

1 STATE OF ILLINOIS )  
 ) SS  
2 COUNTY OF LEE )

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5 In the Matter of the Petition

6 of

7 Eldena Solar, LLC

8 Lee County, Illinois

9

10

11 Testimony of Witnesses  
12 Produced, Sworn and  
13 Examined on this 6th day  
14 of August, A.D., 2020,  
before the Lee County  
Zoning Board of Appeals

15 Present:

16 Craig Buhrow

Mike Pratt

17 Gene Bothe

Rex Meyer

18 Glen Hughes

Bruce Forster, Chairman

19

Alice Henkel, Secretary

20 Dee Duffy, Zoning Enforcement Officer

21

22 Honorable Judge Tim Slavin, Facilitator

23

24

1 APPEARANCES:

2 LEE COUNTY STATE'S ATTORNEY CHARLES BOONSTRA  
3 of the Lee County State's Attorney's Office  
4 309 South Galena Avenue, Suite 300  
5 Dixon, Illinois 61021

Counsel for the County.

6 ATTORNEY COURTNEY KENNEDY  
7 of the firm of Ehrmann, Gehlbach, Badger &  
8 Considine  
9 215 East First Street, Suite 100  
10 Dixon, Illinois 61021

Counsel for the Applicant.

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1           MR. FORSTER: It's 7 o'clock now. So with  
2 that, I'd like to call to order the Thursday,  
3 August 6th, 2020 meeting of the Lee County Zoning  
4 Board of Appeals.

5           Would you call the roll, please?

6           MS. DUFFY: Can you hang on for just a  
7 moment, Chairman?

8           MR. FORSTER: What's that?

9           MS. DUFFY: Can you hang on for just a  
10 moment?

11          MR. FORSTER: Sure.

12          MS. DUFFY: We want to get YouTube going.

13                               (Whereupon, a conversation was  
14                               had off the record.)

15          MR. FORSTER: Okay. Start over?

16          MS. DUFFY: Sure.

17          MR. FORSTER: Okay. I'd like to call to  
18 order the Lee County Zoning Board of Appeals  
19 Thursday, August 6th, 2020 meeting.

20          Would you call the roll, please?

21          MS. HENKEL: Bruce Forster?

22          MR. FORSTER: Here.

23          MS. HENKEL: Craig Buhrow?

24          MR. BUHROW: Here.

1 MS. HENKEL: Mike Pratt?

2 MR. PRATT: Here.

3 MS. HENKEL: Gene Bothe?

4 MR. BOTHE: Here.

5 MS. HENKEL: Glen Hughes?

6 MR. HUGHES: Here.

7 MS. HENKEL: Rex Meyer?

8 MR. MEYER: Here.

9 MR. FORSTER: Good job.

10 Next we need the approval of the minutes.

11 Can I have a motion?

12 MR. HUGHES: So moved.

13 MR. BOTHE: Second.

14 MR. FORSTER: I have a motion to approve  
15 the minutes of the last meeting.

16 MR. BOTHE: Second.

17 MR. FORSTER: You mean you want everybody  
18 to hear me?

19 MS. DUFFY: Sure.

20 MR. FORSTER: We have a motion. Do we  
21 have a second?

22 MR. BOTHE: Second.

23 MR. FORSTER: We have a motion and a  
24 second. Any commentary?

1 (No verbal response.)

2 MR. FORSTER: Hearing none. All in favor  
3 say aye.

4 (All those simultaneously  
5 responded.)

6 MR. FORSTER: All opposed?

7 (No verbal response.)

8 MR. FORSTER: Motion carries.

9 The next thing is a motion to adjourn the  
10 previous meeting pursuant to the County Board's  
11 approval of Petition No. 20-P-1552. Do I hear a  
12 motion to adjourn?

13 MR. HUGHES: So moved.

14 MR. PRATT: Second.

15 MR. FORSTER: Glen motions; Mike seconds.  
16 All in favor say aye.

17 (All those simultaneously  
18 responded.)

19 MR. FORSTER: All opposed?

20 (No verbal response.)

21 MR. FORSTER: Motion carries.

22 New business.

23 (Whereupon, new business was  
24 heard.)

1           MR. FORSTER: The next petition of the  
2 evening, we're going to use a moderator for the --  
3 for the meeting, and that will be Retired Judge  
4 Slavin. But in the meantime, I'm going to read the  
5 petition. It's Petition 20-P-1554. Petitioner is  
6 Eldena Solar, LLC. Permit Parcels No.  
7 18-08-25-400-010; 18-08-24-100-002;  
8 18-08-25-400-009; 18-08-25-100-003;  
9 18-08-25-200-002; 18-08-24-400-001;  
10 18-08-24-400-002; 18-08-25-200-003;  
11 18-08-24-300-005; 18-08-24-300-006; and  
12 14-09-30-300-001; 14-09-19-300-001; and  
13 14-09-30-100-002; South Dixon and Nachusa Townships  
14 Petition for a Special Use Zoning for a solar energy  
15 system. And with that, I'd like to turn it over  
16 to --

17           MR. HUGHES: You probably need to make a  
18 motion.

19           MR. FORSTER: Oh, we have to make a motion  
20 that -- we need a motion from the Board to turn the  
21 moderator over to Judge Slavin.

22           JUDGE SLAVIN: Facilitator.

23           MR. FORSTER: Facilitator. Pardon me.  
24 I'll get the right word.

1 MR. HUGHES: I would so move.

2 MR. FORSTER: We have a motion to turn it  
3 over to the facilitator. Do we have a second?

4 MR. BUHROW: Second.

5 MR. FORSTER: Craig seconds. Any  
6 comments?

7 (No verbal response.)

8 MR. FORSTER: All in favor say aye.

9 (All those simultaneously  
10 responded.)

11 MR. FORSTER: All opposed?

12 (No verbal response.)

13 MR. FORSTER: Your turn.

14 JUDGE SLAVIN: Thank you, Mr. Chairman,  
15 and members of the Lee County ZBA.

16 Welcome. Good evening, everyone. I hope  
17 everyone is healthy and remaining safe. My name is  
18 Tim Slavin, and I am a retired circuit judge engaged  
19 now as an independent contractor to what is called  
20 "facilitate" this hearing. I have no adjudicatory  
21 responsibilities. I am not for or against any  
22 particular position. I am a neutral. I am here,  
23 hopefully, to add some organization, efficiency, and  
24 flow to these proceedings.



