

In The Matter Of:
McLEAN COUNTY ZONING BOARD OF APPEALS

ZONING BOARD
November 1, 2016

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1
2
3 McLEAN COUNTY ZONING BOARD OF APPEALS
4 MEETING
5
6 Tuesday, November 1, 2016
7 7:30 p.m.
8
9 at
10 Government Center
11 115 East Washington Street
12 Bloomington, Illinois
13
14 Case Number ZA-16-01
15
16 ZONING BOARD MEMBERS PRESENT:
17 Brian Bangert
18 Chris Carlton
19 Rick Dean
20 James Finnigan
21 Michael Kuritz
22 Drake Zimmerman - Chairman
23
24 Court Reporter:
Brenda Zeitler, CSR-RPR
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1 MR. KNAPP: This is a continuation of a
2 hearing that we started last month. We nominated an
3 Acting Chair last month because our full-time Zoning
4 Board of Appeals Chair was unavailable. I'm going to
5 start the hearing by simply entertaining motions to
6 nominate another Acting Chair.
7 MR. FINNIGAN: I'd like to nominate Drake
8 Zimmerman to be acting chair.
9 MR. KURITZ: Second.
10 MR. KNAPP: All in favor?
11 (Unanimous vote.)
12 MR. DICK: Shall we do a roll call?
13 Finnigan?
14 MR. FINNIGAN: Yes.
15 MR. DICK: Marc Judd?
16 (No response.)
17 MR. DICK: Michael Kuritz?
18 MR. KURITZ: Here.
19 MR. DICK: Sally Rudolph?
20 (No response.)
21 MR. DICK: Julia Turner?
22 (No response.)
23 MR. DICK: Drake Zimmerman.
24 MR. ZIMMERMAN: Here.

1 ALSO PRESENT:
2 PHILIP DICK, Director of Building & Zoning
3 DONALD KNAPP, Assistant States Attorney
4 JERRY STOKES, Assistant County Engineer
5
6 I N D E X
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1 MR. DICK: Brian Bangert?
2 MR. BANGERT: Here.
3 MR. DICK: Chris Carlton?
4 MR. CARLTON: Here.
5 MR. DICK: Rick Dean?
6 MR. DEAN: Present. Yes.
7 MR. DICK: Six members present. We have a
8 quorum.
9 CHAIRMAN ZIMMERMAN: Thank you very much,
10 Mr. Dick. I get to call this meeting to order.
11 We have sworn everybody in. Where we are in
12 the proceedings is that we've heard testimony, and now
13 we are at the point where we will hear rebuttal
14 testimony.
15 To refresh our memories, for anyone who has
16 spoken already and wants to rebut someone else, will
17 you please come forward, state your name -- you've
18 probably already been sworn in or affirmed -- and then
19 state what it is that you want to rebut. So don't
20 just start off in the middle of something. Please
21 orient us.
22 We are recording these hearings, and we have
23 new little gadgets here. So when you get up there, we
24 will direct you what to point. It's the little face

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1 with the little lines in front of it. You hit it. It
 2 turns red, and your statement will be recorded.
 3 We're having this transcribed as well.
 4 Thank you very much for respecting the
 5 procedure.
 6 On a side note, we all understand that there
 7 is a particular game going on right now. I believe it
 8 is 3-0. Cubs are up. Please withhold your applause.
 9 We might give you some updates.
 10 And we're at the point of rebuttal.
 11 Shall we go to the first group that spoke?
 12 Why don't we go through the -- let's see, shall we go
 13 through person by person to see if there's anything we
 14 want to rebut? We started with the supporters; so why
 15 don't we start there?
 16 Is there anybody who wants to rebut anything
 17 that Brad Pnazek said.
 18 (No response.)
 19 Anyone want to rebut anything that Michael
 20 Blazer said?
 21 (No response.)
 22 I saw somebody scratch their nose, but no
 23 statement there. Michael Hankart?
 24 (No response.)

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1 Dr. Mark Roberts?
 2 (No response.)
 3 Jacob Baker?
 4 (No response.)
 5 Eric Penn?
 6 (No response.)
 7 Boy, we're zipping through this. There must
 8 be a lot of Cubs fans here.
 9 Ronnie Paul?
 10 (No response.)
 11 Nathan Russo?
 12 (No response.)
 13 Joe Bertsche?
 14 (No response.)
 15 Loren Poppe? Got it right this time.
 16 (No response.)
 17 Andrew Downey?
 18 (No response.)
 19 Chris Wilder?
 20 (No response.)
 21 William Rau?
 22 (No response.)
 23 Robert Lenz? Anybody have any rebuttal on
 24 Robert Lenz?

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1 (No response.)
 2 Katie Chapman?
 3 (No response.)
 4 There's no rebuttal for anyone.
 5 We'll go through the rebuttal for the
 6 objectors, if there is any. After we do rebuttals,
 7 we'll hear final statements from those people who want
 8 to make final statements.
 9 The objectors, anyone want to rebut
 10 Dr. Angelo Capparella?
 11 (No response.)
 12 Michael Glennon?
 13 **MR. BLAZER:** Yes, sir.
 14 **CHAIRMAN ZIMMERMAN:** Thank you. So we got
 15 these new microphones. You can hit on the lower
 16 right-hand side. You see the face? Let's see if you
 17 can talk, and I can talk at the same time.
 18 **MR. BLAZER:** Let's hope so.
 19 **CHAIRMAN ZIMMERMAN:** Before we could only
 20 have one person at a time.
 21 **MR. BLAZER:** These are ten copies of each.
 22 **CHAIRMAN ZIMMERMAN:** Would you please state
 23 your name and what you'd like to rebut.
 24 **MR. BLAZER:** Michael Blazer, Senior Vice

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1 President and General Counsel at Invenergy.
 2 I'll be rebutting comments from Mr. Glennon,
 3 Julie Cotter, Diane Benjamin, Gary Stephens, and Amy
 4 Winterland.
 5 I want to first start with a pretty simple
 6 fact. You heard, if you remember, at the last hearing
 7 quite a bit of discussion, particularly from
 8 Mr. Glennon and Ms. Cotter about infrasound and health
 9 impacts and about impacts on property values.
 10 Obviously those are two very significant issues.
 11 But I think the most telling thing that you
 12 folks have to keep in mind is that this county is the
 13 host to not only one, but two wind farms, including
 14 the oldest one in the state of Illinois, which is Twin
 15 Groves.
 16 I think that's very significant because I
 17 would dare say it would come as a surprise to most if
 18 not all of you and certainly the members of the County
 19 Board to hear that anyone has been suffering from
 20 alleged health impacts from infrasound or anything
 21 else coming from wind turbines or that there has been
 22 a decrease in property values resulting from those two
 23 wind farms. In fact, neither of those things is true.
 24 And there's a very specific reason for that.

1 First of all -- I'm actually starting, I
2 suppose, backwards in order with Mr. Glennon. And I'm
3 not going to focus on everything again because I have
4 a limited amount of time and, like everyone else, I
5 want to listen to the Cubs.

6 But Mr. Glennon's presentation, while it
7 included a lot of material, focused primarily on the
8 statements of an individual named Paul Schomer. I
9 happen to know Mr. Schomer quite well. So does Mike
10 Hankart, our acoustical expert over there.

11 Mr. Schomer has in the past been a leading
12 acoustician, a leading expert on noise. In the last
13 few years, unfortunately for Mr. Schomer -- and I
14 don't know if it's because of age or politics -- he
15 has begun to say things publicly regarding wind farms
16 that don't jive with reality.

17 And because of that -- and I didn't hand
18 this out because it's a court decision, but this will
19 give you a sense of how the statements of Mr. Schomer
20 are currently being received. This is from a Federal
21 District Court Judge. This is April 28 of this year.

22 "The Court agrees with Defendants that the
23 Schomer documents do not represent reliable scientific
24 knowledge. The opinions expressed by Schomer are not

1 scientific. They are not supported by citations,
2 corroborating studies, or even explained in much
3 detail. Schomer's thoughts as expressed in these
4 documents consist primarily of unsupported
5 conclusions, which are not suitable to serve as a
6 basis for scientific knowledge."

7 So much for Mr. Schomer.

8 What is the point with respect to
9 infrasound? Again, I'll cite just very briefly --

10 **CHAIRMAN ZIMMERMAN:** Mr. Blazer, before you
11 go on, I'd like to make a couple of points here. One
12 is that, as far as evidence that comes in, if it is
13 presented to us, thank you very much. We apparently
14 have several items here. But if it's hearsay evidence
15 or evidence cited on the Internet or someplace else,
16 we will give it whatever weight we feel like. If it's
17 hearsay or on the Internet, of course it's absolutely
18 true -- as we all know, everything on the Internet is
19 -- we will assign weight to it.

20 You have a court case here. A court case is
21 a legal document that is public knowledge and public
22 -- we can reference it. So it's an official document.
23 Would you have a cite to that case?

24 **MR. BLAZER:** I do. And Mr. Knapp will --

1 **MR. KNAPP:** It's an unpublished opinion but,
2 Don, the cite is 2016-WL-1725990.

3 **CHAIRMAN ZIMMERMAN:** Great. In the future,
4 when you provide documents like that, we would really
5 appreciate to have the cites because, one, we get it
6 in the record with whatever that is. We don't have to
7 come back in and put it there. Thank you.

8 **MR. BLAZER:** I have another one here that
9 helps put in perspective this issue of infrasound and
10 low frequency noise and put what's generated by wind
11 farms or wind turbines in the context of whatever else
12 may exist in the world.

13 **MR. KURITZ:** Could you identify -- you
14 handed out this whole barrage of literature.

15 **MR. BLAZER:** I'm going to go through it.

