

STATE OF ILLINOIS)
)
COUNTY OF BUREAU)

In the Matter of the Petition
 of

Braided Creek Wind, LLC
Indiantown Township and Macon Township
Bureau County, Illinois

Testimony of Witnesses
Produced, Sworn and
Examined on this 30th day
of September, A.D., 2025,
before the Bureau County
Zoning Board of Appeals

ZBA Members Present:

Bill Jensen
Jim Forristall
Shirley Ann Smith
Mike Stutzke
Barry Welbers, Chairman

Samantha Holt, Secretary
Kristine Donarski, Zoning Enforcement Officer

Judge Timothy Slavin, Facilitator

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1 JUDGE SLAVIN: Good evening, everyone. I
2 call out of recess Bureau County Zoning Board of
3 Appeals hearing on 111 sequential petitions
4 beginning with 25-06-16-1-CV, Braided Creek
5 Wind, LLC's, request for Conditional Use Permits
6 and Zoning Variances to construct and operate a
7 wind energy conversion system in the county.

8 I note the presence of all of the
9 honorable members of the ZBA: Chairman
10 Mr. Welbers, Mr. Jensen, Mrs. Smith,
11 Mr. Stutzke, and Mr. Forristall.

12 I note Zoning Officer Donarski's here,
13 along with her able assistant, Samantha.
14 Mr. Barry, representing the Petitioner, is here,
15 as is our hardworking court reporter and, of
16 course, himself.

17 I note, I think, one, two, three, four,
18 five -- six Interested Parties present in the
19 courtroom. Period. That's the end of that.

20 And then let me go back to available dates
21 real quick. I just want to make sure that the
22 next session, which would be a week from
23 tomorrow, Wednesday, October 8th, availability,
24 I have Mr. Welbers is a yes.

1 Is that still the case?

2 MR. WELBERS: It is, yes.

3 JUDGE SLAVIN: Mrs. Smith, correct?

4 MS. SMITH: Yes.

5 JUDGE SLAVIN: Mr. Forristall?

6 MR. FORRISTALL: Yes.

7 JUDGE SLAVIN: Mr. Stutzke?

8 MR. STUTZKE: Yes.

9 JUDGE SLAVIN: Back to you, Mr. Jensen.

10 Are you a yes now?

11 MR. JENSEN: As far as I know.

12 JUDGE SLAVIN: Okay. Very good.

13 And, Ms. Donarski, you're still available?

14 MS. DONARSKI: Yes.

15 JUDGE SLAVIN: Mr. Barry, you and yours.

16 ATTORNEY BARRY: Yes, sir.

17 JUDGE SLAVIN: And, Callie?

18 COURT REPORTER: Yes.

19 JUDGE SLAVIN: And I am okay. So, very
20 good.

21 With that, I ask everybody to turn their
22 cell phones off or at least to silent. Check
23 your own, Tim.

24 All right. And we're in the middle of the

1 Petitioner presenting its evidence, and you may
2 proceed, Mr. Barry.

3 ATTORNEY BARRY: Thank you, Judge.

4 I would like to ask Mr. Meyer to stand up
5 to be sworn.

6 JUDGE SLAVIN: Sure.

7 DAVID MEYER,
8 being first duly sworn, was examined and
9 testified as follows:

10 JUDGE SLAVIN: I used to say take a seat,
11 but now it's take -- stand up, go to the podium,
12 take a walk.

13 And you may inquire, Counsel.

14 ATTORNEY BARRY: Thank you.

15 EXAMINATION

16 BY ATTORNEY BARRY:

17 Q. Good evening, Mr. Meyer.

18 Could you please state your name and spell
19 it for the record.

20 A. It's David E. Meyer. That's D-A-V-I-D, E,
21 Meyer, M-E-Y-E-R.

22 Q. Thank you.

23 Mr. Meyer, are you employed?

24 A. Yes.

1 Q. Who is your employer?

2 A. Comsearch.

3 Q. What's your position with Comsearch?

4 A. I'm a senior manager of frequency protection
5 and wind services groups.

6 Q. What does that mean in layman's terms?

7 A. I'm responsible for managing the engineers, and
8 establishing, creating and assessing the
9 engineering content of all reports and studies
10 that we generate.

11 JUDGE SLAVIN: May I interrupt just a
12 minute?

13 It just helps, Mr. Barry, if you have a
14 hard copy of his presentation, I think everybody
15 will appreciate having a copy. Just, it's
16 easier to follow along.

17 ATTORNEY BARRY: We do. We're stamping it
18 with the exhibit number as we speak.

19 JUDGE SLAVIN: That will be Number 10.

20 ATTORNEY BARRY: It will be forthcoming
21 momentarily.

22 JUDGE SLAVIN: Thank you, sir.

23 (Petitioner's Exhibit Number 10
24 marked for identification.)

1 Q. (By Attorney Barry:) And, Mr. Meyer, while the
2 PowerPoint presentation is being distributed,
3 can you tell us if you're familiar with the
4 Braided Creek Wind project?

5 A. Yes.

6 Q. And you mentioned some reports earlier. Did
7 you or your employer, Comsearch, prepare any
8 reports in connection with the Braided Creek
9 Wind project?

10 A. Yes, we did. In the application, it was an AM
11 and FM radio, land mobile and emergency
12 services, including mobile phone, microwave
13 study and the off-air TV report.

14 Q. And as far as you are aware, are those reports
15 you prepared included as Appendix F and
16 Appendix N in the permit application materials?

17 A. Yes.

18 Q. Okay. Have you prepared reports for other wind
19 projects?

20 A. Yes.

21 Q. Have you -- well, why don't you tell us a
22 little bit about your education.

23 A. Years ago I started out in chemical engineering
24 and found out that it wasn't quite what I wanted

1 to do. So I wound up shifting into business
2 administration.

3 For the last 39 years, I have worked for
4 Comsearch, which is a spectrum management
5 company. And since 2012, I have been
6 responsible for the renewable energy section.
7 We do anywhere from eight to 15 projects per
8 month, consisting of hundreds of studies a year
9 all over the United States. So I'm very
10 familiar with the impact of wind projects on
11 telecommunication systems.

12 Q. Thank you.

13 At this time I would ask you to walk us
14 through your PowerPoint presentation.

15 A. Okay. This is just a summary of my
16 qualifications and experience, which we have
17 already discussed.

18 Q. Oh, and I think one of the questions I was
19 going to ask you is whether you have provided
20 reports for any other wind projects in Illinois?

21 A. Yes. In fact, I was even in Bureau County in
22 2019, I believe, for the Big Sky project. I was
23 also here to give testimony.

24 Q. Thank you.

1 Please proceed.

2 A. The first report we are looking at is for the
3 AM and FM broadcast radio. In a nutshell, the
4 report looks at the potential impacts that wind
5 turbines can have on the coverage of radio
6 stations. The radio bands, based on the
7 frequencies they are on, are very good about
8 passing over and through things; however, you
9 want to stay out of the near-field of those
10 antennas, because if you get too close you can
11 create coverage issues. You know, essentially
12 you may not change something that's up close,
13 but you could cover their -- change their
14 pattern if you get too close to the antenna.

15 So what we did was, we pulled up all the
16 AM stations and FM stations within 30 kilometers
17 of the wind project. And for each of those
18 stations, we calculated the required separation
19 distance if it's an AM station, because the FCC
20 does provide that formula, if you will.

21 And for the FM stations, we calculated the
22 near-field distance for each station and found
23 that none of the turbines were within the
24 potential impact distances of the radio

1 stations, and there was no mitigation required
2 by the Applicant.

3 The next report is the land mobile and
4 emergency services, which does include mobile
5 phone as well. Very similar, you want to stay
6 within -- outside certain distances from the
7 base stations for these.

8 So what we did for this report was, we
9 pulled all of the licensed base stations for all
10 emergency, the police, the -- anybody that had
11 any land mobile stations with a fixed-base
12 station, and we calculated what the distance was
13 from each and every turbine.

14 In this particular, for Braided Creek,
15 they were located -- these fixed-base stations
16 were located a distance of 0.24 to 4.19
17 kilometers, or 240 meters of the 4 point --
18 4,190 meters, from the nearest turbine.

19 We also calculated what would be the
20 separation distance, what distance do these need
21 to stay away from those to create -- again, it's
22 almost a near-field issue. That distance was
23 calculated to be 77.5 meters. So all of the
24 turbines are outside of that distance and we did

1 not see any potential impact to those base
2 stations.

3 The other concern was any of the mobile
4 stations. The receive- -- the handsets, if you
5 will, that operate.

6 Again, these systems are very robust.
7 Based on the frequencies they operate in and the
8 technical characteristics of the systems, the
9 mobile operations should also be unaffected.

10 We did list all of those licenses and the
11 five mobile phone carriers in the report. So
12 it's clearly stated on what we looked at and
13 what systems were involved.

14 But, again, we saw no mitigation being
15 necessary by the Applicant.

16 The next report is on microwave. These
17 are -- microwave paths are communication systems
18 which are communicating from point A to point B.
19 And the biggest thing you need to avoid is
20 obstructing that microwave path. Each path,
21 based on the frequency and distance, has what's
22 referred to as a Fresnel Zone. That's
23 essentially an area, and if you look at the
24 report itself, it looks like an elliptical

1 football. Kind of stretched out. It's very
2 small at the end points of the microwave paths.
3 Its maximize size is right in the middle of the
4 paths, and you want to avoid obstructing that
5 area.

6 So what we did was, we pulled all of the
7 microwave paths that were licensed in and around
8 anything that passed through the project area,
9 and we calculated these distances.

10 We started with a two-dimensional
11 analysis, similar to, you know, if you had an
12 airplane, essentially it runs over a city. On
13 the two-dimensional analysis, it would hit
14 everything in the city. But what that does is,
15 when we do this analysis, it lets us know, is a
16 microwave path close to a turbine?

