

NH SITE EVALUATION COMMITTEE

Public Hearing

March 4, 2015

Site 102.08: "Best practical measures" means **environmentally and socially responsible actions that utilize the latest proven available technology** and have been demonstrated to effectively avoid, minimize, or mitigate relevant facility impacts.

Site 201.01: Public Information Sessions Prior to Application

(b) The applicant shall publish a public notice not less than 14 days before each such session in one or more newspapers having a regular circulation in the county in which the session is to be held, **and made available at the host community's public library or town hall**, which notice shall describe the nature and location of the proposed facility.

Site 201.03: Public Hearings in Host **Communities**

(a) Within 90 days after acceptance of an application for a certificate pursuant to Site 301.04, the committee shall hold at least one public hearing in each **community** in which the proposed facility is to be located.

Site 202.03 Withdrawal of Committee or Subcommittee Member

(a) Upon his or her own initiative, or upon the motion of any party, a member of the committee or any subcommittee shall, for good cause, withdraw, **or be removed by the public's representative**, from a proceeding to consider an application or petition.

Site 202:13 Site Inspections

The committee or subcommittee, as applicable and public counsel shall conduct a site visit of any property which is the subject of a hearing if requested by a party **or impacted community**, or on its own motion.

Site 202:15 Waiver of Rules

(a)(3) **All parties must be notified of the request for waiver and given the opportunity comment.**

Site 301.03 Contents of Application

(c)(3) The location of residences, industrial buildings, and other structures and improvements within or adjacent to the site **and within the APE as defined by Section 106.**

(6) **Evidence that the applicant has a current right of legal access to and control of the entire project in the form of ownership, ground lease, easement, option, or other contractual rights or interests. (omit "ability to acquire")**

(i) b. For electric transmission facilities:

3. **Describe how the facility follows FERC recommended setbacks for new transmission lines regarding mature height of existing and future native trees outside of the right of way.**
4. **Describe planned setbacks that indicate the distance between each electric tower and the nearest landowner's existing occupied building, out building, and property line, and between each tower and the nearest public road and explain why the indicated distances are adequate to protect the public from risks associated with the proposed tower following HUD building guidelines.**
5. **Include an assessment of the risks of tower collapse, by calculating a fall zone for each tower design and why the indicated distances are adequate to protect the public from risks associated with the proposed tower following HUD building guidelines.**

(j)(1)

- a. A description of the prevailing land uses in the host communities, **host neighborhoods**, and communities abutting the proposed facility **regardless of whether the proposed facility is over a route already occupied by a transmission line or lines or not.**
 - b. A description of how the proposed facility is consistent with such land uses and identification of how the proposed facility is inconsistent with such land **uses regardless of whether the facility is over a route already occupied by a transmission line or lines or not.**
 - c. A description of how the proposed project or facility is consistent with the character of the host community and **host neighborhoods**, and how the proposed facility is inconsistent with the character of the host community and **host neighborhood**, **regardless of whether the proposed facility is over a route already occupied by a transmission line or lines or not.**
- (3) Employment. Such information shall include an assessment of
- a. **delete entirely because there is no way to factually verify these numbers.**
 - b. The number and types of full-time equivalent jobs expected to be created or preserved by the operation of the proposed facility, including direct employment of New Hampshire residents by the applicant.

301.08: Criteria Relative to Findings of Unreasonable Adverse Effects

- (a) In determining whether a proposed energy facility, **regardless of whether it's over a route already occupied by a transmission line or lines or not**, will have an unreasonable adverse effect on aesthetics, the committee shall consider:
 - (8) The effectiveness of the **latest proven technology** measures available to avoid, minimize or mitigate unreasonable adverse effects on aesthetics.

From HUD:

Fall Zone Setbacks

Setback from Occupied Buildings: The setback distance between a wind turbine tower, a radio/TV transmission tower, microwave relay dish or satellite dish (radio, TV cable), or high-voltage electrical transmission tower* and a non-participating landowner's existing occupied building shall be not less than three times the height of the tower. The setback distance shall be measured from the center of the tower base to the nearest point on the foundation of the occupied building.

Setback From Property Lines: The setback distance between a wind turbine tower, a radio/TV transmission tower, microwave relay dish or satellite dish (radio, TV cable), or high-voltage electrical transmission tower* and non-participating landowner's property line shall be not less than the 2.5 times the tower height. The setback distance shall be measured to the center of the tower base.

Setback From Public Roads: All wind turbine towers, radio/TV transmission towers, microwave relay dish or satellite dish (radio, TV cable), or high-voltage electrical transmission tower* shall be set back from the nearest public road a distance of not less than 1.5 times the tower height as measured from the right-of-way line of the nearest public road to the center of the tower base.

* A High-Voltage Electric Transmission Line is a power line that carries high voltage between a generating plant and a substation. These lines are usually 60 Kilovolts (kV) and greater, and are considered hazardous. Lines with capacity of 12-60 kV and above are considered high voltage. High voltage lines do not include local distribution and service lines. Low voltage power lines are distribution lines that commonly supply power to housing developments and similar facilities. These lines are usually 12 kV or less and are considered to be a minimum hazard. These lines may not pass directly over any structure, including pools or other outbuildings.

HUD guidelines preclude a building from being constructed within the "Engineered" Fall Distance of a high voltage tower. HUD is tightening their lending. They want verification that the building is not within this fall distance.

<http://www.hud.gov/offices/adm/hudclips/handbooks/hsggh/4150.2/41502c2HSGH.pdf>.

OVERHEAD HIGH-VOLTAGE TRANSMISSION LINES

No dwelling or related property improvement may be located within the engineering (designed) fall distance of any pole, tower or support structure of a high-voltage transmission line, radio/TV transmission tower, microwave relay dish or tower or satellite dish (radio, TV cable, etc.). For field analysis, the appraiser may use tower height as the fall distance. For the purpose of this Handbook, a High-Voltage Electric Transmission Line is a power line that carries high voltage between a generating plant and a substation. These lines are usually 60 Kilovolts (kV) and greater, and are considered hazardous. Lines with capacity of 12-60 kV and above are considered high voltage for the purpose of this Handbook. High voltage lines do not include local distribution and service lines. Low voltage power lines are distribution lines that commonly supply power to housing developments and similar facilities. These lines are usually 12 kV or less and are considered to be a minimum hazard. These lines may not pass directly over any structure, including pools, on the property being insured by HUD.

Suggested Setbacks: The GREATER distance by application of the following:

1. Tower Height + 10 feet from street rights-of way or site boundaries
2. 2 times the tower height from abutting residential property lines







