

TOWN OF SWANTON
MINUTES
PLANNING COMMISSION MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488

Wednesday, August 17, 2016 @ 7:00 p.m.

Planning Commission

Jim Hubbard
Ed Daniel
Ross Lavoie
Sara Luneau-Swan
Andy Larocque

Town Officials

David Jescavage, Town Administrator
Yaasha Wheeler, Secretary

Also present:

Marianna Gamache, State Representative
Brian Savage, Representative
Travis & Ashley Belisle
Anthony Iarrapino, attorney for Travis & Ashley Belisle
David Raphael
Dori Barton
Ian Jewkes & Scott Homested
Clark & Carolyn Palmer
Penny Dubie
Luc & Michelle Deslandes
R. Mark Bushey
Mary Bushey
Paula Pearsall
Dustin & Christine Lang
Dexter & Sally Ovitt
Gil & Marie Tremblay
Sarah A. Ferguson
Steve Woodward
Ron Kilburn
Ken Fox
David Butterfield

John A. Smith & Patricia Rainville
Lindsay Hunn

A. Call to Order

Mr. Hubbard called the meeting to order at 7:01 p.m.

B. Agenda Review

A presentation from the Belisles and their attorney will be first on the agenda. Then we'll review the minutes from the last three meetings.

C. The Swanton Planning Commission will hold a public work session for proposed amendments to the Town & Village Municipal Plan. The proposed amendments cover provisions that plan for green energy projects.

Ashley Belisle thanked the Planning Commission for their recent letter and they would "like to move past it." She said she would like to present information based on "fact and not fear." Mr. Iarrapino apologized that the notice sent to David Jescavage inviting the Planning Commission and community to the wind open house had not been specifically addressed to the Planning Commission, who had such a large role in the situation. Tonight, there would be a presentation from consultants in the field. If there were unanswered questions tonight, they could ask to hear from other consultants. He noted a Seven Days article that highlighted the wind project that was affecting Georgia/Milton.

Ms. Barton from Aero-Environmental came forward. She explained that her company worked with wetlands, ecology, and other factors to design objective studies to inventory a variety of projects, from individual properties to townwide inventories. They had been hired by Ashley and Travis Belisle, in the Swanton Wind LLC project which involved developing a comprehensive environmental study to inventory a suite of natural resources, including wildlife, habitat, wetlands, and more. They presented a map of the project area and surrounding areas, showing the property boundaries, the limits of disturbance, and the extent of the field-based study area (about 260 acres). This involved reviewing digital databases. They established a grid-cell layout in the study area, following and evaluating each grid cell and its resources. They had spent about twenty (20) days doing their inventory. They followed specific, objective standards when mapping boundaries of various natural resources elements.

She noted that it was important to note that it was a forested area, but it was also a "working landscape," predominantly defined as an actively managed sugarbush, with miles of tubing and existing roads and trails to access the area. That brought with it year-round management that affected the resources. This is not a "wild wilderness." The elevation was about 900 feet, within the Champlain Valley region.

The map presented identified, mapped, and assessed wetlands, streams, and vernal pools. On the ANR database, there were five wetlands mapped in the area, which was a little fewer than the resources they had found. There were more than two streams in area. They evaluated the significance of the resource, working with ANR, and depending on the classification, certain wetlands were provided 50 foot buffers. The project had been designed to avoid all the wetlands and protective buffers; “there’s not a square foot of impact in those wetlands and buffers.” She added, “This site is conducive to avoiding natural resources.” There were six unavoidable stream crossings, but “no direct stream impacts” because of the oversized culverts.

The map also included significant natural communities (plants, shrubs, herbaceous material) following specific guidelines. In this area, there was a matrix community of northern hardwood forest, with a mix of some hemlock, oak, and pine. None of the natural communities, with the exception of the hemlock swamp, meets the definition of a rare natural area, according to state protocols and rankings. The hemlock swamp is considered rare and is in the middle of a deer yard, and the project has been designed not to impact it.

