

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 8561

Investigation pursuant to 30 V.S.A. §§ 30 and 209 )  
regarding the Construction and Operation of a )  
Meteorological Tower located in Swanton, )  
Vermont )

PREFILED TESTIMONY AND EXHIBITS OF TRAVIS BELISLE

Mr. Belisle's testimony explains the facts and circumstances surrounding the installation and removal of a 40-meter tall, 6-inch diameter temporary meteorological tower on property Mr. Belisle owns on Rocky Ridge in Swanton, Vermont.

Prefiled Testimony and Exhibits of Travis Belisle  
Docket No. 8561  
September 14, 2015  
Page 1 of 13

1 Q1. Please identify yourself for the record.

2 A1. My name is Travis Belisle. I live at 1962 Sheldon Road, St. Albans, Vermont. I am  
3 owner and founder of Rocky Ridge Construction, LLC, an excavation and  
4 construction company.

5 Q2. What is the purpose of your testimony?

6 A2. My testimony addresses the facts and circumstances surrounding the installation  
7 and removal of a meteorological tower on property that I own in Swanton,  
8 Vermont.

9 Q3. Please describe the property and your familiarity with it.

10 A3. The property, which totals approximately  $250\pm$  acres, is located just east of Rocky  
11 Ridge Road and Route 105 in Swanton. A location map is offered with my  
12 testimony as Exhibit TB-1. The property is a working landscape that has been  
13 used for almost three decades by my family for hunting, logging and recreation.  
14 About 7 or 8 years ago I started a large sugaring operation that now includes  
15 approximately 12,000 taps. Both our logging activities and the sugaring  
16 operation require access roads wide enough for vehicles and equipment. I  
17 estimate that we have approximately 6 miles of roads throughout the 250 acres.

18 I first hunted on the property when I was about 16 or 17 years old, and began  
19 working for the family's logging operation when I was 18. I helped construct the

1 access roads and install the lines and taps for the sugaring operation. The  
2 sugaring business requires forestry management that includes eliminating  
3 nuisance trees, an activity that I both oversee and participate in. I have an  
4 intimate familiarity and knowledge of the property having worked, hunted, and  
5 played there since I was a teenager.

6 Q4. Please describe the timeline for the installation of the meteorological tower.

7 A4. In 2010, while I was building and creating a 9 lot subdivision off Rocky Ridge  
8 Road, a subcontractor, Jim Harrison, suggested that the hill might be a good  
9 location for some type of wind power generation. At that time, I was not that  
10 familiar with wind energy or wind farm development, but I was interested in  
11 learning more. Jim referred me to a renewable energy development consulting  
12 company for a proposal to install a meteorological station to see what the wind  
13 was like on the top of the ridge.

14 In January 2011, I received the consulting company's proposal for the  
15 installation of a 40m tall meteorological (met) tower and data monitoring  
16 services. The met tower was delivered to the site later that month, but was not  
17 installed while I looked into whether a permit was required. I contacted the  
18 Swanton zoning administrator, Ron Kilburn, although I do not recall the exact  
19 date, and learned that no permit was necessary if the met tower was temporary.  
20 I was not aware that a certificate of public good might be needed for the met

1 tower if I did not have any specific plans for a wind farm. So after I checked with  
2 the zoning administrator, I gave the go ahead to install the met tower, which was  
3 done on January 20, 2012.

4 Q5. What notice did you give to your neighbors about putting the met tower up?

5 A5. I did not give any formal notification because I did not believe any notice was  
6 necessary. I am certain that my neighbors were aware of the installation. Until  
7 recently, I welcomed the residents of the Rocky Ridge development and others to  
8 hike and hunt on the land, walk their dogs, and enjoy the property as I had done  
9 over the years, provided they did not interfere with the commercial sugaring  
10 operations on the property. It is my understanding that the neighbors in the  
11 Rocky Ridge Road development and other people living in the area knew that  
12 the met tower was installed in 2012. I believe the Board and Department of  
13 Public Service already received information to that effect. The installation was  
14 never meant to be secret.

