

Groton Planning Board
April 24, 2013
(Amended)

Present: Chairman Steve (Slim) Spafford, Dave Labar, Deb Johnson, Russ Carruth, Jenny Burnett, Alternate Sherry Nelson, and Select Board liaison Miles Sinclair.
Absent: Celine Richer.

Six members of the public were also present as well as Attorney Jason Reimers representing New Hampshire Wind Watch (NHWW) and Jeff Nemeth, Eastern Development Project Manager for EDP Renewables (EDPR).

Meeting convened at 7:10 PM.

Minutes of March 27, 2013 were read and accepted. Sherry departed to work on processing returned surveys upstairs.

Chair read aloud a letter dated April 4, 2013 from the Groton Planning Board to Jeff Nemeth describing the Board's approval of EDPR's application for Site Plan Review with the four conditions stipulated and waivers granted. He then read a letter returned from Mr. Nemeth, dated April 23, 2013 regarding condition four, the removal of the meteorological (met) tower based on an enclosed estimate done by a contractor the firm has worked with before of \$5800. The letter proposed that EDPR provide a bond of \$7000, to be revised after 7 years were the tower to be still active at that time. Later in the meeting after further discussion, Jeffrey Nemeth offered to increase the bond amount to \$10,000.

Next the Chair read a letter dated April 22, 2013 from Attorney Mark Beliveau, representing EDPR, to the Planning Board that was a cover sheet to the enclosed final Site Plan. The cover letter described the conditions from both the Groton Zoning Board of Adjustments and the Planning Board, explaining that the enclosed Plan would include all of the requirements.

The Board then examined the submitted Plan to observe if the requirements were met. Findings were as follows:

- • Surveyor Alan Barnard, in a "report of findings" (as opposed to an official property survey) affirmed the proposed location of the met tower by lat/long, stating that it was within the town of Groton.
- • The access road to the site was found to be marked and two surrounding roads identified. A discussion ensued that served to clarify the area roads, lot lines, and the elevation of the proposed site.

At this point Deb raised a question regarding the bond proposal, asking if the bond would include removal of any cement. Mr. Nemeth assured the board that it would. The Board turned attention to examination of the April 23 letter, after which Deb stated she felt the letter should have more clear language regarding the specifics of the met tower removal.

Miles moved we remedy the concern by clarifying the Board's intent specifically regarding the removal of the met tower to mean the removal of all portions of the tower and its components and restoration of the site to its original condition. Jenny seconded. All were in favor except Deb who was opposed.

For the record, Mr. Nemeth repeated and agreed to the clarified requirement, stating that the tower and its components, cement, anchors, anything that was not there before erection of the tower would be removed and any disturbed areas at the installation site would be seeded and mulched.

A member of the public audience, Bill Jolly, asked if there was a specified bond company, and expressed that the provided estimate could not be considered accurate and could therefore not be accepted as no scope of work was included. Mr. Nemeth responded that the scope of work was complete removal, and that the estimate was given by a consulting contractor.

Bill felt that what was provided by EDPR was merely a "letter of intent" that did not provide sufficient information about the scope of work, and the estimated cost was not necessarily from an unbiased, independent third party contractor. He further stated that this put the Town at risk of liability.

Deb agreed, and added that a damaging precedent could be set by taking an applicant's word without such a third party estimate; she felt that to do so would not be professional. Miles took exception to any reference to lack of professionalism by the Town, and was concerned about "bleeding" proponents. Deb took exception to the notion of "bleeding". Ultimately, we all agreed that our first responsibility was to protect the Town.

Miles moved, Jenny seconded, that we procure a quote for the removal of the met tower and its components and remediation of the site by an independent, unbiased source. Any costs accrued to acquire this quote would be borne by the applicant. Further, it must be clear that all costs for the removal whatever they may be must be borne by EDPR.

Mr. Nemeth raised the concern that no timeline had been discussed, as he does not want the project to be delayed un-necessarily. Chair replied that he would like to see the matter resolved by next Planning Board meeting, May 29, 2013, and Mr. Nemeth agreed. The Board voted and Miles' movement was passed unanimously.

Miles stated that he felt we should not sign the Plan tonight based on the need for a new bond estimate, further adding that the Select Board issues the building permit. The Board agrees and decides to table the matter.

Before Mr. Nemeth departed Chair requested that 3 copies of the plat be provided and he agreed to bring them to the next meeting.

Other business included an invitation to an Economic Development Forum taking place May 23 2013 at Pease Library. It will be presented by Jeffrey Taylor Associates, with whom Steve Whitman, who has been assisting us with Master Plan revision, is affiliated. Slim has information if anyone would like to attend.

Ray Blake is willing to be an Alternate, as he is interested in the processes of the Planning Board. This would reduce the burden on Sherry as the sole Alternate. Chair moved, Miles seconded to nominate Ray. All unanimously approved.

Sherry rejoined the group to briefly discuss analysis of surveys. She also helped us clarify some important upcoming dates:

- • May 8, 2013 at 6:00 PM Brian Hotz of the Society for the Protection of NH Forests will facilitate a discussion of the proposed purchase of the Kimball Hill tract by the Town.
- • Next Master Plan Revision Work Session May 15, 2013 at 7:00 PM.
- • Next Planning Board meeting May 29, 2013 at 7:00 PM.

Russ moved and Miles seconded to adjourn, all in favor and meeting adjourned at 8:50 PM.