
 16 MR. CARPENTER: My name is David  
 17 Carpenter, C-A-R-P-E-N-T-E-R.  
 18 JUDGE MARCELLETTI: And your address,  
 19 sir?  
 20 MR. CARPENTER: It's 607 Hills-Miller  
 21 Road, Delaware, Ohio.  
 22 JUDGE MARCELLETTI: Do you reside or  
 23 work within the project area?  
 24 MR. CARPENTER: Not as I think it seems  
 25 to be defined. I live in an affected area I would

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1 argue but --  
 2 JUDGE MARCELLETTI: Thank you. Are you  
 3 a party to this case and/or the Concerned Citizens  
 4 Group, sir?  
 5 MR. CARPENTER: No. I'm not.  
 6 JUDGE MARCELLETTI: Okay. Please  
 7 proceed.  
 8 WHEREUPON,  
 9 DAVID CARPENTER,  
 10 called as a witness and having been first duly sworn  
 11 to tell the truth, the whole truth, and nothing but  
 12 the truth, was examined and testified as follows:  
 13 DIRECT STATEMENT  
 14 MR. CARPENTER: I'm a retired research  
 15 engineer and educator. I have no financial interest  
 16 in this project. I have had solar on our houses for  
 17 24 hours and have quite a bit of experience with them.  
 18 I am here because Ohio is way behind  
 19 other states in renewable energy generation. We only  
 20 get 3 percent from renewables. National average is  
 21 about 23. Ohio needs to do its part in reducing our  
 22 dependence on fossil fuels to improve our economy, to  
 23 improve our national security, and to mitigate the  
 24 climate crisis. And we need to do all these things in  
 25 every community. There is a public need for this

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1 facility because what are the alternatives? Fossil  
 2 fuels.  
 3           There is a lot of misinformation that I  
 4 have heard tonight. And a lot of it comes from  
 5 Citizens for Responsible Solar, a national group that  
 6 spreads misinformation about solar. I think people  
 7 should know that.  
 8           First of all, they don't make noise.  
 9 They don't release gases. They have no liquids in  
 10 them. No. They do not. A solar panel --  
 11           JUDGE MARCELLETTI: I would like to  
 12 remind the audience, please, to be courteous as  
 13 everyone has been courteous for your testimony.  
 14           MR. CARPENTER: A solar panel consists  
 15 of glass, aluminum, plastic, and silicon wafer.  
 16 They're all solids. None of them leak. None of them  
 17 go anywhere. The only disturbance that solar has to  
 18 water flow and to the farmland itself is in the  
 19 concrete piers that hold the metal that holds the  
 20 rails. That's the only disturbance there is, a tiny  
 21 fraction probably of one percent of the light. Every  
 22 other form of development, whether you put in  
 23 warehouses or whatever else, they bulldoze the land.  
 24 They destroy the farmland. Solar farms do not destroy  
 25 farmland. In fact, they protect it.

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1           I used to live --  
 2           JUDGE MARCELLETTI: Please let the  
 3 witness testify.  
 4           MR. CARPENTER: I used to live on  
 5 frontage from Neidhart Farm here in Pleasant Township.  
 6 That land will never be farmed again. There's a house  
 7 there. Many of you live in houses that used to be  
 8 farmland. They will never be returned to farmland.  
 9 But in 35 years SB52 says this solar farm has to be  
 10 decommissioned. They have to take it off. They have  
 11 to recycle the panels, which they can.  
 12           And in the meantime, the land stays  
 13 intact. It's not subdivided. It's my understanding  
 14 that the Neidharts are of retirement age. What else  
 15 are they going to do for their land for income? But  
 16 that land stays intact. There are other alternatives  
 17 that are more destructive to your community, more  
 18 destructive.  
 19           Solar panels are spaced. They have to  
 20 be to get the sun. They have to be spaced out so  
 21 there's like panels and then two areas and then panels  
 22 again. So about one-third is covered with panels.  
 23 They could be farmed underneath them. It's called  
 24 "agrisolar." Look it up. And you think that's an oh,  
 25 my god, but 800 megawatts were just approved in

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1 Madison County of agrisolar. It's a real thing. Look  
 2 it up.  
 3           And even if you don't, you're still  
 4 preserving the farmland for future use. Not only can  
 5 the land be farmed. The solar panels provide under  
 6 the panels a cooler environment so that crops can grow  
 7 there that would not otherwise grow in the harsh  
 8 direct sunlight. So you have more diversity that way.  
 9 You can farm between them.  
 10           You can put in -- if you don't want to  
 11 farm, you can put pollinators. You want to see  
 12 pollinators in a solar farm, and you want to see that  
 13 a solar farm doesn't produce gases and smoke and  
 14 noise? Go to Denison University and look at their 2.3  
 15 megawatt array. Those of you who are complaining  
 16 about how these solar panels are so awful, you need to  
 17 go visit a solar farm. They don't do these things.  
 18           We need this solar farm. We need all  
 19 solar farms to get off of fossil fuels. That is an  
 20 urgent need for all of us. And the misinformation  
 21 that you're being fed is coming from the fossil fuel  
 22 industry because they can't compete on a level  
 23 economic and environmental playing ground. So they're  
 24 misinforming people throughout the country and it's  
 25 sad. We need these solar arrays. We need more of

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1 them. They don't stir groundwater. They don't poison  
 2 the groundwater, and they're not even ugly.  
 3           You know what is ugly that is  
 4 throughout this community surrounding that area?  
 5 Telephone poles. You've lived with them for years.  
 6 You've accepted them, and you're accustomed to them.  
 7 But they're the ugliest thing on God's earth.  
 8           Payments in lieu of taxes can provide  
 9 money to this community that is almost a free check  
 10 because solar fields require almost no maintenance.  
 11 If you're worried about your roads -- sorry.  
 12           JUDGE MARCELLETTI: Thank you,  
 13 Mr. Carpenter, for your remarks.  
 14           Cross-examination from Counsel?  
 15           MS. FLAHIVE: Yes, Your Honor.  
 16           CROSS-EXAMINATION  
 17 BY MS. FLAHIVE:  
 18 Q Thank you, Mr. Carpenter. Regarding some of  
 19 the impacts that you discussed, can you speak further  
 20 to whether like the road issues, the noise, those  
 21 types of activities are unique to a solar project? Or  
 22 are they common to all development?  
 23 A More -- other forms of development are more  
 24 disruptive, more noisy, more damage to, for example,  
 25 township roads, county roads, stuff like that because



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1 most development has ongoing activity. A solar farm  
 2 does not. They require virtually no maintenance.  
 3 Q And so to the extent opponents of the  
 4 project are objecting to the temporary activity, what  
 5 is your response to that?  
 6 A I live in a community and work with a group  
 7 that has been fighting a housing development for the  
 8 past couple years, and the housing development is far  
 9 more disruptive. And it's just, I mean, the solar  
 10 development is so much easier to deal with.  
 11 Obviously, there's disruption to the community during  
 12 the construction phase. But after the construction  
 13 phase is over, you'll have virtually no disruption.  
 14 Q And that kind of disruption would happen if  
 15 a school was being constructed; true?  
 16 A Sure. A school has ongoing activity. Solar  
 17 panel does not.  
 18 MS. FLAHIVE: Nothing further.  
 19 JUDGE MARCELLETTI: Thank you.  
 20 Mr. Carpenter, do you have any copies for the court  
 21 reporter here?  
 22 MR. CARPENTER: No. I do not.  
 23 JUDGE MARCELLETTI: Okay. Thank you  
 24 for your remarks.  
 25 Ms. Barney, if you would step forward.

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1 And I have Ms. Molly Szymkowiak?  
 2 MS. SZYMKOWIAK: Szymkowiak.  
 3 JUDGE MARCELLETTI: Okay. You will be  
 4 next, ma'am. Thank you.  
 5 Good evening. If you'd please raise  
 6 your right hand, do you swear or affirm that the  
 7 testimony you are about to provide will be the truth?  
 8 MS. BARNEY: Yes. I do.  
 9 JUDGE MARCELLETTI: Thank you. I will  
 10 know before I ask you for your name, you're going to  
 11 really have to project, ma'am. Okay? Please state  
 12 and spell your name for the record.  
 13 MS. BARNEY: Emily Barney, E-M-I-L-Y,  
 14 B-A-R-N-E-Y.  
 15 JUDGE MARCELLETTI: And your address  
 16 including the township, please?  
 17 MS. BARNEY: 1326 Somerlot Hoffman Road  
 18 East, and that is Pleasant Township.  
 19 JUDGE AGRANOFF: It might help if you  
 20 hold the microphone.  
 21 MS. BARNEY: I'm shaking a lot, so if I  
 22 hold it, I might drop it, so I will lean in.  
 23 JUDGE MARCELLETTI: Are you an  
 24 intervening party to this case?  
 25 MS. BARNEY: I am with Concerned

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1 Citizens. I am not a personal intervener.  
 2 JUDGE MARCELLETTI: Thank you. You may  
 3 proceed, ma'am.  
 4 WHEREUPON,  
 5 EMILY BARNEY,  
 6 called as a witness and having been first duly sworn  
 7 to tell the truth, the whole truth, and nothing but  
 8 the truth, was examined and testified as follows:  
 9 DIRECT STATEMENT  
 10 MS. BARNEY: Okay. Our property has  
 11 plenty of drainage issues that this project would  
 12 heavily impact. We have picture of those, but I'm not  
 13 going to address that at this point because my husband  
 14 plans to do so as an intervener.  
 15 My understanding is that they need to  
 16 prove benefit to community. My hope tonight is to  
 17 share a picture of facts of the individuals that this  
 18 will affect negatively.  
 19 On a normal morning you can find me  
 20 looking out my front bay window or on my front porch  
 21 drinking coffee to open beautiful fields. That view  
 22 is one of the reasons I love my home the most. That  
 23 view will be taken if this solar project moves  
 24 forward.  
 25 They promised to surround the solar

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1 panels by shrubs and arborvitae. But they will never  
 2 be able to beautify what will happen in front of my  
 3 home. Our home is directly adjacent to the laydown  
 4 area where the loud equipment will be stored and that  
 5 houses the entry and the main garage building to this  
 6 project. There's no beautifying that. And although I  
 7 could talk to you all evening about the disappointment  
 8 of losing that view, a view alone is not enough to ask  
 9 you to turn down this project.  
 10 My husband served for eight years as a  
 11 United States Marine. He worked diligently to save.  
 12 When we got married, he purchased our first house in  
 13 cash. Since then, we've been diligent and have worked  
 14 hard at a young age to remain debt-free in hopes to  
 15 pay off our mortgage young.  
 16 When we purchased this house, we used  
 17 that hard-earned savings to get ahead for our family.  
 18 With these solar panels, we will no longer desire to  
 19 live in our current home because of the sound that the  
 20 equipment causes, specifically because we are by the  
 21 garage, potential negative health effects that have  
 22 been mentioned this evening, the drainage issues that  
 23 we already have that will increase and, yes, the  
 24 change of scenery.  
 25 If we try to sell now prior to this

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1 project happening or if we attempt to sell after this  
 2 project begins, we will have to disclose what's  
 3 happening around us. Knowing the Marion community,  
 4 specifically Pleasant Township, the solar project will  
 5 weigh heavy on any sale of our home. If an individual  
 6 does decide to purchase our house despite the panels,  
 7 our property value and home equity will be greatly  
 8 affected.

9           There are some things that you can't  
 10 get back. And building a life that we love in our  
 11 current home with our kids and a life savings of two  
 12 individuals who spent 14 years of marriage working  
 13 toward their family's financial success are a couple  
 14 of those things. We are asking you to vote no.  
 15 Please don't take that away from us.

16           JUDGE MARCELLETTI: Thank you for your  
 17 remarks, Ms. Barney. I apologize. I did not ask do  
 18 you live or work within the project area?

19           MS. BARNEY: So I would say I live in  
 20 it. I'm on the black line, but I don't know what that  
 21 means to her. So that's my answer.

22           JUDGE MARCELLETTI: Thank you.

23           Any clarification from Counsel?

24 //  
 25 //

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1           CROSS-EXAMINATION

2 BY MS. FLAHIVE:

3     Q Before you built your house, did you have an  
 4 understanding --

5     A We did not build. We bought, sorry.

6     Q Sorry. Let me clarify. Before you bought  
 7 your house, did you have an understanding of the  
 8 zoning resolution for the township?

9     A No. We were aware that it was surrounded by  
 10 agriculture, farming -- real farming -- and that was  
 11 our desire.

12    Q You didn't read the zoning resolution to  
 13 determine what kind of uses are allowed as a matter of  
 14 right on agricultural district land?

15    A No. I don't know many normal people that  
 16 do.

17           MS. FLAHIVE: Nothing further.

18           JUDGE MARCELLETTI: Ms. Barney, do you  
 19 have any documents?

20           MS. BARNEY: I don't. I'm sorry.

21           JUDGE MARCELLETTI: Thank you.

22           Ms. -- forgive me.

23           MS. SZYMKOWIAK: Szymkowiak.

24           JUDGE MARCELLETTI: Szymkowiak, thank  
 25 you. I have next on deck Mr. Josh Obenour, so you

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1 will be on deck, sir.

2           Good evening. If you'd please raise  
 3 your right hand, do you swear or affirm that the  
 4 testimony you are about to provide will be the truth?

5           MS. SZYMKOWIAK: Yes.

6           JUDGE MARCELLETTI: I'm going to note  
 7 again like Ms. Barney you're going to really have to  
 8 project, ma'am, okay?

9           MS. SZYMKOWIAK: Yes.

10          JUDGE MARCELLETTI: If you could please  
 11 state and spell your name for the record?

12          MS. SZYMKOWIAK: Molly Szymkowiak,  
 13 M-O-L-L-Y, S-Z-Y-M-K-O-W-I-A-K.

14          JUDGE MARCELLETTI: And your address  
 15 including the township, please?

16          MS. SZYMKOWIAK: 1208 Somerlot Hoffman  
 17 Road East, Pleasant Township, Marion County, Ohio.

18          JUDGE MARCELLETTI: Do you reside or  
 19 work within the project area?

20          MS. SZYMKOWIAK: I work -- I live.

21          JUDGE MARCELLETTI: Thank you. Are you  
 22 a party to this case including the Concerned Citizens  
 23 Group?

24          MS. SZYMKOWIAK: The Concerned Citizens  
 25 Group.

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1           JUDGE MARCELLETTI: And you're not an  
 2 individual intervener?

3           MS. SZYMKOWIAK: No.

4           JUDGE MARCELLETTI: Thank you. You may  
 5 proceed.

6 WHEREUPON,

7           MOLLY SZYMKOWIAK,  
 8 called as a witness and having been first duly sworn  
 9 to tell the truth, the whole truth, and nothing but  
 10 the truth, was examined and testified as follows:

11          DIRECT STATEMENT

12          MS. SZYMKOWIAK: Thank you. I am a  
 13 registered nurse at Marion General Hospital in the  
 14 special care nursery. I am here today wearing red in  
 15 the opposition of the Chestnut Solar project, and I  
 16 would like to talk about health and safety.

17          U.S. solar fires have tripled from 2018  
 18 to 2020. A European study found that more than one  
 19 quarter of their solar farm fires were caused by the  
 20 photovoltaic system itself, and they all produced  
 21 serious, difficult-to-extinguish fires that spread to  
 22 surrounding areas.

