

From: Campbell McLaren [<mailto:gpcmlaren@gmail.com>]
Sent: Thursday, December 29, 2016 11:38 AM
To: Monroe, Pamela
Cc: waltpalmer1@gmail.com; Barbara Meyer; Iacopino, Michael J
Subject: Re: proposed trespass by Northern Pass

Attached please find pre-filed testimony of Campbell McLaren.

>

December 28, 2106

To the NH Site Evaluation Committee, New Hampshire Department of Transportation and Northern Pass Transmission, LLC.

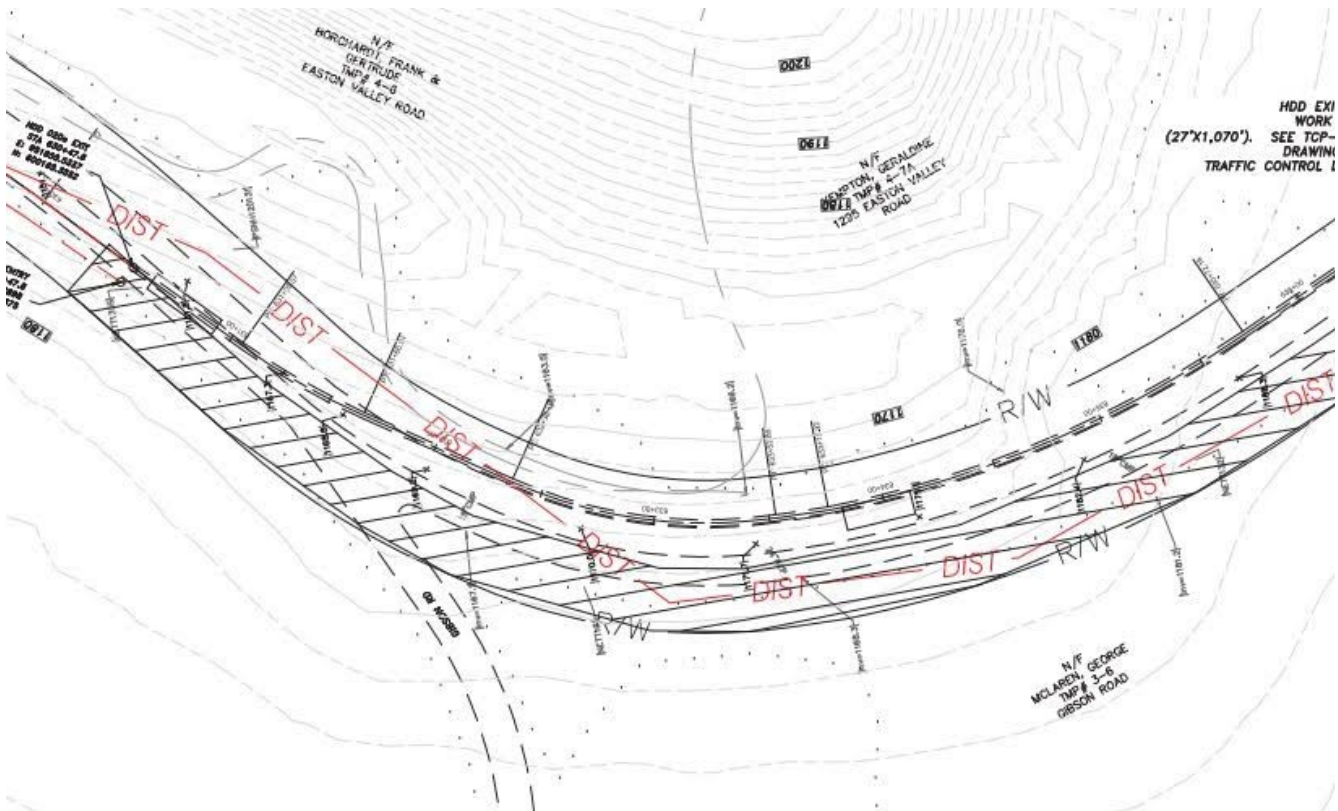
It has come to my attention that NPT, LLC is proposing a work area that encroaches on my property. The diagram below shows this work area in hatching. The existing pavement is indicated by wide dashed lines and is about 24" wide. The easement (R/W) width shown in this diagram is 4 rods (66') whereas the actual easement width is 40'.

