

Opponent Testimony of Jeremy Kitson on Sub HB 114
Senate Energy and Natural Resources Committee
Wednesday, June 20th, 2018

Chairman Balderson, Vice Chair Jordan, Ranking Member O'Brien, and Members of the Senate Energy and Natural Resources Committee, thank you for allowing me time to provide my testimony.

My name is Jeremy Kitson. I am a rural resident of Harrison Township in Van Wert County, home to the largest industrial scale wind project in the entire state of Ohio. Out of great respect for your time, and the abundance of concerns my family has with this bill, I will only focus on two of our key concerns: industrial wind turbine setbacks and the loss of the value of our property.

When my wife and I built our home on my family's small farm we knew we would have to deal with some of the nuisances of living a rural lifestyle. Our home is located between two significant agricultural operations: a hog barn one mile to the north and a dairy farm one mile to the south. Because of the agricultural and residential zoning of our area, we knew we could expect dust, pests, the spraying of chemicals, and periodic unpleasant odors.

What we could not have known was that we would be potentially living in an industrial power plant. When the Blue Creek Wind Project was built 11 miles north of us and directly over many of our family members and friends we began to educate ourselves on every aspect of utility scale wind projects. We are coming up on three full years of this educational journey.

At the request of many communities in Ohio and Indiana, I have presented my findings to educate the public on industrial wind. One of the main things I have learned is that it is entirely unacceptable to measure the setback of an industrial structure to someone's home. In my research I have found not one example of this type of zoning, except for the siting of industrial wind turbines.

Industrial wind turbine setbacks should be measured from the property line of a non-participating landowner's property, not from the corner of their home. Zoning laws are in place and enforced to separate incompatible land use. Measuring to a house is allowing the wind turbine industry to steal an uncompensated nuisance and safety easement from neighboring properties. In some cases this may result in the inability of the non-participating property owner to finance or even insure a building on his or her own land, much less protect the right to the quiet enjoyment of one's own property.

As plainly as it can be stated, measuring a setback to someone's home is referred to as trespass zoning. Once a turbine is built within 1,225 feet of my house, I will no longer be able to build on my own property between my house and the turbine. The wind developer and the participating landowner have effectively stolen that portion of my property that sits between the corner of my house and the wind turbine. No one has the right to trespass on my property all the way to the

exterior of my home. The wind project developer and participating landowner should not have that right either.

When the state overrides zoning laws to allow a wind project developer and participating landowner the ability to trespass over my property line the state is also effectively limiting my right to do with my land as I see fit. I fail to understand how fair-minded persons would be comfortable with that.

In addition, I have not found any verifiable, independent, and scientifically peer reviewed evidence that 1,225 feet is a safe setback. In fact, I can provide evidence that says that that number is arbitrary and cannot ensure the safety of those living near a turbine. A mathematical study done by Rutgers University Physics Professor Terry Matilsky supports that a turbine with a hub height of 300 feet can throw debris almost 1,700 feet. A second example is the documented blade failure of a turbine in Ontario that threw debris 1,848 feet (Attachment A).

My second concern is the decline in property values within and near industrial wind turbine projects. There has been testimony presented in the past by a local real estate businessman from Van Wert stating that the Blue Creek Wind Project has not hurt land values. I come to you with verified data that says that is simply not the case (Attachment B).

From 2006 to 2011 the Blue Creek Wind Project was being constructed. Union Township in Van Wert County is entirely within that wind project. During this time period the median home valuation in Union Township declined by 8.9%, while overall in the county, the median home valuation declined by only 0.4%. More telling is that from 2006 to present, 12 years for the wind project to show its effects, the median home valuation in Union Township has declined by 6.3% while the median valuation for the entire county during this time period has increased by 1.5%.