1           Indeed, as Chairman Forster indicated,  
2 this is Eldena Solar, LLC's petition. Lee County  
3 20-P-1554 for a Special Use Permit as part of a  
4 proposed solar energy system, sometimes referred to  
5 as an SES, on 1280 acres. 1,280 acres, not as the  
6 apparent rumor goes, some 4,000 acres. As shown by  
7 certificates of publication, notice of this hearing  
8 was published in the Dixon Telegraph on July 14th,  
9 2020, and the Amboy News on July 15th, 2020.  
10 Notices to adjoining property owners have been  
11 provided.

12           First of all, hoping you understand,  
13 tonight's Zoning Board of Appeals session may be  
14 organizational only as it depends on how much time  
15 we take getting through the preliminaries as we set  
16 some ground rules, and, quite frankly, test out the  
17 technical and practical protocols we have planned to  
18 accommodate everyone but keeping everyone reasonably  
19 safe at the same time.

20           After I finish these opening remarks, we  
21 will try to set out dates for the next few  
22 substantive sessions.

23           Initially, because of the unique  
24 circumstances visited upon us in 2020, courtesy of

1 COVID-19, all in attendance this evening and at  
2 future sessions, are required to wear masks, and the  
3 hearing and rear conference rooms have been arranged  
4 so that the seats are at least six feet apart. I  
5 hope this helps everyone feel medically comfortable.  
6 Accordingly, occupancy to this hearing room is  
7 maximized at 40 people, and the rear conference  
8 room, another 15 people. I hope we all appreciate  
9 the protocol developed to allow these proceedings to  
10 even take place.

11           Now, for a bit more substance. There are  
12 two groupings OF attendees as this Zoning Board of  
13 Appeals hearing moves forward. One group I will  
14 refer to as "necessaries." These are people who  
15 must attend this hearing in person. They consist of  
16 your hard-working, practically-volunteer Zoning  
17 Board of Appeals members, your marvelous Zoning  
18 Officer, Dee Duffy; your expert IT staff, Mike  
19 McBride and Alice Henkel; your astute State's  
20 Attorney, Charlie Boonstra; employees of the  
21 Petitioner, and its attorney, Courtney Kennedy, and  
22 largely its witnesses; and our hard-working and  
23 skilled court reporter for this evening, Peggy.

24           The other group I will -- the others I

1 will group into what I will call "interested  
2 parties." Those -- these are those of you folks who  
3 are either in person or remotely on Zoom or the Zoom  
4 teleconferencing platform, because you simply want  
5 to observe your county government at work or, beyond  
6 that, you have a particular interest in these  
7 proceedings.

8           This is the time to advise that the Zoom  
9 meeting ID is -- and if you want to partake in Zoom  
10 in the future, you may want to get out a pencil and  
11 piece of paper and write down, the meeting ID is  
12 915 3923 9154, and the password is 209840. That  
13 meeting ID and the password will remain the same  
14 throughout this hearing, because it's what Zoom  
15 calls a continuing meeting.

16           Accordingly, if you're with us in person  
17 tonight, but are not comfortable with the safety  
18 protocols in place, you can always join us in future  
19 sessions remotely.

20           The other way that interested parties can  
21 access these proceedings is by YouTube. In order to  
22 view the proceedings on YouTube on the worldwide  
23 web, you go to -- you search for YouTube, and then  
24 in the search box that will come up, you type in

1 "Lee County Illinois Zoning Board of Appeals." And  
2 then I'm told another box will pop up, and you type  
3 in the date, August, obviously, August 6th, 2020,  
4 and you'll be able to view the proceedings tonight.  
5 And then on subsequent nights, you can do the same  
6 thing, except, of course, change the date.

7 Now, YouTube allows interested parties to  
8 view and hear the proceedings but does not allow  
9 interested parties to participate because there's no  
10 interaction on YouTube. Participation can be done  
11 remotely through the Zoom platform.

12 So, the next process I will try to explain  
13 is the methodology for interested participates to  
14 participate. Everyone will have the opportunity to  
15 participate; however, because of the necessary  
16 electronic filtering, my usual process becomes even  
17 more central, and I will try to flush it out as my  
18 presentation continues and as we move through our  
19 time together in the days ahead.

20 For everyone's benefit, I want to provide  
21 the opportunity to participate in a manner that is  
22 orderly and as efficient as possible. There are  
23 many possible reasons for an interested party --  
24 interested party's appearance this evening, whether

1 it's in person or Zoom and during subsequent  
2 sessions. You could be a member of the public who  
3 is joining us simply as a citizen and spectator.  
4 You could be a member of the public who wants to be  
5 heard. This does not necessarily mean someone who  
6 is absolutely for or against the requested Special  
7 Use, but someone who wants to participate. If you  
8 are such a person, you will fall into any one or  
9 more of three categories.

10           The first category, you want to give  
11 testimony. This means that you desire, under oath,  
12 to testify to facts relevant to the Board's eventual  
13 decision. Such is not the time to describe your  
14 feelings or announce your opinion, but to aver  
15 facts, and you are subject to cross-examination.  
16 Everyone so wishing to testify will be given one  
17 opportunity to do so.

18           Second category, you want to be able to  
19 cross-examine witnesses. But, please, that is just  
20 the time to ask questions of a particular witness,  
21 not to argue with him or her. Everyone so wishing  
22 to cross-examine will be given one opportunity to  
23 cross-examine each and every witness.

24           The third category, you may be an

1 interested party who wants to make a closing  
2 statement or a public comment. That would be the  
3 opportunity to tell the Board how you feel or give  
4 them your opinion based on the facts adduced during  
5 the whole hearing process as to what their decision  
6 should be. Everyone so wishing to give a closing  
7 statement or public comment will be given one  
8 opportunity to do so.

9           For those of you joining us on the Zoom  
10 platform this evening, or in future sessions, the  
11 software allows an interested party to indicate a  
12 desire when the time comes to ask question or  
13 questions of a witness; to present one's own  
14 witness; to testify one's self; or to give a closing  
15 statement; or make a public comment. When I do  
16 indicate that the time has come to begin an  
17 interested party's stage, one who is  
18 videoconferencing simply clicks the icon at the  
19 bottom center of the Zoom screen labeled  
20 "participants," and from the options that then  
21 appear, please click "raise hand." If one is  
22 teleconferencing while remaining connected, one hits  
23 the star or asterisk symbol on the cell phone, and  
24 then the numeral nine. We should then see any

1 raised hands on the screen; however, unlike previous  
2 hearings, I don't think we'll be able to do so on a  
3 first-come, first-serve basis, so calling on the  
4 raised hands will probably be by randomly referring  
5 to the name, email address, or last four digits of a  
6 phone number that appear on that screen.

7 All right. Written communications sent in  
8 advance of this hearing or any written material  
9 intended as something for the Board to consider is  
10 subject to the Board's Rule, Article 5, Section 12,  
11 that eight copies be provided. Any communication  
12 received that does not comply with this requirement  
13 may not be considered by the Board.

