

# Planners to review wind project with comp plan

BY ANNE ADAMS • STAFF WRITER

MONTEREY— Next week, Highland's planning commission must decide whether Highland New Wind Development's plans for a 39-megawatt wind generating utility are "substantially in accord" with the county's comprehensive plan.

A public hearing on the issue will be held Tuesday, at 7:30 p.m. in the courthouse; the commission will meet at 7:30 Wednesday in the modular conference center to vote.

Planning commission chair Col. Jim Cobb told his colleagues last month he expects them to thoroughly review the comprehensive plan, and issue comments on their opinions prior to fielding motions.

The review is a matter of state law under Virginia Code 15.2-2232, and is often dubbed a "2232 review." That section explains that when a planning commission recommends a comprehensive plan, and it's later adopted by the governing body (in this case, local supervisors), planners will control the "general or approximate location, character, and extent" of each feature shown on the comprehensive plan. After that, certain structures — including streets, parks, public buildings, and utilities — cannot be constructed or authorized unless planners determine they are "substantially in accord" with the comprehensive plan. This is true for such facilities whether they are privately or publicly owned.

Highland supervisors issued a conditional use permit for HNWD's project, but placed this 2232 review as a condition of final permit approval and authorization to construct. In its resolution granting the permit, the board's condition states, "The authority granted by this permit shall be conditioned on the receipt of all required state and federal approvals and review pursuant to Virginia code 15.2-2232."

HNWD's application for a 2232 review detailed its location on 217 acres of a 4,000-acre tract owned by the H.T. "Mac" McBride family of Harrisonburg. It notes the site, on two nearby parcels Tamarack Ridge and Red Oak Knob,



has been cleared for many years and "has among the best wind yet discovered in the eastern United States." In addition, it says, the site is close to the West Virginia line "where continued wind energy development has the potential to create view shed impacts on Highland County similar to those of the proposed project, but without the economic benefits to Highland County which the proposed project will produce."

HNWD contends its project will impose "negligible requirements on the existing Highland County infrastructure while providing significant benefits to the area in increased local tax revenues."

In arguing its utility is "substantially in accord" with the

comprehensive plan, HNWD points to findings put forth by county supervisors in their resolution granting the permit. That permit approval was made on a 2-1 vote, and whether it is ultimately granted is subject to pending lawsuits in addition to HNWD's meeting attached conditions.

When planners were charged with the 2232 review, Cobb instructed each of the five-member board to do their own research, and carefully go through the plan. He explained they were not charged with technical findings like whether the turbines would result in large bat kills, or whether the project met Federal Aviation Administration standards.

Their task was narrow, he said, and they were only to determine whether this project's location, character and extent was largely in harmony with the county's land use plan.

This week, The Recorder elected to accept that assignment as well, and presents here references in the comprehensive plan that could be interpreted as being relevant to the 2232 review. While much is subjective in terms of word choice, ambiguities and interpretation, and the methodology here could be construed many ways, The Recorder looked at the language in the plan itself, with an eye toward what most reasonable people could conclude. Listed here are statements in the comprehensive plan, and how they may or may not relate to the review according to the last three years of discussion by supporters and opponents alike.

When planners vote next week, they will determine HNWD's project is either substantially in accord with the comprehensive plan, or it's not. Should they choose the former, nothing further happens at this level. If they find the project not in accordance, HNWD may appeal that decision to supervisors, who can overrule the planners' decision.

County administrator Roberta Lambert says all three supervisors plan to attend Tuesday's public hearing but not participate.

## Where the wind project may be supported by the plan

• "Diversify the employment base." (page 89, economic goal)

Developers say the project could provide 2-3 jobs after it's built.

• "Explore ways of providing farmers with second income opportunities." (page 90, economic goal)

Most supporters argue this project and similar ones in the county established later provide farmers with an opportunity to increase their revenue by leasing land to wind energy developers.

• "Increase the county's financial resources." (page 106, government and finance goal)

The project is likely to create additional tax revenue for the county, somewhere in the neighborhood of \$200,000 annually over 20 years.

• "Generally, (utility) development should occur where these services can be provided at 'least cost' or where they can be installed and function without additional costs or failure in the future." (page 127)

The developer says the project would be built at no cost to the county. Detractors point out, however, that the project uses up the last remaining power capacity on the county's only 69kv transmission line, and further upgrades to accommodate other electrical resources would be costly.

• "Seek clean industries that do not produce harmful emissions." (page 163, natural environment recommendation)

Generally, wind facilities are considered utilities which do not produce harmful emissions.

## Hearings scheduled for Liberty Gap's Jack Mountain wind project

FRANKLIN, W.Va. — Public hearings are set for Thursday, May 4 in Franklin on the Liberty Gap wind utility project proposed in Pendleton County.

Two hearings will be conducted that day by the West Virginia Public Service Commission at 1:30 p.m. and 7 p.m., in the Pendleton County Community Building, Franklin. Citi-

zens are invited to voice their opinions about the 50-turbine project proposed for the ridge of Jack Mountain south of Franklin. There will be no cross-examination of those providing their input.

Evidentiary hearings will follow June 28-30 in Charleston for formal intervenors and participants in the case.



