

Planning Board
May 25, 2023
7:30pm

Members present: Chip Current, Barry Hantman, Leo Traverse, Joe Hester, Charles Underhill, Chris Smith

Others present: Gail Turilli, Dave Drislane, Steve Woitkun, Carsten Springer, Kaitlin Griffin(Eversource), Spencer Picue(Eversource), Matt Cardin(Eversource), Conor Madison(GZA), Donald Stokes (Eversource)

The Board reviewed the minutes of May 11, 2023 with no additional comments. Charles **made** and Barry 2nd a **motion to accept the minutes as written**. All in favor, **motion carries with Chris abstaining**.

Chip mentions that the first item on the agenda, Site Plan for 29 Olde Road, is not ready to present and has been continued to June 22 at 7:30pm.

Eversource – Conditional Use Permit Application for H141 and R193 ROW:

Matt Cardin. Eversource project manager addresses the Board. He states that accompanying him at the table tonight is Conor Madison, GZA Environmental consultant. There are several other members in the audience to support this project and answer any questions if needed. Mr. Cardin explains that this is a structural replacement project proposing to replace 4 wood structures to steel structures which are consecutive on the H141 line off Sandown Road and east from that point. A Conditional Use permit has been submitted to the Planning Board for the work on this project. Conor Madison will address the Board regarding wetland impacts and other permitting items required by the state. Barry confirms that all abutters have been noticed. Chip mentions that the Board received a copy of the wetlands permit. Conor states that a copy of the AOT permit has also been provided, which is now required. The 4 structure replacements are to the east of Sandown Road and will have a permitted 100 x 100 work area for the structure replacement crane, bucket trucks, and drill rig for safety. At the end of this project, this area will be restored to a 30 x 60 area. Permits were required for what is being impacted and restoration. The plans provided to the Board have been revised since submitted based on the Conservation Commission discussion. A stone wall has been added along with some notes. The existing breach will be utilized, a proposed permanent breach requires approval and the wetland impacts have not changed. An access road has been eliminated and the stone wall has been added east of 263. Carsten mentions an abutting property that has a single wall. 2 walls would have to be breached in order to cross and there is already one existing breach. Barry questioned if this project includes 260 and 259 in Fremont. Matt states that there are structures that will be done but, they are further east in Fremont on the next crossroad. Barry asked if it's better to access 261 from 260 instead of 262. Matt stated no because they are not coming in for several spans from that other direction and would need to build several access roads across several spans that no work is being proposed at this time. Conor explains that with this plan, there is an access road to minimize wetland impacts and upland matting will be used.

Carsten pointed out that 2 of these 4 structures were already done 9 or 10 years ago. There were some stonewall impacts that occurred. Eversource is trying to approach things differently and get some permanent breaches. Perhaps have some permanent graveled areas and use matting in others so as not to constantly re-impact these areas. It seems like Eversource comes back every couple of years.

Chip notes that he is happy with this approach, as it has been mentioned in the past. There is a lot of transmission line in town and there are roads that have been built that Eversource is making use of on the North/South. Some of the private property on the plan has roads in it that Eversource also makes use of. The wetland impact around the structures being worked on is understood. The constant wetland impacts for any of the crossings are the ones that are concerning. It makes sense to make a permanent path so that the area is only disturbed once, appropriate infrastructure is built up around that disturbance and never has to be disturbed again. Matt stated that the impact proposed are temporary. Chip questioned the one for the crossing between 262 and 261 as he is familiar with that area and believes there is already a road there. Carsten noted that there is an existing woods road for accessing timber and was designed for logging trucks. Chip noted that there are minimal impacts shown on the plan.

