

**State of Vermont Public Service Board**

**Motion to Intervene Form**

<b>Intervenor and Case Information</b>	
<b>Case Number</b>	8816
<b>Name</b>	<b>Todd W. Poirier</b>
<b>Mailing Address</b>	<b>1992 Sheldon Road St. Albans, VT 05478</b>
<b>Daytime Phone</b>	<b>802-324-2219</b>
<b>E-mail Address</b>	<b>tpoirier@dewcorp.com</b>
<b>Name of Legal Counsel (if any)</b>	N/A
<b>Mailing Address of Legal Counsel (if any)</b>	Street and #  Town  State and Zip
<b>E-mail Address of Legal Counsel (if any)</b>	
<b>The Rule 2.209 Criteria</b>	
<p><b><u>Intervention as of Right</u></b> (this is uncommon, leave blank if not applicable to your situation)</p> <p>Please identify any statute, legal rule, or Board order that you think gives you a legal right to be a party in the case. If this right is conditional, please describe how you satisfy these conditions.</p>	
<p><b><u>Permissive Intervention</u></b></p> <p>Please describe all the interests you have that you think will be adversely affected by the outcome of the case. Please be as specific as possible. Attach additional sheets if necessary.</p>	<p>See Attached for details</p> <p>30 V.S.A. § 248(b)(1) orderly development of the region;</p> <p>§ 248(b)(4) economic benefit to the State and its residents;</p> <p>§ 248(b)(5) public health and safety;</p> <p>10 V.S.A. §§ 6086(a)(1)(A), (B), and (C), (3), and (4) water pollution, conservation, and burden on water supply, § 248(b)(5) and § 6086(a)(8) scenic or natural beauty and aesthetics;</p> <p>§ 6086(a)(8)(A) necessary wildlife habitat or endangered species;</p> <p>§ 6086(a)(5) transportation.</p>

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Please state whether there are other ways to protect your interest(s) besides as a party participating in this proceeding. If there is no other way for you to protect your interests, please state this fact. Please also explain whether there is already a party in the case who has the same or similar interest(s) to be protected in the case.

There is no other way for me to protect my interests.

**Certification** This section may be completed by the intervenor or a duly authorized representative.

I certify that the information provided on this form is true and accurate to the best of my knowledge.

Print Name Todd W. Poirer



Signature \_\_\_\_\_ Date Feb. 16, 2017

## State of Vermont Public Service Board

Docket #8816

Petition of Swanton Wind LLC

Todd W. Poirier  
1992 Sheldon Road  
St. Albans, VT 05478  
802-324-2219  
tpoirier@dewcorp.com

### MEMORANDUM OF TODD POIRIER IN SUPPORT OF MOTION TO INTERVENE

I, Todd Poirier, in support of the motion to intervene, filed by myself, and subject to the penalties of perjury, do hereby state the following facts which are true to the best of my knowledge and ability.

I live at 1992 Sheldon Road, Swanton, Vermont with my wife Lori and our son. My house is located approximately 2200 feet from the location of the closest wind turbine proposed by Swanton Wind.

There is a substantial amount of conflicting accounts, studies, report, and other data regarding the effects of large scale wind turbines on human health, the environment, and property values . However, it is clear that the majority of complaints regarding these concerns come from within the audible distances surrounding similar projects. The financial investment that my wife and I have made in our property at 1992 Sheldon Road is a substantial part of our retirement plan. Based on real estate values and the inability of some home owners to sell their properties located close to similar wind turbine projects, the equity that we currently have in our property, as well as the future value of our property will be adversely affected by the installation of Industrial turbines this close to our property. There is conflicting data available regarding the amount of depreciation, loss of value, and ability to sell properties surrounding other wind turbine projects, but it is clear that there is potential for substantial depreciation of property values surrounding the location of the proposed Swanton Wind project. This fact creates the potential issue that home owners living near the proposed project could be unable to sell their property after the completion of the project. These home owners could potentially be exposed to adverse health effects due to inaccurate modeling, inefficient engineering, or a host of other variables inherent to new and complex wind turbine technologies . There are many variables involved in the effects of similar wind turbine projects to homeowners' property values based on logistics which make the potential financial impact to homeowners' vary widely, case by case. The majority of the data available regarding complaints from homeowners and loss of real-estate value are from the audible area surrounding similar projects. In evaluating Swanton Winds proposed project, I ask that the PSB require that reasonable provisions be established to ensure that the surrounding property owners within audible range of the wind turbines are not subjected to substantial financial impact do to diminishing property values resulting from the installation of the proposed wind project. Swanton wind has suggested a potential buyout plan to purchase properties within 6 months after completion at "current market value," at that time, which would be the depreciated value and would still subject the property owners to financial losses due to depreciation. Provisions need to be included in Swanton Winds Proposal that will ensure that

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the property owners, most at risk of adverse financial impact, be protected from unreasonable loss. To achieve that goal, the provisions would need to identify and offset the difference between the current market or appraised value of each property within an audible distance around the project, and the property values of each property at a reasonable time after the completion of the project. A reasonable time would be a length of time that would allow surrounding real estate values to re-stabilize. The provisions could effectively protect the affected property owners by requiring Swanton Wind to offer payment to affected property owners at a reasonable time after completion of the project that is equal to the depression value, or a payment to the property owners prior to completion of the project at a reasonable and agreed upon estimated depreciation value based on the logistics of each property.

