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**Wind Energy Plan Work Group - Notes
Held on March 11, 2010
In the Stone Building
33 New York Avenue, Oak Bluffs, MA**

8 **IN ATTENDANCE**

9

10 Wind Energy Plan Work Group

- 11 Doug Sederholm, MVC, elected from Chilmark
- 12 Camille Rose, Aquinnah Selectman and MVC, Appointed from Aquinnah
- 13 Holly Stephenson, MVC, elected from Tisbury
- 14 Henry Stephenson, Tisbury Planning Board
- 15 Chris Fried, Tisbury Energy Committee
- 16 Sander S. Shapiro, West Tisbury Energy Committee
- 17 Janet Weidner, Chilmark Planning Board appointee
- 18 Andy Goldman, Chilmark Selectmen appointee
- 19 Mike McCourt, Edgartown Planning Board appointee
- 20 Christina Brown, MVC Chair, elected from Edgartown
- 21 Chris Murphy, MVC Vice-Chair, elected from Chilmark
- 22 John Breckenridge, MVC, elected from Oak Bluffs
- 23 Woody Vanderhoop, Wampanoag Tribe of Gay Head (Aquinnah), Planning Dept.
- 24 Tyler Studds, technical support

25 Additional Attendees

- 26 Joe Briquette, Chilmark resident
- 27 Janet Hoeffler MV Times
- 28 Mitchell Posen, Chilmark Planning Board
- 29 John Flender, Chilmark Planning Board
- 30 Susan Heilbron, interested citizen
- 31 Chris Roberts, Tisbury resident
- 32 Alan Wilson, Edgartown Planning Board,
- 33 Peter Cabana, MVC, appointed from Tisbury
- 34 Jim Joyce, MVC, appointed from Edgartown
- 35 Fred Hancock, MVC, appointed from Oak Bluffs
- 36 John Breckenridge, MVC, elected from Oak Bluffs
- 37 Kathy Burton, Oak Bluffs Selectman
- 38 Chris Murphy, MVC, elected from Chilmark
- 39 Jim Joyce (A – Edgartown)
- 40 Mark London, MVC Planner Executive Director
- 41 Bill Venno, MVC Senior Planner
- 42 Jo-Ann Taylor, MVC Coastal Planner/DCPC Coordinator, Ocean Advisory Commission

43 **1. Introduction**

44 Doug Sederholm welcomed everyone, saying that the committee's work is to be a collaborative
45 effort. A number of issues that we'll be addressing are specific to the Commission, such as the
46 criteria for designating and reviewing a project as a DRI. The effort should also be useful to the
47 towns in their own work by providing information, as well as encouraging clarity and uniformity
48 where appropriate. He cautioned that the work group is not a forum for debating large
49 philosophical issues about the merits of wind energy; it is focused mainly on how public
50 authorities would plan and regulate land-based and offshore wind energy.

51 Mark London clarified that working on criteria doesn't presume the outcome, for example as to
52 whether we end up with a hundred, twenty, or zero turbines in the Nomans Wind Energy Area
53 designated by the state. In a few months the work group will have a better understanding of its
54 options and direction, but there is no presumption that because we're working on how to plan for
55 and site wind turbines that any particular fore-ordained outcome will occur.

56 **2. Updates**

57 Mark London updated the work group on efforts since the wind energy brainstorming session in
58 mid-January.

- 59 • He and Bill Veno met with Cape Cod Commission members and staff. The CCC is in the
60 same place regarding planning for wind, such as working on defining potential regional
61 impact and DRI criteria. The CCC is creating an Ocean Management DCPC, which would
62 deal with offshore wind. If the DCPC goes ahead, they will put together a committee of
63 representatives from the towns to work collaboratively on implementing regulations. Both
64 commission representatives discussed the possibility of collaboration, such as on
65 preparing visual simulations. Most Cape Cod towns have wind turbine regulations, but
66 most will probably have to adjust their by-laws to meet the Green Communities Act.
- 67 • Gosnold representatives Gail Blout and Leo Roy are actively interested in working with the
68 Martha's Vineyard work group and will attend meetings as they are able.