16 **CHAIRMAN ZIMMERMAN:** You are going to go
17 through it?

18 **MR. KURITZ:** Could you identify which one we
19 are supposed to be looking at?

20 **MR. BLAZER:** Right now, it's another court
21 case. I'll give the cite. The next one is going to
22 be this one.

23 **CHAIRMAN ZIMMERMAN:** The court case we can
24 refer to by cite. Yes, we would prefer to have a

1 handout for everybody so we can read it. While we are
2 mostly paying attention and can follow what you're
3 saying, it's sometimes useful to read that.

4 Then the rest of the stuff he's handed us,
5 we will go through methodically.

6 **MR. BLAZER:** Yes. The next one, Mr. Knapp,
7 is another Federal District Court decision, March 25,
8 2014. That one is 2014-WL-1364453.

9 Just very briefly, this is a paragraph just
10 to put things in context. The EIS -- which is short
11 for Environmental Impact Statement -- subsequently
12 discusses exposure to ILFN -- which is short for
13 Infrasound and Low Frequency Noise, which is what
14 Mr. Glennon was talking about -- above 85 dB, the
15 accepted threshold for audibility, noting that
16 excessive exposure at such levels has been associated
17 with a condition termed "vibroacoustic disease," a
18 thickening of cardiovascular structures such as
19 cardiac muscle and blood vessels.

20 The EIS explains that the risk of
21 vibroacoustic disease is limited to rare situations
22 such as military operations and work carried out in
23 connection with the Apollo space program, where
24 infrasound levels can reach 125 dB, vastly exceeding

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1 the levels of infrasound produced by wind turbines.
 2 And finally, most recently -- and this is
 3 the first item I did hand out to you. This is a
 4 study, actually, that was just published September 30
 5 of this year. It's from Germany. It was commissioned
 6 by the state of Baden-Wurtemberg.
 7 It was a state-mandated study. I'm just
 8 going to go through a couple of comments. Obviously
 9 you can read this for yourselves. First of all, it
 10 was conducted over a span of two years, measuring and
 11 assessing infrasound from wind turbines.
 12 Industrial or utility scale wind turbines
 13 have been in existence in Europe actually far longer
 14 than they have been here. They started quite a bit
 15 earlier, and there are a significant number in
 16 Germany.
 17 So the summary, page 9 -- and just so you
 18 know, I'm just giving you the summary portion of this.
 19 The entire report is 104 pages long. I didn't want to
 20 give you the whole thing but just to give you a few
 21 highlights from the summary.
 22 On page 9, it indicates, generally speaking,
 23 what they did and how they did it to measure
 24 infrasound. And then we get to the results, which are

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1 on page 10.
 2 For example -- and this is consistent with
 3 what I just read you from this Federal Court decision.
 4 For the measurements carried out even at close range,
 5 the infrasound level in the vicinity of wind turbines
 6 is, at distances between 120 meters and 300 meters" --
 7 which is roughly 360 to 900 feet -- "well below the
 8 threshold of what humans perceive in accordance with a
 9 standard.
 10 At a distance of 700 meters -- about roughly
 11 2,100 feet -- from the wind turbines, it was observed
 12 by means of measurements that, when the turbine is
 13 switched on, the measured infrasound level did not
 14 increase or only increased to a limited extent. The
 15 infrasound was generated mainly by the wind and not by
 16 the turbines.
 17 The next couple of conclusions: Because of
 18 the speed of the wind, the levels of infrasound with
 19 the turbines on or off were roughly the same.
 20 And then going to page 11, the infrasound
 21 and low frequency noise measured in the vicinity of
 22 operating wind turbines consists of a proportion that
 23 is generated by the wind turbine, a proportion that
 24 occurs by itself in the vicinity due to the wind, and

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1 a proportion that is induced by the wind at the
 2 microphone.
 3 In this case, the wind itself is thus always
 4 an interference factor when determining the wind
 5 turbine noise. The vibrations caused by the wind
 6 turbine being examined were already minimal at a
 7 distance of less than 300 meters. At distances
 8 provided for residential areas alone due to noise
 9 protection issues, no relevant effects are to be
 10 expected for residential buildings.
 11 Then skipping to the conclusion because,
 12 again, all of you folks can read this for yourself.
 13 This is on page 12. Infrasound is caused by a large
 14 number of different natural and technical sources. It
 15 is an everyday part of our environment that can be
 16 found everywhere. Wind turbines make no considerable
 17 contribution to it. The infrasound levels generated
 18 by them lie clearly below the limits of human
 19 perception. There is no scientifically proven
 20 evidence of adverse effects in this level range."
 21 Then finally, on the infrasound issue, there
 22 are in fact -- and there have been over the last
 23 several years -- studies either sanctioned by,
 24 conducted by, or solicited by a number of units of

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1 government, multiple states in the US, Canada,
 2 Australia, the United Kingdom.
 3 I brought one example only, and this is this
 4 one. This happens to be -- actually, it's not a
 5 study. It's a follow-up. The state of Wisconsin did
 6 a study I believe three years ago. This is just a
 7 follow-up because a particular county in Wisconsin
 8 that may be host to a wind farm asked the State Public
 9 Health Department whether or not they should conduct a
 10 study.
 11 On the second page of this article is the
 12 Department of Health Services response. "Based on our
 13 ongoing review of scientific literature about wind
 14 turbines and health, DHS continues to conclude that
 15 levels of noise, channel flicker, and infrasound
 16 measured from contemporary wind turbines do not reach
 17 exposure levels associated with objectively verifiable
 18 human health concerns such as decreased sleep quality
 19 or elevated blood pressure, Elizabeth Goodson,
 20 spokeswoman for the State Department of Health
 21 Services, said in this statement."
 22 That I believe is all I need to say on
 23 infrasound or health impacts from wind turbines.
 24 I'll turn next to Ms. Cotter, who expressed

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1 a concern about negative impacts on property values.
 2 That again is a significant concern.
 3 What you have that I handed to you is a --
 4 it's actually an update of a survey. This one is
 5 dated October 31, 2016, from a company called MaRous &
 6 Company. Michael MaRous, who is the principal of that
 7 company, is one of the leading experts in the country
 8 on the impact of detrimental conditions on property
 9 values.
 10 We requested that he -- actually, the
 11 original version of this study dates back to March 25
 12 of last year. I asked him to do an update.
 13 He conducted a survey of every county
 14 assessor in Illinois in every county that hosts one or
 15 more wind farms, including McLean County. And I'll
 16 read you just a couple of the comments from this
 17 updated version of the study which we just received.
 18 Page 2, "Without exception, the interviewees
 19 reported that there was no market evidence to support
 20 a negative impact upon residential property values as
 21 a result of the development of and the proximity to a
 22 wind farm facility."
 23 Page 4, -- and I know I'm going to butcher
 24 this name so please help me -- "McLean County

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1 Supervisor of Assessments, Mr. Robert T. Kahman,
 2 previously reported that property owners have come to
 3 his office presenting newspaper articles that claimed
 4 a negative impact upon property values due to wind
 5 farms. The articles are not accepted as evidence, but
 6 rather the property owners are invited to collect
 7 their own market data that support their claim of
 8 diminution in value.
 9 "Thus far, no property owners have submitted
 10 market data that contradict the data collected by the
 11 Assessor's Office."
 12 I want to stop there for a second and refer
 13 to another item I handed out to you folks. This is
 14 just, as an example, referring to newspaper articles.
 15 This one happens to be from February of this year from
 16 Palo Alto County, Colorado. It relates to what's
 17 called the Calhan, C-a-l-h-a-n, Wind Farm, which is
 18 the largest wind farm in Colorado.
 19 Eastern El Paso County is doing land office
 20 business when it comes to home sales near a massive
 21 wind farm, according to a report given to the
 22 commissioners Tuesday by Assessor Steve Schleiker,
 23 S-c-h-l-e-i-k-e-r.
 24 "Despite outspoken fears from many residents

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1 that the wind farm near Calhan would damage their
 2 property values, the assessor has reported a dramatic
 3 spike in home and property values based on a study of
 4 two years worth of real estate sales in the area.
 5 "The collective value of more than 700 sales
 6 made in 2015 alone is more than \$181.1 million, at
 7 least \$40 million more than the current market value
 8 listed for those properties." The rest you can read
 9 for yourselves.
 10 I'll go back to the MaRous report from
 11 October 31, page 5. "Consistently, the Assessors
 12 reported that whatever initial concern there may have
 13 been regarding property values during the planning and
 14 approval stages of the various wind farms dissipated
 15 once the wind farm was constructed.
 16 "Repeatedly, where initially there had been
 17 community opposition to the development of a wind
 18 farm, the resulting facility is no longer perceived as
 19 having a negative influence upon property values."
 20 And finally, going back to Mr. Kahman,
 21 page 6, "There were several reports of construction of
 22 scattered large acreage farmhouse residences in the
 23 area of wind farm properties. The McLean County
 24 Assessor reported the construction of a 4,821 square

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1 foot single-family residence in the area of
 2 Arrowsmith, Illinois. The residence at 8144 North
 3 3100 East Road is located 1,113 feet from a wind
 4 turbine on an adjacent property. The residential
 5 building and surrounding site improvements including a
 6 swimming pool have an assessor's opinion of market
 7 value of \$878,467.
 8 So much for impacts on property values.
 9 Next, Ms. Benjamin expressed a concern --
 10 and this is a quote -- "When they turn, they throw
 11 things." I've seen -- as you folks might have -- on
 12 the Internet claims or fears about blade throw and ice
 13 throw. And I have Jacob Baker, our Director of
 14 Operations, here.
 15 But the point is, with respect to either of
 16 those, the basis of those fears dates back at least 10
 17 or 15 years, which is generations ago in terms of
 18 modern wind turbines.
 19 Modern wind turbines, if they experience an
 20 upset condition, like an icing condition, come to a
 21 halt. They don't keep spinning.
 22 As far as blade throw or how far -- if
 23 something happens, how far something may be thrown, I
 24 gave you a set of three pictures. This happened --

