



# TOWN OF GROTON

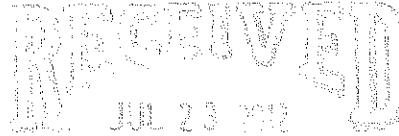
PLANNING AND DEVELOPMENT SERVICES

Planning Division

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July 12, 2012

State of Connecticut Siting Council  
CSC Wind Regulations  
10 Franklin Square  
New Britain, CT 06051



CONNECTICUT  
SITING COUNCIL

RE: Proposed State Agency Regulations for Siting of Wind Turbine Facilities pursuant to Public Act #11-245

To Whom It May Concern,

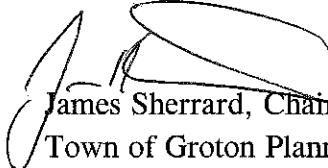
On behalf of the Town of Groton Planning Commission, we submit the following comments for your consideration. Please include these as part of the official hearing record regarding the proposed regulations. In general, the Commission is very supportive of initiatives to diversify our energy options, however we also believe these efforts will benefit from a regulatory framework that integrates comprehensive plans and planning in a more deliberate and strategic manner.

1. Standards and agency review should address lighting impacts and generator noise.
2. Certain definitions may need clarification (i.e. tower height in marine applications, as well as tower height in relation to blade number and orientation).
3. Required plan detail should include additional information such as land use, structures, current zoning, State, regional and municipal C&D plan designations, topography, land cover, etc. (i.e. section 5, page 7 bottom of proposed regulations). The general emphasis on "abutting properties" should be reconsidered, with plan detail being provided for a much more extensive area.
4. Under "visual impact" (page 8) it is unclear how facilities are to be screened by vegetation and/or landscaping. In addition, it is unclear how "water resources" relate to visual impacts. In addition, the waiver criteria do not seem to be in any way tied to the required Impact Evaluation Report.

5. Under "noise evaluation report" (page 9) the analysis should include generator noise and as with the "visual impact analysis" potential noise standard waivers do not seem to be in any way tied to the noise analysis. Need to address low frequency noise.
6. Ice/Blade Drop/Throw. Same general comments as to waivers.
7. Shadow flicker analysis (page 11). Unclear what is intended as to "mitigation" and how this would be accomplished.
8. Should also analyze potential impact on radio/TV signal interference.
9. Under "g" (page 11 bottom), any "wetland studies" should be limited to actual construction impacts of the facility. Should require an archaeological study.
10. Under "h" (decommissioning, page 12 bottom), a bond should be required and maintained for the duration of the use, to cover site remediation/close out.
11. The Commission has significant concerns regarding the "waiver" provisions, as to the State permit process, the sufficiency of public notice and the State's ability to monitor and enforce permit standards (in fact whether or not waived). Any waivers proposed should be clearly indicated in the initial public notice and waivers should elevate a "declaratory ruling" to a full certificate. At the very least, enhanced notice, intervention, standing and appeal rights should be afforded affected parties if waivers are proposed. This should include "host" municipalities. Waivers should not be permitted simply by agreement of the applicant and an abutter and agency analysis of waiver requests should consider not only existing occupied residential buildings, but adopted land use plans, zoning, land uses, proposed future development and other relevant factors. In regards to enforcement by the State DEEP, noise and shadow flicker seem to raise the most concern. The State DEEP lacks the staff and resources to enforce State Noise regulations, even absent these new State-regulated uses. In light of State pre-emption, this is a very significant concern.

Thank you for the opportunity to comment. If you have any questions or need for clarification, please feel free to contact Mr. Michael Murphy AICP, Director, Town of Groton Office of Planning and Development Services at 860-446-5980.

Sincerely,

  
James Sherrard, Chairman  
Town of Groton Planning Commission

cc: Mark Oefinger, Town Manager