

Invenergy

July 7th, 2010

Re: Tippecanoe Area Plan Commission Meeting
Discussion of Amendments to Ordinance

Tippecanoe Area Plan Commission Members:

Thank you for the opportunity to comment on the proposed Ordinance amendment pertaining to Large wind systems to be discussed at this afternoon's Plan Commission meeting.

We are aware of the proposed change to Section 4-11-11(i) which reads as follows:

Large wind system(s) must be located at least 1000 ft. from any dwelling on any participating landowner's property. Large wind systems must be located at least 1000' from the property line of a non-participating landowner.

We point out that this seemingly "simple" change has a major effect on our proposed project in the County. The initial project area includes approximately 25,000 acres from participating landowners. With current Ordinance setback requirements, the area in which turbines can be constructed decreases that amount to about 12,800 acres. The proposed change would result in an additional 45% reduction down to approximately 7,000 acres of land in which turbines can be constructed.

We also understand that there are studies on both sides of the health and noise discussion regarding wind turbines with varying amounts of research and evidence. As you have a strong desire and commitment to protect all of your constituents and residents, we would like to help you determine the best practices to include in this amendment.

We respectfully disagree that this change is necessary. We believe that the standard currently set out in the Ordinance is adequate. We also believe that the current standard is consistent with the ordinances of surrounding White, Benton and Newton Counties. We have no objection to the concept of minimum setbacks being established at (i) 1.1 times the turbine hub height to any property line and (ii) 1500 ft. from the property line of any platted municipal subdivision (this standard is set out in the Benton and Newton County Ordinances). We note that Benton County, White and Newton Counties provide for a 1000 ft. setback from non-participating dwellings consistent with the current Tippecanoe County standard. These ordinances all provide that the setback can be waived by participating property owners. In the case of Benton and Newton County, the minimum setback with a waiver is 600 ft., a standard we support.

Our planning process and agreements utilized the Unified Zoning Ordinance Amendments 55 and 58 passed in August of 2007 and April of 2008, respectively as a standard for our project. Based on this Ordinance and its Amendments, we have signed landowners to easement agreements and made plans for an interconnection. The proposed Amendment severely impacts our project, which has been pursued in reliance on the existing ordinance.