17 Once we determined that, we found that
18 there were a total of 15 microwave paths that
19 cross through the project area. There are
20 potentially two of them that fell, if you will,
21 in the shadow, either below, above or right at
22 where the turbine actually -- the space, the
23 blade, actually occupies.

24 And so what we did was then pivot and

1 said, okay, for these two paths let's do a
2 three-dimensional analysis. Let's look at the
3 turbine as it is sitting up on the tower at that
4 certain hub height with the blade size, that
5 occupied area that it spins around in, and then
6 let's look at the microwave path at that point
7 for a three-dimensional Fresnel Zone.

8 What we found was, none of the microwave
9 path Fresnel Zones ever occupied the same space
10 as the wind turbines. So there was no potential
11 conflict, and no mitigation was required to
12 avoid impacting the microwave paths.

13 Q. And is that -- Mr. Meyer, is that conclusion
14 the same for both the GE turbine model and the
15 Vestas turbine model?

16 A. Yes, that is correct. We looked at both of the
17 model projections based on the hub heights and
18 size provided. Neither one had issues when we
19 came to the final three-dimensional analysis.

20 Finally, we have the TV study. For the TV
21 study, what we did was, we pulled in all the
22 off-air stations within 150 kilometers of the
23 project. And then we took each of those
24 stations that we found, there were 48 in total,

1 and looked at each individual coverage contour,
2 which is defined by the FCC based on the power
3 of the station, the frequency and the height
4 that the station is.

5 Once we took that coverage contour into
6 consideration, we found that there were 16
7 stations that potentially could be impacted by
8 the wind project. Now, with the advancements in
9 digital television and the antenna advancements,
10 it's unlikely, but it is possible.

11 What happens is, if you have a TV receiver
12 in someone's home or business and they don't
13 have a clear line of sight to the TV station --
14 meaning, they're not getting a full signal from
15 the TV station, they may be seeing it from a
16 reflection from something -- when you introduce
17 a wind turbine, if it now has line of sight to
18 the wind turbine but not to the TV station
19 still, you could have a multi-path issue with
20 the signal reception.

21 I will note that the table on this
22 presentation, the distance noted on the far
23 right is the distance to the nearest turbine.
24 Based on studies that have been done, what they

1 have found, this area, if you will, of potential
2 impact is usually within 10 kilometers -- any
3 houses that are within 10 kilometers of the
4 project turbines and, as I said, they don't have
5 line of sight to the station, but they have line
6 of sight to a turbine.

7 There are very straightforward solutions
8 if there are issues that do occur. These could
9 involve either the addition of a high-gain
10 antenna to pull in the signal stronger, you
11 could look at satellite service or even cable,
12 if it's available for the particular household.

13 And the Applicant has provided a complaint
14 process so that they can take these if there are
15 issues once the turbines are operational and
16 solve any problems that are there.

17 And that concludes all of the reports that
18 are in the Applicant's file.

19 Q. Okay. Thank you, Mr. Meyer.

20 Just one question on the TV study. In
21 that report for the TV study, I just want to
22 make clear that whenever there is language that
23 references distances, that's referring to the
24 nearest turbine; is that correct?

1 A. That is correct.

2 Q. Thank you.

3 So I want to go through a quick summary
4 here. You did an AM/FM broadcast radio report,
5 correct?

6 A. Yes.

7 Q. And your study concluded -- I guess that was a
8 study --

9 A. Yes.

10 Q. -- that ended up in your report, right?

11 And your study concluded that the proposed
12 wind project will not interfere with AM and FM
13 broadcast radio signals?

14 A. That is correct.

15 Q. You also performed a land mobile emergency
16 services study, correct?

17 A. Yes.

18 Q. And as part of that, you looked at mobile
19 phones as well?

20 A. Yes.

21 Q. And that study concluded that the proposed
22 project is sited in such a way that it will not
23 present any interference issues with land mobile
24 or mobile phone operations, correct?

1 A. Correct.

2 Q. You also said you did a microwave study,
3 correct?

4 A. Yes.

5 Q. And again, like the others, the study concluded
6 that the proposed project's turbines will not --
7 are sited in such a way that they are not likely
8 to interfere or obstruct any microwave beam
9 paths, correct?

10 A. That's correct.

11 Q. And then finally, you did a TV study, correct?

12 A. Yes.

13 Q. And in that study, you concluded that there's
14 some possibility that TV reception could be
15 affected, correct?

16 A. Correct.

17 Q. But that -- I just want to be -- wanted you to
18 make clear that that's something that can be
19 mitigated, correct?

20 A. Yes.

21 Q. And I think you said it could be easily done,
22 but can you give us some examples again of how
23 the operator of the project, if it's built,
24 could help mitigate TV reception issues?

1 A. The first thing would be to investigate the
2 receiving path, if you will, from the antenna
3 that's receiving the TV signal, the equipment,
4 everything involved with that path, to make sure
5 it's, you know, current, that it gives you the
6 maximum gain and provides the highest signal
7 level.

8 If that is unworkable or it doesn't, you
9 know, change anything, then the alternative
10 would be to offer either satellite service,
11 which would be unaffected by the turbines
12 completely, or, as I said, if cable is -- it's
13 unlikely in most cases when it's very rural, but
14 if cable is available that would be another
15 option.

16 ATTORNEY BARRY: Okay. Thank you. I
17 don't have any further questions for this
18 witness at this time.

19 JUDGE SLAVIN: Thank you.

20 How about you, Ms. Donarski?

21 MS. DONARSKI: Yes, I have some questions
22 for you.

23 EXAMINATION

24 BY MS. DONARSKI:

1 Q. In your studies, was one of the turbine types
2 more likely to cause an effect than the other,
3 the GE versus the Vestas, or are they about the
4 same?

5 A. They are about the same. There was a slight
6 difference in dimensions, and I believe there
7 was a slight distance -- slight difference in
8 location.

9 But, again, they were studied together.
10 So if there's no impact reflected in the
11 reports, which there is, then neither one would
12 cause a problem.

13 Q. Okay. Now, is it your testimony that the wind
14 turbines will not affect cell phone signal,
15 calling out or receiving? Is that your -- is
16 that what you're saying?

17 A. Correct.

18 Q. Okay. Are these potential wind turbines here
19 different than the existing wind turbines in
20 Bureau County? Like, you mentioned you
21 testified at Big Sky. We'll use Big Sky as an
22 example.

23 A. That was six years ago, and I don't have all of
24 those details for that project, so I can't

1 answer that.

2 Q. Okay. So would it surprise you to know that
3 citizens lose signal while driving through the
4 Big Sky project on Route 26, that they're not --
5 their cell phones are unable to receive or get
6 signal? Would that surprise you?

7 A. It would not surprise me.

8 Q. Okay. Would you be surprised that similar
9 situations could happen within the footprint of
10 the proposed Braided Creek?

11 A. There is the possibility; however, there are
12 also remedies to solve that. The addition of
13 repeater stations, the -- essentially you need
14 to just increase the signal level. If you have
15 a very faint signal level, there could be any
16 number of things that could impact it. But
17 there are ways to increase that receiver level
18 along those roads.

19 Q. Okay. And then who would be responsible for
20 the cost of the repeater signal or additional
21 antennas and things like that?

22 A. That would be beyond my expertise.

23 Q. Okay. Thank you.

24 My next question is about 9-1-1

1 communications and emergency communications in
2 Bureau County.

3 Did you do any studies around the Bureau
4 County 9-1-1 signal tower?

5 A. Anything that was licensed as a land mobile
6 site, which is the typical licensing venue, if
7 you look at the licensees in the land mobile
8 report -- can I refer to that?

9 Q. Sure.

10 A. This is in the application.

11 Referring to Page 3 of the report, the
12 licensees include Bureau County, County of
13 Bureau, the State of Illinois, the Buda Fire
14 Protection District, just to start with.

15 But if you also look at the much larger
16 list, starting on Page 4, you'll notice that it
17 includes the fire protection districts, fire
18 departments, various cities. I don't want to
19 read through this entire list because it is
20 quite exhaustive.

21 However, the characteristics of those
22 systems are such that we don't see the impact
23 from the wind project based on the
24 characteristics of the systems themselves.

1 Q. Okay. Are you aware that one of our standard
2 stipulations that the County has always put on
3 all of the wind projects would be, while
4 recognizing its submission of a third-party
5 professional communication analysis, which is
6 what you have provided, that we would require
7 that Bureau Creek -- or excuse me, Braided Creek
8 Wind, LLC, still develop, implement and pay for
9 both a pre-construction and post-construction
10 test approved by the Bureau County Emergency
11 Communications Division to determine if there
12 are any negative post-construction impacts to
13 the transmission or reception of local emergency
14 communications in the project area. If there
15 are such negative impacts, Bureau County Wind,
16 LLC, (sic) shall return emergency transmissions
17 and receptions to the tested pre-condition
18 levels in the project area at their expense?

19 Were you aware that that was one of our
20 standard provisions that we do for wind farms in
21 Bureau County?

22 A. I was not. It was not part -- again, my
23 expertise is not as an attorney setting
24 requirements, it's evaluating the systems

1 themselves.

2 Q. Okay. My next question is, did you do any
3 studies on airplane or FFA type of
4 communications, if it would have any influence
5 or negative impact on those type of
6 communications?

7 A. I did not; however, my understanding is the FAA
8 makes their own determination on the impact of
9 these structures.

10 Q. On communications or just on collision?

11 A. I believe it's anything that affects an FAA
12 system.

13 Q. Okay. Are the frequencies used by, let's say,
14 a Life Flight that's coming in? We have a lot
15 of Life Flights that come in and out of our
16 county. We have a small hospital, and they have
17 to transport patients to larger hospitals.

