

In The Matter Of:
LIVINGSTON COUNTY ZONING BOARD OF APPEALS

April 13, 2015

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1 LIVINGSTON COUNTY ZONING BOARD OF APPEALS
 2 CASE SU-7-14
 3 PLEASANT RIDGE WIND ENERGY PROJECT
 4 April 13, 2015
 5 6:30 PM
 6 Walton Centre
 7 100 West Locust Street
 8 Fairbury, Illinois

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 12 Richard Kiefer
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1 (Commencing at 6:30 p.m.)
 2 **CHAIRMAN CORNALE:** If we can go ahead and
 3 make our way to our seats. Chuck, roll call please.
 4 **MR. SCHOPP:** Okay, this is the April 13th,
 5 2015, continuation hearing of Livingston County
 6 Zoning Board of Appeals review of Livingston County
 7 Zoning Case SU-7-14, Pleasant Ridge Energy, LLC,
 8 Pleasant Ridge Wind Energy project. Roll call.
 9 Michael Cornale.
 10 **CHAIRMAN CORNALE:** Here.
 11 **MR. SCHOPP:** John Vitzthum.
 12 **MR. VITZTHUM:** Here.
 13 **MR. SCHOPP:** Richard Kiefer.
 14 **MR. KIEFER:** Here.
 15 **MR. SCHOPP:** Diana Iverson. Howard
 16 Zimmerman. Joan Huisman, she's in the building.
 17 And Gibs Nielsen.
 18 **CHAIRMAN CORNALE:** All right, I'd like to
 19 welcome everybody here this evening. It's our 27th
 20 meeting for those of you keeping track, 27. Looks
 21 like I've got 16 witnesses on our sheet. We're
 22 going to do our best to get through these. As I say
 23 that, I'm going to remind those 16 individuals to be
 24 certain as you come forward -- we did real good the

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1 other evening with new information. We do
 2 appreciate that. It does help to move these
 3 meetings along. We're trying to get them done, you
 4 guys want to get some closure, whatever the --
 5 whatever your feelings are on this, so we're trying
 6 our best to do that.
 7 With that, Matthew Kaisner, can you please
 8 come forward? On deck, Megan Dassow. Is that it?
 9 I'm going to get that wrong.
 10 All right, Mr. Kaisner, can you please be
 11 sworn in?
 12 **MR. KAISNER:** I'll affirm.
 13 (Mr. Matthew Kaisner was duly affirmed.)
 14 **CHAIRMAN CORNALE:** All right, please state
 15 your name and address for the court reporter and
 16 then go ahead and begin.
 17 **MR. KAISNER:** Matthew Kaisner, I live at
 18 27215 East 1000 North Road, Forrest, Illinois.
 19 QUESTIONS BY
 20 **MR. LUETKEHANS:**
 21 Q. Mr. Kaisner, and I think counsel will
 22 stipulate, for the record you live at receptor 394
 23 on Ridge Exhibit 16B. Showing you what has been
 24 previously marked as Pleasant Ridge Exhibit 16B, can

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1 you go to the second page and see R394, and under
 2 the column 1000 hertz, I think I actually
 3 highlighted that for you --
 4 **A. Uh-huh.**
 5 Q. -- can you tell me what the decibel level
 6 is?
 7 **A. 40.7.**
 8 Q. Okay. And if you go back two further
 9 pages, it's actually the same thing, and the first
 10 one was for 1.7 -- GE 1.79-100 turbines, and then if
 11 you go to R394 two pages later on GE 1.72-103
 12 turbines, what's the 1000 hertz decibel level at
 13 your property?
 14 **A. We're at 40.6.**
 15 Q. Okay. And if you go down to the next
 16 page, which is with the new LNTes, can you tell me
 17 what your decibel level is again at 500 hertz -- or
 18 1000 hertz, excuse me?
 19 **A. 40.6.**
 20 Q. Okay. And then two pages later, could you
 21 tell me again, this is again with the 103 meter
 22 blade, what's the hertz at that property at that
 23 level, at 500 hertz? What's the decibel at 1000
 24 hertz, I apologize?

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1 **A. 40.4.**
 2 Q. Okay. Who do you live at 27215 East 1000
 3 North Road with?
 4 **A. My wife and children. We have four**
 5 **children. Expecting another.**
 6 Q. Okay. And do you work in this immediate
 7 area or do you work somewhere else?
 8 **A. I work in Bloomington.**
 9 Q. And who do you work for in Bloomington?
 10 **A. State Farm Insurance.**
 11 Q. And how many acres of property do you have
 12 at your residence?
 13 **A. 4.7.**
 14 Q. And how many -- do you know how many
 15 turbines are proposed to be within a mile of your
 16 home?
 17 **A. Six.**
 18 Q. Okay. And do you know what directions
 19 those are from your house?
 20 **A. North, northeast, northwest, southeast and**
 21 **I think southwest.**
 22 Q. Okay. And do you farm the land located at
 23 27215 East 1000 North Road?
 24 **A. No.**

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1 Q. Do you operate any type of business out of
 2 that property?
 3 **A. No.**
 4 Q. So you just utilize it for your residence,
 5 that's it.
 6 **A. That's correct.**
 7 Q. Okay. Showing you what has been marked
 8 UCLC Exhibit 134, is this an aerial of the property
 9 you live at?
 10 **A. Yes.**
 11 Q. And can you tell us approximately how many
 12 feet, yards, et cetera, may be between your home and
 13 the property line on the east?
 14 **A. Probably a hundred feet.**
 15 Q. Okay. And how about to the north?
 16 **A. 50 feet.**
 17 Q. How about to the west?
 18 **A. 200 feet.**
 19 Q. And how about to the south?
 20 **A. I believe 850 feet.**
 21 Q. Okay. And I see some other buildings on
 22 your property. Or what buildings are there on your
 23 property besides your home? Anything else?
 24 **A. Yeah, we have a little, a small little**

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1 **chicken shed and then there's a pole building.**
 2 Q. A chicken shed and then what else, I'm
 3 sorry?
 4 **A. A pole building.**
 5 Q. A pole building. Okay, in the chicken
 6 shed, is there any farm equipment that you utilize?
 7 **A. No.**
 8 **MR. LUETKEHANS:** Okay, I have nothing
 9 further. Thank you, Mr. Kaisner.
 10 **CHAIRMAN CORNALE:** Mr. Kaisner, hold on.
 11 **MR. LUETKEHANS:** Mr. Kaisner, you have to
 12 wait for some more questions.
 13 **CHAIRMAN CORNALE:** Units of local
 14 government, local school districts, any questions
 15 for Mr. Kaisner? Mr. Blazer, any questions?
 16 **MR. BLAZER:** Just a few, Mr. Chairman.
 17 **QUESTIONS BY**
 18 **MR. BLAZER:**
 19 Q. Hi, Mr. Kaisner. Who is Brett Gutwein?
 20 **A. Brett Gutwein. He owned that property**
 21 **before we -- we bought it from him.**
 22 Q. I see.
 23 **A. Yes.**
 24 Q. And your property is classified as farm

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1 with buildings or ag improved. You're aware of
 2 that, aren't you?
 3 **A. Sure.**
 4 Q. Yes?
 5 **A. Yes.**
 6 Q. Okay. Looking at the -- it's not exactly
 7 zoomed in, but if you could look at this picture,
 8 Exhibit 134, is your house the building with the
 9 brown roof kind of at the northwest?
 10 **A. The house is located directly -- you see**
 11 **the loop, the gravel -- you see the lane going up**
 12 **and then the gravel loop?**
 13 Q. Yes.
 14 **A. The house is directly north of that.**
 15 Q. Okay. It looks like there's two buildings
 16 there, two buildings there kind of at an angle from
 17 each other.
 18 **A. It's just one.**
 19 Q. Okay.
 20 **A. It's the house and garage.**
 21 Q. Okay. As you're heading north up the
 22 drive, what are those three round structures that
 23 you pass before you get to your house?
 24 **A. Those are bins, grain bins.**

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1 Q. Okay. I'm not a farm boy, so you'll have
 2 to excuse me if I don't know what those are. And
 3 then just north and to the east of the grain bins,
 4 what's that building?
 5 **A. That's the pole building.**
 6 Q. And what's in that pole building?
 7 **A. Just right now, there's some old wood that**
 8 **was left over from a barn they took down.**
 9 Q. All right. And then if we keep going
 10 north from the pole building, immediately northeast
 11 of your house, you see there's another structure
 12 there?
 13 **A. Yes.**
 14 Q. What is that?
 15 **A. That's the chicken shed.**
 16 Q. That's the chicken shed, okay. And then
 17 if we keep going straight north from your house,
 18 looks like there's a rectangular empty area there.
 19 What is that?
 20 **A. That's just part of the field. Our**
 21 **property is about 50 feet north of the house and**
 22 **then it's field from there.**
 23 Q. And then if we go immediately east of your
 24 house, between the pole barn and the chicken shed,

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1 that whole big area there, what's that?
 2 **A. Oh, that's part of -- that's part of our**
 3 **property.**
 4 Q. Okay. But what's it used for?
 5 **A. And it's also part of the field.**
 6 Q. Part of the field?
 7 **A. Yeah.**
 8 Q. Okay.
 9 **MR. BLAZER:** That's all I have.
 10 **CHAIRMAN CORNALE:** Anybody in the audience
 11 with questions for Mr. Kaisner? ZBA, did we have
 12 any questions? Did you have a question, Mr. Slagel?
 13 **MR. JOHN SLAGEL:** Yes.
 14 **CHAIRMAN CORNALE:** All right.
 15 **QUESTIONS BY**
 16 **MR. JOHN SLAGEL:**
 17 Q. I missed the beginning. How many acres
 18 did you say you have on your property?
 19 **A. 4.7.**
 20 **CHAIRMAN CORNALE:** State your name.
 21 Q. John Slagel. And how many acres?
 22 **A. 4.7.**
 23 Q. Okay. And from what I can tell on the
 24 map, that the area that looks like a little field in

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1 the back, is that -- what's that planned on being
 2 used for?
 3 **A. You mean directly north of our house?**
 4 Q. Yes.
 5 **A. Of our place? Yes, it's just part of the**
 6 **field.**
 7 Q. Okay. Do you have any plans to rent out
 8 some of the farm or --
 9 **A. No, we don't own that. We own about 50**
 10 **feet north of the house and then the rest of that is**
 11 **field.**
 12 **MR. JOHN SLAGEL:** Okay, thanks.
 13 **CHAIRMAN CORNALE:** ZBA? County counsel?
 14 County staff?
 15 **AUDIENCE VOICE:** You've got someone back
 16 here?
 17 **CHAIRMAN CORNALE:** Have I? Thank you.
 18 **QUESTIONS BY**
 19 **MS. CHOUINARD:**
 20 Q. Leslie Chouinard, C-H-O-U-I-N-A-R-D. I
 21 have a quick couple of questions. How long have you
 22 lived on this property?
 23 **A. Since September.**
 24 Q. Of 2014?

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1 **A. Yes.**
2 **Q.** Were you aware of wind turbines coming in
3 when you bought the property?
4 **A. I -- we did not give that any thought. I**
5 **don't know that we were aware. I mean it certainly**
6 **wasn't something we thought about when we purchased.**
7 **MS. CHOUINARD:** Okay, thanks. I was just
8 curious.
9 **CHAIRMAN CORNALE:** Okay, I didn't
10 inadvertently miss anybody else, did I? All right.
11 We're good? We're through everybody? Mr. Kaisner,
12 thank you. Next, Megan Dassow.
13 **MR. LUETKEHANS:** Mr. Chairman, could I
14 have one second? We're labeling the last exhibit
15 that wasn't labeled, so it makes it easier for you.
16 **CHAIRMAN CORNALE:** All right. Just so we
17 know who's on deck, Ruth Wessels. Ruth Wessels will
18 be after Megan.
19 **MR. BLAKEMAN:** Do you have other exhibits?
20 **MS. DASSOW:** Phil's going to hand them
21 out.
22 **CHAIRMAN CORNALE:** Okay, Megan, are you
23 ready --
24 **MS. DASSOW:** Yes, let me get this --

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1 **CHAIRMAN CORNALE:** -- to be sworn in?
2 **MS. DASSOW:** Can you guys hear me okay?
3 **CHAIRMAN CORNALE:** Please raise your right
4 hand.
5 (Ms. Megan Dassow was duly sworn.)
6 **CHAIRMAN CORNALE:** All right, state your
7 name and address for the court reporter and then go
8 ahead and begin.
9 **MS. DASSOW:** Megan Dassow, 30155 East 1100
10 North Road, Chatsworth, Illinois. I'm not as
11 dynamic of a speaker as my husband was, so you guys
12 will have to bear with me this evening. Before I
13 begin, I want to give you a little background
14 information on myself.
15 I have a degree in natural resources
16 management and another in zoology, which is just a
17 fancy term for wildlife management. I work
18 full-time here in Livingston County as a soil
19 conservation technician, and I spend my days
20 assisting our landowners and farmers with evaluating
21 resource concerns they might have on their land and
22 helping them to develop a plan to protect the soil,
23 water and wildlife resources they are entrusted to
24 protect while helping them to improve their farming

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1 operations. My job involves everything from
2 engineering and design work to wildlife habitat
3 development, contract management and conservation
4 plan development.
5 During this presentation, I'd like to
6 cover a few topics: the impacts this project might
7 have to aerial application in our area, the impacts
8 to air medical transport, impacts to our cultural
9 resources, I'll briefly touch on the Livingston
10 County Soil and Water Natural Resources report, and
11 I'd also like to give a personal statement.
12 I'd first like to introduce the topic of
13 precision aerial application, some people call it
14 crop dusting, and discuss the impacts that this
15 proposed wind energy project might have on its use
16 in our area. I presented this information to our
17 county board previously at the Ag and Zoning
18 Committee meeting in September of last year, but I
19 was informed that I needed to provide this
20 information to the Zoning Board of Appeals as well.
21 Aerial application can include everything
22 from the use of pesticides, fertilizer, and can even
23 be used to seed cover crops. It's becoming
24 increasingly important for agriculture due to the

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1 ever-rising need to be efficient while helping to
2 protect our environment. It's an efficient and
3 economical tool and any producer wants to get the
4 biggest bang for their buck and accomplish as much
5 as they can each day. They're at the mercy of so
6 many things and need all the tools they can get to
7 be productive and successful. Sometimes aerial
8 application is the only tool available to control
9 pests, disease, or to get our cover crops seeded
10 with enough time -- with enough growing season left
11 for them to be effective. Timing is everything.
12 Cover crops are becoming a very important
13 component in many agricultural operations. They've
14 been around for many years. They are now becoming
15 more mainstream. They help protect our soil from
16 erosion, treat soil compaction, capture and recycle
17 nutrients, and generally improve the health of soil
18 by increasing our organic matter and help manage our
19 soil moisture.
20 Due to time constraints, I'm not going to
21 get into the Illinois nutrient loss reduction
22 strategy. Everyone in this room is aware of the
23 hypoxic or dead zone in the Gulf of Mexico. I fully
24 believe many of the producers and landowners in this

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1 audience are well aware of the increasing voluntary
 2 effort to reduce the amount of nutrients that run
 3 off our farms and into our watercourses that
 4 contribute to degradation of the gulf. And I know
 5 that we're aware and we want to get ahead of this
 6 problem before regulations come down the pike.
 7 Cover crops are one of the tools outlined in the
 8 nutrient loss reduction strategy and they will play
 9 a large role in helping us meet the goals outlined
 10 for Illinois. So how does all this relate to the
 11 proposed wind farm?
 12 The proposed wind farm will take aerial
 13 application options away from many producers in our
 14 area and/or cause others to incur additional
 15 expenses they never had before. I've been in
 16 contact with two of the aerial application companies
 17 that service our area: Pontiac Flying Service and
 18 Schertz Aerial. Both companies agree that the
 19 introduction of a wind energy project leaves an
 20 area -- some of the acres in the area inaccessible
 21 by aircraft and adds a level of complexity to the
 22 remaining accessible acres that was not present
 23 before wind farms dotted our landscape. Mr. Schertz
 24 also feels that added hazards of turbines leaves the

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1 county open to vicarious liability. He has
 2 presented at a number of county hearings in the past
 3 but feels his continuing --
 4 **MR. BLAZER:** Mr. Chairman, I have to
 5 object. These people aren't going to be testifying
 6 in this hearing. I don't think it's appropriate for
 7 this witness to be submitting comments from them.
 8 We've been through this multiple times in this area.
 9 **MR. LUETKEHANS:** You know, wait a second.
 10 We made a distinction between experts and
 11 nonexperts, and she is just submitting documents
 12 that back this up, the statements that have been
 13 provided. These are not experts; they're people in
 14 the business. We've heard many of Mr. Blazer's
 15 clients talk about hearsay and non -- use hearsay
 16 for their position. This is nothing different than
 17 that, and that's --
 18 **MR. BLAZER:** I'll -- I'm sorry. I'll
 19 remind you, Mr. Chairman, that you made this
 20 specific ruling quite some time ago, I quoted it
 21 twice already in two things I've submitted, when Ms.
 22 Gerwin asked you the same question. And you made it
 23 very, very clear if someone wants to submit a
 24 comment or anything like that, they have to come in

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1 here and be sworn.
 2 **MR. LUETKEHANS:** This is no different -- I
 3 mean let's break down experts versus nonexperts.
 4 Experts, you've made a ruling this is very -- that
 5 we couldn't do this. These are nonexperts and this
 6 is consistent with the ruling allowing hearsay in
 7 throughout this hearing. In fact, Mr. Harms, Ms.
 8 Fosdick, all of them put in hearsay that's very
 9 similar to this. They put in things about finances,
 10 et cetera, that were exactly allowed, which are
 11 almost exactly like this.
 12 **CHAIRMAN CORNALE:** All right. By virtue
 13 of hearing and sitting through several of these
 14 hearings previously, I can say that this information
 15 is repetitive. I'm going to -- I'm going to
 16 actually ask that it not be presented in this format
 17 because it already previously has been presented in
 18 similar hearings.
 19 **MR. LUETKEHANS:** I'm sorry, what hearings?
 20 **CHAIRMAN CORNALE:** Prior wind farm
 21 hearings.
 22 **MR. LUETKEHANS:** But that's not in this
 23 record, what the prior -- I mean there has not been
 24 anybody in here to testify in this record to this.

