

TESTIMONY OF DAVID DYE, C.P.A.  
Champaign County  
IN OPPOSITION TO Sub. H. B. 114

To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program.

Chairman Balderson, Vice Chairman Jordan, Ranking Member O'Brien 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. I also object to any proposed reduction of the current 1,125-foot setback from property lines.

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 developer's plans, but nevertheless could face the possibility someday of having sections of our family farm property confiscated without compensation. In plain words my understanding is, inasmuch as my neighbors had agreed to host turbines to the north and to the east of our property line and that should this have developed as planned, our family members could not 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 1.1 or 1.2x turbine height distance – a fall zone - could enable a turbine which is 100 feet taller than the Riffe Office Tower to be sited next to my property. I really don't think a wind turbine anchored in a platform of more than a thousand tons of concrete and steel rebar, 30 to 50 feet across and anywhere from 6 to 30 feet deep is likely to fall over.

What is more likely to happen is the throw of ice or flying blade fragments if the turbine is hit by lightning. In addition, the intrusion of a looming, spinning power plant casting shadows and emitting noise will severely impact the amenity of our farm. Is my family supposed to donate a nuisance easement so that a wind developer can make an otherwise unsuitable site meet its needs? Why?

I find it difficult to accept that the proposed setbacks are anything other than special interest legislation designed, not for the public good, but for the monetary gain of mostly foreign corporations. In Champaign County we aren't even sure anymore who the developer is. British EverPower, German Innogy or British RES operating out of Colorado.

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? Is there unmet need? 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 conceivably granting a nuisance easement across the entirety of my property.

To me, the proposed setback 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.