

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
**SUPERIOR COURT**

Grafton Superior Court  
3785 D.C. Highway  
North Haverhill NH 03774

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<http://www.courts.state.nh.us>

**SUMMONS IN A CIVIL ACTION**

Case Name: **EDP Renewables North America LLC v Town of Alexandria, et al**  
Case Number: **215-2014-CV-00285**

Date Complaint Filed: August 26, 2014

A Complaint has been filed against Town of Alexandria; Town of Alexandria Board of Selectmen in this Court. A copy of the Complaint is attached.

**The Court ORDERS that ON OR BEFORE:**

October 25, 2014	EDP Renewables North America LLC shall have this Summons and the attached Complaint served upon Town of Alexandria; Town of Alexandria Board of Selectmen by in hand or by leaving a copy at his/her abode, or by such other service as is allowed by law.
November 17, 2014	EDP Renewables North America LLC shall file the return(s) of service with this Court. Failure to do so may result in this action being dismissed without further notice.
30 days after Defendant is served	Town of Alexandria; Town of Alexandria Board of Selectmen must file an Appearance and Answer or other responsive pleading form with this Court. A copy of the Appearance and Answer or other responsive pleading must be sent to the party listed below and any other party who has filed an Appearance in this matter.

**Notice to Town of Alexandria; Town of Alexandria Board of Selectmen:** If you do not comply with these requirements you will be considered in default and the Court may issue orders that affect you without your input.

Send copies to:

Michele E. Kenney, ESQ

Pierce Atwood LLP  
1 New Hampshire Avenue Suite 350  
Portsmouth NH 03801

BY ORDER OF THE COURT

September 10, 2014

David P. Carlson  
Clerk of Court

(468)

THE STATE OF NEW HAMPSHIRE

Grafton County

Superior Court

EDP Renewables North America LLC

v.

Town of Alexandria  
and  
Town of Alexandria Board of Selectmen

**Petition for Writ of Mandamus**

Now comes EDP Renewables North America LLC (“EDPR NA”) by and through its attorneys, Pierce Atwood, LLP, and petitions this Court for a Writ of Mandamus ordering the Town of Alexandria Board of Selectmen to perform its duty under law and issue EDPR NA a final building permit. In support thereof, EDPR NA states as follows:

I. **Parties.**

1. Petitioner, EDPR NA, is a Delaware limited liability company with a principal place of business at 808 Travis Street, Suite 700, Houston, TX 77002.

2. The Town of Alexandria (“Town”) is a municipal corporation having its principal place of business at 47 Washburn Road, Alexandria, NH 03222.

3. The Town of Alexandria Board of Selectmen (“Alexandria Board of Selectmen”) is a body of the Town’s elected officials charged with the responsibility of, among other things, issuing building permits, which has its principal place of business at 47 Washburn Road, Alexandria, NH 03222.

II. **Jurisdiction and Venue.**

4. This Court has jurisdiction over the subject matter pursuant to RSA 491:7. Venue is appropriate in Grafton County because the Town of Alexandria is a body politic within the County of Grafton.

III. **Statement of the Facts.**

5. By letter dated April 22, 2013, Petitioner submitted a building permit application to the Town of Alexandria Board of Selectmen for the installation of an 80 meter meteorological tower (“met tower”) on property owned by EXPx2, LLC, Town of Alexandria Tax Map 401, Lot 1 (“Property”). A copy of Petitioner’s building permit application package is attached as Exhibit 1.

6. As described in the building permit application package, the met tower is a triangle, lattice tower approximately 36 inches each side, set in a concrete base and supported by guy wires and anchors. Sensors will be attached to the tower to record wind and other meteorological conditions and these sensors will be powered by solar energy. The tower is unmanned, functioning without any on-site operator. Due to its limited footprint and simple on-site assembly, there will be little impact to the land from the tower. Notwithstanding this fact, any and all ground disturbance will be protected with appropriate erosion control measures including silt fences. The tower will be removed when it is no longer needed for data collection purposes. Exhibit 1, Description of Proposed Use.

7. The Town of Alexandria Building Permit Ordinance provides that: “No... structure intended for commercial use shall be erected or moved into the Town of Alexandria without first obtaining a building permit from the Selectmen or their designee.” A copy of the Town of Alexandria Building Permit Ordinance is attached as Exhibit 2.

8. Access to the met tower location in Alexandria is from a road located in the adjoining town of Groton. Pursuant to RSA 674:53, when one municipality receives a building permit application for the erection of a structure whose sole street access is via a private road or class IV, V or VI highway located in an adjoining municipality, the town receiving the application is required to inquire in writing to the Selectmen in the adjoining municipality “as to the existence of facts or regulation which, under Paragraphs I, III or IV of this section or otherwise, would preclude or affect such ... construction....” RSA 674:53. As a result of this statute, the Town of Alexandria sent the Town of Groton a letter dated June 5, 2013 advising Groton of Petitioner’s building permit application. A copy of the June 5, 2013 letter is attached as Exhibit 3.

9. At the June 25, 2013 Alexandria Board of Selectmen meeting, the Selectmen approved Petitioner’s building permit application with the following conditions:

- a. EDP Renewables [EDPR NA] obtain FAA approval.
- b. The Town of Groton responds to the [June 5, 2013] letter sent to them regarding the access to the property being from Groton.
- c. A fence be constructed around the tower.
- d. The Board of Selectmen and the applicant will agree on either a date certain of removal or a bond amount.
- e. EDP Renewables [EDPR NA] will provide the Town of Alexandria with copies of all other permits they obtain regarding this project.

10. On July 2, 2013, the Alexandria Board of Selectmen memorialized its June 25, 2013 conditional approval of Petitioner’s building permit. A copy of the Town’s endorsed conditional approval is attached as Exhibit 4.

11. On July 8, 2013, the Town of Groton Planning Board responded to the Town of Alexandria's notification and reported that it had met with Petitioner regarding access through the Town of Groton to the met tower site in Alexandria and that Petitioner was conducting further research to determine the condition of Hardy Country Road and whether improvements to the road in Groton would be necessary. A copy of the Town of Groton Planning Board July 8, 2013 letter is attached as Exhibit 5.

12. By letter dated February 11, 2014, to the Groton Planning Board, Petitioner informed the Board that it had decided to use Spruce Ridge Road to access land in Alexandria and, therefore, no improvements to the area of Hardy Country Road would be required. A copy of Petitioner's February 11, 2014 letter is attached as Exhibit 6.

13. On February 25, 2014, Petitioner met with the Alexandria Board of Selectmen, updated the Board on the status of the conditions imposed by the conditional approval of the building permit, and submitted a copy of the FAA approval. A copy of the February 25, 2014 Selectmen Meeting Minutes is attached as Exhibit 7.

14. By letter dated March 12, 2014, the Groton Planning Board informed the Alexandria Selectmen that Petitioner had complied with the Board's requirements concerning travel over land in Groton to access land in Alexandria. A copy of the Groton Planning Board March 12, 2014 letter is attached as Exhibit 8.

15. On March 11, 2014, the Town of Alexandria voted in favor of Warrant Article No. 16 entitled *An Ordinance to Protect the Health, Safety, and Welfare of Residents and Ecosystems of Alexandria, New Hampshire by Establishing a Community Bill of Rights; and by Prohibiting the Siting of New Energy Projects that Would Violate those Rights* (hereinafter

referred to as the “Rights Based Ordinance” or “RBO”). A copy of the ordinance is attached as Exhibit 9.

16. At its meeting on March 25, 2014, the Alexandria Board of Selectmen, after consulting with Town Counsel, ... “made the decision to not sign or enforce the [RBO] ordinance... .” A copy of the March 25, 2014 Alexandria Selectmen Meeting Minutes is attached as Exhibit 10.

17. At the March 25, 2014 meeting of the Alexandria Selectmen, Selectboard Chairman Tuttle stated as follows:

Let’s take up the Rights Based Ordinance issue next.

\* \* \*

The origin of this ordinance, I think, is an expression of opposition to large scale wind farm development in the Town. And so this goes back at least a year and a half or longer probably. A year ago the Town passed a resolution in the form of a warrant article expressing opposition to that development. It did not have (*inaudible*) but it passed rather easily by about a 3-1 margin. And as a consequence the Selectboard sent a letter to the Site Evaluation Committee expressing the point of view of the Town, and the point of view of the Selectboard – two of the three Selectboard members, Donnie and myself. And I think we understand that the continuation of that process resulted in this Rights Based Ordinance which is intended to express that the Town can govern aspects of energy development within the Town. While we understand the sentiment thoroughly and are basically in sympathy with it, our Town Counsel advised us not to sign this and in fact not to attempt to enforce this, for several reasons. There are sections here which basically violate the property rights of individuals and companies that might come into the Town. You can’t do that without, uh, well, you can’t do that. It asserts that the Town has rights over and above those of the state and federal government. In point of fact, however, towns in this state are the creation of the state. The towns are not sovereign. The state governs the towns. And towns cannot do what the state does not allow them to do, expressly in RSA’s. In consequence, to try and enforce this would instantly land this town in litigation which we are not prepared to engage in or to pay for. The wording of this –

so, I ask you to recognize that while we are in sympathy with the spirit of this, it is not a workable document in terms of enforcement.

\* \* \*

So just to summarize, the advice of the Town Counsel is not to sign this, to let it be vote certified by the Town Clerk and will then go on file here as it as having passed, but not to take any action on this from the point of the Town because it's going to place us in an unwinnable, his opinion, unwinnable situation with the courts. This is simply not something that we can have a legitimate hope of carrying out in court. So, that's what we learned in our conversation with legal counsel this afternoon. That confirms what, um, um, I had a conversation with the New Hampshire Municipal Association this morning who told me essentially the same thing.

Transcription from Town Selectboard video of the March 25, 2014 Selectmen's Meeting, as posted on the Town website. See <http://www.alexandrianh.com/page45.php>.

18. At its April 1, 2014 meeting, the Alexandria Board of Selectmen decided to contact George E. Sansoucy (a/k/a "Skip" Sansoucy) to provide an estimate for the future decommissioning (if made necessary by Petitioner's failure to remove the met tower after it is no longer needed for data collection purposes) of the met tower. A copy of the April 1, 2014 Alexandria Board of Selectmen Meeting Minutes is attached as Exhibit 11.

19. Again, on May 20, 2014, the Alexandria Board of Selectmen stated that they would not be enforcing the Rights Based Ordinance. A copy of the May 20, 2014 Alexandria Board of Selectmen Meeting Minutes is attached as Exhibit 12.

20. By letter dated June 10, 2014, Petitioner submitted several documents in satisfaction of the outstanding items from the Selectmen's conditional approval of Petitioner's building permit application. This letter included all of the information necessary to satisfy the three conditions precedent from the Town's conditional approval. Specifically, the letter

transmitted the following documents: (a) Federal Aviation Administration Determination of No Hazard to Air Navigation dated December 26, 2013 for EDPR's 80-meter meteorological tower on Spruce Ridge, (b) Letters from the Town of Groton Planning Board to the Alexandria Board of Selectmen dated July 8, 2013 and March 12, 2014 and, (c) Decommissioning Estimate from GFC & Son dated February 25, 2014 in the amount of \$9,999.00 and an Erection and Removal Permit Performance Bond in the amount of \$9,999.00. A copy of the June 10, 2014 letter from legal counsel for Petitioner to the Town of Alexandria is attached as Exhibit 13.

21. At the June 17, 2014 Alexandria Selectmen's meeting, Petitioner requested the Selectmen to find that all conditions precedent had been satisfied. The Selectmen refused to make such finding and, instead, decided to continue to wait for the decommissioning estimate from Skip Sansoucy despite the fact that it had been approximately eight weeks since the request had been made and that the Board had already received an estimate from an experienced New Hampshire contractor familiar with the Property. The Selectboard stated it would "revisit the conditional building permit at their meeting on July 15, 2014." A copy of the June 17, 2014 Alexandria Board Selectmen Meeting Minutes is attached as Exhibit 14.

22. By letter dated June 20, 2014, George E. ("Skip") Sansoucy provided the Town of Alexandria with a proposed decommissioning estimate for Petitioner's met tower in the amount of \$34,000. A copy of Mr. Sansoucy's June 20, 2014 letter is attached as Exhibit 15.

23. By letter dated June 25, 2014 from counsel for Petitioner to the Alexandria Selectmen, it was explained that the \$20,000 cost allocated to the use of a helicopter in Mr. Sansoucy's estimate was not required. Despite disagreeing with Mr. Sansoucy's estimate of \$34,000, Petitioner agreed to provide the Town with a bond in the amount of \$34,000.<sup>1</sup>

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<sup>1</sup> Petitioner's agreement was based on the understanding that, once it was concluded that a helicopter would not be required for decommissioning, the bond would be reduced to \$14,000.

Petitioner requested the opportunity to meet with the Selectmen at their July 1, 2014 meeting. A copy of the June 25, 2014 letter from counsel for Petitioner to the Town of Alexandria is attached as Exhibit 16.

24. At its July 1, 2014 meeting, the Alexandria Selectmen refused to grant final approval of the building permit. A copy of the July 1, 2014 Alexandria Board of Selectmen Meeting Minutes is attached as Exhibit 17.

25. At the July 1, 2014 meeting of the Alexandria Selectmen, the following statements were made by Selectboard Chairman Tuttle, Selectboard Member Broom, Selectboard Member Sharp and Counsel for Petitioner Beliveau:

Mr. Tuttle: I think I've stated my position but let me just restate it. This [building permit] was given conditional approval a year ago and I personally think the bond condition is met at \$34,000.

\* \* \*

Mr. Broom: At the last meeting I stated my position. We had the RBO in place which would prevent us from signing (*inaudible*).

Mr. Tuttle: Donnie, your thoughts?

Mr. Sharp: I don't have no comment.

Mr. Tuttle: So I'm going to make, just to get...

Mr. Sharp: I didn't sign nothing a year ago and I'm not signing nothing now. I refuse to give a position until the bond is in our office. (*inaudible*) You want us to bend our shoulder over so you can get going, but you couldn't show up with the bond tonight.

Mr. Beliveau: No, no, we would not do anything until you have the bond.

Mr. Sharp: I'm not agreeing to anything until I see the bond. And then I still don't agree with you. This town and the surrounding towns – we've gone through this for about 3 years and proved that wind turbines are not welcome in this area. If I was told I wasn't welcome I'd probably leave. That's just my opinion. It's a free

country. I guess that's why it's the United States. I mean, this is creating a relapse of the last 3 years to the town's people, the Selectmen, the environment, the whole surrounding of this area - not just Alexandria.

\* \* \*

Mr. Tuttle: Well, I've stated my position. If you had come here with a bond tonight would you have, is it possible to phrase it that, uh, come back with a bond and we'll reconsider?

\* \* \*

Mr. Tuttle: My position is that you've met the requirements [of the conditional approval]. These gentlemen don't feel that way, and my reading is that if you were to show up with a bond they might feel differently. I can't promise that. So, you don't have a majority of the vote.

Mr. Sharp: He can show up with a million dollar bond and I wouldn't feel any differently. If the town's people voted it in, even though I'm against it, I'd have to take their side because I work with them.

Transcription from Town Selectboard video of the July 1, 2014 Selectmen's Meeting, as posted on the Town website. See <http://www.alexandrianh.com/page45.php>.

26. By letter dated July 10, 2014, counsel for Petitioner sent the Alexandria Selectmen a Surety Bond in the amount of \$34,000 and requested the opportunity to meet with the Selectmen on July 15, 2014. A copy of the July 10, 2014 letter from Petitioner's counsel to the Alexandria Board of Selectmen is attached as Exhibit 18.

