

TOWN COUNCIL • TOWN OF PROSPECT, CT 06712-1699
36 CENTER STREET (203) 758-4461

RESOLUTION OF THE PROSPECT TOWN COUNCIL
REGARDING WIND TURBINE PROJECTS

WHEREAS, the Town Council of Prospect, Connecticut supports and encourages renewable energy projects and acknowledges their importance to mankind's future; and

WHEREAS, a wind turbine project proposal has been submitted to the Connecticut Siting Council for a declaratory ruling to allow its construction and operation in the Town of Prospect; and

WHEREAS, such a project will have a significant impact on the Town and its residents and may set precedent for other similar projects in the State of Connecticut; and

WHEREAS, the Town Council recognizes its responsibility to safeguard the health, welfare, safety, quality of life, and economic stability of the Town and its residents; and

WHEREAS, the Prospect Town Council supports the active involvement of Prospect's land use boards and local health boards in establishing regulations relating to wind energy projects; and

WHEREAS, the Prospect Town Council supports the Mayor of Prospect's appearance before the Connecticut Siting Council as the representative party for the Town of Prospect, and further, supports his appeal for said Council to consider all applicable information and confer maximum possible weight to the concerns of the residents of Prospect;

NOW, THEREFORE: The Prospect Town Council urges our state legislators to immediately submit legislation calling for a moratorium on wind turbine projects until such time as the State of Connecticut establishes statewide minimum standards relating to wind energy projects, including, but not limited to, setbacks, fall zones, safety zones, ice control, view sheds, sound limits, shadow flicker effects, bonding, decommissioning and site restoration.

RESOLVED, THIS 14TH DAY OF DECEMBER, 2010 BY THE UNDERSIGNED MEMBERS OF THE PROSPECT TOWN COUNCIL.

Thomas J. Galvin, Chairman

Stanley J. Pfiat, Vice-Chairman

Robert E. Doyon

Douglas B. Merriman

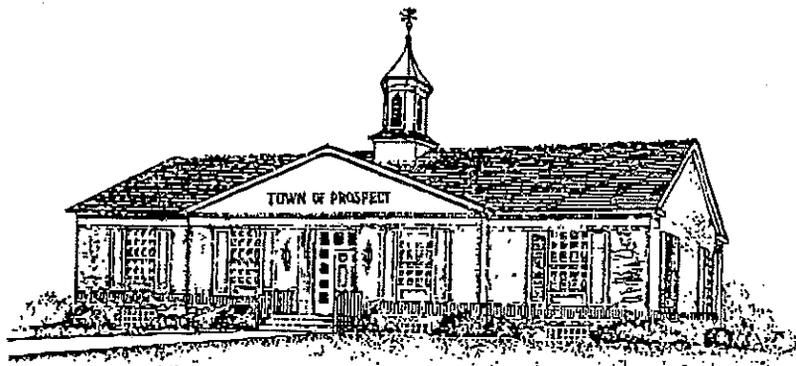
Patricia Sullivan Geary

Jeffrey B. Slapikas

Carl L. Graveline

Michael R. Scaviola

Theresa Cocchiola Graveline

**PROSPECT PLANNING & ZONING COMMISSION**

36 CENTER STREET
PROSPECT, CONNECTICUT 06712-1699

February 2, 2011

Linda Roberts
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

RE: Petition No. 980—BNE Energy, Inc. A petition for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road.

Dear Ms. Roberts:

The Prospect Planning & Zoning Commission has reviewed the Petition filing associated with the above noted Petition, and has heard comments from both BNE Energy and the public concerning this commercial wind turbine project. Prospect's Plan of Conservation & Development, Zoning and Subdivision Regulations provide our commission with guidance for the growth and beneficial development of our Town. This includes the desire to protect and conserve the existing character of Prospect and aid in maintaining neighborhood stability and property value. Our regulations also allow for new forms and types of development which may emerge in the future. Such new development would need to be of a standard that is safe, suitable, and of a character that is appropriate for the community. With this introduction, the Prospect Planning & Zoning Commission respectfully offers our comments on this Petition for your consideration:

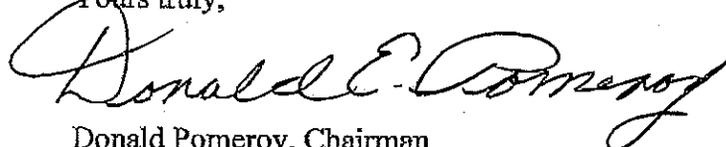
Section 16a-35k of the CT General Statutes clearly defines the State's policy on the development and utilization of renewable energy resources, such as solar and wind energy as essential to the preservation and enhancement of the health, safety and welfare of the people of the State. We agree with and support our State's energy policy. But Section 16a-35k also states in attaining the objectives of this policy that it be done in a manner that will not harm the environment, cause

risk of health or safety or result in other undesirable or unintended consequences. Undesirable or unintended risk to the health, safety and welfare of Prospect's residents resulting from the operation of commercial wind turbines is of great concern to the commission. We request the Siting Council in its discussions with BNE Energy require:

- 1) BNE Energy to provide expert testimony on the noise level of commercial turbines and what impact the operating noise of these 2 commercial wind turbines that will be placed nearby to a residential neighborhood will have on the quality of life, health and safety of the residents.
- 2) BNE Energy to provide expert testimony on potential safety issues of ice throw and mechanical failures involving the operation of 2 commercial wind turbines that will be located approximately 900-feet to a residential home and 1,200-feet to a major State highway (Route 69).
- 3) BNE Energy to provide expert testimony on the effect of neighboring residential real estate values that may result from the location and operation of these 2 commercial wind turbines, and also additional turbines at this same location if later approved.

