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1 MR. WELBERS: Now we need to remove from
2 the table Ladd Solar 2. So I would move that we
3 bring that off the table and put it back into
4 discussion.

5 Is there a second on that? Maybe Shirley
6 Ann will have that one.

7 MS. NEMETH: Shirley Ann can have that
8 one.

9 MS. SMITH: Yes, I'll second that one.

10 MR. WELBERS: All in favor of that.

11 (All those simultaneously
12 responded.)

13 MR. WELBERS: Any opposed.

14 (No verbal response.)

15 MR. WELBERS: There are not.

16 Okay. Now what we need for Ladd Solar 2
17 is the very same testimony. So I would like her
18 to again read that back into the record that you
19 just did. I suspect it's all the same study.
20 Maybe it's slightly different. We'll find out.

21 MR. PLUTA: Just to clarify, do you want a
22 truncated version or should we do the same?

23 MR. WELBERS: I would like her to lay her
24 testimony in as she just did. Now, what I am

1 going to try to propose, it might be a little
2 bit creative, but to see if everyone here would
3 stipulate that the same questions they asked
4 could just be moved from the court reporter into
5 the record - - I don't know if we've done that
6 before -- And if she would answer the same way,
7 which I expect that she would.

8 COURT REPORTER: Is it the exact, same
9 report?

10 MR. WELBERS: It's the exact, same report.

11 (A discussion was held off
12 the record.)

13 MR. WELBERS: Let's let her put her report
14 into the record, but then I would hope that we
15 can take what your work was and start with
16 questions from Mr. Noll, you know, that he would
17 stipulate that he'd ask the same questions and
18 got the same answers. Then we can see if there
19 are other questions besides that.

20 MR. PLUTA: If you would like, when I
21 introduce Ms. Bowen, I can ask if she's the same
22 Ms. Bowen that appeared at the Ladd 3 hearing,
23 and if she was asked the same -- or if she was
24 called to give the testimony, would it be

1 substantively the same as what she gave for the
2 prior project, and hopefully she says yes. And
3 then I can ask, And if you were asked the same
4 questions that you were asked by the audience,
5 would you answer them the same way? Hopefully
6 she would say yes.

7 And then maybe we can just jump right to
8 any new questions that anybody would have
9 specific to Ladd Solar 2. Would that be -- that
10 would be all right with us.

11 MR. WELBERS: Any thoughts on that, Kris?

12 MS. DONARSKI: I think that would cover
13 it.

14 MR. PLUTA: All right.

15 MR. WELBERS: Let's do it that way.

16 ERIN BOWEN,
17 being first duly sworn, testified as follows:

18 MS. NEMETH: State your name and address
19 for the record, please.

20 MS. BOWEN: My name is Erin Bowen,
21 E-R-I-N, B-O-W-E-N. Address is One South Wacker
22 Drive, Suite 3550, Chicago, Illinois, 60606.

23 EXAMINATION

24 BY MR. PLUTA:

1 Q. Ms. Bowen, earlier this evening you gave
2 testimony for the project Ladd Solar 3, LLC; is
3 that correct?

4 A. I did, yes.

5 Q. Okay. And now we're discussing Ladd Solar 2,
6 and is it correct that CohnReznick presented the
7 same two reports for Ladd Solar 2 that they
8 provided for Ladd Solar 3?

9 A. Correct.

10 Q. And those are admitted as Exhibits 3 and 4 for
11 the Ladd Solar 2 record; is that correct?

12 A. I believe so, yes.

13 Q. Okay. And in the Ladd Solar 3 hearing, you
14 gave testimony that described your work, the
15 nature of your report, and the studies that you
16 performed regarding both Ladd Solar 2 and Ladd
17 Solar 3; is that correct?

18 A. Correct.

19 Q. And if you were called to give the same
20 presentation in this hearing, is it correct that
21 your answers would be substantively the same?

22 A. Yes, my presentation and answers would be
23 substantively the same for Ladd Solar 3 as it
24 would be for Ladd Solar 2.

1 MR. PLUTA: Okay. Then I would ask that
2 her testimony from the Ladd Solar 3 presentation
3 be entered into evidence as if she said it here
4 today. I don't know if I need a vote?

5 MR. WELBERS: I would move that it be
6 accepted in that fashion. Is there a second?

7 MR. QUEST: I would second.

8 MR. WELBERS: Troy would second.

9 All in favor of that.

10 (All those simultaneously
11 responded.)

12 MR. WELBERS: And any opposed.

13 (No verbal response.)

14 MR. WELBERS: There are none. So her
15 testimony is the same.

16 MR. PLUTA: Okay. Then we'll --

17 MR. WELBERS: Then we'll talk about the
18 questions that were asked by our people here.

19 Q. (By Mr. Pluta:) Ms. Bowen, after you gave your
20 presentation during the Ladd Solar 3 hearing, is
21 it true that you answered cross-examination
22 questions, and questions from members of the
23 Board, members of the public, and members of the
24 administrative staff?

1 A. I did, correct.

2 Q. And if you were asked those same questions here
3 for this hearing, would your answers be
4 substantively the same?

5 A. They would be, yes.

6 MR. PLUTA: I would ask that the question-
7 and-answer period from Ladd Solar 3 be entered
8 into evidence for Ladd Solar 2.

9 MR. WELBERS: And I would move to accept
10 that evidence into the record as though the
11 questions have been asked all over again and
12 answered in the same fashion.

13 Second on that?

14 MS. SMITH: I'll second that.

15 MS. NEMETH: Shirley Ann.

16 MR. WELBERS: All in favor of that.

17 (All those simultaneously
18 responded.)

19 MR. WELBERS: Any opposed.

20 (No verbal response.)

21 MR. WELBERS: Well, that was a whole lot
22 faster than we did before. So now we have
23 everything in the record that we had before, and
24 all of the questions that you have asked are

1 part of the record for both of them.

2 So now the question comes, are there new
3 questions? Anything else that's come to mind.

4 Go ahead.

5 MS. DONARSKI: I have a question.

6 EXAMINATION

7 BY MS. DONARSKI:

8 Q. Have you been to the site for Ladd Solar 2?

9 Have you done a site visit?

10 A. Yes, I have.

11 Q. Okay. And were there -- was there another home
12 that was in close proximity or touching Ladd
13 Solar 2 that you did not previously testify
14 under Ladd Solar 3?

15 A. There are homes -- there's a home near Ladd
16 Solar 2 and a home near Ladd Solar 3. My
17 testimony is appropriate for both Ladd Solar 2
18 as it is for Ladd Solar 3. I'm familiar with
19 both residences adjacent to the two projects.

20 Q. Do you feel there would be any difference in
21 the possible impact of a solar project that
22 would be across a State highway and behind a
23 vegetative 6-foot arborvitae vegetative
24 screening? Would that be any different than a

1 solar array that went and wrapped around two
2 sides, the back and one side yard and was
3 actually touching/sharing a property line, not
4 across the street? Would there be any
5 difference in the impact?

6 A. No. Our research on existing solar facilities
7 has shown that the case in which you're
8 describing for Ladd Solar 2, being adjacent, a
9 property line, as opposed to being across the
10 street, and being adjacent on two sides as
11 opposed to one, no, our -- there is no
12 difference in the potential impact for that
13 particular property.