27. At the July 15, 2014 Alexandria Board of Selectmen's meeting, Petitioner represented that it had with it the original \$34,000 Surety Bond and requested that the Selectmen find that all conditions precedent had been satisfied. Chairman Tuttle made a motion that the conditions required for the building permit had been met, but the motion failed as neither of the

other two Selectmen offered to second the motion. A copy of the July 15, 2014 Alexandria Board of Selectmen Meeting Minutes is attached as Exhibit 19.

28. At the July 15, 2014 meeting of the Alexandria Selectmen, Selectboard Chairman Tuttle stated as follows:

I took an oath to uphold (*inaudible*) in the State of New Hampshire and I've made that very clear in this case and I'm sorry if it doesn't agree with what you feel should be done. Frankly, I don't want to see wind towers, either. But I have to say I think (*inaudible*) there is no legal basis for denial. This is not a public hearing, I'm sorry. This is not a public hearing, I'm sorry. This is a Selectboard meeting. We will have public input when we ask for public input. I'm going to force a decision here. I'm going to move that we approve... I move that the Selectboard state that the conditions from the permit issued last July are met. Is there a second? There is no second.

Transcription from Town Selectboard video of the July 15, 2014 Selectmen's Meeting, as posted on the Town website. See <http://www.alexandrianh.com/page45.php>.

29. Because two of the three Selectmen have refused to address Petitioner's request for final approval of its building permit, Petitioner now seeks a Writ of Mandamus to compel the Alexandria Board of Selectman to carry out its legal duty and issue a final building permit.

#### IV. Argument.

30. Having conditionally approved Petitioner's building permit on June 25, 2013, the Alexandria Board of Selectman now refuses to do what is required by law to do: undertake the ministerial act of finally approving the building permit for the installation of the met tower.

31. There can be no dispute that, as Selectboard Chairman Tuttle found, Petitioner satisfied the three conditions precedent for approval of the building permit, to wit: (a) FAA approval (*see supra* ¶¶13 and 20 & Exhibits 7 and 13), (b) Town of Groton satisfaction of travel over a road in Groton to access the met tower site (*see supra* ¶ 14 & Exhibit 8); and (c) a bond in

the amount of \$34,000 (*see supra* ¶¶ 26-27 & Exhibit 18). The Selectmen's determination as to whether Petitioner has satisfied these conditions of approval is purely ministerial, involving no exercise of discretion.

32. Petitioner has a legal right to the building permit. Petitioner properly applied for the building permit in accordance with the Town of Alexandria Building Permit Ordinance. As noted in its application, it has the permission of the Property owner to install, maintain, repair, replace and remove a meteorological tower at the Property. The Alexandria Board of Selectmen has conditionally approved Petitioner's application for the building permit and, as demonstrated above, Petitioner has satisfied the three conditions precedent for approval.

33. The Alexandria Board of Selectmen may not, as it has, simply refuse to address Petitioner's request for final approval of its building permit. The Alexandria Board of Selectmen has been charged by the citizens of the Town of Alexandria, through the adoption of the Town of Alexandria Building Permit Ordinance, to issue building permits. *See* Exhibit 2, Town of Alexandria Building Permit Ordinance. Thus, the Alexandria Board of Selectmen is required to act on Petitioner's application by law. And given that Petitioner has, without question, satisfied the conditions precedent for approval of the building permit, the Selectmen's only lawful course of action is to issue a final building permit.

34. At least two of the Selectmen purposefully refused to address Petitioner's request for a final building permit. Their refusal to act was an abuse of authority and responsibility under the Town of Alexandria Building Permit Ordinance. And their refusal to grant the final application was arbitrary and capricious.

35. The Alexandria Board of Selectman's unlawful refusal to find that Petitioner has satisfied all conditions precedent and issue a final building permit apparently rests on two

inappropriate bases: (i) a generalized opposition to wind farm development in Alexandria and (ii) the so-called Rights Based Ordinance.

36. The Alexandria Board of Selectmen may not refuse to address Petitioner's application and issue a final building permit based on opposition to future development of wind energy facilities in Alexandria. Petitioner's application is for the installation of a meteorological tower – a passive data-collection structure that is in no way, shape or form a wind turbine.

37. Further, the Selectman may not refuse to address, and grant, Petitioner's building permit application based on the Rights Based Ordinance. To begin, the Alexandria Board of Selectmen decided "not to sign or enforce the [Rights Based] [O]rdinance" after consultation with Town counsel and reaffirmed that decision on May 20, 2014. March 25 and May 20, 2014 Alexandria Selectmen Meeting Minutes, Exhibits 10 and 12. Irrespective of the views of any individual Selectman, by the Board of Selectmen's own determination, the Rights Based Ordinance has no application.

38. The Board of Selectman's decision not to sign or enforce the Rights Based Ordinance was grounded in the sound advice of Town counsel and the understanding that the Ordinance is unconstitutional. "[I]t is a long established principle under our law that towns are but subdivisions of the State and have only the powers the State grants to them." *Girard v. Town of Allentown*, 121 N.H. 268, 270, (1981) (citation omitted). As the New Hampshire Supreme Court has observed: "Under our State Constitution '[t]he supreme legislative power . . . [is] vested in the senate and house of representatives . . . . For these reasons, we have held that the towns only have 'such powers as are expressly granted to them by the legislature and such as are necessarily implied or incidental thereto.'" *Id.* at 270-71 (quoting N.H. Const. pt. II, art. 2; *Piper v. Meredith*, 110 N.H. 291, 295 (1970); citing N.H. Const., pt. I, art. 29). The Town has not been

vested with any statutory authority to regulate “energy systems,” and it certainly has no power to, as it asserts, trump state and federal law. For these, among other reasons, the Rights Based Ordinance is unconstitutional.

39. But even if the Alexandria Board of Selectmen chose to enforce the unconstitutional Rights Based Ordinance, the Ordinance would nevertheless have no application here. Section 3(a) of the Ordinance prohibits the construction of an “unsustainable energy system,” which is defined in Section 1(c) as a system “producing, generating, distributing, transmitting or transporting energy and power.” The proposed met tower is a passive data collection device with the purpose of recording wind and other meteorological conditions. It is to be powered by solar energy and unmanned, functioning without any on-site operator. Thus, the met tower is not an “unsustainable energy system,” and accordingly, does not come within the scope of the (unconstitutional) Rights Based Ordinance.

40. In sum, the Alexandria Board of Selectmen is required by law to act on Petitioner’s application for a building permit and, because Petitioner has satisfied the conditions of approval, to issue a final building permit. There is no lawful basis upon which the Selectmen may decline to issue the final building permit.

41. For the foregoing reasons, a Writ of Mandamus directing the Alexandria Board of Selectmen to issue a final building permit is appropriate and necessary. Petitioner has no other adequate relief available to it.

WHEREFORE, Petitioner respectfully requests that this Honorable Court:

A. Issue a Writ of Mandamus compelling the Alexandria Board of Selectmen to issue a final building permit; and

B. Grant such other and further relief as justice may require.

Respectfully submitted,

EDP Renewables North America LLC

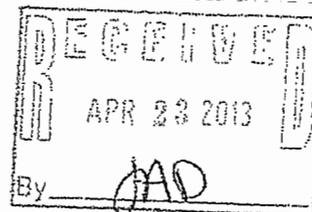
By its attorneys,  
Pierce Atwood LLP



Date: August 21, 2014

By:

Mark E. Beliveau  
N.H. Bar No. 301  
Michele E. Kenney  
N.H. Bar No. 19333  
One New Hampshire Avenue  
Suite 350  
Portsmouth, NH 03801  
(603) 433-6300



April 22, 2013

Alexandria Board of Selectmen  
 Alexandria Town Hall  
 47 Washburn Road  
 Alexandria, NH 03222

Re: Building Permit Application - EDP Renewables North America, LLC

Dear Members of the Board of Selectmen:

On behalf of EDP Renewables North America, LLC, enclosed is a building permit application for a meteorological tower to be constructed on property owned by EXPX2, LLC, Alexandria Tax Map 401, Lot 1. Enclosed are the following documents:

1. Building Permit Application.
2. Brief description of the proposed meteorological tower.
3. License from EXPX2 to EDP Renewables allowing the construction of a meteorological tower on Map 401, Lot 1.
4. Drawing of substantially similar meteorological tower to be installed at Map 401, Lot 1.
5. Check made payable to the Town of Alexandria in the amount of \$300.
6. Map showing the proposed location of the meteorological tower.

As you will note from the enclosed map, the access to the tower location in Alexandria is located in the Town of Groton. Pursuant to NH RSA 674:53, when one municipality receives a building permit application for the erection of a structure whose sole street access is via a private road or class IV, V or VI highway located in an adjoining municipality, the town receiving the application is required to inquire in writing to the Selectmen in the adjoining municipality "as to the existence of facts or regulations which, under paragraphs I, III or IV of this section or otherwise, would preclude or affect such... construction ...." We believe this statute requires that Alexandria make the inquiry described above to the Groton Selectmen. We have notified the Groton Selectmen of our filing of a building permit application in Alexandria and the RSA 674:53 requirement and to expect an inquiry from the Town of Alexandria.

EDP Renewables North America LLC  
 Corporate Headquarters  
 808 Travis, Suite 700  
 Houston, TX 77002  
 T: 713 265-0350 F: 713 265-0365



renewables

I look forward to meeting with you at the next available Selectmen's meeting to answer any questions that you may have regarding this application. Thank you.

Sincerely,

Jeffrey Nemeth

EDP Renewables North America LLC  
Corporate Headquarters  
808 Travis, Suite 700  
Houston, TX 77002  
T: 713.265.0350 F: 713.265.0365

[www.edpr.com](http://www.edpr.com)

TOWN OF ALEXANDRIA, NH  
47 WASHBURN ROAD  
ALEXANDRIA, NH 03222

2013-8  
FOR FILE  
401-1

BUILDING PERMIT APPLICATION

Date Received: 4/22/13 Fee Paid: Cash \_\_\_\_\_ Check  CK# 28678 Receipt # 4843

Property Owner's Name: EXPx2, LLC (affiliated with Maxam North East, LLC)  
Property Owner's Address: 607 Tenney Mountain Highway, Unit 234, Plymouth, NH 03264  
Applicant Name, if different: EDP Renewables North American, LLC- Jeffrey Nemeth

NOTE: If the applicant is not the owner, a letter from the property owner giving the applicant to act on his/her behalf must accompany the building permit application

Telephone: Home: \_\_\_\_\_ Work: 518.426.4124 Cell: 309.531.0440

Location of Property:

Road: existing skid trails Map: 401 Lot: 1

Building to be constructed: Residential: N/A Commercial: N/A Other: X

If Other, please explain: installation of an 80meter Meteorological Tower

Dimensions: Length \* Width \* Height \* - \*Diagram of substantially similar tower attached

Number of Bedrooms: Not applicable Builder: Not Applicable

Setback from Roadway: \*\* feet - \*\*See attached map for location

FEES:

Residential One unit: \$100/ Residential Two Unit: \$100/ Residential Three Unit: \$200  
Residential Four Unit: \$250/ Commercial: \$300

Prerequisites:

Is the property located in a Floodplain Area? NO

Septic System Design Approval Number: N/A Date of Approval: N/A

PUC Energy Compliance Approval Number: N/A Date of Approval: N/A

Driveway Permit Number or Date of Approval: N/A

Class VI Road Agreement: Date Signed: N/A

(This agreement is necessary only if you are constructing on a ClassVI, Private Road or ROW)

Letter of Authority for Applicant to Act as Agent: Not Applicable \_\_\_\_\_ Attached: YES

Property Owner/Agent Signature: Nemeth Date: 22 April 13

Selectmen's Approval to Construct: Date Granted: \_\_\_\_\_

Selectmen's Signature: Kenneth Hill

Selectmen's Signature: George Fithell

Selectmen's Signature: \_\_\_\_\_

A furnace installation must be inspected by Francis Butler, who may be reached at 744-8987.  
NOTE: The Town of Alexandria does not issue Certificates of Occupancy



### **Description of Proposed Use**

EDP seeks to install an 80 meter meteorological tower at the property, Map 401 Lot 1. The meteorological tower is a triangle, lattice tower approximately 36 inches each side, set in a concrete base and supported by guy wires and anchors. Several sensors will be attached to the tower to record wind and other meteorological conditions and these sensors will be powered by solar energy. The tower is unmanned, functioning without any on-site operator.

The tower will be placed at a topographical high point on the property as indicated on the plan entitled "Proposed MET Tower Location" appended hereto as Exhibit A (the "plan"). A drawing of an 80 meter meteorological tower is attached hereto as Exhibit C.

Due to its limited footprint and simple on-site assembly, there will be little impact to the land from the tower. Notwithstanding this fact, any and all ground disturbance will be protected with appropriate erosion control measures including silt fences. The tower will be removed when it is no longer needed for data collection purposes.

### **General overview of the location, construction and operation of the proposed meteorological tower.**

#### Location

The location of the meteorological tower is as set forth on Exhibit A at the coordinates provided thereon. It will be located in a treed area removed from any town road, snowmobile trail or other traveled way. There are no residences or structures within 1.5 miles of the tower location, and the property boundary is approximately 2000 feet from the proposed met tower site. No streams, marshes, lakes or ponds will be intruded upon, and according to the National Wetland Inventory, the tower site does not have any wetlands.

#### Construction

The construction of the meteorological tower consists of on-site assembly with little impact to the land. The tower is a relatively simple structure installed in a concrete base and supported by guy wires and anchors. While there is little impact to the ground during the construction of the tower, any and all ground disturbance will be protected with appropriate erosion control measures including silt fences. The tower will be installed in accordance with manufacturer's specifications, applicable ordinances and codes and conditions of approval.

EDP Renewables North America LLC  
Corporate Headquarters  
805 Travis, Suite 700  
Houston, TX 77002  
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.....[www.edpr.com](http://www.edpr.com).....



renewables

Operation

The proposed meteorological tower is a passive data collection device. Several sensors will be attached to the tower to record wind and other meteorological conditions and these sensors will be powered by solar energy. The tower is unmanned, functioning without any on-site operator. Once constructed, the tower will require no services and will generate no pollutants. No water, septic or waste disposal system of any kind is required or part of the proposed use.

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[www.edpr.com](http://www.edpr.com)

EDP RENEWABLES NORTH AMERICA LLC  
808 TRAVIS, SUITE 700  
HOUSTON, TEXAS 77002

11/28, 2012

EXPx2, LLC  
6975 Union Park Center, Suite 525  
Salt Lake City, UT 84047  
Attn: German Morales

Re: License for Meteorological Tower and SODAR Unit

Dear Mr. Morales:

As discussed, the purpose of this letter ("Agreement") is to memorialize the agreement between EDP Renewables North America LLC, a Delaware limited liability company ("Licensee") and EXPx2, LLC, a Utah Limited liability company, ("Owner") regarding the installation of one: (i) anemometer, temporary meteorological tower, wind monitoring device, foundation, and multiple guy wires, a remote power system and related facilities (collectively and each, a "Met Tower"); (ii) one sonic detection and ranging system and trailer and related facilities (collectively, a "SODAR Unit"); and (iii) one or more Anabat microphones, including mounting brackets, reflectors and related facilities and equipment (collectively and each, a "Bat Sensor"); on Owner's property in Grafton County, New Hampshire described in Exhibit A attached hereto (the "Property").

1. Owner hereby grants and conveys to Licensee an irrevocable exclusive license to install, operate, maintain, repair, replace and remove: (i) one Met Tower and SODAR Unit on the Property for the purpose of conducting studies of wind speed and wind direction and collecting other meteorological data; (ii) one or more Bat Sensors which said Bat Sensor(s) will be mounted on the Met Tower and/or SODAR Unit for the purpose of recording ultrasonic bat calls and related field data (the "License") in the locations set forth in Exhibit B attached hereto (the "Installation Sites"). The License includes the right of access on, over and across the Property and of ingress to and egress from the Met Tower, SODAR Unit and Bat Sensor(s) except for on, over and across the Restricted Area.

