



# Town of Eddington

906 Main Road Eddington, Maine 04428

## PLANNING BOARD

December 7, 2010

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 Tom Vanchieri, Henry Hodges, Frank Higgins, Gretchen Heldmann, Susan Dunham Shane and Russell Smith, Town Manager. Jeff Thurlow and Charles Norburg had an excused absence.

**NEW BUSINESS:** The Board continued to review the information from Charles Gilbert regarding the Wind Energy Facility Ordinance. The Board discussed the response and wants to make the following changes to the Large Scale Wind Energy Facility Ordinance:

1. Section 105.3.1, page 11, Leave as written
2. Section 105.3.1.4, page 11, Leave as written
3. Section 105.5, page 12, Move the last sentence "The Applicant must demonstrate that the proposed WEF will not have an undue adverse effect on rare, threatened, or endangered wildlife, Significant Wildlife Habitat, Essential Wildlife Habitat, rare threatened or endangered plants and rare and exemplary natural plant communities and ecosystems." to the second sentence. Remove "also" from the third sentence.
4. Section 105.6, page 13, the Board would like to read the Maine Statute Title 38, Chapter 3, Subchapter 1, Article 8-A, 490-Z(14). (They would like Denise to find it online and email it to everyone. (Gretchen will find the reference online and email new wording to Denise) Will table this for further discussion. During further discussion at the end of the meeting, the Board decided to remove everything after 105.6 to 105.7.
5. Section 105.8.3, page 15, remove "defined as the intermittent reflection of the sun off the surface of the blades of a Wind Turbine," so the section reads "Blade glint is prohibited.
6. Section 105.8.1, page 14, Add the following as the second sentence: "Blade Glint is defined as the intermittent reflection of the sun off the surface of the blades of a Wind turbine." Tabled any further discussion on glint.
7. Sections 105.9.3, 105.10, 105.14 and 105.18, Leave as written
8. Section 106, page 19, Table the discussion. The Board would like to ask the attorney about the Operational License in regards to a change of ownership.
9. Section 106.1.1, Page 19, Leave as written
10. Section 106.4, page 20, In the last sentence remove from "as soon as....to the end" and add "within 30 days after conducting a Public Hearing as described in the Zoning Ordinance, Section 401.2"
11. Section 106.5, Page 20, The Board would like to ask the attorney about involving the Selectmen in the Operational License. (Same question proposed in the Site Plan Application.)

12. Section 108.1, page 21, At the end add “If an appeal should be filed, the time frame described above shall be suspended until the completion of the appeal process.
  13. Section 108.2, page 21, Fix the two 108.2’s and fix numbering and change “20 years” to “5 years.”
  14. Section 109.2, page 21, The Board would like to ask the attorney about the involvement of the Selectmen in modifying, suspending or revoking an Operational License.
  15. Section 109.2.4.5, page 23, Ask the attorney about this because their understanding is that it does cover his question about appeals.
  16. Section 110.2, page 23, Leave as written
  17. Section 112.2, page 24, After 1) remove “appropriately recorded and executed executive sessions” and add “executive sessions duly called in accordance with the Maine Freedom of Access Law;”
  18. Section 114, Appendix, Remove “Appendix” and replace with “Sound Measurements and Studies.” (Will need to do a “control find” to find all “Appendix” references in the Ordinance to change them too.)
- Changes to the Small Scale Wind Energy Facility Ordinance:
19. Section 208, page 5, Table 1, change “NA” to “not limited”
  20. Section 209.6, page 9, change “have” to “give”
  21. Section 209.8, page 9, Add “The appeal process will stop the time clock for commencing and completing the facility.”
  22. Section 211.1, 211.3, 211.5, page 13, and 211.7, 211.11 and 211.12, page 14, Leave as written
  23. Section 211.12.4, page 15, Leave as written
  24. Section 211.13.1 & 211.13.2, page 15, Susan will rewrite these sections and bring to the next meeting.
  25. Section 212.1, page 15, remove “or” at the end of the sentence and replace with “as follows;”
  26. Section 213, page 17, Fix the numbering (21.3.1 to 213.1) and remove the word “applicant” throughout the section and replace with “owner”

Russell said that they will probably have their first Public Hearing in January. They will need to make the noted changes to the Ordinance, ask the attorney about questioned areas and then have a good working copy and be ready for the Public Hearing.

**UNFINISHED BUSINESS:** Susan received a call from Mr. Wallace about speaking to the group. He feels that having the two gentlemen speak about sound issues with wind towers may turn into a debate. There is a two-night special that ran on MPBN that we may want to get a copy of and show it at an informational meeting and hand out the bullet sheet prepared.

Travis Bullard explained de novo as new and appellate as review of existing with regards to the appeal process.

The next meeting will be Thursday, December 9, 2010 at 6:30 pm to discuss the Zoning Ordinance remarks from the lawyer with the lawyer and Bill Najpauer.

**PUBLIC ACCESS:**

**ADJOURNMENT:** Motion to adjourn at 8:47 pm by Henry Hodges, Frank Higgins 2<sup>nd</sup>. All in favor.

Respectfully Submitted,

Denise M. Knowles