

Comments to the Task Force; September 26, 2007
By Steve Bennett

My comments today relate to the ongoing experience in the Town of Freedom, references made by presenters at the last meeting about the Freedom project, and a few general observations. I would like to support wind power, yet I oppose the project in Freedom. I wouldn't mind having a small scale turbine in my backyard so that I could try to make my meter run backwards, but I don't want to see industrial-sized wind turbines in my neighborhood. I don't think 400 foot tall turbines belong near residences. It is not, in my opinion, the total name plate capacity of the project that makes the project small scale or not, but the size of the turbines. To me, one turbine that's 400 feet tall makes for an industrial turbine site. After visiting Mars Hill, my neighbors and I do not want to live in the midst of industrial wind turbines.

At the last meeting Mr. Flynn, in his talk about small scale wind development, stated that in Freedom, the developer had to help write an ordinance for the town and that a wind developer shouldn't have to do that. It should be noted that Freedom at the time did not have an ordinance that addressed wind turbines. Although I would agree that the developer should not have to write the town's ordinance, I would add that the developer **shouldn't** write the town's ordinance. What Mr. Flynn didn't know is that it was the developer's idea. The developer knew what the property constraints were and wanted to be sure that an ordinance was written that would allow for their project to go forward. In fact, in a July 6, 2006 letter from the developer to the planning board, Competitive Energy Services (CES) instructed our Planning Board as to exactly what the ordinance should set for limits:

"A property line sound limit-day or night-that is set below 55 dba and a sound limit at an existing residence-day or night-that is set below 45 dba will end our consideration of wind power in Freedom."

And in reference to property line setbacks, CES stated the following:

"Regarding setbacks, CES cannot proceed if the Planning Board adopts a minimum setback greater than 360 feet. CES has proposed installing towers that are 262 ft tall and so a setback limit of equal to 1.25 times the height of the of the wind turbine (not including blades) would set the minimum allowable setback at 330 feet to a property line."

That's why the developer helped write our ordinance, and the Planning Board wrote those limits into the ordinance, despite having looked at 40 other municipal ordinances with setbacks larger than that, including setbacks recommended by the wind industry for safety reasons. Later, when the Appeals Board found that CES had not proven that the sound limits could be obeyed, and that the requirement for a decommissioning bond should not have been waived by the Planning Board, and therefore overturned the Planning Board approval, CES then chose to encourage the voters to repeal the same ordinance that they had earlier encouraged the town to support. When letters were mailed to the voters from supporters saying that CES would pay as much as \$200,000 of the town's taxes, the voters supported the repeal. Now Freedom has no sound restrictions or any other rules that relate to wind turbines. CES can install turbines as close as 20 feet from a neighbor's property.

Mr. Kreisman in his presentation, thought provoking as it was, characterized the **objections** being raised in Freedom as a disincentive to other wind developments in Maine. It sounded to me as if he was saying that objections shouldn't be raised. I would like you to see the other side of this story. Early on I asked the principals at CES how they regarded the impacts upon the abutters and the apparent loss in property values that would be suffered by those folks if 400 foot turbines were placed so close to their property and homes. CES's response was that if the Planning Board voted for the project, it didn't matter what the abutters thought. I'm not aware of CES approaching any abutter at any point in this process, although they have repeatedly stated in public their intentions of using eminent domain procedures in order to get enough land to access the site.

The DOE states on it's web site that potential developers should only consider sites of wind zone four or higher. Their accompanying wind map shows no locations anywhere in Waldo County

with wind speeds higher than wind zone two. In spite of several requests, CES has never released their wind speed test results to the town.

In their June 22, 2007 application to the town, CES stated that **“The Beaver Ridge Wind Project does not require any approvals from any agency of the State of Maine.”** CES plans to build three industrial wind turbines, a mile of road, upgrade five miles of transmission lines to three phase power, and take land by eminent domain, yet they claim that they will need no approval by any agency of the State of Maine. Based upon this statement, you have to wonder if CES has done their homework with regard to state laws, or if they are just trying to fool everyone. Because my neighbors and I did our homework, and on the basis of what we learned, opposed the installation of industrial sized turbines this close to our homes and property, we have been characterized by CES in numerous letters to the town as “the vocal few” and have had to put up with implications that we are selfish and narrow minded. Why wouldn't this type of behavior warrant objections and why wouldn't it be a disincentive to other towns? If a developer is going to come to your town and promote wind power in the same fashion as CES has in Freedom, then it should be a disincentive to other towns, and that is unfortunate for the development of wind power in Maine.

I reject a comment made at an earlier meeting by one of the attorneys representing industrial wind farm developers that we should accept the fact that these large turbines make noise, accept the other impacts, get used to it, and just move forward. That's easy for him to say. Ask the folks in Mars Hill that live within a half-mile or so of the turbines if they have gotten used to it. Stand on their porches or back decks, as I have, and ask yourself if you would want to get used to it.

The folks that oppose industrial turbines on the mountain tops in Western Maine have different but equally valid reasons for opposing industrial wind power. The off shore area of Maine, which is the most logical choice for industrial wind energy production, if you are looking for the best wind resource, wind zones 5 and 6, and one which has been successfully developed in other parts of the world, will not likely happen here in Maine because there would be too much opposition. There may be valid reasons for being against development of industrial wind farms off shore, but I don't think that we will even have that debate.

Mr. Kriesman also characterized small-scale wind power development in Maine as “pathetic”. I'm sure that statewide his comment is accurate, but from where I live, I can visit a half-dozen small scale turbines within a ten mile radius. I believe that there are thousands of Mainers that would be willing to install a small scale wind turbine for their home or business and most of the objections to wind mills that we hear now because of the size of industrial turbines would go away. It would seem that the impact of thousands of net-metered small scale wind turbines would easily reach this task force's stated goal of 1000-2000 MW of production. Further, if we followed this approach, constructing heavy transmission lines would not be an issue. The industrial wind developers would have us create more tax incentives, find new sources of low cost loans paid for by taxes, streamline the approval process, and knock down other barriers, in order to allow for more industrial wind turbines. Industrial wind turbines, however, are going to run into opposition in many places, certainly in populated areas without a reasonable siting guideline. I know that the task force is looking closely at small scale wind development and I hope that it will find ways to incent the average Maine citizen to do something to help reduce carbon emissions? I believe that if you did that, and if the legislature would follow such a recommendation, that the goal of 1000-2000 MW of production would be reached and then some.

Finally, I would like to ask this task force again to develop minimum statewide standards and that it will include within it's recommendations, reasonable setbacks, sound levels and other sensible guidelines.

Steve Bennett