14 We have studied examples of solar --
15 existing solar that mimics the characteristics
16 of the Ladd Solar 2 siting, as well as Ladd
17 Solar 3, and we have not found an impact on
18 adjacent property values on either scenario.

19 Q. In your studies have you found any impact on
20 adjacent property value studies of being able to
21 look out windows of -- from inside the home to
22 look outside and see solar farms on --
23 whether it's on one side, two sides, three
24 sides, four sides? Is there any type of a

1 difference in that property?

2 A. No, we have not. In the PowerPoint
3 presentation, or the summary, we have an example
4 of solar that surrounds a property on all four
5 sides. That was for the Assembly Solar Farm in
6 Shiawasee County. This is one example of a home
7 that we have studied.

8 We have studied a couple others, including
9 the Wapello Solar Farm in Iowa. That also has a
10 home that sold on -- with solar surrounding that
11 property on all four sides, and it was not
12 impacted by the presence of being surrounded.

13 So no, we do not feel that there is an
14 impact by looking out the backyard, front yard,
15 side yard to solar panels.

16 Q. Okay. My next question is, can you tell me the
17 approximate size of that home you said that was
18 on all four sides, the property that it's
19 sitting on, how many acres would that be?

20 A. That particular example was sitting on 20
21 acres. I mentioned that there were a couple
22 other examples of homes being surrounded on all
23 four sides. Off the top of my head, I don't
24 recall the sizes -- or land sizes of those, but

1 this particular example I have the evidence
2 of -- or I have the information in front of me,
3 that one was on 20 acres.

4 Q. Okay. In your experience, would the size of
5 the property that's surrounded be a difference
6 in that impact if, let's say, it was on 2 acres
7 or 4 acres versus 20 acres or 40 acres?

8 A. In my experience, no. I don't have examples or
9 evidence of a home being on a smaller size
10 having impact whereas being on a larger size
11 does not. I don't have evidence of that having
12 an impact.

13 Q. Do you have examples that -- where there's
14 homes on smaller parcels, or you just don't?

15 A. I do have examples, not at my fingertips, of
16 homes that are on smaller-acre sizes on being
17 next to solar on more than one side.

18 Just off the top of my head, I can't say
19 if it's 2 acres or 1 acre, but we have studied
20 particular examples of homes surrounded on more
21 than one side that are less than 20 acres.

22 MS. DONARSKI: Okay. That's all I have.
23 Thank you.

24 MR. WELBERS: Mr. Nerad.

EXAMINATION

BY MR. NERAD:

Q. You tell Kris that the solar farm would have no impact on my property. How do you know that?

A. I have spent thousands of hours of research.

Q. How do you know it has no impact on my property?

A. I --

Q. Not on a property in Rhode Island. Not on a property in Michigan. On my property.

A. I have done extensive research on existing solar facilities, and I feel that that research is comprehensive in geographical location, designs, in a variety of settings. We have done our own independent research, corroborated that with academic studies, and also spoken with individuals who are listing and selling properties, as well as county assessors, where it's their job to track sale prices of homes.

MR. WELBERS: Jim.

MR. DUNSETH: Jim Dunseth.

EXAMINATION

BY MR. DUNSETH:

Q. The houses that you have done in this study

1 that you said maybe you compared it, were any of
2 those two-story houses?

3 A. Yes. We -- like I said, we're trying to look
4 at as many different data points as possible so
5 that we can make sure that we're not isolating
6 to only looking at a particular example. So not
7 only are we looking at geographic locations, but
8 yes, we're looking at the design of home,
9 whether that's a single-story, split-level,
10 two-story, a mobile home community, a brand-new
11 constructed facility, a home that, you know, is
12 a farmstead, a variety of types and conditions.

13 So yes, we have looked at homes that are
14 two-story construction homes.

15 MR. DUNSETH: Thank you.

16 MR. WELBERS: Mr. Noll.

17 EXAMINATION

18 BY MR. NOLL:

19 Q. In the Nerad situation, the solar farm will cut
20 off access to 3 acres of property that they have
21 that is currently being farmed. Won't that
22 devalue their property?

23 A. I don't know if I can speak on that. I don't
24 know if you have an example of a home that has

1 sold in which access has been cut off. So I
2 could not say that that would impact it or not.
3 I would imagine that that would be a condition
4 that is independent of the presence of a solar
5 farm, but I would imagine that access being cut
6 off from a property would have an impact,
7 whether that's from the solar influence or some
8 other influence.

9 Q. It is because of the solar farm.

10 A. I would imagine that cutting off access to a
11 property, regardless of the reason behind the
12 cutting off access, would have an impact on that
13 property.

14 Q. Of the two properties that you mentioned that
15 you had looked at that were surrounded on three
16 sides, are they in this study?

17 A. I know that the Assembly Solar Farm is one of
18 the examples. I know that the Wapello Solar
19 Farm is another one of the examples. I believe
20 that Northstar is also an example. And I don't
21 see those as listed in the list of ten studies
22 that we included for this particular report.

23 I believe that we were focused more on
24 community-scale solar when we compared the

1 examples in this report. Those homes that were
2 surrounded on multiple sides were utility-scale
3 solar and a hundred megawatt, 200 megawatts, and
4 that's the reason why we didn't include them in
5 this compilation of studies. It wasn't to --
6 you know, we were more focused on the size of
7 the Ladd Solar and Ladd Solar 3, but we do have
8 examples of community -- or excuse me,
9 utility-scale solar projects that have solar
10 surrounding properties on all four sides that
11 were not included in this example.

12 Q. However, we cannot see and the Board cannot see
13 the actual layout of those properties --

14 A. I could provide those examples to --

15 Q. -- to see whether this were screened or not
16 screened or distances.

17 A. I could provide examples of those studies after
18 this meeting that would show the data for that
19 particular --

20 Q. Without those details, we can't tell whether
21 that's comparable to the Nerads' farm or not.

22 A. Off the top of my head, I don't know if there
23 are any studies that are included in this report
24 that are surrounded on four sides. I believe we

1 had examples that are included that are
2 surrounded on two sides. I just don't have the
3 data memorized.

4 And so I potentially could return at the
5 end of the evening, after reviewing the data,
6 and state if there are any examples in this
7 particular report that are surrounded on two
8 sides, if given some time to review all the work
9 in this report.

10 MR. WELBERS: One thing I'll caution is
11 that when two people talk at the same time,
12 Callie can't -- she can't get it.

13 MR. NOLL: Understand.

14 MR. WELBERS: So we've got to be careful
15 with that. Just a question, then answer the
16 question, that type of thing.

17 Go ahead, anything else?

18 MR. NOLL: No.

19 MR. WELBERS: Karen.

20 MS. NERAD: Karen Nerad.

21 EXAMINATION

22 BY MS. NERAD:

23 Q. As you just answered my husband's question that
24 there's no impact on property value, yes, there

1 is, and I'll tell you how there is. Because
2 Chris Noll just brought it up. Instead of
3 3 acres, it's 3 and a half acres, which the
4 Gillans farmed it, which no longer is farming
5 it.