14 I will now review the chronological  
15 progress of the hearing so everyone understands how  
16 the process works and understands everybody's place  
17 in it as we -- and the timing as we move along.

18 The Applicant has the burden of initially  
19 going forward. Accordingly, its agent or attorney  
20 may first make opening remarks. Then the Applicant  
21 presents its evidence, one witness or document at a  
22 time. I will place each witness under oath or  
23 affirmation. After each Applicant witness, the  
24 State's Attorney, the Zoning Officer, members of the

1 ZBA first, and then interested parties, both on-site  
2 and remote, have the opportunity to cross-examine  
3 that -- each of those witnesses. And, please, I  
4 emphasize again, this is the time only for questions  
5 directed to the witness testifying, because that's  
6 the person under oath.

7           After the Applicant's evidence, the Zoning  
8 Officer has the opportunity to present her witnesses  
9 and documents. After each Zoning Officer witness,  
10 the State's Attorney, and members of the ZBA first,  
11 and then interested parties, both on-site and  
12 remote, have the opportunity to cross-examine her  
13 witnesses. And once again, please, this is the time  
14 only for questions directed to a witness.

15           After the Applicant and Zoning Officer  
16 have presented their respective evidence, then  
17 interested parties may present their evidence one  
18 witness or document -- including themselves, by the  
19 way -- or document at a time. I will place each  
20 such witness under oath or affirmation. After each  
21 interested party witness, then the Applicant, the  
22 State's Attorney, the Zoning Officer, members of the  
23 ZBA, and other interested parties have the  
24 opportunity to cross-examine each of the interested



1 party witnesses.

2           Then the Applicant may offer rebuttal  
3 witnesses or documents one at a time, and I will  
4 place each such witness under oath or affirmation  
5 again. Those then may be questioned by  
6 Mr. Boonstra, Ms. Duffy, members of the ZBA, and the  
7 interested parties one at a time.

8           If the Applicant does present any rebuttal  
9 witnesses, interested parties may present  
10 surrebuttal witnesses one at a time. After  
11 interested parties surrebuttal witnesses, the  
12 Applicant, the State's Attorney, the Zoning Officer,  
13 members of the ZBA, and other interested parties  
14 have the opportunity -- one opportunity to  
15 cross-examine each of those witnesses.

16           Finally, first, the Applicant is given an  
17 opportunity for closing remarks, and, lastly, any  
18 interested parties will be given an opportunity for  
19 closing remarks or public comment as I have  
20 previously described.

21           Okay. There are some -- there are some  
22 sub-rules after which I promise I will finish boring  
23 you with anything further. As you may have heard,  
24 each session has a time limit under the Zoning Board

1 of Rules of two-and-one-half hours; however, we  
2 certainly don't want to cut off anybody right in the  
3 middle of something, so I will make a reasonable  
4 effort to let someone finish a particular stage when  
5 the time limit has been reached or if there is very  
6 little time remaining at the end of a stage, I  
7 simply may continue the session rather than starting  
8 the next stage. I also have the discretion to call  
9 for short recesses.

10 Under the Zoning Board Rules, I have the  
11 duty to rule on the admissibility of evidence.  
12 While the strict judicial rules of evidence do not  
13 apply, I will exercise some equitable control of  
14 what is being presented with or without an  
15 objection.

16 We do and will continue to have a court  
17 reporter here taking down what is said during the  
18 proceedings. I ask all to please be mindful of her  
19 job. She cannot take down two people talking at  
20 once, nodding heads or gestures, and while I happen  
21 to know she is very skilled, there is a limit to how  
22 fast a person can talk, including yours truly, and  
23 expect her to keep up.

24 Lastly, I do ask for civility and decorum.

1 This is certainly a public forum, but please be  
2 respectful of all who consider it important enough  
3 to be here. I ask to refrain from displays of  
4 approval or disapproval. And as now, with all  
5 public gatherings, I request that you either turn  
6 off your cell phones or at least put them on silent.

7 All right. Ms. Kennedy, you  
8 represent the Petitioner, and you may proceed with  
9 an opening comment.

10 MS. KENNEDY: Thank you, Your Honor.

11 Can everyone hear me?

12 AUDIENCE MEMBER: Just barely.

13 MS. KENNEDY: My name's Courtney Kennedy,  
14 and I'm here on behalf Eldena Solar, LLC. First and  
15 foremost, I'd like to preemptively address a few  
16 rumors that have floated around regarding this  
17 project leading up to tonight's hearing. There have  
18 been some rumblings of a 4,000-acre solar farm and  
19 Eldena by a company named Duke Energy it. And I'm  
20 here to tell you tonight that we're not a 4,000-acre  
21 solar farm, and we're not Duke Energy; rather, this  
22 project is being developed by Geronimo Energy, LLC.  
23 Geronimo is no stranger to the county and has been  
24 involved in some developments within the county.

1           As most of you know, Geronimo is a leading  
2 North American renewable energy development company  
3 based in Minneapolis, Minnesota, with satellite  
4 offices all over the U.S., including Walnut and  
5 Mansfield, Illinois.

6           Contrary to what some have heard, Eldena  
7 filed its petition for Special Use and Variance for  
8 the construction and operation of a 175-megawatt  
9 solar farm. This project, as proposed, spans  
10 approximately 1,288 acres. This project is located  
11 in South Dixon and Nachusa Townships within Lee  
12 County with that area being zoned Ag-1.

13           As some you know, the operation of a solar  
14 energy system, or SES, is allowed in Ag-1 districts  
15 but only as a Special Use under Lee County Ordinance  
16 12-17-002. That's why we're here tonight.

17           As a general housekeeping matter, and as  
18 Judge mentioned, after filing its application,  
19 Eldena Solar, through my office, sent proper notice  
20 to all adjacent landowners by certified mail, return  
21 receipt requested. In addition, a notice of the  
22 public hearing was published in the Dixon Telegraph  
23 on July 14th, 2020, and the Amboy News on July 15th  
24 of 2020.

1           For tonight's hearing, we'd like give you  
2 an introduction and overview of the proposed project  
3 through the testimony of Ben Adamich. Following  
4 tonight's hearing, you will also hear from Brett  
5 Snyder, construction manager; Andrew Lines from  
6 CohnReznick on land values; and Attorney Jerry Quick  
7 to discuss drainage, the AIMA property rights and  
8 other related concerns. It is my hope that along  
9 the way you will agree that the project, as  
10 proposed, meets all requirements and standards  
11 required of it in the Lee County Ordinance and is  
12 compatible with the surrounding areas.

