

Westmoreland New Hampshire

Zoning Board of Adjustment

Unapproved Meeting Minutes – November 16 2022

Board Members Present

John Harris, Mark Terry, Peter Remy, Alan Bell, Nancy Ranson, Brian Merry

Public Present

John Snowdon, Larry Muchmore, Jan Muchmore, Matt Sauba, Jay M. Prior, Scott Pederson, Mike Williams, Grace Gaing, Jason Kats, Tom Warner, Kristin Warner, Sharon Combs-Far, Bruce Far, Walter Carroll, Nancy Sandahl, John Consantinov, Ernest Herbert, Janet Hurley, Frank B, Kelly Lynch, Ian Fitzgerald, Jean Prior, Stephan Robinson, Elaine Moore, Christopher ?, Bob and Gwen ?, Brenda Smith, Patti S, Caleb Hill, Medora Herbert

7:00 PM Peter Remy Opened up the meeting.

Jason Kats of 508 Route 63, Westmoreland NH 03467 Hearing for “Height Exception required for the installation of a wind turbine, Article IV section 420 of the Westmoreland Town Ordinances.

Jason Kats came prepared with a large number of foam core board displays, which he used to describe the size and position of his proposed wind turbine. He answered all the questions from previous meetings in great detail. And included a QR link code to the studies he used in his presentation to the board and concerned neighbors. He detailed the height of this project to be at 760 feet.

He detailed the service life of the system at 25 years, which could then be rebuilt to last another 25 years.

He spoke about federal tax credits and incentives and how the project would be paid for.

He said that he planned to sell power to the county and Maplewood Nursing home. He went on to show us charts about how much money the town would earn in taxes over 50 years of service. He talked about the community power coalition and how the power from this project works into the goals of that coalition at reducing energy costs to consumers in New Hampshire.

He said that he would replace many oil furnaces with heat pumps if the project was approved.

He explained why his property is a very good place to position a wind turbine because of the Connecticut river valley and that the wind data supports his view.

He talked about noise and said that it was minimal because of the trees damping the effects of the sound and that one turbine shouldn't be compared to a field of many turbines.

He said there were studies that showed that wind turbines were not detrimental to property values.

He showed that de-icing wouldn't be an issue because GE the company that makes the turbine has a patented ice mitigation system.

Jason had a buddy of his who is a Union Electric worker come up and talk about the noise. Scott from upset New York. Scott suggested that people go listen to them for themselves. He then began to repeat himself by saying "There is no noticeable mechanical noise when you combine it with background noise, let me say that again, there is no noticeable mechanical noise when you combine it with background noise, let me say that one more time...." At which point Peter Remy stop him pointing out that we had limited time for this hearing.

Next Jason had Mathew Sobotka a bird expert speak about birds and bird deaths from wind turbines. Mathew went into great detail about way that bird deaths can be mitigated such as painting one of the blades black, using radar and migration forecasts to turn the turbine off when migrations or birds are approaching.

Jason made it clear to everyone that he would willingly do all these things to save birds as well as buy insurance policies to deal with abatement and that he would dismantle the system should he decide to move.

After Jason's presentation Peter asked Jason to show us the exact wind turbine he is looking to build.

Peter Remy asked how quickly the blades could stop and Jason replied in a few seconds.

Alan Bell asked about his studies showing property values and wanted to know how close the nearest home was to the studies he cited in Lempster and Atrim? Are any homes within 950 feet of those turbines. Jason replied that he had read so many studies he did not remember.

Sharon Combs-Far said that she had that information and that it was 3800 feet, and that there is presently a lawsuit over the noise.

Jason said to bear in mind that Antrim has a number of turbines and he is only asking for one unit.

Alan noted that 3800 is almost 2 3rds of a mile away.

John Harris noted that Hillsboro has an ordinance which says there must be a 2000 foot setback from any historic structures. Groton, New Hampshire a couple hours away from here also as an ordinance with a height limitation of 400 feet and 2000 feet setback.

Nancy Ranson "I have a question when you fill out all these massive amounts of money that you're going to make and say it was based primarily on people heating with oil, and electric. Did you take into consideration people who might heat with wood?"