6 MR. WELBERS: Karen.

7 MS. NERAD: Sorry.

8 MR. WELBERS: If you have a question -- it
9 sounds to me like that will be part of your
10 testimony, and you're certainly welcome to put
11 it into the record.

12 MS. NERAD: Sorry.

13 Q. (By Ms. Nerad:) So how can you say it's not
14 going to devalue the property of this field
15 right now?

16 A. I'm sorry, are you saying that because the
17 access is going to be restricted, that that is
18 going to impact the property value?

19 Q. I'm trying to direct this without --

20 MR. WELBERS: I guess you want to describe
21 and lay your foundation that you apparently have
22 some property that's somehow detached from the
23 rest of your land, the rest of your homestead?
24 And right now it's farmed in with the farm with

1 the Gillans?

2 MS. NERAD: Correct.

3 MR. WELBERS: But of course it won't be?

4 MS. NERAD: Correct. Because the solar
5 field is going to be right next to it. So how
6 can she say that it's not going to devalue that
7 property?

8 MR. WELBERS: I'm not sure that's what she
9 said when she answered it earlier. She --

10 Go ahead and answer it.

11 Q. (By Ms. Nerad:) Or no impact. I'm sorry. No
12 impact on the property value, is what you said?

13 MR. WELBERS: You probably weren't briefed
14 that there's a piece of land landlocked.

15 MS. BOWEN: I might have heard some
16 rumblings, but I did not review that particular
17 property in question, nor have I understood the
18 access or agreements or anything. So I can't
19 necessarily say with a definitive statement
20 whether or not that would impact.

21 I would imagine that a property that loses
22 access potentially could have been impacted, but
23 that's not necessarily unique to a solar -- the
24 presence of a solar farm versus a potential

1 other use of that site.

2 MR. WELBERS: Tim, you had a question?

3 MR. PRATT: I do.

4 EXAMINATION

5 BY MR. PRATT:

6 Q. Going back to -- and for those of us that don't
7 have a PowerPoint in front of us, it's hard for
8 us to follow along. So I apologize.

9 There's a 28-acre site that was mentioned
10 with a home on it. Do you know how far from the
11 nearest outside wall of that home to the solar
12 arrays, the distance was?

13 A. I don't have those specific numbers in front of
14 me, and I can present this PowerPoint to you,
15 but I believe it's within, I'm guessing, 300 to
16 500 feet at most.

17 Q. No, that's fine. I'm just, you know, looking
18 for a ballpark number.

19 A. I mean, there are -- the property in question
20 is situated on the northwest corner. So it's
21 not like it's smack dab in the middle of the
22 20-acre site. The home does -- is situated in
23 close proximity to the solar panels.

24 Q. But it does have a little bit of a setback

1 compared to --

2 A. There -- I could not tell you definitively what
3 the distance between the home is. The property
4 line to the solar panels is extremely close,
5 but --

6 Q. But one of the stipulations -- or one of the --
7 what do you call them -- the setback rules is
8 from the outside wall of the home. And you're
9 saying that's about 300 feet from this property
10 line?

11 A. I can't say definitively, but it is --

12 Q. Further than the 150 feet?

13 A. Potentially.

14 Q. Potentially, okay.

15 MR. WELBERS: Any other questions?

16 (No verbal response.)

17 MR. WELBERS: Does the Board have any
18 questions?

19 (No verbal response.)

20 MR. WELBERS: Okay.

21 MR. PLUTA: Sorry. I have --

22 MR. WELBERS: Redirect?

23 MR. PLUTA: Yeah. This will be quick.

24 EXAMINATION

1 BY MR. PLUTA:

2 Q. You heard some questions about whether or not
3 your study includes illustrations of houses that
4 are surrounded on three or four sides by solar
5 facilities; is that right?

6 A. There was a question on whether the data that
7 was presented in the general report includes
8 examples of homes that are surrounded on
9 multiple sides, and I said that I do not know
10 which of these particular examples that were
11 included in the study include examples of being
12 on multiple sides.

13 I do know that I have personally studied
14 examples of certain transactions that have been
15 surrounded on multiple sides. I just don't know
16 if those exist in those particular report.

17 Q. Thanks.

18 On Page 10 of your addendum, Adjacent
19 Property Value Impact Report. For the record,
20 this is a map of the proposed site of Ladd Solar
21 2 and 3, correct?

22 A. Yes.

23 Q. Okay. And the yellow illustrated portion is
24 Ladd Solar 2; is that correct?

1 A. Yes.

2 Q. And there's -- is there a home that's bordered
3 on two sides by the solar facilities?

4 A. There is, yes.

5 Q. Okay. But there's not a home that's bordered
6 on three or four sides?

7 A. No. There are -- for Ladd Solar 2 and Ladd
8 Solar 3, there are no homes that are surrounded
9 on three or four sides.

10 Q. Okay. Turning to your main report, I'm just
11 going to pull out an example. At Page -- I'm
12 sorry. I lost it.

13 Maybe I'll just ask it this way: Are
14 there examples in your report that illustrate
15 properties that are surrounded on two sides by
16 solar facilities?

17 A. I'm -- I believe so. I cannot say definitively
18 that this general impact report includes
19 examples of transactions on two sides. I
20 believe there is.

21 I would request some time to review the
22 particular examples that were included in this
23 report to say one way or the other. I do know
24 that my research in general has covered this

1 example. I just don't know if those examples
2 were included in this report itself.

3 MR. PLUTA: Okay. That's fine. Thank
4 you.

5 MR. WELBERS: Done with redirect?

6 MR. PLUTA: Yes.

7 MR. WELBERS: Connie.

8 MS. STETSON: Connie Stetson.

9 EXAMINATION

10 BY MS. STETSON:

11 Q. When you testified in Solar 3, one of the
12 first -- when you first got up there, you stated
13 that you had data for sites for houses that
14 surrounded four, three, two?

15 A. Yes.

16 Q. You said it all.

17 This report, which I don't have, you're
18 saying that none of that data states anything
19 for four, three or two? You don't know?

20 A. So my data -- my research covers over 40
21 existing solar facilities across the country in
22 a variety of geographic locations and
23 situations. I have included ten such examples
24 in this general report, which is over a hundred

1 pages. If I were to include all of my research,
2 the report would be, I'm assuming, well over 400
3 pages.

4 So while we provide the detailed examples
5 of the selection of the 40 studies that we have
6 done for this particular application with care,
7 provided for the size of the proposed project,
8 it does not include the entirety of the research
9 that we have performed.

10 So it's a selection of the total research.
11 Whereas, to include all the research would make
12 this report too cumbersome to review.

13 Q. But you can't identify which of the -- I don't
14 have your report. You can't identify which one
15 or two or three or four? You didn't identify --

16 A. I know off the top of my head examples of homes
17 that have sold surrounded by four sides, which
18 are extreme examples. I know those homes are
19 not included in this report. I do believe that
20 there may be examples of studies of homes that
21 were surrounded by two sides in this report. I
22 just don't have those particular examples
23 memorized, and I can't say for sure which
24 particular examples those may be.

1 But I do know that we have studied, you
2 know, more extreme examples and that there was
3 no negative impact to those particular examples.