13           At the conclusion of the hearing, the  
14 Petitioner requests that you recommend the project  
15 to the Lee County Board and approve the three  
16 variances contained within the petition.

17           Thank you.

18           JUDGE SLAVIN: Thank you, Ms. Kennedy.  
19 And you may call your first witness.

20           MS. KENNEDY: Thank you, Judge. As a  
21 preliminary matter, I have the proofs of service of  
22 the newspaper publications and the certified  
23 mailings. I'd like to submit that as our first  
24 exhibit.

1 JUDGE SLAVIN: All right. Have you got it  
2 marked?

3 MS. KENNEDY: Would you like me to mark it  
4 A or 1? Does it matter?

5 JUDGE SLAVIN: One, please.

6 MS. KENNEDY: Okay. Petitioner's  
7 Exhibit 1.

8 (Exhibit No. 1 marked.)

9 MS. KENNEDY: Judge, I'd like to call our  
10 first witness. It'd be Ben Adamich.

11 JUDGE SLAVIN: All right. Mr. Adamich, do  
12 you want to step up, please, and somewhere in the  
13 middle here, pick your spot. Raise your right hand.

14 (Whereupon, the witness was  
15 sworn.)

16 JUDGE SLAVIN: Come right to the right of  
17 me, which we measured is six feet away.

18 BEN ADAMICH,  
19 having been first duly sworn, was examined and  
20 testified as follows:

21 DIRECT EXAMINATION

22 BY MS. KENNEDY:

23 Q. Could you please state your name for the  
24 record?

1 A. Yes, Ben Adamich.

2 Q. And can you spell your last name, please?

3 A. A-D-A-M-I-C-H.

4 Q. And how are you employed?

5 A. I'm a full-time employee of Geronimo  
6 Energy.

7 Q. And what is your job title with Geronimo?

8 A. My job title is market lead developer.

9 Q. And what does that encompass?

10 A. I manage our portfolio developments for a  
11 region of states, including Illinois.

12 Q. And how long have you been with Geronimo?

13 A. I've been with Geronimo since -- I started  
14 in 2013.

15 Q. Do you have any other experience with  
16 renewable energy?

17 A. For a brief stint I worked at an  
18 environmental engineering consulting company, where  
19 my primary job function was working as a consultant  
20 on various wind solar and other energy related such  
21 as natural gas development projects.

22 Q. So how many years would you approximate,  
23 Mr. Adamich, that you have in the renewable energy  
24 business?

1 A. Seven or eight.

2 Q. Are there any certificates or licenses  
3 that you've obtained?

4 A. No professional licensures, no.

5 Q. And could you provide a brief summary of  
6 your educational background?

7 A. I have a bachelor's degree.

8 Q. In what?

9 A. In liberal arts, environmental studies.

10 Q. And you're here on behalf of the  
11 Petitioner, Eldena Solar, LLC?

12 A. Yes.

13 Q. And are you aware that Eldena Solar filed  
14 its petition for Special Use Permit and Variance?

15 A. Yes, I'm aware of that.

16 Q. Did you assist with the preparation of  
17 that petition?

18 A. Yes.

19 Q. And did you also submit an application  
20 binder with various information concerning the  
21 proposed project?

22 A. Yes.

23 Q. Am I holding up that application binder  
24 that you helped prepare?



1 A. Yes, you are.

2 Q. Do you recall when you put this binder  
3 together?

4 A. Mid June of 2020.

5 Q. And was it in anticipation of tonight's  
6 hearing?

7 A. Yes, it was.

8 MS. KENNEDY: Judge, at this time I'd like  
9 to enter the application binder as our second  
10 exhibit.

11 JUDGE SLAVIN: Call it No. 2.

12 MS. KENNEDY: Thank you.

13 (Exhibit No. 2 marked.)

14 BY MS. KENNEDY:

15 Q. Mr. Adamich, are you familiar with the Lee  
16 County Ordinance regarding solar energy systems?

17 A. Yes, I am.

18 Q. And you understand that if I refer to it  
19 as an SES, you know that I'm talking about a solar  
20 energy system?

21 A. Yes.

22 Q. In your opinion, does the proposed project  
23 meet the requirements set forth in the Ordinance?

24 A. Yes, and we included a large section in

1 our application packet to that regard.

2 Q. And in this application binder, did you  
3 take the requirements of that Ordinance, and did you  
4 address each one line by line?

5 A. Yes, that's correct.

6 Q. On behalf of the Petitioner, do you agree  
7 to be bound by any and all proposals and  
8 representations contained within the petition, the  
9 application binder now marked as Exhibit 2, and the  
10 testimony you make under oath during this public  
11 hearing?

12 A. Yes, I do.

13 Q. Have you discussed the Eldena Solar  
14 project with any organizations, schools, and members  
15 of the community who stand to be impacted by the  
16 project?

17 A. Yes. We have representatives, Geronimo  
18 has spoken with local townships, school districts,  
19 and a number of neighbors to the project.

20 Q. And can you tell me the characteristic of  
21 the neighboring lands to the project?

22 A. Primarily agricultural with some homes in  
23 the vicinity.

24 Q. Speaking generally, does a solar energy

1 system emit any noise?

2 A. No.

3 Q. What about shadow flicker?

4 A. No.

5 Q. Given your experience, are there any  
6 environmental concerns for solar panels?

7 A. Not that I'm aware of, no.

8 Q. Did you perform the eco pack consultation  
9 as required by the Ordinance?

10 A. Yes, we did.

11 Q. And what was the result, if any?

12 A. There was no adverse impact on the project  
13 anticipated.

14 Q. Will the solar farm, in your opinion, have  
15 any affect on the public health, safety, and/or  
16 general welfare?

17 A. No.

18 Q. Will the proposed solar farm project  
19 strain the existing infrastructure of Lee County?

20 A. No, it's not anticipated.

21 Q. And why not?

22 A. Solar generally as a use is fairly similar  
23 to an agricultural use, in general. During  
24 operations, typically stress on roads is not high.

1 The site is visited relatively infrequently by  
2 pickups. Typically on a project of the scale in  
3 which we're proposing in Lee County here, the Eldena  
4 Solar project, we'd anticipate maybe four to five  
5 staff members on-site full-time that would be  
6 parking with pickups. We don't anticipate an impact  
7 on the road infrastructure. The solar traffic  
8 doesn't utilize water or sewer facilities, and,  
9 thus, the county services aren't strained in that  
10 regard. And overall we provide for significant  
11 property tax revenue while not utilizing the  
12 services in which that property tax revenue is used  
13 for.

