

Andy Beshear
Governor



Kent A. Chandler
Chairman

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
**Kentucky State Board on
Electric Generation and
Transmission Siting**
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940

August 26, 2022

Gregory Dutton
Frost Brown
Todd, LLC
400 W. Market Street
Louisville, KY 40202

RE: Stonefield Solar, LLC
Case No. 2022-00011 - Filing Deficiency

The Siting Board Staff has reviewed the application in the above case. This filing is rejected for the reason set forth below.

Filing deficiency pursuant to:

1. KRS 278.704 (3): Setback Requirements: The Application and the Response to the Notice of Deficiency stated that Stonefield Solar is proposing to develop the merchant generating facility in an area zoned Heavy Industrial I-2. The Hardin County Development Guidance Zoning Ordinance (Ordinance) for Zone I-2 states, "the Permitted, Accessory and Conditional Uses for lots and structures are set forth in the Land Use Table." The Land Use Table does not list any electric generation or solar development as a permitted, accessory, or conditional use in Zone I-2. Section 15-8 of the Ordinance outlined the procedures to be followed for the grant of a conditional permit of a nonlisted used. Hardin Circuit Court invalidated Section 15-8. Therefore, there are no local setbacks applicable to the project and a deviation of the setbacks found in KRS 278.704(2) must be requested

You are requested to submit the information necessary to cure the deficiencies within 10 days of the date of this letter. If you need further assistance, please contact my staff at 502-564-3940.

Sincerely,

A handwritten signature in black ink that reads "Linda C. Bridwell". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Linda C. Bridwell
Executive Director
On behalf of
The Kentucky State Board on Electric
Generation and Transmission Siting

*Gregory T Dutton
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