23          During and after the fire, the  
 24 photovoltaic system can produce liquid, solid, or  
 25 smoke emissions with dangerous levels of selenium,

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1 cadmium, or lead endangering the responding  
 2 firefighters and first responders as well as the  
 3 people living near the site.  
 4       At least 35 tornadoes have occurred in  
 5 Ohio this year, well surpassing the yearly average of  
 6 22 and some producing one inch or larger hail. Solar  
 7 panels in Texas were recently destroyed by large hail.  
 8 When the solar panels are damaged, they can release  
 9 those same hazardous chemicals into the air, land, and  
 10 water systems putting everyone near the area at risk.  
 11       I can't even imagine the expanse of  
 12 chemical exposure if a tornado plowed through the  
 13 solar panels and deposited them throughout its path.  
 14 Solar farms in Las Vegas produced 40 to 70 tons of  
 15 dust during its construction. Despite receiving  
 16 nearly a quarter million dollars in fines for air  
 17 quality violations, they continued to be out of  
 18 compliance with no regard to the health of the people.  
 19       This decrease in the air quality can be  
 20 detrimental to anyone that already has breathing  
 21 issues such as asthma or COPD. Exposure to dust can  
 22 cause lung cancer and reproductive harm.  
 23       One homeowner next to a solar farm in  
 24 Florida commented that the constant whining sound  
 25 generated from the solar farm was unbelievably

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1 unbearable. Their horses were constantly jittery and  
 2 on edge. I watched videos where the sound could be  
 3 heard up to two miles away when they were promised  
 4 that there wouldn't be any distinguishable sound.  
 5       Imagine the effect on domesticated  
 6 animals as well as the natural wildlife in the area.  
 7 The county dog pound and the Humane Society are only  
 8 just over half a mile away from the proposed site for  
 9 the inverters. Those animals are already stressed,  
 10 and we shouldn't stress them anymore but adding  
 11 unnecessary noise.  
 12       I live directly across from the  
 13 proposed area for the inverters. Most solar companies  
 14 state that they only run during the day so as not to  
 15 affect people's sleep at night. Well, guess what.  
 16 I'm a nightshift nurse, so I sleep during the day.  
 17       Sleep deprivation causes slower  
 18 response times, reduced alertness, attention, and  
 19 vigilance. I might not be able to respond to the best  
 20 of my ability in a life-or-death situation including  
 21 mothers and babies due to sleep deprivation when I'm  
 22 caring for your wife, children, grandchildren,  
 23 siblings, nieces, and nephews.  
 24       My husband, a police officer, works the  
 25 nightshift as well. He also needs to be able to

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1 respond quickly in high-risk situations to provide  
 2 safety for our communities.  
 3       According to the American Farmland  
 4 Trust, 72 percent of Ohio's agricultural land is  
 5 considered nationally significant because it is best  
 6 suited for growing food and crops. Unfortunately,  
 7 according to the Census of Agriculture, Ohio lost more  
 8 than 300,000 acres of farmland from 2017 to 2022. As  
 9 of 6 p.m. today, there have been 224 babies born right  
 10 here in Marion County, and we are only one third of  
 11 the way through the year. And there's usually a boom  
 12 between September and November, thanks to winter  
 13 months and Valentine's Day.  
 14       If the loss of farmland continues at  
 15 the same pace, by the time those babies reach  
 16 adulthood in 2042, we can expect more than 1.3 million  
 17 additional acres lost. We need to advocate for those  
 18 babies by stopping or slowing down the loss of  
 19 agricultural land. If not, what kind of life are we  
 20 preparing for our children? No farmland, no food, and  
 21 no future.  
 22       And according to the Ohio Power Siting  
 23 Board website, at least 21 days to the public  
 24 information meeting the applicant must send a letter  
 25 to each affected property owner or tenant. Well, I

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1 receive that letter, so I am in proposed zone. Thank  
 2 you.  
 3       JUDGE MARCELLETTI: Thank you for your  
 4 comments, ma'am. Do you have -- excuse me.  
 5       Does Counsel have any questions for the  
 6 witness?  
 7       MS. FLAHIVE: No, Your Honor.  
 8       JUDGE MARCELLETTI: Ms. Szymkowiak, do  
 9 you have copies? Excellent.  
 10       (Exhibit 15 was marked for  
 11 identification.)  
 12       Mr. Josh Obenour?  
 13       MR. OBENOUR: Obenour.  
 14       JUDGE MARCELLETTI: You'll be our last  
 15 witness to testify before we have a break, all right?  
 16 So please raise your right hand, sir. Do you swear or  
 17 affirm that the testimony you are about to provide  
 18 will be the truth?  
 19       MR. OBENOUR: I do.  
 20       JUDGE MARCELLETTI: If you can please  
 21 state and spell your name for the record?  
 22       MR. OBENOUR: Josh Obenour,  
 23 O-B-E-N-O-U-R.  
 24       JUDGE MARCELLETTI: And your address,  
 25 sir, including the township?

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1 MR. OBENOUR: 887 Adams Shade, Marion,  
 2 Ohio 43302, Pleasant Township. In addition, Parcel  
 3 Number 250220002012.  
 4 JUDGE MARCELLETTI: Do you reside or  
 5 work within the project area?  
 6 MR. OBENOUR: Adjacent to the project  
 7 area and I do share a border with the project area.  
 8 JUDGE MARCELLETTI: Thank you, sir.  
 9 You may proceed.  
 10 JUDGE AGRANOFF: If I could just get a  
 11 clarification, you mentioned a parcel number and an  
 12 address?  
 13 MR. OBENOUR: Yes.  
 14 JUDGE AGRANOFF: Are those two  
 15 different properties?  
 16 MR. OBENOUR: Yes.  
 17 JUDGE AGRANOFF: And which one do you  
 18 reside at?  
 19 MR. OBENOUR: I reside at 887 Adams  
 20 Shade. The parcel is adjacent to the address.  
 21 JUDGE AGRANOFF: And what do you use  
 22 that parcel for?  
 23 MR. OBENOUR: Anything and everything  
 24 I'd like to on that property.  
 25 JUDGE AGRANOFF: Thank you.

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1 MR. OBENOUR: Good? Okay.  
 2 WHEREUPON,  
 3 JOSH OBENOUR,  
 4 called as a witness and having been first duly sworn  
 5 to tell the truth, the whole truth, and nothing but  
 6 the truth, was examined and testified as follows:  
 7 DIRECT STATEMENT  
 8 MR. OBENOUR: Members of the Ohio Power  
 9 Siting Board, as a property owner that is directly  
 10 adjacent to the proposed solar farm, I am opposed to  
 11 this case. There are too many negatives that outweigh  
 12 any good the solar field could bring. Some of these  
 13 negatives include viewshed, noise, decreased property  
 14 values, drainage issues, and loss of farmland.  
 15 According to the staff report pursuant  
 16 to RC-4906.10(a)6, it will be the board's job to  
 17 determine if the facility will serve the public  
 18 interest, convenience, and necessity. As you have  
 19 heard and will hear tonight, this solar farm is not in  
 20 the best interests of the community.  
 21 When I read through the 63 pages of the  
 22 staff report, I found this paragraph should make your  
 23 decision quick and easy and put an end to this case  
 24 now and forever. Page 40 states, "Some local  
 25 opposition is not uncommon in many power generation

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1 siting projects. But when observing and documenting  
 2 considerable opposition filed in the docket, staff  
 3 recognizes that in this proceeding the opposition has  
 4 been especially prominent and overwhelmingly one-sided  
 5 from the local government agencies and the citizens.  
 6 "The staff believes that the public  
 7 opposition will create negative impacts within the  
 8 local community. The staff believes that any benefits  
 9 to the local community are outweighed by the  
 10 overwhelmingly documented public opposition. And,  
 11 therefore, the project would not serve the public  
 12 interest, convenience, and necessity."  
 13 I would ask that the board side with  
 14 the staff report of investigation recommending denial  
 15 of certificate. Furthermore, I would ask that you  
 16 deny Chestnut Solar, LLC's expedited and partially  
 17 unopposed motion for stay. No matter what happens  
 18 with the Supreme Court Case Number 2023-1286, this  
 19 community will not change their views on the proposed  
 20 solar farm. We do not want this solar facility or any  
 21 others in our community. Thank you.  
 22 JUDGE MARCELLETTI: Questions from  
 23 Counsel?  
 24 //  
 25 //

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1 CROSS-EXAMINATION  
 2 BY MS. FLAHIVE:  
 3 Q It sounds like when you purchased your  
 4 parcels, you were aware that the adjacent property was  
 5 zoned agricultural?  
 6 A I wasn't aware or not aware.  
 7 Q You were aware that it was being used for  
 8 agriculture?  
 9 A I bought the property, and I was not aware  
 10 or unaware of the agricultural land that is beside me,  
 11 that is adjacent to my property that I share a border  
 12 with.  
 13 Q So you wouldn't object to the construction  
 14 of a hog barn in the same place as the solar arrays?  
 15 A I would object. Yes. I would stand here  
 16 with my community members. If we were all together  
 17 against something, I would stand with them.  
 18 MS. FLAHIVE: Nothing further.  
 19 JUDGE MARCELLETTI: Thank you,  
 20 Mr. Obenour, and I know I have a copy of your  
 21 statement. Do you want me to give that?  
 22 (Exhibit 16 was marked for  
 23 identification.)  
 24 JUDGE MARCELLETTI: Folks, we are going  
 25 to take a break. We're going to come back at 7:05,

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1 stretch legs, get some water. Thank you.  
 2 THE REPORTER: Going off the record at  
 3 6:56.  
 4 (Off the record.)  
 5 THE REPORTER: I'm on the record at  
 6 7:09 p.m. Thank you. We can continue. I apologize.  
 7 JUDGE AGRANOFF: Please raise your  
 8 right hand. Do you solemnly swear or affirm that the  
 9 testimony you're about to give in this proceeding is  
 10 the truth?  
 11 MS. EBLIN: Yes.  
 12 JUDGE AGRANOFF: Thank you. Please  
 13 state your full name and address for the record.  
 14 MS. EBLIN: Catherine Eblin, 3734 Maple  
 15 Grove Road, Pleasant Township, Marion, Ohio.  
 16 JUDGE AGRANOFF: Thank you. Are you an  
 17 intervener or a member of one of the intervener groups  
 18 in this proceeding?  
 19 MS. EBLIN: I am a member of the  
 20 Pleasant Concerned Citizens.  
 21 JUDGE AGRANOFF: Thank you. But you're  
 22 not an individual intervener.  
 23 MS. EBLIN: I am not an intervener.  
 24 JUDGE AGRANOFF: Thank you. And do you  
 25 live or work within the project area?

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1 MS. EBLIN: Can you explain what the  
 2 project area is, please?  
 3 JUDGE AGRANOFF: Project area is that  
 4 which is defined by the application that was set forth  
 5 in this case. I can't give you the actual boundaries  
 6 per se but --  
 7 MS. EBLIN: I work and live in the  
 8 area.  
 9 JUDGE AGRANOFF: Okay. Thank you.  
 10 Please proceed.  
 11 WHEREUPON,  
 12 CATHERINE EBLIN,  
 13 called as a witness and having been first duly sworn  
 14 to tell the truth, the whole truth, and nothing but  
 15 the truth, was examined and testified as follows:  
 16 DIRECT STATEMENT  
 17 MS. EBLIN: I emphatically oppose  
 18 Chestnut Solar, LLC, and Narenco's proposed utility  
 19 scale solar panel facility project. The Ohio Power  
 20 Siting Board mission statement declares, "Our mission  
 21 is to support sound energy policies that provide for  
 22 the installation of energy capacity and transmission  
 23 infrastructure for the benefit of the Ohio citizens  
 24 promoting the state's economic interests and  
 25 protecting the environment and land use."

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1 Pleasant Township is not zoned  
 2 commercial or industrial in this particular area. It  
 3 is zoned agricultural. Merriam-WebsterDictionary.com  
 4 defines "agriculture" as "the science, art, or  
 5 practice of cultivating the soil, producing crops, and  
 6 raising livestock and at varying degrees the  
 7 preparation and marketing of the resulting products."  
 8 Therefore, this agriculturally zoned  
 9 area of land should not be permitted to be invaded by  
 10 a solar panel facility within this region. If the  
 11 OPSB votes for this, our area could be shamefully  
 12 transformed into an unpleasant township by Narenco and  
 13 Chestnut Solar for their greedy financial gain at  
 14 local residents' loss.  
 15 This proposed solar panel facility does  
 16 not protect the environment and land use. I've lived  
 17 in Marion all my life, and my childhood home is less  
 18 than two miles from where I live now. The proposed  
 19 unsightly solar panel facility area will be located on  
 20 what is now fertile farmland and would infringe upon  
 21 the aesthetic of our home and all of our neighbors'  
 22 homes.  
 23 This proposed solar facility is not  
 24 just on a farmer's property alone on a narrow rural  
 25 road. Our home on scenic Maple Grove Road along with

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1 our neighbors' attractive home properties is literally  
 2 right next to those fields on that same narrow rural  
 3 road. Our neighborhood is habitually inundated  
 4 numerous times every year with flooding all around our  
 5 properties by seasonal rains and snowmelts due to  
 6 low-lying land and the drainage issues from the  
 7 farmer's field.  
 8 The field tiles will be further  
 9 degraded by Narenco and Chestnut Solar when they drill  
 10 into the ground to place the bases that hold the solar  
 11 panels in place. Chestnut Solar states that they will  
 12 pay for any damage they cause. So the company will  
 13 only do something if it gets way past an already  
 14 flooded point, which could feasibly ruin our homes and  
 15 property.  
 16 Another crucial point is that if these  
 17 solar panels leak or break whether due to fire, hail,  
 18 age, or other catastrophe, this will probably poison  
 19 the ground, air, and water locally for us, our  
 20 children, wildlife, and habitat. Regarding the OPSB  
 21 mission statement, this proposed installation will not  
 22 benefit Ohio citizens nor protect the environment or  
 23 land.  
 24 South Carolina-based Narenco's mission  
 25 statement declares, "Our mission is to create value

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1 for the people we work with: you, our investors, our  
 2 clients, our landowners. We strive for excellence  
 3 because we know that's what our partners deserve."  
 4 This only shows concern to create value for their  
 5 investors, their clients, their landowners, which  
 6 would include Chestnut Solar, LLC.  
 7 Notice Narenco's concerns do not  
 8 include the farmer's neighbors, township citizens, or  
 9 the community of Marion. How would you like to wake  
 10 up every morning and look out the window of your home  
 11 only to be sickened by the view and hear the sound of  
 12 hundreds of disgusting solar panels instead of a nice  
 13 crop-growing farm field?  
 14 At a previous Chestnut Solar meeting,  
 15 Ben Friedell and his team from Narenco confirmed that  
 16 none of them live next to any solar panel facility.  
 17 Wow, they get to enjoy their nicely appropriate living  
 18 areas, but their greed shows they are willing to  
 19 invade and sacrifice our quiet beautiful area with  
 20 little regard for our families' well-being, our  
 21 properties, or our environment.  
 22 According to the Farmer's Almanac  
 23 website, Ohio is ranked number eight for the top town  
 24 cloudiest states. Therefore, the OPSB should realize  
 25 solar panel facilities do not support sound energy

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1 policies that provide for the installation of energy  
 2 capacity and transmission infrastructure for the  
 3 benefit of Ohio citizens.  
 4 Our neighborhood, our community, our  
 5 Pleasant Township trustees, and our Marion County  
 6 commissioners are all unified and resolute in our  
 7 opposition to this proposed Chestnut Solar commercial  
 8 utility. Chestnut Solar's utility-scale facility does  
 9 not serve the public interest, convenience, or  
 10 necessity in Pleasant Township of Marion County.  
 11 I implore the Ohio Power Siting Board  
 12 to use common sense, abide by their mission statement,  
 13 and keep Pleasant Township true to its name by denying  
 14 Chestnut Solar and Narenco's case.  
 15 JUDGE AGRANOFF: No cross?  
 16 MS. FLAHIVE: No cross, Your Honor.  
 17 JUDGE AGRANOFF: Thank you.  
 18 Ms. Eblin, do you have any  
 19 documentation?  
 20 (Exhibit 17 was marked for  
 21 identification.)  
 22 THE REPORTER: Thank you.  
 23 JUDGE AGRANOFF: And I would point out  
 24 again for those of you who are still waiting to  
 25 testify that if testimony that you've heard thus far

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1 more or less duplicates that which you were going to  
 2 be giving, you do have the opportunity to sign the  
 3 list that we have at the table in the back and  
 4 indicate your support for either the testimony in  
 5 favor or in opposition as an alternative to actually  
 6 testifying.  
 7 Next, we have Mr. Mark Eblin.  
 8 MR. EBLIN: Yes.  
 9 JUDGE AGRANOFF: If you could please  
 10 raise your right hand, do you solemnly swear that the  
 11 testimony you're about to give in this proceeding is  
 12 the truth?  
 13 MR. EBLIN: Yes. I do.  
 14 JUDGE AGRANOFF: Thank you. Please  
 15 state your full name and address for the record.  
 16 MR. EBLIN: Mark Eblin, 3734 Maple  
 17 Grove Road, Marion, Ohio.  
 18 JUDGE AGRANOFF: Thank you. And do you  
 19 live in a township?  
 20 MR. EBLIN: Yes.  
 21 JUDGE AGRANOFF: Which one?  
 22 MR. EBLIN: Pleasant.  
 23 JUDGE AGRANOFF: Thank you. And are  
 24 you a member of the Concerned Citizens Group?  
 25 MR. EBLIN: Yes. I am.