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1 That was in a prior record that we have not adopted
 2 in this hearing. This is a completely new hearing.
 3 No one on the county board or the ZBA should be
 4 relying on things that occurred in prior hearings to
 5 grant or deny this special use.
 6 **MR. BLAZER:** Mr. Chairman, I'll quote
 7 again, this is from the January 29, 2015, hearing
 8 transcript, pages 1807 to 1808.
 9 Ms. Gerwin: Well, I had another question.
 10 It relates to both these proceedings, to both these
 11 proceedings. Is there going to be an opportunity
 12 for any written comment? I've been asked that by
 13 members of the public. Will people be able to
 14 submit a written comment into the record.
 15 Chairman Cornale: A written comment
 16 regarding?
 17 Ms. Gerwin: The application or the
 18 Comprehensive Plan, for example.
 19 Chairman Cornale: The application --
 20 we'll accept written comment if you want to provide
 21 it as exhibit testimony.
 22 Ms. Gerwin: Okay.
 23 Chairman Cornale: We've never disallowed
 24 that.

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1 Ms. Gerwin: Do they have to come here to
 2 do that? Do they have to come to a hearing to do
 3 that or can they mail it to the office or --
 4 Chairman Cornale: The witness must
 5 appear --
 6 Ms. Gerwin: Okay.
 7 Chairman Cornale: -- and be sworn,
 8 subject to cross-examination, all of those things
 9 that every other witness is subject to.
 10 Ms. Gerwin: Okay, I now know what to tell
 11 them.
 12 This had nothing to do with experts. This
 13 had to do with anyone who wishes to submit any kind
 14 of comment. Per the rules of this board, they have
 15 to come in here and be sworn and be subject to
 16 cross-examination.
 17 **MR. LUETKEHANS:** And Mr. Parzyck put in
 18 testimony or put in documents from the Illinois
 19 Agricultural Aviation Association without anybody
 20 from the IAAA being here. Not one person here. He
 21 was not -- he's not an expert. That's the exact
 22 same thing that they were allowed to do and I
 23 objected to early on.
 24 **MR. BLAZER:** Well, no, actually he never

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1 objected to that, but in any --
 2 **MR. LUETKEHANS:** I objected to the exact
 3 same thing with the first witness.
 4 **CHAIRMAN CORNALE:** All right, there's an
 5 objection. I'm going to allow the objection. If
 6 you can skip through this, just to move through this
 7 and move past these particular statements.
 8 **MS. DASSOW:** Can I talk about the amount
 9 of money that people will be charged for living in
 10 the wind farm and using aerial application?
 11 **AUDIENCE VOICE:** Yes.
 12 **MS. DASSOW:** That's not been presented
 13 here. And Mr. Harms testified that people would not
 14 see a surcharge and that was incorrect. He talked
 15 to a fertilizer and pesticide dealer where you would
 16 not see a surcharge. This is the application
 17 charge.
 18 **CHAIRMAN CORNALE:** Okay, you can talk
 19 about the dollar values associated with.
 20 **MS. DASSOW:** Okay. For the acres that
 21 pilots deem accessible or treatable, the local
 22 companies will charge a premium fee above and beyond
 23 the normal servicing fees. Schertz Aerial charges a
 24 flat 50 percent application surcharge on top of

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1 their normal fee while Pontiac Flying Service will
 2 increase your application fee somewhere between 2 to
 3 \$5 an acre depending upon the complexity of the
 4 area.
 5 The reason for these increased fees
 6 includes the need for extra fuel due to more
 7 complicated approaches or exits to and from a field
 8 and the time it takes for the applicators to
 9 coordinate with the wind energy companies. These
 10 companies often have maintenance crews in the area
 11 or other staff and require applicators to
 12 coordinate/notify them prior to treating an area.
 13 This also leads to a delay in treatment of fields,
 14 and as we've already covered, timing can be
 15 everything. A delay of even a day or two in the
 16 application of a pesticide or fertilizer can lead to
 17 significant yield reductions.
 18 I think it's very, very important to note
 19 that these fee increases I've spoke about don't
 20 apply just to landowners with a turbine or a high
 21 voltage line physically located on their property,
 22 but the project will impact all the acres in and
 23 even around the project boundaries. You do not have
 24 to have a turbine on your property to have your land

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1 deemed inaccessible or to receive a surcharge. Your
 2 neighbor's choice ultimately impacts your land and
 3 your farming operation.
 4 The NAAA, National Agricultural Aviation
 5 Association, outlines a number of safety tower
 6 guidelines. This will be M. Dassow Exhibit 4, a
 7 fact sheet from the NAAA. Their number one
 8 guideline is that towers should not be erected on
 9 prime agricultural land in a manner that may inhibit
 10 aerial applicator access and the ability to treat
 11 the land. Let's remember, these wind energy
 12 companies are not located in our area and can end up
 13 being located out of state and even out of country
 14 if sold and in general are out of touch with
 15 Livingston County.
 16 Both Schertz Aerial and Pontiac Flying
 17 Service whom I've spoken to are members of the
 18 Illinois Agricultural Aviation Association, the
 19 IAAA. In 2005, this association adopted the
 20 resolution shown here because of a lack of concern
 21 from wind energy proponents regarding the potential
 22 loss of aerial application as a tool in the farmer's
 23 toolbox. Please see my Exhibit No. 5 for detailed
 24 information from the IAAA website regarding their

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1 wind turbine policy and their resolution.
 2 The resolution was re-endorsed in 2009 and
 3 remains in effect today. In general, they are
 4 concerned with the dangers that wind farms pose to
 5 our ag pilots, and in the interest of their safety,
 6 the association will refuse to make aerial
 7 applications inside of a group of turbines or to
 8 farm ground immediately adjacent to a grouping of
 9 turbines should a pilot deem the area as hazardous.
 10 During the January 21st hearing, Mr.
 11 Blazer introduced Pleasant Ridge Exhibit 229, an
 12 email string between Allyson Sand, manager of
 13 business development with Invenergy, and Mr. Rick
 14 Reed, executive director of IAAA. When Mr. Blazer
 15 submitted the correspondence, he said that Invenergy
 16 had been consulting with Mr. Reed regarding any
 17 concerns his association may have regarding the
 18 project in general. Mr. Blazer also said, and I
 19 quote, "The only concerns Mr. Reed raised were with
 20 respect to the marking of the MET tower." As we
 21 just saw in the previous slide, in general the IAAA
 22 is concerned with all aspects that wind energy
 23 development has on aerial applicators, and it seems
 24 in this instance they found a specific additional

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1 concern with Invenergy's MET tower.
 2 I was already aware of the IAAA stance on
 3 wind farms and felt this matter needed further
 4 clarification. My husband and I contacted Mr. Rick
 5 Reed and provided him with the excerpts from the
 6 testimony on January 21st from the previous slide.
 7 I'd now like to submit M. Dassow Exhibit No. 6, the
 8 letter from Mr. Rick Reed, the executive director of
 9 the IAAA.
 10 **MR. BLAZER:** Objection. Same objection.
 11 **AUDIENCE VOICE:** Keep going, Megan.
 12 **MS. DASSOW:** He entered their emails
 13 between Allyson and Mr. Reed.
 14 **MR. BLAZER:** Same objection, Mr. Chairman.
 15 I'd ask for the same ruling.
 16 **MR. LUETKEHANS:** It's a different issue.
 17 It's a completely different issue. Mr. Blazer
 18 submitted a document, this conflicts with that
 19 document, and we have the absolute right to put it
 20 in.
 21 **MR. BLAZER:** Not if you don't have the
 22 person here testifying.
 23 **MR. LUETKEHANS:** You know what, you have
 24 had -- Mr. Blazer has had already people who

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1 testified about things that were not present for it.
 2 **CHAIRMAN CORNALE:** All right.
 3 **MR. LUETKEHANS:** And I asked on the first
 4 night a hearsay objection for this exact same
 5 reason, so that we knew what the parameters were.
 6 **MR. BLAZER:** This has nothing to do with
 7 hearsay. This has to do with the rules of this
 8 board.
 9 **MS. DASSOW:** Everybody read the slide --
 10 **CHAIRMAN CORNALE:** Okay.
 11 **MS. DASSOW:** -- really quick before they
 12 make me take it down.
 13 **CHAIRMAN CORNALE:** Mr. Blazer --
 14 **MR. BLAZER:** Yes, sir.
 15 **CHAIRMAN CORNALE:** -- to your objection,
 16 we will allow Exhibit 6. You entered in Exhibit
 17 229, a series of email from Rick Reed. This is
 18 simply a letter to Ms. Dassow somewhat in regards to
 19 that. So you entered in information he wasn't here
 20 to present; she's entering in information he wasn't
 21 here to present.
 22 **MS. DASSOW:** Thank you. You can read the
 23 letter in its entirety. However, I think there are
 24 some important statements to point out. Mr. Reed

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1 says, "An email thread between Ms. Allyson Sand and
 2 myself was presented as evidence that the Illinois
 3 Agricultural Aviation Association has no concerns or
 4 issues with the Pleasant Ridge Wind Energy project
 5 other than inadequate marking of their MET towers.
 6 That is a misrepresentation of the facts." He goes
 7 on to state that he was never asked to submit any
 8 evaluation of the project plans.
 9 Additionally, he detailed to her, Ms.
 10 Sand, that any wind energy -- that any wind
 11 development results in a certain loss of farm ground
 12 treatable from the air and that placing their
 13 turbines in a linear pattern would minimize the
 14 percentage lost. Ms. Sand replied with a quote,
 15 stock answer for why that's not possible. For the
 16 record, there are other wind companies who design
 17 their wind developments in that pattern. There are
 18 wind developments currently in operation here in
 19 Illinois. A percentage of farm ground is deemed
 20 inaccessible from the air in all of them.
 21 Re-zoning agricultural ground for
 22 industrial use by a wind energy facility will cause
 23 our producers, even if they are nonparticipating
 24 individuals, to have to alter their farming

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1 operations and incur additional expenses.
 2 Next I'd like to address the possible
 3 impacts that this proposed wind farm might have on
 4 air medical transport for our area. When I first
 5 heard about this project, I began looking into the
 6 impacts of precision aerial application right away
 7 and that led me to the issue of air medical
 8 transport. I was concerned that if the agriculture
 9 pilots were telling me that they would not service
 10 our area, why would it be any different for Life
 11 Flight and other medical transport companies.
 12 I first contacted OSF Life Flight because
 13 they have a hospital and offices here in Livingston
 14 County. I spoke with Karen Arndt, that's A-R-N-D-T,
 15 the outreach coordinator for OSF Life Flight, by
 16 phone on October 29th of last year. She told me
 17 that their aircraft doesn't ever land --
 18 **MR. BLAZER:** Objection, Mr. Chairman.
 19 **MS. DASSOW:** I'll just put it in the
 20 newspaper.
 21 **MR. LUETKEHANS:** Can I -- what's the
 22 objection?
 23 **MR. BLAZER:** She's now purporting to put
 24 in a statement, whether written or oral, from this

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1 Ms. Arndt. And Ms. Arndt is not on any of the lists
 2 of anyone who's going to be testifying.
 3 **MR. LUETKEHANS:** Which under the normal
 4 rules of evidence is hearsay, which we've already
 5 determined is not applying here.
 6 **MR. BLAZER:** Again, it has nothing to do
 7 with hearsay. It has to do with the rules of this
 8 proceeding.
 9 **MR. LUETKEHANS:** You find me --
 10 **MR. BLAZER:** There's been prior --
 11 **MR. LUETKEHANS:** You find me a written
 12 rule that says that's something improbable and I'll
 13 listen --
 14 **BLAZER:** Which there's question --
 15 **MR. LUETKEHANS:** -- but there's no such
 16 rule.
 17 **MR. BLAZER:** I don't think I have to read
 18 again what -- the quote from Mr. Cornale.
 19 **CHAIRMAN CORNALE:** All right. Can you
 20 exclude this and just move on past some of it?
 21 **MS. DASSOW:** Sure.
 22 **AUDIENCE VOICE:** This is stuff we need to
 23 hear.
 24 **MS. DASSOW:** That's okay, I'll put it in

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1 the newspaper, no worries. During my conversation
 2 with Ms. Arndt, she --
 3 **MR. BLAZER:** Objection.
 4 **MS. DASSOW:** Okay, somebody encouraged me
 5 to contact Mr. Scott Hagemann with Air Methods. Air
 6 Methods is a very large air medical transport
 7 company with 300 base operations throughout the
 8 United States. They have 11 here in Illinois alone.
 9 They also maintain their own national communications
 10 call center. I'd like to enter into evidence M.
 11 Dassow No. 7, email correspondence between myself
 12 and Mr. Scott Hagemann, and M. Dassow No. 8, Mr.
 13 Hagemann's bio and credentials from Air Methods
 14 Lifestar website.
 15 **MR. BLAZER:** I object to No. 7. And
 16 actually I have two 7s, I'm sorry. I don't have an
 17 8.
 18 **MR. LUETKEHANS:** It's just his bio.
 19 **MR. BLAZER:** It's just his bio? If it's
 20 just his bio, that's fine. I do object to No. 7,
 21 though, the email exchange.
 22 **MS. DASSOW:** Here, you can have this.
 23 **CHAIRMAN CORNALE:** All right. We'll
 24 exclude 7. We'll allow 8. And you can go ahead and

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1 continue.
 2 **MS. DASSOW:** So any emails between myself
 3 and anybody are not allowed to be entered, but
 4 between Allyson Sand and Invenergy, other Invenergy
 5 employees and other random people are allowed to be
 6 entered? I'm just confused and I wouldn't have --
 7 **MR. LUETKEHANS:** By entering in that type
 8 of correspondence, they've waived this objection.
 9 They have done this exact same thing, and by doing
 10 that, they waived this objection.
 11 **MS. DASSOW:** Pleasant Ridge 229 is the
 12 exact same thing. Allyson Sand has not gotten up
 13 here and testified about anything nor is she on the
 14 list to testify.
 15 **CHAIRMAN CORNALE:** I agreed with 229
 16 wholeheartedly because it specifically spoke about
 17 Reed and your correspondence was with Reed, so it
 18 seems fair. This is between someone that we, there
 19 again, can't -- don't have the opportunity to
 20 cross-examine or --
 21 **MS. DASSOW:** Mr. Reed wouldn't have been
 22 cross-examined if I hadn't contacted him, my husband
 23 and I, ourselves.
 24 **CHAIRMAN CORNALE:** And that is why we did

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1 allow that, the Reed conversation, so --

2 **MR. LUETKEHANS:** And this conversation is

3 between Megan and Mr. Hagemann. This isn't between

4 some other party and Mr. Hagemann. This is her and

5 Mr. Hagemann. It's just -- the only objection to it

6 is it's hearsay.

7 **MR. BLAZER:** That's not my objection to

8 it. You keep --

9 **MR. LUETKEHANS:** Can I finish?

10 **MR. BLAZER:** Stop misrepresenting my

11 objection.

12 **MR. LUETKEHANS:** Can I finish once? The

13 only way that any of this is objectionable is if it

14 is hearsay. Well, we've already determined hearsay

15 is not objectionable. He can say -- the only -- the

16 only reason you can rule the way you do is because

17 by hearsay objection.

18 **MR. BLAZER:** No.

19 **CHAIRMAN CORNALE:** Okay.

20 **MR. BLAZER:** It is not admissible if the

21 person has not come in, been sworn and is subject to

22 be cross-examined.

23 **MR. LUETKEHANS:** And that is --

24 **MR. BLAZER:** It has nothing to do with the

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1 hearsay objection.

2 **MR. LUETKEHANS:** That is hearsay. That's

3 the definition of hearsay.

4 **CHAIRMAN CORNALE:** Okay, you guys. We

5 need to -- we need to just relax a little bit. I've

6 ruled on 7 and 8. I'm going to stand by my ruling

7 on 7 and 8. We will take it on a case by case

8 basis. Reed is allowable. This particular one

9 we're not -- we're not going to allow.

10 **MR. LUETKEHANS:** I would ask for leave

11 to --

12 **CHAIRMAN CORNALE:** I've ruled on this.

13 **MR. LUETKEHANS:** I would ask to --

14 **CHAIRMAN CORNALE:** We're moving on.

15 **MR. LUETKEHANS:** I would ask for leave to

16 go back and move to strike, considering the rules

17 have changed throughout this hearing, many of the

18 exhibits filed by Invenergy. This is the exact same

19 thing as Allyson Sand's correspondence.

20 **MS. DASSOW:** If I re-word what I'm about

21 to say, can I say it? Like it is my understanding

22 that --

23 **AUDIENCE VOICE:** Say it.

24 **MS. DASSOW:** -- Air Methods' policy

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1 doesn't allow aircraft to land inside a farm.

2 **MR. BLAZER:** Objection, Mr. Chairman.

3 **AUDIENCE VOICE:** This is stuff you guys

4 need to hear.

5 **AUDIENCE VOICE:** You don't want people to

6 know then.

7 **MS. DASSOW:** Exactly. I have no reason to

8 lie or make anything up, so you can contact these

9 people and ask them if I contacted them.

10 **CHAIRMAN CORNALE:** All right.

11 Unfortunately you can't, based on your experiences,

12 speak of air methods and air methodology to land or

13 not land in a wind farm. So Mr. Blazer is going to

14 continue to object and I'm going to have to continue

15 to allow his objection, okay? So if you can -- I

16 mean if you had firsthand experience not landing in

17 a wind farm, then enlighten us and then keep going

18 on it and we'll allow that.

19 **MS. DASSOW:** No, I'm not a pilot of any

20 sort.

21 **CHAIRMAN CORNALE:** Okay, all right.

22 **MS. DASSOW:** Okay. If our area were to

23 become inaccessible to lifesaving medical transport,

24 I believe this is in direct violation of No. 2 under

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1 the Standards for Special Uses that states the

2 project will not be detrimental to or endanger the

3 public health, safety or general welfare.

4 I'd like to switch gears and focus a

5 little bit on the natural and cultural resources in

6 our area. Being a good steward of the land means

7 not only protecting the soil, water and wildlife on

8 your property, but also keeping the history of the

9 area alive and protecting that knowledge for future

10 generations.

11 In Livingston County, people always think

12 of arrowheads or other stone tools when they're

13 asked about evidence of past human history.

14 However, there are many other things that qualify as

15 cultural resources. That centennial farm that's

16 been in your family for generations, a unique

17 building in town or in the country, historic

18 transportation routes and wagon trails, and of

19 course burial sites and old home sites are all

20 examples of cultural resources.

21 The information contained in these

22 resources is delicate and is irreplaceable. They

23 are the window to our past, hold the history of our

24 environment, and even provide us with answers to

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1 modern day issues. There are unknown -- there's an
 2 unknown number of undiscovered and unprotected
 3 cultural resources in rural America. We have miles
 4 and miles of land that has been largely protected
 5 from deep excavation and therefore holds many
 6 secrets yet to be uncovered.

7 The picture shown here depicts a soil
 8 profile at an archeological dig site. The plow zone
 9 is at the top. This is the layer of soil that's
 10 been mixed together over the years by farming and
 11 tillage practices. You can see where the soil
 12 changes color when you get into the undisturbed
 13 soils. This is the area that holds the footprints
 14 and the artifacts of things like an old historic
 15 home, a home site or a village, the remains of a
 16 fire pit, and even a storage cache in an old home.

17 You can see some of the artifacts sticking
 18 out of the soil from this picture. This is actually
 19 where there is a wooden post from the structure and
 20 they backfilled the hole with stones to stabilize
 21 that structure. These are the hidden treasures that
 22 will be lost when Invenergy excavates their access
 23 roads, digs up an area over an acre in size and many
 24 feet deep to construct their concrete turbine bases,

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1 and I can't imagine what's going to be lost forever
 2 as they trench in hundreds and hundreds of miles of
 3 underground cable five to six feet deep.

4 Invenergy has submitted a few sentences
 5 regarding the cultural resources evaluation done by
 6 Stantec using information obtained from U of I's
 7 archeological department. This information can be
 8 found in their application packet on page 20,
 9 Section 5.5. Stantec states there is limited known
 10 cultural resources in the area. The key word in
 11 that sentence is known. They also state that a two
 12 mile radius around the project area was evaluated
 13 for the purpose of this report.

14 When I read Appendix H in the application,
 15 which is the actual summary report from the U of I,
 16 I did find one mistake in Stantec's summary and
 17 found their narrow and limited interpretation of U
 18 of I's findings very interesting. U of I evaluated
 19 a one mile area around the project for known
 20 cultural sites not a two mile buffer as Stantec
 21 stated.

22 I believe that Stantec also left out some
 23 important information provided to them. The U of I
 24 report said there has been very limited cultural

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1 resource investigation in the project area, and most
 2 of the project area has not actually ever been
 3 surveyed for cultural resources. So yes, of course,
 4 there would be limited known cultural sites simply
 5 because nobody has ever done any investigations.
 6 It's kind of hard to find something if you don't
 7 look for it, don't you think?

8 Additionally, Stantec forgot to mention in
 9 their summary that the U of I Department of Public
 10 Service Archeology and Architecture Program has
 11 informed them that due to the location, overall
 12 project size, proximity to water and topography of
 13 the Pleasant Ridge area, that it is likely cultural
 14 resources will be present and Invenergy should
 15 anticipate encountering them. Ground truthing of
 16 the project area and archeological surveys needs to
 17 be completed, and reports, findings or summaries
 18 should be provided to our county prior to
 19 permitting.

20 Proof of correspondence with the SHPO, the
 21 State Historic Preservation Office, should also be
 22 provided. I feel that the historic viewscape should
 23 also be taken into consideration as they lay out
 24 this project. No negative impact to any centennial

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1 farm should be permitted. Turbines, transmission
 2 lines, substations and other aboveground structures
 3 should not be allowed to impact or alter the
 4 aesthetics of any homestead that contains historic
 5 structures, especially if those structures are on
 6 nonparticipating properties.

7 How will Invenergy mitigate these
 8 encounters that they will undoubtedly have? What
 9 will be their process for cataloging, reporting and
 10 protecting these sites? Who will be overseeing this
 11 part of the project? I know there's protocol.
 12 However, it's not outlined in the Stantec report and
 13 no other documents provided by the applicant.

14 The Livingston County Soil and Water
 15 Conservation District has spent several months
 16 ground truthing in the proposed turbine sites and
 17 access roads when compiling the Natural Resources
 18 Information report or the NRI. The purpose of the
 19 NRI was to inventory our natural resources and
 20 document potential impacts due to this project.

21 Before I go any further, I want to ask the
 22 chairman if I'm permitted to discuss this report
 23 being that it was only submitted into evidence by
 24 the applicant, and they have not provided anyone to

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1 testify on the matter and to be subsequently
 2 cross-examined.
 3 **MR. BLAZER:** For the record, Mr. Chairman,
 4 the NRI was submitted by the county not by Pleasant
 5 Ridge.
 6 **CHAIRMAN CORNALE:** All right, because it
 7 is in evidence, you can comment on it, on that
 8 previously submitted document.
 9 **MS. DASSOW:** Thank you. I have been
 10 patiently waiting for this report to be completed
 11 and entered into evidence so that I could see what
 12 has been discovered. This was partly due to my
 13 personal interest in conservation and natural
 14 resources and also in part because when I found out
 15 how turbines and their access roads were placed, I
 16 was pretty concerned. It turns out, according to
 17 what I've been told, someone sits in an office and
 18 sites these structures from their desk based off of
 19 data obtained by the MET towers. I can tell you
 20 from personal experience that trying to do planning
 21 from your desk without putting your boots on the
 22 ground is an impossible task.
 23 The SWCD put together a detailed report
 24 that provides our county with an important planning

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1 tool and also provides landowners with suggestions
 2 for improving their land and helping to protect our
 3 soil, water and wildlife resources. However, I
 4 didn't get past page 4 of the report before I
 5 realized much of the effort by our SWCD had been for
 6 naught. It's very important to note that the report
 7 was based on information regarding turbine and
 8 access road locations provided by Invenergy in the
 9 supplement to the original application that was
 10 filed in October.
 11 On page 4 of the report, the SWCD states
 12 that, quote, due to time constraints, the report did
 13 not take into account any operation and maintenance
 14 building sites, substation sites, staging areas,
 15 overhead transmission lines, and that the areas
 16 impacted by underground collection lines were only
 17 evaluated if they were near a turbine or access road
 18 location.
 19 Invenergy has been working on this project
 20 for over a decade. Why was the soil and water
 21 district not given ample time to complete a review
 22 of all the locations? Furthermore, the report goes
 23 on to state that at several times during the
 24 preparation of the report, representatives from our

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1 SWCD met with Invenergy to discuss preliminary
 2 findings, and as a result of those meetings, as well
 3 as ongoing meetings with landowners to discuss
 4 resource concerns, Invenergy has revised some of the
 5 locations of turbines and access roads. The SCWD
 6 goes on to say that, again, they were not given
 7 sufficient time to reassess all revised locations
 8 and that the revision process is continuous and
 9 ongoing.
 10 I believe that the SWCD tried to do their
 11 due diligence on behalf of our county and I thank
 12 them for their hard work. However, I'm left with
 13 some questions. Why didn't Invenergy begin
 14 consultation with our SWCD prior to filing their
 15 application and why weren't they given ample time to
 16 survey all aspects of this property? Why was the
 17 SWCD not given time to evaluate the revised
 18 locations and make additions and corrections to
 19 their report? Why is the revision process still
 20 continuous and ongoing at the time of this report
 21 which was March 3rd, 2015?
 22 If Invenergy is still at this point moving
 23 turbines and access roads and has been making
 24 changes to their projects while these hearings have

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1 been going on, at what point is this application
 2 considered complete so it can be voted on? How do
 3 changes affect previously submitted reports like
 4 sound studies, and when do we get to see these
 5 changes they've made? In my personal opinion, their
 6 application is not complete and they were not ready
 7 to present a final product to the county when these
 8 hearings started.
 9 At this time, I would like to make a
 10 personal statement. I want to extend my sincere
 11 thanks to the members of the ZBA for doing their
 12 best to make this process as transparent as
 13 possible. That was your promise to us at the
 14 beginning and you've kept that promise. You've
 15 asked thought-provoking questions, have done your
 16 homework, and come prepared for each and every
 17 meeting. You've shown respect to each person who
 18 has testified and have taken every step of this
 19 lengthy process very seriously. I want you to know
 20 that we, the residents of Livingston County,
 21 appreciate the fine job you've done over the last
 22 several months, and that if any of you should decide
 23 you'd like to run for the county board, you can be
 24 assured you have my vote.

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1 Believe it or not, I would even like to
 2 thank Invenergy. People say these types of projects
 3 tear our communities apart, but I think the exact
 4 opposite has happened here in southeast Livingston
 5 County. Small town America seems to have an amazing
 6 ability to rally together during times of tragedy,
 7 but we have rallied before the storm. Because of
 8 that, we will be stronger from this point forward.
 9 The threat you bring to our homes, health, farms and
 10 enjoyment of life has united us, so thank you.

11 I didn't grow up in Livingston County or
 12 even Illinois for that matter. I tell people I
 13 married into this county when I married into an
 14 amazing, well-respected farm family. My husband is
 15 the sixth generation to farm his family's land.
 16 This is an aerial shot of the home my husband and I
 17 live in. We also farm the land in the picture as
 18 well. The home is situated just 85 feet from the
 19 crop field on the east, 130 feet on the north, and
 20 189 to the west.

21 Mr. Blazer, I'm going to beat you to the
 22 punch on this one. Here's a closer look at the
 23 farmstead. The house which was built in 1870 and a
 24 two car garage are on the east side of the property.

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1 The ceilings in the garage are too low to even park
 2 a truck or SUV in, so we don't store anything in
 3 there, machinery or otherwise. There's two old
 4 small grain buildings, I think people used to call
 5 them government bins, they're out of commission and
 6 we don't store any of our grain in there. They
 7 serve as a great place for raccoons to hide.

8 On the west side of the property is a shed
 9 and I use that term lightly. It's only enclosed on
 10 three sides, has a dirt floor and is basically open
 11 to the elements, so we don't store any machinery in
 12 there or anything of any value. It serves no
 13 purpose other than to keep some of the snow off our
 14 vehicles in the winter.

15 Just to the south of that is the original
 16 wooden machine shed. It's open on each end so at
 17 one time you could pull equipment through. It's
 18 old, serves no purpose, and basically I'm waiting
 19 for it to fall down.

20 The most important feature about this
 21 property, which I'm sure Mr. Blazer was hoping to
 22 ask me about, is that we rent this home and the
 23 ground around it. We don't own any of it. However,
 24 since we found out about this proposed wind farm, I

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1 thank our lucky stars every day that we don't own
 2 this property and that we didn't approach our
 3 landlords about purchasing it. There are five
 4 turbines between a half and three-quarters of a mile
 5 from this home proposed and they'd be in all
 6 directions except for the southeast.

7 This is the floor plan of the home we had
 8 picked out. These are pictures of a dream bathroom
 9 that we love, a kitchen and laundry room layout that
 10 we like, we know what kind of floors and cabinets we
 11 want in our home, and really the only thing left for
 12 us to do is decide what color we want to paint the
 13 exterior. After looking at everything that has come
 14 on the market since we moved back here, my husband
 15 and I decided that we wanted to build a home of our
 16 own. We had sent this floor plan to several
 17 builders between December 2013 and early spring of
 18 last year.

19 We don't currently have children but chose
 20 this floor plan because we are planning our future.
 21 My husband has a large family that we would love to
 22 be able to host during the holidays, and being that
 23 my family is from out of state, we want a home that
 24 can accommodate them when they come to visit. They

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1 shouldn't have to stay at the Super 8 in Gilman.
 2 Most importantly, we want to be sure we have enough
 3 space so that if the need arises, we can provide our
 4 parents with a comfortable home where they feel
 5 welcome. Attached to this home, we had also planned
 6 for a large shop area that we need to accommodate
 7 our expanding farming operation. As I showed you
 8 previously, we don't have any proper outbuildings at
 9 our current residence.

10 But since we caught wind, pardon the pun,
 11 about the proposed wind farm, we haven't talked
 12 about building anything. What's even more
 13 frightening is that a few years ago we toyed with
 14 the idea of purchasing the land where we want to
 15 build our home and waiting a few years before we
 16 actually began construction. Had we done that,
 17 because the land doesn't currently have an existing
 18 primary structure on it, anyone could have
 19 constructed turbines just 500 feet from the property
 20 line making the property unfit for a home. Then
 21 what would we have done?

22 Invenergy has said numerous times
 23 throughout these hearings that property value
 24 decline associated with wind farms isn't real and

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1 that it's all about perception. Well, in our case,
 2 and I'm sure others share the same sentiment,
 3 perception is reality. If this project is approved,
 4 I can assure you we will never build a home in
 5 Livingston County. I'm not a gambler, I've never
 6 been to Vegas, I don't even buy lottery tickets, so
 7 I sure as heck won't gamble with our life savings
 8 and invest in a home here. I'll be content to
 9 reside in our rented Civil War era home.