18 Are those kinds of communications part of
19 your study or is that outside of the realm of
20 what you studied?

21 A. I don't know enough about what you're
22 classifying as Life Flights or what system they
23 would use.

24 If you look at the land mobile list, which

1 again is very exhaustive, it's based on the type
2 of system that requires a base station and
3 usually a mobile transmitter receiver, which
4 pretty much is what you're describing. In
5 general, those frequencies are such that they
6 are very robust. They travel -- I mean, by
7 design, they travel very well through wind
8 projects, through buildings, through any number
9 of -- you know, the forest, trees, you know,
10 whatever. That is how they are designed to
11 work.

12 Q. Okay. Are you -- did you do any kind of a
13 study on the FAA signal beacon in southern
14 Bureau County, in Milo Township, just south of
15 the proposed location of Braided Creek?

16 A. I did not.

17 Q. Moving on to the -- you said there could be 16
18 TV stations that could be impacted if they have
19 no clear line of sight to the TV station?

20 A. Correct.

21 Q. Was that your -- okay.

22 And so do you have any idea if -- how many
23 receptors or homes are within that 10 kilometer
24 area of a wind turbine that could be possibly

1 affected by that?

2 A. We have no way of knowing who is using an
3 off-air TV system on an individual household
4 basis.

5 Q. Okay. Now, one of your solutions would be, you
6 said, a high-gain antenna?

7 A. Correct.

8 Q. And is that -- would that be then something
9 that the proposed wind farm then would provide
10 to those people who are having signal problems?

11 A. That is my understanding, yes.

12 Q. Okay. And the same with the satellite service?

13 A. Correct.

14 Q. Okay. Now, what about CB radios? Is that a
15 different type of signal than we would have,
16 like, on an AM/FM or in an airplane? Is that a
17 different type of signal? How is that affected?

18 A. Again, I didn't study that independently. I
19 can simply tell you from my experience, it isn't
20 a frequency of low frequency band; meaning, it
21 travels very well through obstacles, through
22 wind projects.

23 The other thing with a CB system is,
24 typically you're talking about something that's

1 very close to the ground, if it's in a vehicle,
2 and you have a very high clearance on these
3 blades, based on the size of these turbines and
4 the height of the hub.

5 Q. Okay. My next question is, on those TV -- back
6 to the TV signals. Do the -- what type of -- I
7 don't want to say "symptoms," but what type of
8 effects typically happen if someone would know
9 that it's a possibility that it was being
10 affected by a wind turbine? What types of
11 interference? Is it, like, static or it freezes
12 up? Or what kind of things does it typically
13 do?

14 A. Since we're talking about digital signals --

15 Q. Yes.

16 A. -- it would -- you know, I think you hit it.
17 It would either freeze up or it would get out of
18 phase where you could -- you know, you were
19 almost getting multiple signals, where it wasn't
20 easily viewable.

21 MS. DONARSKI: Okay. That's all my
22 questions. Thank you.

23 JUDGE SLAVIN: How about you, Mr. Welbers?

24 MR. WELBERS: No, sir, I have no

1 questions.

2 JUDGE SLAVIN: Mr. Jensen?

3 MR. JENSEN: No questions.

4 JUDGE SLAVIN: Mrs. Smith?

5 MS. SMITH: I have none.

6 JUDGE SLAVIN: Mr. Forristall?

7 MR. FORRISTALL: No, sir.

8 JUDGE SLAVIN: Mr. Stutzke?

9 MR. STUTZKE: None, thank you.

10 EXAMINATION

11 BY JUDGE SLAVIN:

12 Q. Mr. Meyer, you have been asked a few questions
13 about cell phone signals. What -- I mean, I
14 think I know. What type of signals are received
15 and emitted from a cell phone?

16 A. They use a variety of frequency bands. The
17 report goes into some detail in the various
18 types and where they came from. But generally
19 cell phones are designed to operate in a
20 non-line-of-sight fashion.

21 Before we all converted where we were
22 calling over Wi-Fi, they were also very good
23 about transmitting in and out of buildings,
24 transmitting, you know, through trees. You

1 could -- you know, if you had -- again, you
2 needed some signal strength to do that. But by
3 design, that's how those systems are set up.

4 Since we have gone -- in a lot of cases
5 when you're at home and it's going over your
6 Wi-Fi network, it changes the dynamics a little
7 bit because you're now trying to go through the
8 building, necessarily, to reach the cell towers.

9 But the only instances we have seen in the
10 past is if you have a direct blockage of a tower
11 right in front of you and you're very close to
12 that tower and it's blocking your view of the
13 only cell tower in the area.

14 But, again, that's a very -- highly
15 unlikely, and, you know, the impact should be
16 minimal, if any.

17 Q. Maybe my question wasn't phrased well enough.

18 Is it true that cell phones operate on a
19 radio signal, radio wave?

20 A. Yes.

21 Q. Okay. And is that just the phone part, or is
22 the ability to connect to the internet also a
23 radio wave?

24 A. They are both radio waves, yes.

1 Q. So when you look at your report, the only
2 mention in your report of radio waves is under
3 "AM/FM."

4 Does that include then cell phones as
5 well?

6 A. I guess I need a little bit more -- when you
7 say "radio waves," see, we typically --

8 Q. Okay. Let me ask it this way: I didn't see --
9 at least on your PowerPoint, and I can't
10 remember your report, I didn't see any direct
11 reference to cell phones. I might have missed
12 it.

13 But where in your PowerPoint have you
14 talked about cell phones?

15 A. I mentioned it on the land mobile report.

16 If you'll let me back up. I need to move
17 just a little bit.

18 It's indicated right here, where it talks
19 about identifying the major carriers.

20 Q. I see. Okay. Thank you.

21 A. But there is -- the application includes a
22 longer report specifically covering mobile
23 phones.

24 Q. Okay. Thank you.

1 JUDGE SLAVIN: Gary, is that -- what's the
2 noise?

3 (A discussion was held off
4 the record.)

5 JUDGE SLAVIN: All right. Thank you.
6 Interested Parties, by raise of hand,
7 questions of Mr. Meyer?

8 Step on up, please, and state your name
9 first and tell us whether you live, work or
10 reside within the project area or in Bureau
11 County or outside of Bureau County.

12 MS. ROSE: Laura Rose. I live with the
13 project area.

14 JUDGE SLAVIN: Go ahead.

15 EXAMINATION

16 BY MS. ROSE:

17 Q. Thank you, Mr. Meyer, for your presentation.

18 Has a pre-construction RFI, meaning radio
19 frequency interference, study been done relating
20 to the railroad communication that goes through
21 this project? There are two railroads that go
22 through here, and those -- the railroad
23 specifically uses a 220-megahertz --

24 JUDGE SLAVIN: That's not a question.

1 You're telling him things. It was a good
2 question. Just leave it at the question.

3 Q. (By Ms. Rose:) Has that been done -- has a
4 study been done -- a pre-construction RFI
5 radiofrequency interference study been done?

6 A. Not to my knowledge. I have not been asked to
7 perform that study.

8 Q. Okay. Thank you.

9 Have similar communication studies been
10 conducted with the Illinois Department of
11 Transportation relating specifically to Route 40
12 and the Kentville Road? They are both major
13 roadways through this area.

14 A. Not to my knowledge.

15 MS. ROSE: Okay. Thank you.

16 JUDGE SLAVIN: Thank you. All right.

17 Yup, Mrs. Stetson. It's a new night, so
18 name, please, and whether you live, work or
19 reside inside or outside of the project area,
20 within or outside Bureau County.

21 MS. STETSON: Connie Stetson. I'm in the
22 project area.

23 EXAMINATION

24 BY MS. STETSON:

1 Q. So how do you fix the problem when there is a
2 TV problem or the AM/FM? Because I do know
3 that --

4 JUDGE SLAVIN: Now you're telling him
5 things.

6 MS. STETSON: Sorry.

7 JUDGE SLAVIN: The question was fine.

8 Q. (By Ms. Stetson:) How is that fixed? How do
9 you fix that?

10 A. AM/FM or TV?

11 JUDGE SLAVIN: I think she said TV.

12 Q. (By Ms. Stetson:) And AM/FM too. How would
13 you fix that?

14 ATTORNEY BARRY: Well, for the AM/FM he
15 said he doesn't anticipate any --

16 JUDGE SLAVIN: No, just let him answer the
17 question, please.

18 A. Let me start with the TV. The TV, it's a
19 reception issue. So you need to either modify
20 the receiver again by updating it, adding a
21 high-gain antenna, looking at how it's
22 construct -- you know, how is it taking the
23 signals of the TVs, et cetera, and see if it can
24 be solved there.

1 If not, you need to bring the signal in a
2 different way, which would be why there is the
3 offering of the Applicant to either provide
4 satellite or, as I said, cable if it's available
5 in the area.

6 Q. Well, I do know AM/FM --

7 JUDGE SLAVIN: You're telling him things
8 again.

9 MS. STETSON: I'm going to the question.

10 AUDIENCE MEMBER: He got to talk. Why
11 can't she talk?

12 JUDGE SLAVIN: All right, sir. That's
13 enough of that.

14 AUDIENCE MEMBER: No, sir.

15 JUDGE SLAVIN: Yes, it is. This is a
16 hearing, it is not a roundtable discussion. I'm
17 running this show, and we're going to keep it
18 under control.

19 AUDIENCE MEMBER: I am under control.

20 JUDGE SLAVIN: No, you're not. You're not
21 going to talk anymore.

22 AUDIENCE MEMBER: Okay. Until next time.

23 JUDGE SLAVIN: I'm sorry, I don't know
24 what question you asked.

1 MS. STETSON: I have a statement and then
2 I have a question afterwards. Do you want me
3 to --

4 JUDGE SLAVIN: The question first.

5 Q. (By Ms. Stetson:) Are you aware that there are
6 people in that area that do use AM/FM radios?

7 A. I would assume so, yes.

8 Q. Have you ever gone down a road with your AM/FM
9 radio on, and as the turbines go around it
10 statics your radio as you're going down the
11 highway?

