

From: Kris pastoriza [<mailto:krispastoriza@gmail.com>]
Sent: Sunday, December 3, 2017 12:24 PM
To: Monroe, Pamela
Subject: Fwd: Exception Request granted

Please post as a comment.

Kris

----- Forwarded message -----

From: **Kris pastoriza** <krispastoriza@gmail.com>
Date: Thu, Nov 30, 2017 at 11:05 AM
Subject: Exception Request granted
To: "Esterberg, Melodie"

Dear Melodie,

DOT has granted exception requests #3 (Rev. 4) and #4 (Rev. 4) without an accepted survey. The survey submitted was a draft, and I note, for Easton's 805 rods of undetermined ROW, that a surveyor drawing a dashed line for prescriptive ROW is neither legal nor adequate proof of easement. Nor was this draft survey placed on the Exception Request maps, which still contain the rejected survey widths.

Again, DOT allows exception requests due to NPT lack of land rights, and NPT claims that existing moveable utilities are in the way, while maintaining that NPT would be there "on sufferance" and could be moved. Added to this, exception requests appear to require more massive infrastructure to support the NPT duct bank when DOT permits it to go over existing utilities, in non-conformance with the UAM. A drawing of what is being required below would be appreciated.

It also appears that stone walls are fair game, requiring only: "Potential actions to mitigate adverse impacts..." That is as comforting as the thought of a NPT subcontractor performing "focused visual monitoring" in the event a frac-out, given that frac-out is something DOT and DES consider outside their interests and regulatory frameworks.

2. Applicant shall prepare a monitoring plan for the dry laid stone retaining wall during construction. Monitoring plan shall include potential actions to mitigate adverse impacts to the dry laid stone retaining wall. In the event that monitoring indicates adverse impact to the retaining wall, all work in the vicinity of the wall shall cease until a plan to protect the wall is developed and implemented. Plans shall be prepared by a Professional Engineer Licensed in the State of New Hampshire.
3. Facility constructed over the existing drainage structure at station 2644+39 shall be encased in a reinforced concrete duct bank for a length to exceed a 2:1 slope from the bottom/center of the drainage structure to the surface (minimum of seventy (70) feet centered over the culvert).
4. Facility constructed over the existing drainage structure at station 2655+60 shall be encased in a reinforced concrete duct bank for a length to exceed a 2:1 slope from the bottom/center of the drainage structure to the surface (minimum of one hundred thirty (130) feet centered over the culvert).

<https://www.nh.gov/dot/media/northern-pass/documents/er-nod-3-4.pdf>

Is this stone wall historic, and shown as such on the plans, as required in earlier DOT notes?

The surveyors have clearly referenced the ambiguous survey standards of the Sept. 5, 2017 meeting, rather than those of earlier documents calling for complete surveys that include all pertinent information and reference Lan standards:

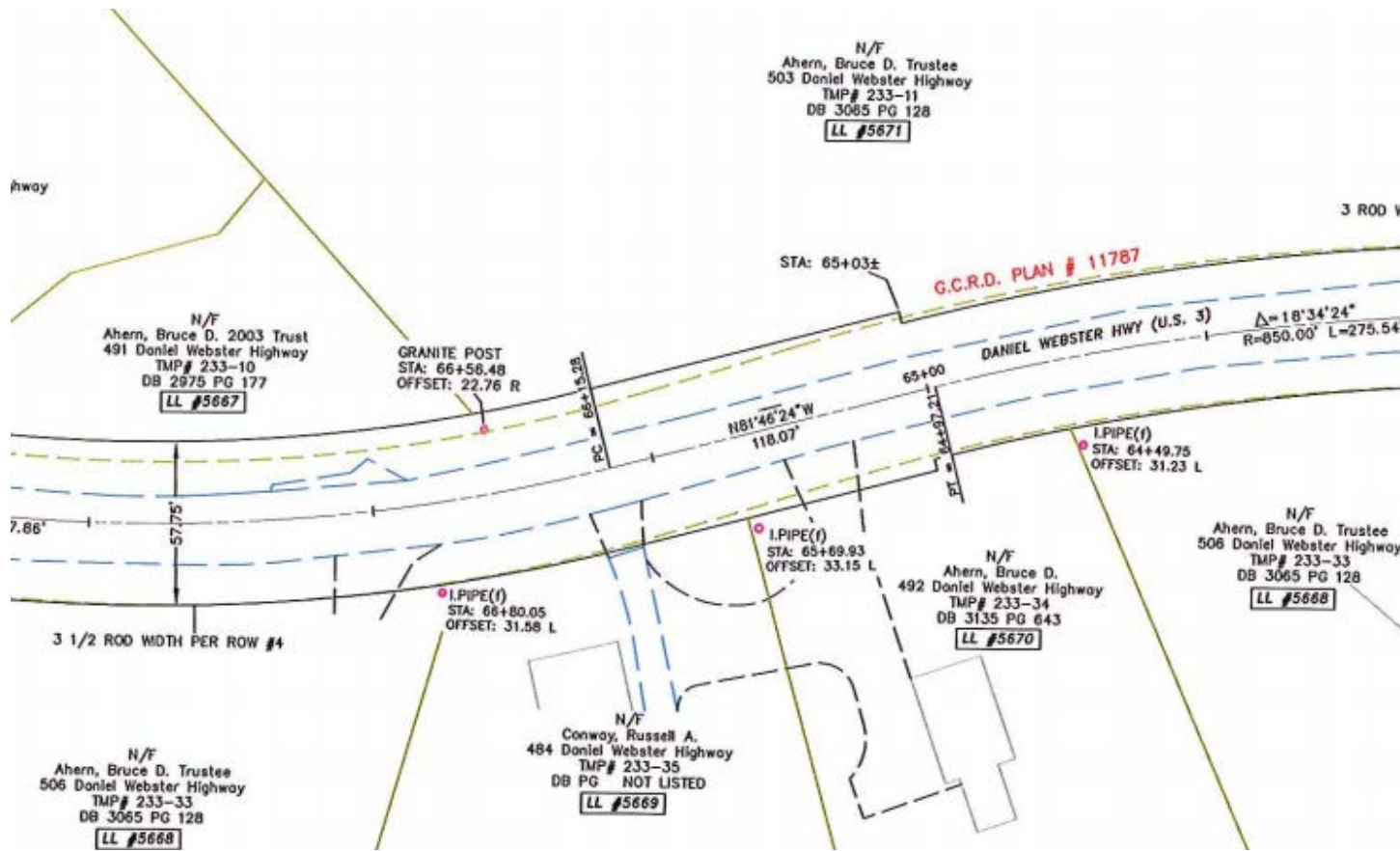
GENERAL NOTES:

- 1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE DANIEL WEBSTER HIGHWAY / US ROUTE 3 RIGHT OF WAY IN ACCORDANCE WITH THE NORTHERN PASS TRANSMISSION (NPT) CONFERENCE REPORT DATED SEPTEMBER 5, 2017.*

