

**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**

**SUPPLEMENTAL DIRECT TESTIMONY OF KENNETH N. KETTENRING ON
BEHALF OF THE TOWN OF NEW HAMPTON**

APRIL 17, 2017

Background and Qualifications

Q. Please state your name and address.

A. My name is Kenneth N. Kettenring. My address is 72 Gordon Hill Road, New Hampton, NH 03256.

Q. Please describe your official capacity in the Town of New Hampton?

A. I have been a member of the Planning Board since 1987 and Chairman of the Planning Board since 2001. I also have served as the Town of New Hampton's Moderator since 1994.

Q. Has the Planning Board authorized you to submit this supplemental testimony, and if so on what date?

A. These questions and my planned responses were reviewed under "Other Business" on Tuesday March 21, 2017. The Board voted to authorize me to proceed.

Purpose of Testimony

Q. What is the purpose of this supplemental direct testimony?

A. My supplemental testimony is being presented on behalf of the Planning Board for the Town of New Hampton to respond to new information regarding the Project and to respond to questions raised at my technical session.

Q. Do you believe the project will have an unreasonably adverse visual impact in New Hampton, and if so why?

A. Yes, the project will have many unreasonable adverse visual impacts. Significant viewing points include, but are not limited to, the following:

1
2 a) Stretches along the Pemigewasset River corridor. This corridor sees significant year-
3 round recreational use for boating, rafting, swimming, fishing, cross-country skiing,
4 snowshoeing and snowmobiling. The Army Corps Flood Storage Area south of Ayers
5 Dam is a significant expanse of undeveloped lands that is enjoyed by many residents
6 and visitors. A heavily used trail and an abandoned railroad bed runs along the Hill
7 side of the river, and the Army Corps has a parking lot near a popular fishing,
8 swimming, kayaking and picnicking location on the New Hampton side. NH Route
9 132 (Maps 127-129) and Coolidge Wood's Road (Maps 134 – 136) are heavily
10 utilized by both residents and visitors who come to enjoy the views and access the
11 river. Blake Hill Road (Maps 135 – 136) is a designated Scenic Road. Towers at the
12 three river crossings, and those that could be viewed from the river, will be disruptive
13 to the scenic value of this area and I believe will dissuade residents and visitors from
14 enjoying these areas.

15
16 b) The top of Gordon Hill Road on Burleigh Mountain is an easy walk from the Village
17 District that is enjoyed by many residents, visitors, and the faculty and students of the
18 New Hampton School. It provides a spectacular view up the Pemigewasset Valley to
19 Franconia Notch and Mount Washington. Similar views can be seen from the top of
20 Burleigh Mountain (accessible by a short trail), and from the snowmobile trail through
21 the notch between Carter and Burleigh mountains. The wooden towers of the existing

1 transmission line blend in with the landscape in those areas where the corridor can be
2 seen, but a string of tall reflecting steel towers of increased height projecting above the
3 tree line will stand out even in segments that are currently screened. The proposed
4 transmission line will be a permanent scar on the landscape and have an unreasonable
5 adverse effect on aesthetics.

6
7 c) There are numerous panoramic views of the Pemigewasset River Valley along Old
8 Bristol Road. This is a rural and scenic drive that runs high above the river from the
9 New Hampton Village District to Downtown Bristol. The views are facilitated by
10 many open fields on the north side of the road, and they are enjoyed by both motorist
11 and those on foot. The location of the existing corridor on the Bristol side of the river
12 is clearly visible but mostly screened from these viewpoints, and tall reflective steel
13 towers of increased height projecting above the tree line will have an unreasonable
14 adverse effect on aesthetics.

15
16 d) Views along I-93 north of Exit 23 provide travelers with their first impression of New
17 Hampton, and often influence people's decisions to come to visit or stay. This
18 highway is part of the designated White Mountain Trails Southern Loop, and T. J.
19 Boyle Associates, LLC's December 29, 2016 report *The Review of the Northern Pass*
20 *Transmission Line Visual Impact Assessment Report* (T. J. Boyle Report) finds that the
21 visual impacts to the east at mile 72 (Map 136) are unreasonable and require

1 mitigation. The Town also values other views along this artery and believes that the
2 best mitigation would be burial. The Emery and Garrett Groundwater Investigations,
3 LLC Report (dated October 2016) shows that the surficial geology of this area is
4 amenable to burial of the lines with low probability of hitting bedrock within ten feet
5 of the surface.

