

PLANNING BOARD MEETING OF APRIL 22, 2008

PLACE: TOWN HALL BANQUET ROOM

Meeting called to order at 6:30 p.m. by Chairman Fleurent

I. ADMINISTRATIVE BUSINESS

A. Quorum/Attendance

Members Not Present – None.

William Roth, Planning Director was absent.

B. Acceptance of Minutes

1.) April 8, 2008

Timothy Cox motioned to accept the April 8, 2008 minutes. Albert Borges seconded. The vote was unanimous in favor. The motion passed.

C. Planning Board Bills - None

D. Receipt of Plans - None

E. Approval of Plans - None

II. PUBLIC HEARINGS

1.) Definitive Subdivision – John Pease – 167 New Boston Road (Mr. Vander Pol is not participating in this hearing and any votes hereto.)

Wayne Hayward motioned to grant an 81R waiver on parcel B. Timothy Cox seconded. The vote was 7-0 in favor (Mr. Vander Pol abstained). The motion passed.

Wayne Hayward motioned to approve the subdivision with the three conditions. Timothy Cox seconded. The vote was 7-0 in favor (Mr. Vander Pol abstained). The motion passed.

2.) Special Permit – CCI Energy, LLC – Off Arsene Street

Timothy Cox motioned to recess until 7:00 p.m. Albert Silva seconded. The vote was unanimous in favor. The motion passed.

Meeting reconvened at 7:15 p.m. Chairman Fleurent called the meeting back to order at that time.

Town Planner's report was read by Secretary Pelland.

Jim Sweeney (President CCI Energy) – We started this project in 2003. We are proposing a community wind project which has community benefits to the Town. We would provide the electricity to the waste water treatment plant with the balance of power going to the grid. We will provide a minimum of \$100,000 to the Town, in lieu of taxes, because the land can't be taxed. That escalates over time. This will bring several million dollars of revenue over time to the Town. The financiers are comfortable going forward. Town Meeting approved the project and we entered into a lease with the Town. Right now, we're contemplating that this will be ready by the end of the year.

Doug Schneider – We have been dealing with Conservation regarding their issues. The commission did vote to approve the project with some conditions. The contractor would like to build the entire rotor assembly on the ground and lift it. But that's impossible because there's not enough area. But they can assemble it one blade at a time. Conservation has looked at erosion control as well as drainage. As to the bike path crossing, there are notes on the plan to restore the bike path to its original condition.

Ken Pottell – What is the zoning bylaw as to the tip of the blade?

Wayne Hayward – It's 700 feet to the nearest home from the tower.

Douglas Schneider – The closest house is on Little Bay Road. It's about 740 feet.

Kenneth Pottell – How close is it to the property line? What's the bylaw on that?

Wayne Hayward – It can't be less than 100 feet to the property line.

Anne Dinardis – How close is it to the property line?

Douglas Schneider – About 350 feet from the blade.

Anne Dinardis – Was the acoustic study and flicker analysis presented to the Board of Selectmen on May 9, 2007 done at the same location?

Jim Sweeney – That was determined by Conservation.

Anne Dinardis – I think it is the Planning Board's jurisdiction to make sure the location is exact.

Jim Sweeney – I agree. We can confirm all that.

Joyce Pottell – I have a question about visibility and height.

Jim Sweeney – Our height is measured at ground level, not sea level.

Joyce Pottell – What lighting is going to be required?

Jim Sweeney – We have to comply with what the FAA requires, a red blinking strobe light like the radio tower will most likely be the requirement.

Joyce Pottell – How about white lights?

Jim Sweeney – We will have an answer at the next meeting.

Gary Staffon – Will there be security lighting?

Jim Sweeney – Yes.

Antone Beatriz – Being the closest abutter, I'm quite concerned. They're very close to my house. I feel that I have been affected as to all of the issues addressed in the bylaw. It has affected the value of the property. It is for sale and no one has even looked at it. I wanted to have a house built on the closest lot in the future and now I can't. I know there are some wetlands there, but it is buildable. Why not put it somewhere else?