15 Q6. Please describe the met tower.

16 A6. The met tower was a 40-meter (132-foot) tall, 6-inch diameter tube on a metal  
17 plate with five guy wires anchored to the ground to keep it upright and in place.

18 Q7. How did you determine the appropriate location for the met tower?

1 A7. The location for the met tower installation was selected after discussions and a  
2 site visit with the consulting company assisting me with the installation. I  
3 understood that the location was good from a technical perspective to gather  
4 meteorological data, and I knew from my familiarity with the land that the  
5 location was outside of sensitive areas on the ridge, such as wetlands and  
6 streams. The location was also selected because it did not interfere with the  
7 sugaring facilities on the property.

8 Q8. Was the met tower installed for the purpose of determining the suitability of the  
9 site for a grid-connected wind project?

10 A8. No. I installed the tower to see what the wind was like on the ridge. As I said, at  
11 the time I looked into installing the met tower, I had no specific plans or project  
12 in mind. I had heard about net metering and I was aware that Jim Harrison was  
13 exploring wind for his Georgia Mountain property. But as I said, I wasn't really  
14 familiar with wind energy development and only started learning more about it  
15 after Jim suggested that I talk to the consulting company to see what the wind  
16 was like on my property.

17 I had already explored renewable energy in the context of a family business,  
18 Sticks & Stuff, and my construction company, Rocky Ridge Construction.  
19 Around 2006, a former business partner and I started making biodiesel from the  
20 waste fryer oil that local restaurants were dumping into landfills. The trucks and

1 equipment used at Sticks & Stuff, and my Rocky Ridge Construction fleet, are  
2 fueled with biodiesel. I believe strongly that climate change is the major threat to  
3 the future of Vermont and the planet and I wanted my businesses to operate in a  
4 way that would limit our greenhouse gas emissions where possible. That's why I  
5 had my attorney include in the Rocky Ridge Road subdivision declaration a 25-  
6 year reservation of rights to develop the remaining property for a wind farm,  
7 and an additional 50 units of housing (e.g., single-family homes and  
8 townhouses), a commercial logging operation, and a quarry. Maybe someday I  
9 could put wind turbines up to power the housing development and be part of  
10 the solution to reducing our fossil fuel use in Vermont.

11 Q9. What work was required to install the met tower?

12 A9. Installation required us to cut a limited number of trees to make room for 5 guy  
13 wires that support the tower. Cutting did not involve ground disturbance as we  
14 left the stumps in place. The tower was assembled on the ground and attached to  
15 a metal plate. The plate functions as a foundation and sits on the surface of the  
16 ground. Once assembled, the tower was raised using a battery-powered wench  
17 hooked to a gin pole that is attached to the tower. After the tower was raised, the  
18 guy wires were anchored in place using screw-in guy anchors.

19 Q10. What excavation, grading, or other ground disturbance was required for  
20 installation?

1 A10. The met tower installation did not require or involve any excavation, grading, or  
2 ground disturbance, except for the small disturbance from screwing in the guy  
3 anchors.

4 Q11. What type of equipment was used to assemble and raise the met tower?

5 A11. The met tower assembly required manpower and hand tools, and raising it  
6 required a battery-powered wench and gin pole. No construction vehicles or  
7 heavy equipment were required for the installation.

8 Q12. Were any new roads constructed to facilitate the installation?

9 A12. No. The existing logging roads and other roads used for our sugaring operations  
10 were used to access the location for the met tower installation.

11 Q13. Were any improvements to the existing roads required for the met tower  
12 installation?

13 A13. No. None of the existing roads on the property were improved for the met tower  
14 installation.

15 Q14. Was a fence or other barrier to wildlife movement installed around the met  
16 tower?

17 A14. No. There was no barrier erected to interfere with wildlife movement.

18 Q15. What type of power source did the met tower need?

1 A15. The met tower itself did not need a power source, but some of the measurement  
2 and communications devices attached to the tower were powered by solar. There  
3 was no need for any utility services during the installation or operation of the  
4 tower.