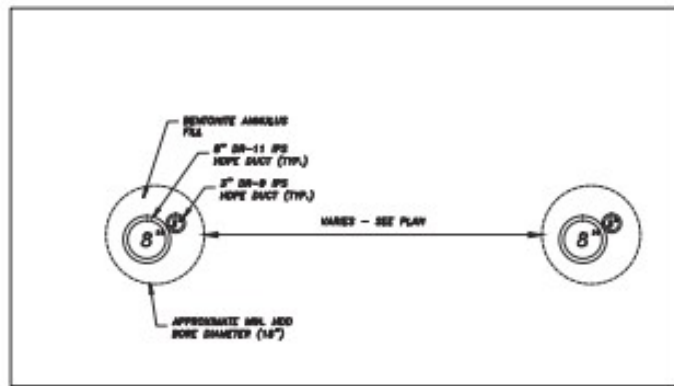
This letter serves as notice that I will not permit encroachment on my land by NPT LLC or DOT.

In addition, the "open passage lane" encroaches on private land on the other side of the road. Where NPT LLC has drawn in this passing lane, there is a steep slope, stream and another steep slope.

If placed within the actual 40' road easement width, the work areas necessary for the planned construction here would block the road and access by emergency vehicles and would thereby compromise the health safety and welfare of the public.

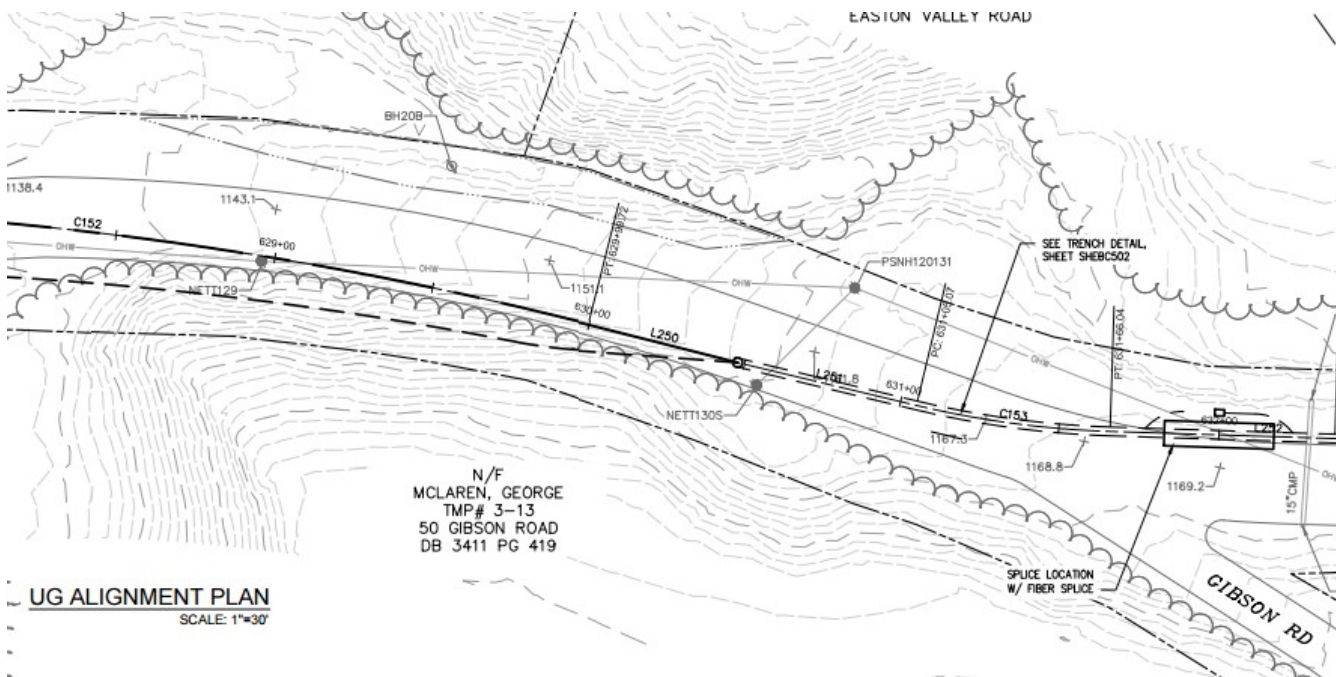
This proposed travel lane also goes over a foundation hole and daylilies; further indication that this is private land.