4 Q. So you don't really have anything in that
5 report that would say --

6 A. I don't know --

7 Q. -- two sides, which apparently is this lady
8 right over here. I can't remember her name.

9 MR. WELBERS: Nerad.

10 Q. (By Ms. Stetson:) You don't know which one is
11 -- you can't actually say --

12 A. Not off the top of my head, but given a few
13 minutes to review the data, I could come back
14 and point out the specific examples. But I
15 don't know off the top of my head of all of
16 the -- I just don't have all of the data
17 memorized in my head, and it would just take a
18 couple of minutes for me to --

19 Q. But you're presenting this report with the
20 intent of the two-sided house -- two -- on two
21 sides of the house.

22 A. I know that I have studied specifically and I
23 am very familiar with examples of homes that
24 have sold surrounded by three or four sides in

1 which there's no impact. I do know that those
2 particular examples were excluded from this
3 report specifically, but I could provide those
4 examples if necessary.

5 I would like to provide examples of data
6 that exists within this report. I just don't
7 know what those examples are off the top of my
8 head.

9 Q. Well, I'm just thinking, like solar, it's kind
10 of like the wind thing too. People pull in a
11 driveway, they look around, they see that
12 there's wind or solar, and they pull out of the
13 driveway and then they call the realtor on the
14 way home --

15 MR. WELBERS: Do you have a question,
16 Connie?

17 Let's take a short break. Go ahead and
18 research your records. Let's take a short
19 break.

20 (A recess was taken at 8:59 p.m.
21 and proceedings resumed at
22 9:11 p.m.)

23 MR. WELBERS: The witness has reviewed her
24 information and can answer the questions. So

1 when everybody sits back down, we can do that.

2 I think we are ready.

3 MS. BOWEN: The question was, was there an
4 example of a home that was surrounded by two
5 sides of solar in the general report that was
6 submitted for evidence? No, there is not an
7 example in the general report that is submitted
8 for evidence of a home that was surrounded by
9 more than one side. However, as presented to
10 the Board, the PowerPoint presentation has an
11 example of the Assembly Solar Farm in Shiawassee
12 County that has a home that sold with solar on
13 four sides.

14 In addition to that, there are other
15 examples, like I mentioned the Wapello Solar
16 Farm in Iowa, that I researched personally that
17 had a home that sold with four sides surrounded
18 by solar and was not impacted by being
19 surrounded by solar.

20 MS. STETSON: Can I finish?

21 Q. (By Ms. Stetson:) So there's nothing in your
22 report that says two sides. So when Karen
23 stated that she can't get anybody to appraise
24 her house -- and you have no data to back that

1 two sides would possibly devalue her house, you
2 have no proof or nothing in that report; is that
3 correct?

4 A. I do have data, it does just not exist in this
5 report that was submitted for evidence. The
6 examples that were provided for this particular
7 report were chosen because they were similar in
8 size of the power plant, the mega wattage
9 output, as opposed to the examples that I just
10 provided that exist in my work file and have
11 been presented for evidence for other similar
12 hearings, including in the state of Illinois,
13 and I have testified on multiple times.

14 So the data exists, it just doesn't exist
15 in this particular report that was presented to
16 Bureau County.

17 Q. But you did go see the site?

18 A. I did go see the site.

19 Q. I knew that there was two sides of this house
20 that was going to be -- but you didn't have any
21 data to back it, that her property is going to
22 decrease because of that? You don't have data
23 in that packet to say yes or no?

24 A. I have data but, correct, it does not exist in

1 this packet.

2 MR. WELBERS: Other questions? Sue.

3 MS. PRATT: Sue Pratt.

4 EXAMINATION

5 BY MS. PRATT:

6 Q. I just want to ask you to clarify. When Karen
7 was saying part of her property that she has an
8 income on right now will be blocked, the
9 entrance will be blocked because of this solar
10 farm, do you have any -- I believe you said you
11 did, but I just want you to clarify. Do you
12 have any data that would actually coincide with
13 that, where you had that example where it would
14 be blocked?

15 A. I have not studied any examples of homes that
16 were -- had access blocked by the result of a
17 solar facility. But it's not necessarily a
18 function of the solar panels themselves blocking
19 the access. Anything that would block access
20 would potentially decrease the --

21 Q. I understand that, but nothing else is
22 potentially going to block access at this point.
23 So I was just curious if you had any examples
24 whether --

1 A. I have not studied --

2 Q. -- it's a solar facility or anything else that
3 was blocking?

4 A. I have not studied solar specifically that
5 blocks access to a property. In my experience
6 as an appraiser, any use that blocks access may
7 and might likely have an impact on another
8 property.

9 MR. WELBERS: Redirect?

10 MR. PLUTA: Yes.

11 EXAMINATION

12 BY MR. PLUTA:

13 Q. Okay. So let's talk about what's in your
14 report and what we mean when we say about what's
15 illustrated in your report.

16 So your report relies on a series of
17 buckets of findings; is that correct?

18 A. Yes.

19 Q. And so one bucket of findings is your review of
20 academic studies conducted by third parties who
21 have looked at issues relating to the price of
22 neighboring properties to solar farms; is that
23 correct?

24 A. Correct.

1 Q. And those studies include properties that are
2 bordered on one side and more than one side?
3 It's not exclusive to one side?

4 A. Correct.

5 Q. Okay. And then you looked at peer-authored
6 studies, and those studies are not restricted to
7 properties that are bordered on one side; is
8 that correct?

9 A. Correct.

10 Q. And then you looked at the CohnReznick group of
11 studies, and those would include properties that
12 are bordered by more than one -- on more than
13 one side; is that correct?

14 A. Correct. In the report itself, it does state
15 that we have performed 37 studies and I did say
16 40. I believe that since this was written,
17 we've increased that number from 37 to 40 and
18 that we have included ten of these studies in
19 this report.

20 So in this summary of our findings, it
21 does indicate that there are more studies that
22 we have conducted that were not included in this
23 report itself.

24 Q. Okay. And your conclusion, based on the sum

1 total of everything you looked at, was that
2 there -- the data did not indicate a consistent
3 negative impact on adjacent property based on
4 proximity to a solar farm; is that correct?

5 A. Correct.

6 Q. Okay. Behind your findings you have a more
7 detailed review of everything you looked at, the
8 appraisal values, and then a listing of example
9 techniques that you used to review paired sales
10 analysis solar farm studies; is that correct?

11 A. I'm sorry, can you ask that question again?

12 Q. Yeah. I'll ask in smaller chunks.

13 So behind your findings -- I'm kind of
14 referring off of the table of contents -- you
15 discussed the scope of your work; is that
16 correct?

17 A. Yes. So I think what you're asking is that the
18 letter of transmittal is the summation of the
19 larger report, and then the report itself goes
20 into detail. Is that what you're --

21 Q. Yeah.

22 A. -- describing? Okay.

23 Q. And following up on that, you also have at
24 least ten examples of paired sale analyses that

1 you did that inform parts of your conclusion; is
2 that correct?

3 A. Yes. We have included ten examples of the --
4 our larger body of work.

5 Q. Okay. But there's a larger body of work that
6 isn't reflected in the hundred-and-some page
7 packet?

8 A. Correct. There's a larger body of work that
9 exists outside of this hundred-page report.

10 Q. An example of that was in the PowerPoint
11 presentation that you testified to earlier,
12 correct?

13 A. Correct.

14 Q. And one of those examples is the county in
15 Wisconsin -- or in Michigan that's impossible
16 for me to pronounce?