If this project is allowed to proceed based on a perceived "Good of the Public" then the interests of the public that is most impacted by the project must be protected from unreasonable impact.

I Certify that the information provided on this form is true and accurate to the best of my knowledge.

A handwritten signature in cursive script, appearing to read "Todd Poirier".

Todd Poirier  
St. Albans  
Feb. 16, 2017

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 8816

Petition of Swanton Wind LLC for a certificate of public )  
good, pursuant to 30 V.S.A. § 248, for the construction )  
of an up to 20 MW wind-powered electric generation )  
plant powered by up to 7 wind turbines located along )  
Rocky Ridge in Swanton, Vermont )



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CERTIFICATE OF SERVICE

We, Brian and Penny Dubie, et.al., certify that on February 16, 2017, copies of the foregoing *Notices of Appearance*, and *Motion to Intervenes of Brian and Penny Dubie, Jeanne Royer, Judith and Patrick Luneau, Karen and Leo McLaughlin, Sally and Bruce Collopy, Kaye and Frank B. Mehaffey, Jr., Terrance Smith, David A. Goodrich, Robert Perkins, Patricia Messier, Sarah & Ed Ferguson, Ian and Danielle Garrant, Curtis Swan and Sara Luneau-Swan, Dan and Nancy Dunne, Erynn & Tyrell Boudreau, Dennis Hendy and Diane Bell, Mary and Mark Bushey, Steve Woodward, Kenneth Fox, Michelle and Luc Deslandes, David Butterfield, Bradley Stott and Jennifer Belanger, Clark and Carol Palmer, Paula Pearsall, Greg Pierce and Paula Kane, Mark and Marianne Dubie, Marie and Gil Tremblay, Patricia Rainville and John Smith, Kevin and Dolores Nichols, Jessica Decker and Lance Desautels, Suzanne Seymour, Mary Hunter, Todd Poirier* in the above-referenced matter, were served via First-Class U.S. Mail on the interested persons designated in the following Service List.

Respectfully submitted this 16<sup>th</sup> day of February, 2017.

By:

Brian Dubie  
Penny Dubie  
770 McKenzie Road  
Fairfield, VT 05455  
(802) 734-1877  
[pennydubie@gmail.com](mailto:pennydubie@gmail.com)

**SERVICE LIST**

Leslie Cadwell, Esq,  
Alison Milbury Stone, Esq.  
Legal Counselors and Advocates PLC  
PO Box 827  
Castleton, VT 05735

Green Mountain Power Corp.  
163 Acorn Lane  
Colchester, VT 05446

Aaron Kisicki, Esq.  
Vermont Department of Public Service  
112 State Street, Third Floor  
Montpelier, VT 05620-2601

Edward Adrian, Esq.  
Monaghan Safar Ducham, PLLC  
156 Battery Street  
Burlington, VT 05401

Cindy Ellen Hill, Esq.  
144 Mead Lane  
Middlebury, VT 05753

Melanie Kehne, Esq.  
Vermont Agency of Agriculture  
Office of the Attorney General  
109 State Street  
Montpelier, VT 05609-1001

William F. Ellis, Esq.  
McNeil, Leddy & Sheahan, P.C.  
271 South Union Street  
Burlington, VT 05401

Joseph S. McLean, Esq.  
David W. Rugh, Esq.  
Stitzel, Page & Fletcher, P.C.  
171 Battery Street, P.O. Box 1507  
Burlington, VT 05402-1507

Leslie Welts, Esq.  
Vermont Agency of Natural Resources  
1 National Life Drive, Davis 2  
Montpelier, VT 05620-3901

David Englander, Esq.  
Vermont Department of Health  
108 Cherry Street – Drawer 39  
PO Box 70  
Burlington, VT 05402

Dale E. Azaria, Esq.  
Vermont Division for Historic Preservation  
1 National Life Drive  
Davis Building, 6<sup>th</sup> Floor  
Montpelier, VT 05620-3901

John Dunleavy  
Assistant Attorney General  
Vermont Agency of Transportation  
One National Life Drive  
Montpelier, VT 05633