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1 this is an incident that happened at Invenergy's
 2 California Ridge wind farm. This one is in Vermilion
 3 County. The project straddles both Vermilion and
 4 Champaign Counties. This particular incident happened
 5 in Vermilion.
 6 This turbine suffered multiple lightning
 7 strikes. You may recall. This was, I believe,
 8 November of 2013. November of 2013, you may recall
 9 that series of horrific lightning storms that passed
 10 through this area and further north. This particular
 11 turbine got hit by multiple lightning strikes.
 12 The point of this is really the second page
 13 because we had someone go out and assess the debris
 14 field. And you can see the furthest anything was
 15 found -- and they were small shards. It's a little
 16 difficult to tell here. But obviously the larger
 17 fragments would have fallen straight down. But the
 18 smallest fragments, which measured in inches, were
 19 found no more than 300 feet away from this turbine.
 20 And if you look at the last page, it's a
 21 little difficult to read; but what it gives you, if
 22 you have a microscope, is distances to the nearest
 23 residences from this particular turbine: 1,500,
 24 1,700, 1,900 feet, much farther than any shard or, as

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1 Ms. Benjamin said, any things could be thrown.
 2 A couple of final things. Mr. Stephens
 3 expressed a concern that wind turbines are composed of
 4 rare metals and they have a significant carbon
 5 footprint.
 6 There are, to my knowledge, no rare metals.
 7 There's a lot of steel and copper, steel in the
 8 infrastructure and copper in the wires. But as far as
 9 their carbon footprint, current studies confirm that
 10 in terms of the amount of carbon that's utilized in
 11 the manufacture of a single wind turbine, that amount
 12 of carbon is used up or reversed within the first year
 13 of that turbine's operation. And beyond that, it
 14 generates a net positive effect or, in effect, a
 15 negative effect in terms of its carbon footprint
 16 because obviously it doesn't generate any carbon.
 17 And then finally --
 18 **CHAIRMAN ZIMMERMAN:** Sir, a question.
 19 Mr. Blazer, does that include the manufacture of the
 20 post going up?
 21 **MR. BLAZER:** Everything.
 22 **CHAIRMAN ZIMMERMAN:** The entire carbon
 23 generation --
 24 **MR. BLAZER:** Right.

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1 **CHAIRMAN ZIMMERMAN:** -- is used up.
 2 **MR. BLAZER:** Within the first year of
 3 operation, correct.
 4 **CHAIRMAN ZIMMERMAN:** By the way, for
 5 everyone, you were refuting, like, four or five
 6 people; so we've been giving you a lot more time than
 7 what the normal would be. So if you were rebutting
 8 just one person, we would have gotten the hook and
 9 taken you out, but you're doing several people.
 10 **MR. BLAZER:** I appreciate that.
 11 My very last one -- and I meant to bring
 12 this, but honestly I couldn't find the web site --
 13 Ms. Winterland expressed a concern about miscarriages
 14 to livestock.
 15 I actually did some research on this, oddly
 16 enough, in the context of another hearing two years
 17 ago. I remember it like it was yesterday. It was a
 18 Sunday, and I spent several hours on a Sunday
 19 researching what might have caused minks at a mink
 20 farm in Norway to miscarry. That is, in fact, the
 21 only evidence I've ever found on the Internet or
 22 anywhere else of an allegation of miscarriages.
 23 It was claimed by wind farm opponents that
 24 the miscarriages must have been due to a wind farm

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1 that was in the vicinity of this mink farm. It turned
 2 out that these minks were subject to a disease that
 3 originated in the Philippines, and that was in fact
 4 what was causing the miscarriages after medical
 5 examination. It had absolutely nothing to do with
 6 wind turbines.
 7 There is, in fact, no evidence whatsoever
 8 that livestock are adversely affected by wind
 9 turbines. You would know that -- in this county as
 10 well as any other rural county, you would know if hogs
 11 or cattle or any other livestock were affected by wind
 12 -- and again, think about the fact that, in Illinois
 13 alone -- let's call it Illinois and Iowa, which are
 14 two of the leading states in the country for wind
 15 energy. They are largely in rural communities and
 16 farming communities. If there was, in fact, an
 17 epidemic of livestock injuries from wind turbines,
 18 somebody would have heard about it.
 19 We have, in fact, consulted with both small
 20 and large animal veterinarians, and we heard
 21 anecdotally from one large animal veterinarian in
 22 Iowa, who happens to own a farm --
 23 **CHAIRMAN ZIMMERMAN:** Mr. Blazer, you're in
 24 the position of stuff that you heard and researched on

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1 a wonderful Sunday afternoon and other things that you
 2 might have read on the Internet. Thank you very much.
 3 **MR. BLAZER:** Okay. Thank you very much.
 4 **MR. KNAPP:** Stay there.
 5 **CHAIRMAN ZIMMERMAN:** At this point, have you
 6 concluded your rebuttal?
 7 **MR. BLAZER:** I have, sir.
 8 **CHAIRMAN ZIMMERMAN:** Now we have questions
 9 from staff. Any questions from staff?
 10 **MR. KNAPP:** Mr. Blazer, I'm reading this,
 11 the Oregon case, Williams versus Invenergy, 2016. Do
 12 you know -- I just can't see in the facts -- do you
 13 know the height of the towers in that case because I
 14 suspect I might be asked at some point. I don't see
 15 it in the facts.
 16 **MR. BLAZER:** Willow Creek?
 17 **MR. KNAPP:** The height of the towers at
 18 willow Creek?
 19 **MR. BLAZER:** 465 feet, approximately.
 20 **CHAIRMAN ZIMMERMAN:** Does anyone else have
 21 any questions of Mr. Blazer?
 22 (No response.)
 23 **CHAIRMAN ZIMMERMAN:** All right. Thank you
 24 very much.

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1 **MR. BLAZER:** Thank you all for your time.
 2 **CHAIRMAN ZIMMERMAN:** Now, does anyone have
 3 rebuttal for Ms. Winterland?
 4 **MR. PNAZEK:** I have rebuttal for
 5 Mr. Glennon.
 6 **CHAIRMAN ZIMMERMAN:** Okay. Please.
 7 **MR. PNAZEK:** I'm not sure if it's available
 8 to put my presentation up on the screen -- it's quite
 9 visual -- so it might make sense for everyone else
 10 here in the room too? I know there was an opportunity
 11 to do that last time.
 12 **MR. KNAPP:** There was. And we have a new
 13 system in place. We're still working through the
 14 process of getting it up and running. Unfortunately,
 15 I don't think I'm going to be able to put that up on
 16 the screen tonight.
 17 **MR. PNAZEK:** Here is ten copies.
 18 **CHAIRMAN ZIMMERMAN:** Would you please state
 19 your name.
 20 **MR. PNAZEK:** Yes. My name is Brad Pnazek.
 21 I am a Project Development Manager for Invenergy.
 22 **CHAIRMAN ZIMMERMAN:** And you've already been
 23 sworn in?
 24 **MR. PNAZEK:** Yes. The documents that are

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1 coming around are a representation of some of the
 2 setbacks that would be considered as part of the Farm
 3 Bureau's Text Amendment.
 4 Again, the origination of those setbacks
 5 come from findings of fact from previously approved
 6 and built projects here in McLean County. There's
 7 been some discussion that those setbacks need to be
 8 increased to a certain extent; and on this document,
 9 I'll be able to show you kind of what those impacts
 10 have and what those impacts mean for wind development
 11 here in McLean County as well as others and
 12 essentially the feasibility of developing wind with
 13 setbacks greater than the Farm Bureau Text Amendment.
 14 On page 2, I have some general information
 15 here on turbine sizing. If Invenergy were to develop
 16 a new project in Illinois, we would be -- our
 17 assumption here today would be to install 90 meter
 18 towers with 116 meter rotor diameters.
 19 In wind energy jargon, we hear a lot in
 20 meters. A meter is 3.28 feet. On this page, I kind
 21 of outlined that math for you. If you were to
 22 determine the maximum height of a 900-meter tower with
 23 a 116-meter blade, it would be the 295 feet plus the
 24 190 feet of the radius of one blade length, so 485

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1 feet. The Text Amendment is suggesting that the max
 2 height be 550 feet. We are not getting close to that
 3 level.
 4 Also, some other setbacks that are outlined
 5 in the Text Amendment is three times the -- the
 6 setback from a residence is three times the tip height
 7 or a minimum of 1,500 feet. So 485 feet times three,
 8 you're going to be short of that 1,500 feet. So the
 9 assumption here is that we will be adhering to a 1,500
 10 foot setback from an occupied residence.
 11 Slide 3 is showing you a typical section
 12 here in a rural area where you have a mile length on
 13 each side of the section, 640 acres total.
 14 Page 3 is showing, you know, a section that
 15 has various different parcel sizes ranging from 320 to
 16 160 all the way down to, you know, maybe a 70-acre
 17 parcel.
 18 So the assumption here that I'll show you
 19 here, walking through this is -- let's assume that
 20 every landowner in that parcel and the surrounding
 21 parcels is a participating landowner; so everyone has
 22 signed up for a project, and we will be taking into
 23 consideration any setbacks off of nonparticipating
 24 landowners.

