

**Specific Issues to Consider with Prospective Approval of
Eversource Application**

June 26, 2019, Michael Behrendt, Durham Town Planner

TREE REMOVAL

Basic approval. Approval as presented with following terms and conditions:

48 trees. Consideration of the 48 trees proposed for removal. Should any of them not be approved for removal?

Additional tree. One additional dead tree was requested for consideration by Todd Selig in his email of June 20. It is located near Map 11, Lot 35-1 about ¼ mile east of Sunnyside Road.

Invasive species. The potential to introduce invasive species has been mentioned when trees are removed. Is there any strategy to minimize the chances of this occurring?

TREE TRIMMING

Basic approval. Approval as presented with following terms and conditions.

Planning Board policy. The Planning Board adopted the General Policy for Utility Maintenance Tree Trimming and Tree Removal on Scenic Roads in Durham, NH on October 24, 2018. This policy should be referenced along with any specific departures from this policy, including the clearance standard (See below).

Clearance standard (box). Here is the Clearance Standard contained in the Planning Board policy:

Clearance Standard. Eversource generally trims branches within a box surrounding the utility lines as follows: 10 feet below the lines, 15 feet above the lines, and 8 feet to either side of the lines. This is the standard (PUC 307.10) used throughout the state and is endorsed by the New Hampshire Public Utilities Commission. However, there is flexibility and judgment involved in trimming depending on the circumstances: locations of branches, species of tree, condition of tree, exact site conditions, etc.

Ian Farley said, “The 8x10x15 will be an area that Eversource will evaluate the need for any trimming. The evaluation includes the growth rate of each species, as well as the health of each individual tree. Removal of branches will be determined if there are signs of defect, injury or to obtain the minimum clearance for the safety and reliability of the electrical system. The natural canopy of the roadside forest on Durham Point Rd will be considered during our decision-making process.

“Eversource has a long history of working with the town of Durham for our vegetation management operations. We worked together previously on a scenic road plan with a positive outcome. The work on Durham Point Road involves new construction of the electrical system. This entails replacing poles, wires, and transformers as such this is not a “routine” scenic road trimming operation and therefore it is being treated differently than other scenic roads in town where we would normally be instituting the scenic road trimming plan agreed to previously with the town. Eversource will work with the town to ensure that we are upholding the agreement currently in place.”

Other stipulations? Are there other strategies, guidelines, or requirements that should be stipulated to reduce the amount of trimming and protect more of the canopy?

TREE CUTTING, IN GENERAL

Oversight by Eversource arborist. Ian Farley said, “NH Certified Arborists Dave Burleigh, Ian Farley and Bob Allen meet the crew in the morning and discuss the daily scope of work. We will also involve the traffic detail officer in our Daily Safety Tailboard discussion. We will explain the expectations to the crew foreman. One of us will be on site for 1-2 hours in the morning to make sure everyone understands the daily plan. In addition, see below for additional supervision, by a third-party professional consulting arborist.”

Coordinating with the Town during operations. Ian Farley said, “Eversource will provide a weekly update to the Planning Board which will include: weekly updates, the next weeks work plan, and provide clarification on any questions or comments that arise. This forum will be an opportunity for the town to provide feedback as well. As always, Ian Farley will always be available to the planning board via email. Any immediate requests from the public, shall be communicated from the planning board to Eversource.”

He also said they would provide before and after photographs of the work being done and that someone from the Planning Board could take a look at the work after a few days progress to ensure it is consistent with the Town’s expectation.

Robin Mower said, “the Planning Board meets twice a month. Clearly, the Board must establish protocols for evaluating and communicating about work to date and work planned, preferably in concert with the third-party arborist.” Should a committee be formed?

Ensuring consistency with the approval. Ian Farley said, “The arborist will ensure that the work being done is consistent with the commitments Eversource has made to the town of Durham based on feedback from weekly updates and coordination with the third- party arborist.”