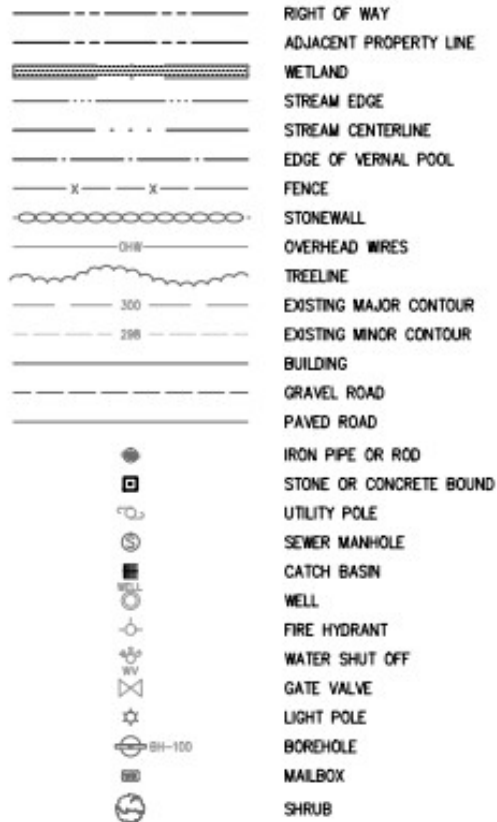
DETAIL A - HDD 010 DUCT BUNDLE
SCALE: N.T.S.

In addition, the planned HDD drilling and cable placement location is shown as on my property, and the diagram showing cables placed in two separate conduits for HDD begs the question of where the second line is planned to be located and why it is not shown in this diagram.

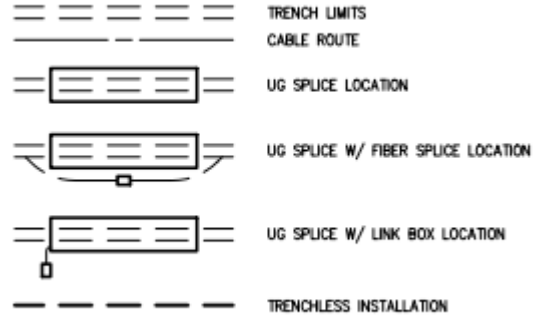


Light grey lines show existing pavement. Stream is not shown. Heavy grey dashed line is the proposed underground cable location. Notice that the splice vault is shown in two different places on the two diagrams. Notice also that the dot (above) and rectangle (first page) showing the HDD slurry pit do not show its true dimensions of 20' x 60' x 20'.