County sales have been essentially stable while it is clear the sales in Union Township show a loss since the construction and operation of Blue Creek. When analyzing that on a larger scale, tangible property tax has fallen due to this project. This loss of tangible property tax must be subtracted from the PILOT payments received. It is more important, however, to analyze that home valuation loss on a personal scale. It is not good, just, or right that a nonparticipating landowner in Union Township has lost, on average, 5.2% of the value of their home over the last 12 years.

Our home is a part of our nest egg and retirement. We have significant equity in our home. The current equity is slightly over 40% of our home. We are not prepared to take a property and home value hit that dramatically affects our future retirement. I have seen extensive studies on property values and the relation to industrial scale wind. And there are many studies that confirm what this Van Wert data is telling us. Wind turbines do adversely affect property values. If the committee would like to see other relevant studies on this topic I would be more than willing to provide them.

I am advocating for equitable rights for all property owners, not just those who choose to participate in an industrial wind project. This is my number one concern with the language of this bill. You have a tough decision to make and I hope that you can see that measuring an

industrial electric generator to my house over my property line can deny me the right to do what I want with my land.

Setbacks for wind turbines must remain to our property lines. Property values for all people must be protected. Anything less than that would be criminal and irresponsible in my view. I respectfully ask that you carefully consider our side of this and protect me and my family from the blatant theft of everything for which we have worked for over 20 years. Please do not let this bill leave this committee in its current form.

As Professor Matilsky concluded, “there are some problems with wind turbines that have unavoidable consequences. Birds will die, bats will die. In these scenarios you need to adopt a risk analysis study. But here, you can eliminate the entire problem, if you just adopt a conservative value for your setbacks”.

Thank you for your time and I would gladly answer any questions you may have.

Jeremy Kitson
Harrison Township
Van Wert County

Attachment A

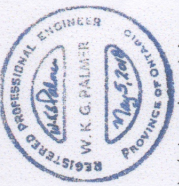
Huron Wind Vestas V80 Wind Turbine Blade Failure May 4, 2018

Estimated environmental conditions at time of failure - from Environment Canada
Warton Airport Monitoring Site

Wind speed at 10m above ground 14 to 15 m/s, gusting to 17 to 24 m/s



Debris at 580m from tower - 1 m x 0.15m



Debris photography and placement on Google Map of site by William Palmer, P. Eng.
Note - debris positioning as accurate as possible, but size is not to scale due to limitations of graphics program - refer to photographs for actual debris dimensions.

Attachment B

	Total Purchases	Purchases that Decreased in Value	% of Purchases that saw decrease	Average Change in Value	Median Change in Value	Purchase Price Average	Purchase Price Median	Current Valuation Average	Current Valuation Median	Average Valuation Change	Median Valuation Change
Homes Purchased in Union Township, Van Wert County from 2006-2018	77	46	59.7%	(5,055.79)	(7,150.00)	96,390.73	85,000.00	91,334.94	82,120.00	-5.2%	-6.3%
Homes Purchased in Union Township, Van Wert County from 2006-2011*	32	20	62.5%	(3,753.63)	(7,655.00)	84,220.50	82,828.00	80,466.88	76,090.00	-4.5%	-8.9%
Homes Purchased in Van Wert County from 2006-2018	4995	2419	48.4%	1,618.74	1,070.00	77,089.42	67,500.00	78,708.16	68,190.00	2.1%	1.5%
Homes Purchased in Van Wert County from 2006-2011*	2111	1065	50.5%	654.01	(217.00)	74,026.57	65,000.00	74,680.58	63,700.00	0.9%	-0.4%

* June 2011 was when Blue Creek Wind Farm's amended permit was filed with OPSB. Commercial Operation began in June 2012.

** Values based on Van Wert County Auditor's Current Valuations

Blue Creek Wind Farm is in 3 townships in Van Wert County and 3 townships in Paulding County.
 Blue Creek Wind Farm is constructed throughout the entirety of Union Township, but only in parts of the other 5 townships.
 This is why Union township was chosen for research.