



# Town of Eddington

906 Main Road Eddington, Maine 04428

## PLANNING BOARD

January 27, 2011

6:30 p.m.

## MINUTES

**CALL TO ORDER:** Meeting was called to order at 6:30 pm by Tom Vanchieri.

**ROLL CALL:** Members present were Susan Dunham Shane, Tom Vanchieri, Frank Higgins, Henry Hodges, Gretchen Heldmann, Charles Norburg, Jeff Thurlow and Russell Smith, Town Manager.

## PUBLIC HEARING

Tom opened the Public Hearing for the Large and Small Wind Energy Facility Ordinance at 6:30 pm outlining the work the Board had done on the Ordinance. Susan Dunham-Shane explained the bullet report that Gretchen had prepared. Susan told the group that the subject of vibration levels-infrasound is actually G-weighted sound. She further explained that the Ordinance addresses A-weighted sound and C-weighted sound. They included C-weighting because it measures more low-end bandwidth which is audible and therefore should be considered. Lower frequencies travel further and therefore are noticeable over greater distances. The following are some of the items discussed at the Hearing:

1. Scenic Resource was explained
2. Shadow Flicker was explained
3. A resident gave the Board a sheet outlining four changes he recommends to the Ordinance. Susan read these to the group and they addressed each issue.
  - a. & b. Sections 104.6.20 and 104.6.23, he felt that the cost of such a large area study and property access would be a large burden on a small project. It was explained that there was no wording that said an expensive sight study was needed. The developer can refer to state and USGS maps already available.
  - c. Section 105.11 He recommends that the section address that access to property may be an issue and that the nearest public access point should be acceptable.
  - d. Section 105.2, the following changes to setback were suggested:

Property Line	2500' to 1000'
State Road	2500' to 1000'
Town Road	1500' to 1000'
Residence	5280' to 2640'
Above ground power lines	1200' to 1000'
Scenic Resources	2500' (as defined by MDEP)
4. The Board was questioned whether they had looked into the value of homes with 2 miles visibility of a Tower having a 20 to 40 % decrease in value of the home. Tom explained that they had read research stating that there would be a change in value and others that said

there would be no affect. Everyone will have to make their own assessment of how it affects property values.

5. One resident expressed concern that so much time had been spent working on an Ordinance which basically could have been written to ban Windmills all together.
6. A resident expressed concern of the size of a large road that will have to be constructed for the construction of a tower. The Board explained that DEP has a lot of regulations governing this and Section 104.6.22 states that new roads and any impacts on roads have to be shown during the application process.
7. Another resident had been told that if Towers were constructed on Blackcap, the road would be severely altered from Rt. 46 to the top of the mountain to allow a crane and 7 tractor trailers access, it would be 36' wide, trees cut, curves taken out and the mountain top scalped.
8. Many residents thanked the Board for their hard work and appreciated their designing the Ordinance on the conservative side. The Board explained that some setbacks are negotiable by a mitigation waiver and some are not.
9. It was questioned what will happen if the Ordinance is not accepted and someone comes before the Town with an application.
10. The Board pointed out Section 109, Violations when questioned what would happen if a project does not meet limitations set by the Ordinance after constructed.
11. The time limits in the application process and the appeals process were explained.
12. Another resident expressed appreciation to the Board for the cautious work on the Ordinance. She is not convinced that this is a green project because of the impact on the area. Once the changes are made to the landscape, there is no going back. Residents need to weigh the possible reduced taxes against the impact and possible value reduction of their property.
13. Shelf life and cost of decommissioning, etc are addressed in the Ordinance. Also, if the Company goes bankrupt, they are bonded.
14. It was questioned whether the Board has an Ordinance to protect the bird and bat population. The Board explained that the bat and bird aspect have been looked into but they did not find any research to back up such restrictions. He also asked if there are any areas in town that do not allow industrial businesses. He recommends that we have them. He said the town needs to take care of this and address it and not rely on the state. He further explained that if Tower projects are categorized as public utility, they may bypass the industrial restrictions. The Board will take this under advisement. He also recommends that people go up to the Rollins Mountain project near Lincoln.
15. A resident expressed concern of the negative affects from the Towers as they are said to be from Electro Magnetic Fields from power lines.
16. It was questioned where the noise comes from on the Wind Tower. It was explained that it could come from the blades spinning, the gears and body of the tower and the low frequency vibrations and noise of the tower.
17. Board was asked if they had any formal proposal for a project and they said no.
18. A resident recommended acoustic ecology institute as a good web site about sound. He thinks the 35 dbA sound limit is too low. The Board explained that the World health Organization recommends the 35 dbA.
19. Susan read the bullet explaining the sound restrictions and it was explained that most sound restrictions can be waived by the property owner.
20. The decommissioning process was questioned. What happens if all towers stop working except one. It was suggested that they tighten the definition of operating and put it in by unit. The Board said the licensing process can address this issue of abandonment or shut it down. The Board would like to invoke some kind of better language for abandoned towers.
21. The Board was asked how the basic restoration of the property to as near as possible to what

- it was could possibly be done to replace the granite or 100 year old tree that were destroyed.
22. State law rules that a town can make an Ordinance more restrictive than the State or Federal government, but not less restrictive.
  23. A resident questioned that if there is no guarantee that these will be up forever, why rape the area.
  
  24. It was questioned whether the ordinance will be voted on as one or if the article will be written as two separate parts so that the Large Scale and Small Scale Wind Facility Ordinance will be voted on separately. He suggested this would alleviate problems if they were voted on as one.
  25. The Board then took a straw vote.  
When asked if the group would approve the Ordinance as written,  
In favor of setbacks? there were four opposed, with a majority of the 57 people present voting in favor of it, with a few noncommittal  
In favor of the noise restrictions? the outcome was the same as for the setbacks.
  26. Residents felt that there was a need to specify to everyone that if we don't pass an Ordinance, there will be no regulations governing Tower construction.
  27. Another expressed concern that people may think they are voting either for or against Towers in Town, rather than voting on an Ordinance that will regulate these facilities. She stressed the importance of getting the word out to residents so they understand what they are voting on.
  28. The Planning Board and Town Council were thanked for bringing this issue to the residents to vote on.

The Public Hearing Closed at 8:20 pm.

**MINUTES:**

**UNFINISHED BUSINESS:** The next Public Hearing for the Wind Energy Ordinances will be February 10, 2011 at 6:30 pm at the Town Office.

**PUBLIC ACCESS:**

**ADJOURNMENT:** The meeting was adjourned after the Public Hearing.

Respectfully Submitted,

Denise M. Knowles