12 A. I have not personally, no.

13 Q. Are you aware that that does happen?

14 A. Potentially it could. The focus of the report
15 was to look at how the turbines would impact the
16 signal coming from the station.

17 Q. What is the frequency that you tested? What
18 frequency level have you tested?

19 A. You mean the frequencies of the -- we took the
20 frequencies in account for all of the FM
21 stations and all of the AM stations.

22 Q. Do you know if there's any electromagnet
23 interference from these turbines?

24 A. Based on the requirements under FCC rules for

1 unintentional emitters, which is what you're
2 talking about, if they're broadcasting out some
3 type of spurious electromagnetic signal, that is
4 what plays into the calculation of 77.5 meters
5 in the land mobile report and 77.3 meters in the
6 mobile phone report, which essentially are based
7 on requirements.

8 You can't put something out there that has
9 an electronic component, such as the hub or
10 nacelle, that doesn't meet these requirements.
11 Based on those requirements, those are the
12 distances.

13 When you take into account that these hubs
14 are up at 113, 110 meters, I would have to look
15 at what those numbers are. I'm tossing out a
16 number here. They are already quite a bit
17 above, and then you add any distance to that,
18 you're quickly going to surpass that 77.5-meter
19 distance.

20 Q. Are you aware of the Ordinance for Bureau
21 County that states no wind turbine shall be
22 installed in any location where its proximity
23 with existing fixed broadcasting retransmission
24 or reception antenna or radio, television or

1 wireless phone or other personal communication
2 systems that would produce electromagnetic
3 interference, signal transmission or reception?
4 Are you aware of that?

5 A. Again, I'm not an attorney. I'm not following
6 the regulations. I'm providing technical
7 reports based on the types of systems that need
8 to be studied.

9 Q. So did the Braided company conform with what
10 the Ordinance states for Bureau County?

11 A. It did, but again, I'm not evaluating the
12 Ordinance. I'm simply saying, based on that,
13 they asked me to perform these studies that were
14 presented to address and cover those
15 regulations.

16 I'm just saying, I'm not an attorney. I
17 can't speak to the regulations directly.

18 Q. Are you going to be doing a study to see if
19 this interferes with the railroads and highways?

20 A. I don't know. I have not been asked to perform
21 that type of study. My understanding is that's
22 not even under the purview of the existing
23 regulations.

24 Q. Are you aware of the federal regulation

1 standards for wind turbines close to railroads?

2 ATTORNEY BARRY: Objection. Calls for a
3 legal conclusion. Assumes that there is such a
4 standard in place.

5 JUDGE SLAVIN: I'll help her out by
6 saying, are you aware that there is a standard
7 for railroads and proximity of wind turbines?

8 THE WITNESS: To my understanding, there's
9 no standard or regulation.

10 Q. (By Ms. Stetson:) The -- can I -- is it okay
11 if I read that to you?

12 JUDGE SLAVIN: Well, he's not going to
13 answer you yes or no to that.

14 Q. (By Ms. Stetson:) Are you aware that I have a
15 statement that says there is?

16 ATTORNEY BARRY: Same objection.

17 MS. STETSON: May I ask why you're
18 objecting?

19 JUDGE SLAVIN: No, you may not.

20 Try and rephrase it again. I'm thinking
21 my way through that.

22 Q. (By Ms. Stetson:) Do you know what the Federal
23 Railroad Administration safety standards are?

24 A. No.

1 Q. Are you aware that they are a minimum of a
2 1.2-mile setback for turbines built near
3 highways and railroads?

4 ATTORNEY BARRY: Same objection.

5 JUDGE SLAVIN: Overruled.

6 A. I'm not aware of any regulation or standard
7 that states that.

8 Q. (By Ms. Stetson:) Are you aware that --
9 anything about the National Transportation
10 Safety Board recommendations?

11 A. No.

12 Q. Are you aware that they do state the same, the
13 1.2-mile distance?

14 ATTORNEY BARRY: Same objection.

15 A. No.

16 Q. (By Ms. Stetson:) I seem to be missing a piece
17 of paper. Hold on.

18 Okay. I'm going to -- I think I asked
19 this question but I'm going to ask it again
20 because I can go further with it. Are you aware
21 the Federal Railroad Administration requires to
22 maintain clear, reliable communications between
23 crews, dispatchers and railroad workers?

24 A. No.

1 Q. Are you aware of the Federal Communications
2 Railroad Hold License Spectrum, under 47 CFR
3 Part 90 FCC rules, prohibiting harmful
4 interference?

5 A. Under that Rule section, I believe that is what
6 it states.

7 Q. Are you aware that there's a report called
8 Meteorcomm Powering the Digital Railroad?

9 A. I am.

10 Q. Do you know -- can you tell me about it?

11 A. It's a report requested by a group of railroads
12 of a company that manufactures and sells to the
13 railroads the communications system. It was
14 performed at a wind project in California which
15 was started in the 1980s which has high-density
16 wind turbines, in general about a hundred feet
17 tall.

18 The report came out with -- they went
19 through a series of tests. Again, none of this
20 has been peer-reviewed or subject to any type of
21 secondary technical analysis.

22 The report essentially -- I don't want to
23 dig into it. It's a fairly large report. But
24 essentially they came up with a set of potential

1 distances based on this high-density, very
2 small, short turbines with recommended distances
3 of separation.

4 Again, it was simply that, a single
5 report.

6 Q. Yes, but in -- are you aware that in this
7 report it states that -- just a second. Let me
8 find the page.

9 That electromagnetic interference, wind
10 turbine components can generate electromagnetic
11 radiation that interferes with radio spectrum
12 such -- are you aware of that?

13 A. I'm aware it's in the report, but I'm also
14 aware of the type of project that they tested it
15 on, which has very little correlation to a
16 project such as Braided Creek.

17 Braided Creek is much less dense. It has
18 turbines that are much higher off the ground.
19 It has turbines that are not constructed
20 primarily of metal. It also -- if you read in
21 that report, it does not recommend a 1.2-mile
22 exclusion zone. What that report specifically
23 recommends for the instance it tested, meaning a
24 very high-dense wind project of this -- of that

1 particular type, it was talking about a distance
2 of 0.3 miles; 0.3 to 0.6 to look at a detailed
3 analysis, and 0.6 to 1.2 looking at a simple
4 analysis.

5 That report does not request a 1.2-mile
6 exclusion zone. And again, the report itself
7 says less dense projects or other factors would
8 need to be taken into account.

9 The report also, if you look at Section
10 number 6, details a significant number of items
11 if there is a problem that can be taken to
12 mitigate any issues.

13 In addition, as one aside -- because we
14 looked at this report in detail -- the exclusion
15 zone of 1.2 miles which was latched onto, there
16 are 76,000 operating wind turbines in the United
17 States. Based on a study of the distances,
18 6 percent of those are within 1.2 miles of a
19 railroad. That's over 4500 operational wind
20 turbines within 1.2 miles of a railroad, and I
21 am unaware of any complaints or issues from the
22 railroads on it causing a specific problem based
23 on the current turbines they're putting in
24 place.

1 Q. Well, Mrs. Rose stated, Have you done an RFI
2 study."

3 JUDGE SLAVIN: You're starting again.
4 You're telling him things. Just ask him a
5 question. You're not under oath; he is.

6 Q. (By Ms. Stetson:) Have you done a
7 radiofrequency engineered study near railroads?

8 A. No, I have not.

9 Q. Do you know if there will be one done?

10 A. I do not.

11 Q. Hold on. Let me find my paper.

12 Are you aware that the Department of
13 Transportation Secretary, Sean Duffy, also
14 stated that the minimum should be 1.2-mile
15 setbacks from railroads and highways?

16 A. I'm aware of the statement he made.

17 Q. But that is a recommendation for safety.

18 JUDGE SLAVIN: Is that a question?

19 Q. (By Ms. Stetson:) Is that a recommendation for
20 safety?

21 A. I'm not sure what the basis of his
22 recommendation is. As I said, they alluded to
23 it being based on the report, but what they
24 published or put out there in that article

1 didn't correlate to the information that was on
2 the report. So I don't know what is backing
3 that statement.

4 Q. Do you realize that the last administration
5 overruled the safety rules?

6 A. I'm aware that the previous process, if you
7 will, initially sent out letters with a variety
8 of distances and then subsequently issued
9 letters correcting that. But I don't have any
10 insight into the basis of that.

11 Q. Are you aware that Amtrak goes down that BNSF
12 train track daily?

13 A. Again, I have not done any studies on the
14 railroad.

15 Q. Well, Amtrak does -- okay. Are you aware that
16 there's approximately 3 million people that run
17 on the Amtrak in Illinois, and they have three
18 railroads that use this. Three million people,
19 you can divide that and say there could possibly
20 be a million people that go down that. Are you
21 aware of that?

22 ATTORNEY BARRY: I think there are a lot
23 of questions in that question.

24 JUDGE SLAVIN: I agree, but take the last

1 one. Are you aware that there would be a
2 million people?

3 A. I have done no studies on the railroad,
4 passengers or otherwise.

5 Q. (By Ms. Stetson:) Well, can you believe that
6 approximately a million people travel on the
7 Carl Sandburg, Illinois Zephyr and California in
8 2024? Can you believe that?

9 ATTORNEY BARRY: I'm not sure what his
10 belief -- he's not an expert on railroads.

11 JUDGE SLAVIN: I agree. What he believes
12 about passengers --

13 Q. (By Ms. Stetson:) Are you aware that on the
14 Carl Sandburg, Illinois Zephyr and California
15 Zephyr, in 2024 approximately a million people
16 went up and down that? Are you aware of that?

17 ATTORNEY BARRY: Same objection.

18 JUDGE SLAVIN: Let him -- understood.

19 Go ahead and answer, if you can.

20 A. Again, I have done no studies on the railroad.

21 Q. (By Ms. Stetson:) And this is -- let's see.
22 Are you aware that there are two sets of tracks
23 going through this project and a highway?

