

TOWN OF TEMPLE, NEW HAMPSHIRE PLANNING BOARD

APRIL 18, 2012
FINAL MINUTES OF PUBLIC MEETING

Board members present: Allan Pickman, Camilla Lockwood, Ken Sullivan, Rose Lowry, Mary Beth Ayvazian, and Randy Martin

Call to order by Lowry at 7:37 p.m.

Approval of Minutes: Move by Ayvazian to accept the minutes of 04/04/12 as written, second by Lockwood, and so voted unanimously. This was followed by brief discussion about the following topics: details of the state energy initiative known as 25/25; Secretary of State website found lacking in information; interaction with New Ipswich land use manager; no further contact from Pioneer Green Energy (PGE).

Project Priority List: Copies of a summarized list of projects for the upcoming year were provided by Lowry. She reported having spoken to Lisa Murphy from Southwest Regional Planning Commission (SWRPC) and found her very helpful. Murphy is willing to attend the Temple Planning Board's meeting on May 16th to answer questions regarding revising the Master Plan as well as advise on developing a wind energy application and fee structure. Several board members expressed interest in attending a SWRPC board meeting in Keene. Pickman will email all Master Plan files to Lowry. There was discussion about updating different sections, and the process of involving the public with a survey and forums. Sullivan asked about the content and intent of the Master Plan, and Pickman responded that the document contains objectives and goals for the town, but is non-binding and strictly advisory in nature.

Emails and Right-to-Know (RSA 91-A): Lowry cautioned board members to be careful not to discuss anything or make statements within email contact. Any discussion or statements must be made within the structure of a properly noticed public meeting. Ayvazian affirmed that emails can be considered part of the public record.

LWES Research links: Sullivan said he has been conducting online research with regard to Large Wind Energy System (LWES) power companies, including Pioneer Green Energy. He urged the board to use due diligence regarding such companies and knowledge of their record, resources, etc. He said he has discovered that right now power markets are not conducive to buying wind power. Sullivan has also researched law firms that are familiar with wind power issues, and has established a preliminary list of names.

LWES Application Form: Copies of an initial draft of an application form were presented by Ayvazian. She indicated said she found it very hard to organize the content of the document. She asked about the procedure once an application is received. Sullivan suggested looking at the state Site Evaluation Committee (SEC) timeframes to consider what is acceptable to the New Hampshire government. Pickman said the process would be similar to an application for subdivision, where the board receives the application, examines it for completeness and then votes to accept it. Mention was made of perhaps utilizing a design review meeting similar to one used in the town of New Ipswich. Lowry said it seems the application would not be considered complete until all the studies were done, and questioned whether it should be tiered instead. Pickman countered that utilizing steps could be considered obfuscatory, and said the applicant should be able to walk in with all studies prepared. Lowry said it would be expensive if all studies were to be completed up front, and the applicant may not want to commit to that.

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Pickman stated time is of the essence with construction projects, and an applicant would not want to spend years completing studies in steps, but would want to do as much as possible all at once. He advised that all manner of things can be happening simultaneously, including studies and financing. Sullivan commented that everything should be completed up front and cannot vary from the designations of the ordinance, and thought a large company could certainly come in with everything prepared. Lowry stated she would retract her proposal to use a tiered approach after listening to the comments by Pickman regarding company proposals for projects and meeting application requirements. Ayvazian explained the initial setup of the draft application roughly follows the order of information contained within the ordinance, plus other specifics. She urged other board members to contribute to creation of the format. Pickman suggested the board could utilize language from the town's existing mountain zone Planned Residential Development (PRD) ordinance. He said as studies arrive they could be forwarded to the town's expert consultants for review.

Sullivan recommended collaboration with New Ipswich on developing an application, as both towns are under project consideration by PGE. This was followed by discussion of the status of the PGE project in New Ipswich. Ayvazian volunteered to contact the land use manager there for an update. Sullivan suggested the applicant should sign off that they have read and understand the ordinance and agree to compliance. Ayvazian responded that this was included, as well as the need to comply with state and federal regulations. Lowry wondered about requiring a land evaluation as an interim step, but Pickman said with wind towers the developer is not setting aside land as in a PRD. The significance of a wildlife study was brought up, and Lowry said the hope was to have a developer talk to the town beforehand. She stressed the importance of promoting informal discussion between the developer and the town within the application process. Other related topics brought up included requiring an environmental impact study, what number of printed and digital copies should be presented, and utilization of the town website to make information available to the public. The board agreed on the following summary of steps: 1) read the ordinance, 2) informal discussion, 3) preliminary design review, including a site walk by the Planning Board, 4) submission of the application, and 5) review period.

Sullivan brought up lease agreements for land involved in large scale wind projects, and said they were unconditional and could tie up land for 7 to 25 years. He stated that memos of lease agreements were filed at Hillsborough County Registry of Deeds (HCRD) to let the public know the leases are in place, but the actual lease details are private. This was followed by a discussion of the land parcels in both New Ipswich and Temple in the area of Kidder Mountain.

LWES Fees: Lowry wondered if the board has enough available information yet to set fees for large wind systems. Sullivan suggested the board should try to create an incentive for Small Wind Energy Systems (SWES) by having a lower fee. Pickman said building permit fees for construction are usually a percentage of cost or square footage. He suggested for wind energy the fee might be structured as a cost per megawatt or a percentage of tower cost. Sullivan noted with small wind systems the town can use the town's building inspector and not incur costs for specialty building inspectors. Lockwood remarked there is a need to quantify what needs inspection. Sullivan then asked if farms need permits for small wind towers. Pickman

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stated they must meet SWES terms, obtain a building permit, are subject to setbacks, etc. Lowry thought the topic of fee structure would be a good question for Lisa Murphy.

Legal representation: Sullivan stated he has made calls to lawyers for information on possible representation regarding LWES issues. He provided a list of firm names and website links. He indicated most firms would be willing to come to a Planning Board meeting for a free initial consultation. Sullivan then referred to information from a Canadian LWES project that indicated a percentage of tower costs would be reasonable as a permit fee. Lowry countered that since PGE will not be doing the construction, it would be difficult to estimate cost at that point. Pickman suggested the board use a dollar amount per megawatt and make sure it covers costs to the town. This was followed by a short discussion of determining assessed value of a LWES project. It was noted the assessor would initially examine the land, number of towers, cost of materials, income potential, etc., and at some point afterwards depreciation would kick in. Sullivan suggested calling towns with existing LWES projects, such as ones in Vermont or Maine, to see how they handled assessment determination. He remarked this should be a joint effort between the Planning Board and Board of Selectmen. He also said he would be willing to document wildlife research.

Homework: Lowry suggested board members review the Master Plan prior to beginning work on revision of the document.

Move to adjourn by Lockwood, second by Pickman, and so voted at 9:29 p.m.

Minutes submitted by Betsy Perry