69 Doug Sederholm introduced Tyler Studds who is doing consulting work through the Vineyard
70 Energy Project. He noted that the work group and Commission are not necessarily endorsing the
71 work of Vineyard Power. Tyler explained that he is developing a structured decision-making
72 approach to help Vineyard Power find a suitable site in consultation with the community. He
73 described the method he is pursuing to develop suitability maps.

- 74 • Establish a baseline index of what is a technically suitable site based on water depth,
75 distance from shore, and wind suitability. Then further qualify the baseline with
76 community-generated criteria.
- 77 • The approach will combine forums open to the community with spatial decision-making
78 tools.
- 79 • The goal is to classify the options and to assist people in making the decision to meet the
80 goals of the co-op and the community.
- 81 • He believes there will be cases where the decision-making techniques will be helpful to
82 the work group, as will the outcomes of the community siting criteria and levels of visual
83 impact.

84 **3. Objectives**

85 Doug Sederholm explained that the purpose of the meeting is to discuss objectives and the work
86 program for the committee. He reviewed a handout prepared by several Commissioners and staff
87 titled *Wind Energy Plan for Dukes County – Objectives and Work Program – Outline* (draft dated
88 March 8, 2010).

- 89 • The Commission is hoping to plan and regulate wind turbines that fall within the
90 Commission’s jurisdiction.
- 91 • It is also trying to help towns with their planning and regulating and to provide
92 information to the community regarding federal areas of development.
- 93 • There are five bulleted objectives:
 - 94 - Revise DRI criteria and develop standards and criteria for wind development.
 - 95 - Clarify offshore wind under MVC jurisdiction.
 - 96 - Create model by-laws for towns in the DCPC.
 - 97 - Understand and communicate information about waters outside MVC jurisdiction.
 - 98 - Provide information and technical assistance for local wind regulation and site review.

99 There was general agreement with the draft objectives.

100 We should clarify the towns’ jurisdiction over state waters, particularly regarding utility scale
101 projects in the Wind Energy Areas designated in the state’s Ocean Management Plan.

102
103 **4. Work Program**

104 Doug Sederholm explained the work program has been broken down into five tasks: data
105 compilation, development of standards, DCPC, DRI, and appropriate scale for offshore. There is
106 concern that there are gaps in data. The work group needs to understand what other jurisdictions
107 are doing and identify what the Island’s needs are. The standards are the guts of this effort. He
108 asked whether the work program is realistic and whether the timetable is appropriate.

109 Mark London explained the timeline. The offshore wind DCPC regulation deadline is November
110 5th and the land wind DCPC deadline is December 17th. It was assumed that after model
111 regulations are prepared, the towns will need about four months to finalize wording, hold public
112 hearings and get the regulations on a warrant for a special town meeting. This means that the
113 model regulations need to be developed by June, which is a very ambitious timetable to deal with
114 these complex and contentious issues.

115 Mark London explained that staff has a lot of data and maps that could be provided to the work
116 group in a standard format. Some information about offshore resources is available but was not
117 used by the Ocean Management Plan. In other cases, the data hasn’t been generated and/or
118 mapped. For example, it appears that data on birds are lacking, data on commercial fishing data
119 and recreational boating are available and need to be mapped. Scenic impact was not really
120 addressed in the Ocean Management Plan and the work group will need to figure out how to
121 deal with that.

122 The following is a summary of the discussion of various aspects of the work program. Note that
123 comments do not necessarily represent the opinions of the whole work group or of the MVC.

124 There was a discussion of royalties, mitigation, and community benefits.

- 125 • We should estimate local revenues, based on a 50/50 sharing with the state as proposed
- 126 in the Ocean Management plan. What would this mean with the number of commercial
- 127 turbines possible in the Nomans and Cuttyhunk Wind Energy areas, or for the 17 turbines
- 128 that the OMP has allocated for Dukes County in the Multi-Use Area?
- 129 • Some states and developers do payment in lieu of taxes.
- 130 • We should differentiate between royalties and mitigation. Mitigation is to compensate for
- 131 specific impacts. Royalties provide a source of income to the owners of the land or
- 132 seabed, and can be shared with affected communities. The OMP specifies that 50% of the
- 133 mitigation will flow through the towns.
- 134 • For community projects, such as in the multi-use area, it is up to the community to work out
- 135 an acceptable deal with the developer.
- 136 • We should discuss revenue sharing and on an Island-wide basis. Some towns may be
- 137 affect ted by projects in other towns.
- 138 • We should discuss the possibility of revenues being put into an energy bank to be used for
- 139 energy efficiency or similar efforts, rather than just being used as town revenues.

140 There was a discussion of the work program.

- 141 • Work Group members should have received a copy of the first stage 48-page report
- 142 produced in January which outlines issues and possible approaches.
- 143 • Since there are so many combinations of what could be built on land and in various
- 144 offshore areas, it would be useful for public discussion to identify two or three big
- 145 scenarios for which we could evaluate impacts and calculate how much energy might be
- 146 produced.
- 147 • The main focus of the group should be on Dukes County, over which the MVC and towns
- 148 have direct jurisdiction. However, we should look at the broader context including federal
- 149 waters and other state waters.
- 150 • The OMP limits the number of community wind turbines in the multi-use area in Dukes
- 151 County to 17, but a larger number of community turbines could be erected in the
- 152 commercial Wind Energy Areas.
- 153 • Should we consider who would do negotiations if developers and/or the government
- 154 were to pit towns against each other?
- 155 • It is important to collect data in a focused way, concentrating on what we need to answer
- 156 the key questions.
- 157 • How much effort should go into estimate potential revenues or collecting data when the
- 158 community hasn't accepted that the benefits of developing wind energy outweigh the
- 159 negative impacts? It was suggested that doing this work will put the community in a better
- 160 position to make the bigger overall judgment of how much wind energy development
- 161 there should be, and where.
- 162 • This is a most ambitious schedule. More important than fulfilling it, is fulfilling it properly.
- 163 The aim is to address real questions and concerns, not to facilitate quick decisions and
- 164 remove obstacles.
- 165 • Knowing what is happening in waters adjacent to Dukes County might have an impact on
- 166 what we do here. For example, if all the other projects are moving ahead, concern about

- 167 cumulative impact might lead to a more conservative approach here, whereas if some of
168 those projects don't go ahead, it could argue in favor of more development within Dukes
169 County.
- 170 • We need to know what's going on in federal waters, since it is on our own doorstep.
 - 171 • It would be helpful to talk with users and abutters of existing turbines on Martha's
172 Vineyard, to find out about impacts and energy production. It would be interesting to
173 compare rated capacity of built turbines with how much they're actually producing, which
174 will help to evaluate wind resources on land.
 - 175 • Planning Board representatives should meet to discuss by-laws in the works and wind
176 turbines that have been installed.
 - 177 • Perhaps the first cut is the physical constraints of siting turbines, and secondly the
178 economic constraints.
 - 179 • There are many factors and they are not easily weighed. The issues are very complex.
180 There are a tremendous number of trade-offs and unknowns. We don't know what the
181 level of technological development will be in ten years.

182 The issue came up of whether to separate or combine the land-based and ocean-based efforts.

- 183 • An advantage of combining is because there's very limited commercial-scale, land-based
184 opportunity. Gathering accurate information on the energy produced will give the towns
185 and everyone else an idea on what they should do and whether people really want to
186 invest in land-based turbines.
- 187 • An advantage of separating the effort is that many issues are different. For example, on
188 land, the most intractable siting issues seem to be noise and flicker. It will also be
189 important to work out the interrelationship of land-based proposals between towns.
190 Ironically, it may easier to manage criteria for offshore wind.
- 191 • It would be useful to distinguish between different sizes of land-based wind, which might
192 have different standards.

