

GROTON PLANNING BOARD

PUBLIC HEARING for

Ordinance for Large Wind Energy Systems (LWES)

JANUARY 21, 2015

Hearing opened at 7:15.

Board members present: Chairman Steve (Slim) Spafford, Russ Carruth, Deb Johnson, Celine Richer, Dave LaBar, Selectboard liaison Bob Ferriere and alternates Ray Blake and Sherry Nelson.

Absent: Jenny Burnett

Sixteen Groton residents were also present.

Chair explained that proper notification of this hearing had been done. Chuck Stata asked if notification included language that this is an Amendment to Town Zoning Ordinance. Chair, Slim, said "no".

Slim reminded everyone that Planning Board had received results of survey sent to community members, showing 89 residents would like more local wind energy production. 145 residents said they would not want more wind energy production.

Deb added that the Planning Board had sent a much more detailed survey out at the beginning stage of our Masterplan Revision (on going). She spoke of new legislation requiring the SEC to respond to local opinions. Other legislation allows the Planning Board authority to prepare a Large Wind Energy Ordinance for town residents to consider.

When Iberdrola was planning a wind farm in our town we could not decide yes or no. Only the SEC could. Now Planning Boards will hold hearings for any wind production under 30 megawatts. SEC will hold hearings for larger energy production above 30 megawatts.

Tony Tavares came not knowing the proposed ordinance was on line and asked for a summary. Deb began to do that and then Russ suggested that perhaps reading aloud Section A would be helpful to Tony. Celine did so.

Chuck argued as to what ordinance should be called. Deb said we were here to look at the contents of the ordinance. Chuck then assailed the board for not letting the public know what our town lawyer's opinions were regarding the ordinance.

Elizabeth Jespersen asked why the board chose to use ordinance language from a town opposed to wind energy. Deb explained we kept language that pertains to any large energy producer.

Pam Hamel asked about the difference in her copy of the ordinance from the one on the town web site. She said the board should post the same document that the public will be asked to vote on in March. Russ stressed these are guidelines and amendable.

Tony said that since this has to go to a ballot vote he is concerned that residents will not understand well enough to vote. Board members encouraged all present to let friends and neighbors know that the ordinance is on the town web site. Chair said that our town clerk will make a copy (@.50 per page, 7 pages) for anyone who asks.

Joanne Kudda said she had read the ordinance and saw that it protected the town and was well thought out.

Miles expressed the need to put an explanation of the ordinance in with the ballot. He also expressed concern that proper procedures have not been followed, mainly – no consultation between board members. Chair explained that Planning Board members, at the last Planning Board Meeting, had authorized Deb to proceed, researching ordinance language and the board would email her with their comments to be included in the final draft for the public hearing. There would be no communication between members. Miles was also concerned that the board had not consulted with town counsel until Chuck Stata requested same. Chairman reminded Miles that when Selectboard liaison to the Planning Board Miles had been reluctant to spend extra money to consult Laura Spector-Morgan and, instead, had urged consultation with Local Government Center (now Municipal Center). Slim informed Miles that lawyers at the Municipal Center have been guiding the Planning Board in the development of this ordinance. Chair also said that the Planning Board is under no obligation to consult with our Town Attorney.

Mark Watson said that he had read the Town Attorney's remarks and wondered from her first paragraph if she was unaware of new legislation relative to wind power projects. He noted that Laura used "I feel" and "I think" – not facts. Mark told us he spends a great deal of time at the state house and has seen new legislation passed. He was amazed that Laura made no reference to the new RSA requiring the SEC to listen to the towns. He said the SEC has accepted and acted on this particular ordinance or close matches to this ordinance, written by other towns.

Chuck had a list of questions about the ordinance that he started to read. Deb began trying to answer his questions as he read each one, but he stopped her and said he didn't need the answers, but thought the board should consider them to help clarify the ordinance. He left a copy with the secretary.

Nancy Watson thanked the volunteer board members for giving the town regulations to protect us with large industrial wind producers.

Miles asked if Planning Board members have had a chance to discuss changes made to the document by Deb due to Laura's comments. Chair answered that we planned that discussion at the close of the hearing. Miles also asked, "Why not have a set of regulations to protect us against ALL big industry that tries to come in?" Russ replied, "We don't know what is coming!"

Pam said she thinks this ordinance targets one industry.

Joanne reminded all that this ordinance (or one close to it) has been looked over by many.

Hearing was closed at 9:10 pm.

Planning Board meeting opened at 9:30. We reviewed the draft ordinance that had incorporated Laura Spector-Morgan's suggestions.

Slim moved to send the ordinance to the town for a vote by paper ballot. Celine 2nd.

All agreed except Bob, who voted no.

Deb moved, Celine 2nd, to empower Slim to contact the Municipal Association and ask them to draft a proper version for the ballot and provide same in a timely fashion. They may contact Deb or Celine for an electronic version. Also ask if "draft" should be removed from the document. All approved.

Next meeting will be Feb. 25th.

Celine moved to adjourn. Slim 2nd. All in agreement. Adjournment welcomed at 11 pm.

Sherry Nelson

Acting Secretary