

**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 PREFILED DIRECT TESTIMONY OF SHARON PENNEY ON
BEHALF OF THE TOWN OF PLYMOUTH BOARD OF SELECTMEN**

April 17, 2017

1 **Supplemental Testimony**

2 **Q. Please describe your educational and experiential background in community**
3 **planning.**

4 A. I have a bachelor's degree in non-fiction writing and over twenty years of
5 professional experience and continuing education coursework in planning and community
6 development. I have been involved with community planning since 1992. *See* Appendix D. I
7 have over ten years of experience specifically in transportation planning at the regional level
8 with the North Country Council Regional Planning Commission located in Littleton, New
9 Hampshire.

10 **Q. Please describe your job at the North Country Council Regional Planning**
11 **Commission.**

12 A. I was the liaison to the New Hampshire Department of Transportation on behalf
13 of fifty-two (52) North Country municipalities and twenty-four (24) unincorporated districts of
14 Coos County and parts of Grafton and Carroll Counties. I facilitated project creation for the
15 NHDOT Ten-Year Plan, including Transportation Improvement and Transportation
16 Enhancement programs while at North Country Council ("NCC") on behalf of communities
17 within the regional planning commission's jurisdiction. I helped municipalities mitigate specific
18 transportation issues and problems in conjunction with NHDOT. Additionally, while I was
19 working at NCC, I was involved in the New Hampshire State Scenic Byways program, the New
20 Hampshire Route 16 and US Route 2 Corridor Studies, and Community Development Block
21 Grant (CDBG) administration for regional infrastructure grants.

1 **Q. What other experience do you have in Community Planning?**

2 A. I have spent three (3) years in Alton, NH and seven (7) years in Plymouth, NH as
3 their respective community planners. As part of my work in these towns, I dealt with economic
4 development, land use, zoning implementation, transportation projects, and community outreach.
5 They are both small towns with relatively small permanent populations which face large seasonal
6 increases in residents—which greatly increases traffic—due to their economic reliance on
7 tourism (Alton—due to Lake Winnepesaukee) and college students (Plymouth--Plymouth State
8 University). I often worked with several state agencies during this time, including the Division
9 of Historic Resources (NH DHR), Department of Transportation (NH DOT), and the Department
10 of Environmental Services (NH DES), in addition to the Bureau of Trails at the Department of
11 Resources and Economic Development (NH DRED). Additionally, I spent three (3) years as the
12 Executive Director of the Northern White Mountain Chamber of Commerce in Berlin, New
13 Hampshire from 2003 to 2006. At the time, the 100-year old paper-making industry in Berlin
14 was sharply declining creating economic upheaval and a new tourism-based economy was
15 emerging. I believe my work experience gives me a unique perspective on how transportation
16 impacts both economic development in communities and the fabric of the communities
17 themselves.

18 **Q. What concerns do you have about disruptions to downtown Plymouth from**
19 **construction?**

20 A. If Main Street (Route 3) is under construction and vehicles are unable to use
21 Route 3 to access either the downtown Plymouth area or Route 3 beyond Main Street which

1 provides additional connectivity north and south, there are no other good alternatives for traffic
2 rerouting which will suffice. *See* Appendix E. Main Street is bordered by steep topography on
3 streets west of the downtown village area of Main Street and the Pemigewasset River to the east.
4 Main Street runs through a clearly delineated valley with limited rerouting flexibility. *See*
5 Appendix F and Appendix G.

6 **Q. Would Best Management Practices during construction allay concerns about**
7 **pedestrian safety during construction?**

8 A. Unless the Best Management Practices during construction utilized multiple, wide
9 and extremely safe (i.e., traffic officer attended) pedestrian crossings, the burial of the line under
10 Main Street would be a strong deterrent to pedestrian traffic as a whole. The main Plymouth
11 State University campus is along Route 3. Between downtown businesses and the University, the
12 downtown is very busy with pedestrians. Downtown is compact and there are several crosswalks
13 on Main Street. Most of the streets outside the compact downtown area do not have sidewalks.
14 East of Route 3 is the river and the west side of Route 3 has short and narrow streets often with
15 steep slopes. The number of pedestrians on Main Street would be significantly reduced as there
16 appears to be no contingency for direct parking access to Main Street businesses for pedestrian
17 shoppers during the construction timeframe—aside from parking many blocks away.