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1 JUDGE AGRANOFF: Are you an intervener  
 2 as an individual?  
 3 MR. EBLIN: No.  
 4 JUDGE AGRANOFF: And at this time  
 5 proceed with your testimony.  
 6 WHEREUPON,  
 7 MARK EBLIN,  
 8 called as a witness and having been first duly sworn  
 9 to tell the truth, the whole truth, and nothing but  
 10 the truth, was examined and testified as follows:  
 11 DIRECT STATEMENT  
 12 MR. EBLIN: Okay. Thank you. I'm here  
 13 today to speak in strong opposition to the proposed  
 14 Chestnut Solar project. My family moved to Maple  
 15 Grove Road years ago, specifically because of the  
 16 serene, pleasant environment.  
 17 If the Chestnut Solar Project were to  
 18 be approved, Pleasant Township could quickly transform  
 19 into a very unpleasant township for the sake of  
 20 generating business profits at the expense of the  
 21 rural residents. For example, flooding, drainage,  
 22 loss of wildlife habitat, fire hazards, safety  
 23 concerns, short- and long-term health effects, noise  
 24 from inverters, toxic runoff, strain on emergency  
 25 services -- the list is long.

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1           Okay. Chestnut Solar project would  
2 degrade our beautiful community against the wishes of  
3 the local people who have lived here for many  
4 generations. Our local residents are distressed --  
5 distressed at the thought of this project and are  
6 vehemently opposing the degradation of our local  
7 residential area.

8           While on your own property, would you  
9 like to look out your windows and have two, three, or  
10 all sides of your home surrounded by a large solar  
11 array? Of course not. And neither would we. Over  
12 many years and decades, many of us have invested  
13 hundreds of thousands of dollars in our homes.

14           Allowing the installation of a  
15 utility-scale solar panel facility around, beside, in  
16 back of our homes does not serve the public interest,  
17 convenience, or necessity in the Pleasant Township of  
18 Marion County. You may have noticed in various maps  
19 of the solar project that it's difficult to ascertain  
20 where the family homes are located and how close they  
21 are to the proposed utility scale solar farms.

22           So just in case you're under the  
23 illusion that this project would be built out in the  
24 middle of a farmer's field totally out of sight, you  
25 can't hear it, I provided an exhibit of pictures that

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1 were emailed to the OPSB on April 9th that clearly  
2 illustrates the types of family homes in our  
3 neighborhood. And those are all contiguous to the  
4 field where the proposed panels are planned.

5           These pictures are just a small sample  
6 of the numerous homes in this terrible situation. I  
7 brought extra copies tonight if you'd like one. Note  
8 there are families living in these homes. I repeat,  
9 families living in these homes. And they're counting  
10 on you to vote against allowing a company to set up a  
11 utility-scale -- not normal solar panels --  
12 utility-scale panels right outside our back porches,  
13 patios of our homes.

14           We're not talking about industrial area  
15 or commercially zoned area. We're talking about a  
16 residential neighborhood. Many people in this  
17 neighborhood refer to these as our "dream homes" as  
18 you've heard earlier tonight. And we've spent years  
19 investing in these properties, raising our children  
20 here, and are counting in being able to retire here in  
21 a peaceful Pleasant Township. As you can imagine,  
22 many of us have children playing in the yard and don't  
23 want our families subjected to these hazards of a  
24 commercial utility business within this close  
25 proximity of where we live.

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1           We use well water. That's been  
2 established over and over. That would be directly  
3 draining off the surfaces of these solar panels. Now,  
4 we know they'll say they're manufactured and they're  
5 closed. Okay, great. How easy would it be for some  
6 of our ongoing strong Ohio weather events to break  
7 open some of these surfaces opposing -- exposing  
8 families to hazardous lead, cadmium, and other toxic  
9 materials? And how long would the leak go possibly  
10 unnoticed while we're all drinking the water and on  
11 and on?

12           The noise generated from these  
13 inverters can be heard at quite a distance and could  
14 have a devastating impact on people living too close  
15 to this commercial operation. As we heard earlier  
16 from a doctor, this could have psychological impacts.

17           Think about these serious health  
18 hazards for just a minute. And then ask yourself why  
19 any reasonable person would ever grant a request that  
20 goes against virtually all the local residents'  
21 wishes, goes against the Pleasant Township Trustees  
22 and against the Marion County Commissioners who all  
23 voted against this project.

24           Because of these points and many, many  
25 others, I urge you to decisively reject Chestnut Solar

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1 and out-of-state Narenco's ridiculous request to place  
2 utility commercial solar project right literally in  
3 our backyards of our home. We're counting on you to  
4 do the right thing. Thank you.

5           JUDGE AGRANOFF: Mr. Eblin, if I could  
6 just get one point of clarification before we have  
7 cross, do you live and/or work within the project  
8 area?

9           MR. EBLIN: Yes, both.

10           JUDGE AGRANOFF: Thank you.

11           CROSS-EXAMINATION

12 BY MS. FLAHIVE:

13 Q Mr. Eblin, it sounds like you would oppose  
14 the construction of a large hog barn on the property  
15 behind your house; true?

16 A I think we've heard this question before.

17 Q So can you answer yes or no today?

18           JUDGE AGRANOFF: Please answer the  
19 question.

20           THE WITNESS: Yes. I would.

21 BY MS. FLAHIVE:

22 Q You would oppose it?

23 A Right.

24 Q So you're not aware that that's a use that's  
25 already permitted as a matter of right?

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1 A No. I'm not aware of it, but I would oppose  
2 it.  
3 MS. FLAHIVE: Nothing further.  
4 JUDGE MARCELLETTI: We have the copy?  
5 MR. EBLIN: Yes. I already turned it  
6 in.  
7 JUDGE MARCELLETTI: Okay.  
8 (Exhibit 18 was marked for  
9 identification.)  
10 JUDGE AGRANOFF: Thank you.  
11 Next, we have Trina Traynor and on deck  
12 is Gus Comstock.  
13 Please raise your right hand. Do you  
14 solemnly swear or affirm that the testimony you're  
15 about to give in these proceedings is the truth?  
16 MS. TRAYNOR: Yes. I do.  
17 JUDGE AGRANOFF: Thank you. Please  
18 state your full name and address for the record.  
19 MS. TRAYNOR: Trina Traynor, 92 Crab  
20 Apple Court, Howard, Ohio.  
21 JUDGE AGRANOFF: And do you live in the  
22 township?  
23 MS. TRAYNOR: No. Nope, I don't.  
24 JUDGE AGRANOFF: And do you live or  
25 work within the project area?

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1 MS. TRAYNOR: No. I don't.  
2 JUDGE AGRANOFF: And are you a member  
3 of one of the intervener groups?  
4 MS. TRAYNOR: No.  
5 JUDGE AGRANOFF: Are you an individual  
6 intervener?  
7 MS. TRAYNOR: No.  
8 JUDGE AGRANOFF: Okay. Please proceed.  
9 WHEREUPON,  
10 TRINA TRAYNOR,  
11 called as a witness and having been first duly sworn  
12 to tell the truth, the whole truth, and nothing but  
13 the truth, was examined and testified as follows:  
14 DIRECT STATEMENT  
15 MS. TRAYNOR: All right. First thing I  
16 want to do is let everyone hear what an inverter  
17 sounds like because it's really cool.  
18 Okay. That's an inverter sound that,  
19 hopefully, you won't ever have to hear. Now, let me  
20 get my speech up.  
21 First, I would like to say that I am  
22 adamantly opposed to the project. Tonight I'm going  
23 to talk about governmental infrastructure because  
24 solar projects across Ohio are government  
25 infrastructure. I lived in Marion County for my

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1 entire life until my life was changed forever.  
2 On January 10, 1997, lack of care of  
3 infrastructure killed my husband and daughter. Last  
4 week would've been my 37th wedding anniversary, and  
5 today is my daughter's 32nd birthday. But instead of  
6 celebrating it, I'm here to protect you.  
7 I'm here as a mother and a wife. And I  
8 know you're sitting up here today for formality. But  
9 honestly, there's not one Power Siting Board member  
10 here today just so you know. No one showed up for  
11 you. So I want you to hear me and understand the  
12 reality that my husband and daughter would be here  
13 today if infrastructure was taken care of in the state  
14 of Ohio.  
15 The industrial solar farms are  
16 governmental infrastructure, and the push is on to  
17 develop this quickly throughout our state. They will  
18 not be cared for for the next 40 years, I'm telling  
19 you. You can write anything you want about how they  
20 will take care of their construction and beyond. But  
21 I -- I've seen firsthand, and I've visited many of  
22 these solar projects. And it's not reality, folks.  
23 In the 2024 Raptor Maps annual solar  
24 report, the number one concern for solar developers  
25 was skilled labor. Forty-four percent of the skilled

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1 labor -- 44 percent of the developers said that they  
2 don't have skilled labor to develop these solar  
3 projects. So that constitutes to one out of every --  
4 every two people that are constructing these don't  
5 know what they're doing.  
6 This is extremely concerning.  
7 Installation and care for the solar fields that are  
8 aboveground and susceptible to weather is frightening  
9 in this climate. If we fail at -- we'll fail at some  
10 point. And the neighbors -- one of your neighbors  
11 will be sure to become the next victims. How many  
12 more lives would you like to take from this county?  
13 I'm asking all of you on the stage and  
14 the board members because, you know, I guess maybe  
15 they'll hear this -- probably not. As a wife and a  
16 mother, I implore you to think about this newly formed  
17 infrastructure that we know very little about. You  
18 can read any article you'd like for or against. And  
19 the reality is we are operating in uncharted waters.  
20 Government subsidies are only promised  
21 based on who's in office. These projects will see ten  
22 presidents with ten ideas, whether or not they will  
23 continue the subsidies. So what happens to our school  
24 money and all that was promised if they don't? We may  
25 never recover, and all of our taxpayer money will go



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1 to waste.

2 Once again, I'm imploring you to do --

3 to really look at what you're doing. Please think of

4 the lives of the citizens of Marion County and all

5 over Ohio. And just think about this: If you can

6 promise that this solar field will not harm the

7 citizens of Marion County, I will promise you that

8 Santa Claus is real. Thank you.

9 JUDGE AGRANOFF: No cross?

10 MS. FLAHIVE: No cross, Your Honor.

11 Next, we have Gus Comstock. And on

12 deck I believe it's Matt Russell?

13 Please raise your right hand. Do you

14 solemnly swear or affirm that the testimony you're

15 about to give this proceeding is the truth?

16 MR. COMSTOCK: Yes.

17 JUDGE AGRANOFF: Please state your full

18 name and address for the record.

19 MR. COMSTOCK: Gus Comstock, 179 Flint

20 Rock Drive, Delaware, Ohio.

21 JUDGE AGRANOFF: And do you live in the

22 township?

23 MR. COMSTOCK: No.

24 JUDGE AGRANOFF: Do you live within the

25 project area or work in the project area?

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1 MR. COMSTOCK: No.

2 JUDGE AGRANOFF: Are you a member of

3 the Concerned Citizens intervener group?

4 MR. COMSTOCK: No.

5 JUDGE AGRANOFF: Are you an individual

6 intervener in this proceeding?

7 MR. COMSTOCK: No.

8 JUDGE AGRANOFF: Please proceed.

9 MR. COMSTOCK: Thank you.

10 WHEREUPON,

11 GUS COMSTOCK,

12 called as a witness and having been first duly sworn

13 to tell the truth, the whole truth, and nothing but

14 the truth, was examined and testified as follows:

15 DIRECT STATEMENT

16 MR. COMSTOCK: Again, my name is Gus

17 Comstock, and I'm the director of Marion CAN DO!

18 We're the city and county's non-profit economic

19 development agency. Recently, the Marion CAN DO!

20 board decided not to take a position on the Chestnut

21 Solar project or solar projects in general much like

22 the Ohio Farm Bureau.

23 Personally, I'm not for or against this

24 project. I appreciate you thoroughly investigating

25 and making an informed decision, which I know that you

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1 will do. I've reviewed the Chestnut Solar

2 application.

3 You may know that many Marion

4 manufacturers have undergone modernization to cut back

5 on energy consumption. The county approved a

6 100-megawatt solar farm on the north side of Marion.

7 Also, two Marion companies have invested in

8 alternative sources of energy. Whirlpool Marion has

9 three wind turbines, and POET Bioethanol has two steam

10 turbines. Savion Shell plans to start construction on

11 their solar farm quarter four this year.

12 Marion CAN DO! and our partners, which

13 include workforce administrators, landowners,

14 planners, and utility companies, have spent the last

15 year and a half developing shell-ready sites for

16 JobsOhio. JobsOhio promotes these sites for Intel,

17 Honda EV, and other manufacturing suppliers looking

18 for premier sites.

19 We are proud that in the 11-county

20 One Columbus economic development region about

21 20 percent or 5 of these sites are in Marion. Many

22 suppliers to these companies, especially Asian and

23 European companies, prefer communities embrace carbon

24 neutrality.

25 While I'm not for or against the

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1 Chestnut project, I know that you will make decisions

2 to keep Ohio and Marion a competitive state and

3 community that can attract the best employees and

4 companies. Thank you.

5 JUDGE AGRANOFF: Cross-examination?

6 CROSS-EXAMINATION

7 BY MS. FLAHIVE:

8 Q Mr. Comstock, if I heard your testimony

9 correctly, you reviewed the application?

10 A Correct.

11 Q Have you had a chance to review the staff

12 report?

13 A No.

14 Q In the application, were you able to

15 understand a lot of the technical information the

16 applicant provided?

17 A Yes.

18 Q Is that kind of information important in the

19 bigger picture to developers considering Central Ohio?

