

**WOLCOTT PLANNING & ZONING
REGULAR MEETING
WEDNESDAY, MARCH 7, 2012
TOWN COUNCIL CHAMBERS, 6:30 P.M.
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MINUTES

Note: These are summary minutes. A tape recording of this meeting is on file in Wolcott Town Hall, Commission Secretary's Office.

Chairman Ray Mahoney called the Regular Meeting to order at 6:33 p.m. with the Pledge of Allegiance and then attendance was taken.

Roll Call Attendance

MEMBERS PRESENT: Pete Carmody, Cathe Sherman, Chris Edquist, Rich Delpier, Ray Mahoney

MEMBERS ABSENT: None

ALTERNATES PRESENT: Mike Bokon, Virginia McHugh, Sean Cleary

ALTERNATES ABSENT: None

ALSO PRESENT: David Kalinowski, ZEO

PUBLIC REQUESTS

At this time Denise Olesen from Mad River Road came forward to express her concerns regarding the wind turbine to be installed at 108 Mad River Rd. She said her concerns were the noise level, which could be up to 40 or more decibels, a blinding shadow, which the blinding shadow of the blades can go up to 1,000 ft. She said that the shadow would show in her bedrooms and in living room if the shades are open. She was also concerned about the ice and snow buildup on the wind turbine. Her other concern was the noise level for the elderly at the convalescent home that is behind 108 Mad River Road.

APPROVAL OF MINUTES

Upon **MOTION** by Pete Carmody, seconded by Cathe Sherman, it was unanimously voted to **APPROVE** the minutes from the 2/1/12 Public Hearing and Regular Meeting.

APPROVAL OF BILLS

There were no bills at this time.

CORRESPONDENCES

There were no Correspondences at this time.

SUBCOMMITTEE REPORTS

There were no Subcommittee Reports at this time.

OLD BUSINESS

There was no Old Business at this time.

NEW BUSINESS

- 1. #12-464 Mark Lebel – Special Use Permit for a 26' x 36' detached garage at 74 Pineridge Drive.**

Upon **MOTION** by Cathe Sherman, seconded by Rich Delpier, it was unanimously voted to **ACCEPT FOR REVIEW** #12-464 Mark Lebel – Special Use Permit for a 26' x 36' detached garage at 74 Pineridge Drive.

Upon **MOTION** by Pete Carmody, seconded by Cathe Sherman, it was unanimously voted to **SCHEDULE** a Public Hearing for #12-464 Mark Lebel – Special Use Permit for a 26' x 36' detached garage at 74 Pineridge Drive for April 4, 2012 at 6:30 p.m. in the Council Chambers.

- 2. #9127 Dennis Cleary – Zoning Permit for a 100 ft. Mono Pole Wind Energy Conversion System at 108 Mad River Rd.**

At this time Sean Cleary recused himself as it is a family member that applied for this permit.

David Kalinowski, ZEO, said the applicant is filing a permit for a wind turbine on his property and it does meet the setbacks but there are other issues that he must meet as far as noise level, decibels, etc. ZEO said he is not really familiar with decibels as that is usually handled by the Police Department. He said this would have to fall within our criteria of what is allowed in the regulations and that Mr. Cleary could answer any questions you may have.

Dennis Cleary said that the ZEO asked for a lot of information and it is in the files. He said the height of the tower is allowed by right under our regulations and the noise level is allowed by right also. He said the octave band is between 0 and 75 which allows for a 68 decibel noise level, of which this unit is between 40 and 45 decibels so it is substantially below (what is allowed). He said the nearest residential property is over 800 ft. away but the decibel rating is from the property line which is 105 feet away. He also said the calculation on all the testing information that has been submitted to the Commission is from the tip of the blade to the property line, which is 40 meters. He said he is below the maximum height of the tower and the noise rating in the town. He said he is proposing 80 feet for the tower and 23 feet to the tip (of blade). He said he is 105 feet from the convalescent home property line and approx. 800 to

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1,000 feet from the home itself. He said there are probably 10 other wind mills that he could put up there but it is going in his backyard and he would not put up something that would be making noise in his bedroom, etc.

Rich Delpier said he does not know what decibel noises are and wants to find out what it really means and what it sounds like. Dennis Cleary said there are 2 calculations under the Zoning Regulations for decibels, one is the actual amount of the noise and one is the octave band, which is the pitch. Dennis Cleary said he looked at 4 or 5 other units but went with the one that was the least rated for maximum decibels and this particular unit was manufactured in the U.K. as he could not get one with the same specifications in the U.S. He said based on an estimate it should generate 40 percent of his power, generating 15,000 to 25,000 kilowatts per year. He said the blades only go a certain speed and then shut off. He said it turns on at about 4 to 5 miles per hours of wind and shuts off around 20.

Cathe Sherman said she did some research on the internet and it said that 40 decibels is equivalent to the hum of a refrigerator. Cathe Sherman asked about the speed, is there variability or is there a set speed. Dennis Cleary said in all the reading he has done he believes the optimum is 56 revolutions a minute. Cathe Sherman asked is that at all times or does it go faster and Dennis Cleary said he can't answer that. She also asked him what the effect of the ice and snow would be and Dennis Cleary said nothing that he is aware of.

Pete Carmody asked Mr. Cleary if he had the opportunity to see one of these in use and he said no. He was asked if he happened to know where there is one close by and he said he did not but he probably could find where one is located but his hope was that this get approved tonight as a matter of right. Dennis Cleary said he meets all the conditions of the zoning regulations and supplied the ZEO with all the information he was asked for. He also said the only way this makes sense economically for him is because the State of Connecticut has some incentives that are coming forth and some are by a lottery and if his project doesn't get in on the ground floor of the lottery then it will not get funded for the environmental credits that this wind turbine is going to produce. He said this (wind turbine) isn't feasible if he doesn't get in this lottery.