193 **5. Existing Town Regulations**

194 Work group members updated the status of town by-laws.

- 195 • **Aquinnah:** Camille Rose explained that Aquinnah's by-laws have been passed by the
196 town and are being shepherding through the MVC for compliance with DCPC goals and
197 guidelines. They focused on turbines under 150 feet. They spent almost four years
198 synthesizing by-laws from other communities. In the one year since they've finalized it, a
199 lot of it has become obsolete due to changing technology and regulation. The idea of
200 community-sized turbine on land may be ridiculous.
- 201 • **Chilmark:** Janet Weidner said that Chilmark has had a windmill by-law for quite some
202 time. At the request of the Zoning Board of Appeals, they've been trying to revise their
203 by-laws for two years after two windmills were installed. It's a tremendously big question.
204 For the amount of potential conflict, what is the benefit? Chilmark has started an energy
205 committee to continue working on revision of the by-laws and report back to the planning
206 board. They're trying to gather data and perhaps will have something in the fall to take to
207 town meeting.

- 208 • **Edgartown:** Alan Wilson said Edgartown has a by-law. Block Island was a good
209 source of information. Edgartown has two wind generators. Revising the by-law was shot
210 down. Edgartown has the airport to contend with. Selectmen want to put up a wind
211 generator at the Sewage Treatment Plant, which they think is not subject to any zoning.
212 Morning Glory Farm was approved for a large turbine on the basis of an agricultural
213 exemption. Neighbors in adjoining towns are impacted by turbines located near town
214 borders. It was very informative that Gary Harcourt had taken people around to view
215 wind turbines on the Island. It would be useful that all the towns collaborate, and all sing
216 out of the same hymnal.
- 217 • **Oak Bluffs:** Kathy Burton said the Oak Bluffs Planning Board and Zoning Administrator
218 have been working on a by-law. The plan was to bring it to town meeting in April. It's a
219 great initial effort and handles turbines 150 feet and less in height. Noise and light need
220 to be considered. There is a public hearing April 1st. It will be interesting to see if it
221 actually goes to town meeting. The zoning administrator and energy committee possibly
222 will be involved with the Wind Work Group.
- 223 • **Tisbury:** Henry Stephenson said that Tisbury hasn't started developing by-laws. Tisbury
224 has been working on installation of a turbine for the town. It would be helpful to have
225 information about model bylaws. Tisbury also has an agricultural windmill proposed.
- 226 • **West Tisbury:** Sandy Shapiro said that West Tisbury put up a potential bylaw warrant
227 last year and then retracted it because they got so much negative feedback. The
228 Selectmen/Planning Board has accepted the committee's recommendation and is putting it
229 on the town warrant for this spring. He has no idea how it's going to go. It was
230 developed with the 150 foot height limit, primarily aiming at the small turbines.

231 **6. Work Group**

232 It was agreed that the Wind Energy Plan Work Group will meet on a monthly basis, on the
233 second Thursday of each month at 5:00 p.m. in the offices of the Martha's Vineyard Commission.

234 We will undoubtedly want special efforts (subcommittees, work sessions) on land-based and
235 offshore wind, and possibly on specific topics. Staff will ask work group members to identify the
236 issues they are interested in.

237 Planning board representatives will meet to discuss their existing and proposed town regulations.
238 Bill Veno will send the draft by-laws of the towns and a summary to everybody.

239 Mark London suggested field trips around the Island and to the Cape to see turbines in action.

240 Mark London and Christina Brown suggested creating a small group on how to reach out to the
241 general community and how to figure out what the community thinks.

242 Andy Goldman said the committee needs help in sorting out the point of view of the information it
243 gets and how to get objective information. We have to be very careful about sources.