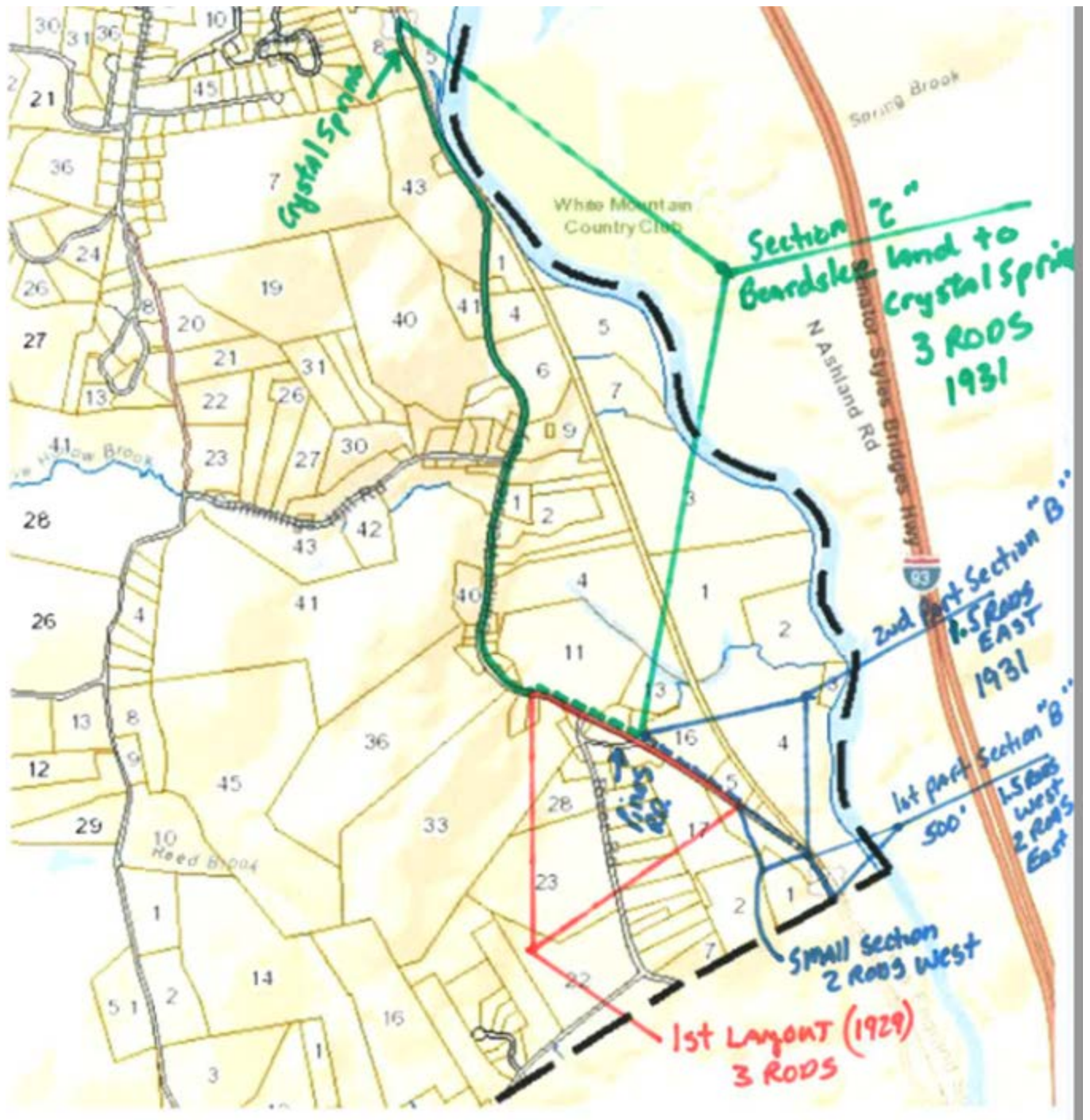
Commissioner Sheehan has not responded to the letter sent by Easton, Sugar Hill and Franconia and seconded by Bethlehem, asking for clarification by DOT that the Sept. 5, 2017 ambiguous standards do not supercede the standards listed in the Permit acceptance conditions and other documents.

In addition, the small Bridgewater/Plymouth survey appears to show a 3 1/2 rod ROW **centered on the center line**, for the approx. and uncertain 1000' north from the Bridgewater line, where deeds and documents from Plymouth district DOT (hand drawn map) show the ROW as 2 rods from center on the east and west sides and 1 1/2 rods from center on the west and east sides of Route 3 near Bridgewater border.

The survey appears to show an incorrect 3 1/2 rod ROW below, where the 1929 3 rod layout prevails. ROW #4 referenced below covers an area just north of the Bridgewater/Plymouth boundary. This 3 rod width is supported by the Granite Post below, one of the few monuments shown. Do the surveyors have metal detectors, measuring devices and compasses?