Notwithstanding anything to the contrary contained in this Agreement, Licensee shall not have the right to install any Met Tower, SODAR Unit or Bat Sensors on the Property in the locations set forth in Exhibit C attached hereto (the "Restricted Area") and shall have no right to use any portion of the Restricted Area for purposes of access or ingress to or egress from the Installation Sites except over and across any existing roads on the Property set forth in Exhibit D attached hereto. Provided however, Licensee shall have the right to use, maintain and capture the free and unobstructed flow of wind currents over and across the Restricted Area for purposes of obtaining wind measurements and readings ("Wind Capture Rights"). Owner shall have the first and primary use of the Restricted Area.

2. Term. The License will be for a term of three (3) years (the "Term"), commencing on the date set forth next to Owner's signature below. Notwithstanding the foregoing, in no event shall the term of this License be longer than the longest period permitted by law.

3. Payment. License Fee. On or before thirty (30) days after the full execution of this License, Licensee shall pay to Owner a one-time lump sum payment in the amount ~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

4. Met Tower Provisions.

4.1 Licensee shall have the right, but not the obligation, to place appropriate markers balls in the location, size and number in Licensee's discretion on the Met Tower and its related facilities on the Property outside the Restricted Area.

5. SODAR Unit Provisions.

5.1 Owner understands and has been informed by the Company that the SODAR Unit may emit a chirping sound from time to time during the operation of the SODAR unit (the "Effect"). Owner does hereby waive, remise and release any right, claim or cause of action which it may now have or which it may have in the future as a direct or indirect result of the Effect.

6. General Provisions.

6.1 Owner agrees not to unreasonably interfere with the exercise of Licensee rights as granted in this Agreement, and will cause its tenants and employees to avoid such interference.

6.2 Owner will not have any ownership or other interest in the Met Tower, SODAR Unit or Bat Sensor(s) installed by Licensee on the Property (including any statutory lien, which is hereby waived), and Licensee may remove all or some of the Met Tower, SODAR Unit and/or Bat Sensors at any time. Upon the removal of all Met Tower, SODAR Unit and Bat Sensors on the Property, this Agreement shall terminate. Licensee shall have the right to terminate this Agreement at any time during the Term by giving thirty (30) days prior written notice to Owner. On or before the end of the term of the License, Licensee will (a) remove from the Property the Met Tower and the SODAR Unit installed by Licensee thereon and (b) leave the surface of the Property free from debris.

6.3 Owner represents and warrants to Licensee that (a) Owner is the sole fee owner of the Property, (b) each person or entity signing this Agreement on behalf of Owner is authorized to do so, (c) Owner has the unrestricted legal power, right and authority to enter into this Agreement and to grant the License to Licensee, and this Agreement and the License are and will be in full force and effect, without the necessity of any consent of or joinder herein by any other person or entity, (d) there are no liens, encumbrances, covenants, conditions, reservations, restrictions, leases or other matters relating to the Property or any portion thereof that could interfere with or prevent Licensee's use of the Property or any portion thereof for the purposes contemplated by this Agreement.

6.4 Intentionally deleted. Owner agrees to collaborate at no cost to Owner with Licensee in the Wind Farm development activities including: (i) allowing Licensee to list the Property as a potential host site for a Wind Farm and related wind facilities when submitting power sale proposals to prospective purchasers of the power to be produced by the Wind Farm; (ii) allowing Licensee to list the Property as a potential host site for a Wind Farm and related wind facilities when submitting proposals to electric transmission providers or public authorities for the Wind Farm's connection to the electrical

transmission infrastructure existing on the Property and/or adjacent properties; (iii) allowing Licensee to list the Property in its proposals as a potential host site for development, construction, operation and maintenance of a Wind Farm and related wind facilities; and (iv) cooperating with Licensee to file the necessary applications to public authorities for zoning, civil structure, electrical structure and environmental permits, and other governmental or regulatory authorizations needed to develop, construct, operate and maintain the Wind Farm and related wind facilities.

6.5 Owner will cooperate with Licensee at no cost to Owner in the exercise of the rights given to Licensee in this Agreement and in otherwise giving effect to the purpose and intent of this Agreement, including, without limitation, in Licensee's efforts to obtain from any governmental authority or other person or entity any permit, entitlement, approval, authorization or other rights necessary or convenient in connection with Owner's installation, operation, monitoring, maintenance and removal of the Met Tower, the SODAR Unit and the Bat Sensors; and Owner shall promptly upon request, sign any application, document or instrument that is reasonably requested by Licensee in connection therewith.

6.6 Licensee may freely transfer or assign all or any portion of Licensee's right, title or interest under this Agreement, in the License and/or in the Met Tower, SODAR Unit and Bat Sensors. This Agreement will be governed by and construed in accordance with the laws of the State of New Hampshire. In the event that this Agreement is not signed by one or more of the persons or entities comprising the Owner herein, or by one or more persons or entities holding an interest in the Property, then this Agreement will nonetheless be effective, and will bind all those persons and entities who have signed this Agreement. This Agreement contains the entire agreement between the Parties in connection with any matter mentioned or contemplated herein, and all prior or contemporaneous proposals, agreements, understandings and representations between the parties, whether oral or written, are merged herein and superseded hereby. This Agreement may be executed in counterparts.

6.7 After installation of the Met Tower, SODAR Unit and Bat Sensors by Licensee, Licensee shall promptly compensate Owner for each acre (or portion thereof) of unmanaged timber removed from the Property, less the costs to obtain any governmental permits for the removal of timber from the Property in an amount equal to Four Hundred Dollars (\$400.00) per acre, which amount shall be prorated for partial acres.

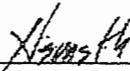
6.8 Licensee will pay, when due, (a) all claims for labor or materials furnished to or for Licensee at the Property and (b) any taxes assessed against the Met Tower and SODAR Unit; in each case subject to Licensee's right to contest the same in good faith.

6.9 Licensee will obtain, and keep in effect during the Term of this Agreement, a broad form comprehensive general liability insurance policy with a limit of no less than \$1,000,000 combined single limit coverage per occurrence. Upon request by Owner from time to time, Licensee will provide Owner with a copy of, or a certificate of insurance evidencing, such policy.

Please indicate your agreement with the above by signing a copy of this Agreement in the space provided below, and returning that signed copy to the above address.

Very truly yours,

EDP Renewables North America LLC,  
a Delaware limited liability company

By:   
Name: Jeffrey Nemeth  
Its: Authorized Representative

Owner makes the foregoing grant of the License and agrees to the terms and conditions set forth above in this Agreement.

Date: \_\_\_\_\_, 2012

EXP2, LLC  
a Utah limited liability company

By:   
Print Name: Germán Morales  
Title: CEO & President

EXHIBIT A  
LEGAL DESCRIPTION OF THE PROPERTY

THE FOLLOWING REAL PROPERTY LOCATED CONSISTING OF APPROXIMATELY 3,145 ACRES IN THE COUNTY OF GRAFTON, STATE OF NEW HAMPSHIRE:

TRACT 1

A certain tract or parcel of land situate in said Groton, known as the Cheever Place Lot, so-called, more particularly bounded and described as follows:

Beginning at a stake and stones and seven inch beech tree scribed ME 1971, said stake and stones and beech tree being the northwesterly corner of the within described tract; thence

South 52° 20' East a distance of 790 feet, more or less, to an Ash stake and four inch beech tree scribed ME 1971; thence

South 36° West to and then along the Woodbury Road, so-called, a distance of 1,683 feet, more or less, to a Hemlock stake and five inch beech tree scribed ME 1971 on the westerly edge of the said Woodbury Road; thence

North 52° 30' West a distance of 771 feet, more or less, to a stake and stones and three inch beech tree scribed ME 1971; thence

North 35° 30' East a distance of 1,674 feet, more or less, to the point of beginning.

The above described tract contains 30 acres, more or less.

TRACT 2

A certain tract or parcel of land situate in said Groton known as the Trovato Lot, so called, more particularly bounded and described as follows:

Beginning at a point where the easterly limit of the said Dane Road intersects the westerly limit of the said Woodbury Road; thence

In a general southwesterly direction along the easterly limit of the Dane Road, so called, to a point where the easterly limit of the Dane Road intersects the northerly boundary of the said Cheever Place Lot; thence

South 52 20' East along the northerly boundary of said Cheever Place Lot to a point where the westerly limit of the said Woodbury Road intersects the northerly boundary of said Cheever Place Lot; thence

In a general northerly direction along the westerly limit of the said Woodbury Road to the point of beginning.

Meaning and intending to describe the premises conveyed from Joseph V. Paletta to Charlotte F. Paletta by deed dated May 15, 1997 and recorded in Grafton County Registry of Deeds at Book 2256, Page 979 (Tracts 1 and 2).

TRACT 3

Oregon Mountain Tract:

Being a parcel of land containing 3,070 acres, more or less, situated in the Towns of Orange, Groton, Alexandria and Hebron, in Grafton County and being a portion of the property conveyed to Yorkshire Timber Company by deed of Rockwell International dated November 7, 1977, recorded at Book 1324, Page 25 of the Grafton County Registry of Deeds, described as follows:

Paul Draper Lots of Rockwell Lands (Section A of Yorkshire/Yankee Deed)

Property 2, IV. Certain tracts or parcels of land located in the Towns of Groton and Alexandria, Grafton County, State of New Hampshire conveyed by Paul W. Glover to Draper Corporation by Quitclaim Deed dated October 16, 1945 and recorded in the Grafton County Registry of Deeds at Book 730, Page 433, and described therein as follows:

Parcel #47. A certain parcel of land situated in Alexandria, in said County of Grafton, bounded and described as follows:

Lot #63, Division One (1), in said Town of Alexandria, containing one hundred (100) acres, more or less.

AND

Parcel #48. A certain parcel of land situated in said Alexandria, formerly Orange, bounded and described as follows:

Lot #39, in the first (1<sup>st</sup>) hundred drawn to the right of William Burns, containing one hundred (100) acres, more or less.

AND

Parcel #49. A certain parcel of land situated in said Alexandria, formerly Orange, bounded and described as follows:

Lot #48 in the first (1<sup>st</sup>) hundred acre lots, containing one hundred (100) acres, more or less.

AND

Parcel #50. A certain parcel of land situated in said Groton, bounded and described as follows:

South by the town line between Groton and Alexandria; west by the brook between the land conveyed and the Moses Place, so-called, and by the Powers Farm, so-called; and north by land now or formerly of

Amos Fox, Jonathan Goodhue, Isaac Greenleaf and Ira Wheeler; and east by land now or formerly of Willard Heath and the Cilley Place, so-called (said brook is made the boundary line between the Moses Farm, so-called, on the west of the tract conveyed in place of the original line if differing therefrom), containing two hundred fifty (250) acres, more or less.

AND

Parcel #51. A certain parcel of land situated in Hebron, in said County of Grafton, bounded and described as follows:

Northerly by the Peters Place, so-called, formerly owned by Edwin I. Pike; easterly by land now or formerly of Ira Wheeler; southerly by land now or formerly of said Ira Wheeler and westerly by land formerly of Willard Heath and Noah Jewell now or formerly of Alvin Goodhue and the widow of said Jewell, containing twenty-five (25) acres, more or less.

AND

Parcel #52. A certain parcel of land situated in said Groton, bounded and described as follows:

On the north by the Dane Place, so-called; on the east by land now or formerly of the Mason Perkins Paper Company, known as Woodbury Place; on the south by the northerly line of Alexandria; on the west by the brook running through the Moses land. Meaning and intending all that part of the Moses Lot which lies east of the brook, containing twenty-five (25) acres, more or less.

AND

Parcel #53. A certain parcel of land situated in said Hebron, bounded and described as follows:

Northerly by land now or formerly of William P. Beede and one Leeds, and Stephen Dustin and by the highway leading from Hebron to Groton Corner, so-called; easterly by land now or formerly of Joseph Keyes, Stephen Dustin and Frank E. Hobart; southerly by land now or formerly of Frank E. Hobart; and westerly by the town line between Hebron and Groton, land now or formerly of William P. Beede, Lowell Robie, Benjamin G. Jewell, and one Leeds, containing one hundred forty (140) acres, more or less.

AND

Parcel #54. Certain parcels of land situated partly in said Alexandria and partly in said Hebron, bounded and described as follows:

Lots Seven (7), Eight (8), Nine (9), Ten (10), and lot Five (5) less fifty (50) acres on the west side thereof; all in the second division of lots in Alexandria in said County of Grafton and lying adjacent to or near Groton and Hebron town lines.

Also, lots Fifty-Two (52), Fifty-Three (53), Sixty-Two (63), and Sixty-One (61), all in the first division of hundred acre lots in Alexandria, lying either adjacent or near to said first mentioned lots.

Also the "Haywood Gore," so-called, situated in said Alexandria and in Hebron in said County of Grafton, lying near the above lots.

Also lot number Six (6) in said Alexandria in the second division known as the David P. Hardy lot. Containing eleven hundred (1,100) acres, more or less.

AND

Parcel #55. Certain parcels of land situated in said Alexandria, bounded and described as follows:

Lot #34 of the first hundred acre lots drawn to the original right of John Green, Esquire, by the proprietors of Cardigan alias Orange; Lot #25 in the first division of lots in the part of Alexandria which was formerly Orange drawn to the original right of Richard Saltingstall, containing one hundred (100) acres, more or less; and Lot #20 in the first division of lots in that part of Alexandria which was formerly Orange drawn to the original right of Thomas Stephens, containing one hundred (100) acres, more or less, said three (3) lots containing together three hundred (300) acres, more or less.

TRACT 4

Katherine Glover Lot (Section A of Yorkshire/Yankee Deed)

Certain tracts or parcels of land located in the Towns of Groton, Alexandria and Hebron, County of Grafton, State of New Hampshire, conveyed by Katherine B. Glover to Draper Corporation by Warranty Deed dated October 16, 1945, recorded in the Grafton County Registry of Deeds at Book 730, Page 462, described therein as follows:

Property 3 11. A certain tract or parcel of land known as the Alexandria or Pitman Property, containing one hundred (100) acres, more or less, situate in the Town of Alexandria bounded and described as follows:

Being Lot #51, Division One and bounded northerly by land now or formerly of C.A. Smith; southerly by land now or formerly of Warren Pitman, the heirs of Galvin Brown and by land of Harvey and Herbert Akerman; easterly by land now or formerly of Harvey and Herbert Akerman.

TRACT 5

Tobey Lumber Lot (Section A of Yorkshire/Yankee Deed)

XI. One of three certain tracts or parcels of land located in the Towns of Groton and Alexandria, Grafton County, State of New Hampshire, conveyed by Tobey Lumber Company, Inc. to Draper Corporation by Warranty Deed dated December 1, 1949, recorded in the Grafton County Registry of Deeds at Book 789, Page 209, as described therein as follows:

"Tract 1 A certain tract or parcel of land situate in the Town of Groton, County of Grafton, State of New Hampshire, bounded and described as follows: on the north by land now or formerly of Ned Albert, Ellsworth Rollins, Ralph Steavens and Hubert Butterfield; and the east by Nathaniel Woodbury Farm, so-called; on the south by the Alexandria town line and lands now or formerly of the Mason and Perkins Paper Company; and on the west by land now or formerly owned by Ralph Steavens. Being all that tract of land known and called the Moses Place and formerly the homestead of Jesse P. Moses, containing two hundred (200) acres, more or less."