Barry mentioned the proposed permanent breach in the stone wall with approval prior and asked if seeking approval from this Board. Matt states it would be an agreement between Eversource and the property owner. He also explains that these plans are used for information to contractors and compliance. Carsten stated the 2 openings on the plan are located below 292 and 291. During the site walk, it was observed that area is the lowest point of the sag in the wire and feels the breaches should be moved to the south. He further explains that one of these walls was blitzed 10 years ago. He would like to prevent this from happening again and have a permanent breach on the other side that no one has to touch again. This is the 3rd or 4th iteration of the plans at this point and the issue is not fixed. Eversource has the ability to locate a rock within a foot on the plan, but still showing below the wires. This creates a sense of unease of accuracy. Matt explains that prior to the Conservation Commission meeting, Eversource met with Carsten and another landowner to review access, work pads, and rock wall crossings. There was discussion about using existing breaches and establishing a new permanent breach. In the plan presented then, there were some areas in terms of where the rock walls were and misinterpretations of other things. Eversource goes off aerial imagery, not survey grade. It's for planning purposes to give an idea of the general area of the breach in the rock wall and proposed breach. The intention of Eversource is to meet in the field with the property owner and flag the areas specifically in the field. Carsten noted that if going out to the field again, Eversource can locate these things on the spot and feels that they have more mapping capabilities than anyone in the state. Matt stated that surveyors can be hired but this has not been exercised to date. In his opinion, the best thing to do is to go out in the field, locate the existing breaches and proposed breach. It will then be constructed. Once the locations are established, they will be either staked or flagged and that is where the breaches will be. Carsten mentions that on the site walk, he asked that anyone who had been with Eversource for more than 3 years to raise their hands, to which no one did. Carsten understands what Chip is saying but, whether it's on town land or other, you do this and then the construction crew comes in and does something different. One hand doesn't know what the other is doing sometimes.

Chip stated that the proposal makes sense because when the work is handed to the contractor, if there is field evidence of where things should be located it will prevent them from having to look at a plan that basically states that Eversource doesn't necessarily source the data that created this map from the actual terrain, topo, etc. Barry and Chip agree that from this Board's perspective, the stone wall isn't clear. Carsten agrees and wants to make sure that when Eversource comes in to the Planning Board for something that goes across town property, standards are in place. Matt stated that the maps are not survey grade and property boundaries were not surveyed. The best way to establish what Eversource and the town is looking for is to flag the areas. Carsten noted that it's not just about the stonewall but, looking at the wetlands as that is more of what Conservation and Planning Board are associated with.

Barry asked about the timing for the project. Matt stated this is the eastern extent of the project as a whole as it extends out to Chester. Eversource is looking to start civil construction in mid June and outage in the beginning of July. Barry asked if the work in Danville will be mid June to July of this year. Matt explained that the whole project starts in mid June. There are several start locations to be determined as to when the contract is in place and how the work sequence is done. Danville could possibly start in July. The outage will begin in August/September and is when all the line work will start and once that is completed the restoration phase will take place and usually takes one month to complete. Conor stated that with these applications, Eversource has to coordinate with NH Fish & Game, whose process has changed. It is now called the FIS 100.4 complication process. They do not give polygons or shapes to be put on the plans anymore. They use a more generalized approach and more of a larger buffer was done. Eversource has received the best management practices and those have applied throughout the plan as some rare turtles were found. Carsten stated that he had received an email from Eversource yesterday stating there are no rare species in the project area. Chip mentioned that the species noted on the permit are all on the Sandown side of the Tap. He also mentions that there are no rare or endangered species in the Danville part of this project.

Chip notes that the process for Conditional Use Permits are to first, come before the Planning Board, meet with Conservation for input to the wetlands, and then back to the Planning Board. Barry **made** and Charles 2nd **a motion to accept the application.** All in favor, **motion carries.**
Conditional Use Application accepted on 5/25/2023