20 A Yes.

21 Q How so?

22 A Well, they want to know what type of land

23 is, what the geotechnical study showed, things like

24 that.

25 Q And do you have concern if the Power Siting

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1 Board were to deny the project?

2 A No.

3 Q Do you have concern if the assessment by the

4 Ohio Power Siting Board relates to the popularity of a

5 project aside from the technical analysis?

6 A No.

7 Q So when it comes to the developers who are

8 considering Marion, is the culture of Marion County

9 when it comes to renewable projects important?

10 A Yes.

11 MS. FLAHIVE: Nothing further.

12 JUDGE AGRANOFF: Thank you. If you

13 could please hand that letter to the court reporter?

14 THE REPORTER: Thank you.

15 JUDGE AGRANOFF: And I assume it has

16 your name on it?

17 MR. COMSTOCK: Yes, sir.

18 JUDGE AGRANOFF: Okay. Thank you.

19 (Exhibit UM was marked for

20 identification.)

21 Next, we have Matt -- I believe it's

22 Russell or Russeel? Looks like R-U-S-S-E-E-L? The

23 address is 1909 Allen. I can't make that out. We'll

24 assume he's not here.

25 Next is Nancy McDaniel, and on deck

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1 would be Evie Collins.

2 THE REPORTER: You said McDaniel?

3 JUDGE AGRANOFF: McDaniel, yes.

4 THE REPORTER: Thank you.

5 JUDGE AGRANOFF: Please raise your

6 right hand. Do you solemnly swear or affirm that the

7 testimony you're about to give in this proceeding is

8 the truth?

9 MS. MCDANIEL: I do.

10 JUDGE AGRANOFF: Thank you. Please

11 state your full name and address for the record.

12 MS. MCDANIEL: Nancy McDaniel,

13 3845 Maple Grove Road, Marion, Ohio.

14 JUDGE AGRANOFF: Do you live in a

15 township?

16 MS. MCDANIEL: Pleasant Township.

17 JUDGE AGRANOFF: And do you reside or

18 work within the project area?

19 MS. MCDANIEL: I reside within it.

20 JUDGE AGRANOFF: Thank you. And are you

21 a member of the Concerned Citizens intervening group?

22 MS. MCDANIEL: I am.

23 JUDGE AGRANOFF: And are you also an

24 individual intervener?

25 MS. MCDANIEL: No.

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1 JUDGE AGRANOFF: Okay. Please proceed

2 with your testimony.

3 WHEREUPON,

4 NANCY MCDANIEL,

5 called as a witness and having been first duly sworn

6 to tell the truth, the whole truth, and nothing but

7 the truth, was examined and testified as follows:

8 DIRECT STATEMENT

9 MS. MCDANIEL: I support solar farms

10 when they're located on rooftops, brown fields,

11 hazardous waste sites, industrial sites, and the top

12 floors of parking garages. Solar farms do more harm

13 than good in locations where they ruin communities,

14 destroy farmland and quality of life, such as the

15 Chestnut Solar project will do if approved.

16 Under the Ohio revised code, it states

17 that the facility will serve the public interest,

18 convenience, and necessity. This project does not do

19 that. Public interest. Obviously, the public

20 interest -- it's not in the public's interest. We've

21 proven that time and time again.

22 Convenience. It's just the opposite.

23 Think of the construction phase. That alone would

24 leave our roadways damaged and heavily congested, dust

25 all over our homes and in our swimming pools. It

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1 would drive us indoors. It would be unsafe for

2 walking, jogging, pushing strollers, and riding bikes,

3 all popular neighborhood activities.

4 Upon completion, imagine how depressing

5 it would be getting up every morning to look at 404

6 acres of solar panels. A solar farm is as

7 mood-lifting as a terminal disease. Another major

8 inconvenience is the constant irritating, unpleasant

9 noise solar farms generate and could easily drive a

10 person insane as we've heard an example tonight.

11 To say the increased flooding and

12 drainage issues in the area would be a major

13 inconvenience is an understatement. The proposed site

14 has always had flooding and drainage issues. These

15 issues have worsened and spread to most residences on

16 Maple Grove Road.

17 Before a hard rain, my front yard is

18 dry. After, I have water as much as 50 feet wide in

19 places and up to 3 feet deep, rushing. In my backyard

20 there is a creek which goes from 6 inches deep before

21 the rain to 3 to 5 feet deep after.

22 Kyle Loper from Marion County Soil and

23 Water told me the addition of a few homes on Maple

24 Grove Road was contributing -- was a contributing

25 factor to the increased flooding. He said the houses

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1 built in later years take up land the water used to be  
 2 able to soak into.  
 3 If the addition of a handful of homes  
 4 can cause this much problem, how much more flooding  
 5 will 408 acres of solar panels acting like a roof and  
 6 preventing the rain from soaking into the ground make?  
 7 Furthermore, the flow of the current field tile will  
 8 be severely compromised -- another inconvenience.  
 9 We do not have safe ways to fight solar  
 10 farms. Should we have a solar farm fire, I pray it  
 11 does not end like East Palestine. Clint Canterbury,  
 12 Pleasant Township Fire Chief, wrote a letter to the  
 13 OPSB. He stated, "Our fire department would receive  
 14 approximately \$38,265 additional funds annually from  
 15 this project." He detailed why this could not begin  
 16 to cover the expense required to be able to fight a  
 17 solar farm fire.  
 18 Then we talk about necessity.  
 19 Absolutely not. Starving people are a necessity. We  
 20 have -- food is a necessity. We're not running out of  
 21 energy. U.S. farmland fell by 20.1 million acres  
 22 between 2017 and 2022 and continues to disappear.  
 23 That is equal to 7.65 acres a minute over the  
 24 five-year timeframe.  
 25 Solar farms require more acres of land

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1 than any other form of energy. We cannot afford to  
 2 continue to lose farmland at the present pace. At a  
 3 time when we should be producing more food, we are  
 4 rapidly getting rid of farmland.  
 5 We also need jobs. We have a gentleman  
 6 here from the carpenters union. And he said at one  
 7 time in his remarks 130 jobs and another 200 would be  
 8 brought in with this. What he failed to tell you was  
 9 those are through the construction phase. Then they  
 10 just disappear.  
 11 However, farming -- the agricultural  
 12 community -- is 10.4 percent of the total jobs in this  
 13 country. So if you're going to decrease the farmland,  
 14 you're going to decrease those jobs. What are you  
 15 going to replace them with? I guess I'm done.  
 16 JUDGE AGRANOFF: Thank you for your  
 17 testimony.  
 18 MS. MCDANIEL: You're welcome.  
 19 JUDGE AGRANOFF: You certainly do have  
 20 the opportunity to file any letters in the public  
 21 comment section of our commission docket.  
 22 MS. MCDANIEL: Okay. Did you want  
 23 copies of what I said?  
 24 JUDGE AGRANOFF: You certainly can  
 25 provide that to the court report, and make sure that

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1 your name is clearly on there.  
 2 (Exhibit 21 was marked for  
 3 identification.)  
 4 MS. MCDANIEL: How many?  
 5 JUDGE AGRANOFF: We just need one.  
 6 MS. MCDANIEL: How many?  
 7 JUDGE MARCELLETTI: Just one is fine.  
 8 MS. MCDANIEL: Okay.  
 9 JUDGE AGRANOFF: Thank you.  
 10 MS. MCDANIEL: You're welcome.  
 11 JUDGE AGRANOFF: Any cross-examination?  
 12 MS. FLAHIVE: No, Your Honor.  
 13 JUDGE AGRANOFF: Thank you.  
 14 Next, we have Evie Collins, and on deck  
 15 is Bev Ford.  
 16 Please raise your right hand. Do you  
 17 solemnly swear or affirm that the testimony you're  
 18 about to give in this proceeding is the truth?  
 19 MS. COLLINS: Yes.  
 20 JUDGE AGRANOFF: Thank you. Please  
 21 state your full name and address for the record.  
 22 MS. COLLINS: My name is Evie Collins,  
 23 E-V-I-E, C-O-L-L-I-N-S. I live at 3902 Maple Grove  
 24 Road, Pleasant Township, Marion, Ohio 43302.  
 25 JUDGE AGRANOFF: Thank you. And do you

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1 live or work within the project area?  
 2 MS. COLLINS: Well, not sure how she  
 3 defines the project area, but my property butts up  
 4 against the Neidhart farm, so therefore, my property  
 5 will touch the solar property essentially.  
 6 JUDGE AGRANOFF: And are you a member  
 7 of the Concerned Citizens intervening group?  
 8 MS. COLLINS: Not of the intervening  
 9 group but I'm a member of the concerned Pleasant  
 10 Township committee. I'm not an individual member.  
 11 JUDGE AGRANOFF: Okay. Thank you.  
 12 Please proceed with your testimony.  
 13 WHEREUPON,  
 14 EVIE COLLINS,  
 15 called as a witness and having been first duly sworn  
 16 to tell the truth, the whole truth, and nothing but  
 17 the truth, was examined and testified as follows:  
 18 DIRECT STATEMENT  
 19 MS. COLLINS: I request that you oppose  
 20 the Chestnut Solar project and do not permit its  
 21 construction. There are approximately 38 homes that  
 22 have property directly next to the proposed location.  
 23 Include all of the other homes on the west side of  
 24 Maple Grove Road and the homes in Southern Estates.  
 25 All of those homes are at risk of losing property

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1 value. And as a result, hundreds of residents have  
 2 significant potential in losing their largest lifetime  
 3 financial investment.

4 Pleasant Township is a sought-after  
 5 area for residential living, good schools, nice homes,  
 6 and a better life. This project will not only take  
 7 away good housing options but will also put many of  
 8 those close proximity homes at risk of water and sewer  
 9 damage. You cannot in good faith allow this project  
 10 to go in and jeopardize the surrounding neighbors.

11 Solar does not have a place in this  
 12 specific proposed location. It is the wrong location.  
 13 Large solar production facilities do not belong near  
 14 this many homes. Our township worked with our  
 15 community and passed zoning saying no solar production  
 16 under 50 megawatts. And our county commissioners  
 17 passed zoning thanks to Senate Bill 52, nothing 50  
 18 megawatts or more in Pleasant Township.

19 So many people have said no up until  
 20 this point. Please listen to the people who live in  
 21 this community. We don't want this project. We don't  
 22 want solar in our township. Our elected officials  
 23 have said the same. Please stop Chestnut Solar and do  
 24 not permit construction of this project.

25 Reasons I am in opposition of this

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1 project: for the homes that will be placed at risk  
 2 for losing property value due to aesthetics and  
 3 environmental concerns; for the hardworking people who  
 4 will have a difficult time selling their homes in the  
 5 future if this project goes in. I've heard of housing  
 6 contracts falling through in other counties due to the  
 7 impending solar projects, again, due to changing  
 8 aesthetics and fear of environmental concerns; the  
 9 sewer and water damage that will come from many  
 10 homeowners in Maple Grove Road.

11 On June 21, 2021, Dave Neidhart who  
 12 owns the land where the proposed solar project could  
 13 be located, in a township meeting -- minutes are  
 14 recorded -- stated that he was not pursuing solar  
 15 production anymore due to the fact that the solar  
 16 company was not addressing the water issues. This  
 17 tells me the solar company doesn't authentically care  
 18 about the residents.

19 The damage to the nearby roads, yes,  
 20 all of that equipment and the trucks will create  
 21 significant damage to the roads. How scary is it that  
 22 much prime farmland is being scooped up by these solar  
 23 production companies who have no true appreciation or  
 24 care for the communities they invade?

25 Pleasant Township is the wrong

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1 community for solar production of any size. Many of  
 2 these solar production companies do not replace panels  
 3 for months when they become cracked or damaged.  
 4 Depending on the panel, toxins can leak into the soil  
 5 and water tables.

6 We've had two vehicles in the past few  
 7 years who have driven through the farm fields where  
 8 the proposed solar panels would be. One was a  
 9 semitruck who went off road on Route 23, and another  
 10 was a suspicious suspect fleeing the neighborhood.  
 11 Had those panels been there, there likely would have  
 12 been a tragic fire causing much damage, which leads me  
 13 to my next point.

14 Our township fire department is not  
 15 equipped or trained to handle such an incident,  
 16 putting many homes and properties at risk if there  
 17 were to be significant fire.

18 What would this production facility and  
 19 all the negative that comes with it do to homeowners'  
 20 insurance policies? What will be required of them to  
 21 sewage, flooding, water damage, et cetera? And those  
 22 residents will have to pay, not the solar company who  
 23 caused the problems.

24 There are plenty of other places in  
 25 Marion County where a project of this size would

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1 affect this many houses. There are other townships  
 2 that are fine with the solar production coming in. If  
 3 Chestnut Solar wants to be a good community partner,  
 4 they can get out of Pleasant Township.

5 Our trustees have said no. Our  
 6 commissioners have said no. Local agencies have said  
 7 no. It is time for the Ohio Power Siting Board to say  
 8 no. As stated, there have been many voices of  
 9 opposition, not just today, but for many months and  
 10 years, so many voices. It is loud.

11 Do not let your ears become deaf to  
 12 these voices, who have worked tirelessly for months to  
 13 stop solar in our township. The community has spoken  
 14 over and over and over again. We said no. We say no  
 15 today, and we will continue to say no. In my closure,  
 16 I respectfully beg you to stop the Chestnut Solar  
 17 project and end this once and for all for the people  
 18 of this community who actually live here.

19 JUDGE AGRANOFF: Cross?

20 CROSS-EXAMINATION

21 BY MS. FLAHIVE:

22 Q Ms. Collins, I have a few questions about  
 23 the discussion you referenced with the county drainage  
 24 authority. Did I hear you correctly?

25 A No. I did not discuss anything about the

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1 county drainage authority.  
 2 Q Did you bring any concerns regarding the  
 3 drainage to the county?  
 4 A So in our conversations with county  
 5 trustees, yes, I did.  
 6 Q So you expressed to the township trustees  
 7 that there needed to be a civil engineering solution  
 8 to mitigate the flooding that your property was  
 9 experiencing?  
 10 A I did not say anything about that. No.  
 11 Q You didn't request relief from the township  
 12 trustees relative to the flooding?  
 13 A I do not remember having that conversation.  
 14 If you have something in writing, I'd be happy to  
 15 review it.  
 16 Q You didn't request additional drainage to be  
 17 put in by the county for your property?  
 18 A So we were assessed a fee. The people that  
 19 live on Maple Grove Road were assessed a fee. We  
 20 didn't have a choice to my understanding. There  
 21 was -- I can't remember the name of the culvert, but  
 22 we were all tax assessed for that and had to pay into  
 23 it for things to get fixed.  
 24 Q And that culvert was installed?  
 25 UNIDENTIFIED SPEAKER: It wasn't

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1 approved.  
 2 THE WITNESS: Okay. It wasn't  
 3 approved.  
 4 BY MS. FLAHIVE:  
 5 Q It was not approved because the project  
 6 would be providing civil engineering solution that  
 7 would fix the drainage; true?  
 8 A I do not know that answer. I cannot comment  
 9 because I do not know the answer.  
 10 MS. FLAHIVE: Nothing further.  
 11 JUDGE AGRANOFF: Do you have any  
 12 additional documentation?  
 13 MS. COLLINS: I have my speech, but I  
 14 have made edits to it throughout this evening, so I  
 15 don't know if that matters or not.  
 16 JUDGE AGRANOFF: You could provide that  
 17 to the court reporter.  
 18 (Exhibit 22 was marked for  
 19 identification.)  
 20 MS. COLLINS: Okay. Oh, I do have one  
 21 clarifying point. So on the information that you  
 22 passed out this evening you referenced Pleasant  
 23 Township and Marion County, and that is incorrect. So  
 24 I don't know what value this bears in any kind of  
 25 legal action, but the wrong township is listed.