6
7 e) Dana Hill Road north of the Dana Meeting House. This is an expansive view of the
8 Pemigewasset River Valley, and is often visited both by car and on foot. Dana Hill
9 Road is an attractive rural road through an area dominated by large historic farms and
10 the historic Dana Meeting House. From this viewpoint the utility corridor is especially
11 noticeable where it ascends the hill on the Bridgewater side of the river, but the current
12 wooden towers do not dominate the landscape even when snow provides a sharper
13 contrast. Tall steel towers of increased height crowding into a wider corridor will be
14 much more visible and disruptive of the view's aesthetic value. Additional sections of
15 the transmission line which are currently screened by the forest will become visible
16 from this location and further along both Dana Hill and Huckleberry roads when taller
17 towers protrude above the tree line.

18
19 f) Impacts to the view from one's home are at the top of the list for many of the town's
20 residents. The height and nature of the towers mean that they will be visible from
21 many residences that are currently screened from the existing line. This problem may

1 be compounded by the clearing of vegetation that will occur within the corridor. This
2 increased visibility is an important issue for the town and would be contrary to Section
3 X, E, I of our Site Plan Regulations as discussed in the answer to question #7 below.

4 The New Hampton Map in T. J Boyle Report's Appendix D shows that a majority of
5 the town is in the terrain view shed. Although "bare ground" overstates the problem, it
6 is clear that the view from many homes in town will be adversely impacted when the
7 towers extend above the tree line and additional vegetation is cleared along the
8 corridor. It is ironic that some of the towns highly appreciated agricultural lands and
9 open spaces will provide additional viewpoints from which the towers will be visible.

10
11 None of the maps provided by the Northern Pass project include information on planned
12 mitigation measures within the town of New Hampton, and the T. J. Boyle report indicates that
13 Northern Pass has provided no plans for mitigation. Vegetative screening would be ineffective
14 in most cases as many of our views are from a higher elevation than the power line. Plantings
15 placed within the corridor might provide some screening at road and river crossings, but such
16 plantings would have limited benefit in cases where the corridor rises steeply beyond the
17 crossing as it does at the I-93 crossing near mile 72, the Old Bristol Road crossing, and the
18 southern-most river crossing. It is unlikely that taller trees will be grown to hide the taller towers
19 which will protrude above the existing tree line. The majority of the line's right of way is
20 cleared, and most of the existing forest cover is on private land. Other mitigation suggested in
21 the T. J. Boyle Report, such as structural material and design alternatives; reflective alternatives;

1 and corridor configuration alternatives would probably lessen impact to the view scape to some
2 degree, but only burial would mitigate the most significant adverse impacts.

3 **Q. Have you reviewed TJ Boyle's Dec 30th submission regarding visual impacts**
4 **pertaining to New Hampton? Do you agree with the findings for the particular locations in**
5 **New Hampton, and if so, why?**

6 A. I disagree with the T. J. Boyle Report's assessment that the Dana Hill view and
7 the southern-most river crossing will have only an *Adverse Effect on Aesthetics*, and not an
8 *Unreasonable Adverse Effect on Aesthetics*, but beyond that one disagreement I found their
9 report both enlightening and useful. The fact that they were able to identify more than twenty-
10 seven times as many scenic resource locations as the Northern Pass Visual Impact Analysis says
11 a lot about how much more thorough T.J. Boyle's Report was. Unfortunately time constraints
12 limited their analysis to only 41 of the 18,933 identified scenic resources. Only 3 of the 494 sites
13 identified in New Hampton were reviewed.

14
15 Many of New Hampton's views include portions of the transmission line that are in our
16 neighboring towns, and we would wish that the lines could be buried in those locations as well as
17 in New Hampton. If they are not buried, the utilization of the minimization and camouflage
18 techniques described in T. J. Boyle Report's Section 4.4 would be critical. The report points out
19 that the spacing of the new towers should match that of the existing towers because when they
20 are offset the corridor looks much more congested and the aesthetics are further degraded. The

1 T. J. Boyle Report also suggests that replacement towers for the existing line should retain the
2 wooden structure and the height of the existing towers.

3
4 I think that the findings of the T. J. Boyle Report are significant, and that the Site Evaluation
5 Committee should consider requiring Northern Pass to revisit its own Visual Impact Assessment
6 and develop a proper mitigation plan for unavoidable impacts.