10 At one of the very first county board
 11 meetings I attended this past summer, while local
 12 residents were expressing their concerns about the
 13 wind farm, a man standing in front of me said, "If
 14 you don't like it, just move." Well, it isn't that
 15 simple. If this project is approved and built, as
 16 much as I want to move, it just wouldn't be
 17 possible. We, like most of our friends and family,
 18 are tied to this land emotionally and financially.
 19 The land is how we make our living and you can't
 20 just move the farm.

21 My husband and I came back here to live
 22 permanently several years ago, and we never heard a
 23 single word about this potential wind farm until a
 24 few weeks before Invenergy filed their application,

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1 and even then we found out by word of mouth. We
 2 never received any correspondence in the mail, never
 3 got an invitation to an informational meeting, not
 4 so much as a knock on the door from an Invenergy
 5 employee until after the application was filed.

6 So I had to laugh out loud when Invenergy
 7 began taking out full page PR ads in local
 8 newspapers this fall stating that they had been
 9 working openly in our community since 2005. Where
 10 were these ads over the past ten years? Why haven't
 11 you had a storefront on Main Street since 2005 so I
 12 could stop in and ask questions? Why has it taken
 13 you a decade to file an application? If the public
 14 has the wrong idea about wind energy, why haven't
 15 you been holding well-publicized, informational
 16 meetings to help us learn more? Something that is
 17 supposedly so lucrative and such a blessing for our
 18 area should have been the talk of the town.
 19 Instead, it was a dark secret only a few were privy
 20 to.

21 I sat down numerous times to write this
 22 statement, and each time I would delete my hard work
 23 and start over. I felt like I was supposed to say
 24 something profound and moving, yet nothing seemed

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1 good enough, but I realized it had nothing to do
 2 with me and everything to do with the simple fact
 3 that the evidence presented over the last several
 4 months speaks for itself.

5 The community support for this project is
 6 lacking, and the potential risks to people, farms,
 7 property and natural resources in and around the
 8 project is too high. There's no need for me to
 9 rehash it because it's all been laid out for
 10 everyone to see. Aldo Leopold, a famous
 11 conservationist and writer, says "Cease being
 12 intimidated by the argument that a right action is
 13 impossible because it does not yield maximum profits
 14 or that a wrong action is to be condoned because it
 15 pays."

16 I ask that when the time comes the ZBA and
 17 county board members remember Aldo Leopold's wise
 18 words and use the facts before them to make the
 19 right, decent and ethical decision for the people in
 20 southeastern Livingston County and vote no on
 21 Invenergy's application for a special use permit.
 22 Thank you.

23 **CHAIRMAN CORNALE:** Do we have any
 24 questions? ZBA have any questions? All right.

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1 Local government, school districts? Mr. Blazer?
 2 **MR. BLAZER:** She answered all mine, Mr.
 3 Chairman.

4 **CHAIRMAN CORNALE:** All right.
 5 **MS. DASSOW:** Sorry.
 6 **CHAIRMAN CORNALE:** Mr. Luetkehans?
 7 **MR. LUETKEHANS:** (Shakes head.)
 8 **CHAIRMAN CORNALE:** Anybody in the audience
 9 with questions for Megan? Anybody out there? Any
 10 questions? ZBA again? County staff? County
 11 counsel? Thank you.

12 **MS. DASSOW:** Thank you.
 13 **CHAIRMAN CORNALE:** All right, next on my
 14 list I have Ruth Wessels. Is she here?
 15 **MR. LUETKEHANS:** Mr. Chairman, I'm
 16 watching June kind of with her wrists. That was a
 17 hard one to do. This may be a good time for her to
 18 take a break.

19 **CHAIRMAN CORNALE:** Okay, all right. Ruth,
 20 we're going to take -- why don't we take a break
 21 before we take you, so we're all ready to go. I've
 22 got 7:30, so at 7:40 we'll resume. Let's take ten
 23 minutes and we'll get going after that. After Ruth,
 24 is Mary Russell.

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1 (Recess at 7:30 p.m. to 7:40 p.m.)
 2 **CHAIRMAN CORNALE:** Let's make our way back
 3 to our seats and we'll get going again. Ruth
 4 Wessels, Ruth Wessels, can you come on up?
 5 Mrs. Wessels, can I please have you sworn
 6 in? Please raise your right hand.
 7 (Ms. Ruth Wessels was duly sworn.)
 8 **CHAIRMAN CORNALE:** All right, please state
 9 your name and address for our court reporter and
 10 then you can go ahead and begin.
 11 **MS. WESSELS:** My name is Ruth Wessels and
 12 I'm at 606 South Webster, Fairbury, Illinois.
 13 Before we heard anything about injuring children's
 14 health with the turbines, we were offered three
 15 turbines. This would have been in Sections 8 and 9
 16 of Fayette Township and this was in 1980.
 17 **AUDIENCE VOICE:** Microphone.
 18 **MS. WESSELS:** I'm sorry. Can you hear me
 19 now?
 20 **AUDIENCE VOICES:** Yes.
 21 **MS. WESSELS:** In 1980 we were offered
 22 three turbines by -- it was a different company, and
 23 since we weren't interested, I didn't keep that
 24 record so I can't tell you what the name of the

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1 company was, but we turned down three turbines. And
 2 that's what I -- so many of the articles said that
 3 only the people that were making the money on it
 4 were for it, and I -- I am definitely against it. I
 5 am definitely against it.
 6 When my -- well, before my husband passed
 7 away, we deeded our farmland to the kids, who are
 8 not kids anymore, they're adult children, to our
 9 adult children. And so I told the man that came to
 10 the house wanting me to sign for those turbines that
 11 he'd have to clear that with them because I wasn't
 12 really for it and it was up to them anyway, didn't
 13 matter what I thought, and all three of them said
 14 no.
 15 And one of them said -- just a few weeks
 16 before, we had sold the farmstead to a young couple,
 17 and he said that would not be fair to them, that
 18 would be absolutely not fair to them if we would let
 19 the turbines go up, and we all agreed to that. And
 20 another son had gone -- he was an outdoors person
 21 and he had gone to many of the turbines around
 22 and -- to see if there were birds underneath, and he
 23 always found a lot of dead birds. So I've heard
 24 some people say that's not true, but, you know, any

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1 time anyone in my family has gone to a turbine,
 2 there's been a lot of dead birds. And not the
 3 sparrows either, the nice birds.
 4 And then my daughter, who they farm our
 5 land or their land now, and they're very concerned
 6 about what would be left, the kind of mess that
 7 would be left when it's over. I know they're saying
 8 that it's going to be cleaned up completely and --
 9 but that's a corporation I assume? Does anybody
 10 know that it isn't a corporation? And all a
 11 corporation has to do is to go bankrupt and they're
 12 gone, so, you know, I don't place any confidence in
 13 that. And also they were concerned about trying to
 14 farm around those turbines and the roads that go to
 15 them and so on like that. They were very much
 16 concerned about that. So it was all three voted no
 17 and made their mother very proud I'll say.
 18 I'm not -- certainly not wealthy. I still
 19 get 20 percent of the income from that land that I
 20 was talking about and -- but we made the decision to
 21 forego the turbines before we heard anything about
 22 making the children sick. I don't know how anybody
 23 could do that, put a turbine when they know it's
 24 making children sick, and some adults. I've talked

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1 to two people that just can't sleep because of the
 2 turbines going up. And I really feel sorry for
 3 that, because if you can't rest at night, I don't
 4 know what you do in the daytime.
 5 In my view, this special use application
 6 does not meet the Standards of Special Uses. Based
 7 on the evidence presented, it will be detrimental to
 8 public health, safety, comfort and general welfare
 9 of our community. I hope that my testimony and the
 10 testimony of others is being heard. Please vote no
 11 on the special use permit. Thank you.
 12 **CHAIRMAN CORNALE:** ZBA, any questions for
 13 Mrs. Wessels? Mr. Blazer?
 14 **MR. BLAZER:** No.
 15 **CHAIRMAN CORNALE:** Mr. Luetkehans?
 16 **MR. LUETKEHANS:** (Shakes head.)
 17 **CHAIRMAN CORNALE:** School districts, local
 18 government? Audience? County staff? County
 19 counsel? Oh, Carolyn. All right, Mrs. Wessels, if
 20 you can come back up to the podium there.
 21 **QUESTIONS BY**
 22 **MS. GERWIN:**
 23 Q. Carolyn Gerwin. Just a quick question.
 24 You said that you talked to two people who couldn't

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1 sleep due to turbines?
 2 **A. Uh-huh.**
 3 Q. Do you know what area they were from?
 4 **A. The one was from the Emington area and I'm**
 5 **not sure about the other man's address.**
 6 Q. And you talked to them personally?
 7 **A. Yes, yes, absolutely.**
 8 **MS. GERWIN:** Okay, thank you.
 9 **CHAIRMAN CORNALE:** All right, next on my
 10 list, Mary Russell. Mary Russell, are you available
 11 this evening? Mary Russell, let us know you're here
 12 or not here. All right, we don't think she's here.
 13 Okay, Kent Zimmerman. Kent Zimmerman.
 14 **AUDIENCE VOICE:** He's not here this
 15 evening.
 16 **CHAIRMAN CORNALE:** Not here this evening.
 17 Dieter Elbert? Dieter Elbert?
 18 **MS. HUISMAN:** He's not here.
 19 **CHAIRMAN CORNALE:** Not here. You're
 20 making it easy on me. I'm getting through names
 21 quick now. Jon Freed, Jon Freed, are you here this
 22 evening?
 23 **AUDIENCE VOICE:** I think he's in the
 24 field.

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1 **CHAIRMAN CORNALE:** All right. Jo Whitman?
 2 Jo Whitman. All right. And then on deck is Sharon
 3 Schrof, Sharon Schrof.
 4 Ms. Whitman, can you please raise your
 5 right hand?
 6 (Ms. Jo Whitman was duly sworn.)
 7 **CHAIRMAN CORNALE:** All right, please state
 8 your name and address for our court reporter and
 9 then go ahead and begin.
 10 **MS. WHITMAN:** My name is Jo Whitman, 35671
 11 East 1000 North Road in Chatsworth. Thank you for
 12 the opportunity to address the board and make my
 13 personal statement. As for my background, I do not
 14 come from a fifth generation farm family. I'm only
 15 second generation in this country born and raised on
 16 the north side of Chicago just three miles from the
 17 runways of O'Hare Airport. I spent the first 17
 18 years of my life planning my escape from the city.
 19 In the next four, I earned a bachelor's degree from
 20 the College of Agriculture at the U of I, and for
 21 ten years after that I was employed by the
 22 University of Illinois School of Veterinary
 23 Medicine. There I met and married one of your
 24 native sons, and 28 years later we bought a 14 acre

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1 abandoned homestead in rural Chatsworth.
 2 Since then, we've gratefully and
 3 peacefully raised two children and countless
 4 animals, built a new home, completely refurbished
 5 two, more than 100-year-old barns and paid our taxes
 6 and built relationships with good, caring, honest
 7 neighbors. We built our home with no plans of
 8 retirement, declaring to the former owners that we
 9 would only leave in pine boxes. Now plans for an
 10 addition have been put on hold as I helplessly watch
 11 my home and sanctuary threatened by an impending
 12 industrial wind project. I will not live in an
 13 industrial wind project.
 14 Most of my objections to this project and
 15 its lack of compliance with the special use permits
 16 of Livingston County have been already quite
 17 eloquently expressed by my fellow United Citizens,
 18 so I have nothing left to offer but some comments
 19 from the heart which I will keep short.
 20 I have attended all but two hearings. In
 21 that amount of time, I have wanted desperately to
 22 hear from anybody as to why this project would be a
 23 good thing for this community, anything that would
 24 make the sacrifice of our home, health, well-being,

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1 farmland, tranquility and rural way of life worth
 2 it. We have heard words of warning from other wind
 3 project residents, "Don't do this." I'm still
 4 waiting to hear from the land of milk and honey wind
 5 project residents. The only benefits that I believe
 6 came from the opposing testimony is that for a while
 7 the school district will receive 2 percent of its
 8 budget, two landowners in particular will make a lot
 9 of money, and a few other landowners will make a
 10 little money.
 11 Invenergy itself is just a huge parade of
 12 red flags categorically denying any problems in any
 13 of their projects and with the wind industry in
 14 general. I would have more respect for them if they
 15 admitted to problems and addressed them, but their
 16 only defense in the face of opposition is to
 17 discredit the messenger. Now that they have sneaked
 18 in and bribed our people into signing their land
 19 rights away forever, they have made it abundantly
 20 clear that the rest of us can go to hell. Well,
 21 2,000 of us have made it clear with our petitions,
 22 our presence, our signs, our money and our time that
 23 we do not want to get into bed with Invenergy. I
 24 have some comments addressed to a few individuals as

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1 well.

2 To Dr. Capasso. After years of enjoying

3 your essays in the Hawk Herald, I thought at one

4 point you truly were a philosophical paladin, but

5 when you at that first school board meeting declared

6 with a laugh, "all things aside, I want the money,"

7 I joined in the audible gasps that came from

8 audience members. It is a sorry state when 2

9 percent of your budget -- your share of the wind

10 welfare -- comes before the health, welfare and

11 quality of life of your students and their families.

12 I also find it ironic, due to Mr. Gulliford's

13 decision, that in a school district where a mother

14 is not allowed to bring homemade cupcakes into a

15 classroom, that every single child in the Prairie

16 Central system will potentially be exposed to known

17 and yet unknown dangers of these turbines for eight

18 hours a today.

19 To Mr. Gulliford. You did not do your

20 homework as exemplified by your lack of attendance

21 at almost 150 hours of informational meetings. I

22 find the decision to risk the health and well-being

23 of every Forrest resident and every Prairie Central

24 student based on your own common sense appalling.

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1 Equally appalling is your pride in doing no research

2 on wind energy, other than what was fed to you by

3 Invenergy, and the lack of including the very people

4 you were elected to represent in these life-altering

5 decisions.

6 To the members of Tri-Point school board.

7 You also did not do your homework as exemplified for

8 the most part by your lack of participation in these

9 hearings, but even if you did, you made it clear

10 that your share of the pie, \$35,000 a year, is more

11 important to you than the welfare of the students

12 you are elected to represent and also more important

13 than the welfare of the residents living in and near

14 the footprint of the impending project. I was

15 amazed when you admitted that your Tri-Point

16 constituents were unaware that you were even

17 testifying at this hearing and sorry you wouldn't

18 even stay for the remaining half of the meeting. I

19 was not surprised when your superintendent admitted

20 he got all his information from Mr. Blazer, but in

21 his defense, he did grow up with an old-fashioned

22 windmill in his backyard.

23 To Joe and the union guys. No one

24 appreciates a hard-working man more than I do. I'm

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1 a former union member myself, and after I moved

2 here, I drove 120 miles roundtrip to my union job

3 for years. This community did not owe me a job.

4 And I hope you understand that seven or eight

5 paychecks for you is not a fair exchange for

6 imprisoning the nonparticipating members of this

7 community in an industrial wasteland for the rest of

8 their lives.

9 To the Zoning Board of Appeals. Thank you

10 for listening to and evaluating both sides of this

11 life-altering issue.

12 To the county board members. I can only

13 beg you, in light of all the new information coming

14 forth about the dangers of life in the wind project,

15 that you will put your personal agendas aside and do

16 the right thing by voting no to this application

17 that I believe so many of your constituents have

18 demonstrated does not meet the standards of the

19 special use permit for Livingston County.

20 To Invenergy. You are not welcome in our

21 community.

22 And to my fellow United Citizens of

23 Livingston County. I did not know most of you at

24 the first meeting at the courthouse last summer. I

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1 am humbled by your tenacity, your brilliance, your

2 hard work, your fearlessness, your patience and most

3 of all your civility in the face of big wind. The

4 dignity and strength of character you have displayed

5 in defending our homes and quality of life is

6 something that no amount of money could ever buy. I

7 thank you for what you have done to defend my home

8 and family and am proud to be counted among you.

9 Thank you.

10 **CHAIRMAN CORNALE:** Thank you, Ms. Whitman.

11 Does ZBA at this point have any questions? Units of

12 local government, school districts? Mr. Blazer?

13 **MR. BLAZER:** (Shakes head).

14 **CHAIRMAN CORNALE:** Mr. Luetkehans, you

15 represent --

16 **MR. LUETKEHANS:** (Shakes head).

