

**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 STEPHANIE N. VERDILE ON BEHALF
OF THE TOWN OF PEMBROKE**

APRIL 17, 2017

Background and Qualifications

Q. Please state your name and address.

A. My name is Stephanie N. Verdile. My address is 5 Rollins Pond, Gilmanton, NH 03237.

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

A. I have been the Town Planner for the Planning and Building Department of the Town of Pembroke since 2012.

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

A. On April 11, 2017, the Pembroke Planning Board voted 6-0 to authorize me to submit supplemental testimony on the proposed Northern Pass Project..

Purpose of Testimony

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

A. My supplemental testimony is being presented on behalf of the Town of Pembroke 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 Pembroke, and if so why?

A. In my opinion, this project will have an unreasonable, permanent, and adverse visual effect on the naturally occurring aesthetic and scenic qualities in the Town of Pembroke, especially in the Rural/Agricultural-Residential (R3) Zone.

1 As I spoke about in my previous testimony, the majority of the existing transmission line is in the
2 most rural zone of Pembroke. An area, in my professional opinion, that is not well suited for the
3 scope and size of the proposed Northern Pass project.

4 I have reviewed the February 2016 construction plan sheet sections from the Northern Pass
5 website for the proposed NPT portion in the Town of Pembroke. This review has reinforced my
6 opinion that this project will have a permanent, negative visual impact on the Town of
7 Pembroke.

8 Plan Sheet 164, the beginning of the transmission lines that enter Pembroke, are located in the
9 Commercial/ Light Industrial (C1) Zone and include sections of the Aquifer Conservation (AC)
10 District and Wetlands Protection (WP) District. Since this is the C1 Zone, the existing
11 commercial and industrial land uses are allowed per the Table of Permitted Uses in the
12 Pembroke Zoning Ordinance. The Table of Permitted Uses is attached as Exhibit 1 hereto.

13 There are very few residential properties located in the C1 zone. The existing residential
14 properties are non-conforming uses because under current zoning, residential uses are not an
15 allowed use in the C1 zone. Having overhead transmission lines is not an out of the ordinary
16 visual experience to see in a commercial/industrial zone.

17 The proposed towers within Plan Sheet 164 are between 15 and 70 feet taller than the existing
18 structures. That is quite a difference in size from the existing towers. Some of the tallest towers
19 are located within high visibility areas on existing commercial properties and a major state
20 highway, NH Route 106, which is one of the main access roads into Pembroke. This segment

1 includes the portions of the AC District as well as the Pembroke-Concord Wellhead Protection
2 Area.

3 The proposed structures within Plan Sheet 165 continue through commercial properties. The
4 largest difference in height is 67' between an existing tower and proposed replacement. The
5 height of the towers gradually reduce in size as the line transitions from the C1 Zone into the
6 Rural/Agriculture-Residential (R3) Zone and begins to approach residential houses. The
7 majority of Segment 165 is located within the Wetlands Protection District and the Wellhead
8 Protection (WP) Area.

9 Three wells are located within the NPT right-of-way (see attached Exhibit 2 - Map 1) within Plan
10 Sheets 164 and 165. This is very concerning to have industrial construction activities, soil, and
11 slope disturbance, and larger additional structures within, around, and on top of the protective
12 well radii of the water supply for the Town of Pembroke. Plan Sheet 165 has a large area of high
13 value wetlands and hydric soils. These areas are fragile and disturbance of these wetland areas
14 has negative effects on the proper functions to provide flood protection, and storm water
15 filtration.

16 For the first two segments of the proposed NPT project through Pembroke, the visual impacts are
17 not out of the norm for the zone in which they are located and their location is more appropriate
18 for their proposed use. While there are permanent visual and environmental impacts associated
19 with the project in these segments, the visual impacts are more conducive for a use that is located
20 in the commercial/industrial zone.

1 The drastic, permanent, adverse visual impacts are in the remaining segments of the proposed
2 NPT through Pembroke as they are located within the most rural zone designation in town-
3 Rural/Agricultural-Residential (R3) Zone.

