

Town of Enfield  
Special Town Board Meeting Minutes  
Enfield Community Building  
Wednesday, March 16, 2016  
7:00 p.m.

Present: Town Supervisor Ann Rider, Town Councilperson Virginia Bryant, Town Councilperson Mike Carpenter, Town Councilperson Henry Hansteen, Town Councilperson Michael Miles, Town Clerk Alice Linton.

Supervisor Rider opened the special town board meeting at 7:00 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

**Audit Claims:** Councilperson Carpenter moved, with a second by Councilperson Bryant to authorize the supervisor to pay General Fund Voucher #62 dated March 16, 2016 in the amount of \$615.42.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Hansteen aye, Councilperson Miles aye, Supervisor Rider aye. Carried

**Board Discussion on the Draft Supplemental Environmental Impact Statement (DSEIS) of the Modified Black Oak Wind Farm Project**

Councilperson Miles reported that the Wind Farm Committee met on March 15 and discussed what their involvement should be. They decided to divide into sub-groups and divide the issues between the groups. Each group will come up with a report in order to provide advice for the town board. They will summarize and advise the town board of their conclusions. The committee will work on this aggressively as time is limited.

Councilperson Carpenter hopes to figure out the timing to meet the board's needs, and wonders how information should be formatted.

Supervisor Rider stated the applicant has submitted their DSEIS and the town board has accepted it. The document was distributed to all interested and involved agencies, a 30-day public comment period has commenced and the town board will hold a public hearing on March 28. After the public comment period ends on April 12, LaBella on behalf of the town board, will prepare a Final Supplemental Environmental Impact Statement. Once the board accepts this document, they will issue an amended findings statement and will issue permits. Every comment made during the 30-day comment period will be recorded and addressed in the final statement.

Councilperson Carpenter questioned how LaBella, the town's engineer for this project, will know how to answer all the questions. He wonders how LaBella will address conflict resolution procedures. He does not feel Appendix U of the Final Environmental Impact Statement is adequate.

Councilperson Hansteen stated he shares Councilperson Carpenter's concerns about mitigation procedures and does not feel they are adequate.

Councilperson Carpenter asked if LaBella is answering questions, what basis do they have for questions that are Black Oak Wind Farm specific. There may be questions that would require the wind farm to define something more clearly or change something. He asked if the town board wants to be part of the process, or do they want to wait for LaBella to do the work first. If LaBella doesn't

deal with issues as the town board would like, can they be addressed. As long as the comments made have meaning and significance, the board should be able to go back for more information before approving the final document. If the town board is part of the process, they shouldn't have to go back to LaBella too often. He questioned if the town board would like to address comments as a whole or individually.

Supervisor Rider stated the Wind Farm Advisory Committee can provide comments, and the board members can express concerns individually.

Councilperson Miles stated the Wind Farm Advisory Committee will provide reports, but will only provide executive summaries and recommendations - these will not include details. This information will go directly to the town board, not LaBella. He stated if the town board finds a negative finding, they will need supporting information. He questioned if the town board could extend the time for comments beyond 30 days. That would give the committee more time to work on their reports since this is a complex document. If another special town board meeting is held on April 6, there would be time for 3 more committee meetings.

Supervisor Rider will check with Frank Pavia of Harris Beach to see if the comment period can be extended. She is not in favor of extending the comment period. She asked the wind farm committee to submit their comments on paper, and also town board members should write their concerns on paper.

Councilperson Carpenter asked how comments could be submitted as a board. Write concise statement of issues? Look at committee conclusions, change if wanted, and submit as comments from the board - or leave as a separate document and make individual comments.

Supervisor Rider feels it would be simpler for individual board members to write their concerns. Councilperson Miles feels it is the intent of the committee to provide the best information they can get.

Councilperson Hansteen stated he really appreciates the work of the committee - he has learned a lot from attending some of their meetings. He believes there are matters of cause and correlation - there are direct correlations, but the direct cause can't be proven. Correlation is enough for him. He is skeptical of bias in research, but puts weight on what has happened to real people.

Councilperson Bryant stated she has been involved from the start and has read previous concerns. She feels they are similar now. Sound and setbacks have been looked at and just changing locations of turbines isn't an excuse - the town has a law. She hasn't formed an opinion yet and wants to do more research. She is all for this kind of clean energy.

Supervisor Rider stated she has been mindful of the project since its inception. She saw a scale model 12 years ago and is mindful this project was approved by the town board as final 14 months ago and the project chose to enter into modifications, but not too much has changed. She is looking at the bigger picture. The board cannot please everyone all the time. The project has been mindful of safety concerns all along - some new, some old.

Councilperson Miles stated a lot of new information has become available since the project began. He is supportive of alternative energy, but is aware there is a lot more information available just in the last few months. He doesn't want to stop wind farms, but he wants them to be safe and be sure the town is using due diligence. He is looking at ice throw, and some of the modeling done of a

similar turbine was shown to throw ice 1,500 feet. Also some braking systems are not reliable, depending on how evenly the ice is distributed across the blades.

Supervisor Rider asked if the hub rotated. Councilperson Miles stated it rotates 360 degrees.

Councilperson Hansteen asked if there were any recorded lists of blade failures. He also asked if there were similar turbines within the same distance of residences that these are planned for. Councilperson Miles hopes to obtain information where blade failure is documented.

Supervisor Rider stated anyone with property lines within 500' of a turbine should receive notice of the public hearing to be held March 28. She feels it would be ok to have a sign outside the town hall notifying the public of the public hearing.

Councilperson Carpenter mentioned that the Town of Newfield is considering a moratorium on wind farms. Councilperson Miles suggested that there are two Black Oak Wind Farm turbines to be moved, with three possible sites, so a moratorium in Newfield would not be a problem for the Black Oak Wind Farm.

Supervisor Rider has re-read the letter from Don Barber she received in February and agrees with him that the board should keep in contact with our town attorney. The board could ask legal counsel to negotiate for more mitigation measures. That option is also available in the findings statement.

Councilperson Carpenter stated the president of Black Oak Wind Farm indicated that they could not negotiate from a position of give and take. They would have to be forced to, or required to, by an outside agency. He spoke with Guy Krogh, town attorney, to see what the town could legally do or not do. Only certain kinds of new requirements can be considered. Economic considerations can't be taken into account. Substantive health and safety issues can be addressed. They can be very specific to an individual and difficult to mitigate.

Councilperson Hansteen feels this is a tough situation. It's not fair to put new unrealistic expectations on the wind farm, and not fair to put residents at risk.

Supervisor Rider asked for three health and safety concerns. Councilperson Miles listed noise and sound (infrasound); failure of blades, ice throw, lightening and fire; flicker and shadow. Councilperson Carpenter stated the new turbines proposed don't have sound levels released yet.

**Next Meeting:** Another working meeting was set for April 6, 2016 at 7:00 p.m. at the Enfield Community Building.

**Adjournment:** Councilperson Bryant moved, with a second by Councilperson Carpenter to adjourn at 8:52 p.m.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Hansteen aye, Councilperson Miles aye, Supervisor Rider aye. Carried

Respectfully submitted,

Alice Linton, Enfield Town Clerk