

Testimony — Connecticut Legislative Energy and Technology Committee

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Thursday, February 3, 2011

H.B. NO. 6249 (RAISED) —

AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS

Senator Fonfara, Representative Nardello, members of the Energy and Technology Committee. I am Richard Roznoy, an attorney with an office in East Granby, here today to speak in support of **Raised House Bill No. 6249 Concerning Regulations for Wind Projects in Connecticut and a Moratorium until such Regulations are adopted.**

I represent a homeowner who is directly affected by the prospect (so to speak) of construction of a wind energy turbine tower a few hundred feet from her home in Colebrook, Connecticut. If a proposal before the Connecticut Siting Council (Petition #983 — “Wind Colebrook South” — on the Siting Council’s agenda) is approved, Ms Hirtle’s home would be within 800 feet of the nearest tower; the tower would be 600 feet from her property line. This would be one of three such towers proposed for property abutting Ms Hirtle’s.

All of us are in favor of finding renewable sources of energy. But as Senators Hartley and Witkos, and Representatives Nardello and Rigby made plain in their January 11th letter to the Siting Council, passage of legislation promoting wind energy in Connecticut was possible because of a belief the projects would be located offshore or on ridgelines and not in proximity to residences. Instead, my client is faced with the possibility that towers **328 feet high to the hub of each tower** with another **270 fee to 320 feet added for the span of the blades** that will be running perpetually adjacent to her residence. This is a height of approximately 600 feet high, perhaps higher, all day, every day.

Rather than address the request and advice of our elected officials in their January 11th letter that Siting Council hearings on these projects be forestalled until rules and regulations can be developed and promulgated, the Siting Council is moving forward with hearings — ours, and at least two others. These proceedings will be without the benefit of rules and regulations for the siting, placement, operation and maintenance of such towers, other than the experiences and knowledge the good members of the Siting Council bring to the process.

The Siting Council is composed of a broad range of diligent individuals who do a commendable job of evaluating petitions and determining how best to proceed. This is not a knock on the members, leadership or staff of the Siting Council. But to ask them to make decisions based on their subjective evaluations of wind turbine petitions, without an underlying set of regulations and rules to apply, is unfair not only to my client Ms Hirtle, but to all towns and residents of the State of Connecticut and also to the Siting Council. Serious issues of public safety surround the applications before the Council; without appropriate rules and regulations these issues cannot be objectively addressed.

Other states are reviewing rules, regulations and requirements regarding wind turbines. Massachusetts and New Jersey are but two which have embarked on reviews to balance the potential benefits of such energy-generating facilities with reasonable environmental and safety standards to ensure the interests of residents are addressed. Some proposals for regulations include:

- setbacks at least 1.5 times the height of the turbine (including the blades) to the nearest property line;
- setbacks at least equal to the height of the turbine (including the blades) to any structure or road not a part of the turbine's operation;
- no turbine within three times its height to the nearest existing residential structure.

According to these standards, the proposed turbines for the project abutting my client's property should be at least 2,649 to 3,060 from her home. Again, they are proposed to be merely 800 feet from her home. Additionally, rather than a mere statement that their project would have "no significant shadowing or flicker impacts" (as represented by the developer of the Colebrook facility), clear guidelines have been proposed that all private structures within a half-mile of the turbine should be subjected to not more than 30 minutes per day of flicker. These are but two of many factors to be addressed by thorough rules and regulations.

Clear, objective standards set forth in rules and regulations will benefit not only residents of Connecticut affected by nearby turbines, but will benefit developers of these projects as well. When all parties know the standards to be applied, and when the standards are developed based on objective criteria, we will all benefit.

Absent rules and regulations, the Siting Council is working in the dark. On behalf of my client I heartily approve of the specific requirements of Section One of this Bill; further detail may be forthcoming from those with more technical knowledge and background. Without such rules and regulations, and until they are adopted, the Legislature should impose a moratorium on the siting of any wind project in Connecticut.

It was enabling legislation in 1971 that established the predecessor of the Siting Council (the Power Facility Evaluation Council); it is now the responsibility of the Legislature to ensure the Connecticut Siting Council functions in a manner to serve and protect all the interests of residents of the state. Without timely passage of this Bill residents of Colebrook and Prospect would be subject to potential approval of proposed facilities perhaps even by summer of this year.

Thank you very much for the opportunity to address you about this important bill, which I certainly hope you will support and pass, and in a timely manner.

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