For title see deed of W. Lewis Roberts to Tobey Lumber Company, Inc. dated September 10, 1942 and recorded in Grafton County Records, Book 708, Page 401.

TRACT 6

Tekwood Lot

Property 12. XX. One of four certain tracts or parcels of land located in the Towns of Groton and Alexandria, County of Grafton, State of New Hampshire, conveyed by United States Plywood Corporation to Draper Corporation by Warranty Deed dated July 24, 1962, recorded in the Grafton County Registry of Deeds at Book 973, Page 4, described therein as follows:

Tract 2:

A certain tract or parcel of land situate in the Town of Groton, Grafton County, State of New Hampshire, being part of lot 19 in 2<sup>nd</sup> range and 1<sup>st</sup> division and bounded on north by land of John C. Wheat on the east by land formerly owned by Noah L. Jewell, on the south by land formerly owned by E.I. Pike; on the west by land of said E.T. Pike and land of Wheeler.

Also lot No. 18 in 1<sup>st</sup> range and 1<sup>st</sup> division in said Groton and bounded on north by land formerly owned by W.L. Jewell, on east by Hebron town line, on south by Alexandria town line, on west by land formerly owned by E.T. Pike containing fifty (50) acres, be the same, more or less.

Being the same premises described in the deed of Jennie M. Hutchins to Tekwood, Inc., dated October 14, 1953, and recorded in said records in Book 839, Page 258.

TRACT 7

Roby Lots of Rockwell Lands

Property 16. XXVII. Certain tracts or parcels of land located in the Town of Orange, Grafton County, State of New Hampshire, conveyed by David M. Roby, Trustee to Rockwell International Corporation by Warranty Deed dated May 7, 1975, recorded in the Grafton County Registry of Deeds at Book 1263, Page 328, described therein as follows:

"FIRST: Being lot numbered forty-seven (47), Division One (1), with the EXCEPTION of Twenty-Five (25) acres, more or less, at the west end of said lot, said twenty-five (25) acres, more or less, being the parcel conveyed by Millinocket Trust Company to Everett Merrill, and lying west of road leading front Groton to Canaan.

SECOND: Being lot numbered fifty-four (54), Division One (1), with EXCEPTION of fifty-two (52) acres, more or less, at the east end of said lot and now, or formerly, owned by William Lovering.

THIRD: Being lot numbered sixty (60), Division One (1), with the EXCEPTION of land at the west end of said lot, now, or formerly owned by Alvah Carr.

Said Tracts above described include the Wheeler Farm, so-called, said, to contain one hundred fifty (150) acres; the J.J. Smith Farm, so-called, said to contain one hundred (100) acres; and the Pike Lot, so-called, said to contain twenty-five (25) acres.

Also a right of way easement conveyed from Harold Mathews to Draper Corporation on June 11, 1959, recorded at Book 930, Page 46 of the Grafton County Registry of Deeds, "along existing roadways on Lot #3, 2<sup>nd</sup> Range, 1<sup>st</sup> Division in said Groton, known as the Land Lot."

### TRACT 8

A certain tract or parcel of land, with any improvements thereon, situate in the Town of Groton, County of Grafton and State of New Hampshire, being more particularly bounded and described as follows:

Being all and the same land and premises described in the Quitclaim Deed from Mrs. L.L. Dunton and A.E. Dunton to S. Robie which deed is acknowledged as of April 24, 1901, and recorded in the Grafton County Registry of Deeds at Volume 451, Page 587, and is described in said deed as follows: All my right, title and interest in and to a certain tract of land in the Town of Groton, County of Grafton and State of New Hampshire, being Lot #19 in the First Range and Third Division bounded northerly and easterly by land formerly owned by Willard Heath; southerly by the line between the Towns of Alexandria and Groton and westerly by land known as the Woodbury Farm. Containing 50 acres, more or less.

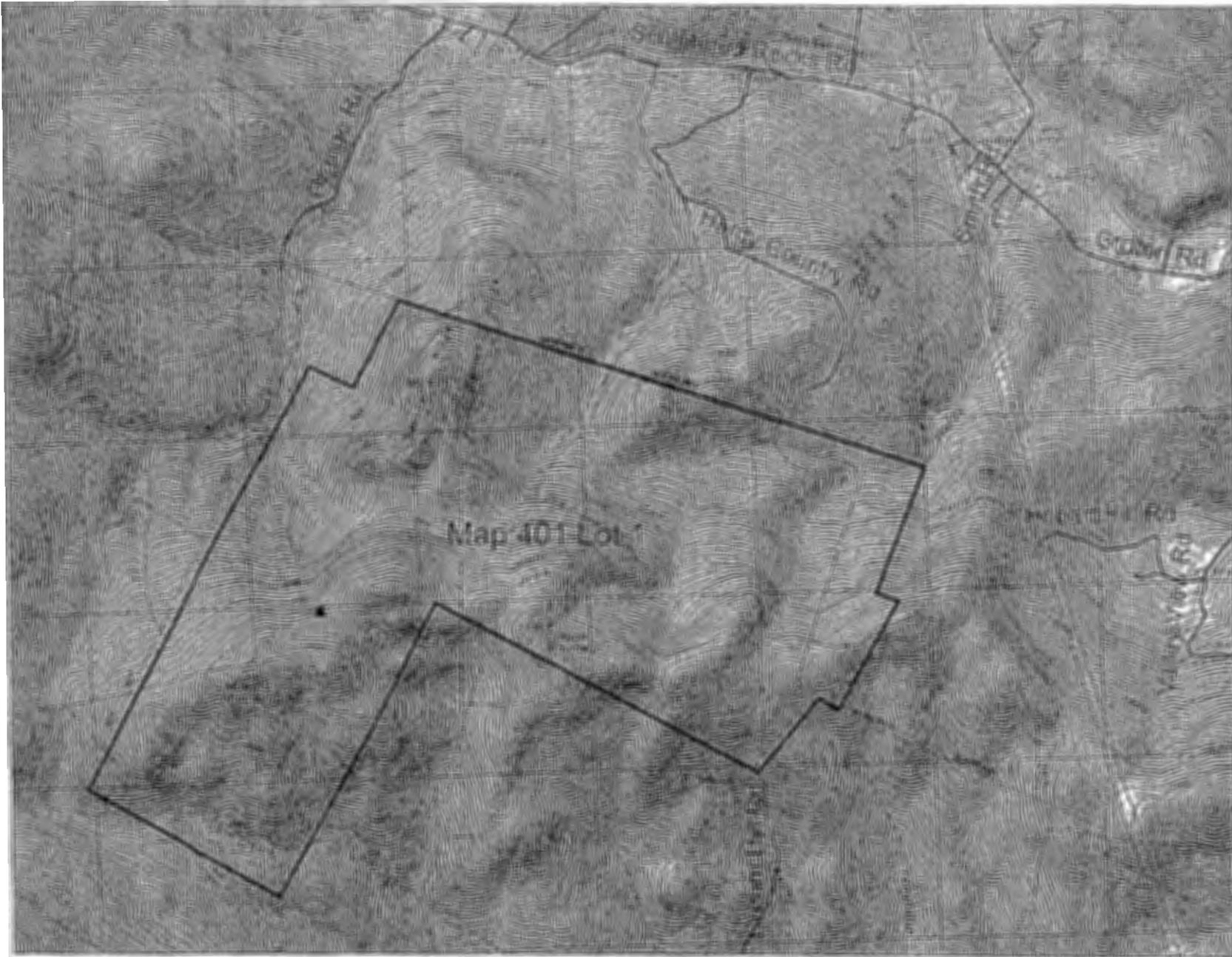
Meaning and intending to describe all and the same premises as described in and conveyed by the Warranty Deed of American Wilderness Resources, Inc. to Alice J. Sysak, dated January 28, 2002, and recorded in the Grafton County Registry of Deeds at Volume 2625, Page 784.



Exhibit A

Town of Alexandria  
Proposed Met Tower

EDP Renewables,  
North America, LLC

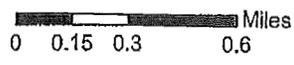
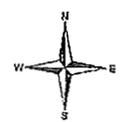


**Legend**

-  Proposed Met Tower Location
-  Roads
-  Map 401 Lot 1



Author: JMN  
Date: 4.22.13  
Source: ESRI, EOPR



Town of Alexandria  
Building Permit Ordinance

In order to protect the health, safety and welfare of the citizens of the Town of Alexandria, the following ordinance is adopted this 15<sup>th</sup> day of March, 2007.

1. No building (including mobile homes) intended as a dwelling place or structure intended for commercial use shall be erected or moved into the Town of Alexandria without first obtaining a building permit from the selectmen or their designee.
2. All applications for a building permit shall be accompanied by an approved driveway construction permit, a state-approved septic system design, if applicable, and any other requirements mandated by a higher level of government, including but not limited to, Public Utilities Commission, NH Wetlands Board, NH Dept. of Environmental Services or the NH State Building Code.
  - a. Commercial buildings intended or designed to be used for industrial, commercial or other use shall be no more than three stories high and shall provide non-combustible walls and partitions between its component parts. Additionally, all plans for a commercial building must be reviewed by the NH State Fire Marshall or his designee for compliance with the NH State Building Code.
  - b. No building intended or designed for any public use or congregation of people shall be erected, altered or used for any purpose which does not provide adequate exits as provided in Chapters 155 and 156 New Hampshire Revised Statutes, Annotated, 1995, and any supplements, and in regulations of New Hampshire Fire Marshall's Office and NH State Building Code.
3. Permits shall be approved or denied within thirty (30) days after application is submitted.
4. Each application shall be accompanied by the appropriate fee as stated on the application.
5. Permits shall be void if the structure is not weatherized within one year after approval.
6. Penalties: Upon any well-founded information that this ordinance is being violated, the selectmen or their designee shall take immediate steps to enforce the provisions of this ordinance by seeking an injunction in the Superior Court or by any other appropriate legal action. Whoever violates any of the above regulations may be punished upon conviction by a fine not exceeding \$100 per day for each violation, plus all legal costs in connection with settling the issue.
7. The intent of the above ordinance is to maintain the health, welfare and safety of all citizen of the Town of Alexandria.
8. This ordinance shall take effect upon its adoption and shall supercede the ordinance as passed in March of 1979 and any other previous versions.

TOWN OF ALEXANDRIA

47 Washburn Rd., Alexandria, NH 03222

744-3220(P)

744-9461(F)

Office of the Selectmen

alexandriah@metrocast.net

June 5, 2013

Board of Selectmen  
Town of Groton  
754 North Groton Road  
Groton, NH 03241

RE: EDPR's building permit application for a met tower on property owned by Maxam Northeast

Alexandria, NH 03222  
47 Washburn Road  
Alexandria, NH 03222

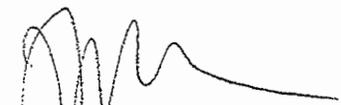
Attn: Board of Selectmen

The Alexandria Selectboard wanted to inform you that they will be reviewing the above referenced building permit on Tuesday, June 25, 2013 at 6:00 p.m.

The property involved has access only through roads in Groton.

If you have any questions or would like additional information, please let me know.

Sincerely,



Jennifer Dostie  
Administrative Assistant

**TOWN OF ALEXANDRIA**

47 Washburn Rd., Alexandria, NH 03222

744-3220(P)

744-9461(F)

**Office of the Selectmen**

alexandrianh@metrocast.net

Building permit 2013-8 was approved on June 25, 2013 subject to the following conditions:

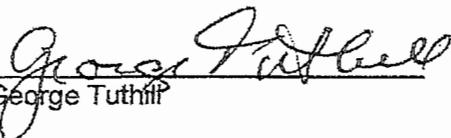
- EDP Renewables obtain FAA approval.
- The Town of Groton responds to the letter sent to them regarding the access to the property being from Groton.
- A fence be constructed around the tower.
- The Board of Selectmen and the applicant will agree on either a date certain of removal or a bond amount.
- EDP Renewables will provide the Town of Alexandria with copies of all other permits they obtain regarding this project.



Kenneth Hall

7-2-2013

Date



George Tuthill

\_\_\_\_\_  
Donald Sharp

*Town of Groton Planning Board  
754 North Groton Road  
Groton, NH 03241  
(603)744-9190 phone  
(603)744-3382 fax*

July 8, 2013

Town of Alexandria  
Select Board  
47 Washburn Road  
Alexandria, NH 03222

Re: EDPR North America LLC Building Permit Application

Dear Board Members:

As a result of the most recent Planning Board discussion regarding the use of Hardy Country Road by EDPR as the access way to the Met tower site, the only additional condition is that should EDPR find it necessary to improve the access road to the Groton/Alexandria town-line their improvement plans must be submitted to the Groton Select Board for final approval (RSA 236:9). At this time EDPR is conducting further research to determine the current condition of the road and if any improvements to the road will be necessary.

Sincerely,

  
Stephen Spafford, Chairman

cc: EDPR/Mark E. Beliveau, Esquire  
Groton Select Board  
File



February 11, 2014

Town of Groton Planning Board  
754 North Groton Road  
Groton, NH 03241

Re: EDP Renewables North America, LLC – Alexandria Building Permit Application Crossing land in  
Town of Groton to access Alexandria

Dear Chairman and Members of the Board:

I am writing in follow up to the June 26, 2013, Groton Planning Board meeting which I attended with regard to accessing land in Alexandria through roads in Groton for the purpose of constructing a meteorological tower in Alexandria. At that time, EDP Renewables was planning to access land in Alexandria by way of Hardy Country Road in Groton. At the meeting on June 26, 2013, discussion included whether that portion of Hardy Country Road that is a Class VI road would need improvements before it could be properly used to access Alexandria.

After the meeting, by letter dated July 8, 2013, the Groton Planning Board informed the Alexandria Board of Selectmen that EDP Renewables was going to conduct further research to determine the current condition of Hardy Country Road and whether any improvements to the road would be necessary.

EDP Renewables has decided to use Spruce Ridge Road to access Alexandria and, therefore, no improvements to the area of Hardy Country Road that was under discussion will be required. Spruce Ridge Road is a private road and in good condition.

As a result, I would greatly appreciate the Board sending a letter to the Town of Alexandria Board of Selectmen indicating that with the decision to use Spruce Ridge Road, the concerns of the Groton Planning Board have been satisfied.

Thank you for your review of this matter. Please contact me should you have any questions. I respectfully request that if your schedule allows, that this matter be considered at your meeting on February 26, 2014. I will plan to attend in the event there are any questions. Thank you.

Very truly yours,

A handwritten signature in black ink that reads 'Derek Rieman'.

Derek Rieman  
Project Manager – Eastern Region

**Alexandria Board of Selectmen  
February 25, 2014**

**Members Present:** Donald Sharp and George Tuthill

The meeting came to order at 6:00 p.m. The Pledge of Allegiance was recited.

The minutes of February 11, 2014 were approved.

***The following items were discussed and signed:***

- ❖ Letter to H&H Investments regarding change in recreation credit/current use
- ❖ Letter to Planning Board regarding accepting donations
- ❖ Excavation Tax Warrant: Morrison
- ❖ Intent to Excavate: Morrison
- ❖ Intent to Excavate: Hall

***Pending Business:***

- ❖ The Selectboard mentioned the informational meetings scheduled for Thursday, February 27, 2014 at 6:00 pm at the Newfound Memorial Middle School. The Commissioner for NH Dept. of Revenue Administration and the NH Director of Property Appraisals will be present to provide information on property appraisals, taxation and PILOT agreements.
- ❖ There was discussion regarding whether or not the town had a roadway survey complete; the survey would include the length and width of each road.

***Appointments:***

- ❖ Tom McGowan questioned whether or not the town had a snow removal policy and requested that policy to be posted on the town's website; the Selectboard agreed to post the policy on the town's website.