14 Q. Would the project, as proposed, require  
15 any new public roads?

16 A. No.

17 Q. Will the proposed solar farm take the  
18 property within the project out of ag use?

19 A. No, it will not.

20 Q. Will the proposed solar farm take the  
21 property within the project out of row crop  
22 production?

23 A. Yeah, I think -- just to opine on that a  
24 little bit more. I think generally from a zoning

1 classification standpoint, we're not proposing a  
2 rezoning of property. Under the existing Lee County  
3 Ordinance, solar farms are allowed in the  
4 agricultural district and are, generally speaking,  
5 across the country viewed as an agricultural use  
6 from a land use zoning standpoint.

7           Typically, you know, when we're  
8 talking with perspective landowners on, you know,  
9 participating in our -- in our projects, it's  
10 typically row crop ag properties that we're pursuing  
11 development on across the Midwest I would say,  
12 generally. And the value, I mean, the proposition  
13 to folks is, you know, essentially, look, what we're  
14 proposing to do is, you know, develop a solar --  
15 ground-mounted solar array, and instead of  
16 harvesting the sunlight to produce a crop that's,  
17 you know, typically used for food or energy, we're  
18 producing electricity while not having a lasting  
19 long-term negative impact on the underlying  
20 agricultural soil and property. And so at the end  
21 of the life of the solar project, essentially it's  
22 going to be decommissioned and revert back to  
23 traditional row crop ag use if that's the best use  
24 at that time, but it's, you know, becoming less and

1 less controversial to say that essentially, you  
2 know, from a farming standpoint, it's a viable use,  
3 and it's different than row crop ag, but it's still  
4 solar, generally, ground-mounted solar. Facilities  
5 generally perform in the same function as  
6 traditional --

7 Q. And it's my understanding that you have a  
8 presentation that you'd like to go through tonight;  
9 is that correct?

10 A. Yes.

11 Q. I'm going to have you proceed with that,  
12 and then we'll follow up with some questions.

13 A. All right. I think we're just handing out  
14 a few copies, and then there's a projector screen up  
15 there --

16 JUDGE SLAVIN: Just answer questions,  
17 please.

18 MS. KENNEDY: Mr. Adamich, please proceed.

19 MR. ADAMICH: Okay. Well, again, my name  
20 is Ben Adamich. I'm here with Geronimo Energy on  
21 behalf of the Applicant Eldena, Solar LLC. I'll  
22 give you a brief background on Geronimo Energy, who  
23 we are and what we do. If we can flip forward here.

24 All right. So next slide.

1           Geronimo Energy, we're -- as Courtney  
2 mentioned -- we're a leading North American  
3 renewable energy company based out of Minneapolis,  
4 Minnesota. We have successfully deployed a little  
5 over 2400 megawatts of renewable energy projects  
6 around the U.S., primarily here in the upper  
7 Midwest. Most notably is our Green River Wind Farm,  
8 which we developed and own and operate, fortunately,  
9 within Lee County, Illinois. We're at about --  
10 we're a little over, actually, a hundred full-time  
11 professionals now. We've been growing pretty  
12 steadily over the last six or seven years, and our  
13 pipeline, whereas before I'd say it's generally  
14 located in the upper midwestern part of the United  
15 States, over the last few years we've expanded our  
16 reach to more broadly-developed projects all across  
17 mainly the United States.

18           So we have a pipeline of around 7,000  
19 megawatts in development total, and about 3,000 of  
20 those are, as we would call, "advanced stage  
21 developments." They either have permits,  
22 interconnection agreements, or commercialized  
23 counter purchase agreements.

24           So a little -- little bit about our

1 background further back than the last six, seven  
2 years. We were founded by a farmer in southwestern  
3 Minnesota who was approached by a wind energy  
4 development company at that time, in the mid 2000's,  
5 and he didn't really like the way that he was being  
6 treated by the development company. He didn't  
7 think, A, he was getting a fair deal; B, he didn't  
8 think they were treating the community the right  
9 way. And so, you know, being the businessman that  
10 he was, he saw renewable, at that time mainly wind  
11 energy, becoming a blossoming business venture, and  
12 so he started Geronimo under the basis of developing  
13 his own wind farm on his own property in  
14 southwestern Minnesota. And that was how we got our  
15 start. Now, today, as I mentioned, we're one of the  
16 top wind and solar developers in the country.

17           And so we -- with that, those founding  
18 roots, we tried to implement, you know,  
19 farmer-friendly development practices on all of our  
20 wind and solar energy projects we develop and own  
21 and operate.

22           So to give you a sense of, you know, we  
23 were front in this Board last year. You know, I  
24 don't think we presented a slide on kind of where



1 we're active, but here, you know, we have project  
2 developments all across the U.S. Like I said, we  
3 were previously kind of focused in the upper  
4 Midwest, but now we have a significant reach,  
5 broader than we did even a year ago. We still are  
6 quite busy in Illinois, particularly with this  
7 Eldena project and a few others that we either own  
8 or operate. We're starting construction on a  
9 200-megawatt solar project any week now. They just  
10 got about nine inches of rain last month, so we're  
11 just waiting for conditions to dry out a little bit.  
12 And so we're actively, very active I would say, in  
13 Illinois, state of Illinois generally on developing  
14 private.

15           One change since the last time we were in  
16 front of this body was in July of 2019, we were  
17 acquired by Natural Grid, which is a large  
18 multinational utility company based out of the UK.  
19 Essentially they're the grid operator for the United  
20 Kingdom, and they also have regulated electricity  
21 and gas utilities on the northeast side of the  
22 United States. We're actually a part of their  
23 deregulated arm called Natural Grid Adventures, and  
24 we're essentially their renewable energy platform

1 for North America. And what that does for Geronimo  
2 is it allows us to continue to grow as a company.  
3 We're still the development company we were before,  
4 but it gives us the financial backing of one of the  
5 strongest utility companies in the world, and it  
6 really allows us to deliver on, you know, promises  
7 we make, and, you know, the projects that we're  
8 developing on. It's really been a boost for our  
9 firm.

10                   So next I'll talk about the project  
11 specifics. As mentioned, we're developing a  
12 project, another solar project in Lee County called  
13 Eldena Solar. It's named, because we're developing  
14 it around the area of Eldena, which is on the east  
15 side of South Dixon Township, the west side of  
16 Nachusa Township. It's about four miles southeast  
17 of Dixon. Overall, you know, this is a land use  
18 zoning proceeding, so, you know, we don't touch on  
19 economics too much on the project, but overall, you  
20 know, our project is anticipated to generate around  
21 30,000 U.S. homes' worth of power annually. It will  
22 probably be a little bit more than that by, you  
23 know, by the time we would end up building the  
24 project.