7 **Q. Do you believe the project will interfere with the orderly development within**
8 **New Hampton? Do you agree with the assessment by Mr. Varney on the project's stated**
9 **consistency with the town's orderly development, and why or why not?**

10 A. This project will definitely interfere with orderly development within New
11 Hampton.

12 In the Introduction to Normandeau Associate's *Review of Land Use and Local, Regional and*
13 *State Planning – Northern Pass Transmission Project* dated October 2015 (Normandeau Report)
14 it is stated that *"The Project is consistent with the prevailing land uses along the corridor and*
15 *with the goals and objectives of long-range policy planning documents, and will not interfere*
16 *with their implementation."* The only support provided for this far-reaching conclusion is an oft
17 repeated statement that 80% of the line is located along or within pre-existing utility and
18 roadway corridors, and it will therefore not interfere with established development patterns or
19 national, state, regional or municipal long-range planning.

20

1 Section 5.7.1 on page 29 provides the only discussion of Municipal Master Plans in the
2 Normandeau Report. The section consists of nothing more than a discussion of RSA 674:2; an
3 explanation that most towns in the project area have Master plans but some do not; and an
4 unsupported concluding statement that “*Generally, municipal master plans contain broad goals*
5 *about development topics such as land use, economic development and the environment. The*
6 *Project is consistent with these broad goals . . .*” With this statement Normandeau Associates
7 attempts to lump all Municipal Master Plans as one and dismiss them as irrelevant.

8
9 On page two of the Normandeau Report we are told that they “. . . *compiled detailed summaries*
10 *of land use, zoning and development ordinances, master plans, and other long range plans for*
11 *each community where the Project is located.*” If such a compilation exists it is not included
12 within the report or as part of Attachment A. The only mention of master plans in the town-by-
13 town segments of Attachment A for most towns is a statement about whether or not it identifies
14 scenic roads. Bridgewater’s master plan gets a few extra words about the distribution of existing
15 uses, and Thornton’s master plan gets an extra paragraph reporting that 47% of its land use is
16 controlled by the White Mountain National Forest. There is no mention of a master plan in the
17 New Hampton segment.

18
19 Section 5.7.2, on page 30, provides the legislative authority for towns to enact zoning
20 ordinances, lists those towns which do not have zoning, and provides nothing more. The
21 conclusion is that “*The Project is not subject to local zoning regulations. By utilizing existing*

1 *transportation and utility corridors, and locating the new ROW in an area that is used primarily*
2 *for commercial forestry, the existing land use development patterns along the corridor are*
3 *maintained.”* While it is true that the towns’ jurisdiction has been preempted, arbitrary
4 dismissal of all zoning ordinances along the corridor does not provide useful information about
5 the effect of this project on long-term planning nor does it provide any support for the purported
6 assertion that the project is consistent with the town’s orderly development.

7
8 The only mention of site plan or subdivision regulations in the Normandeau Associates’ report is
9 in the second paragraph at the top of page 29, and the only information provided there is that
10 some towns in the northern segment do not have regulations.

11
12 There is no mention in Attachment A of zoning ordinances, site plan or subdivision regulations
13 for any town with one exception. The Dummer zoning ordinance is mentioned in a statement
14 that says the town does not identify scenic roads in either its Master Plan or Zoning Ordinance.

15
16 During a forty-five year career of reviewing technical reports as a military officer, a university
17 professor, and with the NH Department of Environmental Services I have seldom seen a report
18 as useless as this one. Reiterating a one-line mantra over a span of thirty pages does not add to
19 the validity of that statement. What is left out speaks much more loudly. The Normandeau
20 Report provides 131 pages of background information, mostly on current land use, but provides
21 nothing that resembles a review of Local, Regional or State Planning.

1 The following paragraphs cover some of the New Hampton information that has been left out of
2 the Normandeau Report. I'm sure other towns can tell a similar story.

3
4 New Hampton Master Plan

5 The Town of New Hampton Master Plan was last revised in 2002, and the Northern Pass
6 Transmission Project is clearly not consistent with the goals and objectives of that plan which
7 stresses the importance of protecting aesthetic values and visual character.

