

GROTON PLANNING BOARD  
Dec. 19, 2012

Meeting convened at 7:05 pm.

Present: Chairman: Stephen (Slim) Spafford, Select Board liaison: Miles Sinclair, Jenny Burnett, Dave Labar, Russ Carruth, Deb Johnson, Alternate and Clerk Sharon Nelson

Absent: Celine Richer

Sign-in sheets showed 32 Groton residents present, 33 people from surrounding towns plus abutters.

Chair opened meeting by explaining why Site Plan Review for proposed MET tower had to happen. Deb said that she believes more than a MET tower is being considered. She noted that the name used on EDP paperwork is "Spruce Ridge Wind Farm". Russ agreed saying "I don't believe that we can separate the two."

Chair went through list of required submissions, making sure all sent.

EDP Renewables Attorney, Mark Beliveau of Pearce Atwood in Portsmouth, spoke to the last question on the checklist, explaining the purpose of the MET tower.

Miles moved to accept the application as complete. Dave 2nd. Russ voted no, while rest were yes.

Hearing opened at 7:43 pm. Jeff Nemeth, Eastern Project Manager for EDP gave a five minute overview of the proposed project. He told us specifics as to the location of the MET tower and what will be there - guide wires, no traffic, regular maintenance via one pickup truck.

Alternate/clerk Sharon Nelson went to the microphone and asked Planning Board Members to turn to p.1, Section II of Groton's Site Plan Review Regulations. This section explains the Purpose of Site Plan Review. As she directed Board Members' attention to a particular phrase, Miles asked her to read aloud that entire paragraph, which she did. Sharon stressed the phrase "to promote balanced growth". She reminded the audience that Groton has just seen its only Wind Farm get up and running and we don't know what to expect in this first year. Nelson believes that to allow construction of a MET tower could mean, if data collected is positive, the State Site Evaluation Committee, NOT Groton, will say "yes" to a second wind farm. That would be unbalanced growth in her opinion. Section II, Purpose, ends with the directive "to guide the character of development".

ZBA member Patti Bailey rose to say that she "doesn't think the ZBA was informed" when members voted to give EDP a Special Exception on Nov.28, 2012. Bill Jolly, an abutter to and viewer of Spruce Ridge asked "Who is EDP Renewables?" Mr. Nemeth told him that the company headquarters are in Houston, Texas with parent companies in Delaware and Portugal. Bill read notification sent to abutters, which he felt did not alert receivers to the full scope of the project. Mr. Jolly would like transparency in town government. He feels that Groton's self-designation of Rural Residential Development should over-ride the ZBA exception.

Groton resident Barry Sawyer asked "Isn't the ZBA decision binding?"

Jim Peschke, another Spruce Ridge abutter, expressed exasperation about being told what can and cannot be talked about. "A MET tower means a wind farm", he said.

Stacey Darlington of North Groton Rd. expressed her desire to withhold any decision on this MET tower until the Planning Board and its volunteer committee has completed their revision of the Master Plan.

Groton resident Mark Watson called attention to Section V, D-2 of our Site Plan Review Regulations where it is stated that "The Board may apply to the Selectmen for an extension not to exceed an additional 90 days before acting to approve, conditionally approve or disapprove an application.

Carl Spring of Groton Hollow Rd., Rumney spoke of safety issues missed by town officials during the construction of Groton Wind Farm. He showed a large stone which he claimed had flown onto a private citizen's land during the blasting process. He said, also, that the nearby brook ran black during some of the construction process.

Bill Jolly spoke of a wetlands problem in the saddle in Spruce Ridge, where the snowmobile trail runs. When the lawyer for EDP asked why the Planning Board needs soil survey data, described on p.15, D-2, Chair Spafford told him that we need to know if erodible or highly erodible soils are present at a construction site.

Jason Reimus of BCM Environmental and Land Law has been hired to represent the concerns of NH Wind Watch. He introduced himself and urged the Planning Board not to decide on the merits of the accepted application tonight. Mr. Reimus does not believe the application is complete and therefore should not have been accepted by the Board. He cited RSA 676:4's requirement for fairness. "Interested parties never had the ability to review the checklist and other relevant documents." Also, he explained, NH Wind Watch needs time to consider hiring expert witnesses.

Marilyn Lieto of Groton asked "Who is Wind Watch?" Jenny Tuthill of Alexandria stood to say she was a member of Wind Watch along with other concerned citizens of the Newfound Lake area. Mrs. Lieto asked if Jenny and Wind Watch had sent out a mailer to area PO boxes. In Marilyn's opinion that mailer included misinformation. Jenny said she knew nothing about the mailer when shown a copy. Mr. Watson of Groton said he, not the Wind Watch organization, sent out the flyers.

Bill Jolly asked the Planning Board to hold off on a decision until the appeal process has been completed with ZBA. "Err on the side of caution" he urged the Board. "We need time to prove and disprove much of the information given us by EDP.

Attorney Beliveau, representing EDP, asked the Board to approve the application with any conditions required, like the ZBA did.

Hearing closed at 9:52 pm.

Russ moved for a continuance based on amount of information to be digested, Miles 2<sup>nd</sup>, asking clerk to notify EDP that this is the date of acceptance of their plan. Both the company and the public are notified that at our next meeting (Section V, D-1), Jan. 30th, the Board will be considering action on the application accepted tonight. Miles also noted that our Board is at a disadvantage without a lawyer. Both EDP and NH Wind Watch have legal counsels. We, too, will have counsel present on the 30<sup>th</sup>. Five of the six Board members present voted in favor of continuance. Jenny abstained. EDP agreed to wait until Jan.30, 2013 for consideration of their plan. They will not wait more than the 65 days required by the Legislature for taking action (Site Plan Review Regs Section 5 D-1).

Minutes of Nov.28th were read and approved.

Adjournment was agreed to at 10:25 pm.

Sharon Nelson, Clerk