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1 Here in McLean County, some of the setbacks
 2 that we'll be talking about: We'll have setbacks from
 3 both local roads and county roads. We'll also have
 4 setbacks from houses, participating landowners.
 5 There's also various other setbacks that Invenergy
 6 would adhere to, whether it's a microwave path running
 7 across. We wouldn't want to interfere with those
 8 passes. They're established. If there is an
 9 underground gas transmission line, we would also be
 10 setting back from that. If there is railroads, we'll
 11 be setting back from that. Any habitats for wildlife
 12 concerns, we will be setting back from those as well.
 13 But for this, let's just assume that all
 14 those other conditions, they aren't met. So this will
 15 be the most ideal situation for us, where we'll just
 16 be dealing with setbacks of residences and roads.
 17 So on page 4, the black outline there is
 18 showing you the setbacks off of those roads. Already,
 19 you can see, on three sides, there's roads. To the
 20 north, there's not a road there.
 21 Page 5, this is assuming the 1,500 foot
 22 setback. So again, these purple circles are around
 23 houses that are identified here on these plots.
 24 Basically, everything that is not purple or black is

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1 what we would consider a buildable area or an area
 2 that Invenergy and our engineers would be looking to
 3 site a turbine.
 4 For a wind developer such as Invenergy, our
 5 goal for developing a project is to optimize the
 6 energy output of the project, not necessarily the
 7 number of turbines we have or the sizes. We have wind
 8 data that we'd be gathering over a number of years,
 9 and we'd be trying to then understand where that wind
 10 is coming across the footprint. Then we would want to
 11 site turbines in an area that would optimize capturing
 12 that wind energy and translating that into electrical
 13 energy.
 14 So on page 6 -- you can kind of skip over
 15 that. Page 7, again, let's just assume that we have
 16 setbacks on the roads. You'll see they are the same.
 17 On the next slides we will talk through: If
 18 you were to raise these setbacks to a level maybe four
 19 and a half times the tip height.
 20 You'll see then on page 8, that that
 21 buildable area, where it's not occupied by the purple
 22 circles or black lines, shrinks considerably.
 23 If you flip over to page 9, we've done some
 24 of the math there for you. There's two squares shown

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1 there. On the left side is the assumption of the
 2 1,500 foot setback; and the right side would be the
 3 greater of four and a half times the setback, which,
 4 for a tower of 500 feet, would be the max. We are
 5 talking 2,250 feet.
 6 Essentially, your buildable acres on the
 7 left, under the ideal situation that would be
 8 represented by the Text Amendment, would be 290 acres
 9 in that 640 acres of that section there. So roughly
 10 45 percent of that is land that we could potentially
 11 try to site something on.
 12 On the right side there, you'll see that
 13 that would shrink down to 115 acres or roughly 18
 14 percent of the land there. Again, this is assuming
 15 that everyone in the area is a participating
 16 landowner.
 17 That's kind of the remaining footprint that
 18 we would be able to try to then say, hey, is there a
 19 spot in there that we will be able to use to optimize
 20 the energy output across the entire project.
 21 Slide 10. Let's assume now that the small
 22 70-acre parcel is nonparticipating. We'll walk
 23 through this same presentation here. Page 11 shows
 24 the roads. Page 12 shows the 1,500 foot setbacks. We

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1 also then, on page 13, show the setbacks from a
 2 nonparticipating property line. So that's one and a
 3 half times the height. As Mr. Blazer mentioned
 4 before, the debris field of what happened in Vermilion
 5 County was roughly 330 feet, 300 feet from that. So
 6 1.1 times the tip height would be 550 feet off a 500
 7 foot turbine there.
 8 So that debris field -- even if you site a
 9 turbine close to someone's property, you will not fall
 10 within that debris field. I know that was a concern
 11 that was brought up before. That would not happen
 12 here.
 13 Again, skipping over page 14, it's just a
 14 blank page. Slide 15, now considering the greater
 15 setbacks, four and a half times, you'll see again the
 16 roads. You'll see now the setbacks, again, the purple
 17 circles around the occupied houses; and then you will
 18 see the larger setbacks where someone might say it
 19 should be 2.0 times the height. And again, then what
 20 you see on page 17 and then showed on 18 is that
 21 buildable area.
 22 So essentially there the buildable area --
 23 **MR. KNAPP:** Two minutes.
 24 **MR. PNAZEK:** I'll be wrapping up here then.

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1 So you can see on the right side there, that
 2 effectively -- you know, folks that would like to see
 3 the increases of these setbacks will essentially
 4 preclude any wind development from happening. You're
 5 down to that 38 acres, so roughly 6 percent of that
 6 entire 640 acres.

7 We have seen this done in several different
 8 areas across the country, where folks will come in and
 9 suggest that setbacks need to be these and try and
 10 make those sound reasonable for one reason or another.

11 Essentially, it's a way to effectively kill
 12 wind siting on this because, if you're looking at that
 13 right picture and 6 percent, my engineers now have to
 14 choose between those 38 acres potentially where
 15 something might be.

16 If you look also to the north on the example
 17 there, we're assuming those participants in the
 18 section to the north are participating. If they were
 19 not participating, you would essentially lose that
 20 entire northern section there; so you would even have
 21 fewer acres.

22 Again, here in the state of Illinois, I
 23 think, from other counties that you have all done your
 24 research on, 1,500 feet is a reasonable setback for

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1 houses for occupied houses. And then the 1.1 setback
 2 off a nonparticipating landowner is again very
 3 reasonable and still allows for responsible siting of
 4 wind energy facilities.

5 Just a last couple of slides. There's
 6 another section that shows kind of a different layout
 7 with other different parcel sizes. Same kind of
 8 story. You can see how that changes. There's
 9 obviously a million different scenarios of how parcels
 10 are drawn. We want to try and give an idea of what
 11 the impacts might be.

12 On the very back of the presentation, on
 13 page 36, is just to show you a little bit of the
 14 information that our engineers are trying to determine
 15 when they're considering siting a wind project.

16 We're out measuring wind measurements. The
 17 graphical representation there is basically what we
 18 call wind rose diagram, where it tells you graphically
 19 the strength and magnitude of the wind and the
 20 direction and the time or the number of times across a
 21 given period that that wind is blowing in that
 22 direction.

23 If you have any further questions, I can
 24 gladly explain that to you outside my testimony.

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1 Again on page 37, just again showing some
 2 other kind of wind measurements that we're dealing
 3 with, the wind profile, the shear profiles, that we
 4 have here.

5 These are all some of the variables that our
 6 engineers are trying to evaluate. Those variables do
 7 change over topographies and geographies across a
 8 footprint.

9 Again, our goal is to maximize the energy
 10 output of the entire facility. When you start
 11 limiting us on where we site those turbines, that
 12 prevents an optimal wind layout.

13 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 14 Would there be time for or would you want to have
 15 questions? Any questions from the staff?

16 **MR. DICK:** No.

17 **CHAIRMAN ZIMMERMAN:** Any questions from the
 18 Board?

19 (No response.)

20 **CHAIRMAN ZIMMERMAN:** Thank you. That's very
 21 useful. Are there any questions from the audience?

22 (No response.)

23 **CHAIRMAN ZIMMERMAN:** There being none, we
 24 thank you very much.

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1 Would there be any more comments -- not
 2 comments -- rebuttal for Mike Glennon. I'll just
 3 remind you that I'm a substitute here. So some of the
 4 words fail me here. That's why I have lawyers, et
 5 cetera, here helping.

6 Any other rebuttal for Mr. Glennon?

7 (No response.)

8 Being none, Any for Amy Winterland?

9 (No response.)

10 For Gary Stephens?

11 (No response.)

12 For Tim Jolly?

13 (No response.)

14 For Diana Benjamin? Any rebuttal there?

15 (No response.)

16 For Julie Cotter?

17 (No response.)

18 There being no further rebuttal, we're to
 19 the point where I knock this off and hear something
 20 from the lawyer.

21 (Pause in proceedings.)

22 **MR. KNAPP:** So the Zoning Board of Appeals,
 23 by the handout that you have, doesn't traditionally
 24 allow what courts refer to as "surrebuttal." They

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1 take a case in chief. People can put on their
 2 evidence opposed or supporting a position. They allow
 3 rebuttal to rebut the evidence that was put on and
 4 then move right to closing statements by parties that
 5 put on evidence or gave testimony.
 6 Given the amount of evidence that's put on
 7 by Mr. Blazer in rebuttal, the Chair believes it
 8 equitable to at this point take surrebuttal. So if
 9 there are people here that want to rebut something
 10 Mr. Blazer said or, I'm sorry, the other gentlemen's
 11 name -- I can't remember -- they are free to come
 12 forward and do that and also be subject to
 13 cross-examination as anybody who comes and provides
 14 evidence.
 15 Does everybody understand that?
 16 **CHAIRMAN ZIMMERMAN:** In other words, anybody
 17 else want to rebut the rebuttal?
 18 We in this proceeding do follow legal rules,
 19 and the lawyers will tell you we run roughshod over
 20 many of those procedural rules in order to hear what
 21 people have to say and receive testimony. We reserve
 22 the right to not pay attention to that testimony if it
 23 comes from the Internet or what other people do on a
 24 Sunday afternoon. Excuse me for that.