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# Where the project is not likely in accordance with the plan

• “Carefully planned, balanced development is the phrase that may best summarize what we seek in the land use pattern of our community. We visualize strong, centralized cores (Monterey, McDowell, and perhaps other planned potential growth areas) that act as magnets within the county. Future development will evolve gradually from these cores, expanding their peripheries. By centralizing growth, surrounding rural areas can be left to remain predominantly green and open for farming, recreation and conservation ... We want any future growth to add to our existing communities and neighborhoods and to strengthen, rather than degrade or compete with what already exists. Growing within the limits of our resources is a key concept in our attitudes about balancing development with the natural environment.” (page 7)

HNWD’s project is not planned in a growth area; it is proposed as the only development of its kind in an agricultural (A-2) district in the far westernmost area of the county.

• “Preserve and retain quality in existing houses” and “Attempt through zoning and other ordinances to enhance and protect the character of residential areas.” (page 39, housing goals)

Most have argued the project would not enhance or protect the Allegheny Mountain neighborhood, and in fact is more likely to reduce the quality of living there, especially for those closest to the utility or within its view shed.

• “Ensure that new business and industrial development

occurs in suitable locations and is compatible with the county’s environment, scenic, and rural character.” (page 89, economic goal)

Most have argued the project is not compatible with the environment, and in fact poses great risk to the sensitive Laurel Fork watershed and its wildlife.

• “Support and promote scenic byways designation to protect and enhance the high scenic quality of roadways in Highland County.” (page 123, transportation goal)

Both state agencies and Highland’s chamber have said the project could be detrimental should the county pursue scenic byway status for U.S. 250, which bisects the project area.

• “Protect local water resources and unique aquatic habitats.” (page 163, natural environment goal)

Most argue the project stands to significantly impact Laurel Fork, a specially designated state waterway with Tier III status.

• “Encourage developers to complete a detailed, site-specific soil survey before pursuing localized construction.” (page 163, natural environment recommendation)

A soil survey has not been conducted for the site area.

• “Highland County’s plan for future development should be based on community principles. It is crucial the attributes that most define local character be identified, protected and

capitalized upon. Highland is distinguished by breathtaking mountain and valley scenery, vast stretches of pastoral land, a unique role in American history, and a close-knit sense of community, among many other characteristics. The most desirable developments will be those that complement the county’s natural and cultural setting. A growth management scheme should discourage random and scattered development in favor of a more compact, coherent, and sustainable pattern.” (page 169)

• “Proper buffers between new industries and existing residential and agricultural uses are recommended to preserve visual quality.” (page 170)

Developers have acknowledged there is no way to disguise or hide the turbines, which will be nearly 400 feet in height.

• “When a county’s farm and forest-based businesses are healthy, they help shield rural character and the environment from incompatible development patterns such as suburban-style, residential sprawl; likewise efforts to protect a county’s pristine landscapes, historic resources and ecological values from fragmentation deter land uses that compete with farming and forestry.” (page 174)

• “Locate potential industrial development sites on relatively small pads in the vicinity of one another, so as to centralize development in ‘industrial parks.’ (page 187, land use goal)

## Where it gets muddy – subjective language

• “Beauty and aesthetics, including preservation of our historic character and natural resources, will be principles we apply in determining land use policies. We want Highland County to remain attractive and distinctive, and by protecting the county’s high quality of life, we expect to attract visitors and new residents.” (page 7)

HNWD’s 400-foot turbines, some have argued, would be attractive to some people and not to others, and the developer’s supporters maintain they would attract visitors. Others, however, argue they would be seen only as a novelty at first, and degrade the beauty and aesthetics of the area.

• “Establish the Highland Medical Center as being financially self-sufficient”; “Upgrade local fire and rescue dispatch systems as needs arise”; “Refine the structure of the recreation committee to encourage active participation”; “Explore innovative funding sources for recreational activities”; “Support the growth and development of the Highland Center”; “Explore the potential for raising a tele-

communications tower in eastern Highland without significantly altering the view shed.” (page 61, goals and recommendations for community facilities)

Project supporters have argued any increase in county tax revenue from this project could help support these efforts. Others say no county official has promised the extra money, if received, would be used for any of these facilities.

• “Continue to market the Staunton-to-Parkersburg turnpike as a valuable historic, cultural, and economic asset.” (page 89, economic goal)

Some argue the project would move the county toward this goal by increasing tourism. Others say it would be detrimental because the project would degrade the corridor and therefore be harder to attract tourists.

• “Land use planning entails the designation of local areas for various activities such as housing, recreation, con-

servation, commerce and industry. Such activities are based on community needs and the suitability of specific parcels for those activities. Suitability typically determined by natural characteristics of the land and environment, available infrastructure, and existing adjacent uses ... Since development projects can either enhance or detract from a community, land use policies must reflect local cultural, natural, and historic attributes. They must also provide for the fair and equitable treatment of private landowners.” (page 169)

This statement has been interpreted many ways. Project opponents argue the utility is not a project based on community needs, as it provides no local electricity, and degrades local cultural, natural and historic attributes. Further, they contend, it infringes on the rights of private landowners who live and work near the site. Others argue the site is suitable due to its location near a transmission line and primary road, and allowing its construction provides fair treatment to the site’s property owners.

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Thank you for all of your support and love to co-workers, local businesses, schools, religious communities, and the friends that we hold dear. There is something to say about everyone here and that is the way you know how to open your arms and make one feel special.

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