

**2013 04-04**

Town of Windham, Vermont

Board of Selectmen Special Meeting

Date of Meeting: April 4, 2013

Attending:Windham Select Board:Mary Boyer, Chair, Margaret Dwyer, Frank Seawright

Windham Planning Commission:John Lingley, Chair, Bob Bingham, Ken Grimm, Bob Kehoe, Jim Morey

Windham Residents:Heath Boyer, Marcia Clinton, Roger Jones, Leslie Morey, Nancy Tips

Meadowsend Timber Lands LLC: Jameson French, Steven French, young Mr. French

(name?), Jeremy Turner

Clerk:Alison Trowbridge

1.Call to Order: Meeting called to order at 6:30 pm.

2.Statement of Meeting's Purpose:Mary said that the Select Board believed the meeting was called in response to a letter from Meadowsend Timber lands (MTL) from December, 2012. She pointed out that the meeting was requested by MTL yet there has been no agenda from them. Jameson French stated that MTL had no agenda and was hoping to introduce themselves, present a summary statement about what they're doing on the property (not so much about the proposed wind project) and have a fresh start for this project with the Town.

3.Background on MTL:MTL owns 20,000 acres of working forest land in Vermont, making them the 3rdlargest landowner in the state. Over 70% of this land has conservation easements on it. The family has been in the hardwood industry for about 100 years. The company has a history of conservation—Jameson's father did the first conservation easement (CE) in the state in Guildhall. They have worked with Vermont Land Trust (VLT) and The Nature Conservancy (TNC) to conserve land.

Jameson is one of three partners along with Steven French and Brenton French. Jameson has been the

Vice president of the Land Trust Alliance, past President of the Society for the Protection of New Hampshire Forests and on the Board of TNC.

The Styles Brook piece in Windham/Grafton is the largest piece of property they own. It covers approximately 25% of the Town of Windham. Their interest is in big hardwood trees for high end products such as furniture and cabinets, etc. When they first bought it, the property needed a wait and see buyer because the land needed restorative management, having been heavily high graded. In addition, the power line occupies 120 acres of the property and divides it approximately down the middle, making management more complicated. In this economic climate, it is difficult to hold forest land for a long time. Sugar maple is the biggest asset for this property. He also said that MTL is committed to putting conservation easements (CEs) on the property at some time.

4.Wind Process:Jameson explained that MTL is looking at the process of developing a wind power project on their property to be long and deliberate. There is no data from the met (meteorological) towers yet and the company doesn't know anything about the project's likelihood or any particulars such as the number and locations of wind turbines.

5.Participation with the Town:MTL would like to participate in the Town Plan update process and Jeremy Turner would be their representative at the PC meetings. MTL would also like to have two meetings in Windham similar to ones that it held in Grafton. One being an information session with Iberdrola, the wind developer, the second one would be a debate of the pros and cons of the wind project. Both of these meetings would be with an impartial moderator who consistently enforced time limits for speaking, etc. If the project goes forward, MTL would like a collaborative discussion with the Town to minimize the impacts on residents.

6.Questions from Town:

Mary asked if MTL was aware of the language in the Town Plan. Jameson replied that they were and that he doesn't know the process yet to know what effect the Town Plan has on the project.

Bob Kehoe commented on MTL's good stewardship of the property and the site plan review that occurred at the time of their purchase. The PC would like to have more information from MTL because it gives scope to the impact on the Town. He mentioned Kimball Lake, once a small pond, is now a much bigger water body and that its dam went out in the 1960s taking out roads, etc. Now that it is much bigger the impact from such an event like that would have larger consequences. He would like to set up time for Jeremy to meet with the PC to review the forestry management plan. Jeremy replied that he'd be willing to do so and that would help to educate the public to appropriate forest practices. Because of

the decades of high grading on the property, it can take more radical cuts to get the forest to regenerate in a productive way. MTL would be willing to conduct tours of the land for interested groups.

Bob Bingham asked what percent of timber practices in last 3-4 years have been related to wind. MTL responded that none of it has except for recent clearing for the met towers.

Jim Morey pointed out that this group from Windham has a high level of understanding of the issues regarding industrial wind power projects. He pointed out that federal dollars that used to be available for CEs are no longer there. Private funders are doing less and most CEs are done as gifts or below market value. He has been in touch with the State, VLT and TNC and they all want to wait to see what happens with this wind project. Jameson replied that MTL is very committed to doing CEs but needs to know if the wind project will go forward or not before it can do them on this property.