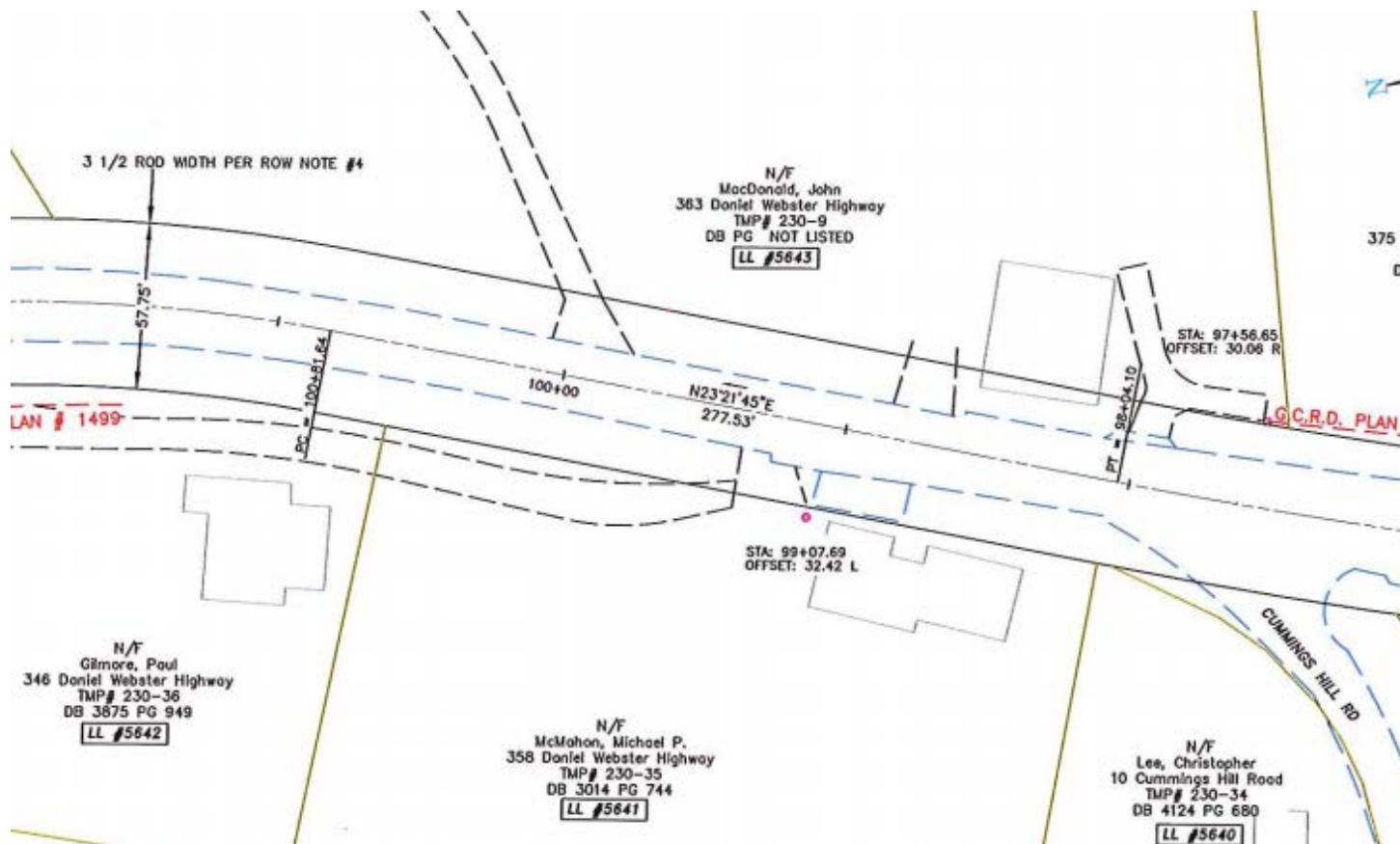


If I am reading the map correctly, Bruce Ahern lives where River Rd. meets Route 3, around Lot 11 on the map below, within the 3 rod sections of the 1929 and 1931 layouts.



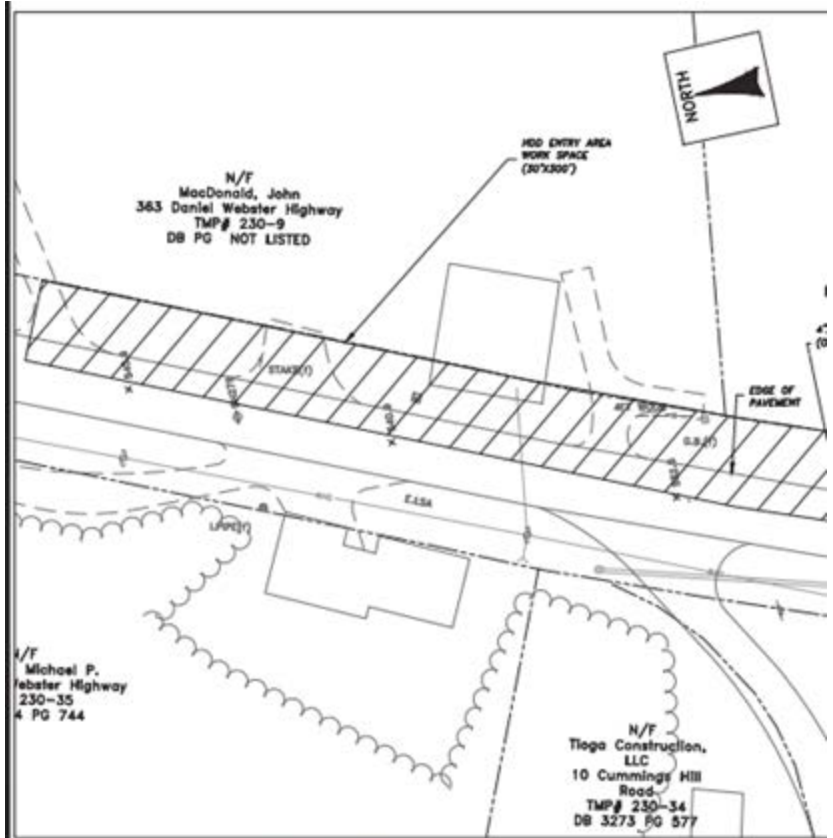
The same 3 rods appears to be what should be shown on the survey page below, at Cummings Hill Rd., which is north of River Rd. and shown as per 1931 Section C. on the map above.