Jason "Yes40% of New Hampshire households heat with oil and if you convert all 40% Of those, that's where the savings come from. So the other 60% that he with either electric or wood or propane, for example. That's not included in that savings If you do heat with propane or wood and you want to switch those savings actually go up ."

John Harris suggested that Jason look at some the visual impact assessment process that other towns in New Hampshire with ordinances regarding wind turbines have sighted, and then went on to say "I think, very inappropriate for a turbine to be located that close."

8pm Peter Remy opened up the meeting to the neighbors and abutters.

Bruce Farr

"I'm going to read a few statements that we put together regarding thank you for your for no questions to Jason but Justin. If I can come up here.

So as I said, I'm Bruce Farr, who lives on Park Hill with my wife Sharon. We've lived there for four and a half years. And I'm in abutter to Mr. Kat's property on a section of Route 63. We've listened closely to Mr. Kats's testimony in this matter and board's inquiries. He Jason is hoping to erect the utility size, megawatt scale wind turbine standing up to 750 feet tall and more as you just described Jason from base to blank tip in the 12 o'clock position and sell the energy to as yet undetermined consumers. The application raises several basic land use questions and I tried to compile them here. Mr. Kats is property zone medium density residential. A question for the board is what provision of the Westmoreland ordinance allows such a commercial use in a residential zone? Number two further Westmoreland's ordinance and site plan regulations appear to be silent on wind turbines as a permitted use. We looked at the permitted uses cited in article five of the ordinance for each of the zones and there is no reference to wind turbine's energy generation or other language that might fit Mr. Kats's intended use. We're wondering how the board can proceed with a special exception for height on a use that is not permitted? Number three before the board can consider a special exception for height we believe that the Board should first assess if wind turbines are a permitted use under our existing land use regulations, unlike small solar, as defined in Section 432 and 432.1 of the ordinance wind turbines small or large aren't defined as an accessory use in the Westmoreland's ordinance. Number four. If we were to agree that utility size turbines were permitted in residential zones, which we do not the board must find that under 305.1.1b.1 that the site and I quote is an appropriate location for such use. The 700 and some odd feet tall wind turbine would create a safety issue for neighboring property owners. Our rough measurements indicate that project could be as close as 600 feet to the nearest nonparticipating of butter. If the turbine should collapse or catch on fire, it was placed the safety of its neighbors at risk. No commercial turbine operating in New Hampshire is this close to property lines further, the state of New Hampshire imposed a minimum 1300 foot safety zone around the granite reliable wind turbines in Coos County. Those turbines are only 398 feet tall, nearly half the height of the turbine proposed here. We've contacted I want to talk about the diminution of land values because we've contacted several local real estate property value professionals, who indicated to us that a wind tower that size located in a residential neighborhood would have a notable effect on nearby property and real estate values. And by that they mean a diminution of value. And that says nothing of the harm or injury and break the look of being located so near to a historic neighborhood with a structure namely the Park Hill meetinghouse being listed on the National Register of Historic Places. There's been discussion in this proceeding that a proposed wind measurement tower that Mr. Kats had indicated he would like to erect prior to the turbine itself. That measurement tower meets the depth of he dedicated would like to recommend meets the definition of a temporary structure. We believe this is a misreading of the law or the regulation. First, it's not evidence that the proposed tower meets the definition of a structure under Section 104 of the ordinance. Since this tower is an industrial commercial use, it's not evident that is permitted use within a residential zone. Finally, step section 460 of the ordinance requires the use to be incidental to construction projects. It's our understanding and again I'm talking about the wind velocity tower that would precede the construction of the actual turbine. It's our understanding that this refers to construction trailers sheds that exists for the construction effort and so on. To claim that a wind

measurement device is incidental to constructing of some future wind turbine is inaccurate in our in our building. We urge the zoning board to deny Mr. Kat's request for exceptions to the town's height limit for the following reasons. A) turban is not permitted is not a permitted use of the ordinance B) if permitted. The location for such a use is inappropriate will place residents of the town at a safety risk see the size and scale of the turbine does not consistent with the town's 2016 Master Plan and would reduce the value of the area aesthetically as well as financially. The wind measurement tower is industrial use and does not meet the definition of a temporary structure under the audience."