17 A. Shiawassee.

18 Q. Shiawassee.

19 And that is an example of a CohnReznick
20 study that was specifically around a property
21 that was bordered by three sides by a solar
22 facility?

23 A. Bordered by four sides, yes. That was an
24 example of another study that was not included

1 in this report but exists in our work file and
2 is one of the numerous other studies that we
3 have completed that has a home surrounded by
4 four sides of solar.

5 Q. And could you remind me of what the property
6 value impact was?

7 A. So that home sold in September of 2021 for
8 \$321,999, or \$173.96 cents.

9 We identified seven controlled sales that
10 were similar in size, type of construction, age,
11 and sold within a similar time frame and similar
12 location removed from the solar farm. Those
13 seven controlled sales that were not near a
14 solar farm sold for a median price per square
15 foot of \$164.90, indicating the delta between
16 the test sale that sold surrounded by four sides
17 and the controlled sales was approximately
18 5.49 percent; that it sold higher than the
19 controlled sales by 5.49 percent.

20 MR. PLUTA: Okay. I don't know if we
21 formally asked for the PowerPoint presentation
22 to be admitted into evidence, but I think that's
23 appropriate.

24 MS. DONARSKI: I marked it as an exhibit.

1 MR. PLUTA: Oh, okay.

2 MS. DONARSKI: When she handed it out, I
3 marked it as an exhibit.

4 MR. PLUTA: Okay. Great.

5 Q. (By Mr. Pluta:) So to round everything out,
6 based on your knowledge of looking at this
7 particular property that's -- has solar on two
8 sides, and in your professional opinion in your
9 sworn testimony today, knowing what you know
10 about that property versus all the experience
11 you have with properties that are surrounded on
12 two or more sides, would you expect there to be
13 a negative impact in the property value of that
14 home?

15 A. So you're talking about the home that's next to
16 the proposed Ladd Solar 2 project that will be
17 surrounded on two sides and relate that to all
18 of my expertise and knowledge of existing solar?
19 No, I do not feel that the home next to the Ladd
20 Solar 2 facility will be impacted by solar on
21 two sides, based off of my expertise on studying
22 homes surrounded by solar on two, three and four
23 sides.

24 MR. PLUTA: Okay.

1 MR. WELBERS: Good?

2 MR. PLUTA: Yes.

3 MR. WELBERS: Questions, Connie.

4 MS. STETSON: Connie Stetson.

5 EXAMINATION

6 BY MS. STETSON:

7 Q. Are we comparing apples to apples on these
8 houses? Because a rural house usually has some
9 type of acreage or outbuildings. So are those
10 considered into that price?

11 A. Yes, ma'am. We consider types of homes. We
12 are looking at apples to apples. So yes, we're
13 looking at if a home sells with farm buildings,
14 outbuildings or more than one structure. We're
15 comparing it to similar homes on similar
16 acreage, with similar outbuildings or farm
17 buildings that may have contributory value to
18 the property in addition to the single-family
19 residence.

20 Q. So do you know what the acres were on that?
21 Like the house with the solar, how many acres
22 was with it and how many outbuildings?

23 A. That particular home sat on 20 acres and it had
24 multiple farm structures, and so did the

1 controlled sales. They sold on similar-sized
2 lots and had similar farm buildings and
3 outbuildings.

4 Q. The buildings, some outbuildings on some farms
5 are a little in disrepair. You're talking
6 apples to apples here?

7 A. Yes, we are. And as an appraiser who, you
8 know, does this for a living, we make sure to
9 compare like to like, apples to apples, similar
10 to similar.

11 We are looking at what a buyer is looking
12 at. If they are looking to buy a single-family
13 residence in a suburban neighborhood, we are
14 looking at other suburban neighborhoods and
15 similar properties. If they are looking to buy
16 a farm structure -- or excuse me, a farmstead
17 with farm structures on it, on acreage, then we
18 are looking at other large-acre lots with
19 similar farm buildings and outbuildings.

20 Q. Because, you know, apples to apples --

21 A. Yes.

22 Q. -- it's kind of hard to find 20 acres here that
23 looks like 20 acres here. That's all I'm
24 saying. I think that would be very difficult to

1 find.

2 A. Yes, we do make sure that we're looking at
3 apples to apples.

4 MR. WELBERS: Mr. Noll.

5 EXAMINATION

6 BY MR. NOLL:

7 Q. Do you know how this new owner has access to
8 this property with solar panels on four sides?

9 A. So the home under question has frontage to a
10 road, and then across the road is solar panels.
11 So it is -- has access to a road, and then on
12 the other side of the road within, I believe, a
13 hundred feet are solar panels.

14 So it is surrounded on three sides of
15 property lines, with no roads in between, but on
16 one of the sides there is a road for access.

17 MR. WELBERS: Any other questions?

18 (No verbal response.)

19 MR. WELBERS: Board?

20 (No verbal response.)

21 MR. WELBERS: I believe you can sit down.

22 Do you have any other evidence to present
23 in Ladd Solar 2?

24 MR. PLUTA: No. We're ready to rest on

1 Ladd Solar 2.

2 MR. WELBERS: So what would be our next
3 step?

4 MS. DONARSKI: Let me think for a second.
5 So it's their case. So then we would
6 start, you know, with concerned citizens.

7 MS. WELBERS: Concerned citizens.

8 MS. DONARSKI: Yeah, with some of the
9 witnesses.

10 But I did have a question but it wasn't
11 for Ladd 3. I was going to ask you if you had
12 any agreements -- landscape agreements with
13 Ladd 2?

14 MR. PLUTA: We're in a discussion with the
15 landowner. We have a tentative plan, but
16 cooperating with that landowner, they just ask
17 that we continue working with them.

18 MS. DONARSKI: Okay.

19 MR. WELBERS: Is that the end of those
20 questions?

21 MS. DONARSKI: Yeah, that was my only
22 question.

23 MR. WELBERS: Do we have a list of
24 witnesses that would like to testify?

1 MS. DONARSKI: We do have people over
2 here.

3 MR. WELBERS: How do we determine who's
4 first.

5 MS. DONARSKI: We would pick someone.

6 MS. NEMETH: We have one on the list.

7 MR. PLUTA: Well, there's another.

8 MS. NEMETH: Oh, there's another sheet?

9 MR. PLUTA: Yeah.

10 MR. WELBERS: Frank, if you would like to
11 come up and start, go ahead.

12 MR. PLUTA: Are we separating this by Ladd
13 Solar 2 and Ladd Solar 3?

14 MR. WELBERS: Well, unfortunately, I guess
15 we are. It's kind of my hope that we can
16 ultimately do something similar to what we did,
17 rather than make these people ask all the
18 questions over and over. But we're advised that
19 we are to handle them in separate cases. It
20 seems a little burdensome, but that's what we're
21 advised to do.

