

Town of Fort Fairfield  
Wind Energy Technical Review Committee  
Council Chambers  
Monday, December 29, 2014  
6:00 P.M.

\* Amended 1/12/15 (VI Other)

Members: Dick Langley, Jim Everett, Carl Young, Todd Maynard, Barbara Hayslett, John Herold,  
Heather Cassidy, Michael Bosse, Tim Goff and Phil Christensen

Excused: David McCrea

Also Present: Tony Levesque

Citizens: 3 including media

I. Call to Order – Richard Langley, Esq. – Committee Chair

II. Review/Acceptance of Minutes of December 1, 2014

Motion: Phil Christensen moved to approve Minutes of December 1, 2014 which included Carl's amendments.

Second: Heather Cassidy

Vote – All affirmative

III. Old Business –

A. Housekeeping regarding adoption of Montville Ordinance as template –

Tim – I was asked to clarify because the committee had moved to adopt the Montville Ordinance as the template and then the decision was made to start with a blank sheet. We had not done the actual procedural move to not adopt that as a template in the form of a motion.

Carl moved that we no longer use the Montville Ordinance as the committee's template but rather use it and other wind ordinances as references.

Second: Phil Christensen

Vote – All affirmative

B. Discussion - Impressions from Mars Hill Wind Energy Facility site visit – It was decided to table this discussion until all members have visited the site.

IV. New Business

A. Review/Discussion of Wind Energy Development Ordinance sample definitions-

Dick – Tim did a good job putting together the list of definitions using the four different ordinances. Maybe we could run down through this list and indicate which definition we want to see in our ordinance. Doing it with recognition that everything is subject to amendment.

Mike – suggested why would we define a term that may not be in our ordinance. Wouldn't we establish the ordinance, go through all the rules and regulations and then go through that ordinance pull up the terms that we feel needs an explanation and define

them at that time? I realize that at the last meeting that was our homework assignment and that is what everyone is prepared to do at this time. But it seems to me that we are going to define a bunch of terms that may not even appear in our ordinance. I think we skip definitions and go back to that methodology and go through that process until we get to the end.

Carl – I concur with Mikes suggestion, I think doing the definitions first is definitely putting the cart before the horse. It was kind of building the knowledge base, we should be able to take this knowledge and hold on to it. Press on with putting together this ordinance and move forward with that process.

Todd- I think we have a work in progress here with the definitions now. If we utilize what we have, add or subtract, I think we can still move forward. I agree with Dick if we keep getting into these terms, it's going to take hours.

Dick- That's what I am trying to figure out, where are we going from here, if we skip definitions. Lets take the States model section 8, start working with that.

Carl – I have prepared a road map, there are technical requirements, functional requirements, performance requirements, operational requirements. There are all kinds of things like that, that need to be taken care of. I don't know that they necessarily follow any of the various models. I find it hard to imagine how we can build an ordinance that will take care of all the things that it needs to cover without first identifying the stakeholders. In this document I listed the applicant, the Town of Fort Fairfield, both from a municipality stand point and the planning boards stand point. Because there are things that have to be put in the ordinance that the planning board is going to need. We need to know if they are a participant or non-participant, the various jurisdictions, such as the heliport, the border patrol, and the radar site. When you start identifying the stakeholders and start gathering information about the requirements then you can start doing the ordinance that covers all those various needs of the stakeholder. What I did, I actually starting looking at the material that the gentleman passed out at our last meeting and started thinking about the heliport and the radar facility. I started contacting people, the border patrol; they referred me onto the flight standards people in Portland, then onto the FAA. What I came across is, as a for instance, was the FAA has a web site where any applicants that are going to put up a tower, they have to put in the longitude and latitude of that specific tower. It comes back and tells them whether or not FAA has an issue. I took the various locations that were on that map and sure enough it came back and it said that the FAA has a problem with it. I spoke with someone with FAA and asked why, she said because the towers are up on the hill where the radar facility is and they will start putting out false impressions on that radar. This radar system is also used by the defense department, the homeland security and low flying air craft. So I did some more research, found a laboratory report where they conducted three separate tests of wind farms to see whether or not the radar facilities could in fact see aircraft flying over or around these wind farms. It was found that these areas are going to be blind spots for homeland security. So when FAA does these case studies they put out a letter, it says they have no objection or they do object. It has no enforcement authority what so ever, the applicant can still go ahead and build. The FAA relies upon the municipality and their zoning ordinance to take care of that for

them. So, does that mean in our ordinance we need to say from a planning board perspective that we need to see every letter for every wind tower that is built in Fort Fairfield. Or from a site planning review perspective does that mean that in order to help the FAA and homeland security, do we have to then say also and oh by the way if there is an objection letter on any given tower you can't build that tower? I don't know, by my point here is until we identify the stakeholder, contact them, find out what their requirements are, what their needs are. I don't know how we can build an ordinance that is comprehensive and covers all the things that need to be covered. One other thing, turbines create a lot of turbulence down wind, this is a farming community. Maine has some titles, title 9 chapter 6 & 2 that speak about agriculture and the protection there of. If you have these wind turbines up can this farm land be used anymore? How do these wind turbines impact the lively hood of people here in Fort Fairfield and these farm operations? It's those kinds of things that when I start listing all of the unique things, like Farm Park, the border patrol, the ATV trails, does the planning board need to have letters from all the abutting people that says that the ATV trail can still be there. We have to consider ice throw in order to protect the snowmobilers. That's where I was coming from, I don't know how we are supposed to start down the path even if we take the State model and develop an ordinance if we first haven't identified all these stakeholders, contact them and find out these things.

Mike – What you are suggesting is an insurmountable task, I can't image that we as a committee learn all the rules and regulations of FAA, to build a safety net for the FAA as it pertains to our ordinance.

Dick – My recommendation is to put a rough ordinance together knowing full well that it is going to have to be amended. Just as we are going to do with the definitions we will have a document in front of us, a working draft. Then we can go through it and discuss Carl's concerns one at a time and decide then whether or not we need to amend it.

Todd - One of the reasons why we are here tonight is, I think, was the community reaching out for more than what the State was offering. I think that, as the Town of Fort Fairfield, we have the opportunity to make something that works for the Town. I agree with Carl there is a lot of information out there. Sometimes you can get lost in it. But maybe if we looked at them at the same time, keep your information in check, I think we can still move forward. We have to remember we are here because the community has asked.

B. List of Topics to be Researched in advance of next meeting-

Tony – So the evening isn't wasted with discussion and debate, I think we can at least attack 8 & 9 in the State's draft, which is the classification of wind turbines. The group went on to discuss the different classifications of turbines, which are listed in the States draft in section 8 & 9 and in the Montville ordinance section 9 & 10. Dick assigned Mike, Tony and Tim to work on blending these two ordinance classifications into a chart for the next meeting.

V. Public Comment Period – NONE

VI. Other – Mike asked that the minutes be amended to reflect the following:

Mike asked the question to the group, “ If they would like him explore the option to have someone come in to give us instruction on what sound and noise is.” The census was that we would pursue that. The other question was with the cost associated with doing that, would we put together a budget and then I would present it to the Council?

VII. .

Next meeting scheduled for January 12<sup>th</sup> at 6:00PM – Council Chambers

Motion: Phil Christensen moved to adjourn at 7:55 PM

Second: Todd Maynard

Vote – All affirmative

Respectfully submitted,

Rebecca J. Hersey  
Secretary Pro-Tem