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1 JUDGE AGRANOFF: I'm not sure what  
 2 you're referencing and who provided that.  
 3 MS. COLLINS: It has your logo on it.  
 4 JUDGE AGRANOFF: Is that the Ohio Power  
 5 Siting Board?  
 6 MS. COLLINS: Yup. I'll give it --  
 7 I've circled it and I'll provide it up here.  
 8 JUDGE AGRANOFF: Thank you.  
 9 Next, we have Bev Ford and on deck is  
 10 Bob Clark.  
 11 MS. FORD: I respectfully pass on my  
 12 comments at the meeting today.  
 13 JUDGE AGRANOFF: Okay. Thank you.  
 14 Bob Clark? Is Bob here?  
 15 Okay. We'll move on next to Vicki  
 16 Kermas or Kerman?  
 17 MS. KERMAN: Kerman.  
 18 JUDGE AGRANOFF: Kerman? Please raise  
 19 your right hand. Do you solemnly swear or affirm that  
 20 the testimony you're about to give in this proceeding  
 21 is the truth?  
 22 MS. KERMAN: Yes.  
 23 JUDGE AGRANOFF: Please state your full  
 24 name and address for the record.  
 25 MS. KERMAN: Vicki Kerman, K-E-R-M-A-N.

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1 The address is 3375 County Road 125, and that's in  
 2 Cardington.  
 3 JUDGE AGRANOFF: Do you reside in the  
 4 township?  
 5 MS. KERMAN: No.  
 6 JUDGE AGRANOFF: And do you live or  
 7 work within the project area?  
 8 MS. KERMAN: No.  
 9 JUDGE AGRANOFF: And are you a member  
 10 of Concerned Citizens?  
 11 MS. KERMAN: No.  
 12 JUDGE AGRANOFF: Are you an individual  
 13 intervener?  
 14 MS. KERMAN: No.  
 15 JUDGE AGRANOFF: Please proceed with  
 16 your testimony.  
 17 MS. KERMAN: Thank you.  
 18 WHEREUPON,  
 19 VICKIE KERMAN,  
 20 called as a witness and having been first duly sworn  
 21 to tell the truth, the whole truth, and nothing but  
 22 the truth, was examined and testified as follows:  
 23 DIRECT STATEMENT  
 24 MS. KERMAN: Good evening and thank you  
 25 for this opportunity to provide testimony. My name is

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1 Vickie Kerman. I live in Cardington, which is in  
 2 Morrow County. I am a chemical engineer. Although I  
 3 am now retired, during my career, I worked for oil,  
 4 engineering and construction, and high-tech companies.  
 5 I also founded and for 15 years ran a firm, which  
 6 installed barcode automation systems in manufacturing  
 7 plants throughout the state of Ohio.

8 Engineers are responsible for making  
 9 things work in the real world. We need data, not  
 10 assumptions, to do that. I reviewed several of the  
 11 application packages and documents publicly available  
 12 on the Siting Board's website, including those of  
 13 Chestnut Solar. Furthermore, I've read many, many of  
 14 the public comments submitted after projects had  
 15 started construction or been in operation. The  
 16 stories are truly frightening, and I encourage you to  
 17 read them all.

18 I am more than concerned by several  
 19 major aspects of this and other farmland-based solar  
 20 projects. But due to time constraints of this  
 21 testimony, I will focus on just one, namely, the issue  
 22 of decommissioning.

23 Throughout the application process, the  
 24 Chester Solar developer has committed to full  
 25 restoration of the farmland. In the body of its March

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1 2023 application, the developer reiterated its  
 2 committed to, quote, "ensure that the project area can  
 3 be converted back to its preconstruction agricultural  
 4 use after decommissioning," unquote.

5 In making this commitment, the  
 6 developer did not offer any detail regarding  
 7 specifically how the full restoration would be  
 8 accomplished. It just provided the assurance that it  
 9 would be done. Being somewhat skeptical, I searched  
 10 the literature for evidence-based research programs,  
 11 which had been done on decommissioning, and could find  
 12 nothing -- just papers which dealt with  
 13 decommissioning in theory.

14 I came upon an article from 2021  
 15 written by Mike Carroll, the county extension director  
 16 for the North Carolina Cooperative Extension entitled,  
 17 "Can Solar Energy Production Be Converted to  
 18 Farmland?" Mr. Carroll states, quote, "The assumption  
 19 that farmland can simply be converted from solar  
 20 energy production back into original and to  
 21 agricultural production is not guaranteed. The  
 22 reality is that one will have far greater expenses  
 23 than income for many years until optimum production  
 24 conditions are restored."

25 Wanting to know if he had any updates,

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1 last week I communicated with him by email. He  
 2 responded, quote, "I do not know of any study that has  
 3 actually evaluated whether restoring land can indeed  
 4 be done. All is speculation at this point. There are  
 5 several key areas that just aren't as easy as most  
 6 proclaim to fix."

7 Mr. Carroll is not unique in his  
 8 uncertainty about decommissioning. I have attached  
 9 papers of several agriculture professionals, who have  
 10 also addressed this issue. The net result is that  
 11 Chestnut Solar developer is making a commitment, which  
 12 based on the contents of his application and  
 13 supporting documents, appears to have little if any  
 14 real world evidence base and, therefore, may not be  
 15 deliverable.

16 If Chestnut Solar is aware of such  
 17 studies, I would welcome the opportunity to review  
 18 them. But Chestnut Solar the developer is not the  
 19 only developer making this claim. Blossom Solar's  
 20 application, for example, takes the same approach  
 21 committing, quote, "The areas used by the project will  
 22 be returned to the predevelopment condition and may be  
 23 used for farming and agricultural land uses or  
 24 whatever the owner desires for the land," unquote.

25 How many of these solar projects are

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1 moving ahead with a commitment to full restoration  
 2 when there is no evidence that this can be  
 3 accomplished?

4 One last thing: In a December 2023  
 5 article, "Solar Panel Testing and Certification  
 6 Overview," the author discusses the following  
 7 regarding PV panels used for rooftops. He says, "Do  
 8 you live on or close to a farm? If so, keep an eye  
 9 out for IEC62716. This is a test to determine a  
 10 module's resistance to ammonia. While most people  
 11 don't have to worry about their high concentration of  
 12 ammonia exposure with their PV modules, installing  
 13 your solar panel system close to farms and livestock  
 14 can be a concern.

15 "Ammonia corrosion can accelerate  
 16 degradation in a panel leading to overall  
 17 electricity -- lower overall electricity production  
 18 over lifetime of your system. Why are we installing  
 19 solar panels on farms when exposure to ammonia causes  
 20 degradation of the panels, which results in reduced  
 21 performance and/or leakage of aluminum and other  
 22 compounds into the soil? Why are we constructing  
 23 irreplaceable farmland when there are other better  
 24 sites available?"

25 JUDGE AGRANOFF: Thank you.

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1 MS. KERMAN: Thank you for your time.  
 2 JUDGE AGRANOFF: I believe Counsel has  
 3 some questions for you.  
 4 CROSS-EXAMINATION  
 5 BY MS. FLAHIVE:  
 6 Q Ms. Kerman, I believe you had said in your  
 7 professional career you were involved with oil and  
 8 gas?  
 9 A Yes.  
 10 Q And you were an engineer for oil and gas?  
 11 A Yes. Yes.  
 12 Q Are you familiar with gas-fired power  
 13 plants?  
 14 A That was not my job. My job was defining  
 15 refineries.  
 16 Q Have you spent any time doing any sort of  
 17 self-study relating to gas-fired power plants?  
 18 A No, not at all.  
 19 Q So you're not aware of the decommissioning  
 20 of associated with that kind of a generation source?  
 21 A No. I'm not.  
 22 MS. FLAHIVE: Nothing further.  
 23 JUDGE AGRANOFF: Thank you.  
 24 MS. KERMAN: Thank you.  
 25 JUDGE AGRANOFF: If you have any

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1 supporting documentation --  
 2 MS. KERMAN: I just gave it.  
 3 JUDGE AGRANOFF: Thank you.  
 4 (Exhibit 23 was marked for  
 5 identification.)  
 6 Next, we have I believe it's Ronnie or  
 7 Lonnie Daniels? Is Lonnie here?  
 8 MR. DANIELS: I will pass.  
 9 JUDGE AGRANOFF: Okay. Thank you, sir.  
 10 Next would be Doug Ford, and on deck  
 11 will be Francisco Gonzales.  
 12 Please raise your right hand. Do you  
 13 solemnly swear or affirm that the testimony you're  
 14 about to give in this proceeding is the truth?  
 15 MR. FORD: Yes.  
 16 JUDGE AGRANOFF: Please state your full  
 17 name and address for the record.  
 18 MR. FORD: My name is Doug Ford. I  
 19 live at 1375 Somerlot Hoffman Road East. I live  
 20 within the project area. I work at Marion General  
 21 Hospital. I am not an intervener and whatever other  
 22 question you have.  
 23 JUDGE AGRANOFF: Do you live in the  
 24 township?  
 25 MR. FORD: Yes. I -- yes.

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1 JUDGE AGRANOFF: Which township?  
 2 MR. FORD: Pleasant Township.  
 3 JUDGE AGRANOFF: Thank you.  
 4 MR. FORD: And I'm not wearing red  
 5 because I didn't get the memo.  
 6 JUDGE AGRANOFF: Please proceed with  
 7 your testimony.  
 8 WHEREUPON,  
 9 DOUG FORD,  
 10 called as a witness and having been first duly sworn  
 11 to tell the truth, the whole truth, and nothing but  
 12 the truth, was examined and testified as follows:  
 13 DIRECT STATEMENT  
 14 MR. FORD: We're heard a lot of facts,  
 15 and I just want to say I appreciate you being here. I  
 16 know it's a required meeting, but I appreciate the  
 17 disposition that you've demonstrated throughout the  
 18 entire meeting. Try to be fair on both sides. You've  
 19 been respectful and, for me, that's important.  
 20 You're hearing our comments. I know  
 21 you're listening to them. I know you're transcribing,  
 22 and I don't know how to express the heart behind the  
 23 comments. My comments are not going to be a lot of  
 24 fact. I'll start with that in just a minute. But  
 25 most of it's going to be about feeling and thought

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1 because I'm a touchy-feely guy because the sentiment  
 2 of what Chestnut Solar project represents is much  
 3 larger than facts.  
 4 There's a lot of history behind it. It  
 5 affects -- it will affect and impact the futures of  
 6 those who are not only here but future buyers and/or  
 7 families who -- whose farms have been passed down to  
 8 them. I'm the zoning inspector, brand new, so I know  
 9 very little about my job. But I do know enough that  
 10 anything south of Owens Road predominantly is zoned  
 11 agricultural. Anything north of Owens Road is  
 12 predominantly zoned residential.  
 13 I did read some of the zoning  
 14 ordinances before I bought my house, and I did expect  
 15 housing to be developed eventually around me. I had  
 16 no desire or expectation that a solar project would be  
 17 built.  
 18 The facts are on page 40 of the staff  
 19 report. I know it's been read, but if you'll let me  
 20 read that one more time. The staff report, which I  
 21 believe all the agencies trust the representatives who  
 22 conducted the staff report who have their  
 23 responsibility to give back a report of recommendation  
 24 for the board, it says, "Some local opposition is not  
 25 uncommon in many power generation siting projects.

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1 "But when observing and documenting  
 2 considerable opposition filed in the docket, staff  
 3 recognizes that in this proceeding the opposition has  
 4 been especially prominent and overwhelmingly one-sided  
 5 from the local government agencies and the citizens.  
 6 The staff believes that the public opposition will  
 7 create negative impacts within the local community."  
 8 I just want to read that again. "The  
 9 staff believes that the public opposition will create  
 10 negative impacts within the local community. Staff  
 11 believes that any benefits to the local community are  
 12 outweighed by the overwhelming documented public  
 13 opposition. And, therefore, the project would not  
 14 serve the public interest, convenience, and  
 15 necessity."  
 16 I would ask that the board side with  
 17 the staff report of investigation recommending denial  
 18 of the certificate. I would also ask that it deny the  
 19 Chestnut Solar, LLC's expedited partially and opposed  
 20 motion for stay.  
 21 Now the feelings and thoughts. I tend  
 22 to be a curious guy, and I just have some questions.  
 23 I don't expect answers. But I do think they cloud the  
 24 project, especially the character behind it. I just  
 25 wonder why Chestnut Solar doesn't relocate to a

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1 welcoming community. Why are these acres so important  
 2 that it has to go the Supreme Court? It has to be  
 3 asked for a stay. It has to have litigation. It  
 4 doesn't make sense. Surely in Ohio there are  
 5 welcoming communities.  
 6 I have one minute left? I'd like to  
 7 take my wife's five minutes and pass it along. I'll  
 8 hurry then. I won't be so curious. So I would  
 9 encourage them to find another welcoming community.  
 10 And I would like to offer my services for an hourly  
 11 fee to help them find that.  
 12 I'm just wondering why did the friend  
 13 of one of the property owners relocate to Delaware two  
 14 years ago when they lived on the frontage of the  
 15 proposed site. I wonder if they had knowledge that  
 16 this was going to come and be built. Why the secrecy  
 17 of the project from the beginning?  
 18 I wonder if -- I wonder if the voices  
 19 that were not allowed to speak publicly because of  
 20 contract still have the same sentiment as when that  
 21 contract was initiated. Concerning the character of  
 22 the -- am I done?  
 23 JUDGE AGRANOFF: Thank you, Mr. Ford.  
 24 MR. FORD: In closing, you can ask me  
 25 about my feelings.

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1 CROSS-EXAMINATION  
 2 BY MS. FLAHIVE:  
 3 Q So as the zoning inspector --  
 4 A Go and ask.  
 5 Q -- I imagine that you would believe that the  
 6 Pleasant Township zoning resolution provides adequate  
 7 protection from a land use perspective?  
 8 A Before I answer your question, I respect  
 9 what you're doing and I respect you. We don't have to  
 10 agree to hear voices. But I really don't like  
 11 yes-and-no questions that are pointed because behind  
 12 every question is a statement and demand, not just  
 13 from you but anyone. So I believe in our zoning  
 14 ordinances and guidelines that exist today that do not  
 15 encourage this kind of solar project.  
 16 Q The uses that are encouraged for that land,  
 17 there's a wide range of them; is that fair?  
 18 A There can be appeals made. But normally,  
 19 the precedent is set and is followed.  
 20 Q Well, not referring to just as a matter of  
 21 right in the zoning resolution. There's a wide array  
 22 of uses that a property owner can engage in for land  
 23 that's been designated agricultural. Would you agree  
 24 with that?  
 25 A Should that be correct, which I believe it

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1 is, this solar project is not one of them.  
 2 Q So when you're looking at a permitted use,  
 3 such as my example that now everyone is intimately  
 4 familiar with, the hog barn example or a poultry farm  
 5 example --  
 6 A Oh, sure. Yeah, yeah.  
 7 Q Sure. So the impacts of a permitted use  
 8 like that --  
 9 A Yes.  
 10 Q How would you compare those to the solar  
 11 project that's been proposed?  
 12 A When I was a pastor, I took six men. And  
 13 when Doug Schilling's farm flooded and he had to get  
 14 rid of some runoff because of some standards, we spent  
 15 all night with the hogs. I wouldn't oppose it because  
 16 it's allowed by ordinances.  
 17 Q Sure, exactly.  
 18 A Yes.  
 19 Q And when I say impacts, I'm referring to  
 20 smells, sounds, sights. You understand?  
 21 A Smell has olfactory adaptation when  
 22 something stinks in the room. You get used to it when  
 23 you live around manure, unless you're driving by and  
 24 you don't get used to it because you don't stick  
 25 around long enough.



