

Submitted via email.
July 7, 2015

Dear Planning and County Commissioners,

Thank you for inviting me to be part of the process on re-writing the zoning codes for commercial wind facilities in Lancaster County. It was an interesting series of meetings and I learned a great deal. I appreciate being able to take part in the process on an issue that will directly impact my family, property and neighborhood.

I do still have some comments and concerns about commercial wind farms though and the process in general. The following is a list and hopefully an adequate explanation of my concerns:

1. I was impressed by the LLCHD's choice of experts on the health effects of sound, and am pleased that they did what appears to be a thorough review of the science and then proposed sound requirements that they felt are protective of public health; I expected no less. If these sound requirements are so restrictive that they prevent a wind farm from being constructed in this area, then I suggest that this area is already too heavily populated to safely operate a wind farm. Nothing in this proposed rule strictly prohibits smaller or quieter wind turbines – a wind farm that does not adversely impact my health or safety, and does not impact my property rights is fine with me.
2. I was disappointed that we received so few answers to our questions in the meetings. I asked a number of questions including “Why does Volkswind recommend 1000 meters (3280 feet) for a setback in Europe, 500 meters (1640 feet) in the US, and only 1000 feet for us in Lancaster County?” The bulk of what Volkswind's representative was willing to offer in the way of answers was inconsistent and seemed more of an attempt to avoid answering rather than giving a clear answer. It would seem that 1000 feet is simply a convenient distance that would physically allow a CWES to be constructed in our area and has little bearing on health or safety. This is just my opinion, but if Joe with Volkswind was invited to this committee in order to help convince us that wind turbines were safe, he failed miserably in that goal by giving such evasive answers to our questions. Joe came off as very suspicious and certainly NOT trustworthy.
3. After attending the presentation in Cortland back in February, it was OBVIOUS that the right way to go about securing a wind farm in this area was to follow the Saline Co. Wind Association's example and get ALL of the nearby property owners on board with the idea in the beginning. It is a real shame that this was not done here. I understand the government can't require potential wind farms in the area go through a similar process, but I highly recommend the next one follow their example.
4. I still have concerns about reduced property values. If even one potential buyer for my property is turned off by the presence of these turbines, then I think my property value went down. A means of crediting the nameplate tax on these turbines to the non-participating property owners in the area (maybe within one mile) would be a good start toward compensating these property owners for the potential of decreased property values, and I would think would be a

great way to “sell the idea” to the neighbors. The non-participating neighbors still get to look at and hear these turbines, so they should receive more of a tax benefit than people who live farther away.

5. Regarding the discussion on ice throw: It was mentioned in one meeting that a turbine can throw ice 500 feet, but I calculated that the proposed turbines could throw ice nearly 3000 feet under the right conditions. While the risk of a 3000 foot ice throw is surely not a high risk, I do not feel it is my or the county’s responsibility to determine this important safety setback all on our own. The manufacturer of the turbine should be required to provide their recommendation for minimum setback distances; after all, they built the machines. If they haven’t done their homework to determine that number, I don’t want their turbines anywhere close to my house and my family.

6. Setback distances should all be measured to the property line of non-participating owners, and not the residence. This interferes with how I can use my property. I also searched through the county zoning code and found no other examples where a setback distance was to the neighbor’s house, so I feel this sets a bad precedent. When the next big thing comes along, can we assume setbacks will again be to the neighbor’s house? What if this “next big thing” casts a large shadow on my neighbor’s property and prevents his crops from getting enough sunlight? I think you’re opening the door to problems in the future here.

7. Regarding roads and bridges, you need to stipulate what the agreement with the county engineer should say, rather than just say “enter into an agreement”. The agreement should state that they will not damage the roads/bridges and other infrastructure, or will repair/replace them if damage occurs.

8. Liability of the county: I mentioned several times in the meetings that it was important to get the manufacturer’s recommendation on minimum setback distance, and even their recommendation on maximum sound levels, so that the county regulations are not accidentally less restrictive than what the manufacturer recommends. If you purchase a new tractor, the instruction manual will tell you how steep of a slope you can drive on safely, and if you buy a wood stove, the manufacturer will give you the minimum distance required between the stove and any combustibles. This type of recommendation is common for all types of mechanical equipment, so I don’t see why this should be any different for a wind turbine. This is simply common sense. I can see no good reason we should not hold the manufacturer accountable for their product. I also feel this would reduce the county’s liability should there be damage or adverse health effects as a result of these turbines. From my experience as a board member of the local Fire District, I understand the Tort Claims Act does not protect the county in the case of negligence. Even though the meeting notes posted do not reflect that I repeatedly recommended this, I am telling you now, in writing, that NOT getting the manufacturer’s numbers for safety is a BAD IDEA. Would it be negligence if a member of your committee with a Professional Engineer’s license recommended this and you ignored it? I’m not sure; I suppose that might be something for a court to decide. For the sake of my tax dollars, I hope we don’t have to find out. Please, put meeting the manufacturer’s recommendations for setbacks and noise levels into the text amendment.

9. My wife and I have had our share of health problems, and getting a decent nights' sleep is sometimes a challenge. My wife also has headaches that are impacted by atmospheric pressure changes, so I really don't want to become unwilling participants in some experiment in the health effects of wind turbines on top of that. If this wind farm is permitted and built, and it turns out I do have trouble sleeping as a result of noise that is within the requirements, I think my only recourse might be to hire an attorney and start suing my neighbors, Volkswind and the County.

I don't really want to be put in a position where the only recourse might be to file a lawsuit against my neighbors. I get along well with several people I know who have already signed contracts with Volkswind. My point is, let's proceed carefully with these zoning changes and make sure that this doesn't become the only option for those of us who will be impacted by this project.

Thanks again for allowing me the opportunity to give my thoughts on this important issue for our community.

Thomas G. Schuerman, PE, CEM
2000 W. Princeton Rd, Martell, NE
W: 402/471-0409
C: 402/499-6177