

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

**APPLICATION OF GROTON WIND, LLC
NO. 2010-01**

**OBJECTION OF THE INTERVENOR GROUP BUTTOLPH/LEWIS/SPRING TO
GROTON WIND, LLC'S CONTESTED MOTION FOR APPROVAL OF AMENDMENT
TO TOWN OF GROTON AGREEMENT**

The Buttolph/Lewis/Spring intervenor group ('Intervenors'), through its representative, Lisa Linowes, respectfully objects to the April 14, 2014 motion filed by Groton Wind LLC ("Applicant") which seeks approval to amend the Town of Groton Agreement ("Agreement"). In support of this objection, the Intervenors state the following:

The Applicant argues that due to the steepness (>12% grade) of the roads, access to the project site is unsafe during the winter months. Yet it was the Applicant's unilateral decision to deviate from the plans as approved by the Committee and construct roads with "continuous roadway grades that exceed 12-percent and have up to 15-percent grades." (*Attachment A of the Applicant's April 14, 2014 motion*). It would be inappropriate for the Committee to approve a change to the Agreement that would have the appearance of condoning an alleged permit violation.

The Applicant may have reached an understanding with the Town of Groton regarding Section 8.2.1 of the Agreement, but portions of the amended text are likely to still prove problematic. For example, the roads were not constructed in a manner that allows for "access to each Wind Turbine at a level that permits passage and turnaround of emergency response

vehicles" as stated in the modified Section 8.2.1. According to the Fire Marshal, the access roads are too steep, and the turning radii inadequate. (*See Tr. Apr 1, 2014 at 38*). During periods of the year when the roads are snow-covered or access is unsafe for emergency response vehicles, the Applicant offers to transport first responders via all-terrain vehicles, snowcats or by other means as deemed appropriate, however, transportation alone will not address instances where a more active response is required. (*See Tr. Apr 1, 2014 at 103*). Until an adequate fire and life safety plan for the Project is in place, the Applicant's request is premature. We agree with Counsel for the Public that this matter be tabled until the larger issues in this docket are resolved.

Dated this day of April 24, 2014

By:



Lisa Linowes

cc: Parties to Docket 2010-01