Barry asks if all access is off Sandown Road and Matt confirms. Barry questioned what types of vehicles are being brought in. Matt explains that there are 3 phases to this project. The first phase is establishing access and work pads. Logging trucks will be used to timber mats, dump trucks for carrying in gravel, dozers and excavators. There will be no clearing of trees. Eversource coordinated with a property owner to access the driveway on Sandown Road. The second phase is drilling the holes for the poles using an excavator with drilling tools, a loader and a skid steer. The third phase is the line work and restoration using a crane, bucket trucks and a skid steer. Chip asks if there are any questions from the public. Carsten asks that the Board look at DW-6 and wants to understand what Eversource is planning to do. Parallel to that wall is a road that had heavy reconstruction done about 10 years ago after the wall was breached to the left. This has since been repaired. There is also a swale and culvert there that was destroyed last time. It is all now in working order. Carsten notes that he is not seeing any matting over that on the plan and asks if this is planning to be done. Matt stated that typically, bridge mats are used

over culverts. Carsten mentioned that the blue matting shown further to the East under the dotted yellow line is all upland and dry but, the plan shows all green wetlands up to that wall that are not necessarily there. A road has been there for many years and there seems to be a high degree of inaccuracy to some of this. The wetlands delineation that is done for this kind of permitting is not the same as for other permits. Matt explained that it's a broad brush for Eversource to implement best management practices to insure that they are employing a temporary wetland impact. A more conservative approach will be taken in wetland delineation to insure that it complies with the rules that Eversource is held to as they have a lot of work across the state and are held to a certain degree of expectations. Barry asked if the work had been finished on the other transmission line. Chip stated there are some things that are pending: a gate that needs to be properly installed, a bump gate and some other items. He mentions that he will need to obtain a complete list from the Board of Selectmen. Chip also stated that there has been an issue between the town and Eversource with communication over the last 5 years and things have not been followed through. The town's expectation is that they are accommodating and want the same respect back. He has also heard from more than one landowner with a concern that people look at plans like this and assume it's gospel. Eversource is effectively informing the world about what the site conditions are on their property which can affect the use of the property and therefore causes a negative impact on the property owner. Chip requests that the plans state how the data is retrieved to make sure that when people are looking at these plans, they understand that the data on them is not necessarily site accurate. There is a note on these plans that state this and Chip would like to see more of this going forward.

Matt stated to possibly add to the plan note: "for Eversource's purposes "to make sure Eversource's data that they represent in terms of what they have to do within their easement. Just because Eversource does their own wetlands delineation and wetlands survey for permitting and planning purposes, doesn't negate the property owners from doing their own survey. Eversource does field surveys for wetland boundaries but may not be to the degree of accuracy that a property owner may want it to be. Carsten noted that the description being used about the power company following a slightly different set of rules than planners have to follow is not completely accurate. There is a process that the Planning Board is not generally familiar with called Permitting by Notification. This is essentially a permit by right and is allowed to be used by property owners for agricultural and forestry purposes. In those situations, wetlands delineations do not have to be done in the full range. This is exactly what Matt is speaking about. If now saying that DW-6 is an accurately delineated wetland in the field, Carsten has a strong pushback on that. Chip is familiar with this area. The area to the west of that wall is not wetlands and to represent that it is, to that extent is inaccurate. If saying that Eversource doesn't have to follow the same specificity, means that they are drawing wetlands 4-5 times larger than they probably are. That is not a delineated wetland using the 3 criteria which is normally used. Matt explains the problem with impacts. Eversource has to defend what they've mapped and have to identify wetlands, employ temporary impacts but, can't go on record and state that they didn't delineate wetlands. Chip stated that he is not asking that Eversource specifically state how the wetlands are delineated. Conor mentions that on the Conditional Use Permit it is noted that wetlands are confirmed using the routine determination method in accordance with the 1987 Corps of Engineers Wetlands Delineation Manual. Matt explains that those are the standard methods to identify and delineate wetlands. The other option would be to state: "our methods for identifying wetlands is by utilizing the 1987 Engineers Wetlands Delineation Manual. It is the

standard that the State utilizes but, feels it would be better stated as: “the wetlands identified on the plans are for Eversource’s use and purposes only” and meets the intent.