Peter Remy pointed out that a lack of an ordinance means he can do exactly what he plans to do. It is not in the ordinances because the town has not yet addressed it. In order to change the ordinances you should be speaking to the planning board.

Jay Prior noted that the graphic of Jason's tower did not seem to be to the correct scale. Jason said his graphic designer thought it was correct. Jay then showed the board a google earth rendering he said he made to the correct scale.

Mark Terry asked to see the board with the location from top view of where the tower would be placed.

Jean Prior "I just want to put it on record that I'm opposed to this project. I would not have bought the property five years ago, if there was an energy turbine next door."

Sharon Combs-Far "So I wanted to talk a little bit about the diminution of value. I know we heard about some studies. We also the abutters. We've done a lot of our own research and there really isn't a turbine of this size. As you can see here in the rendering, which is as you heard from Jason to scale, you can see the local tree line you can see the meetinghouse the little botch is Jason's house at scale. He told us it was 35 feet tall. You seen the antrum wind farm, the height of the Statue of Liberty and the Washington Monument. So we just want you to be aware of that where he pointed on his little thing that you're talking well less than 1000 feet from that huge structure to the meeting house. I should this move forward. There obviously is a method or protection of something on the National Register of Historic Places, which obviously we'll pursue. I don't know if you have wanted to speak at some point but on a diminution of value. We've actually already engaged a firm to help us with that we'll certainly share the results of the appraisal. It's obviously costing us quite a bit of money to do that. But of course we want to do that we'll share the results also with our other neighbors who are interested in the values of their homes. But also really to follow up with Jeanne said. She bought her house and last five years we bought our house and last five years. Brenda bought her house. Kelly bought her house Tina who couldn't be here tonight bought her house. All of us bought our houses in the last five years and we can tell you that none of us none of us would have invested in our historic homes if we know that there would be a 750 foot utility scale, monolithic structure in the area. So to say that these other studies show no impact on homes we can just reality is that it wouldn't impact the price of pumps because we personally would not have thought to live here. And I asked a very well known real estate agent who's been in this area for decades. She's with I think it's called REMAX she sold several homes in the Park Hill area. I asked her if she would come here tonight and she said she didn't feel comfortable doing that because there is no precedent that she's aware of anywhere of somebody placing a utility scale wind turbine of that magnitude in a residential neighborhood. She's never heard of that. When I asked her for her professional opinion, or whether or not it would have a negative impact on home values in this area. She said one word and she said it three times. Terrible, terrible, terrible. Regarding the sound, it's

interesting to me that you can say one turbine makes no sound but a bunch of turbines makes a lot of sound in a way that the math doesn't work."

John Snowdon "Is there a land based turbine this size anywhere else?"

Jason responded "No I don't believe so."

John Snowdon "So there is no place we could realistically drive to here with a turbine of that size."

Sharon Combs-Far "The one turbine that I'm aware of in the United States at this height is owned by Texas A&M. It's about 20 miles from campus on a plane where there is no home near it."

Brenda Smith "I didn't move to New Hampshire from the Portland, Oregon. To see this in my apartment window or in my study window. I will fight this if this even goes any further." And went on to say "I feel this is offensive. I feel that we're taking the bucolic and beautiful area and turning it into something that is new world order climate control all of this stuff."

