

I know EDP has been a friendlier/ more open company to deal with when compared to Invenergy. But all I can think about is:

- 1) 2 residences are within the 1,500 ft setback
- 2) 2 turbines are within the 500 ft perennial stream setback
- 3) 5 turbines are within the 1/2 mile INAI setback

9 of the 56 turbines are technically out of compliance. That's 16% of their project that does not meet the Ordinance. They have been smart. EDPR has given money to the homeowners for them to waive their legal rights and protections. And they have promised the scientists studies for them to waive their legal rights and protections, as well.

But it doesn't change the fact that EDPR knew that siting those turbines was against the Ordinance and against consistent state-wide IDNR recommendations, and they did it anyway... betting money would prevail in the end. Which it likely has.

The ZBA has the prerogative to waive setback rules for the benefit of EDPR. But the ZBA won't request a 'dB cushion' in the noise study and won't require sound be measured anywhere on the property for the benefit of the residents.

I don't like the precedent this sets. Undoubtedly, Wind Companies will continue to develop McLean County. And those Companies will continue to push the limits of what rules are in place, and what deals can be made to bend those rules.

Respectively submitted by

Amy Winterland

Case SU-18-02

Closing Submitted by  
Tim Jolly