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1 More importantly, before we go on, it is 7-0
 2 with the Cubs winning; so you can now relax a little
 3 more if you want to say anything.
 4 Does anyone want to make any rebuttal of the
 5 rebuttal?
 6 **AUDIENCE MEMBER:** I do.
 7 **CHAIRMAN ZIMMERMAN:** Yes, ma'am. Please
 8 come forward.
 9 Will you please state your name and address
 10 for the record please.
 11 **MS. BENJAMIN:** Diane Benjamin. No. I'm not
 12 required to state my address.
 13 **CHAIRMAN ZIMMERMAN:** For the record, when
 14 people make comments here, if they are from close to a
 15 wind farm or have some -- it's useful for us on the
 16 board. We do not need to know, but we may weight the
 17 testimony according to where people live. We have
 18 people down here from Chicago and from out in Maine
 19 and other places. So just as a heads up, we weight
 20 the testimony.
 21 **MS. BENJAMIN:** I think I mentioned I live
 22 out by the wind farm that is out east of town. I'm
 23 not paid by the wind farm. I didn't even know it was
 24 going in until they started building it. I just live

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1 in the neighborhood, if you can call living in the
 2 middle of nowhere a neighborhood.
 3 One of the speakers mentioned that I
 4 testified that they "throw things." I wasn't
 5 specifically talking about ice or anything like that.
 6 I was talking about when they catch on fire. There's
 7 a big difference between getting hit by lighting and a
 8 wind turbine exploding like the ones in Livingston
 9 County did.
 10 And when they did explode -- I think there
 11 was one within the last year sometime. I have a
 12 tendency to lose track of time. But it threw things a
 13 long ways. It was more than 300 meters or whatever
 14 the testimony was.
 15 What you have to consider with the placement
 16 of these is the evacuation zone. They keep leaving
 17 that out. If the turbine manufacturer says there's an
 18 evacuation zone, you have to make sure that you are
 19 not trespassing on somebody's property by building
 20 from the house instead of the property line.
 21 Otherwise, they are using the person's property in the
 22 evacuation zone.
 23 Even though the turbine may never explode,
 24 it's still dangerous to build something closer to the

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1 edge of the property line. You may not be able to get
 2 insurance on a building that's built in the evacuation
 3 zone. They are just not protected when you build from
 4 the house instead.
 5 Another thing I wanted to mention was: They
 6 are talking about building 485-foot-tall turbines.
 7 The ones by me are 280 feet tall. Waterson Towers is
 8 298 feet tall. I just Googled that while I was
 9 sitting over there.
 10 So you're talking about monsters. These are
 11 not small turbines. I don't know whether all of these
 12 studies that we're talking about with the noise
 13 actually studied the ones that are as tall as what
 14 they are talking about building.
 15 And that's all I have.
 16 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 17 Does anyone want to rebut what Ms. Benjamin said? Oh,
 18 it would be questions. Oh staff. I'm out of order
 19 again. I apologize. Would the staff have any
 20 questions?
 21 (No response.)
 22 **CHAIRMAN ZIMMERMAN:** Would any of the Board
 23 have any questions?
 24 **MR. KURITZ:** You said "a long distance."

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1 What's a long distance? How many feet?
 2 **MS. BENJAMIN:** I would have to look it up.
 3 I don't remember. I'm thinking that it was close to a
 4 mile away. I didn't look up that fact before I came.
 5 The videos are all over Google if you want to Google
 6 the videos.
 7 **CHAIRMAN ZIMMERMAN:** Any further questions
 8 from the Board?
 9 (No response.)
 10 **CHAIRMAN ZIMMERMAN:** Any from the audience?
 11 I have a hand up. Dr. Rau, please.
 12 **DR. RAU:** Mrs. Benjamin, how big was a
 13 tractor in the 1940s?
 14 **MS. BENJAMIN:** I wasn't alive. I don't
 15 know.
 16 **DR. RAU:** Guess from pictures you have seen
 17 of tractors.
 18 **MS. BENJAMIN:** I'm not any good at
 19 measuring. Believe me. I couldn't tell you how high
 20 this ceiling is.
 21 **DR. RAU:** Okay. Have you seen the size of
 22 modern tractors?
 23 **MS. BENJAMIN:** Yes, I have.
 24 **DR. RAU:** They are pretty big, aren't they?

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1 **MS. BENJAMIN:** Yeah. Not as big as a
 2 turbine.
 3 **DR. RAU:** Maybe four times bigger than
 4 tractors from the 1940s?
 5 **CHAIRMAN ZIMMERMAN:** Mr. Rau, what are you
 6 trying to get to?
 7 **DR. RAU:** Well, the idea here is that
 8 somehow these are big turbines; therefore, we
 9 shouldn't have them.
 10 By the same logic, we shouldn't have these
 11 large tractors because they are so big now.
 12 **MS. BENJAMIN:** I can hear the turbines that
 13 are by my house that are 280 feet tall. I can't
 14 imagine a turbine across the street from me that's
 15 almost twice as big.
 16 This one will give me a headache if I'm
 17 outside for too long and the wind is in the wrong
 18 direction. I don't have a problem inside my house. I
 19 have heard people do. I don't have a problem inside,
 20 but I have had to go inside because of headaches. If
 21 that thing is twice as big, I won't be outside.
 22 **DR. RAU:** The issue here is size. And I'm
 23 not sure that we want to halt progress because
 24 something gets bigger.

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1 **MS. BENJAMIN:** I don't think that's the
 2 point. The point is the noise that they are going to
 3 generate and the blades flipping in the wind because
 4 they actually bend when they go around in a circle.
 5 **DR. RAU:** I have been under turbines, and I
 6 hardly hear them. But I don't have very good hearing;
 7 so I must admit/confess to that problem.
 8 **CHAIRMAN ZIMMERMAN:** We're into testimony
 9 now.
 10 **DR. RAU:** I've asked my question.
 11 **CHAIRMAN ZIMMERMAN:** Anyone else?
 12 (No response.)
 13 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 14 Now we are down to the point -- any other
 15 rebuttal?
 16 (No response.)
 17 **CHAIRMAN ZIMMERMAN:** Seeing none, we're at
 18 the point of closing statements.
 19 **AUDIENCE MEMBER:** Wait, wait.
 20 **CHAIRMAN ZIMMERMAN:** Oh, excuse me. We're
 21 trying to zip through this. I didn't mean that
 22 everybody should totally relax because the Cubs are
 23 ahead 7 to nothing. Go right ahead. Excuse me.
 24 Would you please state your name.

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1 **MS. WINTERLAND:** Amy Winterland. I'll be
 2 the first one to say I probably am out of order here.
 3 I have a couple of questions. I probably should have
 4 asked these questions to Mr. Blazer.
 5 My first question is: In the study that was
 6 cited, did they say how tall -- the studies that we're
 7 talking about, the infrasound and the health impacts
 8 -- because I had that as a concern in my testimony as
 9 well.
 10 So we're building nearly 500-foot turbines,
 11 and I don't know what the reports, the studies that he
 12 cited, how tall the turbines were. I don't believe
 13 all turbines are created equal; so I just want to be
 14 on the record for comparing apples to apples here.
 15 So if they were just doing studies on noise
 16 and infrasound impacts on a 280-foot turbine, my
 17 question would be: Is that relevant to the current
 18 project, which is proposed to be a 500?
 19 **CHAIRMAN ZIMMERMAN:** Ms. Winterland -- I
 20 know you guys didn't get this -- on page 9, it was 1.8
 21 to 3.2 megawatts. I believe a handout is over here
 22 which might have that data.
 23 **MR. BLAZER:** The data is actually -- they
 24 study a significant number of different models, all

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1 the way from roughly --
 2 **CHAIRMAN ZIMMERMAN:** I'll repeat that.
 3 Mr. Blazer, you're sort of "off hearing." We are
 4 trying to record this.
 5 They studied a wide variety of turbines, and
 6 I cited it on page 9. If you would like to talk some
 7 more, please come forward. Otherwise, I'll just
 8 repeat what you say for the record.
 9 **MR. BLAZER:** My apologies, Mr. Chairman.
 10 In response to Ms. Winterland, the study
 11 that I mentioned, they studied a broad range of
 12 models, starting with some that are shorter than the
 13 ones that are currently installed in McLean County all
 14 the way to some that are significantly taller than the
 15 ones that we are talking about. So, MM92, 2
 16 megawatts, E66, 1.8 -- again, there's a whole range of
 17 these, all the way from the mid 300-foot level all the
 18 way to well over 500 feet.
 19 The reason they did that is because they
 20 wanted to measure infrasound from a broad spectrum of
 21 different types of turbines to make sure that their
 22 study was scientifically valid.
 23 **MR. KNAPP:** Why don't you stay there,
 24 Mr. Blazer.

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1 **CHAIRMAN ZIMMERMAN:** Ms. Winterland, you may
 2 ask more questions.
 3 **MS. WINTERLAND:** Thank you. Sorry. I
 4 should have done this probably earlier.
 5 My second question concerned property values
 6 and specifically how many properties were actually
 7 sold in McLean County in that study and how close were
 8 those properties to the turbines that were sold, when
 9 it said there was no impact to -- negative impact to
 10 the property values?
 11 **MR. BLAZER:** You would have to check with
 12 the Assessor's Office. This was a survey. But the
 13 one particular one, because it stood out so loudly,
 14 the one that was recently built that's valued at well
 15 over \$800,000, is just over 1,100 feet from a wind
 16 turbine.
 17 **MS. WINTERLAND:** But they built that. They
 18 are not trying to sell it to somebody.
 19 **CHAIRMAN ZIMMERMAN:** The other thing that
 20 they analyzed were real estate tax appeals, which are
 21 not sales. They are basically not -- the Assessor's
 22 Office haven't experienced real estate tax appeals
 23 based upon wind farm-related concerns.
 24 **MR. BLAZER:** For the sake of brevity, I

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1 didn't bring matched-pair studies. There have been a
 2 number of those done -- I think that's what you are
 3 referring to -- comparing sales of residences near
 4 turbines to sales of similar houses further from
 5 turbines. Those consistently confirm that there is no
 6 negative impact on property values.
 7 But I didn't bring any of those because we
 8 are not in a hearing on a wind turbine project. I
 9 assume we'll be doing that if and when we get to that
 10 point.
 11 **MS. WINTERLAND:** I guess my real question
 12 was: Were there actually any home sales in the area?
 13 **MR. BLAZER:** I don't believe we've had
 14 evidence of that at this hearing.
 15 **MS. WINTERLAND:** Of any sales?
 16 **CHAIRMAN ZIMMERMAN:** We're just doing a Text
 17 Amendment here. At the time we do hearings, having
 18 been in several of those wind hearings, we go over an
 19 extensive amount of evidence; and at that point,
 20 people tend to bring in sales and other data.
 21 So that might be something that those people
 22 who want to make sure that the Board makes a more
 23 fully informed decision should there be another wind
 24 farm come up -- we would want to have those kinds of