From Ian Farley, “We have plans to start the Durham Point Road work (if approved) with one single crew so that the process can be methodical and well thought out. If we have no issues we can consider to add additional crews to increase productivity (we plan on having the town of Durham advise which they would prefer based on scheduling)

From Ian Farley, “Again, we do not plan on removing the underbrush along Durham Point Rd as part of this project and the crews will be using professional rigging and lowering techniques to manage wood as it is lowered.”

Procedure if problems arise. Ian Farley said, “If necessary crews will be shut down following any concerns voiced by the planning board. If the issue does not require an immediate halt to trimming operations, then the crew will “skip over” the area in question until it can be resolved. This type of issue will be discussed with the crews that day and reviewed the following day at the morning tailboard meeting.”

Independent arborist. I recommend that the Town hire an independent arborist to oversee the project on behalf of the Town. The Town should select the arborist, allowing for input from Eversource on the party selected to ensure they do not have any reasonable objections to the individual. Eversource should reimburse the Town for the cost of the arborist. The arborist could provide periodic reports for the Planning Board.

Should the arborist oversee only the trimming or the removal of trees as well?

Ian Farley said, “Eversource is prepared to recommend a third-party professional consulting arborist to assist with oversight of the project. The planning board can review the candidates resume prior to the June 26th meeting and make comments if necessary.”

Ian Farley provided the name of an arborist and said, “we have offered a recommendation of a professional consulting arborist that has worked with Eversource in the past to provide third party oversight. George Ackerson’s resume is attached for the board to review ahead of the planning board meeting Wed 26th.”

Robin Mower said, “I think it would be useful for at least two members of the Planning Board to meet with any candidate for a third-party arborist. Evaluating a paper resume is very different from face-to-face communication. Among other points, we should not rely on Eversource to relay the concerns of the community.”

John Parry suggested considering one or two consulting arborists and selecting the person who is the best fit for the Town.

In a conversation with Sandra Gagnon of Eversource, she suggested allowing Eversource to have input into who is selected to ensure that an appropriate party is hired.

Contacting Eversource. Ian Farley said, “Ian Farley will always be available during the project via email to respond to any concerns.”

Robin Mower said, “Ian Farley will always be available during the project via email to respond to any concerns but provides no contact information for Mr. Farley...I do believe that the public should be able to contact both Eversource and a Town staff member, even over a weekend. Imagine a scenario where ‘something happens’ on a Friday afternoon, with work to begin on a Monday morning.”

Underbrush. Eversource will leave the existing underbrush in place.

Historic resources. Can any additional precautions be taken to avoid impacts to historic resources, such as stone walls, fences, and gates as requested by the Heritage Commission?

WETLAND AND SHORELAND OVERLAY DISTRICTS

Basic approval. Approval as presented with following terms and conditions.

NHDES. Approval from NHDES for any activity within wetlands for poles, anchors, and other ground disturbance subject to review by NHDES should be included as a condition.

Anchors. William McCloy provided information about the anchors that will support the poles. Are there any concerns about those anchors?

Stone walls. Inclusion of a condition that the Town approve a restoration plan for the stone walls adjacent to the Town right of way that have been, or will be, affected by installation of poles.

STANDARD FOR ALL SCENIC ROADS

Regarding all four scenic roads going forward (Bay, Bennett, Durham Point, and Packers Falls), Barbara Dill, Planning Board Vice Chair, recommends modifying the clearance standard in the Planning Board’s policy as follows:

Clearance Standard. *Eversource generally trims branches within a box surrounding the utility lines as follows: 10 feet below the lines, 15 feet above the lines, and 8 feet to either side of the lines. This is the standard (PUC 307.10) used throughout the state and is endorsed by the New Hampshire Public Utilities Commission. ~~However, there is flexibility and judgment involved in trimming depending on the circumstances: locations of branches, species of tree, condition of tree, exact site conditions, etc.~~ In the case of Durham’s four designated scenic roads, the standard box may be used as an “evaluation zone” taking into consideration tree health, age, variations among species, special site conditions and other factors that could allow some overhanging branches within the box to remain.*