5 Q16. How visible was the met tower after it was installed?

6 A16. The tower was only six inches in diameter and a dull steel color, which meant  
7 that it was very hard to see unless you knew where to look or were on top of the  
8 ridge nearby the tower. The tower could become invisible against the sky. After  
9 the tower was installed, I did not receive any complaints about how it looked  
10 from anyone, including the town, neighbors, or folks with property around  
11 Fairfield Pond.

12 Q17. What type of sound did the met tower and attachments make?

13 A17. The met tower was a passive facility so it did not make any sound. If the devices  
14 attached to the tower emitted sounds, they were not audible.

15 Q18. What, if any, oil, solvents, or hazardous substances were involved with the  
16 installation and operation of the met tower?

17 A18. None. The met tower's installation and operation did not require the use or  
18 storage of oil, solvents, or other hazardous substances.

1 Q19. What type of wastewater facilities were required for the installation and  
2 operation of the met tower?

3 A19. None. The tower was a passive facility and monitored remotely. It did not  
4 require the installation of any ancillary buildings or facilities that might be  
5 required if the tower were manned.

6 Q20. How much water was required for installation and operation of the met tower?

7 A20. None. The met tower's installation and operation did not require the use of  
8 water.

9 Q21. How was the met tower transported to the site?

10 A21. The met tower fits into a large pick-up truck when disassembled and did not  
11 require any special transportation vehicles or equipment to be delivered to the  
12 site. A picture of the disassembled tower is attached. See Exhibit TB-2, page 5.

13 Q22. Based on your familiarity with the property and met tower installation, your  
14 experience as a logger, excavator and construction contractor, what impact did  
15 the met tower have on your land and environment immediately surrounding it?

16 A22. In my opinion, the met tower did not really impact the land or the environment. I  
17 had it installed in a location that I believed, from my experience and knowledge  
18 of the land, would not interfere with our other activities and would not  
19 negatively impact the land. The met tower installation did not disturb the forest

1 floor or require new roads, buildings, or ancillary facilities like power poles or  
2 telephone cables. Overall, the met tower was a low-impact and minor addition to  
3 the property when looked at in the context of the working landscape that makes  
4 up a big part of Rocky Ridge.

5 Q23. When and how was the tower removed?

6 A23. The tower was removed in early August. The first thing that had to be done was  
7 brush hog the area around the tower and guy wires to make them accessible. It  
8 was the middle of the Vermont growing season and vegetation had regrown  
9 underneath the tower and guys over the time it had been up. The tower was  
10 taken down in a manner similar to its installation. A wench was used to loosen  
11 the wires so the tower could be lowered to the ground. After it was on the  
12 ground, the tower was disassembled, packed into a trailer, and moved off the  
13 hill.

14 Q24. How did you come to understand that Public Service Board approval may have  
15 been necessary before you installed the met tower?

16 A24. In late January this year. After meeting with an attorney who has experience  
17 with the Public Service Board, it was brought to my attention that I may have  
18 needed a certificate of public good before I installed the met tower even though  
19 in 2012, I could not describe what type of wind turbine I would put up if the

1           meteorological data showed that there was enough wind to start looking into a  
2           project.

3   Q25. What would you do differently?

4   A25. I would have consulted an attorney with experience in this area in addition to  
5       hiring the consulting company. Had I known in 2012 that I might have needed to  
6       submit something to the Board to get approval to put the met tower up, I would  
7       have done it without hesitation. There is no benefit to me or to the wind project  
8       that I am now developing to avoid permit requirements or legal obligations. In  
9       fact, this investigation only makes it more difficult for me to focus on the project  
10      and my business, Rocky Ridge Construction, not to mention my family.