- ❖ Representatives from EDP Renewables were present to review the conditions on their requested building permit:
  - EDPR provided a copy of FAA approval.
  - EDPR said that have changed their proposed access to Spruce Ridge Road, a private road, as opposed to using Hardy Country Road. EDPR will be meeting with Groton on 2/26/2014 to discuss this change.
  - EDPR will construct a fence around the met. tower.
  - There was discussion regarding bond amounts for decommission. EDPR will send the Selectboard a standard bond form for their review. The Selectboard will also contact the Town of Groton to see who they used to obtain estimates for decommissioning costs.
  - EDPR will provide all copies of any other permits that they find are necessary; at this time, they do not have any other permits (other than the FAA).

There was discussion with residents regarding EDPR's proposed met tower project; discussion included tower location, stability of tower, and request for installation cost.

The public meeting adjourned at 6:37 p.m.

**Respectfully submitted,  
Jennifer Dostie, Administrative Assistant**

Groton Planning Board

754 North Groton Rd.

Groton, NH 03241

March 12, 2014

Select Board

Town of Alexandria

47 Washburn Rd.

Alexandria, NH 03222

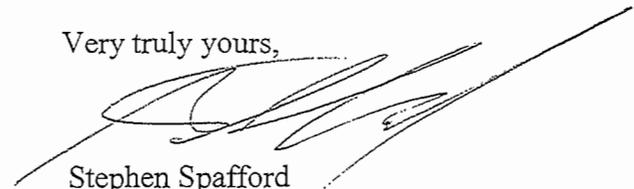
Re: EDP Renewables North America, LLC – Alexandria Building Permit Application,  
Crossing land in town of Groton to access Alexandria

Dear Chairman and members of the Select Board:

Please find enclosed copy of a letter from MAXAM North America (EXPx2, LLC) giving permission to EDP Renewables North America, LLC to access their planned meteorological tower to be located in Alexandria only, by travel across Spruce Ridge Rd. in Groton, NH.

This affirmation by MAXAM satisfies the stipulation that the Planning Board required from EDP Renewables on February 26, 2014.

Very truly yours,



Stephen Spafford

Planning Board Chair

cc: Mark Beliveau, Pierce Atwood Law Firm

Groton Select Board

# MAXAM

North America

February 28, 2014

Town of Groton Planning Board  
754 North Groton Rd.  
Groton, NH 03241

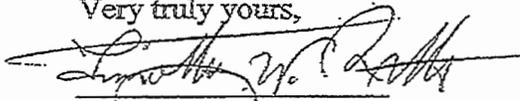
Re: EDP Renewables North America, LLC -- Crossing of Maxam (EXPx2, LLC) Land In Groton

Dear Chairman and Members of the Board:

At the request of EDP Renewables North America, LLC, I am writing to inform the Planning Board that EDP Renewables is permitted to travel across Spruce Ridge Road in Groton to access land in Alexandria for the purposes of constructing and maintaining a meteorological tower in Alexandria. Please contact me should you have any questions concerning this matter.

Thank you.

Very truly yours,



Timothy W. Rath  
VP & Technical Manager  
Maxam NE

Town of Alexandria, Grafton County, New Hampshire  
Ordinance No. \_\_\_\_\_ of 2014

**AN ORDINANCE TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF RESIDENTS AND ECOSYSTEMS OF ALEXANDRIA, NEW HAMPSHIRE BY ESTABLISHING A COMMUNITY BILL OF RIGHTS; AND BY PROHIBITING THE SITING OF NEW ENERGY PROJECTS THAT WOULD VIOLATE THOSE RIGHTS.**

Whereas, this community finds that certain commercial energy projects are economically and environmentally unsustainable, in that they damage property values and the natural environment, place the health of residents at risk, threaten the quality of natural systems within the Town, while failing to provide real benefits to the people of this community; and

Whereas, this community finds that unsustainable energy projects violate the rights of Alexandria residents, including our right to make decisions about what happens to the places where we live; and

Whereas, current environmental laws allow state-chartered corporations to inflict damage on local ecosystems that cannot be reversed, violating the rights of residents to protect their community and the rights of ecosystems to exist; and

Whereas, private corporations engaged in the siting of unsustainable energy projects are wrongly recognized by the federal and state government as having more "rights" than the people who live in our community, and that recognition of corporate "rights" is therefore, a denial of the rights of the residents of Alexandria; and

Whereas, such a denial violates the New Hampshire Constitution's recognition that "all government of right originates from the people, is founded in consent and instituted for the general good;" and the Declaration of Independence's recognition that governments are instituted to secure and protect the rights of people and communities;

Therefore, We the People of Alexandria hereby adopt this Community Bill of Rights Ordinance.

**Section 1 - Definitions**

(a) "Corporations," for purposes of this Ordinance, shall include any corporation, limited partnership, limited liability partnership, business trust, business entity, public benefit corporation, or limited liability company organized under the laws of any state of the United States or under the laws of any country.

(b) "Ecosystem" shall include but not be limited to, wetlands, streams, rivers, aquifers, and other water systems, as well as all naturally occurring habitats that sustain wildlife, people, flora and fauna, soil dwelling or aquatic organisms.

(c) "Energy Systems" means those systems producing, generating, distributing, transmitting, or transporting energy and power.

(d) "Unsustainable energy systems" means those systems that are controlled by state and federal energy policies, rather than community controlled energy policies; hydroelectric power and industrial scale wind power when it is not locally or municipally owned and operated; energy systems using fossil fuels, including but not limited to coal, natural gas, petroleum products, nuclear and radioactive materials, and other fuel sources that are non-renewable, or which produce toxins and substances that cause injury to humans or ecosystems, or that are in violation of residents' right to a sustainable energy future. The phrase shall also include any energy system which violates the rights secured under this Ordinance or under other laws. The term shall not include combustion of wood and wood products or the use of propane, kerosene, heating oil, coal, or natural gas when combustion of those fossil fuels is used solely to generate on-site heat or power and the energy produced is not commercially sold, transmitted, or distributed.

## **Section 2- Statements of Law - Rights of Residents and the Natural Environment**

(a) *Right to a Sustainable Energy Future.* All residents of Alexandria have a right to a sustainable energy future in which energy decisions are made by the community, and in which fuel sources used to generate energy are renewable and sustainable.

(b) *Right to Scenic Preservation.* All residents of the town of Alexandria possess a fundamental and inalienable right to protect and preserve the scenic, historic and aesthetic values of the town, including clean air, pure water, healthy soil, and unspoiled vistas that provide the foundation for tourism and economic sustainability for local businesses. Residents and local representatives have the authority to enact and enforce legislation that guarantees an exercise of local self-government that is protective of these rights.

(c) *Right to Water.* All residents and ecosystems of the Town of Alexandria possess a right to sustainably access, use, consume, and preserve water drawn from natural water cycles that provide water necessary to sustain life within the Town.

(d) *Rights of Ecosystems.* Ecosystems, including but not limited to, wetlands, streams, rivers, aquifers, and other water systems, possess rights to exist and flourish within the Town of Alexandria. Residents of the Town shall possess legal standing to enforce those rights on behalf of those ecosystems.

(e) *Right to Self-Government.* All residents of Alexandria possess the right to a form of governance where they live which recognizes that all power is inherent in the people, that all free governments are founded on the people's authority and consent. Use of the "Town of Alexandria" municipal corporation by the sovereign people shall not be deemed, by any authority, to eliminate or reduce that self-governing authority.

(f) *Rights as Self-Executing.* All rights delineated and secured by this Ordinance are inherent, fundamental, and inalienable, and shall be self-executing and enforceable against both private and public actors.

**Section 3--Statements of Law--Prohibitions Necessary to Secure Bill of Rights Protections**

(a) It shall be unlawful within the Town of Alexandria for a corporation or any person using a corporation, to engage in land acquisition necessary for the construction of an unsustainable energy system, or to engage in construction or siting of any structure to be used in the operation of an unsustainable energy system.

(b) It shall be unlawful for any corporation or government to violate the rights recognized and secured by this Ordinance.

(c) No permit, license, privilege, charter, or other authority, issued by any State or federal agency, which would violate the prohibitions of this Ordinance or deprive any Town resident, of any rights, privileges, or immunities secured by this Ordinance, the New Hampshire Constitution, the United States Constitution, or other laws, shall be deemed valid within the Town of Alexandria.

**Section 4--Enforcement**

(a) Any corporation that violates any prohibition of this Ordinance shall be guilty of an offense and, upon conviction thereof, shall be sentenced to pay the maximum fine allowable under State law for that violation. Each day or portion thereof, and violation of each section of this Ordinance, shall count as separate violations.

(b) The Town of Alexandria may enforce this Ordinance through an action in equity brought in any court possessing jurisdiction over activities occurring within the Town of Alexandria. In such an action, the Town of Alexandria shall be entitled to recover all costs of litigation, including, without limitation, expert and attorney's fees.

(c) Any Town resident shall have the authority to enforce this Ordinance through an action in equity brought in any court possessing jurisdiction over activities occurring within the Town of Alexandria. In such an action, the resident shall be entitled to recover of all costs of litigation, including, without limitation, expert and attorney's fees.

(d) Any person who brings an action to secure the rights of natural communities or ecosystems within the Town of Alexandria shall bring that action in the name of the ecosystem in any court possessing jurisdiction over activities occurring within the Town of Alexandria. Damages shall be measured by the cost of restoring the ecosystem to its state before the injury, and shall be paid to the Town of Alexandria to be used exclusively for the full and complete restoration of the ecosystem.

**Section 5 - Corporate Powers**

(a) Corporations and other business entities which violate this Ordinance, or which seek to violate this Ordinance, shall not be deemed to be "persons", nor possess any other legal rights, privileges, powers, or protections which would interfere with the enforcement of rights or prohibitions enumerated by this Ordinance. Such powers shall include the authority to assert state or federal preemptive laws in an attempt to overturn this Ordinance, and the authority to assert that the people of the Town lack the authority to adopt this Ordinance.

(b) All laws adopted by the legislature of the State of New Hampshire, and rules adopted by any State agency, shall be the law of the Town of Alexandria only to the extent that they do not violate this Ordinance.

Section 6---Sustainable Energy Policy

The Town shall implement a Sustainable Energy Policy following the adoption of this Ordinance that provides a plan for the community's reduction in use of power from unsustainable energy systems, within a time frame agreed to by the residents, to be decided by popular vote.

Section 7---Effective Date and Existing Permit Holders

This Ordinance shall be effective five (5) days after the date of its enactment, regardless of the date of any applicable local, state, or federal permits.

Section 8---People's Right to Self-Government

Use of the courts or the legislature to attempt to overturn the provisions of this Ordinance shall require community meetings focused on changes to Town government that would insulate the Town from interference with the right of residents to local self-government.

Section 9---New Hampshire Constitutional Changes

The people of the Town of Alexandria call for changes to the New Hampshire Constitution to secure within it explicitly a community right to local self-government free from preemption by State government. The people of Alexandria also call for a state constitutional amendment and federal constitutional changes that explicitly elevate community rights above corporate property rights, and that recognize the rights of nature enforceable by the residents of a community.

Section 10---Severability

The provisions of this Ordinance are severable. If any court of competent jurisdiction decides that any section, clause, sentence, part, or provision of this Ordinance is illegal, invalid, or unconstitutional, such decision shall not affect, impair, or invalidate any of the remaining sections, clauses, sentences, parts, or provisions of the Ordinance. The Town of Alexandria hereby declares that in the event of such a decision, and the determination that the court's ruling is legitimate, it would have enacted this Ordinance even without the section, clause, sentence, part, or provision that the court decides is illegal, invalid, or unconstitutional.

Section 11---Repealer

All inconsistent provisions of prior Ordinances adopted by the Town of Alexandria are hereby repealed, but only to the extent necessary to remedy the inconsistency.

20

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the Town of Alexandria, in Grafton County, New Hampshire.

By:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21



*Town of Alexandria*

Town Clerk / Tax Collector

47A Washburn Road  
Alexandria, NH 03222

Phone: 603-744-3288

Fax: 603-744-8577

This is to certify that on March 11, 2014 the Warrant Article # 16 passed by  
SB2 ballot vote as written with  
**320 YES and 119 NO.**

A handwritten signature in cursive script that reads "Barbara M. Emery". The signature is written in black ink and is positioned above the printed name.

Barbara M. Emery  
Alexandria Town Clerk

**Alexandria Board of Selectmen  
March 25, 2014**

**Members Present:** George Tuthill, Donald Sharp, and Michael Broome

The meeting came to order at 6:00 p.m. The Pledge of Allegiance was recited.

The minutes of March 18, 2 014 were approved.

**The following items were discussed and signed:**

- ❖ Washburn Road Bridge Contract: There was discussion regarding concerns that a temporary bridge would not be available while the bridge is being replaced, the project will take 5 days, residents of Washburn Road will be notified prior to work starting, and work will not start until school is out.
- ❖ Letter of Appreciation to Ken Hall
- ❖ Intent to Excavate: Newport Sand & Gravel
- ❖ Intent to Cut Wood or Timber: Map 419 Lot 22
- ❖ Abatements Response: Northern New England Telephone/CPTM
- ❖ Purchase order for tires for the grader

**The following items were discussed:**

- ❖ Rights Based Ordinance (RBO): After consulting with town counsel, the Selectboard made the decision to not sign or enforce the ordinance; the Town Clerk will certify the passing of the ordinance. The Selectboard mentioned that, per the wording in the ordinance, residents can choose to enforce the ordinance at their expense if they so choose. The Selectboard will be sending a letter to the Site Evaluation Committee informing them of the passage of the ordinance.

**Pending Business:**

- ❖ 432 Mount Cardigan Road: The winning bidder for this town owned property has backed out of the sale. The auctioneer is in contact with the second highest bidder to determine if they are still interested in purchasing. There was also discussion regarding finding somebody to shovel the roof of the house and garage.
- ❖ Recycling Committee Recommendations: The Selectboard approved going forward with the Recycling Committees recommendations for 2014.
- ❖ There was discussion regarding quotes received for the purchase of a new highway department truck (per warrant article #8). The Selectboard requested that Gary obtain additional pricing and will meet again on Thursday, March 27, 2014 at 4:30 to review the quotes.
- ❖ There was discussion regarding purchasing a used truck for the highway department to replace the truck that was totaled. There will be a public hearing on Tuesday, April 8, 2014 after the regular Selectboard meeting to discuss using the funds received from the insurance company towards the purchase of the used truck. (Cost of truck \$15,500, insurance monies received \$10,596.75, the remainder of the cost to be taken from the highway department budget).

The meeting adjourned at 7:07 p.m.

**Respectfully submitted,  
Jennifer Dostie, Administrative Assistant**

**Alexandria Board of Selectmen  
April 1, 2014**

**Members Present:** George Tuthill, Donald Sharp, and Michael Broome

The meeting came to order at 6:00 p.m. The Pledge of Allegiance was recited.