17 **CHAIRMAN CORNALE:** Other individuals in

18 the audience with questions of Ms. Whitman? Anybody

19 out there? No. ZBA again? County staff? County

20 counsel? Thank you.

21 All right, next on my list, Sharon Schrof,

22 and then on deck is John Rich. John Rich, is he

23 here? If not, Carol Knapp. If not her, George

24 Busch.

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1 **MS. SCHROF:** Do I go up here?
 2 **CHAIRMAN CORNALE:** Sharon, up here, yes.
 3 Can you please be sworn in, Ms. Schrof? Raise your
 4 right hand.
 5 (Ms. Sharon Schrof was duly sworn.)
 6 **CHAIRMAN CORNALE:** All right, please.
 7 State your name and address for the court reporter
 8 and then you can go ahead and begin.
 9 **MS. SCHROF:** Okay, I'm Sharon Schrof.
 10 **CHAIRMAN CORNALE:** You're going to have to
 11 speak a little bit louder so everybody can hear you
 12 and --
 13 **MS. SCHROF:** Can you hear me? Okay, I'm
 14 Sharon Schrof, 620 North Pearl Street in Forrest,
 15 Illinois. Edward and I have lived there in Forrest,
 16 and he was from Wing in Pleasant Ridge for -- 78
 17 years for myself and 80 years for him.
 18 Okay. Our home in Forrest is
 19 three-quarters of a mile from two wind turbines, and
 20 we live in town, due to the setback of a half a mile
 21 that Forrest now has. Forrest itself is closely
 22 surrounded by 30 plus wind turbines north, south,
 23 east and west. Then we have farmland, 78 acres
 24 north, also in Pleasant Ridge, that's one mile or

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1 less from ten wind turbines. The land is in Section
 2 15, which is the northwest corner along Route 47 and
 3 the Wing Road, which might in the future be a decent
 4 place for a residence or small business if our
 5 children or grandchildren chose to do so in the
 6 future. Hope the windmills, if God forbid they
 7 come, would not bother them.
 8 Also another bullet. Also Route 47 at the
 9 north end of Forrest, which I live a half a mile
 10 from, has multiple businesses along it. The fire
 11 department and the SELCAS responder is there, the FS
 12 gas station, the junior high school of Prairie
 13 Central, which is very populated, many students,
 14 state highway garage, a trucking company, a large
 15 church, and the batch plant that's going to also be
 16 located there next to the FS building.
 17 The wind farm is in an area that has much
 18 population. God has given us beautiful prime
 19 farmland and we are expected to be good stewards of
 20 it. We should be held accountable for abusing it
 21 with an industrial wind farm rather than keeping our
 22 beloved serene rural land.
 23 Thank you to the ZBA for their time and
 24 patience during this very difficult procedure. And

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1 I respectfully request the ZBA and the Livingston
 2 County Board to vote no on this project. We do not
 3 want it.
 4 **CHAIRMAN CORNALE:** Thank you, Ms. Schrof.
 5 Any questions from the ZBA? School districts, local
 6 government? Anybody out there? Mr. Blazer?
 7 **MR. BLAZER:** (Shakes head.)
 8 **CHAIRMAN CORNALE:** He's nodding no. Mr.
 9 Luetkehans?
 10 **MR. LUETKEHANS:** (Shakes head.)
 11 **CHAIRMAN CORNALE:** Okay, members of the
 12 audience, any questions for Ms. Schrof? Anybody out
 13 there with questions? ZBA again? County staff?
 14 County counsel? Ms. Schrof, thank you.
 15 All right, next on the list, John Rich.
 16 John Rich, are you available? All right, Carol
 17 Knapp, Carol Knapp, are you available? George
 18 Busch, George Busch, are you available? Terry Cope,
 19 Terry Cope? John Slagel, John Slagel?
 20 **MR. JOHN SLAGEL:** Yes, I am available.
 21 **CHAIRMAN CORNALE:** And then I have two
 22 more names on the list, Warren Gillett and Adam
 23 Followell. Warren Gillett, is he here this evening?
 24 **MS. DASSOW:** Neither one of them.

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1 **CHAIRMAN CORNALE:** Not here. Adam
 2 Followell, I believe somebody told me that he
 3 wouldn't be able to testify as well. Oh, and I do
 4 have -- and just for the record, Carolyn, you have
 5 not testified. You previously had signed up, but I
 6 was instructed to cross your name off the list. Is
 7 that correct?
 8 **MS. GERWIN:** Yes, it is.
 9 **CHAIRMAN CORNALE:** Yes, it is, all right.
 10 Just so we can kind of go through this, the names
 11 that I have read tonight and they were not here
 12 available this evening, it looks like at our next
 13 meeting, which I'll get you guys the dates, we'll
 14 call those names. It sounds like we're pretty well
 15 through this list. We'll get through Mr. Slagel's
 16 presentation tonight, see how we're doing, make sure
 17 nobody else is here. I'll call those names again at
 18 our next meeting. If they're not here, they've
 19 missed their opportunity. So we're really winding
 20 down on this.
 21 Moving forward past them, we're looking at
 22 kind of the next phase of the hearing. There will
 23 be some rebuttal, surrebuttal. We'll try to
 24 schedule those nights two nights together. We'll do

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1 our best to try to get those. That way, we can get
 2 through that process as well.
 3 So with that, Mr. Slagel, you about ready?
 4 **MR. SLAGEL:** Getting there, yep.
 5 **CHAIRMAN CORNALE:** All right, so I will
 6 tell you guys the dates. It's going to be on the
 7 21st. What's that? Tuesday, the 21st, it's going
 8 to be at 6:30, it's going to be at the courthouse in
 9 Pontiac, all right? We're moving to the courthouse
 10 in Pontiac for that particular meeting. That's the
 11 old, the historic courthouse in Pontiac, yeah,
 12 sorry, on the 21st, 6:30.
 13 All right, and then the dates after that,
 14 we kind of have some tentative, but I don't want to
 15 throw them out there yet. So for sure the 21st,
 16 6:30, historic courthouse.
 17 Mr. Slagel, are you ready?
 18 **MR. SLAGEL:** Yes, I am.
 19 **CHAIRMAN CORNALE:** All right, can I please
 20 have you be sworn in?
 21 **MR. SLAGEL:** Yes.
 22 (Mr. John Slagel was duly sworn.)
 23 **CHAIRMAN CORNALE:** All right, please state
 24 your name and address for the court reporter and

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1 then go ahead and begin.
 2 **MR. SLAGEL:** I'm John Slagel. My address
 3 is 308 East Mirlynbeth, that's M-I-R-L-Y-N-B-E-T-H,
 4 Fairbury, Illinois.
 5 I'm going to start with my professional
 6 qualifications. I graduated from the U of I in
 7 1993. Is that too loud?
 8 **AUDIENCE VOICE:** No.
 9 **MR. SLAGEL:** Okay, I graduated from the
 10 University of Illinois in 1993 with my bachelor's in
 11 computer science engineering. I am a member of the
 12 Acoustical Society of America. Overview. I've made
 13 my living programming computers for 22 years.
 14 During college I worked part-time at a civil
 15 engineering company giving me a good basis for
 16 things like mapping and presenting data. After
 17 graduation, I worked in the computer game
 18 development industry through the '90s and left the
 19 industry in 2006. I switched gears to the
 20 automotive industry and am now part owner of an
 21 automotive/power sports tuning company based in
 22 Fairbury. Most programming projects that I am
 23 involved with take many years of programming time to
 24 finish.

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1 While developing computer games, my
 2 primary role was the 3D engine programmer using C
 3 and C++ assembly language on various platforms like
 4 Windows, PCs, PS2, Xbox and Xbox 360. 3D game
 5 engine programming is one of the most difficult
 6 tasks in game programming. It requires a solid
 7 understanding of math, linear algebra, calculus,
 8 physics and computer hardware. 3D games use both
 9 graphics and then sounds to immerse the player. The
 10 sound part is actually very complex. We have to mix
 11 potentially hundreds of sounds together in
 12 real-time, including emulating the 3D position on 2D
 13 stereo speakers, with distance attenuation, geometry
 14 obstruction from doors and hallways, room-based
 15 effects like reverb and Doppler effects for moving
 16 sound sources. Imagine a scene with bullets and
 17 missiles whizzing by, glass breaking, enemies
 18 screaming, explosions going off and bullet casings
 19 rattling to the floor all while also playing
 20 background music and nondirectional HUD voices and
 21 effects. We started -- sorry. We started a small
 22 company in 1993, and when I left in 2006 we had over
 23 200 employees working on multi-million dollar
 24 projects. I worked on about eight games, all of

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1 which were successful, top-rated games sold in major
 2 retailers around the world.
 3 In my current business, we produce devices
 4 that re-flash automotive and power sports ECMs with
 5 performance tunes. I do the programming for the
 6 firmware on the devices, which involves reading and
 7 implementing a lot of ISO and SAE specifications for
 8 the various protocols and implementing them in code.
 9 I have here my Acoustical Society of
 10 America membership number 1213603.
 11 So my -- let's see if -- I don't have a
 12 slide for this. My time with the wind energy
 13 project here began Saturday, June 28th, 2014. I saw
 14 a post on Facebook where somebody said there was a
 15 town hall meeting in Pontiac where residents from a
 16 current wind project would be discussing living
 17 conditions in the project. I had nothing to do that
 18 morning, so I thought, well, I'll go check it out.
 19 After I went to the meeting, when I came home, the
 20 first thing I did was type my first letter ever to a
 21 county board, and I'm going to read you that letter
 22 that I wrote on June 28th right after I got back
 23 from the meeting.
 24 So the subject was I messed up and I sent

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1 it to the Livingston County board. Hi. First,
 2 thanks for your time. I know you're busy. I'm a
 3 landowner who signed a contract with Invenergy for
 4 the Pleasant Ridge farm a while back, about five
 5 years. I held out for a while, but then they told
 6 me everyone around me signed up and kept bothering
 7 me, so I got greedy and thought I may as well get
 8 paid.
 9 But I attended the town hall meeting today
 10 where someone from the Vermilion wind project told
 11 us of his family's horrible experience with their
 12 wind farm and how it made them walk away from their
 13 house since they couldn't sleep at night and how his
 14 county board and wind farm company now refuse to
 15 help him or talk to him. And we heard about how it
 16 actually dropped the property value of many houses
 17 inside the wind farm by at least 20 percent,
 18 sometimes up to 80 percent if you're close enough.
 19 That's a real bust to the county.
 20 Now I'm ashamed at my choice to sign up.
 21 Even if I and the county make millions a year, that
 22 doesn't make it right if one family suffers from
 23 this. The people who are making the money then
 24 refuse to help them.

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1 But I hope the board members are smarter
 2 and less selfish than I was and correct my selfish
 3 decision by researching the negative impacts this
 4 could have and make the right choice to protect the
 5 people and property who are in the affected area
 6 since I didn't do that and made a poorly informed
 7 choice.
 8 We have very productive farmers and
 9 farming in the area, some of the best soil in the
 10 world. Are we so selfish that we want to risk our
 11 land, our identity, for short-term cash in a tax
 12 evasion credit scheme? If you choose to vote pro
 13 for the wind farm, at least please answer the
 14 question: What will you do if this wind farm
 15 affects someone here like it did to that family?
 16 Will you ignore them also? Can you put a plan in
 17 place to help them buy a new house elsewhere? If
 18 nothing else, please go out and listen to these
 19 stories. I'm glad I did and opened my eyes and
 20 changed my opinion. Thanks for listening.
 21 Exhibit 2. This is a report I presented
 22 before the ZBA on the Steve Weeks amendment, text
 23 amendment, and you said I should present it to the
 24 ZBA here if I want it to be entered into the record,

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1 so I'm doing it. It is duplicate from another ZBA
 2 hearing and I apologize.
 3 So this is a report I did on home
 4 distances to turbines. I made a map of a lot of
 5 wind farms in the last half a year. I'll just go
 6 ahead and start. This focuses on three wind farms
 7 in or near Livingston County: the operational
 8 Streator Cayuga Ridge South wind power project
 9 that's in Livingston County, the operational
 10 California Ridge project in Champaign and Vermilion
 11 County, and the proposed Pleasant Ridge Wind Energy
 12 project.
 13 The Streator Cayuga project basically has
 14 150 turbines, 397 foot to the tip. I have some
 15 other statistics there if you want to search the
 16 records. I don't think I need to go over those.
 17 The California Ridge Wind Energy Center
 18 which was in -- started construction in 2011, it
 19 began operation in 2012, consists of 110 turbines in
 20 Vermilion County, 22 turbines in Champaign County,
 21 for a total of 132 turbines, very similar to our
 22 size project. The turbine height is 492 foot to the
 23 tip, 100 meter diameter rotor, which is maybe the
 24 same size or maybe smaller than our proposed

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1 project.
 2 The Pleasant Ridge Wind Energy project,
 3 which is the one we're talking about tonight, is
 4 going to be 134 or 5, 136 total is what I had here,
 5 GE turbines, 427 foot height to the tip, and either
 6 100 or 103 meter diameter hub.
 7 Sorry, I'm behind here.
 8 All right. Where did this data come from?
 9 Basically for Pleasant Ridge I imported the turbine
 10 locations from the special use permit, imported them
 11 into Google Maps Engine. For the other two
 12 projects, I manually located all 150 turbines for
 13 the one project and the 132 for the other using
 14 Google Maps Engine. For the homes in both areas, I
 15 manually located them. I tried to separate out home
 16 versus farm buildings, like a house I marked
 17 differently from a hog house, based on what I knew
 18 about the area. I did include all the local Prairie
 19 Central school buildings in the figures.
 20 So here's the raw data. What this is is
 21 the number of homes at various distances for the
 22 three projects. I used units of 1500 foot, 1600
 23 foot, and on up. I did a half a mile, 3,000 foot,
 24 3,500 foot, one mile, and one and a half miles, and

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1 I counted all houses for those distances. I didn't
 2 go over one half mile -- one and a half miles.
 3 Here's the Streator Cayuga Ridge South
 4 project, all the homes relative to turbines. All
 5 these maps use the same coloring and the same
 6 labels. The black circles are homes. The white
 7 dots are the turbines. Anything red is within 1500
 8 foot. Anything yellow is within -- well, what it
 9 is, it's the closest distance from each point on the
 10 map to a turbine. So if you're in a red area, that
 11 means there's a turbine within 1500 foot of you; if
 12 you're within the yellow area, there's a turbine
 13 within a half a mile of you; and green area is
 14 within one mile; cyan, within one and a half miles;
 15 and blue is over one and a half miles.
 16 You can see in the Streator Cayuga Ridge
 17 project they actually have a lot of the windmills
 18 arranged in rows.
 19 So this is the California Ridge map with
 20 the same units, the black dots are houses, white
 21 dots are turbines, and you can see the layout there.
 22 This is the Pleasant Ridge project where
 23 we are. I went ahead and I had to enter all the
 24 houses that are in the town of Forrest because they

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1 were within one and a half miles of the turbines, so
 2 that's the big black cluster right there. That's
 3 the town of Forrest.
 4 This graph is the number of homes affected
 5 by turbines per project. The vertical axis is the
 6 number of homes that are within a certain distance
 7 of the turbine. The horizontal axis would be the
 8 various distances out from the turbine. So if your
 9 house is here, that means you have a turbine within
 10 1500 foot on up to the mile and a half which is
 11 7,000 some foot. In this chart here, you can see
 12 that once you get over 2500 foot, our project, which
 13 is the red line, quickly overcomes either project by
 14 quite a bit.
 15 Here's the same data basically, only it's
 16 in bar graph form so you can see for each various
 17 distance how many homes are at that distance or
 18 close to. You can see that our red bar here for
 19 Pleasant Ridge, they have approximately -- well,
 20 we'll get to that in a minute.
 21 So my summary of this. The Streator
 22 Cayuga Ridge project has 150 turbines and there are
 23 215 homes within one and a half miles of a turbine.
 24 That is roughly 1.4 homes for each turbine with a

