

**W. T. PLANNING BOARD MEETING, JANUARY 12, 2009, 7:30 P.M.**

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

**ABSENT:** Eileen Maley

**ALSO PRESENT FOR ALL OR PART OF THE MEETING:** Sandy Shapiro, Gary Harcourt, Kent Healy, Bob Potts, Ernie Mendenhall, Peter Rodegast, Simone DeSorcy

**MINUTES**

Minutes of the 12/22/08 and 1/05/09 meetings were approved as written.

**CORRESPONDENCE**

**In:** ZBA re. Yoga Barn

**Out:** Personnel Board re. Job Description;  
Personnel Board re. Vacation Carryover;  
Gary Harcourt re. Wind Turbine Fieldtrip

**Public Hearing: Wind Turbine Zoning Bylaw; Amendment to Swimming Pools**

**Bylaw:** David read the hearing notice and opened the public hearing. He gave an overview of the bylaw.

Peter Rodegast said that Section 8.9-1 should say “promote” the use of wind power, not “provide for.” David said he wasn’t sure a zoning bylaw should promote, but to explain how wind power would be allowed.

Re. Section 8.9-3, Ernie Mendenhall said it was correct that the use require a special permit and the ZBA was the right Board to review the application.

Re. expanded notification, Kent Healy asked whether members realized that 1,000 feet surrounding the subject property would be 72 acres. David said it was good for the neighbors to know what was being proposed. Gary Harcourt said that the more people notified the better.

Re. setbacks, it was decided that “engineered fall zone” should be replaced by “overall height.”

Kent Healy said that he disagreed with Section F; he said lattice towers are preferable to monopoles. Ginny suggested adding “visually” preferable.

Kent Healy said that section G. should state the MA noise regulations; David said he thought the reference to the regulations was adequate. Gary Harcourt said that all these requirements would wipe out the small turbines by adding extra costs for engineers, etc. Susan noted that the MVC would now be reviewing them, so the same information could be provided to the Town. Ernie Mendenhall said he thought it was more fair to ask an applicant to spend money up front for noise testing. Gary Harcourt said the language should allow the noise analysis to be prepared by a qualified independent testing entity; Board members agreed.

Re. shadow/flicker impacts, David noted that these could be brief, temporary impacts. Gary Harcourt said it changes throughout the day as the sun moves. Kent Healy said the impacts are impossible to prove. Ernie Mendenhall said that it could be hard on some people with medical disorders. Leah said people suffering from migraines and seizures could be impacted. Gary Harcourt said that larger blades create more flicker problems.

Restricting access was discussed. Kent Healy said that the property owner has the responsibility to prevent an attractive nuisance. Board members agreed it should apply to all towers. The following language was agreed upon: "All WECS shall be designed to be protected from unauthorized access and/or climbing."

Section N. prohibits WECS in the Roads and Coastal Districts; David noted that they wouldn't be allowed in the Roads District anyway. Kent Healy noted that the Coastal District is large, with a good wind source. There was a discussion that turbines would be very visible within the Coastal District. Kent Healy said that wind turbines are visible and people just need to accept it. Ginny suggested prohibiting them within the Shore Zone of the Coastal District; Board members agreed.

In Section 8.9-6, Gary Harcourt said that if a turbine is deemed abandoned, the language needs to provide the ability for the owner to repair it. Board members agreed, and added language.

Board members reviewed the proposed language to be added to the swimming pool section: "In order to minimize noise impacts on neighbors, associated noise-producing pool equipment shall be located as far as possible from abutting properties, and at least the minimum required setback." Ernie Mendenhall said that such equipment should be closer to the owner's home than the abutters' property.

Ginny made a motion to forward the above zoning bylaw amendments to the Selectmen and to request that they appear on the warrant for the annual town meeting; all in favor.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,  
Simone DeSorcy, administrator

**Approved 02/09/09**