EXISTING

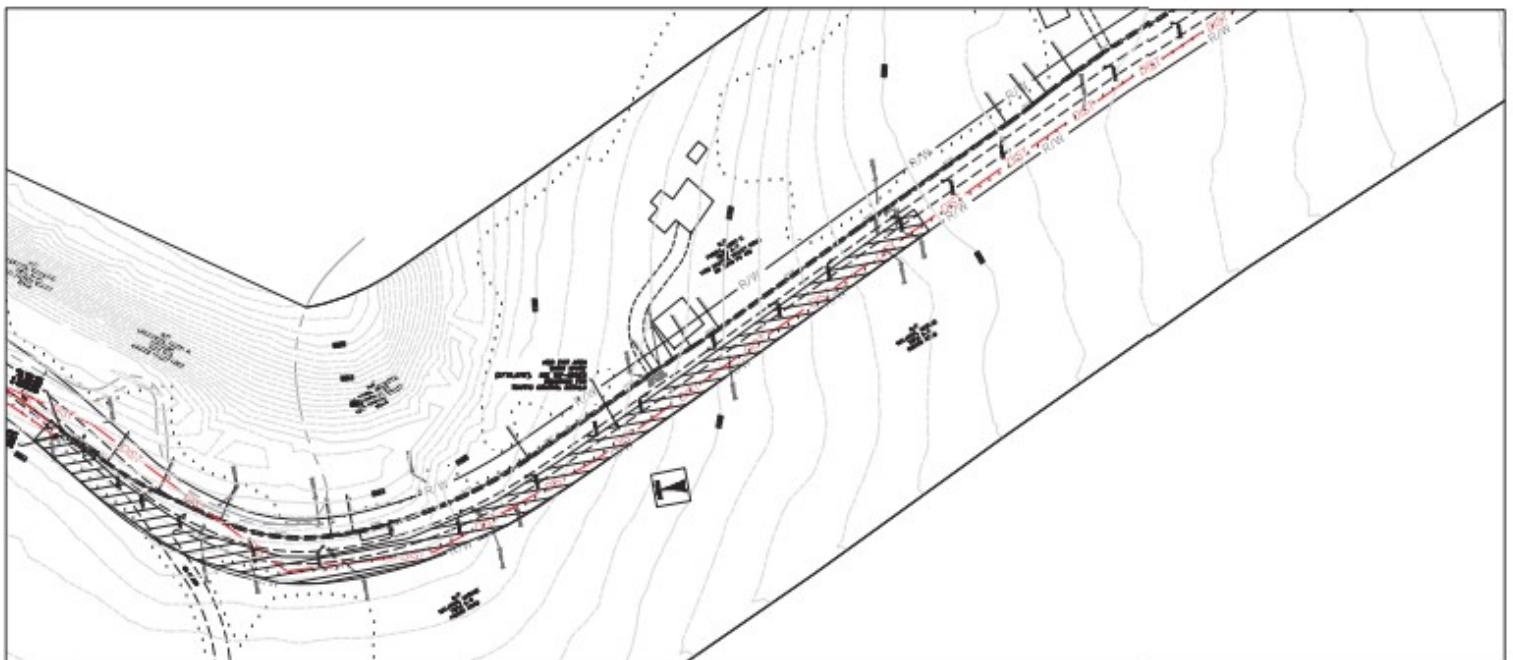


PROPOSED



Unfortunately the legend has similar designations for 'right of way' and 'adjacent property line' and 'stream edge.' 'Gravel road' also looks very much like 'trench limits', and 'building' like 'paved road.' I am unable to find what the red DST line means.

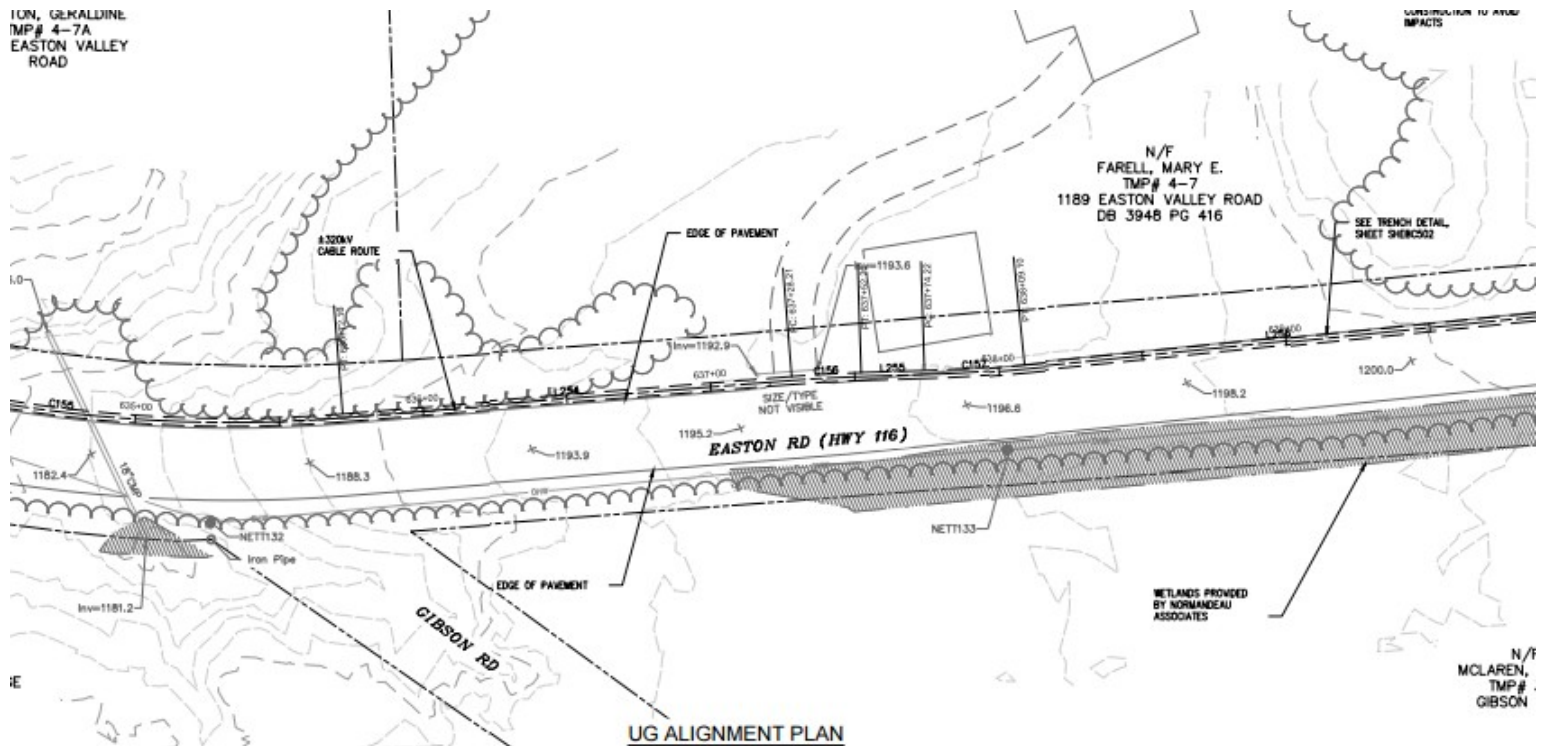
Please address and remedy.



