

September 7, 2023

Re: Conditional Use Request
Rezoning Request
Wilson Solar LLC/Birch Creek Development LLC

To the Venango Township Zoning Office:

It is the intent of this letter to voice our concerns and to state our opposition to many of the issues contained in the Project Narrative/Written Descriptions within the Wilson Solar LLC Conditional Use Application (Solar Ordinance). Numbered paragraphs within this letter correspond to the numbered paragraphs in the Project Narrative/Written Description.

1. Project Narrative and Applicant Overview

This Project is listed as an LLC. This is basically a business that is setup to fail. It will be easy to declare bankruptcy and leave the Township and the listed landowners with the removal of all parts. The cleanup will be massive. There is no value in 300,000 worn out solar panels. It is all liability. Consider the gas wells that were to be sealed and restored. They are just left to decay and are possibly a health hazard polluting the ground water supply. Money needs to be put in escrow to address these situations.

A 150 foot setback should be required where residential properties are in an A-1 zone. Also, the security fence should not be in the buffer zone.

A 9 to 12 month construction period is not realistic.

2. Site Details and Plan

In this paragraph it states that "On-site transmission and power lines between solar panels will be placed underground to the maximum extent practicable." This is a wide open statement.

4. Decommissioning

In this paragraph it states that "The plan will be sealed by a professional engineer and the plan will calculate the total and net decommissioning cost for the Project." It is hard to collect from a bankrupt LLC (escrow money). _____

6. Landscaping and Screening Plan

Landscaping and screening need to be native species and not invasive. A multiflora rose was introduced in the past and has become a major problem.



7. **Natural and Cultural Resources**

In this paragraph it states that "Wilson Solar will evaluate natural and cultural resources". There needs to be an environmental impact study.

8. **Traffic Impact**

In this paragraph it states that "the Project will create up to 400 paid positions during the peak 4-month period of construction." This is a dream and a 4-year period is more realistic. Paragraph 8 also states that "All internal maintenance drives will be designed to accommodate a vehicular load of 75,000 lbs." If they become Township roads, will they meet subdivision requirements?

11. **Noise**

This paragraph refers to the noise regulations of the Township. The noise ordinance has never been enforced.

12. **Impact to Properties**

Regarding environmental site assessment, wells need to be drilled and monitored on a regular basis to check for pollution. This would be at every solar panel location.

In this paragraph it states "At the end of its life, all equipment and infrastructure will be decommissioned and the land will be returned to its previous state". This company is an LLC. Solar panels have no scrap value and could be left for landowners and Township government.

13. **Emergency Response Plan**

In this paragraph it states "Wilson Solar will prepare and coordinate the implementation of an emergency response plan for the system acceptable to Township." There is no mention of the benefit to the surrounding Township or who pays the expense of operation.

14. **Section 309 Criteria and Discussion**

This section refers to trees, bushes and other vegetation to be planted. Trees, bushes and other vegetation need to be native species and noninvasive.

This section also refers to the Project enhancing local utilities. This Project goes into a large grid supplying several states. Local utilities will not be enhanced or have lower costs.

This section also refers to the Project not using chemicals. Township representatives need to visit operating sites and see how they control vegetation under the panels and fences.

15. Solar Ordinance Criteria and Discussion

1(g) This section states "All on-site utility transmission lines less than 34.5 kV and plumbing shall be placed underground to the greatest extent feasible." If these inverters and transformers output 34.5 kV or above, they will most likely be overhead. Check transformer output.

2(b) This section states "The Project complies with all setback requirements, including a 50' setback adjacent to residential properties. Spectifically, the Project Site will have a standard setback of 50 feet in A-1 zones and a setback of 150 feet in I-1 and R-1 zones. . ." The setback should be 150 feet from all adjoining property.

3(c) This section refers to Access drives. Access drives need to be considered as future Township roads. Need to consider subdivision requirements.

3(d) This section states "Land within the Site Plan will be restored upon removal of the system." Only if this company is still viable.

8(d) This section states "... financial assurance for decommissioning in the form of a performance bond, surety bond, letter of credit, corporate guaranty. . ." This is an LLC. The Township solicitor should check into putting money in escrow under control of the Township.

We are opposed to the Project Plan for the following reasons.

This Project will lower property values of adjoining property owners. Financial compensation needs to be part of the conditions if granted. Conditional uses are set forth by the governing body (Township Supervisors). Other conditions need to be extremely favorable to the Township and all other residents of Venango Township.

An environmental impact study needs to address the issues of loss of forestation and flooding.

Lack of police protection and emergency response is an issue with 400 additional workers on the Project. This is not a 4 to 9 month construction project. 4 years is more likely.

The noise ordinance in the Township has never been enforced. Erie County Planning needs to be part of this process.

Leonard Vogel 9-11-23

Leonard Vogel

Linda Vogel 9-11-23

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