1           From a tax revenue standpoint, based on  
2 the Illinois State Standardized Property Tax  
3 Assessment for solar systems, we anticipate around,  
4 over 20 years, \$15.5 million of local tax revenue.  
5 And that represents around a \$10 million increase to  
6 tax revenue to the school district that we're in  
7 over 20 years. And so, you know, overall that's,  
8 generally speaking, a big driver for support around  
9 these projects, particularly in states like Illinois  
10 where, you know, property taxes go local for  
11 generating a product, a commodity that goes to the  
12 electricity grid, and then it's sold, but the taxes  
13 stay local. So I did want to touch on that even  
14 though this is a land use proceeding.

15           And then the next slide is -- you probably  
16 can't see it from that far away, but essentially the  
17 backing to the numbers that we calculated based off  
18 the State Standard Tax Assessment.

19           So overall, again, it represents around a  
20 capital investment of \$180 million. With 21 of that  
21 being local, which would mean, you know, money that  
22 we're spending within the state of Illinois directly  
23 as a result of the construction and operations of  
24 the project.

1           Construction on it would be around 160-ish  
2 temporary jobs, depending on the stage of  
3 construction we're at.

4           MS. KENNEDY: Mr. Adamich, can I interrupt  
5 you real quick?

6           MR. ADAMICH: Yep.

7           MS. KENNEDY: Could you speak up a little  
8 bit so everyone can hear you?

9           MR. ADAMICH: Absolutely. Sorry about  
10 that.

11          AUDIENCE MEMBER: A little bit slower.

12          AUDIENCE MEMBER: Take the mask off so we  
13 can hear you.

14          AUDIENCE MEMBER: A little slower with  
15 your speech.

16          AUDIENCE MEMBER: A little slower too.

17          JUDGE SLAVIN: Folks, please.

18          AUDIENCE MEMBER: The clarity is not good  
19 at all.

20          MR. ADAMICH: All right. Is this better?

21          AUDIENCE MEMBER: Is that good for you?

22          AUDIENCE MEMBER: I can hear --

23          AUDIENCE MEMBER: The clarity is not good.

24          MR. ADAMICH: All right. Well, I'll try

1 it now, and we'll see how this goes.

2           So just to repeat in case anything  
3 was missed. This project represents an overall  
4 capital investment of around \$180 million. As I  
5 stated, about 21 million of that is anticipated to  
6 be local, as in the state of Illinois dollars spent  
7 as a result of the construction and operations of  
8 the project. We anticipate around 160, maybe a  
9 little bit more, temporary construction jobs during  
10 the construction of the facility. As I mentioned,  
11 we have around three to four full-time staff members  
12 on-site operating the facilities. And one thing we  
13 do in addition above and beyond our tax obligations  
14 on all of Geronimo Energy's utility scale wind and  
15 solar projects we develop, we set aside funds. In  
16 this case we're proposing an education fund, a  
17 501(c)(3), where we deposit \$200.00 per megawatt  
18 through the year into the fund to use -- for the  
19 school district to use for whatever types of  
20 projects that they'd like to do. We've seen, you  
21 know, school districts build playgrounds with the  
22 money, or townships buy, for the case of a wind farm  
23 we did in South Dakota, the township bought, you  
24 know, a couple new plows for the area. And so

1 that -- that calculation brings to us an overall  
2 impact of 700,000 over 20 years set aside  
3 specifically for the school district that the  
4 project is in.

5                   So a little bit more specifics on the  
6 actual project area. We're located in South Dixon  
7 and Nachusa Townships, as I mentioned, about four  
8 miles southeast of Dixon. The project area spans  
9 1,288 acres approximately. Around 984 acres of that  
10 1288 will be our low-growing turf mix underneath the  
11 solar modules. And on this site specifically we  
12 have about 239 acres that -- in that project area  
13 that we're not proposing to put solar panels on.  
14 We'll have an open-area pollinator mix in those  
15 areas primarily due to drainage and -- those are  
16 some better, you know, depression areas that we're  
17 not going to be proposing to build in.

18                   So I think that's generally the  
19 high-level overview on the project and our SES  
20 requests. I'm happy to answer your questions, if  
21 there's any specific. I know last time we were  
22 here --

23                   JUDGE SLAVIN: Sir, I'll take care of the  
24 questions. You just testify, please.

1           MR. ADAMICH:  Yep.  So that's it for the  
2 project specifics.

3           JUDGE SLAVIN:  Go ahead.

4           MS. KENNEDY:  Thank you, Judge.

5 BY MS. KENNEDY:

6           Q.  Mr. Adamich, you've talked about having  
7 this open-area pollinator mix.  What is that  
8 specifically designed for?

9           A.  Yeah, around the outsides of the array and  
10 in areas of the fenced area where we're not  
11 proposing to put solar panels on, we'll plant a  
12 native grass mix that will include seeds for  
13 different pollinator plants with the intent of  
14 promoting pollinator habitat.  We found it to be  
15 very complementary to projects where the primary  
16 surrounding use is agricultural, and it will also  
17 provide for, you know, permanent stable ground cover  
18 to increase infiltration and decrease runoff on the  
19 site.

20          Q.  And included in the petition is the  
21 request for certain variances from three parcels of  
22 land within the project; is that correct?

23          A.  Yes, that's correct.

24          Q.  And under the Ordinance, what is the

1 current setback for those three parcels?

2 A. For the three parcels in question that  
3 we're proposing variances on, the setback would be a  
4 300-foot setback from the property line.

5 Q. And do you know why it's 300-foot from the  
6 property line?

7 A. Yes. There are three adjacent parcels to  
8 our project area that are zoned agricultural and  
9 currently used for row crop ag immediately adjacent  
10 to our project area that are platted subdivisions,  
11 and per Ordinance, we are required to be set back  
12 300 feet from those property lines of those parcels.

13 Q. Are there any homes built in those platted  
14 subdivisions?

15 A. Adjacent, no, there are not. The current  
16 existing uses on those are row crop ag.

17 Q. And it's my understanding that you have a  
18 few slides specifically for the variance request; is  
19 that correct?