Elaine Moore "What am I going to hear"

Jason said "I don't think you would hear anything especially when the wind blowing"

Bob Mitchell "I remember years back a lot of them were also living on River Road the county Farm jammed a prison down our throat. We didn't have an option. They come in here with an attitude. Our zoning board was done. Our Planning Board was not our properties. I brought up the subject and I think a lot of people are homeless about visual pollution of having an 11 acres under like 44 hours a day in the middle of the most beautiful river valley in this part of the country. This is not a pretty thing to look at. I don't mind the ones on the intro. I think they do their job. I was adamant against them when they first started. But they are setback. They are not in a residential neighborhood and they do not pay anybody in the top they have anything. I have a solar system I'm going to pay for electric bill in two and a half years they pay. What benefit do I get at the county farm that you're talking about supporting there's not our electrical problem that's coming from so what does a person that doesn't need your benefit"

Patti Seymour "So as members of the executive committee for the Westmoreland, Parkhill meetinghouse in Historical Society, we consider it our responsibility as abutters to express our concerns regarding the request of Jason Kats, for a zoning special exemption that he's requested for power generating wind turbine tower on his property, at both meetings held in regard to Mr. Kats's request for a special exemption. The zoning board of zoning committee has stated that the criteria The committee will be applying to his request focus on a set of very clear clearly defined conditions specifically, the board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards, as determined by the board. Grant a permit for a special exemption. All special exemptions shall be made in harmony with the general purpose and intent of the zoning ordinance. The board and acting on any application for a special exemption must find that the proposed uses meet the following conditions. The specific site is an appropriate location for such use when talking about that. Such approval would not reduce the value of any property within the district or otherwise be injurious or obnoxious or offensive to the neighborhood. This is all in the in the zoning for the town. There will be no nuisance or hazards to vehicles or pedestrians and adequate and appropriate facilities will be provided for the proper operation of the proposed use. So the Park Hill meeting houses on the registered as is on the register of National Historic Places and is an iconic building in the town of Westmoreland. As such, we believe that no one could reasonably argue that Mr. Kats's property situated as it is within a small rural village and abutting

a national historic place is an appropriate location for such use. Likewise, for the reasons stated above and as well as several other satellite or system salient ones. No one could deny that such a construction would be found to be found. interest of noxious or offensive to the neighborhood. So as an executive committee member, we have responsibility to preserve and protect the Westmoreland Park Hill Meeting House from potential disruption and disturbance and urge the zoning committee to deny Mr. Kats's request for an exemption to the town's wind turbine policy. Nor should the town entertain allowing Mr. Kats to erect a temporary structure at the height of his proposed turbine to test the wind velocity. No reasonable person would permit the utility scale power generation project to move forward on personal property in a residential setting. Respectfully submitted Patti Seymour and Janet Hurley as CO directors. So that's from the Thank you. That's from the historical society. But I think some of the other points just as a personal citizen who's lived here for almost 25 years and who is a huge advocate of renewable energy, think that, you know, nobody's opposed to renewable energy. I think it's great. I applaud you Jason for thinking that way. However, I think a lot of your peers your nice flashy detail here are missing a lot of points. I think one of the things like Lily wanted to point out of this lovely picture, what's missing. There's not a single house in that picture. It goes on 1000s of acres, and not a single house within a segment flat as a pancake, as opposed to a lot of these other ones. Very different landscape, very different environment to where these are so again, perfect place to put a single one 100 And you go out west, you see them everywhere. They're great. Nobody's opposed to tax reductions. I would love to see the detail. I'm a numbers person. So a lot of very pretty pictures and love that well I want to see is data facts. I also have heat pumps in my house. Anybody who knows who has heat pumps, they don't really work well in winter in New Hampshire. So that whole thing about putting them in your house you cannot heat your house with heat pumps in New Hampshire. So that's what you know when people are being sold this you know, sugar candy”

Mike Williams “Hello I am Mike Williams I live on 169 London Road.”

Alan Bell “I’m sorry did you say 169 London Road?”

Mike Williams “Yes sir”

Alan Bell “Nobody lives in that house”

Mike Williams “Yes, we are , we are renting”

Alan Bell “It’s right next to my house! It’s empty and for sale!”

