

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2015-06

**Joint Application of Northern Pass Transmission, LLC
and Public Service Company of New Hampshire
d/b/a Eversource Energy for a Certificate of Site and Facility**

**NOTICE OF CORRECTION TO TESTIMONY OF
HEATHER SHANK, CITY PLANNER
AND BETH FENSTERMACHER, ASSISTANT CITY PLANNER**

The City of Concord hereby submits the following notice to correct the record in the above-captioned case relative to the testimony of Heather Shank, the City Planner and Beth Fenstermacher, the Assistant City Planner, given before the Site Evaluation Committee on November 16, 2017.

1. During the hearing, Ms. Shank and Ms. Fenstermacher testified that not all necessary approvals were received from the City of Concord for the recent work conducted by Unitil at Alton Woods. At the time of the adjudicative hearing on November 16, 2017, it was the understanding of both Ms. Shank and Ms. Fenstermacher that most of the construction that occurred behind Alton Woods was in a parcel of land that had been recently acquired by Unitil through a land swap, and that a conditional use permit had not been received for all of the work. This understanding was based on a site visit and conversations with the owner of Alton Woods relative to the land swap for new distribution lines installed by Unitil, as well as Ms. Shank's review of plans pertaining to Unitil's request to modify the major site plan and conditional use permit that was approved in January of 2017.

2. Upon further review of this matter, it has been determined that the area of the corridor involving a land swap only pertained to the location adjacent to Interstate 393 which was addressed in Applicant Exhibit 425.

3. The new distribution lines installed by Unitil shown in the location of Joint Muni Exhibit 313 are within an area in which Unitil had already owned an easement, but that had not been previously cleared and in which no utility infrastructure previously existed. A review of the records shows that, Nancy Larson, the previous City Planner, notified Unitil in June of 2015 that a conditional use permit was unnecessary for the easement area that was being cleared by Unitil. However, upon a recent review by Ms. Shank and Craig Walker, the Zoning Administrator, it has been determined that this decision was made in error, and that a conditional use permit for the easement area that was cleared by Unitil and in which no utility infrastructure previously existed should have been required. Nonetheless, in light of the fact that the previous City Planner notified Unitil that a conditional use permit was not required, it has been determined that Unitil and PSNH received sufficient approvals from the City for the recent utility work at Alton Woods.

4. It should be noted that the remaining testimony from Ms. Fenstermacher, Ms. Shank and City Councilor Bouchard relative to their concerns about the construction activities (including the resulting visual impacts) at Alton Woods remains accurate. This includes but is not limited to the testimony by Ms. Shank about her conversations with the owner of Alton Woods, as well her testimony that she only recently became aware of all of the work that occurred behind Alton Woods, and that the “current state of affairs at Alton Woods” strengthens her opinion that the Northern Pass proposal would not be appropriate at this particular location. Transcript, Day 60AM, Page 114 and 136-37; Transcript, Day 60PM, Pages 251-52; Jt. Muni. Exs. 311 and 313.

Respectfully submitted,

By and through its attorneys,

CITY OF CONCORD

Dated: December 19, 2017

By: /s/ Danielle L. Pacik
Danielle L. Pacik, Esq., Bar #14924
Deputy City Solicitor
41 Green Street
Concord, New Hampshire 03301
Telephone: (603) 225-8505
dpacik@concordnh.gov

CERTIFICATE OF SERVICE

I hereby certify that on this date, a copy of the foregoing was sent by electronic mail to persons named on the Service List of this docket.

Dated: December 20, 2017

By: /s/ Danielle Pacik
Danielle L. Pacik, Esq., Bar #14924