18 **Q. During the technical session on February 2, 2017, Counsel for the Public**
19 **asked you if the Northern Pass project justifies the risk and inconvenience. Would you like**
20 **to clarify your response to that question?**

1 A. I do not think that the project justifies the risk to pedestrians and overall
2 transportation inconvenience of the construction project through the middle of downtown
3 Plymouth. Even if Northern Pass attempts to use Best Management Practices, there is no
4 guarantee that the project will be safe or be convenient to the people, traffic and economics of
5 Plymouth.

6 **Q. Since submitting your original pre-filed direct testimony, the Applicant**
7 **submitted new plans to the Department of Transportation. Does the Town continue to**
8 **have concerns after reviewing the new plans?**

9 A. Yes. The Plymouth Village Water and Sewer District (“PVWSD”) (a utility
10 precinct separate from the municipality) had their engineers (Wright-Pierce) review the proposed
11 construction plans as they directly affect the upcoming PVWSD water/sewer reconstruction
12 project under Main Street. The PVWSD engineers have found issues of concern with NPT
13 underground project and have already conveyed those findings to the Applicant. The Town of
14 Plymouth could have had our contracted civil engineer review and analyze the plans to identify
15 specific construction areas of concern for us—at a significant additional cost to the town, as our
16 engineer is not an employee of the Town nor on retainer but works project to project. There are
17 concrete slabs under the pavement of Main Street which were part of the original paving from
18 many, many decades ago which will be problematic during construction, drilling and burial of
19 the proposed line.

1 **Q. At the technical session, you were asked if your opinion changed from your**
2 **prefiled testimony on page 4, lines 1-4, because at the time you wrote your original**
3 **testimony, the exact route was not known. What was your response?**

4 A. My opinion has not changed even though the route is now known. The route as it
5 has been presented violates the basic tenets of the Plymouth Zoning Ordinance, which is to
6 pursue the least impactful or least negative location for any development in the municipality.

7 **Q. You have stated that if Main Street was closed, you have concerns about**
8 **emergency public safety response during construction because traffic previously traveling**
9 **to the hospital and from the fire station via Main Street would have to be routed to**
10 **Interstate 93/Route 25 to avoid Route 3 as Main Street. Why would side streets not be a**
11 **feasible alternative to Main Street?**

12 A. Depending on the time of year (PSU academic year population increase, snow
13 storage along streets in winter) the alternative of side streets providing safe supplemental access
14 to the hospital and from the fire station is not reliable. Depending on the emergency response
15 route required, many residential streets in the hospital and fire station service areas have
16 significant on-street parking and high development density and congestion which impedes traffic
17 flow. Their use as an emergency bypass would not properly mitigate the loss of Main Street
18 emergency access. The argument against this presumed emergency route ‘bypass’ for the
19 hospital and fire station can be supported by viewing the layout of streets adjacent to Main Street
20 and the hospital on the composite map of Plymouth. *See Appendix E.* A site visit would
21 illustrate the congestion of adjacent streets and topography even more clearly than the map.

1 **Q. You have stated that there will be negative economic impacts during**
2 **construction. Please explain why.**

3 A. Looking at the map of Plymouth, it clearly indicates what few viable options exist
4 for access to Main Street businesses if Main Street is under construction. Main Street is the
5 connector route to many parts of town, including the hospital, regional school campus, Plymouth
6 State University campus, the police station and the fire station. If people are unable to drive
7 down Main Street, park nearby and/or walk to these businesses, they are less likely to shop in
8 these businesses. Main Street is convenient to shop along or to stop for lunch or dinner when it
9 is a connector route, but when under construction, that will change significantly to a lack of
10 accessibility convenience. Businesses are very concerned. *See Appendix I.*

11 **Q. During the technical session, Counsel for the Public asked you to look at**
12 **maps showing where the drilling pits would be. When he asked you to describe the area on**
13 **Map 48, HDD-49 and HDD-50, what was your response?**

14 A. There are no sidewalks in that area except on the bridge carrying Route 3 over the
15 Baker River. Pedestrians are commonly seen walking this route on the shoulder of Route 3 in
16 the absence of sidewalks. Route 3 in this area is quite busy with mixed traffic and is a connector
17 road to Fairgrounds Road, Route 25 and Route 3A west, leading to Rumney and the big box
18 stores. Route 3 travels north to the police department. The Becket School (a youth at-risk
19 residential school), motels, and traffic coming from Campton are all in that area, as well as
20 Foster's Common Man Inn (a hotel and conference center). There is partial sidewalk
21 connectivity in places, but it is limited and patchy with no complete sidewalk layout connection.