4 Plan Sheet 166 is the beginning of the NPT project located in the Rural/Agriculture-Residential
5 (R3) Zone. All the proposed towers in this area are lattice instead of the existing monopole style.
6 The existing right-of-way in this area is located close to residential houses. One proposed tower
7 is 44' taller than the preceding tower and 49' taller than the existing towers. In addition, the
8 Pettingill Brook and Ames Brook will require some type of crossing for this project. Both
9 brooks are tributaries to the Suncook River and traverse other wetland systems outside of the
10 right-of-way.

11 Plan Sheets 168 and 169 continue through the R3 zone until it reaches the town line with
12 Allenstown. The R3 zone contains predominately-large tracts of privately owned undeveloped
13 land, the Whittemore Town Forest, and several tracts of town owned conservation land. These
14 areas are popular outdoor, year-round recreation areas for the residents of Pembroke and the
15 public. All of which will have their visual qualities negatively and permanently impacted due to
16 their proximity to the transmission line and the proposal to construct taller and more expansive
17 towers.

18 Based on my planning and land use professional experience, my knowledge of Pembroke as a
19 town and its regulations, and the responses from the residents, I believe the proposed NPT
20 project will have an unreasonable, irreversible, visible impact on Pembroke, specifically Plan

1 Sheets 166-169 through the most rural section of town. The expansion of the size and design of
2 the towers is too immense for the purpose and intent of the R3 zone, the existing land uses, and
3 the opinions of the Pembroke taxpayers.

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

7 A. I have reviewed T.J. Boyle's December 30th submission regarding visual impacts
8 pertaining to Pembroke. I agree with the T.J. Boyle report in its entirety and especially the
9 deficiencies he noted in the NPT VIA. The T.J. Boyle report highlighted how NPT downgraded
10 and minimized the negative visual impacts of the project through mediocre technology,
11 inadequate identification of scenic resources, failing to adhere to all the specific requirements of
12 the SEC regulations, and the lack of suggesting other methods of transmission. I agree with this
13 critique and I had similar opinions that T.J. Boyle has over the particular locations chosen in
14 Pembroke, specifically at Cross County Road and Route 28/105 N. Pembroke Road. Contrary
15 to how the NPT VIA characterized them, they are HIGH visibility areas with rural, scenic
16 surroundings. Seeing, as Pembroke is the fifth highest Town with visual impacts, according to
17 the Visual Impact Analysis, Table 6 "The Number of Potential Scenic Resources within the NPT
18 Terrain Viewshed by Town" prepared by T. J. Boyle, I agree with and support T.J. Boyle's
19 report in that the SEC find that the project will have an unreasonable adverse effect on aesthetics.

1 **Q. With respect to impacts on historic/culturally significant properties in town,**
2 **did Victoria Bunker, Cherylin Widell, or the Preservation Company (working on behalf of**
3 **NPT) contact you or anyone else at town to determine significant views or viewsheds in**
4 **Pembroke? Are there scenic resources in town that NPT failed to identify and evaluate?**

5 A. I do not remember being contacted by Victoria Bunker, Cherylin Widell, or the
6 Preservation Company working on behalf of the NPT.

7 I have reviewed the Preservation Company's report and I agree with the identification of the
8 impacted properties that were identified.

9 **Q. Do you believe the project will interfere with the orderly development within**
10 **Pembroke? Do you agree with the assessment bay Mr. Varney on the project's stated**
11 **consistency with the town's orderly development, and why or why not?**

12 A. I believe this project will unduly interfere with the orderly development of
13 Pembroke. I believe it will interfere with the town's Master Plan and intentions of zoning, site
14 plan, and subdivision regulations.
15 Results of the community survey of the Master Plan (included) prove that the residents of
16 Pembroke value the R3 Zone, the Range Roads, scenic values, rural character, and conservation
17 of lands. See attached Appendix A and B, being Exhibits 3 and 4 hereof, representing analysis
18 of the aforementioned survey results. This project will have permanent visual and
19 environmental impacts that are in contrast with the intentions of the residents, taxpayers, and
20 visitors of Pembroke and the existing land use regulations.

