

**WEST TISBURY ZONING BOARD OF APPEALS**  
**MINUTES THURSDAY MARCH 24, 2011**  
**2<sup>ND</sup> FLOOR TOWN HALL AT 5 PM**

**PRESENT:** Tucker Hubbell (Chair), Tony Higgins, Eric Whitman, Nancy Cole

**ABSENT:** Toni Cohen, Larry Schubert, Bob Schwier

**ALSO PRESENT:** Libby Fielder, David Fielder, Gary Harcourt, Mary Gould, Renee Bonnell, Martha Sullivan, Connie Breese, John Pavlik, Melissa Manter, Dan Larkosh, Mariah Moody,

**BUSINESS**

- The minutes of February 10 and 24, 2011 were approved.
- Slaughterhouse proposal: Brief report: Allen Healy has spoken with Ernie Mendenhall, John Powers and the ZBA office regarding the Ag Society and IGI proposing to have a slaughter house built on 5 acres that the Ag Society owns adjacent to their main property. At first look, it seems that a slaughterhouse can only be on a property where a certain percent of the animals are raised, and no animals are raised on the Ag Society's properties. Without being on a farm, a slaughterhouse would be a light industry, a processing plant, and could only be located in our Light Industry District. Federal and state would be part of any permitting. The proposers are seeking guidance from agricultural bureaus.
- Doug Reid had been referred by John Powers and Ernie Mendenhall to ask the Board if he needed to apply to amend his 1999 special permit as he will no longer be cooking for "Biga Bakery": The bakery is now "Beth's Bakery". He also plans to do some catering. The Board agreed that the existing special permit for a food service kitchen applies to the catering cooking Doug is proposing as well as to the name change of "Beth's Bakery".

**HEARINGS**

**5:15 PM An application by David and Elizabeth Fielder for a Special Permit** to erect a 116' wind turbine to supply power to their property. Sect. 8.9 of Zoning Bylaws. Map 21 Lot 13, 74 Dr. Fisher Rd; RU District; 11.9 acres. *Correspondence: 2 phone call inquiries; 1)Statement from Mary Gould*

David Fielder spoke to the Board and audience: He feels strongly about alternative energy. He feels he has an ideal situation to install a wind turbine, with minimal impact on the neighborhood. They chose that the house be designed to be electric based, and the turbine will offset the electric costs. He concluded by saying he hopes this meeting will allay any concerns.

Gary Harcourt of Great Rock Wind Power began to present the particulars of the application. The machine is a quiet one, a 5 kW Endurance turbine. There are three other turbines of this type in Town: The Sibley's, the Andrade's and the Boyle's in Longview. Gary himself has the same model. The Fielder's would be on a 102' high monopole and with blade extended would be 116' high. Wind turbines are high, because that is where the wind is, above the trees, and because they are high, it is quieter. He compared the Fielder's proposed wind system to the one at Morning Glory Farm in Edgartown: Morning Glory's turbine is a 50 kW engine (10 times the power of the proposed 5kW one), and with the blade up, is 150' tall. Each blade is 30' long. The Wind 1 turbine in Falmouth is 400' tall and huge in comparison re turbine, height and blade size.

Mariah Moody asked about lightning. Gary replied there were 13 turbines on the island. Morning Glory was hit once. Installers make sure that turbines are thoroughly grounded. Mariah Moody said

there was a windmill near her and their house was repeatedly hit by lightning and they felt the two were connected. Several people asked, will I see it? Mary Gould asked will she see it from Island Farms Road? Hear it? What about bird mortality? Gary's reply was that there is very little bird mortality documented; that windows, cats and overhead lines kill far many more birds. Mary then read an impassioned statement, recapped thusly: She listed a number of noises specific to her neighborhood, which abuts the Light Industrial District, including the dump, the sand trucks and several businesses, and State Road, and she listed overall noise sources such as aircraft and traffic and ATVs. She is very anxious that in addition to the Light Industrial noise, she will now hear a constant hum, buzz and whipping sound from the turbine. She is hoping there can be an alternative to this turbine and its threat of noise and visual pollution. Gary told her she would not see it and that it is a very quiet machine.

Renee Bonnell said she was the second to last house on Island Farm Road. Where they are planning to put it, she said, would affect more houses than if put elsewhere on the lot. She's worried about vibrations and other health concerns; can't they locate it somewhere less populated? David Fielder said they did consider where to put it; the chosen location is a clearing, so less trees needed to be cut, and the FAA approval they've received is for that spot. Gary Harcourt added that the site is a better distance for all neighbors, and she would not see it. He said, turbines only run when it's windy, and the sound of the wind and trees blocks sounds from the turbine. He said the electricity that the Island uses is not without consequences of its own. 25% of the State's electricity is produced at a plant in Fall River that burns 40,000 tons of coal every 3 days. The plant, it is said, is a hazard to health and the environment. Billions of gallons of water every day are cooled in their new large cooling towers, 500' tall and 400' wide. The towers cool the water before it is returned to the bay. The hot water was killing marine life. Gary showed a picture of the towers with a Morning Glory size turbine next to it...the morning Glory tower looked quite dwarfed.