24 A. The same answer. I have not studied the

1 railroads.

2 I will make a note about the highways.

3 The highways are not covered in that report that
4 you mentioned.

5 Q. Yes, they are.

6 A. They are not.

7 JUDGE SLAVIN: Don't start that.

8 MS. STETSON: Okay. Sorry.

9 JUDGE SLAVIN: Look, if you two want to go
10 out in the hall and have a discussion.

11 MS. STETSON: Got it.

12 JUDGE SLAVIN: Otherwise you ask
13 questions. He's under oath. He answers
14 questions. It's that simple.

15 Q. (By Ms. Stetson:) Do you believe that there
16 should be a study done with the RFI, radio
17 frequency interference, just to make things
18 clear to everyone?

19 A. Again, that is not my call.

20 Q. Could you request one?

21 A. Again, that is not my call.

22 MS. STETSON: Can I ask you a question,
23 Judge Slavin?

24 JUDGE SLAVIN: No. I'm not under oath

1 either.

2 MS. STETSON: I just want to ask a
3 question, that's all.

4 JUDGE SLAVIN: Sure.

5 MS. STETSON: Can I can ask the lawyer
6 for --

7 JUDGE SLAVIN: No. He's not under oath
8 either. This is the witness on the witness
9 stand.

10 MS. STETSON: I was just -- I just asked
11 if I could ask him, that's all.

12 JUDGE SLAVIN: You can go out in the hall
13 and ask him all you want --

14 MS. STETSON: Okay.

15 JUDGE SLAVIN: -- if he wants to answer.

16 MS. STETSON: I will.

17 But I was -- I just wanted it on record.

18 JUDGE SLAVIN: Not if he's not under oath.

19 MS. STETSON: Okay. I just asked the
20 question.

21 JUDGE SLAVIN: I can't emphasize that
22 enough. I have said it again and again.

23 Q. (By Ms. Stetson:) So are there electromagnetic
24 interference in these? Could you answer that

1 question again?

2 A. We found no potential EMI from the wind
3 turbines.

4 Q. And that's in your report?

5 A. It's the basis for the separation distances in
6 the land mobile and mobile phone reports, yes.

7 Q. It's in the report for radio -- is it in the
8 report for everything, even possibly the
9 railroad?

10 A. We did not study the railroad.

11 MS. STETSON: That's all I have right now.

12 JUDGE SLAVIN: Thank you.

13 Other Interested Parties, by raise of the
14 hand?

15 Yes, sir. Come on up. If you'll start
16 with your name and whether you live inside the
17 project, or within Bureau County but outside the
18 project, please, or work or own a business.

19 MR. Ron Skaggs. Buda. I'm in the
20 footprint of your --

21 JUDGE SLAVIN: You what? I just didn't
22 understand you, that's all.

23 MR. SKAGGS: Okay.

24 JUDGE SLAVIN: I just didn't understand

1 you. What did you say?

2 MR. SKAGGS: I live within the footprint
3 of Braided Creek.

4 JUDGE SLAVIN: Okay. Thank you.

5 EXAMINATION

6 BY MR. SKAGGS:

7 Q. So is there going to be a study to the railroad
8 about the railroad communications system?

9 A. Again, that's not my --

10 Q. You're not in the communications business,
11 okay. Thank you.

12 Have you or anybody from Braided Creek
13 contacted any of the communication supervisors
14 on the Union Railroad or the Burlington
15 Northern?

16 A. Again, we have not conducted any study on the
17 railroads.

18 Q. Okay. I suggest you do because --

19 JUDGE SLAVIN: Don't do it.

20 MR. SKAGGS: I know it.

21 JUDGE SLAVIN: Don't do it.

22 MR. SKAGGS: I got it, okay.

23 Q. (By Mr. Skaggs:) Are you aware that they are
24 not aware that there's even any wind turbines

1 coming? I talked to --

2 JUDGE SLAVIN: Don't do it.

3 Q. (By Mr. Skaggs:) I talked to a supervisor --

4 JUDGE SLAVIN: No. You ask a question.
5 He answers the question.

6 Q. (By Mr. Skaggs:) Okay. Are you aware of that?
7 None of the supervisors are aware that there's
8 even any wind turbines coming.

9 JUDGE SLAVIN: You're telling him things.

10 Q. (By Mr. Skaggs:) Are you aware that none of
11 the supervisors are aware that wind turbines
12 were even in the neighborhood, and they were
13 very unhappy?

14 JUDGE SLAVIN: That's two questions. I'll
15 ask the question for you.

16 Are you aware that any railroad employees
17 are unaware of the possibility of a wind project
18 coming near the railroad?

19 THE WITNESS: I have no knowledge.

20 MR. SKAGGS: Supervisors on the railroad.

21 JUDGE SLAVIN: They are employees. I
22 asked the question for you.

23 MR. SKAGGS: Okay. Got it.

24 Q. (By Mr. Skaggs:) Okay. Are they going to be

1 contacted, I guess, at some point before you
2 guys start planting these in the ground?

3 A. Again, I have no knowledge of that.

4 Q. Okay. I assume they would be.

5 Goes back to what Connie said, are you
6 aware that their Ordinance is 1.2 miles away
7 from railroads?

8 JUDGE SLAVIN: That's been asked and
9 answered numerous times.

10 MR. SKAGGS: I know.

11 ATTORNEY BARRY: I'll just object to the
12 foundation.

13 Q. (By Mr. Skaggs:) Okay. So they are not aware
14 you're even coming.

15 JUDGE SLAVIN: You're telling him things.

16 MR. SKAGGS: Thank you. Okay.

17 JUDGE SLAVIN: Anybody else with
18 questions? Raise your hand.

19 (No verbal response.)

20 JUDGE SLAVIN: All right. Redirect,
21 Mr. Barry?

22 ATTORNEY BARRY: Yes, sir.

23 MR. FANDEL: I would like to ask a
24 question.

1 JUDGE SLAVIN: Sure.

2 MR. FANDEL: I have one.

3 JUDGE SLAVIN: I would like you to start
4 with your name and whether you live within the
5 project, or outside the project but within
6 Bureau County, or own a property or a business.

7 MR. FANDEL: My name is Greg Fandel, and I
8 do live close to where they're putting them in.

9 EXAMINATION

10 BY MR. FANDEL:

11 Q. Why did your company not send somebody that
12 could answer these people's questions?

13 A. My purpose here is to support the reports that
14 were submitted as part of the process.

15 Q. All right. So why can you not answer the
16 questions that are being asked? Why are you not
17 capable of it?

18 JUDGE SLAVIN: That's argumentative.

19 Look, this gentleman already testified
20 that he works for a company called Comsearch.
21 It was contracted as an independent contractor
22 to perform certain duties and paid by Braided
23 Creek to do so.

24 MR. FANDEL: Well, Braided Creek --

1 JUDGE SLAVIN: He's not Braided Creek. He
2 works for Comsearch.

3 MR. FANDEL: Why did they not send
4 somebody that could answer these questions?

5 JUDGE SLAVIN: Why did who? When you
6 say --

7 MR. FANDEL: Who he works for.

8 JUDGE SLAVIN: Why did Comsearch not send
9 somebody to answer these questions?

10 MR. FANDEL: That could answer them or
11 would answer them.

12 THE WITNESS: Again, we can only answer
13 the questions on the technical reports we
14 provided.

15 Q. (By Mr. Fandel:) Are you prepared to answer
16 these questions?

17 JUDGE SLAVIN: That's argumentative.

18 ATTORNEY BARRY: Objection to the form of
19 the question. What are "these questions"? I
20 mean, he answered a lot of questions tonight,
21 and he's asking more and not being specific
22 about it.

23 JUDGE SLAVIN: I understand. It's also
24 argumentative.

1 MR. FANDEL: He's not being specific about
2 it, you're right.

3 JUDGE SLAVIN: That's up to the ZBA to
4 decide whether he's believable or not
5 believable. He's under oath; you're not. If
6 you have any more questions, just ask him.

7 MR. FANDEL: That was my main one, why he
8 can't answer the questions. You need to get
9 somebody here that can answer the questions.

10 JUDGE SLAVIN: All right. Enough. Sit
11 down, please.

12 MR. FANDEL: Yup, yup.

13 JUDGE SLAVIN: Anybody else, by raise of
14 the hand?

15 (No verbal response.)

16 JUDGE SLAVIN: Redirect, Mr. Barry? I
17 forget if we got that far.

18 ATTORNEY BARRY: No, thank you.

19 JUDGE SLAVIN: You may step down. Thank
20 you.

21 Let's see, we're about an hour into it.
22 Let's take a quick break. Ten after.

23 (A recess was taken at 7:06 p.m.
24 and proceedings resumed at

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7:14 p.m.)

JUDGE SLAVIN: All righty. Ladies and gentlemen, let's regroup.

All right. Mr. Barry, you may continue.

ATTORNEY BARRY: Thank you. At this time I would like to call Andrew Lines, ask him to come up and be sworn.

ANDREW LINES,
being first duly sworn, was examined and testified as follows:

JUDGE SLAVIN: You may inquire.

THE WITNESS: I'm just going to move this a little bit.

JUDGE SLAVIN: Actually, I want you facing the ZBA, at the least.

THE WITNESS: Understood. I just want to be able to see the screen.

JUDGE SLAVIN: Okay. Great.

THE WITNESS: If that's possible. Thanks.

JUDGE SLAVIN: You may inquire, Counsel.

(Petitioner's Exhibit Number 11
marked for identification.)