Mike Williams “My family had a farm house on the North shore of a long Island. And obviously different geography but similar sentiment in that a lot of land is preserved there and hope and trust and there are a lot of environmental and other considerations. Our house was very close. I didn't know the exact distance but it was walking distance to a winery out there called Contra Costa winery. And if you look it up there's there was a giant window Winterbottom. It was built on Contra Costa winery in the early to mid 2000s. I spent a lot of time with that house for almost 30 years, and I regularly did that binary and for what it's worth again, I don't mean to suggest that my personal experience is uniform to what everyone else would experience. But having lived close to one and having spent a lot of time on a property where there was one located. I never there were never any complaints with noise. The place only got more popular over the years as that was there. The Shadow flicker was a complete non issue in fact, watching the sunset over the coast and in the Long Island Sound this was such a popular thing for people to do to you have to show up hours early to you know to see it”

Shortly here after Walter Carroll noted that the placement of the tower is about 30 feet from his property line. Larry Muchmore pointed out that the building setback rules require that the entire structure be within the setback limitations which in this case would include the blades of the turbine.

Walter Carroll also noted that if there was an emergency or the tower caught fire the woodlot is a tender box and it could become like California in a fire sense.

Jay Prior "as somebody who personally responded to about 50 motor vehicles getting into accidents in town. I can tell you that no small part of ours distraction. And I believe coming up from 63 where we have no sidewalks there to someone looking at this turbine directly in front, not paying attention to the road was the distraction and have no sidewalks in danger."

Mark Terry "At that height would the FAA require lighting on it?"

Jason "Yes there will be a blinking FAA light at the top of and a radar system."

Kelly Lynch "This whole area is so beautiful and peaceful and I came here for peace and ease and being able to go on my door and see the stars without you know white noise or light pollution and hear the crickets at night and the birds in the morning and, and so that whole like the whole essence of that neighborhood is going to be drastically changed with a 760 foot power generator. Like hundreds of feet from our houses. It's not it's not like any of us come here. So we completely changes the whole reason why I'm here it took me five years, you know my offline liquid assets and three years of building to finish that property. And two to six months later find out that this gentleman wants to put this behind my house. It's honestly it's really, it's really upsetting. And so I think that that is egregious and obnoxious."

Peter Remy Noted that a letter had been sent to him signed by all the abutters to Jason Kats, and that for it to be in the public record it would have to be read allowed. Jean Prior agreed to read it allowed.

Jean Prior read the letter which follows bellow after the dash marks

October 27, 2022

Peter Remy, Chairman
Westmoreland Zoning Committee
Town Hall
Westmoreland, NH 03467

CC: Park Hill Meeting House Executive Committee

Mr. Remy:

We, the abutters to the property of Jason Kats, at 508 Route 63, Westmoreland, have several concerns regarding a zoning special exception that Mr. Kats has requested for a power-generating wind turbine/tower that he is proposing to erect on his property.

As he disclosed at the last Zoning Committee meeting, on Wednesday, October 19th, Mr. Kats's plan is for zoning approval of a 500-ft. tall wind turbine base, with wind blades that will extend that total height to 750 feet. He also indicated that his objective for this system is to sell the electrical power it generates to as yet undisclosed consumers of such electrical power. This clearly indicates that Mr. Kats is proposing to construct a large, *commercially scaled* (i.e. utility-grade) wind turbine.

At both meetings held in regard to Mr. Kats's request for a special exception, the Westmoreland Zoning Committee has stated that the criteria the Committee will be applying to his request focus on a set of very clearly defined conditions. Specifically:

"The board of adjustment may, in appropriate cases, and subject to appropriate conditions and safeguards as determined by the Board, grant a permit for a Special Exceptions. All Special Exceptions shall be made in harmony with the general purpose and intent of the Zoning Ordinance. The Board, in acting on an application for a Special Exception must find that the proposed use meets the following conditions:

- 1. The specific site is an appropriate location for such use.**
- 2. Such approval would not reduce the value of any property within the district, or otherwise be injurious, obnoxious, or offensive to the neighborhood.**
3. There will be no nuisance or hazard to vehicles or pedestrians.
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use."

We boldface the first two conditions because they are particularly relevant with regard to Mr. Kats's planned utility-scale wind tower. We believe that no one could reasonably argue that Mr. Kats's property, situated as it is within a small, rural village, and adjacent to an historic neighborhood (with, no less, a building that is a federally designated on the Register of National Historic Places), is "an appropriate location for such use."