Gary said a small turbine like the Fielders does not have the effects of the large ones. Mary Gould asked if there would be a whistle and a clatter? No. Tucker suggested that they should go to the Boyles at Longview and listen and look at the similar turbine there. He is across the street often and rarely hears it. Gary suggested they also go to Richard Andre's turbine site on Old County Road and to his own turbine. Tucker said he'd take people on a visit to Longview. Connie Breese asked what it would sound like? Gary replied that if the wind is more than 15 mi/hr, you won't hear it. You could hear the turbine if the wind dropped to less than 10.

David Fielder told the room, I don't want to live in a noisy environment. He wants to hear trees, wind and birds. He's the closest and a noisy turbine would affect his life. Renee Bonnell said she hears his house being built.

Dan Larkosh said he would be the house closest to the turbine. What decibel level would be expected when in operation what is the span of the blades? The rotor diameter is 20', each blade is 10', and 60 decibels. Tucker had asked Ernie Mendenhall if there had been complaints about any of the turbines in Town and had been told only one, the turbine at Rex and Scarlet Jarrell's. Gary said that that one is a bigger machine and also not a constant speed machine.

Melissa Manter spoke. She welcomed David and Libby Fielder and acknowledged their family's Island roots, but said it's not all flatland around this turbine; she lives on a hill and she will overlook it. How does the Board decide that one person gets something and she loses? She said she didn't care a hoot, now or ever, about green issues .....Why did the applicants make a house that is electrically

dependant and then need a windmill to supply the electricity? Tucker suggested that seeing it was like anyone whose view gets changed by a new house being built nearby. Melissa said this is not a house and she's made it clear she will not stand for having to look at it. She has a panoramic view from her house and it will be marred by this eyesore. She has windows all around her house, can see as far as the cape, the fireworks. Asked if she could see 2 other wind turbines in Town, she was not sure. Looking at assessors maps, it was estimated that Melissa would be about 650' away from the turbine.

Dan Larkosh spoke. He is not a fan of land-based wind turbines. His property line is within 300' of the turbine site. The noise Mary talks about is real. The Town moved the industrial district closer to their neighborhood (in 2000 the line was changed so that a couple of lots were not one half in the RU District and one half in the Light Industrial District). He said this would be noise night and day, not just business hours. All buildings are oriented toward the sun, and where the turbine would be, it would generate flicker effect on them. The neighborhood already puts up with a lot of industrial noise which wears on you, and now this. He can't support this proposal. Julie Keefe pointed out that the Town has a new wind turbine section in the Zoning Bylaws which is being used for the first time with this case. She said the bylaw contains standards and protections against installations that are in violation of the regulations. If there are perceived problems, there is recourse to have them looked at.

Melissa Manter left, saying she would look again and get back to the Board. A possible site visit to her property was mentioned. Gary said balloon tests were difficult to do and not conclusive.

Connie Breese asked how does the Zoning Board decide? Tucker said, they weigh the benefits and detriments under the Bylaw, which allows wind turbines to be permitted by special permit. Nancy Cole suggested that if people have concerns about noise, they should visit similar turbines in town. She has one, but it is smaller than the proposed one. It is near her house and seldom makes noise. Libby Fielder asked Nancy if her's produces flicker? No, but her house is below it. Gary thought some flicker might hit the top of trees at Dan Larkosh's's property. There is less shadow in summer, so less flicker. Dan said the Morning Glory turbine produces flicker on the (Edgartown) Road. He'd like to embrace this turbine going up, but he needs more info. Gary said there is some flicker on small turbines when their blades are slowing down. Morning Glory is a different and slower machine.

Gary called Richard Andre whom then gave permission for anyone to come to his property to observe and listen to his turbine. Mary Gould said she would, as did Dan Larkosh and some of the others. Eric Whitman said the subject property is 12 acres, the site is within oak trees, no one except possibly Melissa is going to see it...if this isn't a good site for a wind turbine, what chance would anyone else have of putting up a wind turbine? He goes by the Longview turbine daily and has never heard it. Gary said, you can hear turbines within 300'; he says this as he wants to set people's expectations lower.

## **OTHER CORRESPONDENCE**

- Routine Survey of Acoustic and Radio Frequency Energy at 66 Old Courthouse Road Wireless Facility Site: Dave Maxson (no longer part of Broadcast Signal Lab. Is now Isotrope LLC.) The report says that all is well at the WFS.

## **CALENDAR**

April 7 is next scheduled meeting.

The meeting was adjourned at 7:15 PM.

Respectfully submitted, Julie Keefe, Administrator