Jimmy Pappas – I have 12 or 13 lots there that will be potentially buildable. I love wind turbines. Have there been any studies as to how they affect property values?

Jim Sweeney – Yes, there are, and they go both ways.

Jimmy Pappas – Are there addresses to look at?

Simon – I asked a man how he liked it and he and his wife did. But he did say that some people did not.

Dawn Devlin – I am a realtor. I have to disclose what is happening in the area. Once I disclose the information about this turbine, they do not want to look at the property. In Hull, the money is going into the peoples' pockets. That's the only reason why they believe it to be a positive. You cannot compare the property value in Hull to that in Fairhaven. We need to protect the people living near there. Yes, there is 700 feet, but the blade is another 150 feet. So, it is over the line. The blade is part of that unit. This project should stop where it is and the Board should not approve it.

Mike Gagne – What you said about the blade is not accurate.

Peter Goben – The guide wire anchor for an FCC registered tower is in the fall zone for the southernmost tower. If the guide wire is hit by a plane, it could bring down the tower.

Henry Ferreira – Ultimately, we're dealing with minimum set back requirements. You're literally putting them in peoples' back yards. It's already a bylaw. These guys realize that they got you. This project was essentially imagined in someone's mind and the setbacks were framed around this project. Otherwise, I can't imagine anyone putting them there. I believe that every Board will pass this.

Richard Clark – This equipment is now 3 years old. What impact will that have?

Jim Sweeney – Its 2 years old, but it is new because it hasn't left the crates yet. It's also one of the better products in this area.

Daniel Dinardis – Who owns the radio tower?

Chairman Fleurent – Edmund Dinis leases it from the Town.

Daniel Dinardis – Can the Board check to see if the owner was given proper notice.

Chairman Fleurent – We notified all property owners within 300 feet.

Wayne Hayward – The radio tower owner is definitely being notified under FCC law.

Jim Sweeney – We had permission from the radio tower owner to put meteorological information and they are aware of the wind turbine project.

Chairman Fleurent – This is not our purview.

John Methia – We're talking about fall zones. What is the fall zone there for and why don't the two of them intersect?

Simon – It's a theoretical line showing the radius of the blades if they fall.

John Methia – They have not been tested in hurricane conditions.

Mike Gagne – They have survived in hurricanes.

Anne Dinardis – You're not allowing that gentleman to build a house on his other lot. The Bike Path is within the fall zone.

Simon – These are designed for worse case conditions.

Gregory Bettencourt – I voted for this. I saw the study and it was done by the code. The Building Department said that there were no issues. I don't see this affecting the bike path. This will help the Town financially.

Henry Ferreira – This Board has passed such a minimum set back requirements, the only redress is to sue the Town.

Kenneth Pottell – Has there been any archeological studies done?

Chairman Fleurent – No.

Mike Gagne – The two sites proposed are in the best area for the least amount of affect. What's the alternative? Brayton Point? Coal Fired plants? We need to do something.

Anne Dinardis – We're not saying it's a bad thing. We're concerned with the location.

Henry Ferreira – Not all people think these are great. These are too close to peoples' homes. It means a lot to them.

Kenneth Pottell – The noise will bother people in the quiet neighborhoods. They really do hear it.

Andrew Jones – The Conservation Commission approved this based on fact. There will always be questions.

Barbara Acksen – Noise and sleep are significant health issues in America and I feel that both will be affected.

Timothy Cox motioned to continue the public hearing to 5/27/08 at the applicant's request. Gary Staffon seconded. The motion and second was amended to 4/29/08. The vote was unanimous in favor. The motion passed.

III. OTHER

None

Dennis Vello motioned to adjourn. Gary Staffon seconded. The vote was unanimous in favor. The meeting was adjourned at 9:22 p.m.

Respectfully Submitted,

James Pelland, Secretary
To the Planning Board