22 State your name and address -- well, first
23 she's going to swear you in.

24 FRANK CATTANI,

1 being first duly sworn, testified as follows:

2 MS. NEMETH: Now state your name and
3 address for the record, please.

4 MR. CATTANI: Ladd Village President Frank
5 Cattani.

6 MS. NEMETH: Spell Cattani for me.

7 MR. CATTANI: C-A-T-T-A-N-I. 303 Eastern
8 Avenue, Ladd, Illinois, 61329.

9 MR. WELBERS: We are ready, Frank. Go
10 ahead.

11 MR. CATTANI: Ladd was brought into this
12 because of the proximity of the project, being
13 within a mile and a half of Ladd and as close as
14 a half a mile from Ladd. Our Village Council
15 was presented with all this and had a unanimous
16 vote to veto it.

17 We were also supported by Sue Rezin's
18 concerns that she wished to express, and this is
19 in regards to both solar projects.

20 EXAMINATION

21 BY MR. WELBERS:

22 Q. So if I understand what you're saying, which is
23 to veto it, basically you are, in your capacity
24 as Village President and an unanimous vote from

1 your Village Board, asking us, with respect to
2 the Variation, not to grant the Variation
3 because you want the Zoning Ordinance upheld as
4 it's written, which requires a mile and a half
5 setback?

6 A. Correct.

7 Q. That's your vote. That's the vote of your
8 Council. And you did say that you mean it on
9 both cases. Currently we're talking about Ladd
10 Solar 2 right now, but, in fact, when Ladd Solar
11 3 comes up, you would expect to make the same
12 testimony?

13 A. Exactly.

14 MR. WELBERS: And you have submitted this
15 letter from State Senator Sue Rezin, which I
16 guess one of us can read into the record if we
17 want to.

18 So that's your testimony?

19 MR. CATTANI: That's it.

20 MR. WELBERS: Short and sweet. Let's see
21 if there's questions. Now you're subject to
22 cross-examination.

23 MR. CATTANI: I understand that. Been
24 there before.

1 MR. WELBERS: Do you have questions of
2 Village President Cattani?

3 MS. DONARSKI: I do.

4 EXAMINATION

5 BY MS. DONARSKI:

6 Q. So, Mayor Cattani, is it true that when the
7 Zoning -- when you received the initial letter
8 from the Zoning Office in regards to this matter
9 that you responded that the Village has no
10 objection to the above application?

11 A. Correct.

12 Q. Okay. So that was the first response that we
13 received. The second -- so when you said then
14 the Board met again --

15 A. Right.

16 Q. -- then to reconsider?

17 A. Yes. We rescinded our vote.

18 Q. Okay.

19 A. We had -- originally we were kind of caught off
20 guard on it and not informed fully what it
21 entailed and, as far as that goes, even the
22 location, just not realizing how close it was,
23 and that basically changed everybody's mind.

24 MS. DONARSKI: Okay. That was a long time

1 ago that we read that letter into the record.

2 So I --

3 MR. WELBERS: It was.

4 MS. DONARSKI: -- from the Village.

5 I think it said -- did it not say

6 something --

7 Barry, could you read that again so we can

8 see exactly what the Village put on there?

9 MR. WELBERS: Let's find the letter. I
10 need your help, Cecilia.

11 MR. GRANDON: I've got it right here.

12 MS. NEMETH: Thank you, Reuben.

13 MR. WELBERS: Okay. The letter starts

14 off:

15 Kris -- meaning to our Zoning Enforcement
16 Officer --

17 The Village Council requested to
18 rescind their prior "no objection" and
19 file an objection with the reasons stated
20 below. Please let me know if I need to
21 complete the original forms we received to
22 show the change from the Village meeting
23 of July 23rd, '24. Thanks so much.
24 And it starts out:

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Dear Ladies and Gentlemen,

The Village of Ladd Trustees request to rescind their prior "no objection" response from the July 9th, 2024, meeting that was filed via United States Postal Service on July 10th, 2024, for Ladd Solar 2, LLC, and Ladd Solar 3, LLC. As of the July 23rd, 2024, meeting they wish to file letter D, in parentheses, Our municipality objects to Ladd Solar 2, LLC, and Ladd Solar 3, LLC's, applications for the following reasons:

The Village Council feels that they were not provided enough information to make an informed decision;

They have concerns for the health and welfare of the Village of Ladd residents;

There are unknown environmental impacts;

They are not comfortable with Ladd solar panels one-half mile from Ladd corporate village limits, which is an industrial development area in Ladd.

In Totidem Verbis, LLC (ITV)
815.453.2260

In Totidem Verbis, LLC (ITV)

1 There are concerns with the pile
2 driving to erect the racks that hold the
3 solar panels, since Ladd is located over
4 the Illinois Third Vein Coal Company mine
5 shafts;

6 Concerns of electromagnetic fields
7 elevating the risk of fire.

8 As of the Tuesday, July 23rd, '24,
9 meeting, Cattani asked the Council if they
10 felt, after hearing all the farmers'
11 concerns that were in attendance tonight,
12 if they felt that they wanted to rescind
13 their vote of "no objection" from July
14 9th, 2024, meeting -- from the July 9th,
15 2024, meeting.

16 Janice Martin motioned; Brad
17 Nicholson seconded to rescind the prior
18 "no objection" filed on July 9th, 2024,
19 for Ladd Solar 2, LLC, and Ladd Solar 3,
20 LLC, and to file an objection to be filed
21 on July 23rd, 2024, for Ladd Solar 2, LLC,
22 and Ladd Solar 3, LLC, projects for
23 reasons to be outlined on information that
24 will be provided to the Bureau County

1 Zoning Board of Appeals.

2 All in favor of that motion. The
3 ayes, it says, Dave Margherio, Janice
4 Martin, Brad Nicholson, Andrew Ruggiero,
5 Molly Thrasher.

6 Motion carried.

7 Absent, Dan Nelson.

8 Thank you for allowing the Village to
9 investigate and determine through
10 additional information the best decision
11 for the Village of Ladd.

12 And it's signed by the Ladd Village
13 Trustees, all of them, Janice Martin, Dave
14 Margherio, Dan Nelson, Brad Nicholson, Andy
15 Ruggiero, Molly Thrasher, and ultimately signed
16 by Rhonda Bezeley, the Village Clerk.

17 That's the letter I read in.

18 MS. DONARSKI: Okay. Thank you.

19 Q. (By Ms. Donarski:) So my question is -- I kind
20 of took notes on that. You kind of listed a
21 half a dozen areas that the Village Council had
22 concerns in.

23 Is there anything specific on each of
24 those areas that you would like to put into the

1 record?

2 Like the first one, you were not provided
3 enough information. Do you have anything to add
4 about that or to say anything about that?

5 A. No, huh-uh.

6 Q. How about health and welfare concerns for the
7 citizens in Ladd? What were those?

8 A. Well, like I say, we were concerned about the
9 possible chemical spill out of these if there
10 was damage due to a storm.

11 And Ladd's downhill from this project.
12 Any contaminants that hit that soil could
13 possibly affect our Village.

14 Q. Okay.

15 A. And again encroaching on our limits.

16 Q. Okay. And then how about environmental
17 impacts?

18 A. Pretty much the concern of the soil conditions
19 after all this stabilization of the soil and
20 everything else.

21 Q. Okay. And you're concerned about it negatively
22 impacting your industrial development areas?

23 A. Correct. Correct.

24 Q. And how -- I mean, do you want to expound on

1 this?