**The following items were discussed and signed:**

- ❖ Current Use Application: Weslou Farm Trust 411-190
- ❖ Forest Fire Warden Appointment Form
- ❖ Memorandum of Agreement State of NH & Town of Alexandria: Wellington State Park Beach
- ❖ Certification of Yield Taxes: 13-005-03-T Benton 411-182
- ❖ Notice of Intent to Tax Buildings on the land of others: Bedard (Newfound Hills Campground)
- ❖ Letter to SEC: Town sentiment against wind farm development

**Pending Business:**

- ❖ There was discussion regarding letters receive concerning poor road conditions by residents on Perkins Hill Road. The Selectboard will meet with Gary Patten, Road Agent next week to discuss concerns; George will respond to the letters.
- ❖ There was discussion regarding a letter received from the NH Department of Transportation that work will be done on several culverts on Route 104; there was no mention in the letter about the time frame of the work.
- ❖ There was discussion regarding obtaining the estimate for the decommission cost of the EDPR proposed met tower; Skip Sansoucy has been contacted and will be providing an estimate.
- ❖ There was discussion regarding running a help wanted ad for a part-time employee at the Transfer Station; an ad will be drafted for approval by the Selectboard and Transfer Station supervisor.
- ❖ Chief Sullivan informed the Selectboard that Officer Kratz resigned from his full-time position with the Alexandria Police Department. There was discussion regarding advertising for a replacement for the position.
- ❖ Chief Sullivan informed the Selectboard of a program available for military surplus equipment at no charge; there was specific discussion regarding a used Humvee.

**Appointment:**

- ❖ Two residents from Burns Hill Road were present to express their concerns over the Police Department's response to dog complaints. Chief Sullivan explained the procedures that the Police Department is required to follow regarding animal complaints.

**Public Input:**

- ❖ Lucy Ford, a resident from Patten Road expressed her concerns that the Washburn Road Bridge replacement project will no longer be including the temporary bridge as mentioned at the deliberative session. There was discussion regarding notifying the Police Chief & Fire Department Chief along with the residents of Washburn Road prior to the start of the work.
- ❖ Jennifer Tuthill provided information regarding the tax incentive mechanism to help save old New Hampshire barns (NH RSA 79-D/Historic Barn Tax Incentive).
- ❖ There was a question regarding which members of the Selectboard will be able to attend an information meeting on the Rights Based Ordinance on April 5<sup>th</sup>; George and Donald will be attending the meeting.

The meeting adjourned at 7:05 p.m.

**Respectfully submitted,  
Jennifer Dostie, Administrative Assistant**

# Alexandria Selectmen's Meeting Minutes

## May 20, 2014

The meeting came to order at 6:00 p.m. The Pledge of Allegiance was recited. The minutes of April 22, 2014 and May 6, 2014 were approved.

### The following items were discussed and signed:

- Timber Yield Tax: 13-005-13-T Map 404 Lot 39
- Timber Yield Tax: 13-005-25-T Map 402 Lot 27
- Timber Yield Tax: 13-005-08-T Map 418 Lot 67
- Notice of Intent to Cut Wood or Timber: 14-005-08-T Map 418 Lot 67
- Notice of Intent to Cut Wood or Timber: 14-005-09-T Map 404 Lot 38
- Notice of Intent to Cut Wood or Timber: 14-005-10-T Map 407 Lot 80
- Notice of Intent to Cut Wood or Timber: 14-005-11-T Map 405 Lot 04
- Abatement Reply: Map 418 Lot 103 & 104
- Abatement Reply: Map 411 Lot 192
- Auditor Questionnaire for Board of Selectmen
- Letter: Washburn Road Bridge replacement
- PA-29 (Application for Property Tax Credit/Exemptions): Map 420-43
- PA-29 (Application for Property Tax Credit/Exemptions): Map 412-15
- 2014 1<sup>st</sup> Issue Property Tax Levy

### The following items were held for further review before signature:

- Letter: Interest in serving on Highway Safety Committee. The Selectboard requested wording on the letters to be changed from Highway Safety Committee to Highway Advisory Committee.
  - Donald Beaulieu
  - Ronald MacLean
  - Lucy Ford
  - Casey Kuplin

### Appointments:

#### ➤ Haynes Library Trustees

- The library trustees were present to discuss funds received from the town for 2014. Due to a error in entering the amount in both the operating budget and in the petitioned warrant article, the library received more than they had originally requested. After discussion, the library agreed to return a portion of the amount they received and keep the amount voted on in the petitioned warrant article. There was also discussion regarding the repairs needed to the building and the possibility of transferring ownership of the library to the town.

### Business:

- Gove Road/Healey Road: Jon Martin requested using/improving the road for logging operation
  - The Selectboard would like to discuss this with the Road Agent before making a final decision.
- Hayfield Maintenance Contract: contract from last year was terminated for failure to adequately maintain field
  - After discussion, Don made a motion to offer the contract to the other bidder; George seconded; all aye.
- LCHIP Grant writing workshop summary
  - Larry Stickney provided a summary on the LCHIP grant writing workshop that he attended with Nancy Whitman. In order to qualify for the grants, the buildings would need to be listed on an historic registry; however, no town owned buildings are on a historic registry. There was discussion regarding setting up a historic district committee; there was discussion regarding contacting the Alexandria Historical Society.
- Rights Based Ordinance: letters received regarding Selectboard Signatures
  - There was discussion regarding the Selectboard signing the Rights Based Ordinance. It was mentioned that Mike had signed the RBO; George and Don have not signed the RBO. There was discussion regarding whether the Selectboard would be enforcing the RBO; the Selectboard said they would not be enforcing the RBO.
- Capital Improvement Project Worksheets
  - This item held for review at a later date.
- Sale of Town-Owned Property: discuss whether to sell town-owned properties at public auction
  - This item held for review at a later date.
- Mower: mower used for town hall/municipal building lawn needs repair or replacement
  - After discussing the condition of the current mower, Don made a motion to purchase the new mower; Mike seconded; all aye.

# Alexandria Selectmen's Meeting Minutes

## May 20, 2014

- Letters of Intent: Hazard Mitigation Assistance Program FFY 2014. Proposed projects to include work to Brook Road, Gale Road East at Fowler River Road, Patten Brook, Fowler River Road
  - This item held for review at a later date.
- Emergency generators update
  - The final project price is pending the quote for concrete pads for the generator and propane tanks. There was general discussion regarding the status of the project.
- Repairs needed for new town hall
  - After discussion, Mike said he will look at the building and make a list of repairs that need to be done.
- Cooperation of neighboring towns regarding wind farms
  - There was discussion regarding cooperating with neighboring towns as interveners to wind energy development projects.

### Public Input:

- Kate Barrett, Alexandria Conservation Commission, asked if the Selectmen would be interested in putting a small information kiosk on the town owned property on Bog Road; the Selectmen said they would be interested.
- There was discussion regarding the designation of the Chapman Lot (aka Pittman Lot) as the town forest.
- Mike Provost, Deputy Health Officer, mentioned a public health alert regarding the need to be cautious of deer ticks in NH; 60% of deer ticks sampled in NH are infected with *Borrelia burgdorferi*, the bacteria that causes Lyme disease. A copy of the public health alert is posted at the municipal building.


 PIERCE ATWOOD

**MARK E. BELIVEAU**

 Pease International Tradeport  
 One New Hampshire Avenue, #350  
 Portsmouth, NH 03801

 P 603.373.2002  
 F 603.433.6372  
 C 603.969.6574  
 mbeliveau@pierceatwood.com  
 pierceatwood.com

June 10, 2014

Admitted in: NH

*Via Overnight Mail*

 Town of Alexandria  
 Office of Selectmen  
 47 Washburn Road  
 Alexandria, NH 03222

Re: EDP Renewables North America, LLC – Conditional Building Permit

Dear Members of the Board of Selectmen:

Enclosed are three (3) sets of several documents submitted in satisfaction of the outstanding items from the Selectmen's conditional approval of the EDP Renewables building permit application for the installation of an 80-meter meteorological tower.

1. Federal Aviation Administration Determination of No Hazard to Air Navigation dated December 26, 2013 for EDPR's 80-meter meteorological tower on Spruce Ridge. You will note that the FAA Determination states that the location is Groton, NH. While the EDPR application to the FAA indicated the location is in the town of Alexandria, the database that the FAA works from shows Groton as the closest town to the coordinates of the met tower location. Enclosed is an email from Tracy Rosgen of the FAA explaining why the FAA lists Groton as the location. Also enclosed is an updated plan showing the proposed location of the meteorological tower as approved by the FAA.
2. Letters from the Town of Groton Planning Board to the Alexandria Board of Selectmen dated July 8, 2013 and March 12, 2014. You will recall that these letters are in response to the letter that the Alexandria Board of Selectmen sent to Groton as required by NH RSA 674:53. This statute requires that when one municipality receives a building permit application for the construction of a structure whose sole street access is by way of a private road or class IV, V or VI highway in an adjoining municipality, the town receiving the application (Alexandria) is required to inquire in writing to the adjoining municipality. The enclosed letters from Groton confirm that any and all questions that the Town of Groton may have had with regard to access through Groton have been satisfactorily resolved by EDP Renewables.

3. Decommissioning Estimate from GFC & Son dated February 25, 2014. This letter sets forth an estimate from a New Hampshire based contractor for decommissioning the 80-meter met tower in the amount of \$9,999.00.
4. Erection and Removal Permit Performance Bond in the amount of \$9,999.00. This bond provides for the decommissioning of the meteorological tower in the event it is not removed by EDPR. This bond is issued by Argonaut Insurance Company along with the power of attorney from Argonaut Insurance Company nominating Philip N. Bair as its Attorney-in-Fact. I will provide you with the original bond at the meeting on June 17<sup>th</sup>. This bond is substantially identical to the bond recently accepted by the Town of Groton Selectmen for the decommissioning of the EDPR meteorological tower to be installed in Groton.
5. Fence. An additional condition of the building permit is that a fence be constructed around the meteorological tower. EDPR has previously represented to the Selectmen that it will construct an 8' x 8' x 8' chain link fence with three strands of barbed wire at the top of the fence along with a gate at the base of the tower.
6. Other Permits. EDPR will provide the Town of Alexandria with copies of all other permits they obtain, if any, regarding the installation of the 80-meter meteorological tower.

We look forward to meeting with you on June 17<sup>th</sup> to review the enclosed documents, confirm satisfaction of all conditions previously imposed by the Board of Selectmen and the issuance of a final building permit. Thank you.

Very truly yours,



Mark E. Beliveau

MEB/adm

cc: Derek Rieman (via email w/encl.)



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 2601 Meacham Boulevard  
 Fort Worth, TX 76193

Aeronautical Study No.  
 2013-WTE-8227-OE  
 Prior Study No.  
 2013-WTE-4534-OE

Issued Date: 12/26/2013

Derek Rieman  
 Spruce Ridge  
 120 N. LaSalle Street Ste. 2050  
 Chicago, IL 60602

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Met Tower Spruce Ridge 80m  
 Location: Groton, NH  
 Latitude: 43-40-47.36N NAD 83  
 Longitude: 71-52-47.06W  
 Heights: 2302 feet site elevation (SE)  
 263 feet above ground level (AGL)  
 2565 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

This determination expires on 06/26/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2013-WTE-8227-OE.

**Signature Control No: 202153108-204436068**  
Michael Blaich  
Specialist

( DNE -WT )

## Rieman, Derek

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**From:** Tracy.Rosgen@faa.gov  
**Sent:** Wednesday, March 12, 2014 5:25 AM  
**To:** Rieman, Derek  
**Subject:** Re: Spruce Ridge Met Tower--Study No. 2013-WTE-8227-OE

I went back and checked our email exchange, Yes, Groton is the closest town next to the site I can find.

Tracy Rosgen  
Obstruction Evaluation Group, AJV-1500  
Federal Aviation Administration  
(202) 267 5235

---

From: "Rieman, Derek" <Derek.Rieman@edpr.com>  
AJV-15, Obstructions Evaluation Group  
To: Tracy Rosgen/AWA/FAA@FAA,  
Date: 03/11/2014 03:28 PM  
Subject: Spruce Ridge Met Tower--Study No. 2013-WTE-8227-OE

---

Hi Tracy,

I hope all is well. A question has arisen regarding the DNH finding for the Spruce Ridge met tower 2013-WTE-8227-OE attached herein. When the request was originally submitted, the town of Alexandria was identified as the town hosting the location of the met tower; however, it is my understanding that you changed the location to the town of Groton as it was the closest identifiable town given the information available to you. Could you please confirm that my understanding is correct?

Thanks so much for your time and consideration.

Best,

Derek

---

*Note—my address and phone number have changed.*



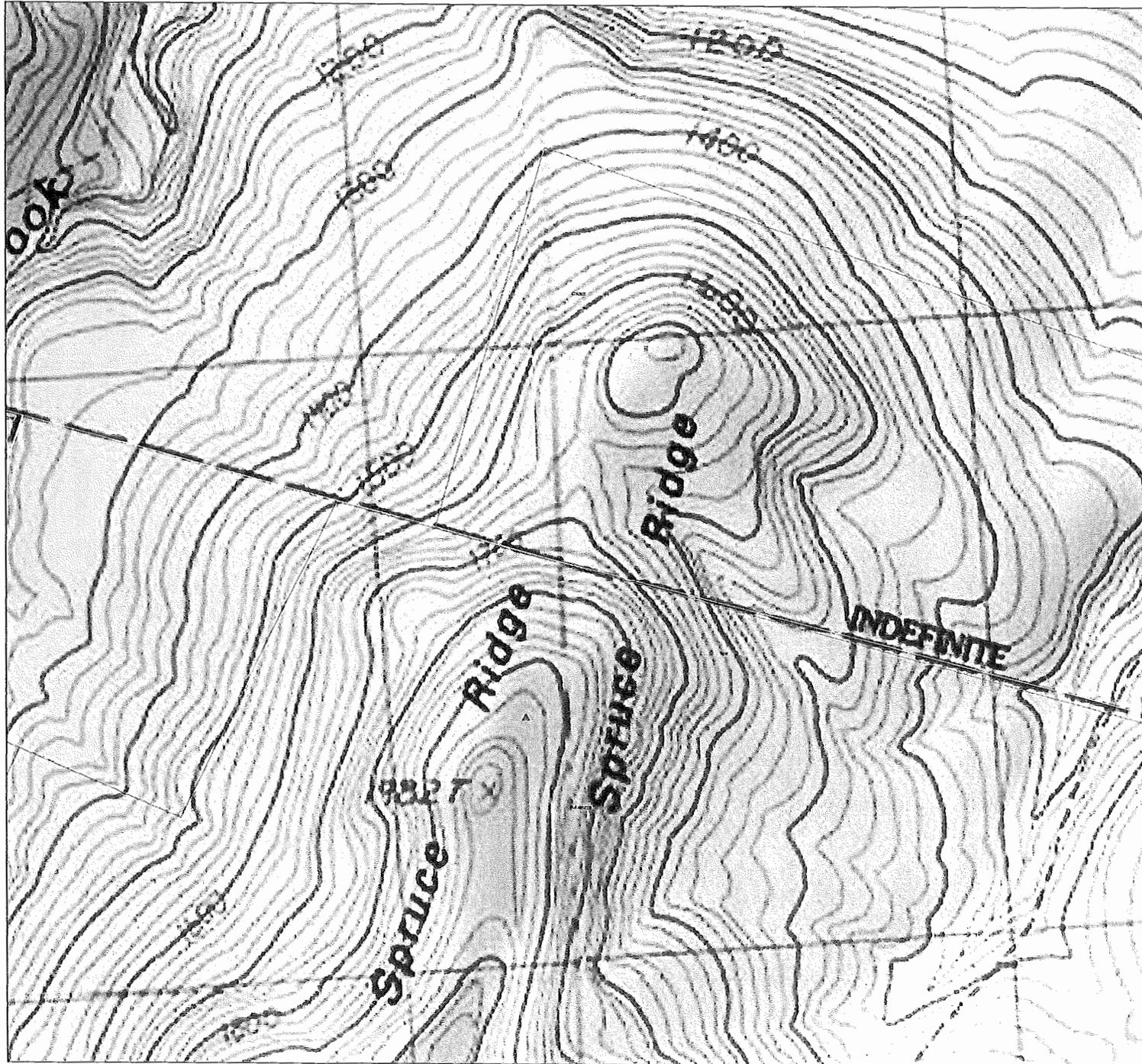
Derek Rieman, J.D.  
EDP Renewables, North America  
Environmental Affairs  
134 N. LaSalle Street, Ste. 2050, Chicago, IL 60602  
Direct 312.346.1295 x3 Cell 281.740.1800 Fax 312.820.8466  
[www.edpr.com](http://www.edpr.com) [www.horizonwind.com](http://www.horizonwind.com)

Take action. Use energy efficient products.