Mike Bokon asked how long it would take to install and Dennis Cleary said probably two months. Mike Bokon asked about servicing this and Mr. Cleary said there is a ladder built into it and you go up 12 to 15 feet and then you get onto a ladder that goes up the pole and there is a platform on the top that is set up for servicing. Mike Bokon asked if one of the blades were to fall off is there any documentation to show how far it would travel and Dennis Cleary said he has none but there is a tower at the top of the hill that is 350 feet high that has no documentation if it falls down where it might land. Mike Bokon said that one is not spinning. Mike Bokon also asked about animals (pets) having a problem with hearing because of the noise (pitch) and he said that was an issue up in Prospect and Dennis Cleary said that was a high pitch noise and if you look at the regulations it shows that 0 to 75 is a very low pitch noise. Dennis Cleary said this is a residential unit and the units in Prospect were 350 feet high

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and were huge commercial units and his is not even in the same ballpark. Ray Mahoney said that the regulations are old and may not have taken into consideration (the noise for) windmills and that is why Mike Bokon is asking question about noise for animals. Dennis Cleary said he has a yellow lab that is 200 feet away and Ray Mahoney said you don't know if it is going to affect it at this point. Dennis Cleary said he doesn't know specifically on any given animal (horse, dog or cat) but he does know under the regulations it is at the lowest pitch of any of the 10 categories on sound. He said the 0 to 75, which is what this is, is pretty much background noise.

Pete Carmody said that we need to take a better look at this as it is the first time something like this has come in front of this Commission. He understands Mr. Cleary's concern about the lottery but that is not something we should concern ourselves with and he thinks we need to do a little bit more investigation into this before rendering a decision. Ray Mahoney said he would like to send this to the Town Planner and ZEO said we have already emailed Tony Panico to give us an understanding of what the regulations actually mean. ZEO said we have documentation that Mr. Cleary dropped off and there is a lot of it but if in fact Mr. Cleary decides to put up the tower and it exceeds the allowance by our regulations it would have to be shut off. Commission members agreed that they would like to review additional information. Mike Bokon asked if he was going to put more than one up and no one knew but ZEO said that it is a structure and he would only be allowed to put up as many as 2% of his total lot coverage and it was stated he had 4 acres which means he can put quite a few up but ZEO said then the noise increases, etc. (and it would have to meet regulations).

Upon **MOTION** by Pete Carmody, seconded by Rich Delpier, it was unanimously voted to **TABLE** #9127 Dennis Cleary – Zoning Permit for a 100 ft. Mono Pole Wind Energy Conversion System at 108 Mad River Rd. to March 21, 2012 at 6:30 p.m. in the Council Chambers in order to obtain more information.

3. #12-466 Frisbie School – Special Use Permit for School Overflow Parking and Parking for Wolcott Food Pantry and Town Events. (Todd Rd. & Woodtick Rd)

ZEO said there is a plan to put in 64 parking spaces where the house that the town purchased next to Frisbie School is. He said according to the regulations that with any town owned property you have to file a special use permit and schedule a public hearing for the project proposed. He said the house will remain and be used for the food pantry and possibly some offices.

Upon **MOTION** by Cathe Sherman, seconded by Chris Edquist, it was unanimously voted to **ACCEPT FOR REVIEW** #12-466 Frisbie School (Board of Ed./Town of Wolcott), Todd Rd. & 358 Woodtick Rd. – Special Use Permit for School Overflow parking and parking for Wolcott Food Pantry and Town Events.

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Upon **MOTION** by Pete Carmody, seconded by Cathe Sherman, it was unanimously voted to **SCHEDULE** a Public Hearing for #12-466 Frisbie School (Board of Ed./Town of Wolcott), Todd Rd. & 358 Woodtick Rd.– Special Use Permit for School Overflow parking and parking for Wolcott Food Pantry and Town Events for March 21, 2012 at 6:30 p.m. in the Council Chambers.

ZONING ENFORCEMENT OFFICER'S REPORT

ZEO said new construction is dead right now but Mr. Onofreo and Mr. DeLeo are continuing with their elderly complex (Lyman and Potuccos Ring Rd.) He said there was some talk about them looking into not running the water main but instead installing wells but he informed them that they would have to come before the Commission again and the State. He said we've had no action or permits taken out on the other elderly complexes in town. ZEO said they should be starting the paving projects soon and he said the Consulting Engineer has done a survey and they are trying to fix some of the main arteries and work from there.

ZEO said that as far as new businesses, there were applications for a barbershop and ice cream shop on Meriden Rd. and a gift shop on Wolcott Rd. that were approved. Mike Bokon asked about the third floor space at the medical building on Wolcott Rd. and ZEO said it did come before the Commission again and was approved by the Fire Marshal, etc. ZEO said when a new application comes in we have been asking for an updated parking plan for those in plazas to make sure requirements are met. Mike Bokon asked about the factory on North Street and that he thought back when the plans were approved it called for a string of trees to be put up for the homes in the back. ZEO said he will look that up and let him know.

EXECUTIVE SESSION

There was no Executive Session at this time.

ADJOURNMENT

Upon **MOTION** by Cathe Sherman, seconded by Chris Edquist, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:24 p.m.

APPROVED:

Ray Mahoney, Chairman
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission