

**Joint Meeting of the Conservation Commission
Planning Board, Water and Sewer Commission
and Board of Selectmen
Monday, February 27, 2017**

The Conservation Commission, Ashland Planning Board, Ashland Water and Sewer Commission and the Ashland Board of Selectmen met in a joint meeting on Monday, February 27, 2017 at 6:30 PM at the Ashland Town Hall. Present for the Water and Sewer Commission were Eli Badger, Alan Cilley, and David Toth; for the Planning Board Susan MacLeod and Mardean Badger; for the Conservation Commission Amanda Loud, Kathleen DeWolfe, Walter Durack, chair; Harold Lamos, Selectboard Liaison to the Conservation Commission; for the Selectboard Steve Felton, Fran Newton, and Katie Maher

Members of the public present were Christine Cilley and Tejasinha Sivalingam. Amanda Loud was selected as moderator. The Commissions and Boards came together to discuss their strategy before the SEC relative to the Northern Pass Project and their dealings with Eversource. The discussion was in advance of a March 11, 2017 strategy meeting scheduled for all intervenors in ~~Municipal Group 3~~ of the Northern Pass Project.

Susan MacLeod of the Ashland Planning Board advised that the previous strategy meeting on February 11 was an invitation only meeting for intervenors of the Northern Pass Project.

The Boards/Commissions realized that for the Northern Pass/Eversource Project there needs to be a chain of with a point position to schedule strategy meetings and communicate with all town boards and commissions involved. With the Board of Selectmen having the legal authority as steward of the town's property and as governing body, this position would be appointed by its vote. Going forward, this point person will transfer all information on Northern Pass to subsequent point people. This is meant to address a smooth transition and continuity.

The town needs to identify the key stakeholders' issues:

- Board of Selectmen owns/oversees the property involved in the Northern Pass Project
- Water and Sewer Commission oversees the well head and the lagoon facilities
- Planning Board is concerned with the growth of the community
- Conservation Commission oversees the natural resources, the river and overlay district

The Ashland Boards and Commissions should look at the Northern Pass Project as a project that will likely be approved by SEC and implemented. At this time in the process the Ashland Boards and Commissions need to look at the best way to protect the town's assets and resources, including a look at the access that Eversource will need to construct and maintain the Northern Pass Project. Look at the standards and conditions that each Board/Commission needs to have in place to protect/resolve their concerns/issues. The Boards/Commissions need to provide testimony to show all impacts to Ashland town assets and resources.

The Ashland Boards/Commissions need to look at their areas of concern and their Northern Pass issues and decide who might be the best expert to testify at the SEC meetings in April. Each

person/representative who testifies at the SEC meetings needs to be an expert in their particular area of testimony. The information presented by each individual needs to be actual fact that is relevant to the issue being discussed. There should be no hearsay testimony. If there is a report to be presented as testimony have the actual author of the report present the report and answer any questions pertaining to that report.

Mardean Badger of the Planning Board advised that at the time Water and Sewer Commission and the Conservation Commission requested intervenor status in the Northern Pass Project, their letters delineated the concerns and issues of each Commission. At the end of March the SEC will set the schedule of testimony before the SEC.

The Conservation Commission was unaware of George Sansoucy's technical expert status and testimony. The Commission is unaware of the spokesman for our intervenor group. The Commission is unaware of who is testifying relative to which issue or concern.

Eli Badger, Water and Sewer Commission chair, advised that Attorney Steve Whitley was hired by the Water and Sewer Commission to be assured that the issues/concerns of the Water and Sewer Commission would be in front of the SEC during the Northern Pass Project process. George Sansoucy was hired through Attorney Steve Whitley for his technical expertise to testify relative to the technical aspects of the project. When Attorney Steve Whitley, asks about various town issues relative to Northern Pass, the Commissioners answer what questions they are able and pass other questions that relate to town issues on to the town for answers. Other towns in Municipal Group 3 have hired Steve Whitley to represent them. He coordinates with Attorney Christine Fillmore who represents six of the other intervenor towns in Group 3. The Ashland Water and Sewer Commission divides the cost of Steve Whitley with other intervenor towns. Steve Whitley is now asking questions about Ashland's zoning ordinances relative to Northern Pass.

Katie Maher, Selectman was concerned about the allocation of the legal costs for Attorney Steve Whitley. The Ashland Water and Sewer Commission has taken on 100% of the cost to address their specific issues. Katie is concerned about the costs incurred for the issues/concerns of the Town of Ashland and Conservation Commission. It was suggested that the Town of Ashland also hire Attorney Steve Whitley for his legal representation using town funds.

