

State of Vermont Public Service Board

Motion to Intervene Form

Intervenor and Case Information	
Case Number	8816
Name	Ken Fox
Mailing Address	1736 Reynolds Rd. Fairfield, Vt. 05455
Daytime Phone	(802) 527-7116
E-mail Address	lumar@myfairpoint.net
Name of Legal Counsel (if any)	N/A
Mailing Address of Legal Counsel (if any)	Street and # Town State and Zip
E-mail Address of Legal Counsel (if any)	
<u>The Rule 2.209 Criteria</u>	
<p><u>Intervention as of Right</u> (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><u>Permissive Intervention</u></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; § 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.</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 Ken Fox



Signature _____ Date Feb. 16, 2017

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 8816

Petition of Swanton Wind LLC

**MEMORANDUM OF KEN FOX IN SUPPORT
OF MOTION TO INTERVENE OF
KENNETH FOX**

I, Kenneth Fox, in support of the Motion to Intervene filed by myself, subject to the penalties of perjury, do hereby state the following facts, which are true to the best of my knowledge and ability:

1. I am a resident of Fairfield, Vt. where I own two properties. My home at 1736 Reynolds Rd is approximately 7,420 feet from the proposed turbines. My camp on Kaye Point Rd on Fairfield Pond is approximately 5,350 feet from the proposed turbines.
2. I have owned my home for 48 years and my camp for 30 years. The views and surroundings were the main factors in purchasing my camp on the shores of Fairfield Pond. Construction of this project would greatly diminish my views and the noise from the project would take away the peace and quiet that I go to my camp for.
3. The proposed wind towers are the same height as the ridge is from the road level of Rte. 105 below. This will make it visually out of scale to the surrounding landscape. The same is true for the height of these turbines from Fairfield Pond. They would be extremely out of scale on the ridge. As Fairfield Pond contains over 150 camps and permanent residences, this turbine project would adversely impact the many individuals at these properties. The property value for all of the camps on the Pond will be drastically reduced as the main reason for owning a camp on the pond – peace, quiet and nature – will be industrialized.
4. I am a very light sleeper. Noise from this project will affect my ability to get a good nights rest, especially in the summer when I sleep with the windows open to enjoy the sounds of nature. Industrial Wind Turbine noise is in no way similar to the peaceful sounds currently found on the Pond.
5. I spend a lot of my time on the Pond watching the birds. Over the past two years, I have conducted bird surveys on the Pond. With the help of associates, we have documented over 6000 birds in 2015 and over 7500 birds in 2016 during the fall bird migration. These surveys have indicated a pattern of bird flight to and from the Pond that passes over Rocky Ridge and

the site of the proposed Wind Turbines. The majority of these birds are flying at a level lower than 499 feet. The proposed Wind Turbine project and this bird activity are not compatible.



Kenneth Fox
1736 Reynolds Rd.
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(802) 527-7116
lumar@myfairpoint.net

Date: 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 16th day of February, 2017.

By:



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