Why is 3 1/2 rods shown from point 65.03 north to the end of the survey?

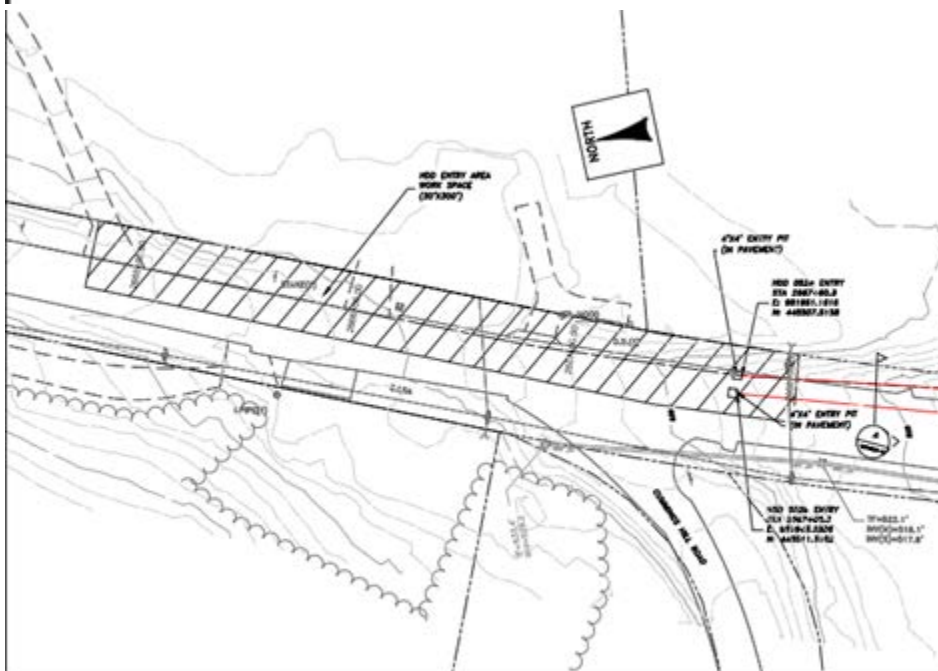


Below left: ER #3, Rev.3, (4 rod ROW shown in both Exception Requests) Below right: ER #3, Rev. 4. (just accepted by DOT.)

What happened to the houses?



HDD 052 ENTRY AREA WORK SP.



HDD 052 ENTRY AREA WORK SPACE

NOTE: WORK ZONES WILL BE

https://www.nh.gov/dot/media/northern-pass/documents/er-3_rev4.pdf
Ahern for this info.)

(Thanks to Bruce

https://www.nh.gov/dot/media/northern-pass/documents/er-3_rev3.pdf

DOT cannot approve exception requests without a stamped and approved survey, and abutters need to be solicited for information for the survey to be complete.

The Draft surveys posted do not include the supporting documentation, which leaves those visiting your site crippled in assessing this survey.

Has DOT considered hiring an independent surveyor?

It is unfortunate that DOT has chosen to pit landowners against them and NPT in an expensive battle. If DOT had required the survey before accepting the application, as common sense and ethics dictated, the truth of the facts on the ground would have determined the route or lack thereof.

What we have suffered these past two years is the Applicant trying to fit their proposal into a body of terrain far too small to encompass it without damage.

Kris