EXAMINATION

BY ATTORNEY BARRY:

1 Q. Good evening, Mr. Lines. If you would state
2 your name and spell it for the record.

3 A. Andrew Lines, A-N-D-R-E-W, L-I-N-E-S.

4 Q. And are you employed?

5 A. Yes.

6 Q. And who is your employer?

7 A. I'm actually -- I'm technically a partner of
8 CohnReznick.

9 Q. And your position is partner, correct?

10 A. Correct.

11 Q. What does CohnReznick do in connection with
12 this proceeding?

13 A. So we were asked to provide an impact study to
14 determine whether or not the proposed wind
15 project would have any impact on adjacent
16 property values.

17 I lead a valuation group, and I have been
18 studying a lot of different uses that people
19 think might be not good in a community or good
20 for a community, and seeing whether or not those
21 have positive or negative impacts on residential
22 property values that includes a wide range of
23 different kinds of property types.

24 But I have studied wind for the last five

1 or six years, and so we put this report together
2 for Leeward, and I'm happy to share with you the
3 results of the report via slide deck.

4 JUDGE SLAVIN: We're going to have to
5 wait.

6 Gary, we're going to have to solve this.
7 Over here it's almost hard to hear him.

8 THE WITNESS: Is this better?

9 JUDGE SLAVIN: Well, not much.

10 AUDIENCE MEMBER: Is that what a magnetic
11 field sounds like?

12 THE WITNESS: Who's good with magnetic
13 fields?

14 JUDGE SLAVIN: Would you ask him a
15 question and let's --

16 Q. (By Attorney Barry:) Mr. Lines, do you have
17 any licenses and accreditations?

18 A. Yes.

19 JUDGE SLAVIN: It's not working. I can't
20 even -- let's try and solve it. Let's take a
21 break, Gary, and try and solve it.

22 Just have a seat. Step down. Walk away.

23 (A discussion was held off
24 the record.)

1 A. I think you asked me about my licenses and
2 designations?

3 Q. (By Attorney Barry:) Yes.

4 A. I'm a certified general real estate appraiser
5 here in the state of Illinois. I have had this
6 license since 2007.

7 In 2012, I earned the MAI designation from
8 the Appraisal Institute. That essentially means
9 I'm a full member of the Appraisal Institute.
10 It's an internationally-known designation.

11 Last year I was accepted as a counselor of
12 real estate. So I have got MAI and CRE after my
13 name.

14 Q. And are those the highest designations that one
15 can achieve as a real estate appraiser?

16 A. The MAI is the highest appraiser designation in
17 the United States. It is internationally known.

18 The Counselors of Real Estate is an
19 international association that's by invitation
20 only. So I was very honored to be selected to
21 be a part of that group.

22 Q. And do you have a license?

23 A. I do. I have a license here in the state of
24 Illinois. I also hold a certified general real

1 estate appraiser license in 12 other states.

2 Q. That license -- again, what is the license in
3 Illinois?

4 A. Certified general commercial real estate
5 appraisal license.

6 Q. Are you subject to standards as part of that
7 license?

8 A. Correct. All appraisers are subject to Uniform
9 Standards of Professional Appraisal Practice,
10 which is commonly referred to as USPAP.

11 And I also prepare all of my analyses in
12 conformity with the rules and regulations
13 promulgated by the State of Illinois, and as
14 well as the Code of Ethics and the Uniform
15 Standards of Professional Appraisal Practice as
16 promulgated by the Appraisal Institute.

17 And I'm sorry, I have a really bad cold.
18 So I'm trying to do my best tonight.

19 Q. And we appreciate it.

20 Did you prepare a study in connection with
21 Braided Creek project?

22 A. I did.

23 Q. Is that study Appendix R in the application
24 materials, as far as you're aware?

1 A. Yes.

2 Q. And so we have distributed a PowerPoint
3 presentation. So I would ask you at this time
4 if you could take us through that, please?

5 A. Sure. I'll try to be brief but get into
6 details where I can.

7 So I think we have just been through who I
8 am and what I do. I also am a member of the
9 International Real Estate Management
10 Association, called IREM, and also a member of
11 the National Council of Housing Market Analysts.
12 So I do this a lot, and I obviously do this for
13 a living.

14 But I have done impact studies on a wide
15 range of things. I have testified in Bureau
16 County before. You guys probably remember me.
17 I have done work on solar farms. I have done
18 work on wind farms. I have also worked on truck
19 terminals, transmission lines. I have worked on
20 new Walmarts that are proposed. So I have
21 studied a lot of different things in
22 relationship to how it might impact adjacent
23 property. I have appraised everything from tiny
24 houses to the Sears Tower and everything in

1 between.

2 So what's the methodology in the report?
3 Again, this deck is just a summary of what we
4 did in the full report that was submitted.

5 So first I'm going to talk about some of
6 the academic and peer-reviewed studies that are
7 out there. So we wanted to see, what do other
8 people have to say? Wind has been around for
9 quite a while, and there's a lot of different
10 people who have written some interesting
11 information about it and have put together a
12 statistical analysis regarding property values.
13 So the legacy is there even before I did any
14 work.

15 I will go through some of the studies.
16 I'll show you a couple examples and tell you
17 about the ones that we put together and did our
18 own analysis for. I'm going to talk a little
19 bit about some of assessor interviews that we
20 have done. We also talked to market
21 participants who are familiar with transactions
22 of homes near wind turbines. So we call these
23 people and see what they say.

24 And then I'll just note really quickly

1 that we also did a site-specific. So we looked
2 at the area around this project. We looked at
3 transactions of homes around this project to get
4 a sense of what kind of homes are they, how are
5 they selling, what their price range is, to make
6 sure that these are fairly consistent with some
7 of the other projects that we selected for our
8 studies.

9 So this first slide, and as I get into
10 some of these other authored reports, these are
11 the three most recent statistical big analyses
12 that are out there.

13 The first one is done by Guo and Wenz. It
14 was released in 2024. It's a huge regression
15 analysis of 300 million homes across the United
16 States dating back, like, over 20, almost 30
17 years. It's the biggest study of its kind as it
18 talks about wind.

19 So what I'll tell you is that the results
20 say that they believe that there is a negative
21 impact of a little over 1 percent to adjacent
22 properties within 10 kilometers. That's what it
23 says. It says that this dissipates over time.

24 I didn't do the study.

1 Then it also says that -- it also says
2 that they didn't find any impact for any
3 developments that happened after 2017. So all
4 the newer developments for that study that they
5 did showed no impact for newer developments,
6 only the negative 1 percent for the older ones.

7 It also suggested that it found a greater
8 impact in urban areas than it did in rural
9 areas.

10 And that is also similar with the next
11 study below it, the Brunner and Hoen study.
12 Hoen, you're going to see his name a bunch.
13 He's done this four or five times. He's with
14 the Berkeley National Lab and gets a lot of
15 money from the federal government to look at
16 this thing and a lot of other things, including
17 solar.

18 So they had done and completed a huge
19 regression analysis in 2023 looking at the same
20 issues, and what they found is that there was a
21 2 percent negative impact to homes. But they
22 found that this completely went away within five
23 years. And they found -- according to the data,
24 when you actually look through the study, they

1 found no impact to rural communities at all.
2 They found only impact in urban settings and
3 urban areas.

4 So Hoen believes that there is some
5 disturbance during the construction period, but
6 that after these are built that that generally
7 goes away. I would slightly concur that nobody
8 likes construction, but that's kind of a part of
9 all development.

10 The third study is done by a guy named
11 Cory Lang, who's out of the University of Rhode
12 Island. He was part of actually a couple other
13 wind studies, one here in Illinois that he did
14 earlier in his career when he was working for
15 Ben Hoen, then he went out on his own.

16 He looked at four regions in New England.
17 Three out of the four regions, he found no
18 impact. The only region he found an impact was
19 on Cape Cod -- or excuse me, on Nantucket, on,
20 like, the island. Very, super pricey homes.
21 There were some issues with some stigma related
22 to that. But for three out of the four, he
23 found no impact at all. That was the majority
24 of his study.

1 So I have got some quotes there about
2 these reports. But these are the most recent
3 and the largest studies of their kind. So I
4 would call these very low impact and maybe
5 mixed, in terms of the results.

6 This slide is the ones that I identified
7 that are negative. So of these four, 1, 3 and 4
8 were done by appraisers, and only 1 was done by
9 someone with a statistical analysis/PhD
10 background. And the one, Heintzelman and
11 Tuttle, they looked at three regions that had
12 three small wind farms in Upstate New York,
13 really far up, like close to Lake Placid.

14 They had very mixed results in terms of
15 what they found. Well, one of them had negative
16 within 2 miles, but the other two didn't. And
17 then the other -- there was two that had
18 negative within five miles and one that didn't.
19 They had really mixed results.

20 The results were so mixed that they even
21 say it in the report, "Overall, the results of
22 this study are mixed with regards to the effect
23 of wind turbines on property values." That's
24 what this report says. But it does say that it

1 was negative.

2 The first one is a Canadian appraiser who
3 looked at five homes during the Great Recession
4 and said that they were negative. So he tracked
5 five homes that sold before the Great Recession
6 and then during the Great Recession. They
7 happened to put up a wind farm during it, and he
8 made no adjustments for it, so I didn't give
9 that a lot of credibility.

10 The next guy is a guy named Mike McCann.
11 Rest in peace. He was an Illinois appraiser.
12 He was vehemently opposed to wind. So he wrote
13 a lot of reports regarding wind, but he really
14 kind of stands alone, and he was -- there's a
15 number of different cases and trials of reports
16 where a number of PhDs came to debunk his
17 analysis. And a lot of that information is
18 contained within my report.

19 Then there's a guy named Kurt Kielisch
20 who's up in Wisconsin who also writes reports.
21 He also doesn't believe that -- he believes that
22 there is a negative impact on homes.

23 I took a look at his studies. He makes a
24 lot of large, suggestive adjustments. His first

1 one was on lots. I don't know why he's studying
2 residential lots and not homes, but that was the
3 case there.