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1 rotor diameter of 276 foot. The California Ridge
 2 project has 132 turbines and there are 352 homes
 3 within a mile and a half of a turbine. That is
 4 roughly 2.6 homes for each turbine with a rotor
 5 diameter of 328 foot. In Pleasant Ridge, there will
 6 be 136 turbines, but 836 homes will be within a mile
 7 and a half of a turbine. That is roughly 6.14 homes
 8 for each turbine with a rotor diameter of 328 to 338
 9 foot.
 10 Okay, Exhibit 5. So this little exhibit
 11 here is basically the questions that came up in my
 12 head while people were testifying or while I was
 13 questioning them or over the course of the trial or
 14 our 27 nights tonight together, stuff that came up,
 15 just random thoughts that popped into my head and I
 16 wanted to talk about, so I'll try and get through
 17 this quick, but this is the stuff that every time I
 18 tried to testify when I was asking somebody
 19 questions, this is the stuff I wanted to talk about,
 20 so I'm going to quickly go through this.
 21 Okay. So Topic 1A, Are they quiet? What
 22 I have here is that transcript of when I questioned
 23 Mr. Hankard. I asked Mr. Hankard: Will these
 24 turbines be quiet and not cause anyone issues or are

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1 you simply saying they meet IPCB limits?
 2 Mr. Hankard replied: I'm saying they meet
 3 IPCB limits.
 4 I said: Let's say the turbines when you
 5 were testing them were right at the limit. What's
 6 the A-weighted decibel?
 7 He says: It's about 45, 46 dB(A).
 8 And I said: So when a guy who works on
 9 windmills says these are quiet, there's no noise in
 10 the house, you're saying you've measured 45?
 11 He says: Yes.
 12 I say: Who's not telling the truth here?
 13 He says: 45 decibels is what you could
 14 receive at a house, so I don't know what the guy
 15 that works on the turbine, you know, was talking
 16 about.
 17 Topic 1B, nocebo effects. This is also
 18 questioning Mr. Hankard. So this is when he was
 19 talking about the California Ridge compliance study
 20 and I had asked him during this study: Did the
 21 residents ever record complaints when the turbines
 22 were shutdown? He said -- well, I said: Basically
 23 when the turbines, when -- sorry. Basically when
 24 the residents complained, the turbines were running

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1 at or near maximum capacity every time.
 2 He replied: Almost every time, that's
 3 correct.
 4 I asked him: So we can conclude that
 5 meeting the IPCB limits will not protect you from
 6 noise complaints from residents, correct?
 7 And he replied: It did not in that case.
 8 So Topic 1 summary, applicant's witness is
 9 not saying these turbines will be quiet. In fact,
 10 he says a home that is right near the IPCB limits
 11 will be receiving 45 to 46 dB(A). He also goes on
 12 to say that just because you meet IPCB limits does
 13 not mean you will not have complaints, not in the
 14 California Ridge case anyway. He also says that
 15 during California Ridge testing the residents
 16 affected by the turbines knew when they were
 17 running. There was no nocebo effect found.
 18 Topic 2, what happens if this happens
 19 here? I was asking Mr. Hankard about why they did
 20 the noise study analysis. I said: Okay, I guess
 21 people were saying the turbines were too loud and so
 22 you guys came in to do a sound study, correct? Yes.
 23 And your sound study said?
 24 He answered: That it meets the Illinois

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1 limits.
 2 I said: So then what was your conclusion
 3 about what to do about residents complaining that it
 4 was too loud?
 5 He answers: I guess that was the end of
 6 my responsibility. That was what I was hired to do,
 7 determine if we met the law.
 8 So Topic 2 summary. If this happens here,
 9 if residents are bothered by the noise and complain
 10 about it, based on California Ridge history,
 11 applicant may do IPCB compliance testing and if
 12 found to be in compliance, nothing will be done.
 13 Don't forget, IPCB compliance does not equal no
 14 noise complaints.
 15 Topic 3, Is a mile out safe? This is from
 16 the February 9th Marvin Stichnoth testimony from
 17 Iroquois County. He said during his testimony:
 18 Then maybe two o'clock, three o'clock in the morning
 19 we'd wake up with this roar. You couldn't -- you
 20 couldn't get away from it. You'd go into the
 21 bathroom in the middle of the house, shut the doors,
 22 and it would penetrate. It's such a low frequency
 23 that nothing stops it. Then I asked him how far the
 24 turbines were from his house, and his reply was:

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1 According to Google Earth, it's 1.18 miles from the
 2 nearest one, and there are several that are just a
 3 little further than that.
 4 Topic 3 summary. The witness has trouble
 5 sleeping with turbines over one mile away.
 6 Topic 4A, property values, witness one.
 7 This is January 14th with Mark Thayer. So I asked
 8 Mark Thayer: What concerns me is you came here and
 9 you say wind turbines will not affect your property
 10 values in a statistical way, whatever, right?
 11 He answered: Yes, sir.
 12 So I described to him my particular
 13 specific house in the country that's going to have
 14 three turbines near it within a 90-degree view, and
 15 he says --
 16 So your study is saying that my particular
 17 house is not going to lose value? Or in general
 18 mine might, but someone else will gain? How does it
 19 apply to my exact situation?
 20 His answer is: That's a tough one.
 21 I said: Well, you're saying it won't
 22 change the value, so I shouldn't worry about the
 23 wind farm?
 24 He says: Our expectation from all the

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1 literature is that nearby property values are not
 2 affected by wind turbines, either proximity to them
 3 or view of them. That's the results of the
 4 scientific literature. Now, a specific home, it's
 5 impossible to comment on a specific home. You just
 6 don't know. There's so many variables. I just --
 7 you just don't know.
 8 Topic 4B, property values, witness number
 9 two, February 17th, Michael McCann. So I once again
 10 explained to him my specific circumstances of my
 11 small house in the country with the three turbines
 12 by it. And I asked him: Do you think this will
 13 impact the property values of that house?
 14 His answer is: It certainly falls within
 15 the shorter distances that value impacts are
 16 measurable and measured in other locations, so all
 17 the conditions are ripe for it if they build
 18 turbines that close to your home, yes, sir.
 19 Topic 4 summary. Two witnesses were asked
 20 essentially the same question about a real-life
 21 property example. One witness, who presented
 22 studies to show no statistical property value loss,
 23 couldn't answer to an individual real-life example
 24 property. Another witness, who studied real

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1 property values using the local real estate history
 2 in Streator Cayuga Ridge, thinks the conditions are
 3 ripe for property value loss on the example specific
 4 property.
 5 Topic 5, Carlock losing students.
 6 Yesterday it says, but it wasn't yesterday. In
 7 Sunday's Pantagraph on 3/15/2015 was an interesting
 8 article. The headline read Carlock Community
 9 Fighting for School. It says, "What they
 10 acknowledge appears to be an uphill battle: keeping
 11 a school in Carlock, population 552, viable as its
 12 district. Enrollment at Carlock has dipped from 142
 13 in 2010-'11 to 125 in 2012-'13 to 115 this year.
 14 Supporters say they've held open houses, produced
 15 brochures, and used every communication method at
 16 their disposal, from telephone to social media to
 17 word of mouth, to broadcast that Carlock wants
 18 families. Another man worries the fire department
 19 will struggle to attract enough members and
 20 eventually the town will fade away without a
 21 school."
 22 What happened to Carlock in 2010? Here's
 23 Carlock on the USGS satellite map, here's Carlock
 24 right here, and here is the White Oak Wind Energy

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1 Center surrounding it. You can see the red dots.
 2 From the USGS turbine map, it says USGS White Oak
 3 Wind Energy -- there we go. The USGS says White Oak
 4 Wind Energy Center became operational in 2011. And
 5 I quote the article, "Enrollment at Carlock has
 6 dipped from 142 in 2010-'11 to 125 in 2012-'13 to
 7 115 this year."
 8 Exhibit 4. This is my presentation on
 9 some home abandonments. Exhibit 4, home
 10 abandonments are not fairy tales. There are many
 11 tales of homes being abandoned due to wind turbines
 12 on the Internet, but I will only be discussing two
 13 people that I personally have had contact with so I
 14 know they exist and have really went through this:
 15 Ted Hartke from near Champaign, Illinois, and Cary
 16 Shineldecker from northern Michigan. I'm going to
 17 skip a lot of the Ted Hartke talk here since he's
 18 been here and I wrote this before he came.
 19 So Ted Hartke. I met Ted in person, I've
 20 heard him tell his story, I've driven by his house
 21 and I had numerous phone conversations with him.
 22 I've only known Ted since he abandoned his home. I
 23 did not know him before. He traveled to Livingston
 24 County to warn us about the potential dangers of

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1 wind farms. Here's a picture of his house that I
 2 actually took when I drove by his house on one
 3 fall/summer day. Fall/summer day? Anyway, he
 4 doesn't live in it, but it's well-maintained. It's
 5 not an abandoned house falling apart. The next four
 6 slides are handouts that Ted made summarizing his
 7 experience. Those are his words not mine. I'm just
 8 going to skip over these. You've seen them all
 9 before.
 10 Okay, on to Mr. Cary Shineldecker. Okay,
 11 I haven't personally met Cary; I've just had
 12 conversations on Facebook. I looked him up after
 13 hearing witnesses discuss him. Cary was very
 14 interesting for me. During the course of our ZBA
 15 proceedings, while he was being discussed at our
 16 proceedings, he moved away from his house near wind
 17 turbines to his new house that's not near turbines.
 18 So I was a witness via Facebook to him leaving his
 19 home for a new one. It felt very personal to me.
 20 Internet is a small world.
 21 Here's Cary's old house. We've all seen
 22 this picture before. I'm just going to gloss
 23 through these real quick. These are just some of
 24 Cary's old Facebook posts and I read through the

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1 whole thing just to watch his story unfold. This is
 2 from December 29th, 2013. He posted: Turbines
 3 coated with ice, pounding the house with noise and
 4 vibration. Tinnitus, headache, ear pressure --
 5 **MR. BLAZER:** Mr. Chairman, here again,
 6 it's a witness who isn't here.
 7 **MR. SLAGEL:** So we can't read stuff off
 8 websites? How can I make a website appear?
 9 **CHAIRMAN CORNALE:** Mr. Blazer, can you
 10 remind me, this picture, the previous pictures with
 11 Cary's old house on a previous slide, that picture
 12 has been previously submitted by one party or the
 13 other.
 14 **MR. BLAZER:** It was I believe Dr. Punch
 15 discussed it, if memory serves.
 16 **MR. LUETKEHANS:** Yes, and I think Mr.
 17 McCann might have as well.
 18 **MR. BLAZER:** It was two of the UCLC
 19 witnesses, I believe.
 20 **CHAIRMAN CORNALE:** Okay.
 21 **MR. BLAZER:** That was the picture of his
 22 house. None of this stuff was submitted.
 23 **MR. SLAGEL:** I'm willing to skip these
 24 Facebook posts if that's fine with you guys.

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1 **CHAIRMAN CORNALE:** All right, let's just
2 skip the Facebook posts.
3 **MR. SLAGEL:** Okay, basically he talks
4 about moving out of his house and finally moving
5 into his new house, some sadness from packing up his
6 boxes at his old house and moving to the new house
7 but quite happy to get to his new house.
8 So here's the more interesting part. Real
9 life versus speculation. At the ZBA meeting on
10 2/23, about 40 minutes into the video, on Facebook I
11 had been observing Cary Shineldecker going through
12 his lack of sleep from the turbines. While
13 discussing Mr. Shineldecker, Mr. Blazer asked Mr.
14 Punch "Do you know what obstructive sleep apnea is?"
15 and proceeded to list symptoms and essentially
16 implied that Mr. Shineldecker's symptoms could be
17 from sleep apnea not the turbines. I had to message
18 Mr. Shineldecker. The next slide is this
19 conversation.
20 **MR. BLAZER:** Same objection, Mr. Chairman.
21 **MR. SLAGEL:** This is a conversation I had
22 with somebody that I think is very relevant to the
23 project.
24 **MR. BLAZER:** Mr. Shineldecker will not be

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1 testifying here, Mr. Chairman.
2 **MR. SLAGEL:** He doesn't have to. This is
3 me telling about a conversation I had online with
4 someone. Besides, this is a conversation where you
5 were basically diagnosing him as having sleep apnea
6 while I was over here texting him and he says I do
7 not have sleep apnea.
8 **MR. BLAZER:** Mr. Chairman, I'd ask for a
9 ruling please.
10 **CHAIRMAN CORNALE:** Let's go ahead and
11 exclude this conversation.
12 **MS. DASSOW:** Just put it in the paper.
13 **MR. SLAGEL:** Can I at least quote --
14 include this final thing about his new house? It
15 resolves the story that has been discussed in this
16 hearing. Everybody wonders what Cary Shineldecker
17 is up to, right?
18 **AUDIENCE VOICE:** Of course.
19 **AUDIENCE VOICE:** That's right.
20 **MR. MARK SLAGEL:** Those that really care.
21 **CHAIRMAN CORNALE:** It's viable to this
22 hearing, this statement you're going to make?
23 **MR. SLAGEL:** Yes. Well, I -- I would like
24 to read basically from this line down.

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1 **MR. BLAZER:** No different from the rest of
2 it, Mr. Chairman.
3 **CHAIRMAN CORNALE:** Okay. Again, I've
4 excluded it.
5 **MR. LUETKEHANS:** Can I say something here?
6 The quote that Mr. Blazer keeps citing to about Ms.
7 Gerwin's question was as to a written statement. He
8 doesn't read that part, but it was to a written
9 statement not a conversation that someone had.
10 We've had numerous witnesses testify about
11 conversations they had. That was my objection on
12 the first night, just understand the rules. Let's
13 not change the rules because Mr. Blazer doesn't like
14 what the testimony's about to be.
15 **AUDIENCE VOICE:** Yeah, right.
16 **MR. SLAGEL:** I also think that in this
17 case --
18 **CHAIRMAN CORNALE:** All right, Mr. Slagel,
19 hold on. We've excluded the Facebook conversation.
20 We're not changing the rules. We're trying to stay
21 with our rules. Just -- just move on past this
22 Facebook --
23 **MR. SLAGEL:** Okay.
24 **CHAIRMAN CORNALE:** -- conversation.

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1 **MR. SLAGEL:** Well, I guess my one remark
2 here is we left this with Mr. Blazer basically
3 saying this man could have sleep apnea, which was
4 discussing this man, okay? And so I have an answer
5 to this question from the man Mr. Blazer was
6 discussing, so I would like to read how his outcome
7 came out since he moved away from the wind turbines.
8 **AUDIENCE VOICE:** That works.
9 **CHAIRMAN CORNALE:** All right, Mr. Blazer
10 wasn't a witness.
11 **MR. SLAGEL:** He was testifying pretty hard
12 then.
13 **CHAIRMAN CORNALE:** Is Mr. Shineldecker a
14 doctor himself?
15 **AUDIENCE VOICE:** Is Mr. Blazer?
16 **MR. SLAGEL:** I have no clue.
17 **MR. BLAZER:** The record reflects that he's
18 a 53-year-old industrial designer.
19 **CHAIRMAN CORNALE:** All right, so he can't
20 self-diagnose with authority --
21 **MR. SLAGEL:** Right.
22 **CHAIRMAN CORNALE:** -- his symptoms, so --
23 **MR. SLAGEL:** Well, okay, but he --
24 **CHAIRMAN CORNALE:** Why don't you just move

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1 on. Otherwise, we're going to strike this whole
 2 exhibit and we're going to move you on, please.
 3 **MR. SLAGEL:** You're the boss. Okay, so in
 4 summary, I'm sure there are many more cases of
 5 people who had to leave their homes. I've been a
 6 witness to two people who had to leave their homes.
 7 That is proof to me that this can happen. Anyone
 8 can contact either of these individuals who would be
 9 glad to share their story. Or you can view Cary's
 10 old Facebook posts and watch his story unfold as it
 11 happened.
 12 Exhibit 7. We're moving along nicely.
 13 Okay. Now, I'm not bringing IPCB with me to testify
 14 tonight, but I'm going to read something off their
 15 website. This is from the IPCB website FAQs, the
 16 Illinois Pollution Control Board website FAQs. How
 17 do I file a noise complaint with the board? If the
 18 board is -- if the board receives an informal
 19 complaint alleging noise pollution, the board
 20 forwards the informal complaint to the Illinois EPA.
 21 Illinois EPA, however, no longer has the resources
 22 to operate a noise program. Accordingly, Illinois
 23 EPA is no longer investigating alleged noise
 24 pollution.