1 In addition to the privately owned land and conservation areas located in the R3 zone; there are
2 several Class VI Roads and local Range Roads in this section of town, which demonstrates the
3 historic rural character of this zone. The existing transmission line intersects: Fourth Range
4 Road (partial Class VI Road) Brush Road (Class VI Road), Cross Country Road, Sixth Range
5 Road, (partial Class VI Road), Flagg Road (Class VI Road), Fuller Road (Class VI Road), and
6 North Pembroke Road, The classification of the roads the existing line crosses through, again
7 speaks to the intent and visual character of the R3 zone. Most Commercial and Industrial uses
8 are not allowed in the R3 zone however, “Outdoor Amusement and Recreation”, “Campground”;
9 “Bed and Breakfast”; and several kinds of agricultural uses are permitted by right or through the
10 special exception application process through the ZBA. The size of the lots, the permissible land
11 uses, the location of conservation lands, the intent of the purpose of the R3 zone itself, are all
12 obvious components to produce the most rural properties in town for their important visual and
13 aesthetic properties for the general public. The Master Plan Appendices and Community Survey
14 results (included) illustrate the taxpayers of Pembroke have placed a high to medium value on
15 the protection and acquisition of the rural character and conservation lands in town.

16 The following are actual Pembroke Taxpayers responses from Appendix C of the 2004 Master
17 Plan Appendix (attached as Exhibit 5). The question is, “What one special place in Pembroke is
18 most important to permanently conserve?”:

- 19 • Upland Areas
- 20 • The Range Roads

- 1 • Undeveloped lands along Class VI Roads in the Upland District
- 2 • Area abutting Range Roads
- 3 • Areas of Range Roads in Upland area
- 4 • Large plots of land on the Range Roads
- 5 • Pettingill Brook
- 6 • R3 Upland area
- 7 • Range Road areas: hunting, hiking, quiet place to get away to
- 8 • Range Road trails
- 9 • Range Roads! (land)
- 10 • Range Roads (3)
- 11 • The Conservation land
- 12 • The land between Buck Street, N. Pembroke Road, and Range Rds.
- 13 • The large woodlands on 5,6,and 7th Range Roads (between N Pembroke Rd and
- 14 4th Range)
- 15 • To keep Range Roads closed for development and open for recreational use
- 16 • Town Forest-reduce access on Range Roads by 4-wheelers
- 17 • Upland(6)
- 18 • Upland areas (7)
- 19 • Upland area where wildlife is
- 20 • Upland area to keep from being overpopulated

- 1 • Undeveloped lands along Class VI roads in the upland district of town
- 2 • Upland forest and along rivers
- 3 • Upland Range Roads conservation areas
- 4 • Whittemore Town Forest
- 5 • Woodland areas-range rd areas

6 I believe locally historic features should garner weight when projects are being considered, such
7 as the Range Roads, Class VI Roads, and stonewalls. The Pembroke community values the
8 Range Roads as locally historic with environmental and recreation assets. The Range Roads are
9 significant components of how the Town of Pembroke was laid out. Stonewalls go hand in hand
10 with the Range Roads and Class VI roads in historic significance. They served as property
11 boundaries and field delineation markers and their aesthetic and historic qualities draw high
12 value among Pembroke residents and should be taken into serious consideration when
13 determining visual impacts.

14 Mr. Varney states, “...municipal master plans contain broad goals about development topics
15 such as land use, economic development, and the environment. This project is consistent with
16 these broad goals and helps to implement economic development efforts by helping to reduce
17 energy costs, improved air quality, and address potential local and regional consequences
18 associated with climate change. The Project also supports goals to preserve open space by
19 locating within or along already developed utility and roadway corridors and going

1 *underground in key locations.*” I disagree. Master Plans do not contain broad goals, in fact, they
2 contain specific goals based on what residents and taxpayers want to see happen in their town.

