

Groton Planning Board
December 16, 2009

Meeting convened 6:10 pm.

Present: Deb Johnson, Jenny Burnett, Chair Slim Spafford, Celine Richer, Kyle Andrews – Selectboard liaison, Russ Carruth, Zoning and Select Boards, Town Attorney Walter Mitchell, Ed Cherian of Groton Wind LLC, FireChief Thompson, Glenn Hanson- Road Agent.

Absent: Steve Lindsey

All members agreed to motion to suspend minutes of Nov. meeting until end of meeting.

Chair asked Ed Cherian to explain status of meteorological towers. Ed said that due to high demand for towers he could not erect them now and might have to return in Spring to put them up since Winter erection is usually unsuccessful.

Chair asked if Planning, Zoning and Select Board members were agreeable to his reading aloud the draft of the agreement between Groton and Iberdrola Renewables, with questions asked as we proceed. All agreed to this plan.

Deb asked how much the selectboard and town attorney had been involved in the writing/rewriting of this agreement. Selectboard Chair Brogna said there had yet to be collaboration with the attorney. Attorney Mitchell added that there is neither right nor obligation of any town board to go through Site Plan Review of Groton LLC's plan. Planning and Zoning Boards can only point things out, but cannot say "No". In Mitchell's opinion this "agreement" would better be called a description of plans of Groton Wind LLC. He added that no doubt things go smoother for the company in its dealings with the State when local approval is shown.

Chair began reading the document aloud, stopping for a question on section 2.5. After much discussion, those present seemed satisfied with the limit of 25 wind towers being allowed before Groton Wind LLC must come back to the town for permission for more towers.

The next halt in the reading was at 2.71 and 2.72. Mr. Cherian had recommended deleting these. Patty Bailey and Kevin Maas of the ZBA feel signage is needed since snowmobilers, horseback riders, hikers and XC skiers use the area where the wind towers will be erected.

Russ expressed concern over the number of places in the document seen by him to relieve Groton Wind LLC of responsibility to the public. He was also concerned about color possibilities for the towers. Ed replied that FAA dictates color.

At section 3.4, both Patty and Russ asked about power lines. Ed explained that it is not practical to put all lines underground due to ledge. He assured the audience that the company is not going to clear-cut. About 150' radius of circular cuts will be around towers.

At section 5.1 Ed explained that public complaints would be heard and perhaps kiosks could be built to explain what the public is viewing from a highway, if necessary.

Reading continued to section 9.43 where Attorney Mitchell recommended an addition to “A Pre-Blast Survey will cover residents within 500 ft.” He would like to see the words “be performed to” inserted between the words “will” and “cover”.

Next stop for clarification was at 9.7.3 and 9.7.4. It was decided that if the company wants to do after hours work, prior approval could be given by the selectboard or road agent, depending on the nature of the work. This approval may be given in writing, e-mail or verbal (documented).

Mr. Cherian reported working with Fish and Game to determine possible effects of towers on wildlife. He also has and will work with the Dept. of Historic Resources to prevent damage to historic sites.

At section 14.1.3 Chairman Spafford asked about reclamation plans to follow decommissioning. He asked if foundations would be taken down below soil surface. Ed explained that 18 inches below the surface with a soil covering was the norm. Attorney Mitchell asked to have 18 inches put into the agreement here. Ed agreed to that. Russ asked about a tower’s lifespan. Ed said about 20 years. Repowering could occur anytime during the life of the tower, Cherian added.

At 14.2.1 Attorney Mitchell recommended that selectmen request security with cash or a letter of credit or an insurance bond. Chair Spafford asked the significance of the two year time limit after erection of towers. Ed explained that during the first two years of operation the turbine manufacturer must fulfill their warranty obligations.

Next, at 14.3.2 both Miles and Patty wanted to see the original language, now crossed out, left in. Miles said that the addition to that paragraph could stay as long as the beginning half of the paragraph was kept. Ed agreed to get his company’s lawyer’s explanation and send same to the town office and to Attorney Mitchell

Ed closed the joint meeting by telling those assembled that his company would not progress without a tax agreement with the town. His company must have a known cost in place to proceed.

After closure of the meeting with the Zoning and Select Boards minutes of the Nov.16th Planning Board meeting were read. Deb reminded the Board that minutes must include the fact that Roberti must fulfill requirements of site plan review process. Additional requirements may be asked of him during the process. Minutes were then approved as corrected.

Deb moved that a letter be sent to the Selectboard stating that the Planning Board will not be conducting a site plan review for Groton Wind Power LLC because the state has jurisdiction over this project. State preempts our site plan process. Celine 2nd motion. Russ voted “No”. Four other members voted in the affirmative.

Adjournment came at 9:20 pm. Next meeting is slated for last Wed. in January.

Sharon Nelson
Clerk