20 A. Yes.

21 MS. KENNEDY: Please proceed.

22 MR. ADAMICH: Yes. So we have a slide  
23 here which demonstrates where on our project area  
24 we're proposing the three variances from. I'll



1 start with the picture on the left. On the  
2 southeastern side -- or sorry -- southwestern side  
3 of our project area, there's a parcel, and the  
4 specific parcel number in our project is  
5 18-08-25-100-003, where we have bought an existing  
6 row crop ag field that is a platted subdivision. I  
7 believe it has been for the past many years, but  
8 there are no homes on the parcel. And so we're  
9 requesting, respectfully requesting, the variance to  
10 be able to match the setback on that property to be  
11 equal to that of other -- the other parcels in our  
12 project area. We overall don't think that that  
13 300-foot strip of property which would remain if we  
14 did meet the requirements in the Ordinance, would  
15 yield a good return for a farmer if they were to  
16 farm that 300-foot strip for row crop ag uses  
17 because of our inability to utilize it within the  
18 solar array. We believe this is specific to, you  
19 know, how the parcels are setup. It creates an  
20 access issue through the site or through adjoining  
21 properties. It'd be difficult for somebody to get,  
22 you know, large equipment, a combine, or a planter  
23 over to that strip, either having to transverse, you  
24 know, through the solar array, or secure, you know,

1 a private easement with adjoining landowners,  
2 potentially damaging their crops on their way to  
3 traversing and farm that strip of property. And  
4 we -- you know, in our opinion, we don't believe  
5 that given the current existing row crop ag use that  
6 the granting of this variance would, you know,  
7 impede or otherwise impact the character of that  
8 parcel. Even though it is technically a platted  
9 subdivision, it's currently zoned as ag and used as  
10 such.

11                   So we have slides of the other  
12 parcels on the northeastern parts of the property  
13 area, but the essential details on the request  
14 remain the same. The property in question, that  
15 300-foot strip, reasonably can yield a reasonable  
16 return for a farmer looking to farm that strip of  
17 property. It presents a very unideal strip to farm  
18 for corn or soy beans, which it's currently used as  
19 now. And it's specific to those areas because it  
20 creates an access challenge.

21                   JUDGE SLAVIN: Hold on.

22                   MR. ADAMICH: Okay.

23                   JUDGE SLAVIN: Off the record.

24

1                   (Whereupon, a conversation was  
2                   had off the record.)

3                   JUDGE SLAVIN: Thank you. Sorry for  
4 interrupting, but I had to get that done took.

5                   MS. HENKEL: Real quick. There seems to  
6 be some confusion on Zoom as to when people can ask  
7 questions. We have one gentleman --

8                   JUDGE SLAVIN: Folks, as I explained in my  
9 opening -- and I'm addressing the people on Zoom.  
10 There are stages to this proceeding, and we want you  
11 to be able to ask questions and participate;  
12 however, we do it in an orderly fashion. Questions  
13 just don't pop up. This gentleman is not even  
14 finished testifying yet. And as I explained, the  
15 questioning will begin once -- well, once Ms.  
16 Kennedy finishes questioning her witness, then we go  
17 to Mr. Boonstra, Ms. Duffy, the County -- the ZBA,  
18 and then I will start with interested parties; so --  
19 we'll get there. Everybody kind of -- we've got,  
20 obviously, lots of evenings to go. The longest one  
21 I ever did was, I think, in Bureau County, and it  
22 took 38 nights just to give you an idea of what  
23 might be ahead.

24                   AUDIENCE MEMBER: Your Honor? Can I just

1 get up and look closer at that? It's hard to see.

2 JUDGE SLAVIN: No, because of the social  
3 distancing thing. But if you want to get an  
4 application, they'll give you one right there  
5 (indicating).

6 AUDIENCE MEMBER: Thank you. Thank you very much.

7 MR. BOONSTRA: A brief announcement. In  
8 case you don't know who I am, I'm Charlie Boonstra,  
9 Lee County State's Attorney. I don't know if anyone  
10 is going to be curious about it, Mr. Pratt will not  
11 be a part of the fact finding or the recommendations  
12 portion. While I don't believe he has an actual  
13 conflict, because there is an objector, and because  
14 there's an appearance of a conflict, he is willing  
15 to step down and have the alternate doing the fact  
16 finding as well as the recommendations portion.

17 JUDGE SLAVIN: All right. Back to the  
18 business at hand.

19 Ms. Kennedy, further questions? We  
20 were -- we were actually in the middle of things,  
21 and then the microphones didn't work; so go ahead.

22 MS. KENNEDY: Judge, as a quick technical  
23 matter, I believe that the presentation is a bit  
24 blurry for those on Zoom. I have emailed a copy of

1 the presentation slides to Dee Duffy. I don't know  
2 if we can share the screen? Share our screen on  
3 Zoom?

4 JUDGE SLAVIN: That's beyond my technical  
5 expertise, I'll tell you that. We'll have to ask  
6 Mr. McBride. But if those folks want to get a copy  
7 of the PowerPoint presentation that he just  
8 testified about, I would like to see the Applicant  
9 provide copies, and people can pick them up, I don't  
10 know, from Ms. Duffy, at her office during the day  
11 or somehow --

12 MS. KENNEDY: Sure.

13 JUDGE SLAVIN: Oh, here's the expert.

14 MS. KENNEDY: Judge, I'll just leave  
15 copies of this presentation with Dee Duffy for those  
16 who are interested can pick them up.

17 JUDGE SLAVIN: And please leave plenty so  
18 folks can --

19 MS. KENNEDY: Sure.

20 JUDGE SLAVIN: -- okay? All right. You  
21 may continue.

22 MS. KENNEDY: Thank you.

23 Mr. Adamich, you were in the middle of  
24 your testimony on the variance request.

1 MR. ADAMICH: Yes.

2 MS. KENNEDY: Please proceed.

3 MR. ADAMICH: Okay. I was -- I was just  
4 finishing up. I said then the second two variance  
5 requests are in the northeastern part of the project  
6 area on two particular parcels as we've kind of just  
7 walked through before the mic mishap. It creates  
8 essentially an inefficient farm strip that presents  
9 a unique burden to the property owner to farm.  
10 What's more, on the parcels on the northeastern part  
11 of the project, they are -- they do have trees on  
12 either side of them; so -- on the property lines.  
13 Generally speaking, there's a number of trees there;  
14 so, you know, essentially we don't believe that  
15 granting this would impact the essential character  
16 of the area if we were allowed to have the typical  
17 side and rear yard setbacks that we have elsewhere  
18 on the project on these particular parcels  
19 particularly because their current use is row crop  
20 ag; so we would be essentially getting closer to row  
21 crop ag use with the variance request.

22 So that's -- that's just a high-level  
23 overview on the variance requests, and I think  
24 that's all I've got unless, Courtney, you have

1 questions for me.

2 MS. KENNEDY: Yes, I would just like one  
3 moment, please.

4 BY MS. KENNEDY:

5 Q. Mr. Adamich, for each of the three  
6 parcels, what setback are you requesting?

7 A. We are requesting a 15-foot side and rear  
8 setback consistent with the Ordinance.

9 Q. For each of the three parcels, could you  
10 explain what hardship would be imposed to the  
11 company if you were required to adhere to the  
12 300-foot setback?