3 In my opinion, the basic principles of orderly development begin with residents, local boards,
4 and other members of the community conducting and attending public meetings and re-writing
5 regulations and/or a community’s Master Plan to reveal what the residents want for land use
6 regulations in their community. Based on the intentions and desires of the residents, it should be
7 their determination of what areas are conducive for orderly development for their community;
8 not a private utility company.

9 The classification of Land Areas found to be supportive for orderly development are ones that
10 are:

- 11 1) Built-out or existing developed areas or zones;
- 12 2) Physically suitable and capable for development or redevelopment;
- 13 3) To the greatest extent possible, areas chosen for orderly development should be
14 located adjacent to existing developed areas that are densely populated, which can be
15 residential, commercial, or a mix of both.

16 The majority of the transmission line is in the R3 zone where the preceding criteria are unable to
17 be met. Because of the permanent visual impacts, the Project will have and the results of those
18 impacts being against what the residents of Pembroke want, I do not believe this project can
19 meet the basic standards for proper, orderly development.

1 Public and Private utilities are permitted in the R3 Zone but only through first obtaining a
2 Special Exception from the Zoning Board of Adjustment. They must meet all the criteria as
3 stated by Section 143-113 Special Exception of the Pembroke Zoning Ordinance. The prevailing
4 land uses in the R3 zone are: agricultural, residential, conservation lands, Town Forrest and large
5 wood lots. Commercial and Industrial uses are not allowed in the R3 zone or only allowed after
6 meeting all the criteria of the special exception. I do not believe the proposed NPT as a use
7 meets the spirit and intent of the Pembroke Zoning Ordinance in general nor the zone for which
8 the majority of the transmission line is located. It is not compatible with Pembroke zoning
9 regulations.

10 This project is not consistent with the Intent and Purpose of the Site Plan Regulations. I have
11 cited the sections of the Site Plan Regulations that I believe the proposed NPT cannot meet with
12 this proposal.

13 **§ 203-3. Intent.**

14 “The site plan review process recognizes that certain types of development and uses, even
15 though generally suitable for a particular zoning district, may adversely affect the town's
16 vested interests and the health, safety and general welfare of the public unless careful
17 consideration is given to certain critical design elements. It is the intent of this chapter to
18 provide a vehicle for review of the nature, size and impacts of proposed developments
19 and changes of use.”

1 The proposed NPT is not suitable for the particular zoning district for which the majority of the
2 transmission line is located (R3) and will adversely affect the town's vested interest in the
3 general welfare of the public. The residents are committed to maintaining rural character and
4 aesthetic quality of the R3 Zone and the Town of Pembroke in general. The size and impacts of
5 the proposed NPT project exceeds the intent of the site plan regulations.

6 **§ 203-4. Purpose.**

7 "The purpose of these regulations is to protect the public health, convenience, safety and
8 welfare; to provide for the safe and attractive development of the site; to provide for
9 responsible and desirable growth; to prevent premature and uncoordinated development
10 of land without the adequate provision of public services and facilities; to provide for the
11 harmonious and aesthetically pleasing development of the municipality and its environs;
12 to prevent development which may result in adverse environmental impacts; and to
13 provide for the proper arrangement and coordination of streets within the site in relation
14 to other existing or planned streets."

1 The proposed NPT is not an “aesthetically pleasing development” due to its much larger size and
2 scope over the existing transmission line. Sections of the site plan regulations that are of a
3 particular concern when applied to the proposed NPT are:

4 **§ 203-30. Preservation of natural features and amenities.**

5 “In the development of a site the applicant shall conform to the following general
6 requirements:

7 A. Existing features which would add value to residential, commercial or industrial
8 development or to the town as a whole, such as trees, groves, watercourses and falls,
9 beaches, historic spots, vistas and similar irreplaceable assets, shall be preserved in the
10 design of the development. No trees shall be removed from any site nor any change of
11 grade of the land affected until a certificate of approval for the development has been
12 granted.

13 There will be additional clearing of trees for this project, which would remove existing
14 features, vistas and similar irreplaceable assets, such as the Range Roads and scenery of
15 the R3 zone will be negatively impacted.