There were no rare or threatened endangered species in the project impact area. Various wildlife habitats had been looked for and identified, including a deer yard, and the project was designed not to impact it. The State of Vermont had identified the “forest blocks” in the entire state, using mostly digital review and not much field review, though that data was useful and “had its place.” AERO reviewed the forest blocks to see how various development would impact the block and whether that block would be “fragmented.” The Swanton Wind project would result in the clearing of about 40 acres, about 0.8% of the nearest habitat block. The project’s impact would be very small in impacting the forest block’s ranking. There was not much concern about “impeding the movement of wildlife.”

It was noted that two of the turbines would be on Alan Borbeau’s land, accessed through his active sugarbush. Mr. Hubbard asked if they were working actively with the USDA on potential sugarbush impact. Ms. Barton replied that this was a private study. The deer yard found was the only one. Forty acres would be cleared, but Mr. Jewkes said that there would be 15 acres more involving other impact, with each base with a large area of stone. Deer yards did not include “feeding grounds,” and the project had a component to “enhance the deer yard” because logging and other management would be stopped in the area, including selective cutting to provide some “browse vegetation” to increase the available feed.

There were significant wetlands on the property, but the project did not have any impacts within the wetlands or buffers.

David Raphael, landscape architect, came forward and said that his firm had celebrated 30 years of business in Vermont, with a focus on visual quality and aesthetics. They had worked on wind energy and solar energy projects, as well as other projects, for both private landowners, municipalities, and state agencies. The general methodology used in visual assessment was derived from a number of sources, both federal and state. They

used visual simulations and viewshed mappings, and other standards that took into account the context of the region, the visual area, and more.

He showed a “potential viewshed map,” to map all the places in a 10 mile radius to see what part of that viewshed would actually have visibility of the project. There was greater visibility toward the lake side (westward) but toward the east side of the project, there would be much less visibility. One map measured the visibility of the hub (the base of the turbine) and the visibility of the top of the turbine. He had found that there was not a dramatic difference between the two types of visibility.

Mr. Jewkes said they looked at a number of resources to determine sensitive places or areas with scenic values, and personally visited those sites to be sure the maps were providing the appropriate data. Then they assessed the general effect of the visual change on public resources, areas where people congregated, etc. He noted that some wind projects in Maine had had a positive effect on snowmobilers by opening up area for them to snowmobile in.

One of the other tools that was used was visual simulation: “What will the project look like from different vantage points in the project area?” Mr. Jewkes presented some of those simulations, including the Burton state park area (9 miles away), the Missisquoi Valley Rail Trail in St. Albans (1.24 miles away), Paquette Drive in St. Albans (2.16 miles away), and Fairfield Pond’s boat launch (2.25 miles away to the nearest turbine). He said that it was important to understand that the visual simulations were static visual representations from only a single point; “these only give you a snapshot from what we consider sensitive areas... but they don’t give you the whole picture.” He said that the simulation preparations involved a “highly technical” process to ensure accuracy as much as possible, but “you need to take into account the whole experience of the resource.” They had done post-construction research as well to consider the veracity of the visual simulations and the impact of the projects overall on the public.

Mr. Jewkes stated: “There is no upside for us to create a simulation that is anything but the most true and accurate representation that we can possibly do, given the tools we have available to us.” He noted that some of the images of this project in circulation were “inaccurate.” Wind energy had to be visible, and, based on his firm’s look at the Swanton Wind project, there were contextual factors that helped the project fit within the overall landscape. He acknowledged the issues involving a project closer or further from residences, and said that he was increasingly seeing projects closer to residences because of the convenience. He emphasized that the concerns before the project was built had not been born out as expected prior to the project. He said that a person’s opinion of the need for the energy influenced their opinion of the visual impact. He felt that this project did not have an unreasonable impact.

Mr. Daniel asked to know the distance from the interstate; Mr. Jewkes estimated about 5 miles. Mrs. Dubie said she was concerned about a permanent visible impact. Mr. Jewkes said that they took the visual impact of daily life into account. Mr. Lang asked if there were any other sky background choices when the model was created, noting that

the simulation had a clear view. Mr. Jewkes said that they tried to pick “representative views,” some with more or less visible views.

