



**Upton
& Hatfield^{LLP}**
ATTORNEYS AT LAW

Concord Office

10 Centre Street
PO Box 1090
Concord, NH
03302-1090
603-224-7791
1-800-640-7790
Fax 603-224-0320

Attorneys At Law

James F. Raymond
Barton L. Mayer
Charles W. Grau
Heather M. Burns
Lauren Simon Irwin
Matthew R. Serge
Michael S. McGrath*
Marilyn Billings McNamara
Jeanne S. Saffan*
Lisa M. Hall
Kimberly A.W. Peaslee***
Sandra H. Kenney**
Michael P. Courtney*

Of Counsel

Robert Upton, II
Gary B. Richardson
John F. Teague
Bridget C. Ferns

Hillsborough Office

8 School Street
PO Box 13
Hillsborough, NH
03244-0013
603-464-5578
1-800-672-1326
Fax 603-464-3269

Attorneys At Law

Steven J. Venezia*

Of Counsel

Douglas S. Hatfield

Portsmouth Office

159 Middle Street
Portsmouth, NH 03801
603-436-7046
1-877-436-6206
Fax 603-369-4645

Attorneys At Law

Russell F. Hilliard
Justin C. Richardson

www.uptonhatfield.com
law@uptonhatfield.com

*Also admitted in MA

**Also admitted in MA & NY

***Admitted only in DC, ME
MA, US Patent/Trademark

Please respond to the Portsmouth office

April 13, 2015

Via Hand Delivery

Thomas S. Burack, Chairman
Site Evaluation Committee
NH Department of Environmental Services
29 Hazen Drive
Concord, NH 03302-0095

Re: Docket No. 2014-05
Petition of Antrim Wind Energy

Dear Chairman Burack:

Enclosed please find my *Appearance* and the following Pre-Filed Testimony on behalf of the Town of Antrim in the above captioned matter for filing with the Site Evaluation Committee:

1. *Testimony of the Antrim Board of Selectmen*; and
2. *Testimony of the Antrim Planning Board*.

If you have any questions, please contact me.

Very truly yours,

Justin C. Richardson
jrichardson@uptonhatfield.com

JCR/sem
Enclosure(s)

cc: Barry Needleman, Esq. (w/ enclosures)
Patrick H. Taylor, Esq. (w/ enclosures)
Town of Antrim (w/ enclosures)

STATE OF NEW HAMPSHIRE
BEFORE THE
SITE EVALUATION COMMITTEE

Petition for Jurisdiction of
Antrim Wind Energy, LLC

Docket No. 2014-05

TESTIMONY OF THE TOWN OF ANTRIM
PLANNING BOARD

1 **Q. Please state your name and title.**

2 A. My name is Christopher Condon, and I am Chairman of the Planning Board for the Town
3 of Antrim.

4 **Q. What is the position of the Antrim Planning Board on Docket No. 2014-05: Antrim**
5 **Wind Energy, LLC Petition for Jurisdiction Over a Renewable Energy Facility?**

6 A. The Planning Board for the Town of Antrim requests that the SEC assert its jurisdiction
7 over the review, approval, monitoring and enforcement of compliance in the planning,
8 siting, construction and operation of the planned wind energy facility.

9 **Q. What are the reasons for this position?**

10 A. First, the SEC asserted jurisdiction over the previous application (SEC Docket No. 2012-
11 01: Application of Antrim Wind Energy, LLC for a Certificate of Site and Facility).

12 Second, the Planning Board for the Town of Antrim does not have the technical expertise
13 or resources to address a project of this magnitude, nor has the Site Plan Review List
14 been updated to accommodate it.

15 Third, Industrial Wind Ordinances have been rejected by the citizens of Antrim three
16 times. Two of these were drafted by the Planning Board for the Town of Antrim and the
17 third was a citizen petition.

18 Finally, because this issue has become a divisive one in our town we feel that if the SEC
19 asserts jurisdiction the process will be more impartial.

20 **Q. Does this conclude your pre-filed testimony?**

21 Yes.