8
9 The introduction to our plan at the bottom of page v and top of page vi states "*The Master Plan*
10 *is a tool to be used by the Planning Board and the Board of Selectmen to guide growth at a rate*
11 *that is consistent with the town's ability to absorb it, while preserving the existing rural and*
12 *small town character* (emphasis is in the plan). *The Master Plan furthers this goal through*
13 *natural resource protection, historic and agricultural preservation, and protection of the town's*
14 *aesthetic values, which will assure a pleasant, attractive, and desirable community in which to*
15 *live and play.*" See Exhibit 1 attached hereto and incorporated herein.

16
17 Chapter I of the Master Plan reports the results of a Community Opinion Survey with 416
18 households responding. Section 1.6 states "*We're not only concerned with preservation of our*
19 *man-made structures. In a question about town involvement in preservation of other resources,*
20 *there was overwhelming support for conservation of areas of scenic or natural beauty (85%), the*
21 *Pemigewasset River (84%), important wildlife habitats (83%), shorelines (80%), followed by*

1 *historic buildings, wetlands, and working farms and farmlands (all above 65%).*” See Exhibit 2
2 attached hereto.

3
4 Goal 3.1 of the Master Plan is to “*Preserve the rural working Landscape to protect prime*
5 *agricultural lands.*” And further states that “*This goal addresses those industries that*
6 *historically have used the land. The intent is to find strategies that ensure sustainability and*
7 *good management practices.*” See attached Exhibit 3.

8
9 Farming continues to be an important business within the community, and the majority of
10 residents (farmers and non-farmers alike) recognize that our mix of agricultural and silvacultural
11 uses, along with our river, lakes, hills and village district, are our most important scenic assets.

12
13 This March the Town adopted a zoning ordinance that allows agricultural tourism by special
14 exception in all districts except the Business Industrial District. The intent is to allow our
15 existing and future farms to pursue an alternate source of income that will help them maintain
16 sustainability. A degradation of the pastoral views from our farms would significantly reduce
17 the value of this option. The loss of scenic aesthetic value would also harm other tourist related
18 business such as camp grounds and restaurants.

1 Goal 3.2 of the Master Plan is to “*Ensure that the town retains the unique and historic rural*
2 *character. This is mainly a visual goal that demands a complicated process of determination of*
3 *unique character and a process to provide protective scenarios.*”

4
5 Each one of the sixty-two new towers proposed within the town would qualify as the tallest and
6 ugliest structure in the town. Cumulatively they become a massive industrial complex which
7 would be at odds with the historic rural nature of our town, and there will be no diminishing of
8 the negative impact with the passage of time.

9
10 Goal 3.3 of the Master Plan is to “*Preserve important wildlife habitat, scenic view areas,*
11 *ridgelines, wetlands, and water resources.*” It is recommended that we should protect scenic
12 views and vistas from “*development that would have a negative impact, such as cell towers,*
13 *water towers, or high rise buildings.*”

14
15 Section X, P of the Site Plan Review Regulations (attached as Exhibit 4), which states that
16 “*Where appropriate, installation of any new utilities **and/or transmission lines** (emphasis*
17 *added) shall be buried underground*” was adopted in April 2005 in accordance with this goal.

18
19 New Hampton Zoning Ordinance and Site Plan Regulations

20 Article IV, A of the Zoning Ordinance defines the General Residential, Agricultural and Rural
21 District, and a table on page 3 and 4 of the ordinance lists the permitted, conditional, and special

1 exception uses that are allowed within the District. The Northern Pass Transmission project lies
2 entirely within this District and does not meet any of those listed uses. See Exhibit 5 attached
3 hereto and incorporated herein.

4
5 Although the proposed line follows the path of a “grandfathered” powerline, it is dramatically
6 different than the existing line which has relatively low wooden towers. The Town would
7 consider the new line to be a change or expansion of use as defined by Section IV, D of our Site
8 Plan Regulations (attached hereto as Exhibit 6), and would require it to comply with current
9 regulations including Section X, P.

10
11 Structures in the General Residential, Agricultural and Rural District are limited to 35 feet in
12 height, but if it were found to be inappropriate to bury the line new structures would be limited to
13 the height of the existing line.

14
15 Setbacks from public or private roads are 35 feet. Tower DC-1121 on Map 127 appears to be
16 less than 35 feet from I-93.