16 B. Grading and clearing should be minimized so as to avoid creating undue erosion or
17 interruption of natural drainage ways. Particular attention should be given to natural
18 features suitable as buffer strips between residential subdivisions abutting commercial or

1 industrial areas. Similar natural features that provide buffers between lots or sections of a
2 development should be preserved to enhance privacy and attractiveness. Provisions for
3 clearing may be made for southerly exposure for solar access to dwellings or buildings.

4 All trees, where required, shall be welled and protected against change of grade.

5 There are sections of the proposed NPT where several residences exist in close proximity to the
6 transmission line; one house is 15 feet away. With additional clearing and the increase in size
7 and number of towers and transmission lines, I fail to see how the applicant can meet the
8 buffer/screening requirements of 203-30.B.

9 In my opinion, due to the size and scope of the proposed NP project, the applicant would have a
10 difficult time meeting the purpose and intent of the above requirements of the Town of
11 Pembroke's Site Plan Regulations. Making this an undesirable development proposal for the
12 Town of Pembroke.

13 **The Town of Pembroke Master Plan**

14 The Town of Pembroke has begun work on its first re-write of the 2004 Master Plan.
15 Within that Master Plan in the Economic Development Chapter, page V20, it was
16 concluded that the "electrical system in Pembroke is largely adequate and able to
17 accommodate future growth along the major thoroughfares." However, the Master Plan
18 also noted, in the Community and Recreational Facilities with Utilities, pages-V11-42
19 and 43 that fairly remote locations would need to be upgraded to accommodate

1 residential growth, specifically mentioning Academy Road, Buck Street and the
2 intersection of Route 28, Rebecca's Way and Borough Road. The project does not
3 currently entail distribution upgrades that these residential areas could easily make use of.

4 The project, therefore, would not result in upgrades promoting residential growth.

5 The NP project as proposed would have all following changes to the towers that are located
6 within the Town of Pembroke:

7 **Structure Heights**

8 Proposed 345-kV: Minimum = 60 ft, Maximum = 145 ft, Most Common* = 130 ft

9 Existing Structures: Minimum = 41 ft, Maximum = 97 ft, Most Common* = 75 ft

10 Relocated Structures: Minimum = 50 ft, Maximum = 130 ft, Most Common* = 83.5 ft

11 *Most common structure height refers to the structure height occurring with the greatest
12 frequency. ** From the Northern Pass Website

13 The majority of these towers run through the most rural portion of town, which is an area
14 identified in the Historic and Cultural Resources Chapter of the Master Plan , as having local
15 historic significance due to the existing stonewalls visible from the road and the Range Roads
16 located in the area. Several objectives of that chapter are to: retain visual quality and character of
17 the landscape of Pembroke by preservation of the existing Class VI Roads, also known as the

1 “Range Roads”, identify and designate scenic roads within the community to protect shade trees
2 and stonewalls, and protect and preserve stonewalls.

3 The Range Roads are historic roads in Pembroke used in the process to layout the town
4 boundaries and provide access to farm lots. Pembroke has one of the earliest, most regular, and
5 best-preserved systems of range roads to survive anywhere in New Hampshire. Along with the
6 well-established local significance of the range roads, are the stone walls. Pembroke has some of
7 the finest stone walls in the Merrimack Valley. Not only are they highly visible and in good
8 condition; adding to their historic significance is the fact that due to their proximity to the range
9 roads, they were used to layout Pembroke’s township. The Range Roads are of local importance
10 for historic, recreation, and aesthetic purposes. The NP project would negatively impact these
11 significant local cultural, aesthetic, and historical features all of which have been identified as
12 having value to the Town of Pembroke through the Master Plan Community Survey results.

13 This proposal as presented is contradictory to the objectives and goals set forth by the residents
14 of the Town of Pembroke; as it goes against the purpose and intent of the Town of Pembroke’s
15 Master Plan and sections of the site plan regulations. It is not of sound aesthetic practices. The
16 proposed Northern Pass project would not be a well-planned or constructed project for the Town
17 of Pembroke.