11     I am an entrepreneur and I am willing to take risks to turn an idea into a  
12    business. But I am not stupid, and I do not take stupid risks to make a buck. I  
13    have never tried to hide the fact that I was installing a met tower. I told the town  
14    zoning administrator about my plan so I could find out if a permit was required  
15    before I went forward with the installation. I did not try to disguise the met  
16    tower or screen it from the public or my neighbors after it was installed. I have  
17    also been completely transparent about the possibility of some form of wind  
18    project on Rocky Ridge. It was included in the recorded declaration that  
19    established the Rocky Ridge Road housing development, and the buyers of each

1       one of the 9 lots were made aware of the declaration's reservations before they  
2       closed on their property.

3   Q26. What financial benefit did you derive from installing the met tower without  
4       Public Service Board approval?

5   A26. I don't think I have received any financial benefit from installing the met tower  
6       without Board approval. I have nearly one-half million dollars invested so far in  
7       developing the Swanton Wind Project. I would not have blinked at spending a  
8       fraction of that sum to get approval before installing the met tower. The time and  
9       expense of the approval process would have been preferable to this  
10      investigation, which involves attorney's fees, risk of financial penalties in an  
11      amount over which I have no control, and a black mark on my compliance record  
12      before the Board, the body that will decide whether to grant my application for a  
13      certificate of public good for the Swanton Wind Project. The financial and  
14      reputational cost of a penalty investigation is the type of stupid risk taking that I  
15      avoid.

16   Q27. How will the meteorological data collected from the met tower be used to design  
17       and finance the Swanton Wind Project?

18   A27. It is my understanding that the data from the tower is not sufficient to design  
19       and finance a commercial wind project like Swanton Wind. Additional data is

1           necessary for those purposes and is collected using other methods that do not  
2           require a met tower.

3   Q28. What is your record of compliance at the Board?

4   A28. This is my first experience before the Public Service Board. I responded to the  
5       Department's request for information immediately by asking counsel to assist the  
6       Department's investigation. I understand the importance of complying with the  
7       Board's orders, as well the rules and statutes that fall within the Board's  
8       responsibility.

9   Q29. What else would you like to tell the Board?

10   A29. This proceeding is embarrassing to me. I never intended to violate the law, avoid  
11       the Board's jurisdiction, or hide information from the town or my neighbors  
12       about the potential future of Rocky Ridge.

13   Q30. Does this conclude your testimony?

14   A30. Yes, thank you.

Prefiled Testimony and Exhibits of Travis Belisle  
Docket No. 8561  
September 14, 2015  
Page 13 of 13

1

2 I, Travis Belisle, hereby state the information contained in my Pefiled  
3 Testimony and Exhibits is true and accurate to the best of my personal  
4 knowledge, information and belief.

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6

7



Travis Belisle

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STATE OF VERMONT  
COUNTY OF FRANKLIN, SS.

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On this 14<sup>th</sup> day of September, personally appeared Travis Belisle, and he swore  
to the truth of the foregoing statements.

