

W. T. PLANNING BOARD MEETING, OCTOBER 14, 2008, 7:30 P.M.

PRESENT: David Douglas, Ginny Jones, Susan Silva, Leah Smith

CHILMARK PLANNING BOARD: Janet Weidner, Tim Lasker, Russell Walton, Mitch Posin, Richard Osnoss, Bill Meegan, Christina Soulaignet (staff)

ALSO PRESENT FOR ALL OR PART OF THE MEETING: Skipper Manter, Russell Maloney, Bill Venno, Gary Harcourt, Chuck Hodgkinson, Richard Knabel, Ruby Iantosca, Simone DeSorcy

Discussion: Regulating Wind Turbines: Janet Weidner, Chilmark Planning Board Chairman, opened the discussion. She said that 2 wind turbines had been permitted in Chilmark over the last year. One is on a large piece of property and there wasn't much comment on it; the other is more visible so there was more public input. She distributed a spread sheet comparing how Island towns regulate wind turbines, as well as a model bylaw. David Douglas said that in West Tisbury they are permitted by right as long as they don't fall on neighboring properties; he said he thinks they should receive at least special permit review. He said that in Europe, where they've been living amongst wind turbines much longer than we in America, they have studied physical and psychological problems caused by the low level vibrations of the turbines. Leah Smith said she had heard concerns about the turbines, and that we could expect them to pop up all over the island; she said there is some need for review.

Tim Lasker recused himself as a Planning Board member. He said that this issue needs to be analyzed from the top down. First, he wondered whether the Boards can come up with appropriate criteria for requirements associated with special permits. Also, we need to think about planning. Should we be regulating individual turbines, or have a comprehensive plan for large turbines. The big structures are not like regulating antennas. Are special permit conditions just going to be a band aid? How do we want to be decreasing our carbon footprint?

Leah said she assumed we were currently discussing the regulation of small, individual turbines. There are also larger possibilities, like a wind farm. Gary Harcourt, wind turbine constructor, said there is also an in-between sized machine, like the 50 kW one proposed at the ice arena. He said this one would have a 50-foot diameter rotor. They asked for a height of 166 feet; the FAA will probably only allow 150 feet due to the proximity to the airport. Bill Venno, MVC staff, presented a map showing wind speeds at various areas on the island, as well as a 20,000-foot radius to the airport.

Richard Knabel said that two large turbines are planned in W.T. – one at the school and one at the Charter School. The Charter School intends to be a deliberate producer, creating a revenue stream. Gary Harcourt said that perhaps if a turbine owner isn't using the electricity at the site, then it would qualify as a commercial generator and should be located in a commercial zoning district.

Russell Maloney, Chilmark resident, said that he has a summer neighbor who wants to build a turbine in his back yard, which would be the Maloneys' front yard. While his neighbors will only have to listen to it 2 months a year, he will have to hear it year-round.

This neighbor has no regard for energy use, as illustrated by his heated pool, etc. There should be a requirement that the applicant carry the bulk of the visual impact on their site. The regulations should be at least as restrictive as those for cell towers.

Warren Doty said he supports regulating wind turbines. He read the State's model bylaw; he said it is not a bad beginning, but not enough for Chilmark. For instance, there is visual impact protection of houses on Chilmark ridge as seen from Menemsha. This would change if wind turbines were allowed there. Perhaps the regulations could encourage/discourage turbines in different areas. There was a discussion that some of the locations which might have the best wind would also be the most visible.

David Douglas said there is very little addressing health issues related to turbines, yet on the internet one can read about the vibrational problems affecting children especially. He said he believed turbines should not be located near schools, and that the larger machines should be sited at least a mile from residences. Richard Knabel said that community windmills should be encouraged rather than having many smaller ones, for aesthetic reasons.

Gary Harcourt said that model bylaws exist for large and small machines. Small machines can go into a lot of places and not be seen. Nine turbines have been built on the Island over the last 3 years.

Bill Meegan said he was previously unaware of the related health issues from wind turbines. He said that towns were precluded by the FCC to consider health impacts when siting cell towers. He noted that the Town is now getting feedback re. turbines from disgruntled abutters, mostly visual and noise impacts. The Board is learning more as each is built. There are already many grandfathered applications in the works.

Tim Lasker said rather than each house having its own individual turbine (a fragmented approach), we should put 12-15 large ones on Nomans Land. There is a reason utilities were created in the first place; we're negatively impacting our environment by doing this in a piecemeal fashion. Warren Doty said that U.S. Fish and Wildlife now controls Nomans Land, and they'll never allow turbines. Gary Harcourt said that any power generated on Nomans or offshore has to be sent back to the island via large cables.