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[attachment "FAA DNH 80m Met12.26.13.pdf" deleted by Tracy Rosgen/AWA/FAA]



## EDP Renewables NA

### Town of Alexandria 80M met tower map

#### Legend

- ▲ 80 meter met tower
- pbp
- USA Topo Maps

#### Coordinates

Latitude: 43-40-47.36N  
Longitude: 71-52-47.06W

NAD 83

Author - Wendy Kingsland  
Date - April 3, 2014  
Version - 1.0  
Datum - NAD 83  
Projection -

Data Sources - ESRI, Vortyx

1:2,178

*Town of Groton Planning Board  
754 North Groton Road  
Groton, NH 03241  
(603)744-9190 phone  
(603)744-3382 fax*

July 8, 2013

Town of Alexandria  
Select Board  
47 Washburn Road  
Alexandria, NH 03222

Re: EDPR North America LLC Building Permit Application

Dear Board Members:

As a result of the most recent Planning Board discussion regarding the use of Hardy Country Road by EDPR as the access way to the Met tower site, the only additional condition is that should EDPR find it necessary to improve the access road to the Groton/Alexandria town-line their improvement plans must be submitted to the Groton Select Board for final approval (RSA 236:9). At this time EDPR is conducting further research to determine the current condition of the road and if any improvements to the road will be necessary.

Sincerely,

  
Stephen Spafford, Chairman

cc: EDPR/Mark E. Beliveau, Esquire  
Groton Select Board  
File

Groton Planning Board

754 North Groton Rd.

Groton, NH 03241

March 12, 2014

Select Board

Town of Alexandria

47 Washburn Rd.

Alexandria, NH 03222

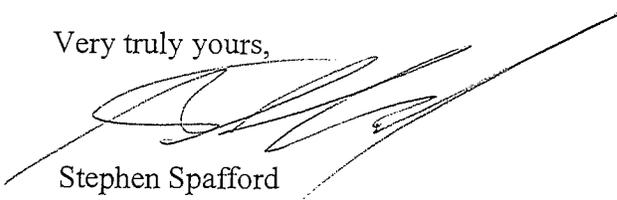
Re: EDP Renewables North America, LLC – Alexandria Building Permit Application,  
Crossing land in town of Groton to access Alexandria

Dear Chairman and members of the Select Board:

Please find enclosed copy of a letter from MAXAM North America (EXPx2, LLC) giving permission to EDP Renewables North America, LLC to access their planned meteorological tower to be located in Alexandria only, by travel across Spruce Ridge Rd. in Groton, NH.

This affirmation by MAXAM satisfies the stipulation that the Planning Board required from EDP Renewables on February 26, 2014.

Very truly yours,



Stephen Spafford

Planning Board Chair

cc: Mark Beliveau, Pierce Atwood Law Firm

Groton Select Board

# MAXAM

North America

February 28, 2014

Town of Groton Planning Board  
754 North Groton Rd.  
Groton, NH 03241

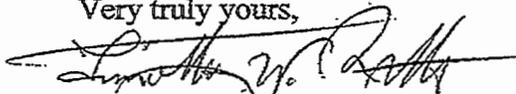
Re: EDP Renewables North America, LLC – Crossing of Maxam (EXPx2, LLC) Land In Groton

Dear Chairman and Members of the Board:

At the request of EDP Renewables North America, LLC, I am writing to inform the Planning Board that EDP Renewables is permitted to travel across Spruce Ridge Road in Groton to access land in Alexandria for the purposes of constructing and maintaining a meteorological tower in Alexandria. Please contact me should you have any questions concerning this matter.

Thank you.

Very truly yours,



Timothy W. Rath  
VP & Technical Manager  
Maxam NE

GFC & Son  
10 Coursey Lane  
Rumney, NH 03266

February 25, 2014

We are pleased to present a quote to you for the following work to be performed at  
"Spruce Ridge" Alexandria, NH.  
For edp renewables Derek Rieman, J.D.

Remove and store one 80 meter met tower and all instruments from site. All work to be  
performed in a professional and timely manner.

Total: \$9,999.00

Thank You  
GFC & Son



Charlie Coursey

(603)359-3710

Email: [rtwinboys@roadrunner.com](mailto:rtwinboys@roadrunner.com)

# ERECTION AND REMOVAL PERMIT PERFORMANCE BOND

Bond No. SUR0025139

Amount \$9,999.00

## Know All Men By These Presents,

That we, EDP Renewables North America LLC, (hereinafter called the Principal), as Principal, and Argonaut Insurance Company, a corporation duly organized under the laws of the State of Illinois, (hereinafter called the Surety), as Surety, are held and firmly bound unto the Town of Alexandria, New Hampshire, (hereinafter called the Obligee), in the sum of **Nine Thousand Nine Hundred Ninety Nine and 00/100 Dollars (\$9,999.00)**, for the payment of which we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this **18th** day of **March, 2014**.

WHEREAS, the Principal has applied for a permit to be issued by the Obligee, for the erection of meteorological tower(s) and subsequent removal thereof as provided under certain regulations, ordinances or permits issued by the Obligee (hereinafter called the Permit) in accordance with the terms and conditions of said Permit, which is hereby referred to and made a part hereof as if fully set forth herein.

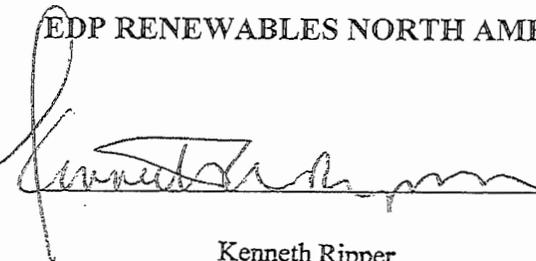
NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bounden Principal shall well and truly keep, do and perform each and every, all and singular, the matters and things in said Permit set forth and specified to be by said Principal kept, done and performed, at the times and in the manner in said Permit specified, or shall pay over, make good and reimburse to the above named Obligee, all loss and damage which said Obligee may sustain by reason of failure or default on the part of said Principal so to do, then this obligation shall be null and void; otherwise shall remain in full force and effect, subject, however, to the following conditions:

- 1) Regardless of the number of years this bond shall continue or be continued in force, and the number of premiums that shall be payable or paid, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the amount of this bond, and,
- 2) That if the Surety shall so elect, this bond may be cancelled by the Surety as to subsequent liability by giving sixty (60) days written notice to said Obligee.

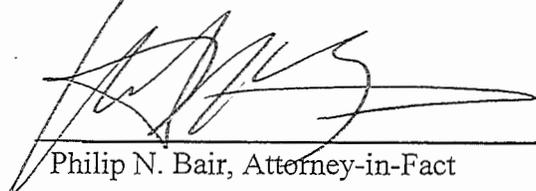
Any suit under this Bond must be instituted before one (1) year from the date on which this Bond shall expire.

No right of action shall accrue on this Bond to or for the use of any person or corporation other than the Oblige named herein or the heirs, executors, administrators or successors of the Oblige.

EDP RENEWABLES NORTH AMERICA LLC

By:  3/27/2014  
Kenneth Ripper  
Executive Vice President, Technical 

ARGONAUT INSURANCE COMPANY

By:   
Philip N. Bair, Attorney-in-Fact

Argonaut Insurance Company  
Deliveries Only: 225 W. Washington, 24th Floor  
Chicago, IL 60606

United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Philip N. Bair, Eric S. Feigl, Phyllis Ramirez, Joyce A. Johnson, Janie Cermeno, Jessica Richmond

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$35,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company; qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 18th day of July, 2013.

Argonaut Insurance Company

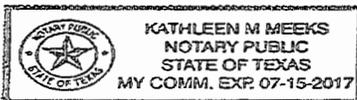
by: \_\_\_\_\_

Joshua C. Betz, Senior Vice President

STATE OF TEXAS  
COUNTY OF HARRIS SS:

On this 18th day of July, 2013 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



*Kathleen M. Meeks*

(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 18<sup>th</sup> day of March, 2014.

Sarah Heineman, VP-Underwriting Surety

# Alexandria Selectmen's Meeting Minutes

## June 17, 2014

**Members Present:** George Tuthill and Michael Broome

The meeting came to order at 6:00 p.m. The Pledge of Allegiance was recited.

The minutes of June 3, 2014 were approved.

➤ **The following items were discussed and signed**

- Purchase Order 1555: Cohen Steel metal for bridges
- Purchase Order 1554: Northern Tool & Equipment for band saw and blades
- Purchase Order 1556: BII Fence & Guardrail
- NH Dept of Revenue Administration: Usage of PA-28 Inventory of Taxable Property Form for 2015
- CAI Technologies: contract for the 2015 map/GIS maintenance services
- PA-29 Form: Permanent Application for Property Tax Credit/Exemption Map 420 Lot 21
- PA-29 Form: Permanent Application for Property Tax Credit/Exemption Map 420 Lot 35
- Letter to Alexis Blais regarding employment
- Letter to Michael Provost regarding employment
- Letter to Ernest Lamos regarding employment

➤ **Appointments/Department Heads**

- Alan Bucklin: Mr. Bucklin owns property on Berry Road that he plans on logging. He addressed concerns with the Road Agent regarding run off from the town road onto his property and requested a letter stating that there was silt on the road before the logging begins (Map 418 Lot 218-2). The Selectboard will discuss the situation with the road agent at their next meeting.
- Mark Beliveau, Pierce Atwood, and Derek Rieman, EDP Renewables, were present to discuss the status of their conditional building permit. There was discussion regarding the decommissioning estimate that the town has requested. The Selectboard will revisit the conditional building permit at their meeting on July 15, 2014. The Selectboard opened the meeting to public input; there was discussion with Mr. Beliveau and Mr. Rieman regarding the status of their proposed project.
- Representatives from the CARE group were present to read a letter to the Selectboard from the Community Environmental Legal Defense Fund.

➤ **Business**

- Capital Improvement Project Worksheets will be discussed at a future meeting with the road agent.
- The sale of town-owned properties at public auction will be discussed at a future meeting with all members of the Selectboard present.
- The Selectboard discussed an offer received to have the gazebo washed and stained; the Selectboard approved the offer and requested the people be informed that it should not be pressure washed.
- Lakes Region Planning Commission/Transportation Advisory Committee
  - Selectboard Representative to Committee will be discussed at a future meeting with all members of the Selectboard present.
  - Next TAC meeting is June 18, 2014 from 2 to 4pm at the Tuftonboro Fire Station; George Tuthill plans on attending the meeting and will ask for additional information regarding the LRPC/TAC Road Surface Management Systems inventory.
- George mentioned the Town of Hill ZBA Abutters Notice the Town received regarding a hearing on 6/18/14 at 8:00 pm in Hill concerning a variance request from Joseph Sanville. There was a discussion regarding the location of the abutting lot owned by the Town.
- The Selectboard discussed the need for the road agent to obtain additional estimates for paving a portion of Mathews Road.
- George referenced a notice from Metrocast regarding increased retransmission consent fees.
- Vacation request from Jennifer Dostie for July 3, 2014 was approved.
- Vacation request from Gary Patten for June 30 – July 6, 2014 was approved.
- The Selectboard will review the road agent's request for pay increases for the highway department workers; the Selectboard will review at a future meeting when all members of the Selectboard are present.

➤ **The meeting was opened to public input.**

- There was a comment regarding building permits on being required for residential structures in town and that a meteorological tower does not require a building permit.
- There was discussion regarding the need to post signs in Danbury regarding the Washburn Road bridge being closed next week during.

Respectfully submitted, Jennifer Dostie, Administrative Assistant



**George E. Sansoucy, PE, LLC**  
Engineers & Appraisers

June 20, 2014

Jennifer Dostie  
Administrative Assistant  
Office of the Selectmen  
Town of Alexandria  
47 Washburn Road  
Alexandria, NH 03222

RE: PROPOSED DECOMMISSIONING / DISMANTLING COST FOR ONE  
METEOROLOGICAL TOWER BASED ON BUILDING PERMIT APPLICATION  
2013-8 FILE NO. 401-1, DATE RECEIVED BY THE TOWN OF ALEXANDRIA  
4/23/13, COPY ENCLOSED

Dear Board:

Based on the write-up provided in the building permit by EDP Renewables, and the fact that they mentioned at the meeting that they will be bringing the tower in by helicopter, this indicates that they will not be upgrading the road (potentially subjecting them to a state permit for land disturbance) which means that the Town of Alexandria will not have a road with which to dismantle the tower should they be required to, and will then need to utilize a helicopter.

Once the tower is constructed, and in the event that the Town of Alexandria is required to remove the tower as abandoned, the site can be accessed by ATV and ATV trailers with acetylene torches, gas, tools, and personnel to cut the tower down and remove.

For the anticipated forced demolition of the tower, which is approximately 250' in height and supported with 3 sets of guy wires in a delta pattern with 5 guy wires at each setting point, it is anticipated that the Town of Alexandria would cut one set of guy wires and drop the tower in a location accessible to disassemble the sections of the tower. Once the tower is fully disassembled and the sections bundled, and the guy wires cut and bundled, the entire package should be able to be lifted from the mountain in one helicopter lift.

**George E. Sansoucy, PE, LLC**

7 Greenleaf Woods Drive, Unit 102, Portsmouth, NH 03801 Tel 603.431.7636 Fax 603.431.7115 mail@sansoucy.com  
279 Main Street, Lancaster, NH 03584 Tel 603.788.4000 Fax 603.788.2798 gsansoucy@sansoucy.com  
Remittance Address 89 Reed Rd., Lancaster, NH 03584

Jennifer Dostie  
Administrative Assistant  
Office of the Selectmen  
Town of Alexandria  
Page 2

Our estimate of this work which can be used to cure a bond, letter of credit, or cash is the following:

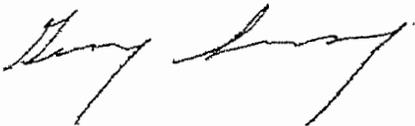
1	Mobilization	\$2,000
2	Tool and ATV rental	\$2,000
3	Demolition and disassembly labor	100 hours / \$50 = \$5,000
4	Demobilization	\$3,000
5	Helicopter pick	\$20,000
6	Tower storage in the Town of Alexandria	\$2,000
	<b>TOTAL</b>	<b>\$34,000</b>

These met towers generally have a resale value, although it will be in the town's best interest if it is forced to disassemble it and under the assumption that at that point it has gained ownership of the tower, to cut the tower down in such a way as to try to preserve its resale value. There is no salvage value in my estimate because it is not known when the Town of Alexandria may be required, if ever, to take ownership and remove the tower. At that time, these types of towers may not have resale value as the wind bubble may pass.

I hope this initial analysis meets with your needs at this time without expending excessive funds for the Town of Alexandria. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

GEORGE E. SANSOUCY, P.E., LLC



George E. Sansoucy, P.E.