2 A. It's coming in within a half a mile of the
3 Village limits, and that would be our industrial
4 expansion area there if we were to go that way.

5 Q. And how about the mine shaft, the impacts of
6 the mine shaft by pile drivers?

7 A. Possibly. That was one of the items brought
8 up. Can I verify it would happen? I don't
9 know. I don't know.

10 Q. Now, are those mine shafts, can you explain to
11 the Board and those who don't know, how are they
12 in proximity to the Village of Ladd?

13 A. They're deep. They're deep.

14 Q. They're underneath the village?

15 A. Correct. And there's no open shafts. They
16 have all been sealed. But that mine protrudes
17 laterally. But they're deep. I can't say
18 something would happen there.

19 Q. What about fire risk?

20 A. Again, that was it too, whether our fire
21 department was prepared to handle a situation
22 from that. I mean, I don't know if everybody is
23 aware, but our fire districts are deteriorating.
24 I mean, we are going to lose -- Seatonville is

1 helping with the protection. Right now, if
2 there's a fire in Ladd, we've got three guys
3 that respond. How prepared they would be, I
4 don't know.

5 Q. So there's -- is there anything else you want
6 to share with the Board's feelings on that, or
7 does that pretty much sum it up?

8 A. That's pretty much it.

9 MS. DONARSKI: Okay. Thank you very much.

10 MR. WELBERS: Do you have questions?

11 MR. GRANDON: (Shakes head.)

12 MR. WELBERS: Questions?

13 MR. PLUTA: Yeah, just a few.

14 MR. WELBERS: Would you like to do them
15 now or do you want to see if there's others with
16 questions?

17 MR. PLUTA: I can go last.

18 MR. WELBERS: Questions, Connie?

19 EXAMINATION

20 BY MS. STETSON:

21 Q. Is it a volunteer fire department?

22 A. Uh-huh.

23 Q. So if they're away, you may have one?

24 A. Two of the firemen are Village employees. So

1 if we have a water break, we've got two firemen
2 gone, we really have a situation.

3 MR. WELBERS: Other questions? Pam.

4 EXAMINATION

5 BY MR. FLAHERTY:

6 Q. How, with the fire department being volunteer,
7 would it impact the Village for having to pay
8 for any additional equipment if there were a
9 fire out there?

10 A. I'm not aware of what it would take to control
11 a fire.

12 Q. Could the solar company pay for it?

13 MR. WELBERS: Other questions?

14 (No verbal response.)

15 MR. WELBERS: Board, questions?

16 (No verbal response.)

17 MR. WELBERS: I guess we're ready for you.

18 EXAMINATION

19 BY MR. PLUTA:

20 Q. I'm asking the following questions based on the
21 Village Board's decision to rescind and to state
22 its objection to the project. And so the
23 questions I'm asking are about what you heard at
24 your hearing where you made your decision.

1 You talked about a series of concerns
2 relating to health and safety and environmental
3 concerns. Was there testimony taken at that
4 hearing where an expert came in and said, Here
5 are the environmental or health and safety
6 issues with solar facilities?

7 A. No.

8 Q. You mentioned a concern about the fire
9 district. Did you know that in the course of
10 preparing for this project that Ladd Solar
11 reached out to Chief BJ Liebe and talked to him
12 about the solar project?

13 A. Yeah, I am aware of that.

14 Q. Did Mr. Liebe -- or Chief Liebe say that there
15 was a concern with the project?

16 A. Not directly, no.

17 Q. Okay. You mentioned that it's an industrial
18 expansion corridor. Are there any current or
19 proposed plans to expand industrial -- an
20 industrial corridor in that section?

21 A. We're trying.

22 Q. Okay.

23 A. Every little town is trying, just to survive.

24 Q. Sure.

1 We're in a zoned county, correct?

2 A. Pardon me?

3 Q. The county we're in, Bureau County, is it
4 zoned?

5 A. Is it zoned?

6 Q. Yeah.

7 A. Industrial or what?

8 Q. Does the County have zoning?

9 A. Yeah, the County has got zoning.

10 Q. Okay. So the Village of Ladd does not have
11 extraterritorial zoning privileges, does it?

12 A. I don't believe so.

13 MR. PLUTA: Okay. Thank you. That's it.

14 MR. WELBERS: Yes.

15 EXAMINATION

16 BY MS. DONARSKI:

17 Q. I just wanted to ask for the record to clarify,
18 does the Village of Ladd have their own zoning?

19 A. Yes. We have industrial and residential, sure.

20 Q. So you control all the uses and the zoning and
21 all the building permits within the Village
22 limits?

23 A. Yes.

24 MS. DONARSKI: Okay. So they do have

1 their own zoning.

2 MR. PLUTA: Yeah. I was getting at
3 beyond --

4 MS. DONARSKI: I know. I'm just -- okay.

5 MR. PLUTA: That's it for me.

6 MR. WELBERS: Go ahead, Tim.

7 EXAMINATION

8 BY MR. PRATT:

9 Q. A question came up from Sean about whether or
10 not you had experts come in to talk about, you
11 know, any of the things, your concerns, and you
12 answered no, that you did not.

13 My question is, did you have much
14 communication at all with GreenKey before you
15 made any of your decisions?

16 A. No.

17 Q. Did they come in? Did they offer you experts?

18 A. No.

19 Q. Did -- were they -- did they seem transparent?
20 I mean, did you know much at all as far as --
21 did they contact you at all before you made your
22 decision?

23 A. No, they didn't.

24 Q. It sounds like most of your concerns are about

1 health and welfare of the Village?

2 A. Correct, uh-huh.

3 MR. PRATT: That's my only questions.

4 Just wanted to verify that.

5 MR. WELBERS: Any other questions for
6 Village President Cattani?

7 EXAMINATION

8 BY MR. JENSEN:

9 Q. So you're saying that they did not reach out to
10 you before you voted?

11 A. No, huh-uh.

12 Q. Do you think that --

13 A. We received the letter like four or five days
14 before the Council meeting.

15 Q. If you had these concerns, do you think you
16 could have reached out to them before you voted?
17 Tabled the vote?

18 A. I don't think there was a question at the time.
19 You know, we're seeing them going up all in the
20 areas, and I don't think there was much of a
21 concern at the time. And not realizing how
22 close it was to the Village limits, then it was
23 presented to us that, Hey, this is how close
24 it's going to be.

1 And these are our concerns. You know, it
2 was quite a presentation that we received after
3 the fact. That's what changed the Council's
4 mind.

5 Q. Do you think that maybe next time a little
6 homework could be involved before you make such
7 a vote?

8 A. I think so. But, I mean, it was -- we were
9 made aware that the Village President of Cherry
10 signed right off on them. I mean, no
11 hesitation. Well, you know, it's possibly all
12 right. And then we were brought the facts.

13 So you have never been blind-sided by
14 anything like this ever before? No?
15 That's obviously no.

16 Q. I'm trying to think how to word this. I would
17 think -- your question, no. But I would think
18 that if something that important would come into
19 play, that before I would vote I would have
20 my --

21 A. I don't think we realized the importance of
22 this, as simple as that.

23 Q. What did you say?

24 A. Simple as that, I don't think we realized the

1 importance of it.