Mr. Hubbard asked how much energy this was supposed to generate; Mr. Iarrapino said, “Up to 20 megawatts.” Mr. Hubbard noted that the Highgate hydroelectric dam was 10 megawatts and said that was a “sufficient amount of energy... That’s why we’re looking at this project to see if it fits in Swanton’s future.”

Mr. Joel Clark acknowledged the Planning Commission’s “impossible job.” He said that it was unfair to the Town of Swanton to review the project and get some specific statements. He thought it was going to be methodology. “Specific project review was not warned for this meeting.” He encouraged sticking more to methodology and not project review. Mr. Hubbard said they had asked for presentations for quite some time and were trying to accommodate everyone.

Mr. Iarrapino said that the minutes of the last meeting will reflect that the chair specifically invited the project to present more information at this meeting. He added that the Selectboard had in the past had “very extensive unwarned discussions” on this topic. He felt that the clear invitation warranted a response. He added that they would be happy to work with the Selectboard in a warned session.

Mr. Ken Fox said that the turbines “look rather big to me just driving by on the interstate” and the simulations seemed to be “significantly smaller” than he expected for turbines a third larger than the Georgia turbines. Mr. Jewkes said that the (highest to blade tip would be 499, using a 484 model in simulations). Mr. Steve Woodward asked if there were spinning representations, since he noticed movement made them more visible. Mr. Jewkes said that video technology could provide a real-time view. Michelle Delandes said she could see New York’s 300-foot turbines from her house on Rocky Ridge. “My visual is going to be much different than a hundred miles away.”

Mr. Ian Jewkes said that the project had four elements: an access road, the paths, the stormwater system, and the turbines with the wind generator. He said that the net cut on this site was 140,000 yards, with about 70,000 yards of blasting, with material crushed on site to build the road. The blasting would happen on turbines 3, 4, 5, and 6. They were “weaving in and out among environmental restrictions,” so that’s where they had to do the blasting. In comparison, on Lowell Mountain “every inch of it was blasted.” Mr. Scott Homsted said that the goal of the project would be to meet all applicable state standards for stormwater management and to treat it while minimizing the impacts to natural resources. There would be ponds and swales.

Mr. Hubbard said that the job was to work with the town plan and see Swanton’s needs for the future. He thanked the presenters and note that since there was not a full application, so perhaps “the cart was before the horse.”

Rep. Marianna Gamache asked to present five pages of proposed language predicated on the Public Service Board’s request for specific kinds of language. Mr. Iarrapino

suggested putting it with the minutes and Mr. Jescavage could put a copy on the website.

Mr. Hubbard said that they had been working on the language for about six months, and some ideas had come out of Montpelier in May, so they were looking at the language again now. He recommended that the Planning Commission review the suggested language and information from the presentation, and would discuss it next meeting. Mr. Daniel made a motion, seconded by Mr. Lavoie, to review what had been present in effect by June 1, 2016, and review the presented information and discuss and modify it at next public working session on September 21, 2016. Motion carried unanimously.

4. Review minutes of July 20, 2016; July 27, 2016; and August 10, 2016

Mr. Lavoie made a motion, seconded by Mr. Daniel, to accept the August 10, 2016 meeting minutes as written. Motion carried.

Mrs. Luneau-Swan made a motion, seconded by Mr. Daniel, to accept the July 20, 2016, meeting minutes as written. Motion carried.

Mr. Lavoie made a motion, seconded by Mrs. Luneau-Swan, to accept the July 27, 2016 meeting minutes as written. Motion carried.

The next working session would be on September 21, 2016 at 7 p.m.

5. Any other necessary business

Mr. Jescavage drew the board's attention to their copies of the Vermont open meeting law guide.

Mrs. Dubie referenced the Seven Days article, stating that both of the state representatives from Milton were both strong supporters in making legislative changes for stronger protective sound standards.

6. Executive Session – None needed.

7. Adjournment

Mr. Lavoie made a motion, seconded by Mr. Daniel, to adjourn at 8:28 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
Planning Commission Secretary

Jim Hubbard

Ed Daniel

Andy Larocque

Ross Lavoie

Sara Luneau-Swan