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1 studies.
 2 **MS. WINTERLAND:** Okay. Again, my point is
 3 that we're talking about the study, but I'm not sure
 4 there's actually been any actual sales. There's a
 5 perceived nonimpact to the value, but I'm not sure
 6 that there's been sales.
 7 **MR. KNAPP:** Just to clarify where we're at
 8 in this hearing, you don't have any evidence to put in
 9 right now to rebut Mr. Blazer's assertion or these
 10 studies. You just have questions about the validity
 11 of the studies themselves that you would like the
 12 board to consider. Fair enough?
 13 **MS. WINTERLAND:** Fair enough.
 14 **CHAIRMAN ZIMMERMAN:** In the interest of
 15 trying to hear everybody, we sometimes hear things out
 16 of order. As Chair of this committee who is less than
 17 experienced in leading it, has less experience than
 18 Ms. Rudolph back there, I will sometimes get things
 19 out of order as well. So I guess we should reserve
 20 the right to keep things out of order.
 21 We are at the point of hearing closing
 22 statements. What was the time limit we wanted to
 23 establish there?
 24 **MR. KNAPP:** Ten minutes.

1 **CHAIRMAN ZIMMERMAN:** Usually it's ten
2 minutes per person; and we hope that people have fewer
3 than ten minutes of comments each, just to encourage
4 people to be brief.

5 We started with the proponents before.
6 Should we do the objectors first? Dr. Capparella,
7 would you like to make a closing statement?

8 **MR. CAPPARELLA:** No.

9 **CHAIRMAN ZIMMERMAN:** Mike Glennon, is he
10 here tonight? Would you like to make a closing
11 statement in fewer than ten minutes? And we will be
12 very strict on time.

13 **MR. GLENNON:** I'm just going to read this.
14 If you'd like, I can pass it around.

15 **CHAIRMAN ZIMMERMAN:** Before you start
16 talking, would you please get on there. And if you
17 want us to read something, please pass it in and give
18 her a copy. And "her" has a name, right, Mr. Dick?

19 It's still 7-0, while we are getting these
20 papers handed out, in the fourth, the bottom of the
21 fourth.

22 **MR. GLENNON:** You have two things in front
23 of you. The single page you have are actually the
24 sections of the County Code which I was suggesting be

1 amended, the definition section, 350-26, and then
2 McLean County Code Section 350-43, which would be your
3 use standards, specifically 002(H), which deals with
4 setbacks.

5 While the proposed Text Amendment greatly
6 helps codify past practices adopted by the Board in
7 previous special use cases involving the siting of
8 wind electric conversion systems, it is inadequate in
9 certain respects to provide the necessary protections
10 for the citizenry in the future.

11 The last WECS construction project in McLean
12 County was completed approximately six years ago.
13 Since then, some researchers are recommending that
14 local regulators need to re-evaluate their approach to
15 siting in order to account for the unique sound
16 characteristics of wind turbines compared to other
17 sources of noise such as rail, airport, or highway,
18 especially in rural settings where preconstruction
19 ambient levels are relatively low.

20 I am suggesting the amendment of Code
21 Section 350-26 to include the definitions detailed on
22 the attached summary. I am also suggesting the
23 amendment of Staff Exhibit A to include the following
24 as described in the attached summary: a 3,000-foot

1 minimum setback distance for nonparticipants and the
2 option for a nonparticipant to waive the minimum
3 setback to 1,500 foot.

4 With the current standard as proposed in
5 Staff Exhibit A, nonparticipants and landowners share
6 a prescribed setback of 1,500 foot. Nonparticipants
7 receive no compensation for the effects of noise,
8 vibration, flicker, et cetera, that landowners receive
9 as part of lease easement agreements. Furthermore,
10 landowners, upon entering said contracts, are entitled
11 to mitigation interventions to address these perceived
12 effects.

13 Recognition of nonparticipants with the
14 option of a waiver will ensure equal protection at the
15 prescribed minimum setback distance. This also
16 ensures project feasibility by promoting negotiation
17 in cases where a larger setback on small parcels may
18 impart certain constraints in terms of turbine layout.

19 The Twin Groves I and II projects are a
20 testament to the fact that easements with
21 nonparticipants can be successful. Developers such as
22 EDP, recognizing the immediate consequences of their
23 projects, actively engaged nonparticipants in offering
24 easements for the trespassed effects prior to

1 submitting an application. This should be the model
2 followed going forward.

3 Moreover, this practice ensures that the
4 Zoning Office is encouraging strong partnerships with
5 prospective energy developers who recognize that all
6 residents have an equal stake in the project's
7 success.

8 Historically, the Board has emphasized
9 health as the key component when determining whether
10 Standard A is met in these cases. I would ask, given
11 this emphasis on health, that the Board recognize a
12 somewhat broader definition such as that which the
13 World Health Organization and Environmental Protection
14 Agency maintain, not necessarily relating health
15 exclusively to a medical condition, but rather a state
16 of well-being.

17 Dr. Paul Schomer, a recognized leader in the
18 scientific study of acoustics, has made the expressed
19 recommendation in this case that the acceptable noise
20 level falls between 38 and 40 decibels at which point
21 research is showing a marked increase in annoyance.

22 As a pioneer in the creation of noise
23 regulation standards, a leader in their enforcement,
24 and a cofounder of the Illinois Pollution Control

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1 Board Guidelines, it is his opinion that the levels
 2 stipulated by the IPCB do not apply here.
 3 Dr. Schomer states in the affidavit
 4 submitted into evidence that these rules are
 5 inappropriate for use with wind farms. They are
 6 anything but protective of the citizenry; so use of
 7 them in conjunction with the wind farm noise must be
 8 deprecated.
 9 Based on his calculations, the recommended
 10 setback to bring annoyance to an acceptable threshold
 11 in alignment with rail, highway, traffic, et cetera,
 12 is 3,000 feet. By maintaining the distance in the
 13 Code, the burden is removed from the County in terms
 14 of enforcement of a noise limit which may conflict
 15 with the standing IPCB regulations.
 16 It should be noted that Mr. Poppe, a
 17 landowner who gave supporting testimony at the hearing
 18 on October 4, answered that half a mile was an
 19 appropriate setback in his opinion when asked the
 20 question by staff.
 21 McLean is one of several contiguous counties
 22 in Central Illinois that possess ideal characteristics
 23 for wind development, those being a high average wind
 24 speed of 10 meters per second and existing

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1 infrastructure for power transmission.
 2 We should not discount our wind resources at
 3 the expense of nonparticipants but rather promote
 4 balanced development through reasonable regulation.
 5 Being thorough now will render a code built
 6 on solid premises, a code that is bolstered by input
 7 not from those who seek to profit, but input from an
 8 individual such as Dr. Paul Schomer, who has dedicated
 9 his career in furthering the protection of the
 10 citizens of this state.
 11 Please consider the suggestions I have made
 12 when rendering your decision in order to promote a
 13 more inclusive scope for all residents and project
 14 plans. I believe this approach will lead to greater
 15 general acceptance of future projects by the public as
 16 well as foster stronger partnerships with energy
 17 leaders who recognize the full impact to the citizenry
 18 in terms of effects and consequences. Thank you.
 19 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 20 Ms. Winterland?
 21 **MS. WINTERLAND:** No.
 22 **CHAIRMAN ZIMMERMAN:** Gary Stephens?
 23 **MR. STEPHENS:** No.
 24 **CHAIRMAN ZIMMERMAN:** Tim Jolly?

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1 **MR. JOLLY:** No.
 2 **CHAIRMAN ZIMMERMAN:** Diana Benjamin? Would
 3 you like to make a final statement? She left. Okay.
 4 Julie Cotter? She's back there.
 5 **MS. COTTER:** No.
 6 **CHAIRMAN ZIMMERMAN:** Okay. And now for the
 7 final statements from the supporters.
 8 **CHAIRMAN ZIMMERMAN:** Brad Pnazek?
 9 **MR. PNAZEK:** No.
 10 **CHAIRMAN ZIMMERMAN:** Michael Blazer?
 11 **MR. BLAZER:** Yes, sir. I'll be very brief.
 12 Mr. Glennon just used the phrase "input from
 13 those who seek to profit." And I think it's important
 14 to remind not just you but the people in the audience
 15 of how we got here.
 16 We got here as a result of the effort by the
 17 Illinois Farm Bureau in cooperation with your Zoning
 18 Department to codify what this county had done
 19 historically via condition.
 20 Those two groups, the Illinois Farm Bureau
 21 and your Zoning Department, do not seek to profit from
 22 the passing of this ordinance or the approval of any
 23 potential wind development. The Illinois Farm
 24 Bureau's mission is to protect the interests of

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1 farmers. Your Zoning Department's mission is to
 2 protect the interests of all the residents of this
 3 county.
 4 Collectively, they have developed an
 5 ordinance which is consistent with science, consistent
 6 with your past practices, consistent with the real
 7 evidence -- rather than rumors, innuendo, or Internet
 8 studies -- that confirms that, if you adopt this
 9 ordinance and someone does ultimately seek approval
 10 for a wind project under this ordinance, it will in
 11 fact be protective of those whose interests are
 12 represented by the proponents of this Text Amendment,
 13 the Illinois Farm Bureau and your Zoning Department.
 14 All I ask you to do is consider this
 15 County's experience and the experience of all of the
 16 other counties in this state and all of the other
 17 counties and states in this country and all of the
 18 countries in the world where tens of thousands of wind
 19 turbines have been built and thousands continue to be
 20 built without any adverse impact on health, on
 21 communities, or on property values. Thank you.
 22 **CHAIRMAN ZIMMERMAN:** Michael Hankart?
 23 **MR. HANKART:** No.
 24 **CHAIRMAN ZIMMERMAN:** Mark Roberts?

