

**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**

**PREFILED DIRECT TESTIMONY OF
HEATHER SHANK, ACTING CITY PLANNER**

November 15, 2016

Background and Qualifications

Q. Please state your name, title and business address.

A. My name is Heather Shank. My work address is 41 Green Street, Concord, NH 03301. I am the Acting City Planner for the City of Concord.

Q. Please summarize your responsibilities as the Acting City Planner.

A. I am currently the Acting City Planner for Concord, New Hampshire, where my responsibilities including providing technical and managerial assistance to the City of Concord Planning Board, Heritage Commission, and Architectural Design Review Committee; recommending and implementing planning policies for municipal growth; developing and maintaining land use policies and regulations; and working with developers to coordinate successful and responsible development in the City. Prior to becoming the Acting City Planner, I held the position of Assistant City Planner since December 2014. In that capacity, I reported directly to the City Planner. My job duties have not changed.

Q. Please briefly state your relevant background and employment experience?

A. I have worked as a land development planner for municipalities or municipal clients for over 10 years. My background is in land development and plan review, open space preservation, writing and reviewing regulations, site design, and community development. I am a licensed Landscape Architect (PLA) and an American Institute of Certified Planners (AICP) professional. I worked for Thomas Comitta Associates, a private land planning consulting firm in Southeast Pennsylvania, for the Regional Planning Agency in Chattanooga Tennessee, and for the City of Concord Planning Division.

1 **Purpose of Testimony**

2 **Q. What is the purpose of this prefiled direct testimony?**

3 A. The purpose of this prefiled testimony is to address the City of Concord's
4 concerns about the Northern Pass relative to orderly development of the City of Concord, which
5 includes the impacts that the construction and operations of the proposed project will have on the
6 land use in the region. I will address how the Northern Pass project is inconsistent with the City
7 of Concord Master Plan and Ordinances. I will also address how the Northern Pass project is
8 inconsistent with many of the surrounding land uses. I recommend to the Site Evaluation
9 Committee that the Northern Pass project not be approved as currently proposed. I would note
10 that it is anticipated that further testimony on additional issues such as local economic issues,
11 natural resources, historic sites, aesthetics and the public interest will be provided by the deadline
12 of December 30, 2016.

13 **History of the City of Concord Master Plan 2030**

14 **Q. What is the history of the City of Concord Master Plan 2030?**

15 A. The City of Concord Master Plan was officially adopted on June 18, 2008 at a
16 meeting of the City Planning Board, after public hearings held on January 23 and 24, 2008, the
17 subsequent receipt of written communications, and consideration of the testimony and
18 communications received. That process is defined in the introduction of the Master Plan, as well
19 as Section II of the Master Plan entitled "A Vision for Concord."

1 **Q. Does the proposed Northern Pass project comply with the City of Concord's**
2 **Master Plan 2030?**

3 A. No. There are multiple ways in which the siting of the proposed Northern Pass
4 project does not comply with the Master Plan 2030. A copy of the Master Plan 2030 is available
5 on the City of Concord's website at <http://www.concordnh.gov/DocumentCenter/View/1456>.
6 For example, the Land Use Section of the Master Plan 2030 addresses goals, which includes the
7 following:

- 8 • Protect and conserve important open space, environmentally sensitive areas, and natural
9 resources outside the UGB (Urban Growth Boundary).
- 10 • Promote orderly transition among land uses and separate or buffer incompatible uses to
11 the greatest extent possible in order to limit or minimize undesirable impacts to adjacent
12 land uses.
- 13 • Provide for the reservation of land area of adequate size and in appropriate location for
14 public facilities and utilities that will serve the future land uses.
- 15 • Improve and enhance the overall appearance and aesthetics of the community inclusive of
16 architectural features, streetscapes, landscapes and signage.

17 The proposed Northern Pass project does not comply with the above goals.

18 **First**, the proposed Northern Pass project will travel through a number of regions that
19 have been protected and conserved as important open space. I understand that issues relating to
20 open space are being addressed in prefiled testimony submitted on behalf of the City of Concord
21 Conservation Commission.