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1 As Illinois EPA no longer runs a noise
 2 program, it suggests that you consider reporting
 3 your noise concern to the local police or health
 4 department. Local authorities may provide you with
 5 guidance or take steps on their own to enforce the
 6 state's noise laws. The board, as the state's
 7 environmental court and rulemaking body, has no
 8 investigators.
 9 The board notes that anyone can file a
 10 formal complaint with the board alleging noise
 11 violations under the EPA Act and board regulations.
 12 As with any citizen enforcement action before the
 13 board, you as the complainant would have to gather
 14 evidence to prove the violations that you allege.
 15 You may want to consult the act, the board's
 16 procedural rules and the board's noise regulations.
 17 In summary, there is no government
 18 enforcement on IPCB violations once the turbines are
 19 built. The nearby homeowners would have to gather
 20 the evidence, and as we saw in the California Ridge
 21 compliance study, even the applicant had difficulty
 22 separating the wheat from the chaff. Without
 23 cooperation from the wind farm in terms of wind
 24 turbine power output and selectively turning the

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1 turbines on and off, this would be an impossible
 2 task, and so it is virtually impossible to prove
 3 IPCB noncompliance once turbines are built.
 4 Exhibit 3. Okay, this is my Pleasant
 5 Ridge sound study data. Exhibit 3. Why did I do
 6 this? Both the originally filed Pleasant Ridge
 7 application and the amended application appeared
 8 over the IPCB limits to me. Their use of rounding
 9 and only looking at the middle of houses, not
 10 property lines, and limiting the shown data to the
 11 107 worst receptors didn't satisfy me.
 12 When the applicant was told during ZBA
 13 hearings that rounding down wasn't acceptable, they
 14 proposed 20 more LNTE blades to fix the problem but
 15 didn't show their work or give any results. We have
 16 no data or contour maps to help evaluate how people
 17 living nearby may be affected. To clarify, for the
 18 currently proposed 24 LNTE wind farm that is on the
 19 table, we've not been given any sound study model
 20 results or data or proof of compliance.
 21 What data were we given? The original
 22 Pleasant Ridge application in August 2014 showed a
 23 table of predicted octave band noise levels, rounded
 24 to the nearest integer, at the 107 worst receptors

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1 for the GE 1.79-100 turbines. Pleasant Ridge
 2 amendment, October 2014, added the same data for the
 3 GE 1.72-103 turbines. They removed turbine 90 and
 4 gave revised data for GE 1.79-100 turbines, all
 5 rounded to the near integer.
 6 In January 2015, Pleasant Ridge Exhibit
 7 16A gave a list of 24 100 meter turbines and 20 103
 8 meter turbines that needed LNTE blades to, and I
 9 quote the applicant, "ensure that predicted noise
 10 levels do not exceed 41 dB in the 1000 hertz octave
 11 band or 47 dB in the 500 hertz octave band without
 12 rounding. With this, levels in all other bands are
 13 well below their respective criteria." That was the
 14 applicant's quote. No new data was given. So all
 15 they did here was they listed the needed LNTE
 16 blades. They did not give out a new table of sound
 17 numbers.
 18 January 21st ZBA -- January 21st ZBA
 19 meeting, Mr. Griffin, for the county I believe,
 20 asked the applicant for the predicted octave band
 21 noise levels to the nearest tenth. I haven't been
 22 able to find that follow-up exhibit.
 23 So I ran the numbers myself. I'm a
 24 professional computer programmer. We write computer

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1 programs that people use to solve problems. I wrote
 2 a C++ program to implement ISO 9613-2. ISO 9613-2
 3 is a relatively simple algorithm, not many lines of
 4 code needed. Compared to the large man-year type
 5 projects that I usually work on, this only took a
 6 few days. It's really simple stuff. I verified
 7 that I matched all Pleasant Ridge 107 receptors 1000
 8 hertz octave band for the GE 1.79-100 data within 1
 9 decibel, so my numbers matched up with theirs
 10 perfectly. The code can calculate an entire
 11 2000-by-2000 image in a few minutes. That's how
 12 simple it is.

13 So while I did this, I had to buy the ISO
 14 9613 specs and study them, so I learned a lot about
 15 them, so I'm going to give you a quick rundown here.
 16 ISO 9613-2 is nothing more than an approximation to
 17 make the math of a very complex problem simple.
 18 It's very similar to counting seconds between a
 19 lightning strike and thunder and dividing by five to
 20 figure miles away. Obviously they skip a lot of
 21 details and specifics, but they give a good enough
 22 answer.

23 ISO 9613 has fundamental errors just
 24 because of what it is, a simplification. They

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1 essentially say take all this math, blah, blah,
 2 blah, and approximate it using simpler math and a
 3 table lookup. Of course there's error. It's close,
 4 yes, under very specific conditions which they
 5 describe. We are using a delta height of almost 80
 6 meters, which is above their recommended 30 meters
 7 max, and using distances of miles not just 1000
 8 meters or less. Table shown below.

9 So how does ISO 9613-2 relate to Pleasant
 10 Ridge? The applicant used ISO 9613-2 to model or
 11 predict the worst case sound levels at each sound
 12 receptor by using the worst case conditions as the
 13 inputs to the 9613, the most conservative values
 14 they call them, for any inputs to the calculation.
 15 I will call using the ISO 9613-2 to model the worst
 16 case conditions IWCC for short.

17 From the Pleasant Ridge application sound
 18 study they quote, "Model results are expected to be
 19 higher than the actual noise levels expected at a
 20 given receptor." And that follows from the way they
 21 modelled it, which is by using the worst case
 22 conditions you would always expect them to be higher
 23 than what you actually measure.

24 Let me clarify things. Measure -- you

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1 know, predicting and doing math is one thing, and
 2 then what you get in the real world is another.
 3 Here's a real world example of how the worst case
 4 condition predictions relate to real-life
 5 measurements just to show the kind of numbers we're
 6 talking about and how they vary. We just need two
 7 pieces: a validated measurement and a model.

8 Puzzle piece number one is the
 9 measurement. The measurement is from Pleasant Ridge
 10 Exhibit 48, Noise Level Compliance Analysis for the
 11 California Ridge Project, specifically monitored
 12 location prime 2, which included wind speed
 13 measurements. Prime 1 did not include wind speed
 14 measurements.

15 Puzzle piece number two, the model. Using
 16 ISO 9613 worst case conditions, I modelled the
 17 predicted sound at 1000 hertz for prime 2 should be
 18 39.8 decibels. So the readings found at prime 2
 19 should be 39.8 decibels worst case according to the
 20 IWCC predictions.

21 Here's a chart from Invenergy's California
 22 Ridge study that they gave us, which is the measured
 23 noise levels after filtering out all the
 24 measurements that didn't meet their criteria. What

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1 you have here on the horizontal axis is the ground
 2 wind speed and what you have here on the vertical
 3 axis is the measured decibels, noise level. What I
 4 did is I drew in this 39.8 decibel line. According
 5 to the worst case condition models, you should never
 6 see any points above this line. There are.

7 The -- Invenergy makes a good point which
 8 is, according to the Illinois Pollution Control
 9 Board, you can't even consider readings that are
 10 when wind speed is over 5 meters per second. So
 11 this vertical line right here, they say forget all
 12 these readings here because they're over 5 meters
 13 per second and -- I think I'm losing my pointer now.

14 So they said we just ignore these readings
 15 because they're over 5 meters per second. If you
 16 look here across sort of a line connecting all these
 17 and you look at the 5 meters per second here, you'll
 18 see there's an area in here where clearly, based on
 19 the linear interpolation here of putting a line
 20 through here, there's obviously going to be some
 21 points in here that are above this line that are
 22 below 5 meters per second. So when somebody does
 23 calculations and says this is what will be the worst
 24 case, this is the kind of stuff they measure.

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1 Okay, so off that subject and on to the
 2 Pleasant Ridge siting history. In August -- August
 3 20th they filed their application with four low
 4 noise trailing edge blades. And October 15th they
 5 filed a supplemental application that still had 4
 6 low noise trailing edge blades, plus now they listed
 7 the 103 meter blades. Some unknown date before
 8 November 18th, they upped it to 11 LNTE blades.
 9 This comes from the Hankard testimony on November
 10 18th when he said, "We got to that point on this
 11 project and we were a little bit over the noise
 12 limits, so that's when we started adding in these
 13 turbines with the lower, the low-noise trailing edge
 14 blades. Initially we found out we needed four of
 15 them on the turbines, that I believe we went over
 16 those -- where those were last night. Then at one
 17 point I said to the project, you know, we're
 18 actually one to two-tenths of a decibel over the
 19 limit in one of the bands, and they said, well, what
 20 does it take to get rid of that? And we said
 21 another seven LNTEs. And Invenergy said, fine,
 22 let's do that."
 23 On January 21st, 2015, Mr. Griffin,
 24 looking at the four LNTE data, says to Invenergy, I

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1 would ask -- this is at a ZBA meeting, "I would ask
 2 that the applicant -- although I understand your
 3 position was that it was appropriate to round down,
 4 I would ask the applicant to assume that that
 5 position was not agreed to by the county and
 6 identify what the solution or remedy would be so
 7 that the model would demonstrate compliance at all
 8 the receptors." Mr. Blazer replied, "We have also
 9 marked as Pleasant Ridge Exhibit 16A, this would be
 10 the updated list. The current list shows I think
 11 four of the 103 turbines with LNTEs and 11 of the
 12 100 turbines with LNTEs. This new list, which I've
 13 marked as 16A, shows 20 of the 103s and 24 of the
 14 100s."
 15 This is reactionary siting, doing just
 16 what you need to do to stay on the ragged edge of
 17 the legally allowed IPCB limits, no room for error
 18 or unknowns. It is certainly not designed to
 19 minimize impacts on the nearby nonparticipants.
 20 So summary of my ISO 9613 experience here.
 21 As we see from the graph of real world data, the
 22 California Ridge compliance study shows that the
 23 predicted ISO 9613 worst case condition levels are
 24 within the boundaries of what actually gets

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1 measured, but it certainly isn't a hard upper limit
 2 on what we'd ever see. Placing turbines right up to
 3 the ragged edge of the IPCB limits using ISO 9613
 4 worst case conditions approximation as a prediction
 5 model is probably not the best method of turbine
 6 siting, but that is exactly what happened here for
 7 Pleasant Ridge.
 8 So here are some contour maps I made to
 9 use a little more than the 107 data points that
 10 Invenergy submitted and the updated points for the
 11 24 LNTE configuration. So I generated some contour
 12 maps to visualize the following, all in the 1000
 13 hertz octave band. The original -- which I'll be
 14 showing shortly. The original Pleasant Ridge
 15 application's four LNTE siting, the Pleasant Ridge
 16 Exhibit 16A 24 LNTE siting, the California Ridge
 17 project siting specifically to compare to Ted
 18 Hartke's abandoned home, and a map of all the homes
 19 with IPCB worst case condition predicted levels at
 20 or worse than Hartke's.
 21 Here's the legend that will be in all the
 22 following slides. All my data I did for the 1000
 23 hertz octave band. All the contours show that data.
 24 A black circle is a house, a white circle is a

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1 turbine, and a white circle with a purple ring is a
 2 low noise trailing edge turbine. Note, for the
 3 contour colors, I did not round 41.499 to 41.0.
 4 Anything over 41 is red. Yellow is within one
 5 decibel of hitting the limit, green is within two
 6 decibels, and so on and so forth.
 7 You see from the number line here, the
 8 closed circle means that number is not included. So
 9 in the red, you see it does not include 41, it
 10 includes everything above; yellow does not include
 11 40 but includes up to and including 41 decibels.
 12 So here's the original Pleasant Ridge
 13 application from 8/20 with four LNTE blades. You
 14 can see quite a few points are clearly over the IPCB
 15 limit of 41 decibels. The pointer doesn't work, but
 16 you can see up here in the middle of this section
 17 here there's a bunch. Down around here, that house
 18 there, these houses here, there's quite a few homes
 19 that are clearly over the limits. Here I zoomed in
 20 on a few of the worst areas.
 21 So this next slide is the Pleasant Ridge
 22 project with the 24 low noise trailing edge blades.
 23 This is -- yes, this is from Pleasant Ridge Exhibit
 24 16A, the list of the LNTE locations. You'll see

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1 that it is a lot better and there are no houses
 2 clearly smack in the middle of the red as you saw
 3 before. And this area up here is now better. I'll
 4 show you some zoomed in locations here.
 5 Here they are zoomed in. You can see --
 6 now these black circles are a radius around the
 7 marker I had on the home. They don't signify any
 8 property line or anything like that. It's just a --
 9 if I made the mark just on the home, it would be too
 10 small to show up, so this just signifies in the
 11 center of that black circle is a home, the center of
 12 the home.
 13 Using the turbine data from the California
 14 Ridge project for its turbines, I then generated the
 15 sound contours for the California Ridge project in
 16 order to get the number for Ted Hartke. And here it
 17 is. This is the entire project. And here it is
 18 zoomed in on Hartke's home. My calculations on his
 19 home, the exact center of it, given 39.16 decibel
 20 worst case conditions in the 1000 hertz octave band,
 21 which is in the green range as you can see by that
 22 purple arrow.
 23 So here, this is a map, then, of the
 24 Pleasant Ridge project. This one does have turbine

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1 90 removed, which is a turbine that was located down
 2 here. All the houses with the triangles around them
 3 are houses that are in the same range as Ted
 4 Hartke's house. If you break down the numbers in
 5 terms of range, I found seven houses that my map --
 6 my calculations say are over 41 decibels, 55 houses
 7 are 0 to 1 decibels below the limit, and 52 are 1 to
 8 2 decibels below.
 9 So my final summary. The original
 10 Pleasant Ridge application with four LNTE blades was
 11 clearly over IPCB limits for many cases. My
 12 calculations show this and Hankard also stated this.
 13 The 24 LNTE blade siting is still slightly over IPCB
 14 limits according to my ISO 9613 worst case condition
 15 model. For the 24 LNTE blade siting, we have no
 16 data demonstrating compliance with IPCB limits from
 17 the applicant. The current Pleasant Ridge siting is
 18 reactionary to stay on the ragged edge of the
 19 legally allowed IPCB limits. Ted Hartke's abandoned
 20 house is in the 1 to 2 decibels under the IPCB 1000
 21 hertz nighttime limit range, which is green in my
 22 graphs. With the current 24 LNTE siting in my
 23 calculations, there are 114 homes in the proposed
 24 Pleasant Ridge Wind Farm in that same range or

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1 worse. Does the applicant seem more focused on
 2 staying just under legal limits protecting
 3 themselves or minimizing effects on nearby families
 4 who were here first protecting us?
 5 Okay, and this is my last exhibit here,
 6 3A. Okay, this slide show is about waivers and
 7 property line noise sources. The county wind
 8 ordinance on setbacks is listed below. I'm not
 9 going to read the whole thing. I underlined all
 10 cases where it says the word "waive." Right here,
 11 "may waive," the county may waive the setback
 12 requirement. The affected property owner may waive
 13 the setback requirements.
 14 Here's the county wind ordinance on noise
 15 where I underlined waive. As you can see, it
 16 doesn't appear anywhere in here. It says noise
 17 levels from each WECS or WECS project shall be in
 18 compliance with applicable state Pollution Control
 19 Board regulations. The applicant, through the use
 20 of a qualified professional, as part of the siting
 21 approval application process, shall appropriately
 22 demonstrate compliance with the noise requirements
 23 of this section. Thereafter, the WECS project shall
 24 be in compliance with the applicable IPCB

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1 regulations throughout the entire operation period
 2 of the WECS project.
 3 So waiving. There are three things that
 4 can be waived by participants in the setback
 5 section, which are all distances. There is zero
 6 things that can be waived by participants in the
 7 noise levels section. Is a participating home
 8 allowed to waive the noise levels? They are allowed
 9 to waive some setbacks, up to a certain limit, but
 10 where is the word waive in the noise limits section?
 11 Is there permission to waive noise limits?
 12 Okay, onto IPCB regulations. This is
 13 Section 901.102 of the Illinois Pollution Control
 14 Board regulations, sound emitted to Class A land,
 15 which is where we got all these 41 decibel numbers
 16 that we're trying to stay under. If you read this,
 17 it says "Except as provided elsewhere in this part,
 18 no person shall cause or allow the emission of sound
 19 during nighttime hours from any property-line-noise-
 20 source located on any Class A, B or C land to any
 21 receiving Class A land which exceeds any allowable
 22 octave band sound pressure level specified in the
 23 following table," and this is the important part,
 24 "when measured at any point within such receiving