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1 But that same kind of adaptation, olfactory,  
 2 doesn't occur with sound. You don't get rid of the  
 3 buzz. You don't get rid of the ringing. It's not --  
 4 it's not transferrable from organ to organ. I sound  
 5 like I know what I'm talking about but I don't.  
 6 Q Setting aside the assumptions regarding the  
 7 buzz, let's just -- I want to just make sure that I  
 8 understand your testimony regarding the current  
 9 permitted uses. It's true that on this property zoned  
 10 agricultural the owner could construct a large hog or  
 11 poultry farm?  
 12 A Do you believe it's true?  
 13 Q Correct. I'm asking you.  
 14 A Well, I'm asking you, too.  
 15 Q Sir, please answer.  
 16 JUDGE AGRANOFF: Sir, please answer the  
 17 question that was asked of you.  
 18 THE WITNESS: Because I'm so new at  
 19 this, I'll have to refer to the ordinances book, and  
 20 I'd like to get back with you.  
 21 BY MS. FLAHIVE:  
 22 Q Sounds good. I'll ask a more general  
 23 question. When there are discretionary approvals that  
 24 go to the Zoning Commission, there are oftentimes  
 25 mitigation measures that are put in place to ensure

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1 that the impacts that may flow from that development  
 2 don't have an adverse effect on the local community;  
 3 true?  
 4 A According to the recent conference that  
 5 invited all the township trustees and zoning  
 6 officials, when an appeal is brought before the zoning  
 7 commission or the appeals board, there can be no  
 8 demands placed upon. It's either accepted or denied.  
 9 So I would -- I think if I understand your question,  
 10 no. We can't say you can build if you do this. It's  
 11 an appeal. We either accept it or not.  
 12 If you're filing for the first -- if you  
 13 don't have an accessory building and you want to build  
 14 one, sure. If you have accessory building and you  
 15 want to build a second, you'd have to tear down the  
 16 first one or we have conditions that normally are met.  
 17 But we can't demand that you do any certain things.  
 18 Q Those are standard conditions that you're  
 19 referring to?  
 20 A Say it differently?  
 21 Q You said there were conditions that are  
 22 normally met?  
 23 A Every --- every appeal is different so --  
 24 Q So there's no standard conditions?  
 25 A There are precedents set and as long as it

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1 abides within the zoning ordinances. Yeah.  
 2 Q And so you've reviewed the conditions that  
 3 staff has proposed for this project should it be  
 4 approved; haven't you?  
 5 A Are you assuming I have?  
 6 Q Asking.  
 7 A I have not. That's what I had more my  
 8 feelings than facts.  
 9 Q Okay so --  
 10 A But I trust -- I trust the staff report,  
 11 though.  
 12 Q So there's nothing in the conditions that  
 13 you're aware of here this evening that you believe is  
 14 inadequate to mitigate any impacts from this project?  
 15 A I think that I have concern. I can give an  
 16 example if you'd like. And if it's not answering your  
 17 question, I would ask you to stop me and -- but if --  
 18 is there somewhere in that report that they want to  
 19 take 20 percent of the topsoil, but it's recommended  
 20 by the staff that they take 5 percent? That concerns  
 21 me.  
 22 You know, the property behind me has had  
 23 violations reported to the EPA because of septic,  
 24 sewage, waste dumped on us -- behind us. But it's not  
 25 monitored, and so I do have concerns. I do think that

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1 there would be a negative impact during the building  
 2 and after, during the construction and after. Did I  
 3 answer your question, or did I go off board or  
 4 offline?  
 5 Q Well, it actually opened the door to a  
 6 couple of more questions.  
 7 A Oh, I just need to be quiet.  
 8 Q So regarding the flooding because this is an  
 9 important point so -  
 10 A Water?  
 11 Q Yes, the water, the standing water. Your  
 12 property is affected by that situation?  
 13 A Well, my property gets water. Yeah. It's  
 14 gone in three days.  
 15 Q If the civil engineering for this project  
 16 could assure you that the state --  
 17 A They can't.  
 18 Q They can't? So your testimony is that it's  
 19 impossible to have a civil engineering solution on  
 20 this property to mitigate the water?  
 21 A No. I'm not. I said they can't assure me  
 22 that they will.  
 23 Q Is it your --  
 24 A They -- they may be able to, but they can't  
 25 assure me that they will. So if this project goes

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1 forward, I will have timestamped photos of the water  
 2 that collects the ducks on my property, and three days  
 3 later they had to fly north. And should water come  
 4 after the project, I'll have timestamped photos if  
 5 it's gone in three days but now it's gone in three  
 6 weeks. Now I have to go to litigation, pay a lawyer,  
 7 and it will just drag on.

8 Q So your testimony is that you're agreeing  
 9 that there could be an engineering solution? You're  
 10 just not persuaded to address the flooding?

11 A Can I tell you why I'm not persuaded?

12 JUDGE AGRANOFF: Please refrain from  
 13 the noise in the audience.

14 THE WITNESS: Can I tell you why I'm  
 15 not persuaded? I'm not persuaded primarily because  
 16 the staff report is recommending it not go forward  
 17 because of community resistance.

18 BY MS. FLAHIVE:

19 Q But you're not stating here today under oath  
 20 that there is absolutely no civil engineering  
 21 solution?

22 A I'm not qualified to state under oath.  
 23 That's not my expertise. I'm not qualified. You're  
 24 asking me -- it's all about trust. And I've given you  
 25 two examples where the character behind the property

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1 and behind the project has been suspect. And so if I  
 2 trust moving forward, I'm going to go to the level of  
 3 trust I already have.

4 Q So going -- moving from the civil  
 5 engineering piece back to generally just the question  
 6 I had about the mitigation measures, is there anything  
 7 that you believe is inadequate as far as the  
 8 conditions the staff has proposed to mitigate the  
 9 impact of the project?

10 A How will it be monitored? What will the  
 11 accountability? And then how will the consequences be  
 12 applied?

13 Q Those are your concerns?

14 A Some of them.

15 Q There are others?

16 A I would love to do some more research and  
 17 get back to you.

18 Q Sounds good. Nothing further.

19 A You know what? Thank you.

20 JUDGE AGRANOFF: Mr. Ford, I do have  
 21 just a couple of clarifying questions. In your  
 22 position as a zoning inspector, who are you employed  
 23 by?

24 MR. FORD: Pleasant Township.

25 JUDGE AGRANOFF: And you made reference

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1 in your answers to Ms. Flahive, you had indicated in  
 2 your responses referencing the zoning board and the  
 3 zoning commission. Which is --

4 MR. FORD: The zoning commission is the  
 5 appeals board.

6 JUDGE AGRANOFF: And which specific one  
 7 were you referring to here?

8 MR. FORD: If they apply --

9 JUDGE AGRANOFF: Is it the Marion  
 10 County?

11 MR. FORD: It's the Pleasant Township  
 12 Zoning Commission, Pleasant Township Appeals Board.

13 JUDGE AGRANOFF: Okay. Thank you.

14 MR. FORD: Thank you.

15 JUDGE AGRANOFF: Next we have Francisco  
 16 Gonzales. We'll assume that he has left. And at this  
 17 point, that is all of the testimony that we have with  
 18 respect to those witnesses that are not interveners.  
 19 And next we have a list of intervener testimony.

20 But before we go to the intervener  
 21 testimony, this will be your last opportunity if you  
 22 were interested in testifying as a non-intervener to  
 23 do so. Is there anybody currently in the room that  
 24 has that desire? Okay. I'll take silence as a no.  
 25 And next, we will move onto the intervener testimony.

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1 JUDGE MARCELLETTI: All right. Thank  
 2 you, Judge.

3 I have first on my intervener list  
 4 Mr. Joe Stump, and next will be Ms. Betty Jo Lill.

5 Good evening, Mr. Stump. Please raise  
 6 your right hand. Do you swear or affirm that the  
 7 testimony you are about to provide will be the truth?

8 MR. STUMP: Yes,

9 JUDGE MARCELLETTI: Thank you. And I  
 10 understand you are an intervener.

11 MR. STUMP: I am.

12 JUDGE MARCELLETTI: But I still need to  
 13 go through my questions.

14 MR. STUMP: Yes, sure.

15 JUDGE MARCELLETTI: Please spell and  
 16 state your name for the record, sir.

17 MR. STUMP: Legally George,  
 18 G-E-O-R-G-E, last name Stump, 3490 Maple Grove Road,  
 19 Marion, Ohio, Pleasant Township, and I am an  
 20 intervener.

21 JUDGE MARCELLETTI: Do you reside or  
 22 work within the project area?

23 MR. STUMP: I do both.

24 JUDGE MARCELLETTI: Okay. That's fine.  
 25 You may proceed.

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1 WHEREUPON,  
 2 GEORGE STUMP,  
 3 called as a witness and having been first duly sworn  
 4 to tell the truth, the whole truth, and nothing but  
 5 the truth, was examined and testified as follows:  
 6 DIRECT STATEMENT  
 7 MR. STUMP: Thank you. I don't have a  
 8 whole lot that's different than everyone else except  
 9 one thing, and Ben has heard this before because I sat  
 10 in Dave Neidhart's attorney's office in Delaware,  
 11 Ohio. Ben.  
 12 Anyway, my scenario is this. I bought  
 13 my house from Charlie Soltis [ph], and we heard the  
 14 story about Susan and Charlie, and they were using the  
 15 bathroom in a five-gallon bucket for a period of time  
 16 because they had a problem with their septic.  
 17 Remember this story? And so he spent tons of money to  
 18 put a lift station in. The lift station adequately  
 19 shoved the sewage through the tile just enough to pass  
 20 inspection. We bought the house.  
 21 Then fast-forward about a year. My  
 22 neighbor comes over and he says, "What's going on? I  
 23 have all this sewage here in my garden." So he has  
 24 this 25-foot-wide, 45-foot-long garden that is  
 25 literally raw sewage, backed-up sewage, and so I said

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1 I don't know. So there's a jet port in our tile, so  
 2 we paid. We had someone port it out. And then about  
 3 70 yards out into his backyard water shot up.  
 4 Luckily, we were able -- we were that close to that  
 5 broken tile to find it, right? So we had it fixed.  
 6 All is -- all is good.  
 7 When we had meetings -- I've had lots  
 8 of meetings with you, Ben. You and I, we should be  
 9 buddies. We've talked so much. Devan as well. I  
 10 asked you how many pylons are going to be shoved down  
 11 into this farmland? And the answer was about 22,000  
 12 pylons -- 22,000 pylons about 7 feet deep. That's  
 13 exactly what was said.  
 14 And so inevitably there's tons of tile  
 15 that is all through that back -- all -- listen to me.  
 16 I'm talking to you today -- to you -- 22,000 pylons  
 17 shoved down breaking tile. I was -- conveniently I  
 18 was able to find the one tiny little broken tile that  
 19 created all this sewage backup.  
 20 As being at the end of this line in our  
 21 septic system, me and all my neighbors are going to be  
 22 getting the repercussions of all of these pylons being  
 23 shoved down into the tile. There is no -- there's no  
 24 map. There's no GPS of the tile. You know that. In  
 25 fact, the last meeting you had, "Well, we can look

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1 aerial and we can see the darker green spots." That  
 2 darker green spot that's 3 feet wide that you're going  
 3 to -- you're going to miss these tiles? I don't think  
 4 so.  
 5 So in closing, you know, I think we've  
 6 all spoken. You know, we found -- we found out about  
 7 this years ago. You know, we -- same things,  
 8 reiterating the same things: zoning board passed  
 9 resolution, township passed resolution, county  
 10 commissioners passed resolution.  
 11 Then SB52 comes up. You guys are  
 12 partially grandfathered in, and so we go back. We  
 13 pass another resolution the township level and the  
 14 commissioner's level, and you guys send an attorney  
 15 down there, a really nice guy. And he actually said  
 16 to me as he was there -- he was fighting a big condo  
 17 association going into his neighborhood, probably  
 18 attorney before this one.  
 19 But you send him down and he tried to  
 20 stop -- the stop the commissioners from passing this  
 21 resolution. Wait, wait, don't. We're having a  
 22 meeting. Don't. Well, why? If you guys are  
 23 grandfathered in, everything should be just fine. But  
 24 yet, no, they did pass. They passed a resolution  
 25 saying not only do we not want large-scale solar. We

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1 don't want your large-scale solar in our  
 2 neighborhood -- in our neighborhood.  
 3 So lots of reiteration. The  
 4 commissioners have hired an attorney, Jack Van Kley.  
 5 He's intervening. We hired an attorney, Kevin Dunn.  
 6 We're intervening. We don't want it. I'm good  
 7 anyway, so a minute is good. I'm fine. Thank you  
 8 very much for coming. You guys did an amazing job.  
 9 It's very hard with a lot of passion here, so you guys  
 10 did a fantastic job. So that's pretty much all I have  
 11 anyway.  
 12 JUDGE MARCELLETTI: Thank you,  
 13 Mr. Stump. Are there any questions from Counsel?  
 14 MS. FLAHIVE: No.  
 15 JUDGE MARCELLETTI: Mr. Stump, do you  
 16 have a copy of your statement just for --  
 17 MR. STUMP: Well, yeah. It's my actual  
 18 original statement and then my notes.  
 19 THE REPORTER: Okay, thank you.  
 20 MR. STUMP: Appreciate it.  
 21 JUDGE MARCELLETTI: Anything to help  
 22 clarity. Thank you.  
 23 Ms. Betty Jo Lill, come on up. And I  
 24 have next Ms. Melodie Little. Bring this -- good  
 25 evening, Ms. Lill.