1 **Second**, the proposed Northern Pass project fails to promote the orderly transition among
2 land uses, and it also fails to separate or buffer incompatible uses to the greatest extent possible
3 in order to limit or minimize undesirable impacts to adjacent land uses. The proposed project is
4 projected to run 8.1 miles through significant portions of Concord, and it will abut a number of
5 residential properties both inside and outside the Urban Growth Boundary in Concord. Many of
6 these issues relate to the visual impact of the project, which is anticipated to be addressed in
7 additional testimony to be submitted by the current date of December 30, 2016. However, by
8 way of example, the proposed Northern Pass project will abut heavily populated neighborhoods
9 in Concord, including McKenna's Purchase which has 148 condominium units, and Alton
10 Woods which has 384 units. At Alton Woods, the proposed route is immediately adjacent to the
11 residential units; the construction pads and new transmission lines are in a location that is
12 currently being used for a children's play area, basketball court and dog walking area. The
13 proposed Northern Pass project will also be adjacent to the Cobblestone Pointe Senior Village
14 which is currently being constructed and will have 140 units. There is inadequate buffering of
15 these sites. The proposed structures through these areas are as high as 125 feet. At McKenna's
16 Purchase, several of the units are immediately adjacent to the proposed route.

17 The City of Concord is also concerned about the impact of structures in the Gateway
18 Performance District. I understand that Carlos Baia, the Deputy City Manager –Development, is
19 submitting prefiled testimony on this issue.

20 **Third**, the route chosen for the Northern Pass project is not an appropriate location for a
21 new high voltage transmission line. The City of Concord has concerns about the use of the 8.1

1 miles of existing corridor that runs through Concord for the Northern Pass project. The corridor
2 is approximately 250 feet in Concord, and already has existing transmission and distribution
3 lines. According to Northern Pass, the most common height of the existing structures is 43 feet.
4 Most trees range from 50 to 75 feet tall, providing sufficient vegetation to block the existing
5 structures. In Concord, there are 17 single family homes located less than 100 feet from the right
6 of way. There are also other residential properties including apartment buildings, condominiums
7 and elderly housing in Concord that are immediately adjacent to the right of way. In order to
8 accommodate a new 345kv line, the Northern Pass project needs to increase the heights of the
9 existing transmission lines in the corridor from the most common height of 43 feet to the most
10 common height of 88 feet, and a maximum height of structures as tall as 120 feet. The Northern
11 Pass project will also construct the new 345kV high voltage transmission line in the corridor, and
12 the most common height of the proposed line will be 100 feet, with a maximum height of
13 structures as tall as 125 feet. High voltage transmission towers as tall as 120 feet should not be
14 installed in such a narrow right-of-way in a densely populated community. It is impermissible to
15 try to force a large high voltage line into a right-of-way intended for smaller, lower voltage lines.

16 The proposed Northern Pass project will also result in the removal of tree buffers that
17 currently block and/or help to shield the existing corridor from residential neighborhoods.

18 Although there are already existing transmission lines, as discussed below, many of structures
19 and conductors are at or below tree level. Many trees will be removed to allow the new lines to
20 be installed. In some cases, trees that are functioning to provide the only buffer to the existing
21 lines will be eliminated, while trees that remain will not be tall enough to provide any buffering

1 or screening of proposed lines in excess of 80 feet. This will significantly impact the rural and
2 residential character of many portions of the City, including many single family homes that abut
3 the corridor. The removal of the buffer and the increase of the structures to common heights of
4 88 and 100 feet, and as tall as 125 feet, will have an unreasonable adverse impact on the City of
5 Concord because it will negatively affect the character and feel of the neighborhoods where these
6 lines are located.

7 **Fourth**, the proposed Northern Pass project will not improve and enhance the overall
8 appearance and aesthetics of the community inclusive of architectural features, streetscapes,
9 landscapes and signage. To the contrary, as discussed above and to be addressed in more detail
10 in my anticipated testimony on aesthetics, the project will diminish and negatively impact the
11 overall appearance, character and aesthetics of the City of Concord.

12 The siting of the proposed Northern Pass project also does not comply with the Housing
13 Section of the Master Plan 2030, including the following goal:

- 14 • Promote the maintenance and enhancement of existing and developing residential
15 neighborhoods, and protect existing and developing residential areas from blighting
16 influences and negative impacts that detract from their livability, quality, and aesthetics.