Likewise, for the reason stated above as well as several other salient ones, no one could deny that such a construction would be found "injurious, obnoxious or offensive" to the neighborhood.

We do want to state outright that we have no general objection to the numerous advantages and benefits gained by renewable energy sources, including electricity-generating wind power. In fact, we wholeheartedly support the use and development of such timely and novel resources that produce no greenhouse gas emissions from fossil fuels, and reduce some types of air pollution.

Indeed, our objections to Mr. Kats's proposal have nothing to do with the *nature and promise* of renewable energy. Rather, we are instead concerned with the *size, scope, siting, and effects* of such an enormous system in our local midst.

It is apparent from our research that our Westmoreland town administrators and community residents share the same view. In fact, on Page 20, in Section 5.5 "Wind Turbines" of the 2016 "Town of Westmoreland, New Hampshire, Master Plan," it is stated:

In the town survey, respondents strongly opposed the construction of utility-sized wind turbines, which are very large hill-top structures over 400 feet tall. The town has no utility-sized wind turbines, and thus votes for "same" and "less" indicate opposition – [with] a total of 73% opposing."

We feel strongly that the Committee should consider the details of Mr. Kats's proposal, and should either dismiss the project outright, or recommend that Mr. Kats seek advice with the State of New Hampshire Site Evaluation Committee, which has the charge of properly vetting and siting *commercial* (or utility-grade) energy projects similar to his proposed turbine.

What we have observed is that the Committee has now indulged Mr. Kats in TWO hearings and has scheduled a third. At the first, in September, the Committee instructed Mr. Kats to come to the second meeting " . . . prepared with more details, plans, etc." But nothing of the kind occurred on October 19th. Instead, Mr. Kats once again failed to provide site plans, drawings, facts, or figures. And, once again, we listened to Mr. Kats freely opine—with no backup documentation. The plans and details that you and the Committee requested of Mr. Kats is information that any adjudicating board, committee, group or agency would expect—or even demand—from an applicant for special exception to a project that will have such enormous impact on this pastoral community.

In response to a direct question from a member of the Committee, the single bit of substantiation Mr. Kats DID provide in the latest meeting was that his planning has evolved to build a wind turbine that will tower 500 feet above his property and Park Hill, with an additional 250 feet to account for the blade dimensions. To underscore just how tall that is, consider that the Washington Monument on the

Washington D.C. mall is just 550 feet tall, and that the Statue of Liberty in New York harbor a mere 305 feet.

We were stunned to learn this, especially considering that the huge Antrim Wind Farm turbines that many of us see in the distance on the way to Concord are just 300 feet tall, with an additional blade span of approximately 100 feet.

In that light, we, the abutters and other townspeople, are left to wonder what Mr. Kats's proposal actually means for the Park Hill locality and the Westmoreland community at large, and what potential disruption, disturbance and impact a wind turbine project of this size will visit upon the community. In fact, regarding the value of properties in the area of the proposed tower, there is no study of the potentially negative impact such a project will have, because, to our knowledge, there is no such large, utility-grade structure, sited so near to residences anywhere in the United States.

It is our belief that regardless where Mr. Kats erects such a wind tower on his property, it would loom over the entire neighborhood of Park Hill, not to mention a good portion of the Westmoreland community. No available setback would muffle the constant din of the whooshing blades, or the shadow effect cast by the setting sun. Five or more times the height of the area's tallest tree, the tower would be completely out of scale and out of character with this historic neighborhood. In fact, the structure would be seen clearly from Putney, Vermont, on the other side of the Connecticut River.

We ask you, why are we abutters expected to sit through meetings where the committee gives Mr. Kats the floor to speak at will, while, as was the case, we are denied speaking our minds about this project and urged to "wait until later on" to express our views? Why hasn't Mr. Kats been put on direct notice that his anecdotal opinions aren't sufficient to warrant our time, our attention, or our energy?

One last note: Mr. Kats might have precluded any alarm or ill will his plans have caused by simply talking to his neighbors before the fact and asking their opinion about such a wind turbine project. But, oblivious to our thoughts or opinions, he didn't discuss the project with any of the abutters prior to applying for special exception to the Zoning Committee.

