



**Testimony
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Connecticut Council of Small Towns
Before the Connecticut Siting Council
New Britain, CT
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RE: PROPOSED WIND REGULATIONS PURSUANT TO PUBLIC ACT 11-245

The Connecticut Council of Small Towns (COST) respectfully submits the following comments in opposition to the Connecticut Siting Council's proposed wind regulations published in the *Connecticut Law Journal* on May 1, 2012.

Although we are supportive of efforts to promote the use of renewable energy, the placement of wind turbines raises serious concerns about the impact of such turbines on residential neighborhoods, noise levels, ecology, public health, quality of life and property values. Public Act 11-245 was enacted to help ensure that these concerns would be considered in making decisions about the placement of wind turbines.

As drafted, however, the proposed wind regulations do not adequately address the concerns raised by small towns. Under the proposed regulations, the cards are stacked against small towns that want to protect their towns' rural character, scenic areas, historic districts, neighborhoods, ecological habitats and quality of life. Towns will have very little say regarding the size and placement of wind turbines that are 49 stories high given the current siting process. The costs associated with raising concerns regarding a proposed wind turbine can be overwhelming for a small town. Small towns do not have a team of lawyers and consultants at their disposal to counter the evaluation reports that commercial wind developers will prepare as part of their application.

Towns spend countless hours crafting and enforcing zoning and land use regulations to manage building and growth, protect natural resources and preserve historic districts, but under the proposed wind regulations, towns will be virtually powerless to prevent the siting of industrial sized wind farms within their borders. Given the size of the structures and concerns associated with wind turbines, towns must be permitted to establish local standards regarding their placement.

Other states have begun to put the brakes on wind turbines because of concerns about the impact on their communities. For example, Vermont is considering a moratorium on wind energy development because of concerns about the impact of development on their forested ridgelines. Wisconsin is increasing its setback requirements from 1000 to 1250 feet and there are proposals under consideration to increase it to 1800 feet. Oregon is performing a public health assessment to determine whether wind turbines negatively impact the health of residents.

Connecticut should fully consider the experiences of other states and countries before it opens the door to wind turbines. We need to take a more thoughtful approach to wind energy development by thoroughly reviewing and assessing the costs and benefits associated with wind turbines, the impact on the public

health and quality of life of our citizens and the beauty and character of our small towns. At a minimum, the proposed regulations must address the following concerns:

Municipal Role in Siting Wind Turbines

Under the existing process, the Connecticut Siting Council has sole authority to approve or reject applications for wind turbines. However, given the sheer size and noise levels associated with wind turbines and the potential impact on a town, COST believes that towns need a greater role in approving or rejecting wind turbine applications. Certainly, the siting of such turbines should be in compliance with local and regional conservation and development plans.

Municipal Impact Analysis

The proposed regulations do not require applicants to prepare a municipal impact analysis that provides information on how the proposed project would impact a community. This analysis should include consideration of how a project would impact a town's aesthetics, scenic areas, rural character, historic districts, natural resources, economic development and quality of life.

Community Benefits Agreement

Other states require wind developers to enter into an agreement with the host town relative to economic development, tax issues or natural resource protection. These agreements may help address local concerns regarding such projects.

Decommissioning Agreement – Bond/Financial Assurances

The provisions relative to decommissioning agreements do not require wind developers to secure a bond or other financial assurances to ensure that the wind turbines will be properly removed and the site restored following the abandonment or decommissioning of the turbines. These costs should not be borne by the host community in the event a turbine is decommissioned or abandoned.

Abandonment of Turbines

Parameters should be adopted outlining when a turbine is considered abandoned so that it can be properly removed rather than fall into a state of disrepair.

Setback Requirements

The proposed setback requirement of 1.1 times the wind turbine height from the property line is inadequate. Other states and countries are revisiting setback requirements to increase the distances by considerable amounts.

Noise Levels

The provisions relative to noise levels of wind turbines do not adequately protect residents from levels that may affect their quality of life and health. The proposed regulations should provide that turbines must be sited at a distance where it is inaudible at the nearest residence.

Shadow Flicker

The provisions relative to shadow flicker are also inadequate. The regulations should ensure that turbines should be sited in locations where shadow flicker will not affect individuals in nearby residences.

Again, Connecticut needs to take a thoughtful approach to regulating the siting of wind turbines. Without clear parameters based on reasonable considerations regarding how the siting of such turbines will impact Connecticut residents, the regulations jeopardize what many of us treasure about living in Connecticut.

Thank you for the opportunity to comment.