

8591 Jones Road
Wattsburg, PA 16442

August 28, 2023

Venango Township
9141 Townhall Road
Wattsburg, PA 16442

Ref: Letter dated August 17, 2023 from Venango Township Zoning Office to Adjoining Property Owners. Subject: Conditional Use Request, Rezoning Request, Wilson Solar LLC / Birch Creek Development LLC. Envelope addressed to Bruce and Mary Whitehair, received August 21, 2023.

Dear Venango Township Supervisors and Venango Township Zoning Office:

As property owners adjoining the proposed Wilson Solar LLC / Birch Creek Development LLC solar farm, and as requested in your letter, we are submitting the following questions and concerns in writing; and likewise, request a written response to these questions and concerns at least 48 hours prior to the September 20, 2023 hearing.

1. Please correct your record of the name Mary Whitehair. The correct name is Rosemary Whitehair
2. What is the background of Wilson Solar LLC and Birch Creek Development LLC? How did they select Venango Township for this 1,129 acre solar farm?
 - a. Please provide the formation history of both entities
 - i. Please confirm that Wilson Solar was formed only 4 years ago?
 - ii. What *solar farm* projects (non-homeowner installations) has Wilson Solar completed?
 - iii. What solar projects has Wilson Solar completed that is similar in acreage, 80 megawatts, 2054 strings of panels, 25 inverters and a substation?
 - b. What are the "reviews" (positive *and* negative) by municipalities and nearby non-participating landowners of similar solar farm projects that these firms have completed?
 - c. What is the history of bankruptcy or closure within the solar industry?
 - d. Which firm will be responsible if there are problems, Wilson Solar LLC or Birch Creek Development LLC?
 - e. Are there other financial investors or business partners involved in this project?
 - f. Are American Rescue funds or other government funding involved in this project?
 - g. Is the Venango Township, Erie County or Pennsylvania providing any tax abatement to Wilson Solar LLC or Birch Creek Development LLC?
 - h. Can we view the financial statements of Wilson Solar LLC or Birch Creek Development LLC?
3. What is the estimated tax revenue Venango Township can expect from this project?



4. What is the estimated tax revenue the Seneca School District can expect from this project?
5. What is the financial arrangement with project participants?
6. In that property values within one mile of large solar farms can decline by 10% or more, will non-participating homeowners receive any consideration, compensation, free electricity, etc.?
7. The plan calls for “adjoining properties” to be chain-link fenced and planted with a double line of 6’ trees spaced 10’ apart. Please confirm, or provide details of exceptions to the Plan.
8. What is the total acreage of *forested* land within the 1,129 acres?
 - a. How many of these forested acres will be *clear-cut*?
 - b. Specifically, will the entire 79 acres of Marvin Troyer and 40 acres of Russell Niemeyer properties be clear-cut?
9. Regarding the paving of Jones Road:
 - a. What is the timeline? Will paving be before or after start of construction?
 - b. What type of paving will be used, asphalt, tar and chip, or other?
 - c. Will the paving cost be covered by Wilson Solar LLC / Birch Creek Development LLC, or by Venango Township taxpayers?
10. Specifically, how will the West Branch of French Creek that runs through the Niemeyer, Bertges, Whitehair and Klopfenstein properties be protected?
 - a. Will there be roads constructed that cross over the West Branch of French Creek? Will bridges be constructed or just culverts? Size of culverts?
11. There have been several Bald Eagles living in the project area. How will they and other wildlife be removed from the project site?
12. Provide the dimensions, noise and utility lines of the planned 24 inverters and 1 substation
13. What is the sequence of installation? Please number the following in order of sequence:
 - a. Paving Jones Road
 - b. Tree planting
 - c. Chain-link fence
 - d. Access roads
 - e. Environmental review
 - f. Endangered species and relocation review
 - g. Structure installation
 - h. Solar panel installation
 - i. Substation installation
 - j. Utility wires above ground
 - k. Utility wires below ground
14. What limits will there be on people who wish to speak and question at the September 20, 2023 hearing?
15. What is the total project cost? (Sherman, NY solar project has only 34 acres and cost \$17,000,000.)
16. Please indicate any new Right of Ways that will cross non-participating home owner’s properties.

17. Please explain how the \$2,000,000 bond will be administered. Does Venango Township hold the bond or does Birch Creek Development? Will the bond be invested so as to keep up with inflation over the 35 years of project life? If not, what is the expected value of \$2,000,000 after 35 years? The Plan mentioned insurance. Is it revocable if premiums are unpaid?
18. Is there any relationship to Pine Gate Renewables, the firm that solicited enrollment in a Venango Township solar farm in this area in the fall of 2021? They were offering \$600 per enrolled acre. Is that firm still in business?
19. Please list solar farms in the U.S. that are of 1,100 acres or larger.
20. During the nine-to-twelve-month installation period, will bathroom facilities be available for the 400 workers?
21. A recently approved solar farm in North East, Pennsylvania has 100 ft set back. Why does Venango have only 50 ft?
22. How will wildlife be protected inside the chain-link fenced areas?
23. Other than the chain-linked fence areas, how will people be restricted from accessing the un-fenced areas?
24. What is the name of the planned "low growing vegetation?"
25. Why would Venango Township agree to remove an R1 property? We have very few higher taxed R1 properties within the Township.
26. Will the 50' setback be clearcut if it contains current forest?
27. What hazardous materials, such as heavy metal cadmium, are in the solar panels?
28. Please indicate drainage pathways on your Plan.
29. What will the EPA study/assessment include?

In conclusion, and only for helpful feedback, we found your Plan difficult to read. The small colored type made it very difficult to discern roadways and property lines. Having the "full plan set" only available at the Venango Township was an inconvenience, especially without someone available to assist with understanding the numerous charts and keys. The Township was very reluctant to share a copy of the Solar Ordinance; in fact, it was only after I had to *insist* on getting a copy, was one provided. I was told I was not allowed to copy the "full plan set" which speaks negatively to the transparency of this process.

So that we are better informed about this significant project and the dramatic change it will have in our bucolic countryside, we look forward to your thorough and timely response in writing to these questions and concerns. Should anyone from Venango Supervisors, the Venango Zoning Office, Willson Solar LLC or Birch Creek Development LLC wish to speak with us directly, we will be pleased to discuss this further.

Sincerely,


Bruce Q. Whitehair


Rosemary B. Whitehair