GES/lt

The logo for Pierce Atwood, featuring the company name in a bold, sans-serif font with a stylized graphic element to the right of the text.**MARK E. BELIVEAU**

Pease International Tradeport  
One New Hampshire Avenue, #350  
Portsmouth, NH 03801

**P** 603.373.2002  
**F** 603.433.6372  
**C** 603.969.6574  
mbeliveau@pierceatwood.com  
pierceatwood.com

Admitted in: NH

June 25, 2014

Via Overnight Mail

Town of Alexandria  
Office of Selectmen  
47 Washburn Road  
Alexandria, NH 03222

Re: EDP Renewables North America, LLC – Conditional Building Permit

Dear Members of the Board of Selectmen:

Thank you for sending me the June 20, 2014 George E. Sansoucy Proposed Decommissioning/Dismantling Cost estimate for EDPR's 80 meter meteorological tower. Now that Mr. Sansoucy's decommissioning estimate has been provided, my client requests the opportunity to meet with you at your meeting on July 1.

Mr. Sansoucy's estimate is based, in part, on his assumption that EDPR's use of a helicopter in installing the meteorological tower is because the tower could not otherwise be brought to the site over land. As Derek Rieman of EDPR explained at your June 17 meeting, a helicopter is being used to facilitate installation of the 80 meter tower and the site will otherwise be accessible over land to transport workers, equipment, a drilling rig and logging skidder. Upon decommissioning of the tower, the sections of the tower will be able to be brought down from the site using the established access route and, therefore, there will be no need for a helicopter.

In light of the above, we respectfully request that the Selectmen agree to a decommissioning bond in the amount of \$14,000. This amount represents Mr. Sansoucy's estimate of \$34,000 minus the \$20,000 cost allocated to the use of a helicopter. We believe this is both fair and reasonable and represents a bond amount that is approximately \$4,000 greater than the estimate provided by Charles Coursey, a New Hampshire contractor experienced in these matters and who has visited the site.

In the alternative, due to the extended period of time that has already passed and in order to avoid further delay, EDPR will agree to provide the Town with a bond in the amount of \$34,000 with the understanding that once the meteorological tower is installed and the Town can confirm that access to the site has been established sufficient to accommodate hauling the disassembled tower from the site, the bond will be reduced to \$14,000.

Town of Alexandria  
Office of Selectmen  
Page 2  
June 25, 2014

We look forward to meeting with you on July 1 to discuss the above and conclude this matter with the issuance of a final building permit. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark E. Beliveau". The signature is written in a cursive style with a large, stylized initial "M".

Mark E. Beliveau

MEB/adm

cc: Derek Rieman (via email)

# Alexandria Selectmen's Meeting Minutes

## July 1, 2014

**Members Present:** George Tuthill, Donald Sharp and Michael Broome  
 The meeting came to order at 6:00 p.m. The Pledge of Allegiance was recited.  
 The minutes of June 17, 2014 were approved.

➤ **The following items were discussed and signed:**

- Annual Financial Report MS-5 2013 (3 copies for signature)
- Notice of Intent to Cut Wood or Timber: 14-005-14-T Map 414 Lot 124.1
- Letter: Alan Bucklin/Berry Road run off

➤ **The following items were held for further discussion:**

- Letter of Support for Newfound Lake Region Association Watershed Assistance Grant

➤ **Appointments/Department Heads**



Mark Beliveau, Pierce Atwood, and Derek Rieman, EDP Renewables, were present to discuss the status of their conditional building permit. The decommissioning estimate the Town received from George Sansoucy was discussed. EDPR will be providing the town with a bond for the estimate amount; there was discussion on whether the amount of the bond would be decreased if a helicopter is not required for the removal of the met tower. No final approval was received for the building permit. George expressed that he felt the conditions required had been met; Mike said he would not sign anything because the RBO passed; Donnie said he did not sign the permit a year ago and he would not sign it now. EDPR will be at the next Selectboard meeting with the bond. There was also discussion regarding this topic during public input which included:

- Comments regarding the enforceability of the RBO and information regarding CELDF (Community Environmental Legal Defense Fund).
- Discussion regarding requiring a date certain for the met tower removal and instituting a fine for each day it remains up after that date; there was no decision made on that topic.
- There was discussion regarding whether a building permit is required for this type of project; Don and George both made comments that they did not believe it was required.
- Eric Rottenecker, a candidate for State House District 9, was present to introduce himself and his position on several state issues.
- Kate Barrett, Alexandria Conservation Commission, provided the following information from the Conservation Commission:
  - The Conservation Commission is working on the concept and cost of an information kiosk on Bog Road.
  - The Conservation Commission will be providing the Selectboard with suggestions updating the Bog Road Ordinance. The Selectboard mentioned that they have been discussing amending the ordinance to close the road during mud season. Kate said the recommendations from the Conservation Commission will include lowering the speed limit and establishing a road width. During public input, it was suggested to inform providers of GPS directions that the road is closed.
  - Don made a motion to appoint Jennifer Tuthill as an alternate to the Conservation Commission; Mike seconded; Mike and Don aye; George recused himself from the vote.
  - Steve Whitman is continuing research on determining if the Pitman(Chapman) lot was made a town forest.

➤ **Business**

- The Highway Advisory Committee will hold a meeting on Tuesday, July 8, 2014 at 6:00 p.m.
- LRPC Transportation Advisory Committee: The appointment of a member to serve on the Lakes Region Planning Commission's Transportation Advisory Committee will be on the agenda for the Highway Advisory Committee meeting.
- There was discussion regarding a notice received from VCS, Inc. regarding herbicide use along NH Electric Co-op right of ways.
- The Selectboard reviewed pictures received by Shaun Lagueux regarding the condition of Hebron Road after their clean up efforts when they finished logging; the Selectboard agreed the road was left in good condition.

➤ **Public Input**

- Jennifer Tuthill requested permission to put a poster in the municipal building regarding an antique car show fund raiser for NH Wind Watch; the Selectboard provided permission to hang the poster.
- There was a question regarding when the meteorological tower erected by Iberdrola will be removed; it was explained that the town assessors have received information that they will be removed soon.
- There was discussion regarding whether the town can legally remove a structure from private property when it is no longer being used.

# Alexandria Selectmen's Meeting Minutes

## July 1, 2014

- The following agenda items were held for future discussion:
  - Capital Improvement Project Worksheets
  - Estimate for paving a portion of Mathews Road
  - Recommendations from Road Agent for pay increase:
    - Paul Sirard
    - Corey Corliss
    - Rodney Braley
  - Sale of Town-Owned Property: discuss whether to sell town-owned properties at public auction
  - The draft financial report for the Town of Alexandria for the year end December 31, 2013

The meeting adjourned at 7:25 p.m.

Respectfully submitted, Jennifer Dostie, Administrative Assistant



PIERCE ATWOOD

MARK E. BELIVEAU

Pease International Tradeport  
One New Hampshire Avenue, #350  
Portsmouth, NH 03801

P 603.373.2002  
F 603.433.6372  
C 603.969.6574  
mbeliveau@pierceatwood.com  
pierceatwood.com

July 10, 2014

Admitted in: NH

Via Electronic Mail

Town of Alexandria  
Office of Selectmen  
47 Washburn Road  
Alexandria, NH 03222

Re: EDP Renewables North America, LLC – Conditional Building Permit

Dear Members of the Board of Selectmen:

As discussed at the July 1, 2014 meeting of the Board of Selectmen, and as described in my June 25, 2014 letter to the Board of Selectmen, enclosed is a Surety Bond in the amount of \$34,000. We look forward to meeting with you on July 15<sup>th</sup> in an effort to bring this matter to a conclusion. We will have the original Surety Bond with us at the meeting. Thank you.

Very truly yours,



Mark E. Beliveau

MEB/adm

cc: Derek Rieman (via email, w/encl.)

# ERECTION AND REMOVAL PERMIT PERFORMANCE BOND

Bond No. SUR0025139

Amount \$9,999.00

## Know All Men By These Presents,

That we, **EDP Renewables North America LLC**, (hereinafter called the Principal), as Principal, and **Argonaut Insurance Company**, a corporation duly organized under the laws of the State of **Illinois**, (hereinafter called the Surety), as Surety, are held and firmly bound unto the **Town of Alexandria, New Hampshire**, (hereinafter called the Obligee), in the sum of **Nine Thousand Nine Hundred Ninety Nine and 00/100 Dollars (\$9,999.00)**, for the payment of which we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this **18th** day of **March, 2014**.

WHEREAS, the Principal has applied for a permit to be issued by the Obligee, for the erection of meteorological tower(s) and subsequent removal thereof as provided under certain regulations, ordinances or permits issued by the Obligee (hereinafter called the Permit) in accordance with the terms and conditions of said Permit, which is hereby referred to and made a part hereof as if fully set forth herein.

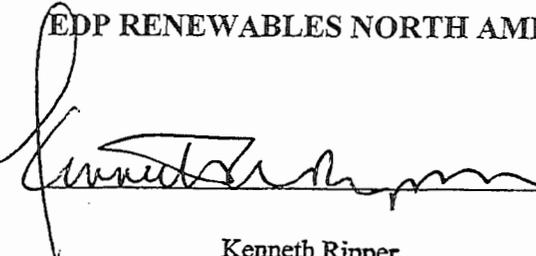
NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bounden Principal shall well and truly keep, do and perform each and every, all and singular, the matters and things in said Permit set forth and specified to be by said Principal kept, done and performed, at the times and in the manner in said Permit specified, or shall pay over, make good and reimburse to the above named Obligee, all loss and damage which said Obligee may sustain by reason of failure or default on the part of said Principal so to do, then this obligation shall be null and void; otherwise shall remain in full force and effect, subject, however, to the following conditions:

- 1) Regardless of the number of years this bond shall continue or be continued in force, and the number of premiums that shall be payable or paid, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the amount of this bond, and,
- 2) That if the Surety shall so elect, this bond may be cancelled by the Surety as to subsequent liability by giving sixty (60) days written notice to said Obligee.

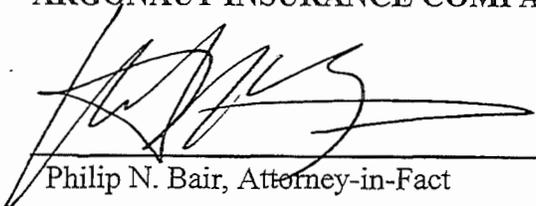
Any suit under this Bond must be instituted before one (1) year from the date on which this Bond shall expire.

No right of action shall accrue on this Bond to or for the use of any person or corporation other than the Obligee named herein or the heirs, executors, administrators or successors of the Obligee.

**EDP RENEWABLES NORTH AMERICA LLC**

By:  3/27/2014  
Kenneth Ripper  
Executive Vice President, Technical 

**ARGONAUT INSURANCE COMPANY**

By:   
Philip N. Bair, Attorney-in-Fact

Argonaut Insurance Company  
Deliveries Only: 225 W. Washington, 24th Floor  
Chicago, IL 60606

United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Philip N. Bair, Eric S. Feighl, Phyllis Ramirez, Joyce A. Johnson, Janie Cermeno, Jessica Richmond

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$35,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company; qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 18th day of July, 2013.

Argonaut Insurance Company

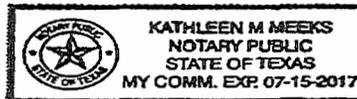
by: \_\_\_\_\_

Joshua C. Betz, Senior Vice President

STATE OF TEXAS  
COUNTY OF HARRIS SS:

On this 18th day of July, 2013 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 16<sup>th</sup> day of March, 2014.

Sarah Heineman, VP-Underwriting Surety



ARGO SURETY

Member Argo Group

### RIDER

To be attached to and form part of Bond No. SUR0025139

Issued on behalf of EDP Renewables North America, LLC as Principal, and in favor of Town of Alexandria, NH as Obligee dated 18th day of March, 2014.

It is agreed that:

- 1. The Surety hereby gives its consent to change the Name:  
from:  
to:
- 2. The Surety hereby gives its consent to change the Address:  
from:  
to:
- 3. The Surety hereby gives its consent to change the: bond amount  
from: \$9,999.00  
to: \$34,000.00
- 4. This rider shall become effective as of July 7, 2014.

PROVIDED, however, that the liability of the Surety under the attached bond as changed by this Rider shall not be cumulative.

Signed, sealed and dated July 7, 2014.

Argonaut Insurance Company

By: Jessica Richmond

Jessica Richmond, Attorney-in-Fact

EDP Renewables North America, LLC

By: \_\_\_\_\_  
Principal

Acknowledged & Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_  
Town of Alexandria, NH, Obligee

Argonaut Insurance Company  
Deliveries Only: 225 W. Washington, 24th Floor  
Chicago, IL 60606

AS-0065642

United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Philip N. Bair, Eric S. Feigl, Phyllis Ramirez, Joyce A. Johnson, Janie Cermeno, Jessica Richmond

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$35,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 18th day of July, 2013.

Argonaut Insurance Company

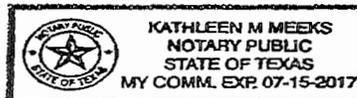
by: \_\_\_\_\_

Joshua C. Betz, Senior Vice President

STATE OF TEXAS  
COUNTY OF HARRIS SS:

On this 18th day of July, 2013 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



*Kathleen M. MEEKS*

(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 18th day of July, 2014

*Sarah Heineman*  
Sarah Heineman, VP-Underwriting Surety

THIS DOCUMENT IS NOT VALID UNLESS PRINTED ON SHADED BACKGROUND WITH BLUE SERIAL NUMBER IN THE UPPER RIGHT HAND CORNER. IF YOU HAVE QUESTIONS ON AUTHENTICITY OF THIS DOCUMENT CALL (210) 321 - 8400.

# Alexandria Selectmen's Meeting Minutes

## July 15, 2014

**Members Present:** George Tuthill, Donald Sharp and Michael Broome  
The meeting came to order at 6:00 p.m. The Pledge of Allegiance was recited.  
The minutes of July 1, 2014 were approved.

➤ **The following items were reviewed and signed.**

- Notice of Intent to Cut 14-005-16-T Map 412 Lot 34
- Notice of Intent to Cut 14-005-15-T Map 410 Lots 16.1, 16.2, 18
- Notice of Intent to Cut 14-005-17-T Map 418 Lot 125
- Letter of Support: Newfound Lake Region Watershed Assistance Grant
- Building Permit: Map 411 Lot 72
- Building Permit: Map 411 Lot 109
- Contract: Newfound Regional Public Access
- Abatement Reply: Map 420 Lot 43
- NH DRA Application for reimbursement to towns & cities in which federal & state forest land is situated 2014
- NH Electric Coop Petition Plan for buried cable

➤ **Business**

- George made a motion to adopt NH RSA 31:105 Indemnification for Damages; Mike seconded; all aye.
- There was discussion regarding the Alexandria Conservation Commissions recommendations regarding Bog Road. The Selectboard received public input regarding the recommendations.
- There was discussion regarding a letter received concerning interest in converting the town electrical supply to solar power.
- The Selectboard will be sending a thank you letter to the Olszaks for providing them with an update on the status of their property on Bog Rd regarding their continued closure of the shooting range.
- Don made a motion to reappoint Catherine Barrett to the Alexandria Conservation Commission; George seconded; all aye.

➤ **Appointments/Department Heads**

- There was discussion regarding EDPR's building permit for a meteorological tower. George made a motion that the conditions required for the building permit had been met; no second. There were public comments received regarding the permit.

➤ **The following agenda items were held for future discussion:**

- Capital Improvement Project Worksheets
- Estimate for paving a portion of Mathews Road
- Recommendations from Road Agent for pay increase:
  - Paul Sirard
  - Corey Corliss
  - Rodney Braley
- Sale of Town-Owned Property: discuss whether to sell town-owned properties at public auction
- The draft financial report for the Town of Alexandria for the year end December 31, 2013
- Scott Mozuch: redeem tax deeded property (map 411 Lot 104)

The meeting adjourned at 7:00 p.m.

Respectfully submitted, Jennifer Dostie, Administrative Assistant