Barry stated that this plan is straight forward compared to other plans brought to the Board by Eversource in the past. There are 7 items that need to be resolved prior to final approval:

1. Approval for the wall breach from the landowner with location noted
 2. Alteration of Terrain permit being issued
 3. Matting over culverts near DW-6
 4. Completion of the work from the prior Eversource plan
 5. Dates of approval being June 2023 through September 2023
- Chip questions the completion of the remediation. Matt states it typically takes on month
Barry changed the date of approval to June 2023 through November 2023
6. A letter from Conservation Committee and resolution of any issues noted by that committee acceptable to the Planning Board
 7. A copy of any wetlands delineation data that is generated as part of this work to the landowners and the Town of Danville

Matt stated that Eversource has already started exercising that process. Carsten mentioned the breach that requires approval and wanted to let the Planning Board know that one of Eversource’s employees took time on Saturday to meet with him and that landowner, but the landowner was not available. An effort is being made to do this with the intent of making a number of permanent 14ft wide breaches so as plans come in down the line, they will be noted as existing breaches going forward. Carsten suggests that Eversource designate to the Board who the mapper is so that we can work with that person. Conor stated he would be the contact for this. Matt stated that Eversource is using aerial photographs to digitize the locations in the stone walls. Carsten mentioned that GPS was used by Eversource 10 years ago. Conor stated he would look into this. Matt stated the other option would be to re-map the areas in question. Matt also noted that he is unaware of the prior project and what remains outstanding. Chip states there was a discussion about a gate, a pond edge that needed re-construction and fencing around the ball field. There was an agreement allowing access to the North/South corridor. A plan came to the Planning Board with a lot of wetland impacts to stay in their right-of-way. Eversource negotiated with the Board of Selectmen to utilize the town’s access. There is an R gate that goes into Eversource’s right -of -way that was not installed correctly and clean up has not been completed. Chip noted that he will obtain a list from the Board of Selectmen for an agreement prior to final approval on the current plan. Carsten mentioned there are some culverts that are still plugged up on the ends.

Donald Stokes, Community Relations Specialist for Eversource, states that he has spoke with the Board of Selectmen regarding some of these issues and would like the list submitted to him to address these previous issues. Charles mentions that his recollection is that the last time Eversource was here, not only was there a project that had specific things that were made as part of the approval process but, a general intent laid out that Eversource needed to come in with a 5 year plan for activities with the Danville area so that we can coordinate our resources with what Danville is doing. He suggests to re-establish that and define at least a liaison with the Planning Board that we would be able to coordinate with so that we have better timing issues on future projects and get a better understanding of what Eversource is doing and how it impacts us. Chip stated he is not sure if that can be done. It has been requested in the past more than once and the

response has always been that Eversource does an analysis throughout the year and anything that is broken gets fixed. There is no set plan. Chip suggests having the inspection and vegetation management schedule would be helpful. Chip also mentions that about 7 years ago, Eversource came in and stated that they wouldn't be back in this town for another 5 years but, 6 months later came back for another Conditional Use permit and then again 8 months later, which has been frustrating but, would like to know what the town is in for ahead of time. Donald Stokes stated that a rough overview of the work being done in 2023 had been sent to the town and vegetation management has reached out to Carsten. Carsten mentioned that it's not what is used to be when Eversource used a consistent vendor that knew the properties in town. He is concerned that vegetation management is going to come in and make the current work look bad. Donald Stokes stated Eversource plans on speaking with abutters and the Board of Selectmen but, it is not happening until the fall. Barry asked if vegetation management is going to need to do the same wetlands crossing here as he states he would hate to see these mats pulled up in September only to find that vegetation management is putting down mats in October. Donald Stokes stated that he will communicate this so that everyone is aware.