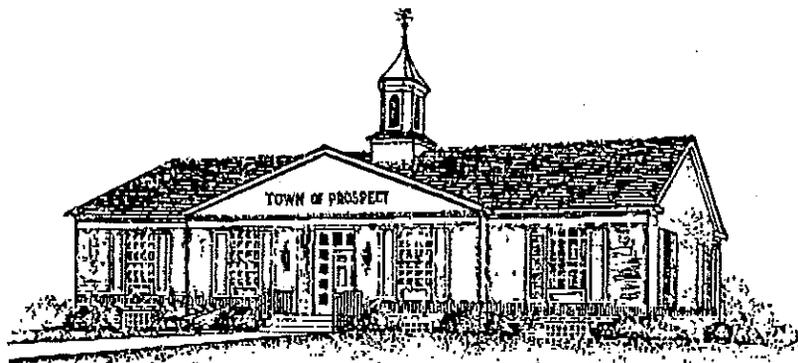
The Planning and Zoning Commission believes any commercial venture of this size and magnitude does not belong in a residential zone but rather, if allowed at all, should be located within a designated commercial or industrial-zoned section of a town or city. We would in conclusion express to the Siting Council our overall disappointment in the legislative body in passing energy policy legislation without first having any kind of guiding regulations or standards in place for the development, placement or utilization of renewable energy resource facilities.

Yours truly,



Donald Pomeroy, Chairman
Planning & Zoning Commission

pc: Mayor Robert Chatfield

**INLAND WETLANDS COMMISSION**

36 CENTER STREET
PROSPECT, CONNECTICUT 06712-1699

February 2, 2011

Linda Roberts
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Petition No. 980—BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut.

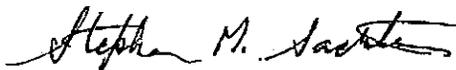
Dear Ms. Roberts:

The Prospect Inland Wetlands Commission has reviewed the Petition Filing associated with the above noted Petition. One 1.6 MW commercial wind turbine and proposed access way are located within 100-feet of a defined wetlands. A second 1.6 MW commercial wind turbine is located approximately 130-feet from a wetlands. All activity associated with this project is up-gradient of the wetlands as identified on the property by the applicant's soils scientist. The Inland Wetlands Commission requests the Siting Council consider our following comments when reviewing this application:

- 1) We are informing the Siting Council that this project is located within an active public water supply watershed of the Connecticut Water Company that includes the Long Hill Reservoir, an active public drinking water supply. Approximately 1,000-feet easterly of the proposed wind turbine project is an EPA Brownfield identified as the U.S. Cap, Inc, property, 214 New Haven Road. 214 New Haven Road is also located within the Long Hill Reservoir's watershed. EPA testing has determined that an underground plume of industrial contamination is located on this property. We have concerns that any blasting taking place at 178 New Haven Road associated with the installation of the two 1.6 MW turbines may affect the movement of this underground contamination by creating cracks or fissures in the bedrock resulting in

- the plume spreading outward and possibly into the ground water recharge of the Long Hill Reservoir. We request that BNE Energy provide testimony to the Siting Council on what impact, if any, BNE believes the installation of the commercial turbines at 178 New Haven Road would have on the movement of this identified contamination.
- 2) The locations of the 2 turbines are in close proximity and up-gradient of located wetlands on the property. These wetlands are identified as forested hillside seep wetlands draining westerly towards Long Hill Reservoir. The wetlands generally occur where topographical gradient decreases and groundwater breakout occurs. The proposed turbines will be placed on pads that will require excavation and possibly blasting. When completed, these pads will create a physical barrier below ground level that could prevent the up-hill ground water from draining into the wetlands and hence impact the wetlands. We request that BNE Energy provide testimony on the location of these buried pads relative to ground water movement and consequent impact on the affected wetlands. We suggest considering the installation of standpipes being installed in the ground to the bottom elevation of the proposed pads to monitor ground water movement before and after construction.
 - 3) We ask if this project is approved that our Inland Wetlands Agent be allowed reasonable access onto the property to inspect the project to ensure the wetlands are not being adversely impacted and that the site is properly stabilized when the project is completed. We request the Agent be provided with the names and contact information of those individuals responsible for the installation and maintenance of all erosion and sedimentation controls, and with the understanding that should our agent find these controls have been damaged due to storm events or construction activities or that additional control measures are necessary, his call would require an immediate response by these individuals to inspect the site and take whatever actions are necessary to protect the wetlands.
 - 4) We also request clarification on what agency (Siting Council or Inland Wetlands Commission) would have authority with activities that may occur on this property in addition to the activities described in BNE's Petition. Specifically, we understand that BNE Energy has indicated their desire to construct a structure or structures for educational purposes at a later date that would allow the public the opportunity to visit the site and learn about wind energy. This would likely require more designated parking areas that may involve additional drainage improvements not shown on the existing plans and possibly the installation of a septic system and well. We believe it would be beneficial to both BNE Energy and the Prospect Inland Wetlands Commission if the Council would clarify what would determine when future development or site improvements on the project site by BNE Energy remain under the jurisdiction of the Siting Council, and when local land use regulations would be applicable.

Yours truly,



Stephen Sackter, Chairman
Inland Wetlands Commission