

**State of Vermont Public Service Board**

**Motion to Intervene Form**

<b>Intervenor and Case Information</b>	
<b>Case Number</b>	8816
<b>Name</b>	Daniel and Nancy Dunne
<b>Mailing Address</b>	P.O. Box 203 Fairfield, Vermont 05455  Winter Address: 1185 Davis Avenue Dunedin, FL 34698
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<b>Name of Legal Counsel (if any)</b>	N/A
<b>Mailing Address of Legal Counsel (if any)</b>	N/A
<b>E-mail Address of Legal Counsel (if any)</b>	N/A
<b>The Rule 2.209 Criteria</b>	
<b>Intervention as of Right</b> (this is uncommon, leave blank if not applicable to your situation)  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.	Not Applicable
<b>Permissive Intervention</b>  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.	See Attached for details 30 V.S.A. § 248(b)(1) orderly development of the region; § 248(b)(4) economic benefit to the State and its residents; § 248(b)(5) public health and safety; 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; § 6086(a)(8)(A) necessary wildlife habitat or endangered species; § 6086(a)(5) transportation.

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**Petition of Swanton Wind LLC**

***AFFIDAVIT OF DANIEL AND NANCY DUNNE IN SUPPORT OF MOTION TO INTERVENE***

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

We spend much of the year at our camp location on the south end of Fairfield Pond of Swanton Hill Road at 664 Kaye Point, Fairfield Pond, Fairfield, Vermont 05455. Our mailing address is PO Box 203 Fairfield, Vermont 05455.

My family and I have spent 25 years here enjoying the great outdoors, exploring nature and building our residence for our retirement. Our mission was to build a retreat on the 10 acres insuring that it was eco-friendly - we currently have a grey water separation composting waste system to make sure no waste would hurt the quality of Fairfield Pond, solar power for our well and pumps – so we did not have to run wires and poles through our land and building retaining system so that there would not be waste water or run off effect the environment or our neighbors lands.

We purchased the land and camped there for over a decade learning what a wonderful, serene place Fairfield Pond was, then decided to make improvements to the land and our lives by making sound decisions that would endure forever as our children and later generations might enjoy the pond, woods, fauna, and wildlife as we and others have done for centuries.

My major concern is that the environment at Fairfield Pond will change forever if I and others do not intervene in this situation. The water quality from mountain top desecration, the noise from turbines carrying over air and water magnify, the wildlife – birds in particular will be devastated as they will be chopped to death during migration.

The noise that will be produced from the seven turbines that will tower over the ridge will be a constant hum and a reminder of the health hazards to the rest of the environment and my family and friends personal health.

Although the noise from the turbines may be intermittent it will multiply over the year exponentially. Noise complaints that have been filed by neighbors of existing projects make me wonder if we are doing all we can to insure that this wonderful area is not destroyed. I've read and studied the subject and what the the PSB have made public. Those that live in close proximity today have issues at virtually every project that has come to Vermont, they all have had issues with noise, registering complaints with the state along with multiple complaints, yet none have been dealt with and the state systems have failed to protect the very people that support the green mountain state.

Several have shared the fear that is very real especially if this project is allowed a CPG, and the operators violate it, the same thing will happen to us, that has happened to those neighbors with open dockets in

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front of the PSB. We will be subjected to endless motions to dismiss and denials of violations. It takes months, or even years for any type of reconciliation.

Inevitably the only winners for this type of process will be the lawyers, developers, the operators of the projects – not my neighbors, the environment, the state or our future generations.

In addition to the noise the value of all the land owners and neighbors on the ridge is in jeopardy as it is proven that the land and homes near the Georgia Mountain Wind facilities which have lost value. Swanton and Fairfield will have to reassess the properties affected and will result in lower values, thus lower taxes to support the communities. Our camp has been the largest investment in our retirement and we wish to leave a legacy with our children. It is our lives savings, sweat, tear, and joy that will be affected here. I know all my peers wish to leave something for the family when there gone of value. This is our camp on “Dream Lake”... yes it once was referred to as “Dream Lake”... but lately I’ve referred to is as “nightmare pond”.

Imagine this for a moment - seven turbines spinning and the sun reflecting off them, yes extremely disruptive to the time people spend outdoors trying to relax. How can anyone enjoy the light of day with this spinning strobing affect while we sit out on the deck, our dock or in the kayaks on the pond? Sunny afternoons are respite from a hard day's work - why have these pleasant times be taken away - so one person can benefit.

Most importantly to me is the Environment – both the physical and natural environs will be affected. Water runoff because of the imperious surface of the project will cause flooding after heavy rains especially in the spring during melt. This run off will head to the watersheds; inevitably the pond itself may be affected. Water quality and our natural values will be exhausted.

The natural environment for all animal will be altered – deer and turkey populations during bombing (or is it blasting) and construction times will have very negative affect on them. Birds during migrations will be slaughtered and the bat population will decrease suffering as they lose control over the mosquito and other insects’ populations.

This area is a major flyway for migratory waterfowl as evidenced by recent study that Ken Fox conducted over the last two migration seasons and these turbines will also assuredly cause unnecessary bird kills.

The town of Swanton voted overwhelmingly 731 -160 against this project. Local control and input is paramount, if we are to achieve the goal of 90% renewable by 2050. Without this local control there will continue to be backlash and the sentiment that communities have no say what happens within their boundaries.

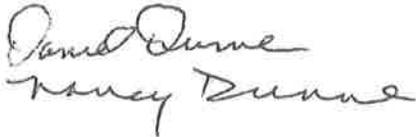
Many attended the workshop that Swanton Wind had on February 9, and I understand that the developers would not answer many of the questions presented to them. They just said that they didn’t know answers to simple questions, such as how many turbines, or how much output the project would

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generate, what was the projected decibel noise levels are just a few examples. Vague answers if they didn't have one and telling the audience that they should just read the application. The discussion as to where the power is being sold was brought has no answer – it is clear that the power will not benefit the people of Swanton or Fairfield as there is no definitive answer as to who wants to enter into a purchase agreement with Swanton Wind, but maybe they are working on an agreement with the state of Connecticut. Wasn't this project, from inception pitched as a "local project", where the power will be "sold locally".

Even the selectboard members were not given answers as to how much revenue would be generated for the town. The one concrete answer we did get was that only the host town would be rewarded financially.

So I once agreed to have "listening devices" placed at my camp so they could monitor the noise levels through the day at Fairfield Pond. I wonder when we can see these results infused with the noise levels caused by seven turbines. I gather this data was held by one of the experts that did not attend the meeting. I know many in attendance are concerned with information transparency in the overall project.

Handwritten signatures of Daniel M Dunne and Nancy L Dunne. The signature of Daniel M Dunne is on top, and the signature of Nancy L Dunne is below it.

Daniel M Dunne

Nancy L Dunne

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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 )

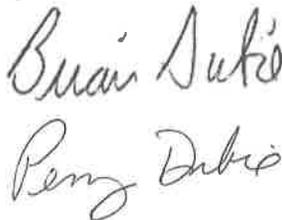
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**CERTIFICATE OF SERVICE**

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:



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