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1 MS. LILL: I feel the same way.  
 2 JUDGE MARCELLETTI: Please raise your  
 3 right hand. Do you swear or affirm that the testimony  
 4 you about to provide will be the truth?  
 5 MS. LILL: I do.  
 6 JUDGE MARCELLETTI: And I also noted  
 7 that you are an intervener. Thank you. If you can  
 8 please state and spell your name for the record,  
 9 ma'am.  
 10 MS. LILL: First name is Betty Jo,  
 11 B-E-T-T-Y-J-O. Last name is Lill, L-I-L-L.  
 12 JUDGE MARCELLETTI: And your address  
 13 including the township?  
 14 MS. LILL: 754 Owens Road West,  
 15 Pleasant Township, Marion, Ohio.  
 16 JUDGE MARCELLETTI: Do you live or work  
 17 within the project area?  
 18 MS. LILL: Our farm is less than two  
 19 miles from the project site on Owens Road.  
 20 JUDGE MARCELLETTI: Thank you, ma'am.  
 21 You may proceed.  
 22 //  
 23 //  
 24 //  
 25 //

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1 WHEREUPON,  
 2 BETTY JO LILL,  
 3 called as a witness and having been first duly sworn  
 4 to tell the truth, the whole truth, and nothing but  
 5 the truth, was examined and testified as follows:  
 6 DIRECT STATEMENT  
 7 MS. LILL: I oppose Chestnut Solar  
 8 project and any solar project on farmland. It  
 9 concerns me that millions of acres of farmland are  
 10 being converted in the United States, including our  
 11 community. Our farm is less than two miles from the  
 12 solar project site on Owens Road. We are not worried  
 13 about our 750 acres of prime farmland in Pleasant  
 14 Township ever being paved over, developed, or covered  
 15 with solar panels. It is preserved by Ohio's Farmland  
 16 Preservation Program, a program to which any farmer  
 17 can apply and be compensated.  
 18 According to American Farmland Trust,  
 19 ten percent of all farmland in the planet -- that's  
 20 the land that sustains us and grows our food -- is in  
 21 the United States and is being converted to other uses  
 22 to the tune of 175 acres per hour. Solar is consuming  
 23 farmland at a rapid pace. In Ohio since 2018,  
 24 certificated and pending solar projects amount to over  
 25 90,000 mostly farmland acres. Information extracted

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1 from PJM website shows an additional 261,013 acres of  
 2 land that may be planned for solar development in  
 3 Ohio.  
 4 Farmers know best how to nurture the  
 5 precious 5 to 10 inches of topsoil. Most farmland in  
 6 Pleasant Township and the U.S. have been designated  
 7 with nationally significant soil, the best soil in the  
 8 world for producing food. Yet, on 404 acres of prime  
 9 farmland Chestnut Solar plans to piledrive 26,000  
 10 steel posts 7 to 11 feet in the ground to hold 170,500  
 11 solar panels, drive helical piles to a depth of 7 feet  
 12 below grade to hold inverters and other equipment,  
 13 construct a two-acre substation, approximately 3 miles  
 14 of graveled 20-foot wide access roads after stripping  
 15 the topsoil, then grading and compacting the subsoil,  
 16 and 41,139 feet of underground trenching for  
 17 connection lines. That is a destructive use of prime  
 18 farmland.  
 19 Instead of smart solar siting such as  
 20 on buildings, land not suited for farming, rooftops,  
 21 carports, brown fields, et cetera, Chestnut Solar  
 22 application states that the project area is zoned  
 23 agriculture and prime farmland and also states on page  
 24 37 some of their siting criteria is for land use such  
 25 as agricultural land with minimal slope and water

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1 features, low population density, limited residential  
 2 development, and contiguous acres.  
 3 Homeowners on and around Maple Grove  
 4 Road also prefer to live in an area with limited  
 5 residential development next to open space areas such  
 6 as zoned agriculture, certainly not industrial, large-  
 7 scale solar. Chestnut Solar cites the 2019 median  
 8 property value in Marion County as \$100,800 and within  
 9 a mile of a solar farm in Ohio, the median housing  
 10 unit value is \$173,079. I challenge Chestnut Solar to  
 11 find a home on Maple Grave Road valued under \$200,000.  
 12 Some people including farmers -- some  
 13 farmers -- think that they have the right to do  
 14 whatever they want with their land. But they don't  
 15 have the right to infringe on the rights of others.  
 16 That is why we have zoning to benefit all. We do not  
 17 exist by and for ourselves. We live in a community.  
 18 Chestnut Solar claims to be compatible  
 19 with the Marion County land use plan because the  
 20 project site will be for future agricultural use in  
 21 45 years. Marion County land use development policy  
 22 on page 182 states its goal is to help keep  
 23 competitive agriculture profitable by discouraging  
 24 development in rural areas incompatible with it,  
 25 especially in areas of prime farmland. There is no

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1 proof after 45 years of solar use farmland will be  
 2 usable again for growing crops without extensive  
 3 long-term reconditioning of the soil.  
 4 I'm going to have to skip some of this,  
 5 but I'm going to say Jenifer French, voting member and  
 6 chair of the PUCO wants to restore the public trust in  
 7 the state's utility regulatory process and do the  
 8 right thing. The right thing is for Ohio Power Siting  
 9 Board to listen to the overwhelming opposition voices  
 10 of Pleasant Township and our county and township  
 11 officials and swiftly deny Chestnut Solar project in  
 12 Pleasant Township.  
 13 JUDGE MARCELLETTI: Thank you,  
 14 Ms. Lill. And, Ms. Lill, just to confirm I have a  
 15 copy here?  
 16 MS. LILL: Yes. You do.  
 17 JUDGE MARCELLETTI: Do you want me to  
 18 give that to the court reporter?  
 19 (Exhibit 26 was marked for  
 20 identification.)  
 21 THE REPORTER: Thank you.  
 22 JUDGE MARCELLETTI: Good evening,  
 23 Ms. Little, and then I have up next Ms. Judy Lehner.  
 24 Did I pronounce that correct?  
 25 Would you raise your right hand,

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1 please? Do you swear or affirm that the testimony you  
 2 are about the provide will be the truth?  
 3 MS. LITTLE: Yes.  
 4 JUDGE MARCELLETTI: Thank you. And  
 5 again, I know that you are an intervener in this case?  
 6 MS. LITTLE: Yes.  
 7 JUDGE MARCELLETTI: Thank you. If you  
 8 would please spell and state your name for the record?  
 9 MS. LITTLE: Yes. Melodie Little,  
 10 M-E-L-O-D-I-E, L-I-T-T-L-E, 3878 Maple Grove Road,  
 11 Pleasant Township, Marion, Ohio.  
 12 JUDGE MARCELLETTI: Do you reside or  
 13 work within the project area, ma'am?  
 14 MS. LITTLE: I reside. Our home butts  
 15 up to the project as well as I work part-time at home.  
 16 JUDGE MARCELLETTI: Thank you. Please  
 17 go ahead.  
 18 WHEREUPON,  
 19 MELODIE LITTLE,  
 20 called as a witness and having been first duly sworn  
 21 to tell the truth, the whole truth, and nothing but  
 22 the truth, was examined and testified as follows:  
 23 DIRECT STATEMENT  
 24 MS. LITTLE: Good evening. I am here  
 25 to voice my opposition to the Chestnut Solar facility

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1 being placed in Pleasant Township. In 1990 my husband  
 2 and I purchased a one-acre lot from the Neidharts in  
 3 order to build a new home. We chose this lot in  
 4 Pleasant Township as it was very attractive to us  
 5 growing up as essentially country folks.  
 6 We liked this area as it would allow us  
 7 to live relatively close to town and our work but to  
 8 also enjoy the benefits of living in an agricultural  
 9 setting with peacefulness and comfort of country  
 10 living. We also liked what Pleasant Township had to  
 11 offer us in wonderful neighbors, a great school  
 12 system, and community spirit.  
 13 I know and we have heard many of our  
 14 neighbors and friends speak about the concerns that we  
 15 all have with the placement of the solar facility in  
 16 literally our backyards. With the upswing of farmers  
 17 leasing their land to the solar companies to place  
 18 these facilities, we are aware of these farmers'  
 19 argument: It's my land. I should be able to do what  
 20 I want with it.  
 21 I would like to share information of  
 22 the expectations we needed to be agreeable to in order  
 23 to reside on our land and in Pleasant Township. Some  
 24 of those terms was our premises could only be used as  
 25 residence. Our home had to be at least 1,600 square

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1 feet and of a market value of no less than \$60,000.  
 2 Of course, again, this is 1990.  
 3 We could not place a building or wall  
 4 nearer to the road than 50 feet or nearer to the  
 5 sidetrack line of 10 feet. We also cannot erect a  
 6 fence higher than 6 feet. We can't raise, breed, or  
 7 keep livestock or poultry. No noxious or offensive  
 8 activity shall be carried on. No should any be  
 9 done -- anything be done which may be or may become a  
 10 nuisance or annoyance to the neighborhood.  
 11 No structure of temporary character,  
 12 trailer, or other outbuilding shall be used on the  
 13 said premises at any time as a residence. No trailer  
 14 of any kind is permitted to remain on the property for  
 15 more than 48 hours except recreational. No part of  
 16 the premises shall be used or maintained as a dumping  
 17 ground for rubbish, trash, garbage or other waste.  
 18 No trees shall be planted nearer to the  
 19 north track than 20 feet nor within 20 feet to the  
 20 east line of the premises. The premises must be  
 21 maintained and kept clean and free of debris. And the  
 22 final thing that I'd like to share is that it also  
 23 said no oil drilling, no oil development operations,  
 24 oil refinery, exploring or mining operations of any  
 25 kind shall be permitted. Nor shall oil wells, tanks,

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1 tunnels, mineral excavations, or shafts be permitted.  
 2 We understood the reasons our deed had  
 3 these stipulations. These terms were to support us in  
 4 having a neighborhood that was attractive and  
 5 peaceful, a community where people would want to live  
 6 and raise their families. We also understood the need  
 7 for some of these stipulations as they could impact  
 8 the Neidharts' farming operations. And despite this  
 9 being our land, we have been respectful and lived by  
 10 these rules and those of our township zoning board.  
 11 Now 34 years later, we as residents of  
 12 this area and of Pleasant Township are expected to be  
 13 okay with the placement of this solar facility despite  
 14 the risk of well water contamination, disruption to  
 15 our drainage systems, noise, the view of hundreds of  
 16 unsightly solar panels, the risk to our health and  
 17 well-being, the possible degradation of our property  
 18 values, the strain on our community resources and  
 19 infrastructure, and many other concerns.  
 20 Today there seems to be no concerns for  
 21 the neighborhood and community as was in the ideals of  
 22 our property deed in 1990. I can tell you we are not  
 23 okay with this. We are strongly opposed to the  
 24 placement of the Chestnut Solar facility in Pleasant  
 25 Township and respectfully request that the Ohio Power

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1 Siting Board deny their application and certification.  
 2 Thank you.  
 3 JUDGE MARCELLETTI: Thank you,  
 4 Ms. Little. Do you have a copy for the court  
 5 reporter?  
 6 MS. LITTLE: Yes.  
 7 JUDGE MARCELLETTI: Thank you so much.  
 8 (Exhibit 27 was marked for  
 9 identification.)  
 10 THE REPORTER: Thank you very much.  
 11 JUDGE MARCELLETTI: I have Ms. Judy  
 12 Lehner on deck, and then the next witness on deck, I  
 13 believe they live -- Newman's? Looks like it starts  
 14 with an N. Wonderful penmanship but I'm afraid --  
 15 JUDGE AGRANOFF: That's this gentleman.  
 16 JUDGE MARCELLETTI: Noel, you'll be  
 17 next on deck, sir.  
 18 Good evening, Ms. Lehner. If you'd  
 19 raise your right hand? Do you swear or affirm that  
 20 the testimony you're about to provide will be the  
 21 truth?  
 22 MS. LEHNER: I do.  
 23 JUDGE MARCELLETTI: Thank you. And I  
 24 believe you are an intervener to this case, ma'am?  
 25 MS. LEHNER: I am.

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1 JUDGE MARCELLETTI: Great. If you can  
 2 please spell and state -- please state and spell your  
 3 name for the record and then your address, please?  
 4 MS. LEHNER: My name is Judy Lehner,  
 5 L-E-H-N-E-R. My address is 1108 Myers Road, Marion,  
 6 Ohio, Pleasant Township.  
 7 JUDGE MARCELLETTI: Do you reside or  
 8 work within the project area?  
 9 MS. LEHNER: In the heart of the  
 10 project area I have resided for 63 years.  
 11 JUDGE MARCELLETTI: Okay. Thank you.  
 12 Whenever you're ready.  
 13 MS. LEHNER: Thank you.  
 14 WHEREUPON,  
 15 JUDY LEHNER,  
 16 called as a witness and having been first duly sworn  
 17 to tell the truth, the whole truth, and nothing but  
 18 the truth, was examined and testified as follows:  
 19 DIRECT STATEMENT  
 20 MS. LEHNER: Thank you. Good evening.  
 21 Thank you for allowing members of our community to  
 22 share our concerns over this proposed project. For  
 23 the last 63 years I've lived on Myers Road. My late  
 24 husband was lovingly raised by his paternal  
 25 grandparents, Harry and Elsie Lehner. And at that

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1 time, the Lehnrs owned 65 acres of the acreage that  
 2 is currently being proposed as the site for the  
 3 Chestnut Solar farm.  
 4 While Bob was serving in the U.S. Army,  
 5 his grandfather's health began to decline, and the  
 6 farm was sold to a local physician. A few years  
 7 later, that farm was sold to the current owners, David  
 8 and Pam Neidhart. The small two-acre lot where we  
 9 built our home was not included in that sale.  
 10 And after Bob returned home from his  
 11 active army assignment, we lived in the original log  
 12 cabin on that acreage while we built our home. We  
 13 have lived in that dwelling for 62-1/2 years. Our  
 14 three children were born here and have called this  
 15 community home their entire lives. Together, we have  
 16 witnessed some of the road frontage of this farm being  
 17 sold for building lots, and we now have many beloved  
 18 neighbors who share in the beauty of this peaceful  
 19 community that they, too, call home.  
 20 I realize that this board has heard  
 21 from most of the current residents who would be  
 22 affected by the installation of a solar farm having  
 23 their homes turned into an industrial zone for which  
 24 there is currently very few regulations regarding the  
 25 maintenance and upkeep of an industry that is still

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1 rather new to our entire society.  
 2 The building of a solar farm is  
 3 consistent with building any other industry. Then  
 4 there comes the degradation of surrounding property,  
 5 the noise, the increased heavy traffic. And then the  
 6 building site is left to suffer the brutality of  
 7 abandonment. I know without a doubt that I speak on  
 8 behalf of our loved neighbors when I respectfully ask  
 9 you to deny the application that would allow the  
 10 Chestnut Solar project to be constructed in our  
 11 beautiful neighborhood.  
 12 On behalf of our entire community, I  
 13 thank each of you for your respectful consideration in  
 14 voting no to request to build the solar -- the  
 15 Chestnut Solar farm in Pleasant Township.  
 16 Respectfully, Judy Lehner.  
 17 JUDGE MARCELLETTI: Thank you,  
 18 Ms. Lehner. Do you wish to provide a copy of your  
 19 statement to the court reporter, ma'am?  
 20 (Exhibit 28 was marked for  
 21 identification.)  
 22 MS. LEHNER: I will.  
 23 JUDGE MARCELLETTI: Thank you.  
 24 No questions?  
 25 Mr. Jerome, if you did sign up, I think

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1 it seems to be that you are next, and I have  
 2 Mr. Joseph Barney.  
 3 And then Mr. Clint Canterbury, you will  
 4 bring up the end.  
 5 Good evening, sir. If you'd please  
 6 raise your right hand, do you swear or affirm that the  
 7 testimony you are about to provide will be the truth?  
 8 MR. JEROME: Yes.  
 9 JUDGE MARCELLETTI: Thank you and I  
 10 know you are an intervener in this case; is that  
 11 correct?  
 12 MR. JEROME: Right.  
 13 JUDGE MARCELLETTI: If you can please  
 14 state and spell your name for the record and your  
 15 address, sir.  
 16 MR. JEROME: Noel Jerome, 614 Newmans  
 17 Cardington Road East, Marion, Ohio 43302.  
 18 JUDGE MARCELLETTI: Do you reside or  
 19 work within the project area, sir?  
 20 MR. JEROME: I do not. I am adjacent  
 21 to but not directly associated with.  
 22 JUDGE MARCELLETTI: Thank you.  
 23 Whenever you're ready.  
 24 THE REPORTER: Can you spell your name  
 25 for me? I apologize, sir. Spell your name, please.