17
18 Section X, E, I of our Site Plan Regulations (attached as Exhibit 7), states that “*Buffer strips*
19 *between nonresidential and residential uses shall be at least 50 feet wide and shall contain*
20 *vegetation that will screen nonresidential uses from sight of the residential uses during winter*

1 *months.*” This requirement would be applied to the extent that the applicant would be asked to
2 show that the new lines would be no more visible from any residential use than the existing lines.
3
4 Article IV, H. of the Zoning Ordinance defines the Pemigewasset Overlay District which extends
5 500 feet horizontal distance from the normal high water mark of the Pemigewasset River. As the
6 name implies this is an “overlay” of the General Residential, Agricultural and Rural District and
7 it adds additional requirements. Article IV, H, 3, v on page 29 of the ordinance (attached as
8 Exhibit 8) requires a minimum structure setback of 200 feet horizontal distance from the normal
9 high water mark of the Pemigewasset River. Seven of the proposed towers are in the
10 Pemigewasset Overlay District and four are in violation of the setback requirements. Details are
11 provided below in question #10.

12 **Q. Would the project be inconsistent with the town's Site Plan Regulation, Art.**
13 **Section X,(P), and if so why? Also, what was the origin or intent of that provision of the site**
14 **plan regulations?**

15 A. As discussed above the project does not conform to the requirements of Section X,
16 P. There has been no attempt by the applicant to determine the feasibility or appropriateness of
17 burying the line, and the Town’s own study by Emery and Garrett Ground Water Investigations
18 LLC, dated October 2016, indicates that the surface geology for the northern section (maps 126-
19 129) is amenable to burial of the lines as there is a low probability of hitting bedrock within ten
20 feet of the surface. The southern section (maps 133 -136) would be more challenging if the
21 existing right-of-way is followed, but the option of burying them in the rights-of-way of Old

1 Bristol Road and Coolidge Wood's road, or mounding within the right-of-way, should be
2 considered.

3
4 Section X,P was adopted in April 2005 and is in response to the Community Opinion Survey
5 reported in Chapter one of the 2002 Master Plan and Goal 3.3 of that plan. Transmission towers
6 were not the only structures of concern. The Planning Board was simultaneously working on an
7 ordinance regulating cell towers, and that ordinance was adopted by Town Meeting in March
8 2006 (Article V, K. Personal Wireless Service Facilities). The town also regulates Residential
9 Wind Turbines under Article V, P.

10 **Q. Did you or anyone you know of in town speak to Robert Varney on behalf of**
11 **NPT to discuss whether the project is consistent with New Hampton's master plan, zoning**
12 **ordinance, or prevailing land uses? If so, please describe.**

13 A. My only contact with Normandeau Associates concerning the Northern Pass
14 project was attendance at a meeting whose subject matter was limited to wetlands impacts and
15 mitigation. I do not know of anyone who spoke with Mr. Varney, or anyone else from
16 Normandeau Associates, about our Master Plan, Zoning Ordinance, or Site Plan Review
17 regulations.

18 **Q. Are any of the project structures within the Town's Pemigewasset Overlay**
19 **district? If so, please identify which ones. Do any of those structures violate the overlay**
20 **district? If so, which ones and why?**

A. The following chart lists the towers that are within the 500 foot Pemigewasset Overlay District in the Town of New Hampton. Four of those are within the 200 foot structure setback. Distances were measured using a 600 foot to the inch engineering scale which matches the scale shown on the February 2016 map sheets.

Tower	Map	Approximate distance to River
DC-1120	126 & 127	100 feet
DC-1143	129	300 feet
DC-1144	129	75 feet
DC-1175	133	150 feet
E115-122	133	125 feet
DC-1205	136	300 feet
A111-80A	136	250 feet

Q. Do you believe the project will have net positive or negative economic benefits in town, and why or why not?

A. There will be a net negative economic impact. The Town of New Hampton sees little to no long-term benefits from this project, and we will be permanently saddled with a massive industrial eyesore that will make the town less attractive to our residents and to our

1 visitors. The first pages of T. J. Boyle's Appendix D graphically illustrate the importance of
2 attractive scenic vistas to New Hampshire tourism.

3 **Q. Do you believe the project's construction in town will have negative impacts,**
4 **and if so, please explain and describe.**

5 A. Construction of a project this size is guaranteed to have significant temporary
6 impacts on tourism, other town businesses, and traffic. However construction impacts would be
7 short-term and the inconvenience would be minor compared to the permanent damage that will
8 be done if we are burdened with sixty-two excessively large industrial-looking towers disrupting
9 our views, degrading our rural nature, and making the town less attractive to both visitors and
10 residents.

11 **Q. Does this conclude your testimony?**

12 A. Yes it does.