1 **Q. Counsel for the public then explained that both HDD-49 and 50 will be in**
2 **excess of 1,000 feet long with long exit and entrance pits. He asked if Route 3 were blocked**
3 **for 2 to 3 weeks in one or both of those areas, what would be the effect. What was your**
4 **response?**

5 A. I said that it would have a very negative effect. The commuter traffic level is quite
6 high there as is regular business traffic. Route 25 has a lot of commercial and retail businesses
7 with many employees also traveling to jobs along that road. Both Route 25 and Fairgrounds
8 Road take connection from Route 3 in that area. It would be a “horror show.” For people from
9 Plymouth, the alternative is perhaps I-93. In order for them to take Route 25, they would have to
10 backtrack three miles to Highland Street and go through thickly-settled residential areas. Route
11 25 is also the route to many Grafton County social service agencies. If a detour through
12 downtown was required, it would have to go on the small side streets. These streets are very
13 narrow and to divert traffic through there with the numbers I’ve seen from the DOT, would not
14 produce good results. I said that Green Street could be possibly used (near the Courthouse), but
15 it dead ends at a senior center. The composite map of Plymouth, Appendix E shows that the
16 burial along US Route 3 (the downtown village area and part of Main Street beyond the NH
17 175A bridge) affects all connections for Plymouth. North Main (Route 3) is the connector to NH
18 Route 25 W and I-93 outside of downtown. Downtown Route 3 connects to I-93 over the Pemi
19 River at the roundabout, but it would be impassable during construction.
20 “Bypass” routes via Highland Street (a diagonal street connector from Main Street to Route 25
21 and possible backtrack to I-93 access) is through a densely settled residential/office/PSU campus

1 area and is already up for study/mitigation under a NHDOT grant application for rebuilding due
2 to safety concerns. There are no good alternate routes for travel if the Main Street connection is
3 severed.

4 **Q. You were asked at the technical session if Robert Varney of Normandeau**
5 **Associates, on behalf of Northern Pass Transmission LLC or Eversource ever visited your**
6 **town Planning Board, Select Board, or Conservation Commission in connection with this**
7 **project. What was your response?**

8 A. At the technical session, I responded no. Later, I recalled that I did meet with
9 him. We met briefly on August 26, 2015, along with Attorney Kerry Diers. We talked about our
10 zoning ordinance and the state of affairs in the NH planning community.

11 **Q. At the technical session, there was discussion about Plymouth being the 7th**
12 **Best Small Town in America. Counsel for the Public asked you if it is easy to maintain the**
13 **success you have being a small town. What was your response?**

14 A. I said no, it is not easy. Plymouth presently has a very active village downtown
15 with a village green or common located there. There are several historic buildings adjacent to
16 Main Street in this same area. Very few of them are over two stories high (with the exception of
17 PSU) reflecting traditional rural village architectural design. Transportation is central to
18 maintaining our success as a small town—being able to easily get to town, park, and walk
19 around. People don't encounter too lengthy traffic or gridlock when they are in town. Municipal
20 planning keeps various development factors that are often in flux, balanced. It is a challenge to
21 keep businesses in town open and running. There are currently a few storefront vacancies and

1 one big vacancy downtown. Nobody is getting rich by having a business in town. There are not
2 a lot of employees in any single store, but parking is already at a premium and congestion will
3 not help. Profit margins for these businesses are tight and we are concerned about keeping our
4 “best small town” ranking. Small town business economy is hard to sustain in a place that used
5 to be a farming village. Plymouth has a lot of services for its size, but it has a small year round
6 population and is very constrained geographically. There has been a concerted effort to resurrect
7 the traditional Main Street venue nationwide in terms of community planning. Traditional main
8 streets were becoming abandoned or derelict because of moves to burgeoning malls and ‘Big
9 Box’ stores with ‘sprawl’ development accessible only by automobile. We try very hard to
10 preserve our “main street” as a small town with good pedestrian access.

11 **Q. At the technical session, Counsel for the Public asked if Plymouth had a noise**
12 **ordinance. What is your understanding of Plymouth’s noise ordinance?**

13 A. Plymouth has a “Disorderly Actions” ordinance. *See* Appendix H. It is our main
14 enforcement document regarding noise, disruption, etc. Plymouth does not have a specific
15 ordinance for construction, but the Disorderly Action ordinance is broad-reaching and speaks
16 clearly to noise and hours of operation for construction projects. (Section III). Exemptions from
17 this ordinance (Section VII) speak to “emergency or maintenance” of systems by utility
18 companies. This project would not qualify for an exemption as it is not an emergency or
19 maintenance situation.

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

21 A. Yes.