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1 Class A land, provided, however, that no measurement
 2 of sound pressure levels shall be made less than 25
 3 foot from such property-line-noise-source."
 4 So basically it's not just at the house.
 5 IPCB says when measured at any point within such
 6 receiving Class A land. That means you have to be
 7 below IPCB levels at any point within the Class A
 8 land, not just at the center of the house. The
 9 applicant has only provided noise level estimates
 10 for the center of the home and only for the 107
 11 worst receptors. They need to determine what all is
 12 Class A land and then show compliance.
 13 Contour maps. The following images are
 14 contour maps showing some single family homes and
 15 the area of mowed and maintained yard and trees
 16 around each home, which is my rough estimate of what
 17 Class A land is. Each home also lists the sound
 18 receptor and participation status from the Pleasant
 19 Ridge application. I have a disclaimer. I did not
 20 look up the legal description for each parcel or
 21 survey them; this is just my estimate of the Class A
 22 area around the homes. I used the latest GE
 23 1.79-100 siting with seven -- or 24 LNTE blades and
 24 did remove the turbine 90. The colors on here are

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1 the same as before. Red is over the 41 decibel IPCB
 2 limit for 1000 hertz octave band, yellow is 0 to 1
 3 decibels below it, green is 1 to 2 decibels below
 4 the limit. Each image is about a 1200 foot square.
 5 So here is point 219, which is R-438. You
 6 can see that in the -- we have -- this is a 1200
 7 foot square. We've got his property line where he
 8 mows separated from the field. A little less than
 9 half of his property is over the legal limits. The
 10 center of his house is over the legal limits. A
 11 portion of his house here is just at the legal limit
 12 I would say.
 13 Here's point R-632. This is his property.
 14 This is his house completely in the illegal, over
 15 the limit.
 16 Here's point R-185. The house -- property
 17 is over half inside the red. The house is
 18 completely in the red.
 19 Here's point 87, R -- sound receptor
 20 R-345, half of the house is in the red. Depending
 21 on where you place this point, this house would come
 22 up as either okay or not okay.
 23 Here is point R-313. The house is
 24 completely in the red. Most of the property is in

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1 the red.
 2 Here's point 263, R-216. A portion of the
 3 house with the marker is in the red; a portion of
 4 the property is in the red. Depending on where you
 5 place the marker, you can make the claim that this
 6 house was legal and not over the limit.
 7 R-244, who's a participant, half of his
 8 property is in the red and his house is in the red.
 9 R-60, a portion of his property is in the
 10 red and most of his house is in the red.
 11 R-92, most of his property is in the red,
 12 most of his house is in the red. I think all of his
 13 house is in the red.
 14 R-243, depending on where you place the
 15 marker, you can say the house is over the limit or
 16 at the limit, but the bulk of the property is
 17 definitely over the limit.
 18 R-754. R-754, you know, depending on
 19 where you place the marker, you can argue the house
 20 is over the legal limit or not over the legal limit,
 21 but his property clearly is.
 22 Point 501, half the property is in the
 23 legal limit. The house is very, it's not in -- it's
 24 just outside the legal limit.

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1 R-311, the house is arguably in the legal
 2 limit, but some of his property is not.
 3 This house here is surrounded with
 4 turbines on both sides, so it would give a little
 5 more -- it will be enclosed by the turbines.
 6 R-102, part of his property is in the red.
 7 His house is not in the red but barely not in.
 8 And so summary. More homes and property
 9 lines appear to be over IPCB limits when you look at
 10 the contour maps rather than just a point in the
 11 middle of the home. Participants may not be able to
 12 legally waive noise levels. From the zoning
 13 ordinance, it says "The applicant, through the use
 14 of a qualified professional, as part of the siting
 15 approval application process, shall appropriately
 16 demonstrate compliance with the noise requirements
 17 of this section." The applicant has not
 18 demonstrated IPCB compliance.
 19 Okay, that was my last exhibit. Now I
 20 just have some closing statements here. This is
 21 applying all of my exhibits here to the conditions
 22 for the Livingston County special use permit. Is
 23 this project consistent in all respects with the
 24 Livingston County Comprehensive Plan and the

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1 Livingston County Zoning Ordinance? No.
 2 In regards to the Comprehensive Plan, one
 3 of the primary uses of this land is residential use
 4 by people living here who want to enjoy the quiet
 5 countryside and the currently undisturbed sleep at
 6 night. They were here first; they have the right to
 7 that. Shadow flicker up to 30 hours a year and 45
 8 to 46 dB(A) turbine noise that would be put into
 9 their homes 24/7 are new pollution sources.
 10 In regards to the Livingston County Zoning
 11 Ordinance, the applicant has not provided data to
 12 ensure that they have met the IPCB regulations for
 13 all nonparticipating properties. The siting leaves
 14 no room for error. So once in operation, there's a
 15 good chance they will be over the limits and there's
 16 no agreement in place for fairly determining IPCB
 17 compliance. Nearby homeowners, especially
 18 nonparticipants, shouldn't have to be responsible
 19 for IPCB compliance tests, but that's how it stands
 20 now because the IPCB and Illinois EPA do not enforce
 21 this.
 22 What is the cost to run a properly --
 23 proper and legally binding IPCB compliance test?
 24 Will the applicant cooperate and provide necessary

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1 turbine output data during independent tests? Even
 2 if IPCB limits are proven to be exceeded once
 3 operational, what is the recourse? Does anyone,
 4 like the county, have the authority to shut them
 5 down? Now is the time to figure stuff like this
 6 out, not after it's built.
 7 Part 2 of the special use permit.
 8 This will not be detrimental to or endanger the
 9 public health, safety, morals, comfort or general
 10 welfare. As shown in my exhibit, this is way too
 11 populated of an area to put these large turbines in.
 12 With the large population, odds will be very high
 13 that some families will be negatively affected. 114
 14 homes are predicted to have equal or worse noise
 15 levels than Ted Hartke's abandoned home. There will
 16 be 836 homes within one and a half miles of a
 17 turbine if this project is built as proposed. If
 18 you assume two and a half people per household, that
 19 is over 2,000 people, a good percentage of who may
 20 be negatively affected.
 21 The applicant has admitted that they
 22 turned off the turbines so the Hartkes could sleep
 23 at night, and when the Hartkes didn't fully
 24 cooperate, they stopped doing that, eventually

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1 causing the Hartkes to abandon their home. The
 2 applicant's experts stated there will be 45 to 46
 3 dB(A) on some of the homes, which is not described
 4 as quiet, and that some people will be annoyed and
 5 their sleep disturbed. They have not ever said
 6 these turbines will be quiet and not bother anyone.
 7 The only sound related claim they do make is they
 8 will meet IPCB limits, which are not enforced and
 9 which their experts have testified meeting IPCB
 10 limits does not prevent noise compliance. They have
 11 provided no plans or agreements to address people
 12 who have sleep issues from the turbines, no
 13 agreements, no promises to give relief, no promises
 14 to make it right.
 15 Condition 5, will not be injurious to the
 16 use and enjoyment of other property in the immediate
 17 vicinity for uses already permitted or substantially
 18 reduce the value of the neighboring property. The
 19 constant noise from these turbines will permeate the
 20 entire region reducing people's enjoyment of the
 21 outdoors. If you look at the sound contours that I
 22 generated, there's almost no space within the
 23 footprint that isn't over or within four decibels of
 24 the IPCB limits in the 1000 hertz range.

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1 People in the country enjoy the night sky,
 2 but the blinking red lights will take that away.
 3 Kids may not be able to play in yards like they used
 4 to or homes like they used to, which will now lie
 5 within the turbine blades throw area.
 6 For property values, if the turbines
 7 aren't built, we know our properties historically go
 8 up over time, but one property value expert told me
 9 that my specific house will probably go down in
 10 value, and the applicant's expert couldn't tell me
 11 that it won't go down even though he provided
 12 studies that show no statistical loss.
 13 The turbine setbacks are only 550 foot to
 14 adjacent property lines, so a significant area of
 15 neighboring properties will now be restricted to
 16 crop farming purposes only where before they could
 17 easily have been converted to any uses that the
 18 neighboring property owner desired.
 19 Number 6, will not impede orderly growth,
 20 development, improvement of surrounding properties
 21 for those uses permitted in the zoning districts.
 22 Once this project is built, people will not be
 23 building new homes here. How many new homes are
 24 built in wind farms? The number of people willing

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1 to live within this area will be reduced, which has
 2 to affect home prices.
 3 We've all seen the petition of over 2,000
 4 people in the area who do not want to live near
 5 them. We have proof from the school attendance
 6 records from towns such as Carlock and Odell showing
 7 that attendance dropped sharply when wind turbines
 8 came in. Even prospective people considering moving
 9 to nearby towns like Fairbury and Forrest may shy
 10 away once they see the red lights surrounding the
 11 towns at night and the eyesores on the horizon
 12 during the day. Moving the town of Forrest setbacks
 13 from one and a half miles down to one-half mile is
 14 the very definition of impeding growth and
 15 development.
 16 Sadly, I think that this project has
 17 already damaged people's confidence in buying
 18 property for development in this area and will
 19 continue to until this project is denied and zoning
 20 laws are updated to better protect homeowners.
 21 Thank you.
 22 **CHAIRMAN CORNALE:** Thank you, Mr. Slagel.
 23 Do we have any questions at this time, ZBA? Local
 24 school districts or municipalities, urban entities?

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1 All right. Mr. Blazer?
 2 **MR. BLAZER:** Very little, Mr. Chairman.
 3 **CHAIRMAN CORNALE:** All right.
 4 **QUESTIONS BY**
 5 **MR. BLAZER:**
 6 Q. Mr. Slagel, where did you get your
 7 information about the number of turbines at the
 8 California Ridge project?
 9 **A. I think from websites, and then I went**
 10 **through and I actually clicked on every one and made**
 11 **sure the number of turbines matched up with the**
 12 **summary I think that was on your website.**
 13 Q. I see. On whose website?
 14 **A. I think Invenenergy's.**
 15 Q. So somewhere you found that --
 16 **A. Oh, for the -- wait, which project?**
 17 Q. California Ridge.
 18 **A. Yeah, yeah.**
 19 Q. So you came to the conclusion there's 132
 20 turbines in the entire project?
 21 **A. I believe so. On --**
 22 Q. It's your Exhibit 2.
 23 **A. Yes, page 5. The -- no, page 4 I guess.**
 24 Q. Page 4.

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1 **A. 110 turbines in Vermilion County and 22**
 2 **turbines in Champaign County for a total of 132.**
 3 Q. And you got that somewhere on the web?
 4 **A. Well, that's -- I'm not sure where I got**
 5 **that number, but then when I went through and mapped**
 6 **out the project, I went through and clicked on them,**
 7 **you know, zoomed in, you know, until I found all the**
 8 **windmills and made sure that I matched the numbers**
 9 **from another -- the web page or information I had**
 10 **that told me there was 110 in Vermilion County and**
 11 **22 in Champaign.**
 12 Q. All right.
 13 **A. So maybe I missed some, but I know I**
 14 **didn't click on anything that wasn't a windmill.**
 15 Q. I see.
 16 **A. What are you saying?**
 17 Q. What am I saying? I believe it was Mr.
 18 Hartke who acknowledged it's 134 turbines, 100 in
 19 Vermilion, 34 in Champaign, but anyway. Where did
 20 you get your figures on the number of residences
 21 within particular distances in Vermilion and
 22 Champaign for the California Ridge project?
 23 **A. Once again, I zoomed in on Google Maps,**
 24 **went through every section, click, click, click.**

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1 Q. Okay.
 2 **A. And then I ran the program. I exported**
 3 **the map in KML format, and I wrote a program that**
 4 **said import KML format, and determined what was a**
 5 **turbine, what was a home. For every turbine, for**
 6 **every home, calculated the distance outputs into a**
 7 **spreadsheet.**
 8 Q. KML is a Google Earth or Google Maps
 9 format --
 10 **A. Yes.**
 11 Q. -- correct.
 12 **A. It's an XML-based text file from Google**
 13 **Earth, yes.**
 14 Q. Okay. Did you in any way confirm it with
 15 actual GMS data?
 16 **A. No, nobody did.**
 17 Q. Okay.
 18 **MR. BLAZER:** That's all I have.
 19 **CHAIRMAN CORNALE:** Mr. Luetkehans, do you
 20 have any questions for Mr. Slagel?
 21 **MR. LUETKEHANS:** Yeah, just one. Why you
 22 said -- and maybe you said it and I missed it, but
 23 why did you exclude wind turbine 90?
 24 **A. In the supplemental application, turbine**

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1 **90 is no longer listed I think in the chart that**
 2 **shows the octave band sound levels -- or, no, in the**
 3 **chart that shows the UTM GF -- or GPS coordinates**
 4 **for each turbine, it was no longer listed. And at**
 5 **a -- some county board meeting, I saw Hankard and I**
 6 **asked him what happened to turbine 90, and he said**
 7 **we couldn't get connections to it, so we took it**
 8 **out.**
 9 **MR. LUETKEHANS:** Okay, thank you.
 10 **CHAIRMAN CORNALE:** Anybody in the audience
 11 with questions for Mr. Slagel? Anybody out there?
 12 Anybody? No. ZBA again? County staff? County
 13 counsel? No questions. All right, thank you, Mr.
 14 Slagel.
 15 All right, I'll just call these other
 16 names that appear after Mr. Slagel. Warren Gillett
 17 or Adam Followell, either of those individuals here
 18 this evening?
 19 **MR. LUETKEHANS:** Just, Mr. Chairman, it's
 20 our decision Mr. Followell is not going to testify.
 21 **CHAIRMAN CORNALE:** Okay. All right. So
 22 what that means is we've got -- there's nine
 23 individuals left. We'll again call their names on
 24 the next meeting -- at the next meeting on the 21st

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1 at 6:30 at the courthouse. We'll call those names.
 2 If they're there to testify, that's their
 3 opportunity. Since they have not -- since they're
 4 not here this evening we understand, that that will
 5 be their final opportunity as far as presenting
 6 evidence and testimony.
 7 We'll take up -- provided there's time,
 8 we'll try to get all the evidence taken in at that
 9 meeting. We'll work through a few other
 10 administrative things. I -- there's a motion out
 11 there that we need to sort through dealing with the
 12 testimony or some evidence, so we'll sort through
 13 that at that meeting.
 14 I guess then we'll decide whether we need
 15 to have a meeting on the 23rd. That would be the
 16 next one. If we decide that there's no testimony
 17 that we need to take at that meeting on the 23rd,
 18 we'll probably look at the 27th and 28th to have
 19 meetings one night after the other, and that will be
 20 the rebuttal/surrebuttal type procedure.
 21 We'll leave the door open certainly for
 22 the 23rd. Just do -- I want to stress to everybody
 23 in the audience, if you know any of those
 24 individuals that I've previously called and they

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1 were not here to testify this evening, let them know
 2 the importance of coming on the 21st. If we make it
 3 through that list and there's nobody else, we will
 4 close that portion of the hearing down, so we can't
 5 continue to let that linger. So for sure the 21st,
 6 6:30, at the historic courthouse.
 7 I guess with that, this is a good time,
 8 it's an early night for us all, a quarter after
 9 9:00, I need a motion to recess.
 10 **MR. VITZTHUM:** I'll make that.
 11 **CHAIRMAN CORNALE:** Vitzthum motions. Can
 12 I get a second?
 13 **MS. HUISMAN:** Second.
 14 **CHAIRMAN CORNALE:** Huisman seconds. All
 15 in favor?
 16 **ALL MEMBERS:** Aye.
 17 **CHAIRMAN CORNALE:** Opposed?
 18 (Adjourned at 9:16 p.m.)
 19
 20
 21
 22
 23
 24

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1 STATE OF ILLINOIS)
 2 COUNTY OF FORD)SS
 3)
 4 I, June Haeme, a Notary Public in and for
 5 the County of Ford, State of Illinois, do hereby
 6 certify that the following Livingston County Zoning
 7 Board of Appeals Case SU-7-14 hearing was taken at
 8 the Walton Centre, 100 West Locust Street, Fairbury,
 9 Illinois, on April 13, 2015.
 10 That the said testimony was taken down in
 11 stenograph notes and afterwards reduced to
 12 typewriting under my instruction and that the
 13 transcript is a true record of the testimony given.
 14 I do further certify that I am a
 15 disinterested person in this cause of action; that I
 16 am not a relative, or otherwise interested in the
 17 event of this action, and am not in the employ of
 18 the attorneys for either party.
 19 IN WITNESS WHEREOF, I have hereunto set my
 20 hand and affixed my notarial seal this 27th day of
 21 April, 2015.
 22
 23
 24

JUNE HAEME, CSR
 NOTARY PUBLIC

"OFFICIAL SEAL"
 June Haeme
 Notary Public, State of Illinois
 My Commission Expires:
 September 27, 2016

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