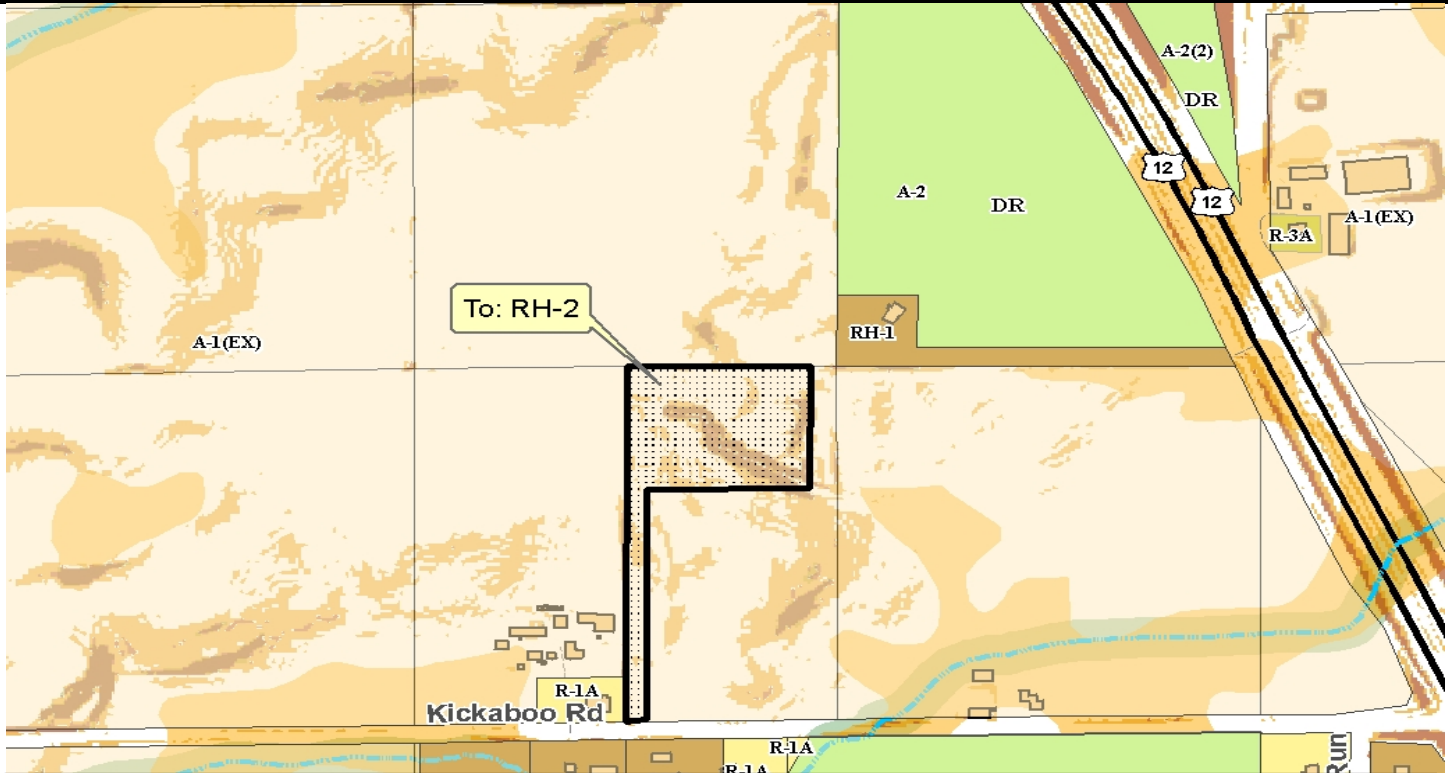




Staff Report

Zoning and Land Regulation Committee	<i>Public Hearing:</i> October 27, 2015	<i>Petition:</i> Rezone 10896
	<i>Zoning Amendment:</i> A-1EX Exclusive Agriculture District to RH-1 Rural Homes District	<i>Town/sect:</i> Springfield Section 16
	<i>Acres:</i> 7.2 <i>Survey Req. Yes</i>	<i>Applicant</i> Ivan J Hellenbrand
	<i>Reason:</i> Creating one residential lot	<i>Location:</i> East of 7228 Kickaboo Road



DESCRIPTION: Applicant proposes to establish a new residential lot for a residence for the farm owner. The applicant's property is the site of a wind farm consisting of 6 ~350' tall wind turbines with a production capacity of ~10 MW.

OBSERVATIONS: The property is mostly wooded, and includes a small area of steep slope topography. No other sensitive environmental features observed. The building site would be toward the back side of the proposed lot, outside of the steep slope area and located approximately 700-900' away from base of closest wind turbine.

VILLAGE/TOWN PLAN: The property is located in the town's agricultural preservation area.

RESOURCE PROTECTION: A small area of resource protection corridor associated with the steep slope topography is located on the property. No development proposed within resource protection corridor.

STAFF: State wind siting rules (PSC 128) apply to the construction of residences near wind energy systems. The owner receives compensation from the operator of the wind farm for the access easement across the property. It appears that the applicant qualifies as a "participating property / residence", which is subject to less restrictive setback requirements under the siting rules. The siting rules require a minimum setback for participating residences of 1.1 the maximum blade tip height of ~397', or a total of approximately 437'. At over 700' away, it appears the proposed building site will easily meet the minimum required setback distance. As indicated on the attached density study report, the property remains eligible for 1 split. If approved, it appears the splits will be exhausted. Staff recommends a deed restriction be recorded on the balance of A-1EX lands comprising the farm unit prohibiting further residential development.

TOWN: Approved with conditions (driveway review, deed restriction on remaining lands).