

TESTIMONY OF DAVID DYE, C.P.A.
Champaign County
IN OPPOSITION TO **SC3504**
Amendment to Revise Setbacks from Industrial Wind Turbines

Chairman Oelslager, Vice Chairman Manning, Ranking Member Skindell and members of the Committee, I am here to speak against any revision of the setbacks for industrial wind turbines that would measure the distance from my home rather than my property line. My family owns approximately 60 acres where I have a home as does my daughter's family. There is room for my other children or grandchildren to build on the property someday.

We declined offers to participate in the wind developers plans, but nevertheless are facing the possibility of having sections of our family farm property confiscated without compensation. In plain words, *my understanding is that* due to the location of proposed turbines, (setback provisions "grandfathered" under prior law) to the north and to the east of our property line, our family members cannot safely build a residence in those sections of our farm.

Zoning has traditionally begun at the property line not the door of the residence. Giving wind developers the right to "trespass" strips away property rights and is wrong. In effect, the Hite Amendment forces my family to donate a nuisance easement for moving shadows and noise so that a wind developer can make an otherwise unsuitable site meet its needs. Why?

I find it difficult to accept that that the Hite Amendment is anything other than special interest legislation designed not for the public good but for the monetary gain of – in my case – a foreign corporation.

Will the loss of my family's quiet enjoyment of our farm stop global warming? Enhance national security? Reduce the cost of electricity? Make power more reliably available to fulfill unmet demand for power? In other words, where is the public interest?

Would this exception in zoning law, instead, open up the possibility that property line setbacks are no longer enforceable or valid and any attempt to preserve that basic zoning standard could be considered discriminatory in the future?

I can't think of any neighboring use more impactful on residential use than industrial wind turbines with the exception perhaps of an artillery range or a commercial airport runway. Making an exception to property line setbacks for wind turbines sets a precedent granting an easement across the entirety of my property.

To me, the amendment defies common sense. It subordinates the welfare of the people to the predations of a heavily subsidized industry that cannot exist without federal tax incentives, local tax abatement and my 60 acres.