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November 17, 2015

Martin P. Honigberg, Chairman
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301

**Re: New Hampshire Site Evaluation Committee Rulemaking
(Docket No. 2014-14)**

Dear Chairman Honigberg:

Burns & Levinson LLP represents the New Hampshire Municipal Pipeline Coalition (“Coalition”), a coalition of 13 towns listed on the attached. The Coalition strongly supports the Site Evaluation Committee’s (“SEC”) proposed rules, particularly Site 301.16 and Site 301.14(g). The Coalition concurs with the letter sent on behalf of the Senate of the State of New Hampshire (“Senate Letter”) to the SEC dated November 16th, 2015.

As noted in the Senate Letter, the definition of the public interest should be specifically defined as set forth in the proposed rules. A specific definition will remove unnecessary ambiguity with respect to what is required as part of any review and determination by the SEC. Indeed, clear standards will reduce needless arguments about what is meant by “the public interest” and will eliminate unwarranted discussion about the scope of adjudicatory proceedings. All stakeholders in a SEC proceeding would benefit from understanding how the SEC determines such a finding.

Moreover, the Coalition does not believe that the proposed rules in Site 301.16 will hinder project development—reputable developers are well aware of the need to comply with existing laws (301.16 (c)), consider environmental and economic effects (301.16 (a)(b)), follow existing municipal master plans (301.16 (d)), and consider community welfare (growth opportunities, historic sites, natural resources and health and safety (301.16 (e))). These important standards will serve to facilitate the consideration of facility proposals and provide protections to the municipalities in which such facilities are located.

Additionally, the consideration of the cumulative impacts of any proposed project (as proposed rule Site 301.14(g) provides) is appropriate since the impact to the public should be measured with full consideration of accumulated impacts. The Coalition agrees with the Senate Letter: “Site 301.14(g) properly recognizes that multiple impacts can cumulatively have an adverse impact when individual impacts may not.”

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We ask that the SEC continue to support the proposed rules in response to the Preliminary Objections by the Joint Legislative Committee on Administrative Rules.

Thank you for your time and consideration of this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Richard A. Kanoff". The signature is written in a cursive style with some stylized flourishes.

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ATTACHMENT 1
COALITION TOWNS

1. Brookline
2. Fitzwilliam
3. Greenville
4. Litchfield
5. Mason
6. Milford
7. New Ipswich
8. Pelham
9. Richmond
10. Rindge
11. Temple
12. Troy
13. Winchester