Jim said that in Lowell, the time from when the met towers were in place to the development of wind towers took about 3 years. Jameson said the average is 5-6 years. Sheffield was 8 years. Jim pointed out Iberdrola's policy of not building wind towers in towns where people don't want them. Jameson said the opinion of the Town would be a factor in the decision especially when there is a civil process. MTL wants to be respected and that the process has just started. There is not enough information yet to argue the case of local control versus the larger public good. He emphasized that more open dialogue would help determine the outcome.

Frank Seawright related his conversation with an ANR wetland ecologist and that he just read in the Brattleboro Reformer that the Athens Dome had been designated a wildlife area and that our area was very similar to it. He asked for a letter from MTL granting permission so that wildlife people from ANR could go on the land. MTL wanted to know who would be doing it and explained that an inventory was done as part of the Forestry Land Plan. MTL felt that it was unnecessary to have ANR people on the site because that work would be done as part of the project. MTL wants to think about this request and will get back to the Town.

Margaret asked why wasn't the town informed about the project earlier. Jameson answered that things probably didn't get off to the right start and that they wanted to avoid an angry, disrespectful process.

Mary asked what they meant by an angry, disrespectful process. Jameson said that at the July 2012 meeting, there was inconsistent monitoring of the times people spoke, there were rude outbursts and

Jeremy and Steven didn't get a chance to present. He said there were people in town who felt that MTL and Iberdrola were unfairly treated.

Nancy Tips said she felt that people were very respectful at the July meeting. MTL must realize that people feel their lifestyles are being threatened and they felt their questions were not answered. She also stated that if MTL didn't know anything yet about this project and couldn't answer questions at this time what was the point of this meeting? Jameson replied that there is more than one interpretation of the meeting and that MTL would like to start fresh. He wasn't answering questions that he doesn't know yet and no one knows those at this moment.

Mary said the Town is saying no quietly and fairly and what rights do we have to say no. Jameson responded that the Town has rights as does the landowner and the state will take into consideration the greater good.

Ken asked about the loss of property values because of the project. He said there are about 310 homes within 2 miles of the project. He stated that there is a 40% property value loss due to windmills. Jameson suggested looking at Lempster's study which found that properties, similar to those in Windham, didn't lose value. He also mentioned that properties in the Use Value Appraisal Program (Current Use) are a profit for the Town. Ken stated that there would be a moral obligation to compensate property owners for any loss in value due to the project. Jameson said that if the project were to be built that the impact would be minimized by judicious placement of the towers. Iberdrola has no proposed placements because it is awaiting data from the met towers.

Jim Morey asked if MTL would site the towers to minimize impacts and Jeremy, Steven and Jameson all agreed absolutely.

The question was asked about what impact MTL has on Iberdrola. Jameson replied it's significant. MTL, as owner, approached Iberdrola, and negotiates with them.

Frank mentioned that the American Wind Energy website has examples of "Exclusion Maps" which show areas that are not suitable for wind and won't have towers. Frank suggested this would be very helpful to the Town.

Jameson said that MTL is willing to work with the Town and is in a strong negotiating position. MTL is the sole owner of the property.

Heath said that Billy Coster, an ANR wildlife biologist, reported that ANR was only authorized to inventory around the met tower sites and that the Agency thought they needed to get permission from Iberdrola.

Jameson said that was incorrect and that MTL was who needed to be asked. He explained that MTL and Iberdrola have a memorandum of understanding and a lease agreement letting Iberdrola research the site's suitability for a windmill project. MTL wants to clear up this misunderstanding with ANR and told the Town to call MTL with any questions, not Iberdrola.

Margaret asked why wasn't the first meeting with MTL only and not Iberdrola as well? Bob Kehoe pointed out that outbursts at the July meeting came from public, not Town officials.

John Lingley stated that the Town wants facts and suggested the PC and Select Board go back and regroup.

Jameson reiterated MTL's 3 requests: Jeremy will attend the PC meetings and they want two public meetings with an independent moderator. They want a balanced panel representing both sides and request a civil process.

Roger Jones, a neighboring property owner to MTL, said he was pleased with the company's stewardship and asked if the project was to be built, are there areas that might not be developed if the Town requested that? MTL said it all depends on the results of the met tower study and the viability of a wind project in this location. MTL holds the cards and dialogue is critical.

MTL couldn't say any idea of the impact because there is too much not yet known. They said in Suffield, that town receives about \$503,000 each year which covers the entire town's property taxes. It was pointed out that Suffield has never received the full amount as they are supposed to, however, it is enough to cover their property taxes. Suffield has 16 towers.

Jameson said MTL insists, at any meeting, that the Town have a good moderator, otherwise they will leave.

Adjourned at 8 pm.

Approved by the Windham Board of Selectmen \_\_\_\_\_(date)