

Excerpts from a letter from Mark Hodgdon (former DOT counsel now working for Northern Pass) to Victoria Sheehan, present Commissioner DOT: October 16, 2015:

“The Clarksville portion of Rt. 145 has no recorded layout and dates back to around 1828. It is therefore considered a prescriptive highway. **Without a specific right of way width, locating the NPT proposal outside of the travelled way and beyond the disturbed ditch lines is legally problematic.** This is especially so since existing utilities, notably distribution lines, occupy much of the roadside and greatly complicate the installation of the underground transmission line. Furthermore, the Rt. 145 roadside contains several residences, stonewalls, fences and heavy tree cover just beyond the shoulder and ditch lines. A few steep roadside grades and wet areas are present as well. **Construction of the underground transmission line in this area outside of the disturbed area would result in significant and likely unacceptable impacts due to these characteristics...**

The state maintained portion of Bear Rock Road, running from Rt. 145 to Guy Placy Road, is generally three rods (49.5') wide. **Although the travelled way measures approximately 20', fences, stonewalls, trees, wetlands and steep slopes consistently occupy between 8-10' on both sides of the travelled way and shoulder.** Utility distribution lines presently run alongside and traverse the road at several locations. **To the south, the grade drops steeply away from the roadway and numerous wetlands are evident.** The northern roadside slopes sharply upward from the ditch line. It is covered with numerous, wetlands, stonewalls, utility poles, fences and dense mature tree growth, often within 10 feet or so of the travelled way...

Construction of the proposed facility outside the travelled way would **dramatically disrupt environmental, archeologic and historic resources, as well as alter the rural characteristics of the area in an environmentally and socially unacceptable manner.** In addition, installation of the underground transmission line along the right of way edges would require **extensive disruption and relocation of existing utilities, loss of swaths of mature tree growth and vegetation, impacts to wetland resources and forever alter the roadside aesthetics.**

While the alignments vary slightly due to technical constraints, the underground sections propose to make extensive use of the previously disturbed areas within the travelled way, ditches and shoulder of the roads. **Using the disturbed areas will speed construction time thereby reducing the impacts on the travelling public and abutters, avoid extensive impact to wetlands and water resources, historical properties, reduce ledge and mature tree removal and preserve the natural terrain...**

Furthermore, using the disturbed areas will preserve the nature of these roadways. **Many of the impacted roads have numerous historic, environmental and archeologic features that would be adversely impacted by the extensive roadside construction necessary for the project to be sited outside the disturbed areas...**

As a result of numerous comments received during the environmental review process, NPT proposes to depart from the existing utility corridor by using Rt. 18 beginning approximately 800 feet south of Gilmanton Hill Road in Sugar Hill south to the Route 18/116 intersection in Franconia...(yet another route change NPT forgot to reflect in the documents.)

As stated above, **construction within the disturbed areas will be faster and more efficient while avoiding impacts on natural, historic, archaeological and aesthetic resources...**

The relevant portion of Rt. 302 in Bethlehem has **no defined right of way width**. The pertinent portion of Rt. 18 from the Rt. 302 intersection in Bethlehem to the intersection of Rt. 116 in Franconia was originally laid out in the 1800s, as a 4 rod layout. In practicality, however, it is a narrow, rural two lane highway. **Dense mature woods and old stone walls line the roadway through most of Sugar Hill...**

South of Streeter Pond Road, Rt. 18 is bounded to the west by Coffin Pond and the Gale River, which it follows south **making work outside the roadway non-viable**. As Rt. 18 passes Rt. 117, it becomes Franconia's main street, lined closely with numerous businesses and residents. **Signs, fences, walls, landscaping, walkways and likely a few structures would be impacted by any attempt to utilize the margins of the right of way in this area.** Due to its age, historic and archaeological features are located adjacent to this stretch, most notably the last stone iron works in New Hampshire...

The overwhelming length of Rt. 116 from Franconia to the Rt. 112 intersection dates to an 1833 four rod (66') layout. However, the layout has **significant gaps in description and is not well defined**. Ancient layout issues aside, the road is a narrow two lane highway with modest traffic. **Numerous wetlands, historic resources, water courses and ponds sporadically adorn the roadside. Mature trees crowd much of its length. Stonewalls and existing utilities occupy the land just past the ditch lines and shoulders...**

Heading east from the intersection with Rt. 116, Rt. 112 passes through scenic Kinsman Notch and skirts along the Lost River to the historic center of Woodstock. Rebuilt throughout the 1950's and 60's, Rt. 112's right of way is well defined and varies considerably from as much as 132' in width down to 45.5'. Numerous utility structures already occupy the roadside extensively, including some underground installations which would be impacted by further roadside construction. **More importantly, the road's scenic quality would invariably be altered by the additional widening, tree removal and terrain changes necessary to place the NPT underground facility in the undisturbed areas...**

Extending south from the center of Woodstock, **Rt. 3 has a long established presence in the communities it serves. This importance is reflected in a relatively densely built roadside with numerous residences, institutions and businesses crowding the right of way along its length. Innumerable signs, landscaping, trees, curbs, parking spaces, walls and fences lie just beyond the travelled surface. A variety of water courses and rivers weave across and along the highway.**

**Attempting to construct a utility of this nature outside the disturbed area of the roadway is highly problematic.** Construction outside the roadway's disturbed area would unnecessarily impact these abutting properties, several of which undoubtedly have historic significance. Locating the power line in the roadway will greatly reduce impacts, construction time and public inconvenience...

**Based on the foregoing, NPT and PSNH believe that approval of this Petition is in the public good and should be granted in accordance with applicable New Hampshire law."**

*This is not an argument for burial under the pavement, but an argument for no burial at all on this route.*

Kris Pastoriza, March 21, 2017