Charles questioned what is causing the re-work on these 4 poles after only 10 years. Carsten noted that 2 of these poles are 10 years old and the other 2 poles are from 1954. Matt stated that 2 of those poles are the originals when the line was originally built that are round wood poles that have met their serviceable life and are being replaced. The other 2 structures were replaced 10 years ago with laminated wood structures and found those poles to be rotting at a much faster rate from the inside out as moisture is getting in. On exterior inspection, they may not present to be in bad shape so the company has decided to replace all laminated poles. Charles mentioned that he is not concerned about poles 259 and 260 as those are in the next town but, questioned the condition of the poles from 265 and up. Matt stated that Eversource has inspection data on the entire line. Chip believes that 265 is a fairly new pole and the last one before the Kingston Tap. Charles stated that he is trying to extract what may be coming down the road. Matt stated that inspections are done annually. Every year the poles get a grade based on condition and inspection. Based on the grade and engineering review is how the structure replacement projects are determined and those poles will be replaced at some point in the future. He also stated that Eversource is trying to package projects in a more consecutive pattern, try to get as much done from an access point as possible and have some flexibility. Charles stated that the Board would like to coordinate planning activities within the town of Danville and would be glad to liaise with someone else and want to avoid being Eversource's resource coordinator. Matt recommends Donald Stokes as liaison.

Chip stated that Barry mentioned possible conditional approval but, he is not sure if we are there yet. There are a few things that the Board doesn't have the answer to and don't know the exact list needed from the Board of Selectmen. Charles asks for Eversource's take on revisiting this issue at the June 22 meeting. Matt stated that would work with Eversource's schedule. Barry noted to have a schedule for completion of work on previous project. Charles recommends releasing a summary of this discussion to Eversource. Chip mentions that there are 7 items listed that need to be done and will be sent. Matt states an issue with the timeline given as projects change, construction changes, weather, etc. and if unable to meet that schedule, would Eversource need to come back to the Planning Board. Chip stated that yes they would need to come back to the Planning Board if they cannot meet the schedule or if anything changes. Charles recalls that the last time a conditional use permit was issued to Eversource, something was put in stating,

“subject to environmental conditions”. He also asks who the primary contact for Eversource will be. Matt stated that Conor will be the primary point of contact. Carsten mentioned to possibly post bond for projects if not on track. Chip noted that there is no town property involved in this project and bond doesn’t make sense but, may happen with future projects. Eversource will meet with Conservation Commission for a formal review and then come back to the Planning Board on June 22. They will be 2nd on the agenda and advised to come in around 8pm.

Charle asks if the Planning Board is satisfied with the resolution on mapping issues and questioned a 2nd site walk. Chip stated that no site walk is needed as it has already been done with the property owners and the Conservation Commission. Carsten mentions the 293-290 1954 vintage poles and would like to know when Eversource will be looking at those. Matt doesn’t have the inspection data with him. He further explains that he has made arguments to justify replacing structures in close proximity but, Eversource’s officers and company have made strong arguments where there has to be extensive money spent on access, meaning several hundred feet of timber matting, extensive permitting to make that argument justifiable to replace those structures prior to the end of serviceable life. Barry stated that what he is hearing is that Eversource is going to be back in 3 years because those are 1954 poles and they must be rotting out too. Matt explains that when he is given a job to package projects he tries to be as efficient as possible. He has been in Conor’s position, coming into municipalities for permits over and over again, and doesn’t want to have to do that but, there are forces above him that dictate how things are done.

Steve Woitkun – Alternate Board Member Position:

Steve explains to the Board that he is interested and would like to be an alternate member on the Planning Board. He plans on attending meetings that have to do with the projects on Olde Road and also asks that the Board contact him when he is needed. Charles **made** and Barry 2nd a **motion to appoint Steve Woitkun as an Alternate Planning Board member**. All in favor, **motion carries**.

Barry **made** and Charles 2nd a **motion to adjourn**. All in favor, **motion carries**. **Meeting adjourned at 9pm**.

Next Meeting Agenda:

1. Site Plan application for 29 Olde Road
2. Continuation of Eversource H141 Transmission Line Structure Replacement Project
3. Doug’s Tree Service – Site Plan final approval

Respectfully,

Gail Turilli