

## **East Haddam Conservation Commission**

December 15, 2012

Adopted January 8, 2013

### 1. Call to Order

The Special Meeting of the East Haddam Conservation Commission was held on Saturday, December 15, 2012, at 4:05 PM at the Matthew's Red Barn on Creek Row. The Chairperson being in the Chair and the Secretary being Present.

#### a. Roll Call

Cynthia Matthew, Rob Smith, TJ Tarbox, Todd Gelston, Charlotte Gelston, Sue Merrow – arrived 4:20pm. Others present: John Matthew

### 2. Proposed wind turbine regulation changes within the State of CT

There is an existing wind turbine regulation from around 2010, and there is a modification being proposed to it. The modification is now under review by the Legislative Regulation Review Committee. There are a number of little things that are being added. The biggest section with changes is section 6, and it is a new section. It references that the Siting Council is able to waive several requirements. The new section, which was not marked as new when proposed, only has the requirement to gain approval from the abutting land owners. Only if the turbine is over 65MW does it require regulation review.

Upon review of the Committee, the Committee rejected it without prejudice on Dec. 6. This type of rejection makes it possible for the regulation to be resubmitted. The proposed regulation changes have been provided to the Siting Council to be redrawn. The redrawn regulation change is now before the Legislative Regulation Review Committee. There is an opportunity to send a letter to this Committee with comments. The regulations as written provide quite a bit leeway for placement of wind turbines with little to no input from residents.

The Siting Council, separate from the Legislative Regulation Review Committee, has brought new regulations back to the Legislative Regulation Review Committee for review at the meeting on Dec. 18. It is very rare for the Siting Council to reject proposals that are placed before them.

Ms. Matthew suggested that the CC has several options for recommendation: 1) the CC could oppose these changes and recommend the regulation be implemented strictly from an environmental perspective, 2) the CC can recommend that each Town's public bodies (P&Z, IWWC, CC, etc.) be involved in any waiver that is provided by the Siting Council.

Mr. Gelston talked with a representative from Fair Wind CT. Fair Wind CT has been engaged in wind power cases over the last few years. The group has testified regarding the siting and appropriateness of the use of wind power. The testimony has been ignored by legislators. Mr. Gelston noted that wind power does not make much economic sense given that there is not stable wind across the state. In addition, from a rural character perspective, wind turbines will dwarf barns and structures. Mr. Gelston noted that it would be wise to look at the regulations in existence in areas that have had wind turbines for 10-15 years. Wind turbines may be a good thing, but without good regulations, they will be problematic for years to come.

Mr. Tarbox suggested the CC send a letter recommending the Regulation Review Committee deny all waivers outlined in the regulations. Mr. Gelston noted that the existing regulations are most likely inadequate. Mr. Gelston suggested stating that the CC has reviewed the existing regulations, reviewed the proposed changes and found both to be inadequate and that the CC would appreciate the

opportunity to discuss these regulations with the committee and make suggestion. Ms. Matthew suggested sending a letter suggesting a change in process and request that the regulations be more thoroughly developed using existing bodies like the CC. For the short term, if a decision were to be made shortly, the CC recommends a rejection of the proposed regulation change. Mr. Smith suggested sending a general letter asking for clarification around what is being addressed and why it is being addressed. Mr. Smith then proposed sending a letter to the Legislative Regulation Review Committee denoting the CC's support of the Legislative Commissions Office recommendation to deny the proposed regulation

Motion by Mr. Smith to send a letter to the Legislative Regulation Review Committee denoting the CC's support of the Legislative Commissions Office recommendation to deny the proposed wind turbine regulation changes, further the CC is asking the LRRC to reply to the letter explaining the problem that they are trying to solve with the changes to these regulations, second by Mr. Tarbox, Mr. Gelston asked the letter be copied to the First Selectmen's Office and that Mr. Smith and Ms. Matthew let the First Selectmen's Office know that this letter is being sent, Ms. Merrow asked that a statement be added to the letter explaining why this is within the purview of the CC which is in regards to the potential environmental downside risks, unanimously approved.

### 3. Adjournment

Motion by Mr. Smith to adjourn at 5:30 pm, second by Ms. Gelston, unanimously approved.

Respectfully submitted,

Shannon A. Goyette  
Recording Secretary