4 But I did want you guys to know that there
5 are some people out there who believe that it's
6 negative.

7 Here is a list of all the ones that say no
8 impact, and it dwarfs the number of reports that
9 say there is an impact. I have highlighted the
10 ones -- these little boxes are the ones that
11 specifically address wind here in Illinois. And
12 two of them -- or actually, this man named Mike
13 MaRous had done a study quite a while ago, I
14 believe he looked at Big Sky, and he addressed
15 that particular development not too far after it
16 was completed.

17 So there are 14 different authored studies
18 which say there are absolutely no impact at all,
19 and one, two, three, four -- five of them
20 studied a lot of the impact here in Illinois
21 itself. So again, the information on those is
22 contained within my report, but that says a lot,
23 and that's what's out there.

24 So the impact study methodology that we

1 use, we use a paired sales analysis technique.
2 A lot of the appraisers use that technique.
3 They typically will do one-to-one. I think it's
4 a little subjective, so I do one -- or a sale or
5 a test group compared to a larger control group.
6 And I don't make any adjustments for physical
7 characteristics. I just look at their median
8 sale price.

9 We do a little bit of an adjustment for
10 time, to bring everything to the same date.
11 Otherwise, I'm trying to find data the way that
12 an appraiser or a broker might show you five
13 homes when you're looking for something.

14 So what we do is, we bracket in terms of
15 physical characteristics: the number of
16 bedrooms, the acreage, the number of bathrooms,
17 is it attached, is it a garage that's detached,
18 does it have a bunch of pole buildings, does it
19 have a basement, unfinished? So we get a sense
20 of what people are looking for.

21 And the idea here is, if we compare the
22 test sale, the home that's near the wind
23 turbine, compare it with a group that's
24 relatively nearby but much farther away, will

1 its price that it sold for be generally higher,
2 generally lower or generally consistent with the
3 group?

4 And so that's the idea here. And it's
5 based on proximity. It comes from a textbook
6 that we all get to study called Real Estate
7 Damages by a PhD, who is also an MAI. What this
8 book says is, "If a legitimate detrimental
9 condition exists, there will likely be a
10 measurable and consistent difference between the
11 two sets of market data."

12 So we can't just see it once. We have to
13 see it repeated over and over and over again
14 before we see a trend.

15 I sort of talked about this already, but
16 we define test area sales for wind development.
17 Obviously no participating owners can be within
18 1.1 times the height of the length of the
19 turbine. So we pretty much start looking at
20 homes that are about a quarter mile. So it
21 could be 1300 feet, it could be 1200 feet, it
22 could be 1400 feet. It kind of depends on the
23 different counties.

24 But generally we start looking for homes

1 that are little more than about 1400 feet from a
2 wind turbine and we go up to a mile.

3 So that first donut is where we're really
4 looking for sales data. Not every turbine has a
5 house that's immediately around it that's sold
6 within a given time period. Things don't always
7 sell in rural communities all the time. So we
8 have to go with what we can find.

9 But we use GIS and we use public records
10 and we use the MLS to try to decipher what these
11 are. We make sure that they're not distressed
12 sales. So they can't be disclosures, can't be
13 sheriff sales, can't be trustee sales. They
14 have to be market transactions. The buyer and
15 seller can't be related. There can't be any
16 undue conditions of sale that might really
17 increase or decrease that price on the open
18 market.

19 So we make a really strong effort to make
20 sure we don't use participating landowners that
21 were part of either -- the purchase, either the
22 seller or the buyer.

23 Once we establish what the test sales are
24 and we understand what they are and we look at

1 their physical characteristics, then we can go
2 out into the community and find other sales for
3 our control group.

4 So we start a minimum of about two, almost
5 three miles away from the turbines. We try to
6 stay in the same township and definitely the
7 same county as best we can. You guys know,
8 again, that in rural communities the sales of
9 homes can be pretty far apart. So sometimes we
10 have got to go pretty far out. But we do our
11 best based on what's available.

12 Whenever -- if there's a test sale that
13 sold right next to a turbine and it sold in
14 December of 2024, we only go 18 months in either
15 direction to try to stay consistent with the
16 market conditions as best we can.

17 And then again we're looking for market
18 sales. So no distressed sales, as with the
19 transactions from the test sales. And we follow
20 up, we grab public records, and we call the
21 brokers, and we try to talk to the buyers and
22 sellers as best we can. Not everybody answers
23 their phone, but we do the best we can to verify
24 those transactions.

1 So here's an example. I picked this one
2 first because this is a very recent -- or more
3 recent development. So this will have turbines
4 that are more consistent with probably what's
5 proposed.

6 So this is in Jay County, Indiana. So I
7 know it's Indiana. But this was announced in
8 2018. It was completed in 2020. And so we were
9 able to identify -- so we map where all the
10 turbines are, and then we map where all the
11 possible test sales are.

12 So we did find one that was eligible. A
13 lot of the other ones were either participating
14 owners or were too close. And so we did find
15 one, and here it is. So it is adjacent to four
16 different turbines, in several different
17 directions.

18 So when we compared that transaction, we
19 grabbed six that were in the nearby area that
20 were all pretty similar in terms of number of
21 bedrooms and number of bathrooms and acreage.
22 When we looked at their prices per square foot,
23 we found -- here's the map of where they were.

24 So test sales in the middle of all the

1 turbines. Here's some of the control sales
2 there, control sales there. There were no other
3 turbines around these. So we have to make sure
4 of that as well.

5 We found -- we looked at the price per
6 square foot of the controlled sales versus the
7 test sale. There was less than 1 percent
8 difference between the median prices per square
9 foot.

10 So for this particular group and study,
11 we're not seeing that there was this large
12 negative impact.

13 Not only do we look at the prices per
14 square foot, but we also look at the marketing
15 times. So for the test sale, the test sale had
16 a -- it sold within 38 days.

17 And the control group had a range of 28 to
18 59 days and an average of -- a median of 49
19 days. So it sold in the same amount of time as
20 everybody else.

21 So you would think that if you had
22 something that was really causing a negative
23 impact, it would be on the market for a super
24 long time, but that's not the case. In almost

1 every instance where we look at these, we don't
2 find that these homes have an abnormally long
3 marketing period. Quite the opposite.

4 Here's one that's a little closer to home.
5 There's another example. So this is the
6 Lee-DeKalb Wind and Energy Center. This was
7 developed back in 2009. So it's not too far
8 away. And we found a few homes here that
9 qualified as test sales and were able to study
10 them. So a nice little map right there.

11 Here's the map of where turbines are in
12 relationship to the homes.

13 Here's a list of our test sale, area sales
14 and our control area sales. Again, staying
15 pretty consistent with the group. And you can
16 see the medians there of three bedroom, two
17 baths, you know, under 2,000 square feet.

18 So when we examined these, here's a map of
19 where some of the controls and the test sales
20 are. We mapped them out.

21 Here we found a difference, it was a
22 little bit positive, but it was under 2 percent
23 in favor of the test sale group. So again, not
24 seeing a negative impact with regards to this

1 particular group and study.

2 Q. (By Attorney Barry:) Mr. Lines, if I could
3 interrupt you for a second?

4 A. Sure.

5 Q. Is it easy to find test sales? I know you
6 identified the criteria you used for those test
7 sales earlier: they need to be arm's length
8 transactions. They can't be from a related
9 person.

10 Is it easy to find those test sales?

11 A. It's a granular process. I wouldn't say it's a
12 needle in a haystack or anything like that. But
13 it's a granular process of identifying homes
14 that are within a certain area, away from a
15 particular turbine.

16 We have to canvass an entire area, pull up
17 all the sales, map those sales, then overlay a
18 map of the turbines, then do specific
19 measurements to see where those fall in
20 relationship to the turbines, make our own rings
21 to determine whether or not those qualify, just
22 locationally.

23 Then after location, we have to go back
24 through public records and see if there were any

1 issues with the transaction. The assessor
2 record card sometimes will tell us whether or
3 not it's a market transaction, but we dive
4 deeper than that and then we do our call
5 surveyor indication.

6 So it's a process to make sure that we can
7 use the data that's in our report.

8 Q. At a basic level, you do a paired analysis, you
9 have to have an operational wind farm plus some
10 sales, correct?

11 A. That's correct.

12 Q. So if somebody puts up a new wind farm
13 tomorrow, you're going to have to wait for sales
14 to occur, correct?

15 A. That's correct.

16 So nationally, an average family spends
17 seven and a half years in their home. That's an
18 average. I would say a lot of rural
19 communities, it's probably a little bit longer
20 than that. So things just don't turn over very
21 often sometimes.

22 So just to take you through all of the
23 different studies that we did, so we did several
24 different studies. I want to highlight that we

1 also looked at the Camp Grove Wind Farm, which
2 is in Stark. It's less than ten miles away.
3 Probably the closest one.

4 I mentioned that Mike MaRous had already
5 studied Big Sky here in Bureau. We didn't do a
6 new Bureau study. We have a lot of data here in
7 Illinois already with some counties that are
8 relatively close.

9 I'm not going to say this is prob- -- this
10 is the best county in Illinois, Bureau County,
11 but I think that these are relatively similar,
12 in terms of their demographics and in terms of
13 their price points. So we did study all of
14 these.

15 Overall, we looked at 47 adjoining test
16 sales and compared those to 281 control area
17 sales. We found a median delta of 1.81 percent
18 positive towards the test area sales, which to
19 me is pretty de minimus and doesn't indicate any
20 negative trend.

21 We have also looked at not just these, but
22 we have done three times the amount of studies,
23 not just in Illinois but in other states --
24 Iowa, Wisconsin, Michigan, West Coast, East

1 Coast -- and we find similar patterns in all
2 those different areas as well.

3 I mentioned that we do call township and
4 county assessors. These are individuals that
5 have a civic duty to look at transactions to
6 diagnose and recognize trends as they occur. So
7 we call them and we say, "Hey, you have wind in
8 your areas. Do you see this being an issue?
9 Are you seeing a trend downward of sales around
10 your wind turbines"?