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1 **MR. ROBERTS:** No.
 2 **CHAIRMAN ZIMMERMAN:** Jacob Baker?
 3 **MR. BAKER:** No.
 4 **CHAIRMAN ZIMMERMAN:** Eric Penn?
 5 (No response.)
 6 **CHAIRMAN ZIMMERMAN:** Nathan Russo?
 7 (No response.)
 8 **CHAIRMAN ZIMMERMAN:** Joe Bertsche?
 9 (No response.)
 10 **CHAIRMAN ZIMMERMAN:** Loren Poppe?
 11 (No response.)
 12 **CHAIRMAN ZIMMERMAN:** Andrew Downey?
 13 Mr. Downey, state your name.
 14 **MR. DOWNEY:** Andrew Downey.
 15 I wish to clarify. It was asked before if
 16 I'm employed by Invenergy. I am a private contractor.
 17 I have advised -- I am employed in that respect as a
 18 consultant for Invenergy. I have consulted with other
 19 renewable energy companies as well.
 20 But I speak before you and others as a
 21 farmer and landowner on my own volition with knowledge
 22 that, after speaking with hundreds of landowners and
 23 witnessing hundreds of turbines being installed, that
 24 in my opinion -- I'm here to speak on behalf of that.

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1 It is good for the farmer, the landowner, the tenant,
 2 and the community.
 3 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 4 Any final statement from Chris Wilder?
 5 (No response.)
 6 **CHAIRMAN ZIMMERMAN:** From Bill Rau? He's
 7 planning to come up.
 8 **DR. RAU:** Mr. Chairman, members of the
 9 Board, let me start with a quote. "Of all the forces
 10 of nature, I should think the wind contains the
 11 largest amount of motive power . . . take any given
 12 space of the Earth's surface . . . and all the power
 13 exerted by all the men, beasts, running water, and
 14 steam over and upon it shall not equal the one
 15 hundredth part of what is exerted by the blowing of
 16 the wind over and upon the same space.
 17 "However, no successful mode of controlling
 18 and directing the wind has been discovered. As yet,
 19 the wind is an untamed and unharnessed force; and
 20 quite possibly one of the greatest discoveries
 21 hereafter to be made will be the taming and the
 22 harnessing of the wind."
 23 That was Abraham Lincoln speaking to the
 24 Young Men's Association of Bloomington April 6, 1858.

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1 We now control and direct the wind.
 2 Invenergy wants to harness more of it. And Lincoln,
 3 were he alive, he would testify on behalf of this wind
 4 farm. He would do so not only because of its benefits
 5 but also because of its numerous beneficial negations.
 6 What a wind farm does not do may be more
 7 important than what it does do. A wind farm does not
 8 require an expensive and fallible phalanx of guards to
 9 keep it out of the hands of terrorists who could then
 10 obliterate a vast stretch of Illinois, rendering that
 11 land unfit for either beast or human for four times
 12 four score years.
 13 It does not vent radioactive gases in the
 14 morning's for dark hours.
 15 It does not increase cancer rates downwind
 16 of the farm.
 17 It does not lay claim to water of lakes and
 18 rivers when we will face drought as we approach mid-
 19 century.
 20 It does not suffer from declining
 21 production, even a halt to production, when heat waves
 22 make cooling water too hot. Wind farms do not need
 23 water to produce power.
 24 A wind farm never strip-mined once-

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1 magnificent parts of Illinois such as Shawnee Hills,
 2 now reduced to barren wastelands incapable of return
 3 to their glory as one of God's gifts to our country.
 4 Wind farms do not cause asthma, bronchitis,
 5 or heart attacks. They do not shorten life
 6 expectancy. Wind farm workers never get black lung
 7 disease. They are never incinerated by a wind farm
 8 fire.
 9 An Illinois wind farm has never poisoned our
 10 big game fish with mercury. They have never poisoned
 11 a country's water supply. They never create huge and
 12 dangers piles of wind ash or wind slurry.
 13 Finally and most importantly, wind farms do
 14 not threaten our grandchildren's survival. They do
 15 not release mind boggling quantities of carbon
 16 dioxide, thereby forcing the earth's climate to spin
 17 out of control.
 18 On the contrary, they are one of the
 19 solutions to slowing and eventually stopping the
 20 relentless degradation of the Earth's climate and
 21 ecosystem.
 22 Let's consider an unbeneficial outcome.
 23 Commercial wind farms do not create tangible, direct
 24 returns to the vast majority of a county's residents.

1 When Zilka built our first wind farm, my
2 friends were enthusiastic supporters. Disappointment
3 set in when we discovered that we could not buy even a
4 single kilowatt hour of made-in-McLean wind power.
5 The farm's total output would be shipped north.

6 Approval of many wind farms today rests on
7 the passive altruism of a country's silent majority,
8 An unstable situation that can be undone by a
9 passionate, organized antiwind minority.

10 Let's change this for the good. Invenergy
11 can build a better wind farm with two actions. First,
12 offer power purchase agreements to local residences,
13 businesses, hospital, schools, and government entities
14 who want to made-in-McLean wind power.

15 Second, offer bonds to McLean County
16 residents who would like to invest in the construction
17 of the farm.

18 What would grow out of this Better Neighbor
19 Compact? Residents driving by the farm could say,
20 "Those turbines ahead, they power my home and this
21 car" or "See over there; that's my wind farm. I
22 bought bonds to finance it."

23 The strengths of community commitment just
24 might rise to match the strong McLean County winds

1 that imprinted Lincoln's imagination when he rode the
2 8th Judicial Circuit in the 1850s.

3 Regardless of the fate of a better neighbor
4 compact, I hope you will vote as Lincoln would, an
5 affirmative yea for changes in wind farm zoning that
6 allow Invenergy wind farm to go forward. Ladies and
7 gentlemen, let's harness the wind.

8 **CHAIRMAN ZIMMERMAN:** Thank you, Dr. Rau.
9 Any final statements from Bob Lenz? He's not
10 here.

11 From Katie Chapman?

12 **MS. CHAPMAN:** NO.

13 **CHAIRMAN ZIMMERMAN:** And as a final
14 statement, would anyone from Farm Bureau, who began
15 all of this a while back, anyone from Farm bureau wish
16 to make a concluding statement? Mike is shaking his
17 head no.

18 Well, that sums up our public hearing; so we
19 should probably hammer this to a close.

20 The next step is that we the Board discuss
21 the case based on the standards of the Zoning
22 Ordinance. And since this case, ZA-16-01, is a Text
23 Amendment, we'll take some time and review that and
24 then talk about our conclusions.

1 We've been here for a few minutes. It is
2 now the top of the fifth and 7-1. We will take a
3 ten-minute break and resume after that. All right.
4 We'll be back here at 8:55. Thank you.

5 (Recess in proceedings.)

6 **CHAIRMAN ZIMMERMAN:** please take your seats.
7 There we go. We're settling down. We've reached the
8 point of the hearing where we're going to discuss the
9 testimony we've heard and the amendments that we have
10 had.

11 I'd like to remind everyone that we at the
12 Zoning Board actually were requested to hear the
13 change in the Text Amendment before. We had several
14 hearings. We made our adjustments to that and
15 submitted it to the County Board. The County Board
16 then gave it back to us, asking us to provide more or
17 hear further testimony on it, which we have done, as
18 you've been witness to in the last while.

19 We helped shape the issues. We helped --
20 and we wanted to hear more of this.

21 I want to go back to that this Board has
22 heard more zoning appeals or requests for special uses
23 on wind farms than pretty much any other place.
24 McLean County has more wind farms than most states

1 have; so we have a moderate amount of experience with
2 this, and we are real comfortable with how we were
3 dealing with it.

4 We were then approached by the Farm Bureau
5 to do this Text Amendment. We reshaped it, and now
6 we've reshaped it again. So we're at the point where
7 we have a few choices.

8 What I'd like to do is go to the Board and
9 see what kind of consensus we can come up with. We
10 essentially have four ways to go. One, we can go back
11 to the original statement that we just leave alone
12 what was on the books before.

13 The second is we could resubmit this as we
14 have it and the proposal as is. We could also add
15 something to it. So we have some choices here.

16 At the end of our discussion, I'd like to
17 have an affirmative vote -- affirmative motion for a
18 vote, if it comes to that, that would, I hope, reflect
19 our consensus. We'll see if we get a consensus there

20 I really appreciate everybody's efforts in
21 coming to give us testimony that we could hear and
22 flesh out the points that we've gone over. This is a
23 very public forum, and we really appreciate
24 everybody's participation.