2 MS. SMITH: They didn't realize the
3 importance of it.

4 MR. JENSEN: That's all I got.

5 MR. WELBERS: Tim.

6 EXAMINATION

7 BY MR. PRATT:

8 Q. Mr. Cattani, how much time from the time that
9 the Village received a letter, I'm assuming from
10 the zoning office --

11 A. That's what I say. We received it about four
12 days before our Council meeting.

13 Q. So how much time did you have to, you know,
14 reach out to anybody?

15 A. We didn't. We didn't have time. Put it on the
16 agenda as soon as we received the letter, and
17 that's where it went.

18 Our meetings are two weeks apart. So we
19 try to accomplish what we can in that short a
20 period. Granted, we should probably have more
21 Council meetings, but try to get somebody to sit
22 on that Council is tough enough when you are
23 going to involve four nights a month. There's
24 enough things that get put on the back burner.

1 MR. WELBERS: Another question, Pam?

2 MS. FLAHERTY: Yes. Pam Flaherty.

3 EXAMINATION

4 BY MS. FLAHERTY:

5 Q. I believe, Frank, that the Village of Ladd is
6 like the fifth fastest growing village right now
7 in Illinois. So another -- is that part of why
8 it feels like Ladd should not give up --

9 A. That's one of it. We're trying constantly to
10 bring in more industry. And you can't believe
11 the people we've got working on this, and I'm
12 quite proud of them. They are doing a darn good
13 job and spending a lot of time doing it.

14 MS. FLAHERTY: Thank you.

15 MR. WELBERS: Any other questions?

16 MS. SMITH: I have one.

17 MR. WELBERS: Shirley Ann.

18 EXAMINATION

19 BY MS. SMITH:

20 Q. Does the Village have an attorney?

21 A. Yeah.

22 Q. Were they consulted, had an opportunity to
23 consult them?

24 A. No. At the time, it wasn't on the agenda and

1 went right to the meeting. I don't think it was
2 even brought up to the attorney. We just put it
3 on the agenda and we addressed it.

4 Now, when it got rescinded, there was a
5 lot of conversation with our attorney and come
6 to find his feelings, too, on that. Then, like
7 I say, everything hit how negative it could be
8 at the time.

9 MS. SMITH: Thank you.

10 EXAMINATION

11 BY MR. WELBERS:

12 Q. Your attorney advised you that you were within
13 your rights to rescind the prior vote?

14 A. Correct. Correct. For that reason, basically
15 for the proximity of the project and proximity
16 to Ladd.

17 Q. And that was all -- am I correct that the
18 objection for the original "no objection" and
19 then the objection, that was still all prior to
20 our first meeting on this matter, wasn't it?

21 MS. DONARSKI: That is correct.

22 Q. (By Mr. Welbers:) It was all done prior to our
23 first public meeting began. So it didn't change
24 while we were here?

1 A. Correct.

2 MR. WELBERS: Any other questions?

3 (No verbal response.)

4 MR. WELBERS: Thank you, Mayor Cattani.

5 MR. CATTANI: Thank you.

6 MR. WELBERS: Shall we try another one at
7 this hour or are we close enough?

8 MR. PLUTA: I'm also happy to -- I know
9 that we're going to have -- we're doing this for
10 one of the projects, and then when we start the
11 second one we're going to say that we are
12 comfortable adopting the questions and answers.

13 MR. WELBERS: I hope that we can do that,
14 yes.

15 MR. PLUTA: I'm comfortable doing that.

16 The Mayor of Ladd, you're welcome to come
17 back next time.

18 But if it's simpler for everybody to say
19 that we are comfortable with his testimony being
20 adopted in the next proceeding, I'm
21 comfortable --

22 MR. WELBERS: You are stipulating that his
23 testimony is acceptable for our next hearing --

24 MR. PLUTA: Yes.

1 MR. WELBERS: -- when we get back to Ladd
2 Solar 3?

3 MR. PLUTA: Yes.

4 MR. WELBERS: Without questions, it's
5 admitted in the record, as far as you're
6 concerned?

7 MR. PLUTA: Yes.

8 MR. WELBERS: Just for the record, I will
9 move to accept that also.

10 Is there a second from our members to
11 accept?

12 MS. SMITH: I'll second that.

13 MR. WELBERS: Is everyone in favor of
14 that?

15 (All those simultaneously
16 responded.)

17 MR. WELBERS: Mayor, you covered both
18 cases then tonight.

19 MR. CATTANI: Thank you.

20 MR. WELBERS: And our court reporter has
21 it.

22 So shall I read Senator Rezin's letter
23 into the record?

24 MS. DONARSKI: Sure.

1 MR. WELBERS: As you know, Mayor Cattani
2 delivered this letter from State Senator Sue
3 Rezin, Deputy Minority Leader, State Senator
4 38th District, represents Ladd.

5 Dear Members of the Bureau County
6 Board:

7 I'm writing to express my concerns
8 about the proposed 68-acre solar farm on
9 Illinois Route 89. As a member of the
10 Energy and Public Utilities Committee in
11 the Illinois Senate, I understand the
12 importance -- the important role of solar
13 farm play -- the important role solar
14 farms play in the State's portfolio.
15 However, I'm also an advocate for our area
16 farmers.

17 It was mentioned that the Ladd
18 Village -- at the Ladd Village Board
19 meeting that farmers were concerned about
20 the effects it would have on their land,
21 whether that be soil erosion, compaction
22 or issues with water drainage. All these
23 concerns should be considered before
24 making any significant decisions that will

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1 have an impact.

2 This is one of the key reasons why I
3 took a stand on the senate floor against
4 the lame duck legislation that has
5 severely restricted the authority of local
6 officials like yourselves. I understand
7 the challenging position you have been put
8 in due to the short-sided vote in the
9 General Assembly, but I urge you to oppose
10 this proposal and collaborate with local
11 stakeholders to identify a more suitable
12 location for the solar farms.

13 Sincerely, Sue Rezin, Deputy Minority
14 Leader for the 38th District.

15 That's what Senator Rezin has to say. Of
16 course she's not here to cross-examine. So it's
17 just read into the record.

18 We probably -- by the time -- I think
19 we're pretty close. We wouldn't get another
20 witness in and cross-examination --

21 MS. DONARSKI: No.

22 MR. WELBERS: -- in at this late hour. So
23 are we going to --

24 MS. DONARSKI: Recess.

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MR. WELBERS: -- recess this one until --
when are we recessing this one?

MS. DONARSKI: Until September 26th at
7:00 p.m.

MR. WELBERS: Okay. So we'll pick back up
on this one, and then copy the record from the
other one. Maybe we can conclude it.

So with that said, thanks everybody for
coming. I guess we can get on to the testimony
at that time. Adjourned -- recessed.

(The hearing was recessed at
9:53 p.m.)

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Now on this 16th day of September, A.D., 2024,
I do signify that the foregoing testimony was given
before the Bureau County Zoning Board of Appeals.

Barry Welbers, Chairman

Kristine Donarski,
Zoning Enforcement Officer

Callie S. Bodmer

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