11 And they say that they don't. Not only do
12 they say they don't, but they also don't say
13 that people come and ask for a reduction in
14 their assessment because they are now next to a
15 wind farm.

16 We also spoke with Christine Anderson in
17 Bureau County, who said that they never received
18 any complaints with regards to any of the wind
19 projects in the county.

20 So we tried to do our best due diligence
21 as possible to identify whether or not this is a
22 satisfactory use for Bureau.

23 So again, upon our review, the research
24 and analysis of all the different studies, the

1 most recent ones, the large ones, all the ones
2 that are no impact, the ones that say negative
3 impact; the data that we analyzed in Illinois,
4 the eight farm projects in Illinois, one in
5 Indiana; the other data that we have done in our
6 history, looking at Iowa, Wisconsin and other
7 states. I told you about the marketing time
8 analyses.

9 We have also evaluated annual appreciation
10 rates. So we looked at homes before and after a
11 wind farm came in. So we studied how that house
12 appreciates over time, and we have compared that
13 with the Federal Housing -- it's the FHFA index,
14 and we see -- we market and see if it's in step.
15 We haven't noticed that these are out of step
16 with the FHFA index either.

17 I told you about the published studies. I
18 told you about the published studies of Illinois
19 data, and I have mentioned the interviews of
20 real estate assessors and brokers that we have
21 spoken to as well.

22 If you have seen me present before, I'm
23 sorry. I am having a hard time today.

24 But I appreciate your time, and I don't

1 know if you have more questions for me.

2 JUDGE SLAVIN: No time for speeches.

3 Just, Mr. -- further questions, Mr. Barry?

4 ATTORNEY BARRY: I do.

5 Q. (By Attorney Barry:) So you -- your report
6 analyzed the bullets -- the items identified on
7 the bullets on this slide and the conclusion,
8 correct?

9 A. Correct.

10 Q. Just once again, if you could summarize the
11 conclusion of the report?

12 A. Based upon our examination, research and
13 analysis of existing wind farm uses, including
14 multiple peer-reviewed studies that we discuss
15 within the report and have reviewed from other
16 experts and all the data that we have put
17 together and the impact studies that we have
18 done on wind farms here in Illinois, we haven't
19 found any consistent negative impact that's
20 associated with wind farms being adjacent to
21 residential properties that would suggest that
22 the proposed project would have a negative
23 impact on adjacent residential property.

24 ATTORNEY BARRY: Thank you. I have no

1 further questions for this witness.

2 JUDGE SLAVIN: All right. How about you,
3 Ms. Donarski?

4 MS. DONARSKI: I do have a couple
5 questions for you.

6 EXAMINATION

7 BY MS. DONARSKI:

8 Q. When you said about property values, are you
9 talking the assessed valuation?

10 A. No. So we look at actual transactions, not
11 just what the assessor is assessing it for.

12 We call assessors, because they also have
13 to look at transactions. The assessor's market
14 value is supposed to be based on what
15 transactions are happening in the marketplace.
16 Although, their assessment is not technically
17 dollar-for-dollar market value. Two different
18 things.

19 Q. Okay. So when you say "adjacent property
20 values," are you saying, like, market value?

21 A. Correct.

22 Q. Okay. I'm just -- I'm just clarifying so I
23 understand. Thank you.

24 A. You're welcome.

1 JUDGE SLAVIN: Any further questions.

2 MS. DONARSKI: No.

3 JUDGE SLAVIN: Mr. Welbers?

4 MR. WELBERS: No, sir.

5 JUDGE SLAVIN: Mr. Jensen?

6 MR. JENSEN: No questions.

7 JUDGE SLAVIN: Mrs. Smith?

8 MS. SMITH: No questions.

9 JUDGE SLAVIN: Mr. Forristall?

10 MR. FORRISTALL: No, sir.

11 JUDGE SLAVIN: Mr. Stutzke?

12 MR. STUTZKE: No, sir.

13 JUDGE SLAVIN: Interested Parties, by
14 raise of the hand?

15 Yes, ma'am, come on up. State your name
16 real quick again.

17 MS. ROSE: Laura Rose.

18 JUDGE SLAVIN: Ask away.

19 EXAMINATION

20 BY MS. ROSE:

21 Q. Do you know that proximity, noise, flicker and
22 lights are the top four negative impacts to
23 residential property values located in or near a
24 wind turbine or wind farm?

1 A. So those are all considerations that have been
2 made aware of since I first started looking at
3 wind. I think what I have also learned in that
4 time period is that a lot of operators have been
5 able to use technology to shield neighbors and
6 adjacent residents from having to deal with that
7 so much.

8 The fact that you have people that are
9 more than a quarter mile from turbines should
10 negate a lot of that noise, although I'm not a
11 noise expert. I know that they have the ability
12 to turn off certain wind turbines from -- at
13 certain times if somebody -- if the flicker
14 effect is really annoying, but I'm also not a
15 technical expert. I'm sure there was somebody
16 else previously who discussed that.

17 So while these are all things -- and I
18 agree with you, if it was subjected to you 365,
19 you know, days, and 24/7, yes. But my
20 understanding is that that's not what's
21 happening, is that it's limited in terms of the
22 amount of nuisance that it would be on adjacent
23 residents. We're talking about adjacent
24 residents that are a quarter mile or more away

1 from a turbine.

2 So I -- when I first took this up, I
3 thought that there would be a mass of damage,
4 but when I looked at the data I found that there
5 wasn't.

6 Q. Of the four negative impacts that I mentioned,
7 which do you feel, based on your research, has
8 the most negative impact: proximity, noise,
9 flicker, lights?

10 ATTORNEY BARRY: Objection to the form of
11 the question. It assumes that there is a
12 negative impact.

13 JUDGE SLAVIN: Overruled, because he
14 already said he recognized that they were
15 impacts.

16 A. So when we find impacts, it's usually a
17 physical encumbrance on somebody's property. So
18 it smells or somebody's tree is hanging in your
19 yard and it's messing up your yard. Those are
20 big issues, right? You feel the ground shake
21 from something, from a use nearby, like, that
22 would be a thing.

23 These four things that you're talking
24 about are not necessarily all the time. So it

1 would be whatever one would be the most
2 prevalent out of the ones that you're talking
3 about.

4 Obviously not proximity, because I have
5 studied that. But whatever you -- whatever that
6 question implies, it doesn't matter, because the
7 evidence doesn't suggest that any of it, even
8 altogether, is having an impact.

9 Q. Okay. Thank you.

10 I have read that at the beginning of
11 the --

12 JUDGE SLAVIN: Now you're telling him
13 things. Just ask him a question.

14 Q. (By Ms Rose:) Did you know that between 8 and
15 11 percent is the estimated reduction in
16 property value for residential properties that
17 are in close proximity, one mile or less, to a
18 wind turbine or wind farm?

19 Your research does not show those high
20 percentages.

21 JUDGE SLAVIN: How many questions at once?
22 He can only answer one at a time.

23 A. I'm not sure where you're taking that from.
24 You'd have to tell me which study --

1 JUDGE SLAVIN: She asked if you are aware.
2 That's what she asked. And you answer the
3 question, please.

4 A. I'm not aware of the particular one that you're
5 citing. If you could help me --

6 JUDGE SLAVIN: No, let's not start that.
7 We are not going to start a discussion. You ask
8 a question. You answer the question. Otherwise
9 it deteriorates.

10 Q. (By Ms. Rose:) You did state though at the
11 beginning, during construction or when the first
12 applications are made, that that's when the
13 highest reduction in value is generally seen.

14 JUDGE SLAVIN: Is that correct?

15 Q. (By Ms. Rose:) Is that correct?

16 ATTORNEY BARRY: Well, I'm just going to
17 object to the form of the question. He didn't
18 state that. He said there's a report that
19 states that.

20 JUDGE SLAVIN: Fair enough.

21 Want to rephrase your question? Go ahead.

22 Q. (By Ms. Rose:) Do you agree then that at the
23 beginning, construction and when the first
24 application is made for a wind farm or wind

1 turbine, that that is when value reductions are
2 seen the most?

3 A. So I was talking about a particular person who
4 develops these studies and does statistical
5 analysis, and that was his feeling. I don't
6 necessarily agree with that feeling.

7 I think there are individuals who, when
8 something is being built around them, have a
9 knee jerk, negative reaction to it and may
10 decide to sell their home, but I don't
11 necessarily believe -- I don't have any personal
12 evidence to say that homes that are selling
13 during the construction of wind turbines are
14 absolutely selling for less. I don't have that
15 evidence, but that's what that person suggests,
16 but he also suggests that it dissipates over
17 five years.

18 MS. ROSE: Yes. All right. Thank you
19 very much.

20 JUDGE SLAVIN: Anybody else, by raise of
21 the hand?

22 (No verbal response.)

23 JUDGE SLAVIN: All right. You may -- I'm
24 sorry. Redirect?

1 ATTORNEY BARRY: No, thank you.

2 JUDGE SLAVIN: You may walk away.

3 THE WITNESS: Thank you, guys.

4 JUDGE SLAVIN: Further evidence this
5 evening, Mr. Barry? The ball is still in your
6 court.

7 ATTORNEY BARRY: No further evidence this
8 evening.

9 JUDGE SLAVIN: All right. Well, we talked
10 about the next hearing date being Wednesday,
11 October 8th. So I will recess this until -- the
12 next session, not hearing date.

13 The next session, October 8th, 6 o'clock,
14 here at the Moose Lodge. Be here or be square.
15 Everybody have a good week.

16 (The hearing was concluded at
17 7:53 p.m.)

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Now on this 30th day of September, A.D.,
2025, I do signify that the foregoing testimony
was given before the Bureau County Zoning Board
of Appeals.

Barry Welbers, Chairman

Kristine Donarski,
Zoning Enforcement Officer

Callie S. Bodmer

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