18 This project would not serve the residents and taxpayers of Pembroke; any benefit would not
19 outweigh the permanent and magnified negative impacts to the rural character, aesthetic assets,
20 recreation opportunities, and quality of life for the residents and the public.

1 **Q. Did you or anyone you know of in town speak to Robert Varney on behalf of**
2 **NPT to discuss whether the project is consistent with Pembroke’s master plan, zoning**
3 **ordinance, or prevailing land uses? If so, please describe.**

4 A. I met with Mr. Varney in July of 2015. He provided an overview of the project
5 and an update on the transmission route, permits, hearings, and agencies that will be involved
6 and a revised timeline for the project. He explained the NPT must review the archeological and
7 historic values, features, and impacts of each community the NPT passes through. He said the
8 SEC is required to hold at least one meeting in each county the NPT goes through and the SEC
9 may require more meetings based on public interest.

10 I informed him the Town of Pembroke has had two referendum votes, with the most recent
11 warrant article being in 2014,(and provided him with a copy of the Town Report) where the town
12 voted to state its opposition to any new AC or DC overhead transmission lines within its borders
13 and to reinforce the town’s opinion that the lines should be buried. We also discussed the
14 Natural Resource Chapter of the Master Plan and that the Conservation Commission is working
15 on a revised Natural Resource Inventory. He explained they would look at how the project will
16 relate to current land uses and if it will, “Unduly interfere with local land use...” and “...have
17 unreasonable/adverse impacts on land use and orderly development.” I seem to remember
18 discussing the Range Roads and Class VI roads as having local significance with high scenic and
19 historic values, regardless of having any official classification as being scenic or historic. He
20 explained the NP is sensitive to local roads of importance. I was to get him information on
21 scenic roads in town and I would get him Ammy Heiser’s (Chair of the Conservation

1 Commission) information to discuss the NRI and referred him to the Master Plan for information
2 on Range Roads and their history and the community survey results.

3 While I had and have a full and understating of the purpose of our meeting. I respectfully
4 disagree with Mr. Varney's findings in that the project is consistent with local zoning,
5 regulations, and the Master Plan of Pembroke.

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

8 **A.** I do not believe the project will have net positive economic benefits to the town.
9 While no one can deny the basic nature of these types of construction projects will create jobs,
10 they are not permanent jobs that will benefit the community in the long run. While there could
11 be a short-term economic boost to the community for the small stores and restaurants, it will not
12 be permanent economic benefit for Pembroke. Therefore, while there could be a short economic
13 gain in local businesses, these workers will not be buying houses in Pembroke, sending their kids
14 to school in Pembroke, they will not be part of the Pembroke community and its long-term
15 prosperity and well-being. After construction, Pembroke will be left with a magnified,
16 monstrosity of utility transmission lines and structures that will not directly provide electricity to
17 Pembroke homes, businesses, schools, medical facilities, restaurants, etc. This utility has a
18 history of applying for abatements, in other words, trying to get out of paying their fair share of
19 taxes to the host community-how is that an economic benefit to Pembroke? The size and scope
20 of a private utility project, which dissects Pembroke, through the most rural, aesthetically

1 pleasing area of town in order to supply electricity to the rest of New England, will not provide
2 sustaining economic benefits for the Town of Pembroke.

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. I believe the project's construction, as with any construction project, will have
6 negative impacts in town due to construction vehicle traffic, other construction support workers,
7 noise, erosion, fumes, the cutting down of trees, reducing the existing screening, vehicles and
8 equipment in environmentally sensitive areas, interfering with school bus routes, commuter
9 traffic.

10 **Q. Has the DPB or DCC ever denied a permit, conditioned an approval, or**
11 **indicated a non-recommendation or disapproval of a development due to concern over that**
12 **development's impact on the Blanding's turtle and/or its habitat? If so, please describe and**
13 **provide the meeting minutes and/or written decisions.**

14 A. I am not aware of any denials or concerns from the Planning Board over the
15 Blanding's turtle.

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

17 A. Yes it does.