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1 So what I'd like to do now: We have our
 2 copies of the -- this. Maybe we should have any
 3 initial comments that anybody might have from the
 4 Board. First, do we have anything from staff?
 5 No, nothing from them; so it is up to us to
 6 discuss this.
 7 **MR. FINNIGAN:** I'd like to tell the audience
 8 we are glad they came.
 9 Going back probably about a year ago, we had
 10 the hearing on gas wells down in Wapella and a lot of
 11 discussion about that. Nobody was really in favor of
 12 that. All we heard that night was: "Let's do
 13 alternative energy. Let's do wind power." So I'm
 14 glad they came back in support of that.
 15 Some of the people are here. Mr. Rau and
 16 Mr. Capparella I know talked to me afterwards. So I
 17 appreciate you coming back.
 18 **CHAIRMAN ZIMMERMAN:** Whatever text amendment
 19 we come up with, if we come up with one now, to
 20 recommend to the Board, that does not eliminate our
 21 ability to review any cases. We hope it will
 22 streamline it, make it shorter, faster, more
 23 effective. We really appreciate the comments you guys
 24 have made so that we can have wind farm hearings that

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1 are fewer than 17 in number -- I think was the top one
 2 we had.
 3 **MR. DEAN:** I'm in favor of the Text
 4 Amendment. It was laid out there by the Farm Bureau
 5 and something that, as a farmer, I would be inclined
 6 to appreciate. They're looking out for our interests.
 7 I'm also of the opinion that there wasn't
 8 really anything wrong with the old system; so I would
 9 be -- but I think the Text Amendment has got some
 10 positive things in it. We should move forward on it.
 11 **CHAIRMAN ZIMMERMAN:** Anybody else have
 12 comments?
 13 **MR. DEAN:** The third option was to add
 14 something. What were you thinking about?
 15 **CHAIRMAN ZIMMERMAN:** What I was thinking is
 16 Dr. Capparella gave us some very clear language that
 17 helped with review and follow-up at the end of it.
 18 It's on the back page of our last -- the mailing that
 19 we had. He gave first a brief regulatory overview.
 20 "There are no stated federal regulations
 21 requiring pre-siting or post-siting studies, but
 22 federal and state laws do have regulations requiring
 23 incidental take permit if there are certain species
 24 that are suffering mortality and displacement.

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1 However, the knowledge of such effects or the
 2 likelihood of such effects is totally dependent on
 3 voluntary self-reporting by the company."
 4 So the second point was: Both the Illinois
 5 Department of Natural Resources and the U.S. Fish and
 6 Wildlife Service will do comprehensive analyses of a
 7 pre-siting study (called consultations) and provide
 8 comprehensive scientifically based recommendations;
 9 but these are only if such a voluntary study is done
 10 and submitted."
 11 He pointed out that only the County can
 12 require pre-siting and post-siting studies that are
 13 submitted to the IDNR and U.S. Fish and Wildlife
 14 Service and only a County -- that's us -- can require
 15 the adoption of these recommendations.
 16 So he suggested, really briefly, that we add
 17 to the Text Amendment these four quick items as
 18 minimum McLean County ordinance requirements requested
 19 for wildlife.
 20 1. A pre-siting study addressing all
 21 relevant species, submitted to the IDNR and U.S. Fish
 22 and Wildlife Service.
 23 Secondly, require implementation of IDNR and
 24 U.S. Fish and Wildlife Service recommendations based

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1 on the pre-siting study results unless credible
 2 evidence is presented against the recommendation.
 3 Third, post-siting study addressing all
 4 relevant species, submitted to NR and U.S. Fish and
 5 Wildlife Service.
 6 And fourth, required implementation by the
 7 IDNR and U.S. Fish and Wildlife Service recommendation
 8 based on the post-siting study results unless credible
 9 evidence is presented against this recommendation.
 10 This was from Angelo Capparella, Objector's
 11 Exhibit Number 2, in this case.
 12 So I'd say the second part we could add
 13 because it says: Study them. Implement the
 14 recommendations. Get the right people to study and
 15 implement them. Have a post-siting study to see if
 16 your recommendations are doing any good or if they're
 17 messing things up. And then require that we have this
 18 post-siting study.
 19 That seems to make really solid sense to me.
 20 It's also short and easy. We don't have to have 14
 21 meetings to go through that.
 22 Rick, how would you feel about that?
 23 **MR. DEAN:** I would be open to that. I don't
 24 want to put more road blocks in the way of development

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1 of wind farms. This may be a stumbling block for the
 2 wind farm folks, but I'm kind of hopeful it isn't.
 3 Wildlife is something we have to learn to live with.
 4 **MR. KURITZ:** If I'm not mistaken, I believe
 5 the hearings that we went through, they actually did
 6 these studies.
 7 **CHAIRMAN ZIMMERMAN:** They did.
 8 **MR. KURITZ:** They just weren't required.
 9 I'm correct?
 10 **CHAIRMAN ZIMMERMAN:** Yes.
 11 **MR. KURITZ:** So basically we're just putting
 12 in what has been done previously in McLean County
 13 anyway. So I'd be in favor of adding that.
 14 **CHAIRMAN ZIMMERMAN:** That seems to be the
 15 consensus. When we did the cases before, we had what,
 16 like, 37 different stipulations on the end of it?
 17 What a lot of these -- what the new
 18 guidelines give us it just codifies most of what we
 19 did anyway. It's not like it's anything out of the
 20 ordinary. And we did have the wildlife things in
 21 there.
 22 Mr. Finnigan, did you see anything that
 23 popped out at you?
 24 **MR. FINNIGAN:** No. I think all the

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1 testimony that was all relevant to what we were trying
 2 to achieve here but wasn't anything really new --
 3 **CHAIRMAN ZIMMERMAN:** Thank you, everybody.
 4 **MR. FINNIGAN:** -- anything new in what we
 5 heard that would change our attitude on the wind farm,
 6 I don't think.
 7 I would be in favor of adding the
 8 stipulations of Dr. Capparella into the recommendation
 9 for the Text Amendment and sending it back to the
 10 County Board.
 11 **CHAIRMAN ZIMMERMAN:** One of the other things
 12 was the height of the turbines. We took it up to 550
 13 feet. We may not get that far, but there are turbines
 14 that are that tall, we're told.
 15 And then we have setbacks. I was really
 16 pleased to see evidence of when a turbine was hit by
 17 lightning, how far the debris went. It was within 300
 18 feet of it. So basically if a turbine fell over, the
 19 turbine falling over would reach further than where
 20 all this debris was sprayed out. That was heartening
 21 to me. It wasn't a major concern, but it's really
 22 useful to see.
 23 The other thing I see in terms of setbacks,
 24 under H1, it's 2,000 feet of a boundary. I don't

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1 think it was 1,500 feet. 1,500 feet is -- all setback
 2 would be 1,500 feet and then 2,000 feet from an R-1 or
 3 R-2 District. Any questions on that?
 4 (No response.)
 5 **CHAIRMAN ZIMMERMAN:** That's what we had set
 6 before, and I think it was acceptable to everybody.
 7 Rick, you got something?
 8 **MR. DEAN:** I would move we accept the
 9 proposed Text Amendment to the -- help me out.
 10 **CHAIRMAN ZIMMERMAN:** It's ZA-16-01. Would
 11 you hold that for a second, Rick, and see if we have
 12 consensus on this?
 13 **MR. DEAN:** We're going to vote on it.
 14 **CHAIRMAN ZIMMERMAN:** I think we have pretty
 15 strong consensus on it; so please would you proceed
 16 with your motion.
 17 **MR. DEAN:** I move that we accept the Text
 18 Amendment with the addition of the wildlife protection
 19 recommendations of Mr. Capparella.
 20 **MR. FINNIGAN:** I'll second that.
 21 **CHAIRMAN ZIMMERMAN:** For the record, I
 22 believe it's Dr. Capparella.
 23 Is there any further discussion?
 24 (No response.)

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1 **CHAIRMAN ZIMMERMAN:** Mr. Dick, would you do
 2 a roll call vote?
 3 **MR. DICK:** Finnigan?
 4 **MR. FINNIGAN:** Yes.
 5 **MR. DICK:** Kuritz?
 6 **MR. KURITZ:** Yes.
 7 **MR. DICK:** Zimmerman?
 8 **CHAIRMAN ZIMMERMAN:** Yes.
 9 **MR. DICK:** Bangert?
 10 **MR. BANGERT:** Yes.
 11 **MR. DICK:** Carlton?
 12 **MR. CARLTON:** Yes.
 13 **MR. DICK:** Dean?
 14 **MR. DEAN:** Yes.
 15 **CHAIRMAN ZIMMERMAN:** The motion passes
 16 unanimously. We now refer Case Number ZA-16-01, the
 17 Text Amendment, back to the County Board for their
 18 official approval in addition to the --
 19 **MR. DICK:** It will go to the County Board on
 20 November 15.
 21 **CHAIRMAN ZIMMERMAN:** And at that point,
 22 there will be no further comment or testimony at the
 23 Board. If anyone wishes to be there to watch, that's
 24 fine, but can't add any more comments.

1 At this point, we want to thank everybody
2 for their participation in the hearings. It's been a
3 couple long nights. And the Cubs are -- it's now 7-2
4 in the top of the 6th.

5 Thank you so much for all of your
6 participation, and thank you to the Board for all the
7 hard work and going through all of this. Maybe
8 they'll accept it this time.

9

10 (Proceedings concluded at 9:10 p.m.)

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1 STATE OF ILLINOIS)
2 COUNTY OF DeWITT) SS

3

4 I, BRENDA ZEITLER, CRR, RPR, and CSR,
5 License No. 084-004062, in and for the state of
6 Illinois, do hereby certify that the foregoing meeting
7 before the McLean County Zoning Board of Appeals was
8 taken on the 1st day of November, 2016, and that said
9 hearing was taken down in stenograph notes, afterwards
10 reduced to typewriting by me, and is a true and
11 accurate transcription of the testimony.

8

9 I do hereby certify that I am a
10 disinterested person in this cause of action, that I
11 am not a relative of any party or any attorney of
12 record in this cause or an attorney for any party
13 herein or otherwise interested in the event of this
14 action, and that I am not in the employ of the
15 attorneys for either party.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 19th day of December, 2016.

14

15

16 Brenda Zeitler, RPR, CRR, CSR

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