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Before me,



Ashley Belisle

Notary Public

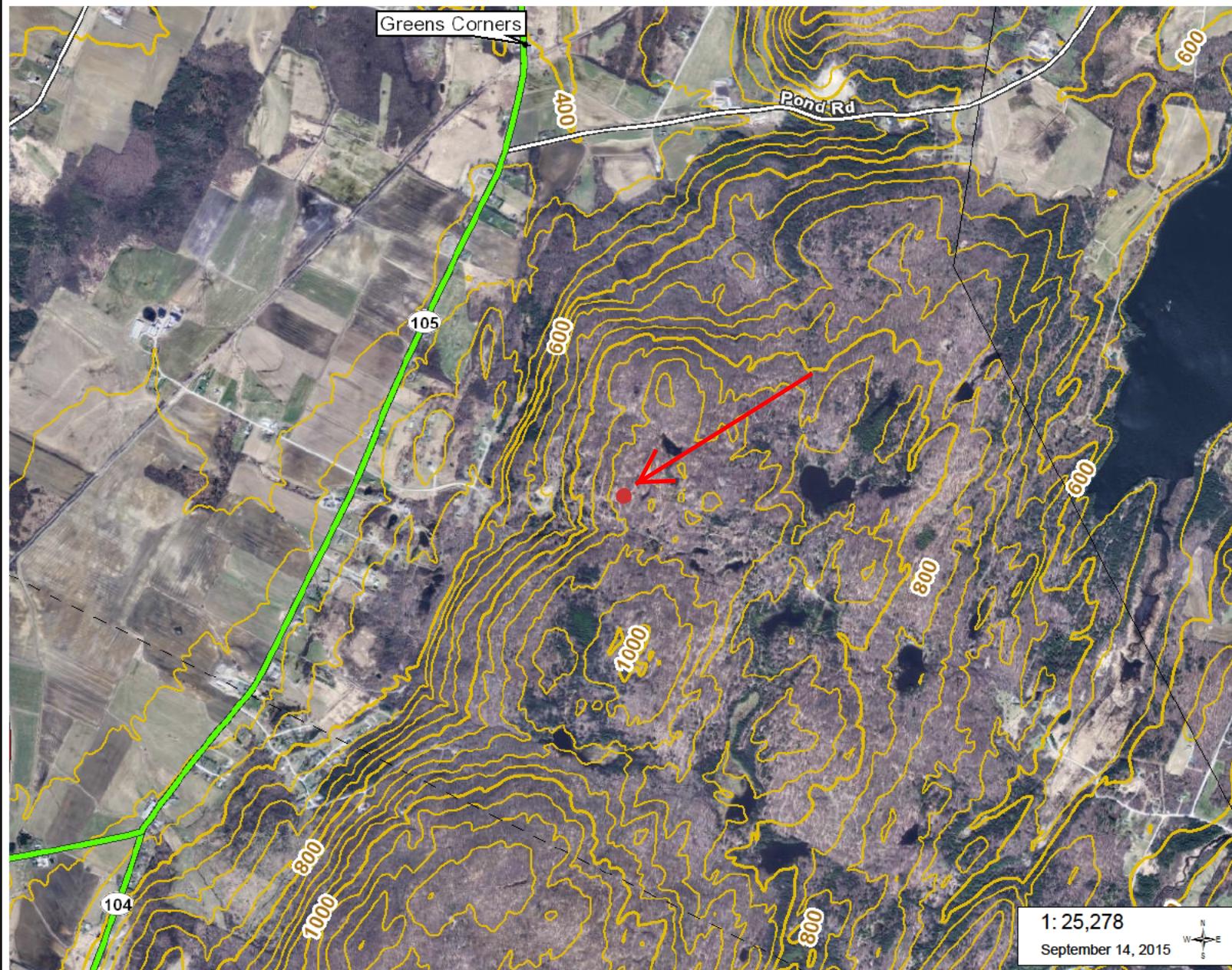
Printed Name: Ashley Belisle

My commission expires: 2/10/2019



# Location Map

Vermont Center for Geographic Information

[vermont.gov](http://vermont.gov)


0.80      0      0.40      0.80 Miles

WGS\_1984/Web\_Mercator\_Auxiliary\_Sphere  
 © Vermont Center For Geographic Information

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**DISCLAIMER:** This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. VCGI and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.



## LEGEND

- ✈ Airports
- ▲ Mountains and Hills
- ▬ US Highways
- ▬ State Highways
- ▬ Roads - Public (VTrans)
  - ▬ Interstate Highway
  - ▬ US Highway
  - ▬ State Highway
  - ▬ Local Road
  - - - Other
- ▬ Roads - Private (E911)
- ▬ Rail Lines
- ▬ Town Boundaries
- ▬ County Boundaries
- ▬ 200-40 ft contours
  - ▬ 200 ft
  - ▬ 40 ft



## NOTES

APPROXIMATE LOCATION OF MET TOWER INSTALLATION

**Met Tower Installation January 20, 2012**



### Example of roads used for access



**Met Tower July 2015**



## Tower Removal August 2015



## Met Tower Disassembled