13 A. As explained, we would experience an area  
14 of solar array, essentially, or the property that  
15 would be unusable for essentially solar panels, and  
16 we would work with the property owner to see about  
17 having it farmed for row crop, either corn, or  
18 beans. You know, in working on nearly a hundred of  
19 these projects, I think most of the farmers I know  
20 would say that it's a very inefficient strip of  
21 property to get equipment on and farm for, you know,  
22 corn or beans. And so we believe that that  
23 represents a hardship on, us, the Applicant, and the  
24 underlying property owner.

1 Q. Would there be any hardship, in your  
2 opinion, on the property owner if you were to adhere  
3 to the 300-foot setback?

4 A. Yes, for reasons just mentioned.

5 Q. Is there anything else that you'd like to  
6 add?

7 A. I think I covered it in the presentation  
8 with the pictures of the proposed variances. I  
9 think that that shows -- paints a picture of what it  
10 is that we're dealing with from an adjacency  
11 standpoint. Overall those strips of property  
12 represent about 35 acres or so all told for those  
13 300 strips.

14 MS. KENNEDY: I have nothing further, Your  
15 Honor.

16 JUDGE SLAVIN: All right. Questions of  
17 this witness. Mr. Boonstra? Where did he go?

18 MR. BOONSTRA: No, Judge. Thank you.

19 JUDGE SLAVIN: I'm sorry. I couldn't hear  
20 you.

21 MR. BOONSTRA: No, Judge. Thank you.

22 JUDGE SLAVIN: Okay. Ms. Duffy?

23 MS. DUFFY: No, thank you.

24 JUDGE SLAVIN: Members of the ZBA.



1 Mr. Forster?

2 MR. FORSTER: I have nothing at this time.

3 JUDGE SLAVIN: Mr. Buhrow.

4 EXAMINATION

5 BY MR. BUHROW:

6 Q. Just to explain this again to make sure we  
7 understand this variation, the variance you're  
8 speaking of. It's currently three parcels, and each  
9 of them about 300 feet wide then?

10 A. Yes.

11 Q. Okay. And then approximately 35 acres in  
12 total?

13 A. Yes, if you add up the length of each of  
14 the abutting properties, multiply by 300 foot, you  
15 get around 35 acres or so. It's highlighted in  
16 green on that slide and on our application. It's  
17 about 35 acres.

18 Q. Okay. And you're requesting then to go to  
19 the normal 15-foot setback that's common?

20 A. Yes, sir.

21 Q. Have you spoken to the neighbors or got  
22 any response from the neighbors on this variance  
23 yet?

24 A. We have spoken generally with a number of

1 neighbors. Particularly the variance, we haven't  
2 had a lot of discussions I would say with the  
3 adjoining properties as to kind of their plans for  
4 homes or creating subdivisions in those areas based  
5 on -- actually we did on the southwestern corner,  
6 and we don't anticipate any issues there. On the  
7 northeast, I'm most familiar with all the  
8 conversations we had up there, but we don't  
9 anticipate impeding the growth of those parcels  
10 there. It doesn't seem like there's many  
11 residential subdivisions on there right now.

12 Q. How many property owners would this  
13 variance affect in total, these three?

14 A. I believe it would be three property  
15 owners total.

16 MR. BUHROW: Three total. Thank you.

17 JUDGE SLAVIN: Mr. Pratt?

18 MR. PRATT: No questions.

19 JUDGE SLAVIN: Mr. Bothe?

20 MR. BOTHE: No questions.

21 JUDGE SLAVIN: Mr. Hughes?

22 MR. HUGHES: Yes. Thank you.

23

24

## EXAMINATION

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BY MR. HUGHES:

Q. I'm going to continue with Mr. Buhrow's line of question relative to the variance since it's -- I mean, it is a variance that you're asking for.

You indicate that although the one for the southwest you did have some conversation with, why haven't you been in conversation with the other two property owners?

A. We mailed them, as a part of the project, and correct me if I'm wrong, but I don't believe we've heard from them yet on it. Well, I guess we've heard from one of them on it, yeah.

MR. HUGHES: Okay.

JUDGE SLAVIN: Is that it?

MS. DUFFY: Is that it, Glen?

MR. HUGHES: Yes.

JUDGE SLAVIN: All right. That concludes the questioning of the necessary parties. I think it is only fair since people who were having a hard time seeing the display on the wall, whether you were here in person or by Zoom, and I've asked the Applicant to provide copies of the PowerPoint.

1 People have been able to hear, they just haven't  
2 been able to see the PowerPoint. And I've asked the  
3 Applicant to provide copies, making them available  
4 to everyone. It is only fair not to put people in a  
5 position of having to ask questions without having  
6 been able to see this this evening; so I'm going  
7 to -- I'm going to recess this session until the  
8 next evening. We've got a couple of things to talk  
9 about. Copies of this PowerPoint that people  
10 weren't able to see, whether in here because you  
11 were at a bad angle, or because the Zoom was blurry,  
12 copies of this PowerPoint will be available at  
13 Ms. Duffy's office.

14 MS. DUFFY: I will publish it on the web  
15 site.

16 JUDGE SLAVIN: Okay. She'll publish it on  
17 the web site. There you go. That's even better.  
18 Not the web site, her web site, zoning and  
19 planning --

20 MS. DUFFY: On the Lee County web site.

21 JUDGE SLAVIN: Lee County web site, the  
22 zoning and planning pages. Thank you.

23 So we'll recess until the next session,  
24 and I've been looking at who's available and who's

1 not. Mr. Hughes, I recognize you're not, but we  
2 have to keep things moving along, and you'll have  
3 the transcripts available to read. So we will  
4 recess until Monday, August 10th, at 7 o'clock here  
5 at the Old Lee County Courthouse. Same limitations  
6 apply, masks, social distancing. And the deputy, in  
7 essence, makes it a first-come, first-serve for  
8 interested parties.

9                   So everyone stay healthy, stay safe. Have  
10 a -- have a as nice a weekend as you can, and we'll  
11 see who we see on Monday at 7 o'clock. Out of  
12 respect for your social distance, I would really  
13 like people to file out a little more carefully.

14   (Whereupon, at 8:45 p.m., the  
15   matter was adjourned to Monday,  
16   August 10th, 2020, at 7:00  
17   p.m.)

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1           On this 6th day of June, A.D., 2020, I do signify  
2 that the foregoing testimony was given before the Lee County  
3 Zoning Board of Appeals.

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Bruce Forster, Chairman

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Dee Duffy,  
Zoning Enforcement Officer

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*Margaret M. Ciembronowicz*

MARGARET CIEMBRONOWICZ  
Certified Shorthand Reporter  
License No. 084-003833

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