Ginny Jones said that Warren Doty was correct that some areas will be more conducive to building turbines, with less impacts. She suggested reviewing the book "Looking at the Vineyard" to help minimize visual impacts. She said the towns should also not appear to promote one type of alternative energy to the exclusion of others. She said that she is personally interested in wave/tidal turbines. She said it is good to "piggyback" on others' experiences. She said she wants to start thinking about areas in Town where turbines would be appropriate.

Mitch Posin said that he was thinking of building another turbine on his farm, and that he doesn't share the concerns of negative impacts that others have. He said that the renewable energy coordinator at the MA Technical Collaborative would send someone out here to do a community-based study.

Warren Doty said there is a general sentiment among residents that we need a new bylaw on this topic. He suggested different bylaws for small vs. large turbines, perhaps more strict in some areas of town.

Richard Osness said that we're continuing to learn more about turbines. We need to decide whether we need a larger review process than just the ZBA. In the recent Master Plan questionnaire, residents were asked what they think of turbines. He proposed broadening the review process.

Chuck Hodgkinson, Chilmark ZBA staff, said that both turbines recently permitted were on parcels of about 18 acres. The bylaw allows an abutter to stop a project if it would affect the enjoyment of his/her property. During the review process, both turbines were moved closer to the applicants' houses rather than their neighbors'. He said that the 300-foot radius for notifying abutters is irrelevant for wind turbines, as many can be seen 1,000 feet from property lines. He said the notification radius needs to be expanded. There is also the noise issue. Gary Harcourt said that the loudest impacts are downwind, the height of the turbine away. Chuck said that when a turbine is proposed in a very visible spot, the existing ZBA regulations are not going to be adequate. Gary Harcourt said that one of his applicants notified his entire road association. He said that each case needs to be determined individually.

Janet Weidner said it is difficult to determine visual impacts. Gary Harcourt said that he has flown a kite to show the impact. Chuck Hodgkinson said that erecting a pole is the only truly accurate method.

Bill Meegan said that as with the DAS system, review needs to be expanded to include more boards to feedback. Perhaps the advertisement envelope needs to be expanded. Perhaps technology, such as Google Earth, could be used to show visual impact. We need to look at all alternate forms of energy. Aquinnah has an energy DCPC – perhaps we need an Up-Island energy district, getting together to solve our problems not individually but as a region.

Tim Lasker said that when trophy houses are proposing turbines there should be a demonstrated realistic return on investment, and not just a "feel-good" project for cocktail party chatter. Chilmark resident Ruby Iantosca said they should not be allowed at all because they cannot be guaranteed not to negatively impact others. There should be the ability to remove the turbines if they overly impact neighbors.

David Douglas asked if turbines could make a return on the investment without grants. Gary Harcourt said it takes small turbines about 10 years to pay for themselves. Warren Doty said the project at the West Tisbury school probably makes sense due to the scale of electricity costs (\$80,000/yr.).

Ginny Jones said that it is important to incorporate the following into turbine bylaws: height/setback criteria; relation to public roads; locked gates to prevent climbing; require removal if abandoned; and consistency town to town.

Russell Maloney said that the cell tower bylaw is a good model. He said he is not against alternative energy, but the purpose of a wind turbine should not be to save money to heat your pool. Leah agreed that a cost/benefit analysis needs to take place. Gary Harcourt said that in America, others have to live with the visual impacts of the infrastructure that currently gets us our electricity.

Tim Lasker said that Chilmark has the Plan Review Committee, a large board important in reviewing cell phone towers. It consists of the ZBA, Planning Board, and Selectman appointee. There are so many variables and issues at hand, it is important not to have just 4 or 5 people considering an application.

Janet Weidner recapped the themes discussed: a fragmented approach is bad; specific locations with less impacts should be encouraged; research health issues; different bylaws for small vs. large machines; what should the review process be; how should visual impacts be assessed; do we want a multi-Town approach.

Warren Doty said he thought a tri-town approach would be good. He suggested that a subcommittee from the 3 towns propose language, and then each town change it to suit individual needs. He would not support an island-wide approach. He wondered whether a tri-town energy DCPC would be possible. David Douglas said perhaps this should only apply to large machines. Bill Veno said that towns can always refer projects to the MVC for review. Richard Knable said that the tri-town DAS committee is a model.

It was decided that a meeting to set up a subcommittee would take place in the next couple of week.

Associate Member Appointment: Ginny made a motion to appoint Eileen Maley as Associate Member; all in favor.

The meeting was adjourned at 6:30 p.m.

Respectfully submitted,
Simone DeSorcy, administrator

Approved 11/03/08