

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Petition of BNE Energy Inc. for a
Declaratory Ruling for the Location,
Construction and Operation of a 3.2 MW
Wind Renewable Generating Project on
New Haven Road in Prospect, Connecticut

Docket/Petition No. 980

February 16, 2011

PRE-HEARING TESTIMONY OF JOHN LAMONTAGNE

Q 1. Please state your name and address.

A 1. My name is John Lamontagne and I live with my wife Cheryl at 225 New Haven Road, Prospect, Connecticut.

Q 2. Why have you joined Petition No. 980 as a Party?

A 2. Our residence at 225 New Haven Road was built as our “dream home “in 1986. It was built with the help of friends and family and with our own sweat and labor. We are an old fashioned Prospect family. I was born in Prospect in 1959 and lived with my Mother and Father six brothers and one sister in a small house in Prospect with one bathroom next door to my grandparents house. Until last year my father operated a small machine shop out of the garage of that house. Next door lived my aunt and uncle and their 9 kids. Three of them now own homes in prospect. My oldest brother David married the girl across the street, Michele and her family still lives in Propsect to this day. In 1984 I married a girl from down the road, Cheryl.

We think that it is unbelievable that any person or corporation would propose to locate a massive tower with a wind turbine 350 feet up in the air less than 800 feet from our property. We are participating in this docket to protect our property rights and our home.

Q 3. Why do you feel that this application should be denied?

A3. The property upon which it is to be located is residentially zoned by the town of Prospect like our home and neighborhood. We always relied upon the fact that the parcel would be used as farmland or subdivided under the Zoning Regulations as single family residences. We are shocked at this proposal. If allowed it will have devastating impacts on our values, peaceful enjoyment and health.

Q4. Do you have other specific concerns?

A4. Yes. Our property is approximately 800 feet west and west south west of the enormous towers which means that the prevailing winds will bombard our home with the whining sound of the turbines and that we will be in a flicker impact zone.

Q5. What do you base these conclusions on?

A5. I have done a lot of reading on wind power and turbines since this Petition has been filed and base my conclusions on that and particularly on the reports and pre filed testimony of the Petitioner.

Q6. What information of the petitioner supports your position?

A6. The Shadow Flicker Analysis dated February 2011 completed by VHB of Middletown Connecticut shows the location of my home and its relation to the tower. The report says that the “receptor” gives no indication of flicker. But look at the map - my home is the bulls eye. It seems that the report relies on deciduous trees to inform its findings. But they have no easement control or right to nurture repair or replace the trees. Others including the state, town and utilities have rights in fact to take down the trees. If that ever happens, my home will be bombarded with flicker.

Q7. Is there other petitioner information which supports your position?

A7. Yes, Petitioner’s response to Interrogatory which deals with visual impacts of the huge structures includes a map exhibit which clearly locates my home as one of the closest among those marked with yellow - “Wind Turbine 100 Meter Hub Height Year Round Visibility” and orange- “Wind Turbine 150 Meter Hub and Blade Height Year – Round Visibility.”

Q8. Does that exhibit show other issues?

A8. Yes, the map clearly marks directional North and has a scale for distance. This tells me that I am to be within 1100 feet of the turbine and due downwind from it. I will be blasted by the sound.

Q9. Do you oppose “Wind Power” in Prospect or in the State of Connecticut?

A9. No, in fact I heartily support properly sited wind power. All energy sources have costs and benefits. Wind is very attractive because it is renewable, it is relatively very clean, and it can help us achieve energy independence as a nation. It is also a new energy source to support growth for our state and economy. These are all very important goals. In fact, Thomas Satkunas and I have co-written zoning regulations to allow wind in Prospect.

Q10. What do you expect from the Siting Counsel on this application?

A10. My family and I are relying upon the Siting Council to evaluate all of the risks benefits and impacts and make a reasoned and balanced judgment on the appropriateness of this facility in the location sought by this petition.

Q11. Do you have concerns about the process for this application?

A11. I have very serious concerns about this process. The Siting Council posted a legal notice which stated:

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.

I am greatly concerned by this because the noticed legal proceeding is simply whether BNE Energy, Inc. is entitled to a declaratory ruling from the Siting Council. By its own Notice the Siting Council may have severely limited its discretion to balance the interests of me, my neighbors, the town, and everybody in residential neighborhoods in every town in the State.

Q12. Why does this concern you?

A12. This is a problem because it is a very confusing area. Consider that Siting Counsel Member Dr. Barbara Currier Bell stated to the legislature in testifying on Raised Bill No. 6249 an Act Establishing a Moratorium on the Siting of Wind Projects until the Adoption of Regulations on February 3, 2011 that no change to the Wind Power statute is needed and no regulations are needed when she said: “Nevertheless, I would be remiss were I to leave you with the impression that the Council acts without the benefit of regulations. Our regulations are extensive and detailed and may be found at RCSA section 16-50j-1 et seq. Moreover, we are further bound by the requirements of the Uniform Administrative Procedures Act (CGS Section 4-166 et seq.). These acts and regulations govern our every action in every matter that is brought before us. **These have allowed the Council to fulfill its mission over the past 40 years to objectively balance the infrastructure needs of our modern society with the responsibility of protecting our citizens and environment.**”

The problem is that the Petitioner and the Siting Council’s own legal Notice seems to say that with respect to Wind Power the Siting Council may have no power to “**objectively balance the infrastructure needs of our modern society with the responsibility of protecting our citizens and environment.**”

Q 13. How will you be impacted if the Petition is granted?

Q13. Granting any petition or making any order which allows these turbines to be built will have a devastating effect on the value of my home and greatly reduce our quality of life and possibly be injurious to my family's health.

The scale of the machines in this location is hideous. The noise of the machines is too close from the most impacting direction. The flicker will be a real and further annoyance. No one would ever buy my house if these turbines are built if they could find any similar house without them. There is zero benefit to the neighbors. They will be a disaster.

Q 14. What do you think will be the most serious impact?

A14. The safety and health of my family is at risk from this large facility which has no place in a residential neighborhood and that is my greatest concern. We are relying on the Siting Council to balance the interests of the neighbors, the State, and the developers.

Respectfully Submitted,

JOHN LAMONTAGNE

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Certification

This is to certify that a copy of the foregoing has been sent via first class mail, postage pre-paid, on this 16th day of February, 2011 to the following:

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