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1 JUDGE MARCELLETTI: Noel, spell your  
 2 name.  
 3 MR. JEROME: N-O-E-L.  
 4 THE REPORTER: And your last?  
 5 MR. JEROME: J-E-R-O-M-E.  
 6 THE REPORTER: Thank you. I apologize  
 7 for interrupting.  
 8 WHEREUPON,  
 9 NOEL JEROME,  
 10 called as a witness and having been first duly sworn  
 11 to tell the truth, the whole truth, and nothing but  
 12 the truth, was examined and testified as follows:  
 13 DIRECT STATEMENT  
 14 MR. JEROME: The photographs I  
 15 presented to you are from Narenc's website. It shows  
 16 solar projects in North Carolina, South Carolina,  
 17 Maryland, and Florida. I would like to point out that  
 18 there are very few houses close to these solar  
 19 projects. We have similar isolated locations in Ohio  
 20 but not in Pleasant Township. There's one project  
 21 approved in the county, but it is located in an  
 22 industrial park.  
 23 At the location you are proposing in  
 24 Pleasant Township, there are approximately 200 homes  
 25 and families in close proximity to the proposed

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1 project. We've had two major environmental cleanups  
 2 in Marion County. One is a Little Scioto River that  
 3 was due to hazardous waste being dumped from a  
 4 creosote operation. The superfund site was being  
 5 cleaned up using taxpayer dollars.  
 6 The other site is the original River  
 7 Valley High School. It was built at the corner of  
 8 state routes 98 and 309. The land was the site of the  
 9 old ordnance plant that was used to build bombs and  
 10 shells during World War II. The land was purchased in  
 11 1964.  
 12 In 1997 the Ohio Department of Health  
 13 began investigating a report of high cancer rates  
 14 among River Valley High School graduates and students.  
 15 The headline in the Columbus Dispatch reads "Leukemia  
 16 News Stuns Marion. Death rates up 122 percent in  
 17 30-year study -- 30-year state study finds."  
 18 My wife's brother attended River Valley  
 19 and was diagnosed in 1972 with leukemia. He died in  
 20 1973 just six weeks before he would've graduated from  
 21 high school. A friend I worked with at Whirlpool  
 22 mowed the grass and took care of the ballfields. He  
 23 died of cancer at an early age. This site was also  
 24 cleaned using taxpayer dollars.  
 25 We don't know if solar will cause

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1 adverse health. What we do know is some of the  
 2 components of the solar panels use toxic chemicals  
 3 such as cadmium and lead. We don't know the long-term  
 4 effects of solar energy. That is yet to be  
 5 determined.  
 6 Solar projects should be located in  
 7 areas where there are -- if there are adverse health  
 8 issues, drainage, pollution of groundwater, and now  
 9 aquifers, air quality as a result of fires, and  
 10 excessive noise, that the solar fields affect the  
 11 fewest number of people.  
 12 My last point is what happens after  
 13 40 years of solar production from these fields? Do  
 14 you realistically believe they are going to be  
 15 returned to farm ground? The demand for electricity  
 16 will continue to increase. It is unlikely the power  
 17 companies and the state will want to give up any  
 18 continuing operation that will generate more  
 19 electricity.  
 20 And as aside to that, this was just on  
 21 the news recently. Columbus has recently reached a  
 22 million and a half people. And over 40 percent of all  
 23 the jobs in the state of Ohio are generated in that  
 24 area. And whatever we do up here at some point is  
 25 going to reach them, whether it's any kind of

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1 pollution or anything else.  
 2 There are three major rivers in Central  
 3 Ohio that drain literally hundreds of square miles of  
 4 land, and they all converge in Columbus. So I'm just  
 5 saying be careful of what you do here because there's  
 6 a million and a half people that live downstream from  
 7 us. Thank you.  
 8 JUDGE MARCELLETTI: Thank you,  
 9 Mr. Jerome. Do you want to provide a copy of your  
 10 statement to the court reporter?  
 11 (Exhibit 29 was marked for  
 12 identification.)  
 13 MS. FLAHIVE: No questions.  
 14 JUDGE MARCELLETTI: Thank you.  
 15 THE REPORTER: Thank you, sir.  
 16 JUDGE MARCELLETTI: Mr. Joseph Barney,  
 17 you are up next. And, again, Mr. Clint Canterbury,  
 18 you will be bringing up the end for us tonight.  
 19 Good evening, sir. If you'd please  
 20 raise your right hand, do you swear or affirm that the  
 21 testimony you are about to provide will be the truth?  
 22 MR. BARNEY: Yes. I do.  
 23 JUDGE MARCELLETTI: And I am under the  
 24 impression that you are an individual intervener in  
 25 this case?

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1 MR. BARNEY: That is correct.  
 2 JUDGE MARCELLETTI: Excellent. If you  
 3 could, please, state and spell your name for the  
 4 record and give us your address, sir?  
 5 MR. BARNEY: Joseph Michael Barney,  
 6 1326 Somerlot Hoffman Road, East Marion, Ohio,  
 7 Pleasant Township.  
 8 JUDGE MARCELLETTI: Do you reside or  
 9 work within the project area?  
 10 MR. BARNEY: Apparently, there's a  
 11 legal definition, which I think was trying to be  
 12 communicated that I'm unaware of. I'll simply say my  
 13 house is directly across the street on the north side  
 14 of the project.  
 15 JUDGE MARCELLETTI: Thank you, sir.  
 16 Whenever you're ready.  
 17 MR. BARNEY: Thank you.  
 18 WHEREUPON,  
 19 JOSEPH MICHAEL BARNEY,  
 20 called as a witness and having been first duly sworn  
 21 to tell the truth, the whole truth, and nothing but  
 22 the truth, was examined and testified as follows:  
 23 DIRECT STATEMENT  
 24 MR. BARNEY: So as you might expect, a  
 25 lot of the things I was going to say have already been

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1 said. I'm here today as a father, a husband, a  
 2 homeowner, and as a United States Marine Corps war  
 3 veteran.  
 4 Since I don't need the full amount of  
 5 time, I just want to say I really appreciate this  
 6 community, and I'm proud of you. Thank you for coming  
 7 out and passionately defending our home. I want to  
 8 say that because I'm not actually from here. I live  
 9 here now, but I'm not from here. While I was in the  
 10 Marine Corps, my parents moved here. I moved back to  
 11 go to Ohio State. We lived out of state for years but  
 12 chose to come back to Marion because of people like  
 13 you.  
 14 I'm proud to be here. I'm proud that  
 15 you're fighting. There are others in the room who are  
 16 here for a paycheck. They don't live here. They  
 17 don't. We live here. Listen to the voices in the  
 18 room. And I understand property owner's rights. I  
 19 do. That's part of what I fought for. I am a  
 20 passionate defender of freedom and rights. I put my  
 21 life on the line for those things.  
 22 Part of the reason why I left the  
 23 Marine Corps is because I wanted a family. I wanted  
 24 to start a legacy in a community, plugged in, plant  
 25 roots. That's exactly what I'm doing with my family.



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1 We own a home, an old house on the edge of town. You  
 2 know the one. It's the one with the white fence, the  
 3 dog and the two kids in the yard. We're living the  
 4 American dream. We fly a flag because we're proud.  
 5 The legacy I wanted to leave is being  
 6 attacked. The things I want to leave for my kids,  
 7 they're not going to be there. I do have real  
 8 concerns about flooding. The road right in front of  
 9 my house gets water, not just next to it, on it. And  
 10 there are cars that fly down that road and almost get  
 11 in an accident every time it rains hard. That's a  
 12 very real concern.  
 13 I also can personally testify to bald  
 14 eagles landing in that field, flying across the road  
 15 and in the field behind my house. What's going to  
 16 happen to that?  
 17 The last thing I just want to say is,  
 18 you know, we all have rights. I said that, and I'm a  
 19 proud defender of rights. I appreciate the property  
 20 rights of the landowner. However, some rights end  
 21 where other rights begin. We have rights, too. In  
 22 the words of Oliver Wendall Holmes, who was an  
 23 associate justice of the U.S. Supreme Court, he said,  
 24 "The right to swing my fist ends where the other man's  
 25 nose begins." If this project is approved, well, it

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1 feels like we're all about to get punched in the nose.  
 2 Will you defend us the way I defended you? Thank you.  
 3 JUDGE MARCELLETTI: Thank you,  
 4 Mr. Barney. Would you like to give -- thank you.  
 5 (Exhibit 30 was marked for  
 6 identification.)  
 7 THE REPORTER: Thank you, sir.  
 8 JUDGE MARCELLETTI: Mr. Clint  
 9 Canterbury? Good evening, sir.  
 10 MR. CANTERBURY: Good evening.  
 11 JUDGE MARCELLETTI: Please raise your  
 12 right hand. Do you swear or affirm that the testimony  
 13 you are about to provide will be the truth?  
 14 MR. CANTERBURY: Yes, ma'am.  
 15 JUDGE MARCELLETTI: Thank you. And I  
 16 believe you are an individual intervener; is that  
 17 correct?  
 18 MR. CANTERBURY: Yes, ma'am.  
 19 JUDGE MARCELLETTI: If you can please  
 20 state and spell your name for the record and then add  
 21 on your address, please?  
 22 MR. CANTERBURY: Thank you. Clint  
 23 Canterbury, C-L-I-N-T, Canterbury,  
 24 C-A-N-T-E-R-B-U-R-Y. I live at 351 Owens Road West,  
 25 Pleasant Township, Marion.

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1 JUDGE MARCELLETTI: Do you reside or  
 2 work within the project area, sir?  
 3 MR. CANTERBURY: I work.  
 4 JUDGE MARCELLETTI: Okay. Whenever  
 5 you're ready.  
 6 MR. CANTERBURY: Thank you.  
 7 WHEREUPON,  
 8 CLINT CANTERBURY,  
 9 called as a witness and having been first duly sworn  
 10 to tell the truth, the whole truth, and nothing but  
 11 the truth, was examined and testified as follows:  
 12 DIRECT STATEMENT  
 13 MR. CANTERBURY: As most of you know  
 14 and may have read in my letter already that I  
 15 submitted to the Siting Board, a lot of people in here  
 16 have quoted my letter and whatnot. And I think you  
 17 all know in this room I'm the fire chief. I don't  
 18 think that's a secret. I've lived in Pleasant  
 19 Township for about 30 years now.  
 20 You know, I do believe in solar. I do  
 21 believe in green energy, but Pleasant Township is not  
 22 the place for it. There is a need. There is a place,  
 23 just not our home. And, you know, when I looked  
 24 through the application, Table 6-4, Pleasant Township  
 25 Fire Department would receive approximately \$38,000

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1 annually.  
 2 Probably not a lot of people know in  
 3 this room that we obtained a \$3,000,000 grant to start  
 4 a fulltime fire department last March. And an annual  
 5 salary of one single fireman is only \$50,000. We're  
 6 the lowest-paid fire department in a four-county  
 7 region. And they're only going to give us \$38,000  
 8 annually to provide protection?  
 9 We're had 110 percent increase in call  
 10 volume over the last four to five years. Now we're  
 11 going to add the burden of a solar field. I don't  
 12 have foam. We don't have foam equipment. And I don't  
 13 know if you guys checked the price tag of a fire truck  
 14 lately. It's about a million dollars, and that's the  
 15 cheap one, right? Government does low bids. That's  
 16 the cheap one, a million dollars. And that doesn't  
 17 include other equipment, hazmat equipment, damming-  
 18 diking materials needed to protect 562 acres, I  
 19 believe, is what it is.  
 20 So I just think the solar facility  
 21 emergencies are significantly beyond normal operations  
 22 that exceed our current capacity to respond. Due to  
 23 the lack of data, definitive case studies, available  
 24 training on strategies and tactics of large-scale  
 25 solar facilities and this is a megafarm. You all

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1 heard of mega hog farms. We've all heard of mega  
 2 poultry farms. Well, this is a megafarm, right? It  
 3 says right here it's a 68-megawatt facility. These  
 4 new hazards represent a significant threat to our  
 5 community, and I strongly oppose this solar project.  
 6 But I also want the community to know,  
 7 just like Mr. Barney, it makes my heart whole that  
 8 every one of you are here in red. And my friend Doug,  
 9 I promise you I'll give you the memo next time  
 10 wherever you're at, Doug. You want a red shirt?  
 11 Because I got it.  
 12 It's amazing what the community has  
 13 come together today. And you guys have always  
 14 supported -- I say -- I have the luxury of saying "my  
 15 fire department." But it's our fire department. It's  
 16 our community. I am responsible for 29 square miles  
 17 of Pleasant Township. But some of you may know I'm  
 18 also a fulltime fire chief that I protect 110 square  
 19 miles. Add those together. I cover about a third of  
 20 Marion County. It's 404 square miles.  
 21 I know what responsibility is. I know  
 22 what a hazard is. I know what an emergency is. I  
 23 think this is an emergency for Pleasant Township.  
 24 We're here to say no. You guys just responded to our  
 25 emergency, and that was no; right? That's all I have.

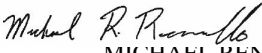
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1 JUDGE MARCELLETTI: Thank you,  
 2 Mr. Canterbury.  
 3 JUDGE AGRANOFF: Mr. Canterbury, if you  
 4 could just explain which fire department are you  
 5 actually employed by?  
 6 MR. CANTERBURY: Pleasant Township Fire  
 7 Department. And I'm also a fire chief at First  
 8 Consolidated Fire District.  
 9 JUDGE AGRANOFF: First Consolidated?  
 10 MR. CANTERBURY: Fire District is my  
 11 fulltime professional job.  
 12 JUDGE AGRANOFF: Thank you.  
 13 JUDGE MARCELLETTI: Mr. Canterbury, did  
 14 you have any copies that you wanted to provide the  
 15 court reporter today?  
 16 MR. CANTERBURY: Nothing I haven't  
 17 already submitted.  
 18 JUDGE MARCELLETTI: Okay. Thank you.  
 19 MR. CANTERBURY: Thank you.  
 20 JUDGE MARCELLETTI: At this time, this  
 21 concludes the witnesses who signed up to testify.  
 22 Again, I will reiterate if there's anyone who did not  
 23 testify tonight, you are certainly welcome to file  
 24 written comments, and you can see our board staff in  
 25 the back.

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1 We would like to thank everyone for  
 2 their participation tonight and their patience. We'd  
 3 like to thank the Tri-Rivers Career Center for  
 4 allowing us to use their wonderful facilities in order  
 5 to conduct this public hearing tonight.  
 6 And thank you to our ad hoc members for  
 7 attending this evening. The hearing has now  
 8 concluded, and the transcript along with all the  
 9 documents will be submitted on the record for the  
 10 board's consideration in this case. Thank you all  
 11 again and have a wonderful evening.  
 12 THE REPORTER: Going off the record at  
 13 8:51 p.m.  
 14 (Whereupon, at 8:51 p.m., the  
 15 proceeding was concluded.)  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

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1 CERTIFICATE  
 2 I, MICHAEL RENNILLO, the officer before whom  
 3 the foregoing proceedings were taken, do hereby  
 4 certify that any witness(es) in the foregoing  
 5 proceedings, prior to testifying, were duly sworn;  
 6 that the proceedings were recorded by me and  
 7 thereafter reduced to typewriting by a qualified  
 8 transcriptionist; that said digital audio recording of  
 9 said proceedings are a true and accurate record to the  
 10 best of my knowledge, skills, and ability; that I am  
 11 neither counsel for, related to, nor employed by any  
 12 of the parties to the action in which this was taken;  
 13 and, further, that I am not a relative or employee of  
 14 any counsel or attorney employed by the parties  
 15 hereto, nor financially or otherwise interested in the  
 16 outcome of this action.  
 17  
 18   
 19 MICHAEL RENNILLO  
 20 Notary Public in and for the  
 21 State of Ohio  
 22  
 23  
 24  
 25

1 CERTIFICATE OF TRANSCRIBER  
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JOELLEN RIVERA

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