The fact remains that we are two meetings into this proposal hearing thus far—as we state above—and we, the abutters, are still guessing at what level of "*injurious, obnoxious or offensive*" designs Mr. Kats is planning for Park Hill and the Westmoreland community at large.

All the foregoing said, sometimes a picture is truly worth a thousand words. The image on the next page justly represents some height comparisons for Mr. Kats's proposed wind turbine. To be clear, we, the

undersigned, urge the Zoning Committee to deny Mr. Kats's request for an exception to the town's wind turbine policy. Nor, we believe, should the town entertain allowing Mr. Kats to erect a temporary structure at the height of his proposed turbine, "to test the wind velocity." No reasonable person would permit a utility-scale power generation project to move forward so near to a residential setting.

Respectfully,

The abutters to 508 NH-Route 63, Westmoreland, NH

(Note the letter was signed by the following abutters Walter Carroll, Kelly Lynch, Jay Prior, Jean Prior, Bruce Far, Sharon Combs-Far, Elaine Moore)

After the letter was read Peter asked Jason where he got the setback numbers he used in his presentation. Jason said National Renewable Energy Laboratory which is based on acreage and not tower height. Peter Remy said "If we use an emphasis on an expert, I think the Department of Energy might be an expert in that."

820pm Peter Closed the public portion of the hearing.

Alan Bell as people got up to leave "You do not need to leave you may want to stay to hear this portion of the meeting"

Peter Remy then tallied up the committee members who were at all the meetings and could vote.

Alan Bell "from my perspective this is very clear. This is both obnoxious and potentially detrimental and offensive to the community, and that's all we have to go on is whether we give a 35 exception or not. This is way beyond anything we've ever done, I would definitely don't see how anybody could decide to vote in favor of this exception."

Peter Remy "The thing that was helpful is for this discussion. Some other things did come up with the safety part of it. I am glad we had the building inspector here, so he looks at something he wants to know what's the furthest thing that's going to stick out and keep that back 20 feet from the property line, but it's just going to be hanging over right. That's a fact that's substantial. And the fact that we don't have an ordinance means that we can rely on other sources but it really comes down to a special exception for anything over 35 feet."

John Harris "I guess I'd like to say commend Jason for taking an interest in renewable energy and willing to put your own money forward. I think the idea of renewable energy and wind turbine in Western Land is something that I think many of the people who have spoken with me in support. It's really a question here. The siting, and it's pretty clear that people feel and from the reading I've done in other parts of New Hampshire where 40 inches for wind turbines had been put forward, that this is not the appropriate siting for an industrial sized turbine. I hope Jason will keep interested in pursue things because I think ultimately planning board and town has at large or vote on what is the appropriate siting, right in the same way they did with the cell towers and cell towers are only allowed in the forestry district. Very different than the center and Park Hill, and they can only be 100 feet tall. I don't

know what the appropriate size is. But certainly, center of a town district has a historic structure like the meeting house I think it's not appropriate."

Brian Merry "For me, I echo John's comments about praising Jason. scope of his plan and what he's trying to do. And yes, New Hampshire is a very rural state and Westmorland is a rural town, And there are perhaps places in Westmoreland that would be appropriate to have the structure the size, unfortunately Park Hill's not one of them, that's my feeling."

854pm Nancy Ranson Moved to Deny Jason Kats request for a special exception of the height restriction to build a 750 foot tall wind turbine at 508 Route 63 Westmoreland, NH 03467.

Mark Terry moved that we accept.

A vote was taken and all voting members voted unanimously (Alan Bell, Nancy Ranson, Peter Remy, Brian Merry, John Harris)

As a result of the vote Jason Kats of 508 Route 63, Westmoreland NH 03467 Hearing for "Height Exception required for the installation of a wind turbine, Article IV section 420 of the Westmoreland Town Ordinances." Has been denied.

9pm Minutes from September and October 2022 were approved unanimously by the board.

The board then discussed changes to the policy to better reflect the current Right to Know Laws in New Hampshire.

930 Pm Peter Remy closed the meeting.