The point was made that issues/concerns relative to the Water and Sewer Commission overlap those of the Conservation Commission. If the two commissions team up with their overlapping issues, it will make a stronger stance before the SEC.

The Conservation Commission is very concerned that no towers are to be installed within the Pemi River Overlay. Eversource is proposing to install 5-6 towers between the Water and Sewer Commission's lagoons and the Pemi River. Improved communication between the Water and Sewer Commission, Conservation Commission, Planning Board and Board of Selectmen needs to be implemented.

It was suggested at this meeting that we need to see the Northern Pass Project as a project that is going to be approved and is going to take place. In that light Ashland needs to put in place

standards, conditions, and regulations that Eversource and Northern Pass will need to adhere to in order to complete their project. These conditions and regulations may become difficult for Northern Pass to meet. Therefore, they might consider an alternate route for their project. An additional goal is for Eversource to pay for as much of the construction that will protect Ashland's assets and resources.

Susan MacLeod advised the boards/commissions that the February 11 meeting was scheduled to coach and guide those intervenors that do not have legal representation. Peter Roth (Counsel to the Public) suggests:

- Exchange information among your boards and commissions
- Make sure that during the testimony process ~~that~~ as much information as possible gets into the SEC record
- Question and bring to the attention of the SEC the holes in the Northern Pass testimony. Focus on the holes.
- Imbed all standards and conditions Ashland needs in the testimony
- The proposal to bury the lines in Ashland is not a viable option
- Lines going overhead are most probable.
- Determine the best options for Ashland on all levels of issues/concerns to protect Ashland's assets and resources at all levels
- Pick up on the fact that a State protected wetland is not included in the map Eversource is using for the Northern Pass Project. Make sure that this wetland is included on all mapping and is brought to the attention of Eversource

The issue of communication improvement needs our attention:

- Communication between boards/commissions needs to be better
- Each board/commission becomes mired in their own issues
- Need to pass all information among all commissions/boards
- Emails between board's/commission's chairs to propose to point person meetings/conversations at any convenient time.
- The access agreement with Eversource was turned over to the Town for appropriate action

Additional points included:

- The Letter of Stipulation from Eversource needs to go to the Town of Ashland (Board of Selectmen) for a decision to sign or not to sign. Steve Whitley advises Ashland not to sign the Letter of Stipulation. The Board of Selectmen needs to put the issue on their agenda and vote on the issue.
- Peter Roth (Counsel to Public) advises that we get on the list of witnesses for testimony schedule
- Know the difference between the SEC definition of "hearsay" and "fact."
- "Hearsay" will be rejected by the SEC. The SEC will take it under advisement or give the information its proper weight.
- Be a factual expert in your own area
- Have the writer of any report you wish to use as evidence personally testify on the contents of the report.

- Conservation Commission becomes experts on their property and on the Pemi River. The testimony will stand.
- Conservation Commission needs to decide what they want to submit for exhibits for the testimony phase of the SEC meetings.
- Each board/commission must become an expert on their own property/issues/concerns
- Conservation Commission can come to the Board of Selectmen for legal representation

Environmental concerns:

- Eversource could raise or lower Collins Street to get access to their sites
- Eversource wants access to property up beyond the DPW property
- Ashland does not want to give Eversource carte blanche relative to access
- Eversource proposes to build fences
- Eversource would need to widen the bridge on Collins Street
- Eversource needs to be environmentally sensitive
- The Boards/Commissions need to look at the benefits and consequences of this project looking down the line
- Conservation Commission and Water and Sewer Commission need to put together a combined wish list for Eversource since many of both commissions issues overlap.
- We can't let Eversource divide and conquer
- We need to focus on facts
- Water and Sewer pass their information to the Town Administrator who will disseminate it to all town boards/commissions

For the March 11 meeting we need to focus on:

- Look at what we have in common
- Choose our spokesman
- Choose our experts and their expert areas
- Work with the intervenors network given to us
- Our method of making decisions
- Need to sort out questions for the attorney
- Ask our town attorney to be at the next Board of Selectmen meeting
- Our focus is on our property, assets, resources and the Northern Pass impact on the town
- We need to submit material to the SEC without prejudice

The next joint meeting of the Ashland Board of Selectmen, Planning Board, Water and Sewer Commission and Conservation Commission will be Monday, March 27, 2017 at 6:30 at the Town Hall. The meeting adjourned at 8:00 PM.

Respectfully submitted,
Paula Hancock