SCALE: 1"=60'
60' 0' 20' 40' 60'

HDD 020 EXIT AREA WORK SPACE

Work area map (above) and wetlands map (below) are separate, and the proposed work area is not only on my property, but on my wetlands, which of course continue beyond what is shown in the map.



Easton; Route 116 road easement deeds:

1811: “Description of the road laid out from the road in Lincoln (*Easton*) Leading to Franconia to Landaff Line on a direct to Stephen Kinsman Saw Mill beginning at a heap of stones south side of Joshua Kendall's Brook and running southerly on the ridge between the mowing and wood land to the river thence crossing said river following then on or near the spotted line in the best place for a road to Landaff line. Said road to be considered Forty Feet wide.” (Book 1, p. 108 Lincoln Town Records) (Part of Easton used to be Landaff.)

1833: “... the northerly line of Landaff (*Easton*)... thence on said highway to George Maxwell's house 88 rods, which in our opinion need no alterations, thence leaving said highway at said Maxwell's house and running ... 74 rods...thence... 40 rods, thence ...24 rods, thence...45 rods, thence... 120 rods to intersect the present highway 14 rods northerly of Wid. Rice's house, thence ...14 rods on the present travelled road to Wid. Rice's house, no alterations was deemed necessary, thence... 30 rods, thence...74 rods to intersect the present travelled highway, **thence to Joseph Spooner's house 710 rods the highway as now travelled, need, at present in our opinion, no alteration**, thence commencing at

said Spooner's house and running..." (Sessions Papers Nov. Term 1833)

Location of Widow Rice is consistent with Nancy Roys to Samuel Roys, deed 173/450 1843: "Also forty five acres of the northerly part of Lot No. Three, Range first Willard's Survey in Lincoln Gore."

1856: 3 rod road laid out "at or near the top of the hill between the Henry Hall road (*Gibson Rd.*) and Sargent Moody's house and near the Judd house, so called (*Farrell's*) and ending in the old road some 40 rods above said Moody's house at or near a small spruce tree marked."
"We therefore lay out...commencing at a stake on the west side of the County Road at the top of the hill south of the junction of the Henry Hall road (*Gibson Rd.*) ...55 rods through swamp land... at the bend of the road westerly of William Shattucks house. (Book 6, pg. 68 Landaff Town Records)

Further--

I own two parcels of land that abut NH Route 116 for approximately 400'. My property interest extends to the median of Route 116 and includes the land under the road (ref. *Makepeace vs. Worden*, 1 N.H. 16 (1816))

Further--

The section of Route 116 abutting my land is a 'choke point.' To the west is a steep slope (my property) and to the east, private land which includes a stream significantly below the road grade.

Based on the 40' easement-- no more than eight feet on each side of the existing road would be available for the passing and work lanes. The proposed work lane would require significant excavation and a retaining wall.

The ability of emergency vehicles to pass by any trenches or pavement work would be severely restricted with probable compromise of health, safety and the welfare of the public.

In summary, no trespass on my property by NPT LLC or DOT will be permitted. The applicant may find other areas of constraint in Easton and other towns.

Dr. Campbell McLaren, M.B.B.S.; L.R.C.P.; M.R.C.S.; D.R.C.O.G., M.R.C.G.P., F.A.C.E.P.
Easton, NH