17 The proposed Northern Pass project does not comply with this goal.

18 As stated above, the proposed lines travel through several single family neighborhoods,
19 rural properties, and multi-family neighborhoods. While the existing lines are, for the most part,
20 screened from view by existing trees, the proposed lines cannot be screened due to their height.
21 In many instances, clearing for proposed lines would remove all screening from existing and

1 proposed lines. The negative aesthetic impact due to the height of the lines and the lack of
2 screening could be perceived as blight in these neighborhoods, and adversely impact the quality
3 of life. The increased visual impact of the proposed lines may also adversely affect property
4 values. Further, the proposed lines and proposed pads are located on private property in close
5 proximity to existing homes and recreational areas in several cases, which will detract from the
6 owner's ability to use their land and/or the community from using recreational resources.

7 The Housing Section policy recommendation states:

- 8 • Prevent the intrusion of inappropriate non-residential uses into residential neighborhoods
9 and protect neighborhoods from negative influences of adjacent non-residential uses,
10 such as noise, light, traffic, and visual blight through regulation as well as the retention
11 or installation of buffers between non-residential and residential uses.

12 As noted above, the existing lines are screened in many locations as recommended due to the
13 height and location of trees, while the proposed lines cannot be screened due to their much
14 greater height, and installation will require removal of existing buffers that cannot be replaced.
15 Therefore, the protection of residential neighborhoods from potential blight and the intrusion of
16 inappropriate non-residential land uses, as recommended by the Housing Section of the Master
17 Plan 2030, cannot be accomplished due to the greater height and location of the proposed lines.

18 Finally, the proposed Northern Pass project does not comply with the overall vision of
19 the Master Plan 2030 (Section II.F The Vision for Concord), in that the Master Plan 2030
20 encourages a higher concentration of development within the Urban Growth Boundary (UGB),
21 and preservation of rural landscapes and scenic views outside the UGB. The proposed

1 transmission lines have the potential to both limit the growth and potential of development
2 within the UGB due to adverse aesthetic impacts, and hinder the preservation of rural landscapes
3 and disrupt scenic views outside the UGB.

4 The following Districts within the UGB would be affected:

- 5 • Medium Density Residential (RM) District – The RM District is intended to encourage a
6 higher density of residential development and is located at the northern border with
7 Canterbury, and adjacent to the commercial corridor along Loudon Road. The
8 transmission lines travel through the RM District in both locations. Transmission lines in
9 excess of 50-100 feet in height that cannot be screened from view may discourage the
10 growth and development of residential neighborhoods in these districts that are in close
11 proximity to the utility corridor.
- 12 • Gateway Performance (GWP) District – The GWP District is intended to encourage
13 attractive, higher density mixed use commercial, restaurant, retail and service
14 development. The Gateway District is so named because of its prominent location off the
15 interstate, high visibility, and high potential for economic development for the City of
16 Concord. Performance Districts also require an additional level of development review
17 to ensure a high quality of design and construction. The proposed transmission lines cut
18 across a prominent intersection, and highly visible location, essentially the “front door”
19 of the Gateway District. Transmission lines in excess of 50-100 feet in height that
20 cannot be screened from view may discourage the growth and redevelopment of high
21 quality commercial construction in close proximity to the utility corridor.

- Office Performance (OFP) District – The OFP District is intended to encourage professional office, research, and development facilities, with an emphasis on architectural design. Performance Districts require an additional level of review to ensure a high quality of design and construction. Transmission lines in excess of 50-100 feet in height that cannot be screened from view may discourage the growth and development of professional offices in close proximity to the utility corridor.

Construction Concerns

Q. Do you have concerns about the construction of the proposed Northern Pass project with respect to orderly development?

A. Yes. The construction of the proposed Northern Pass project will be disruptive to the residential and industrial properties. By way of example, there is a construction pad that is anticipated at 41 Hoit Road in close proximity to the residential home. A number of pads are proposed on commercial or industrial property in locations that may interfere with the property owners future business plans. At least one business owner has complained about the location of a proposed pad in conflict with its operations.

Undue Interference With Orderly Development

Q. Is the City of Concord concerned that the Northern Pass Project will unduly interfere with the orderly development of the City of Concord?

A. Yes, for all of the reasons set forth. I also agree with the concerns raised by the Conservation Commission relative to Open Space preservation.

1 **Q. Are there other concerns that the City of Concord has about the impacts of**
2 **the Northern Pass Project?**

3 A. Yes. The City of Concord also has concerns about other issues, which includes
4 impacts to natural resources (including the Karner Blue Butterfly), historic sites, aesthetics and
5 the public interest. It is anticipated that further testimony on these additional issues will be
6 provided by the deadline of December 30, 2016.

7 **Q. Does this end your testimony?**

8 A. Yes.