

June 24, 2019

Michael Behrendt & Durham Planning Board

Re: Eversource Tree Removal/Trimming on DPR

Dear Michael and Members of the Planning Board,

Thank you for all you do on behalf of the citizens of Durham and for your careful consideration of the issues entailed in Eversource's current proposal to remove and trim trees on Durham Point Road (DPR). I watched portions of the Town Council's June 3 discussion of the proposal, attended the first public hearing at the Planning Board on June 12, and have read all the citizen comments posted as of today. Unfortunately, however, I will be unable to attend this week's continuation of the Public Hearing. Thus, I share my observations in writing here.

As you know, DPR is a designated "Scenic" road for the benefit of all Town residents (not just those who live on it, off it, and adjacent to it) and it must, through that "Scenic" designation, be protected from major "de-scenicizing." Town residents are also owed reliable electric power.

In those respects, I appreciate Jim Lawson's and Todd Selig's and others' interventions that led to Eversource adjusting at least its *stated* plan for a claimed better balance between their original 16-foot by 25-foot gaping "hole" in our scenic road's tree canopy to something that might be closer to what is used on other scenic roads in NH. Their current plan to "evaluate" that size hole rather than immediately cut it (and also to ask for PB feedback after each phase) is a potential improvement, yet also meaningless until the Planning Board and other Town residents learn how often the resulting "evaluation" would lead to the same original clear-cutting or something not meaningfully better – or an actual protection of the present scenic character of the road. Should you ultimately decide to grant Eversource your provisional permission, given Eversource's current promises, there would have to be a mechanism for withdrawing approval and stopping the work immediately if the opening phase(s) lead(s) to major damage to the scenic character.

Yet, as the Public Hearing and submitted comments revealed there are also many important related issues that are lost in a binary question of "approval" or "rejection," and I trust that the Planning Board will grapple with the full array of issues, even though many of the submitted comments (on both sides of the binary question) do not address the full array of variables.

For example, although I also appreciate Jim Lawson's effort to poll his fellow members of the Deer Point Landowners Association for fuller feedback, I know (as someone who studies survey results), that one cannot evaluate the *responses* to a survey without seeing and evaluating the *question*. **(I urge you to request submission of the full Deer Point question.)** Indeed, when a neighbor forwarded the question posed to the Deer Point group, I realized that it posed a stark, binary choice and that I would have responded in a manner that does not actually match my beliefs (suggesting that the poll results, as posted, are useless). **See P.S. to this message for key portion of the question.** Given the forced choice, I would have responded as most did. But I now know that there are many other issues that the Planning Board must grapple with, including:

<> **Pole Height.** Are the much taller poles that Eversource has been installing (without first getting permission to cut and trim trees around the new wire proposed for those poles!) really necessary? Surely, taller poles will protrude more into the cherished tree canopy that must be protected. Why not stay with the current pole height? (Also, if the current proposal is turned down, will Eversource

remove the taller poles already installed?) What are the long-term prospects for eventual total scenic-preservation with underground wires, as Deer Point Landowners now enjoy?

<> **Degree of Cutting/Trimming.** There seem to be many different ways to evaluate whether a tree needs to be removed and the degree to which remaining trees need to be trimmed. (This is clearly demonstrated by the fact that, even before the recent compromise proposal, Eversource changed its tree removal number drastically, from 137 to 48.) What exactly are the very least number of tree changes (whether removing or trimming) that will lead to reasonable reliability while preserving the “scenic” quality of the road?

<> **Indirect Negative Impacts.** At least two experts on urban trees (John Parry and Rick Hallett) have weighed in (now and in the past) on the impact of tree removal and trimming on the long-term health and shape of remaining trimmed trees and branches, stone walls, invasive species from thinning out a canopy, etc. How will those potential damages be anticipated and assessed? How would Eversource be held responsible for minimizing and reversing such damages?

<> **Documentation of Increased Reliability.** Some residents have raised the question of whether the proposal will actually increase the reliability of the power for residents along the road (e.g. Jay Ehlen). Is the upgrade in fact designed for residential homes or other purposes? How does the proposal relate to the history of the reasons for past power outages? To what extent might the proposal, as is, lead to “cost-plus” rate increases in our electric bills (perhaps even intentionally)?

<> **Honesty/Competence Track Record.** Residents have written detailed descriptions of deceptive/incompetent behavior on the part of Eversource (e.g., Matthew Fitch, Ellen Karelitz). And I’ve heard other examples (e.g., from Donna Heald). What mechanisms will be put in place to stop such behavior, and what punishments for further deceptions and incompetence will be imposed?

I do not live on or adjacent to Durham Point Road, but it is one of the Durham treasures that led me to move to Durham, and it is a scenic resource that I share with all my out-of-town visitors. Please do all you can to protect this shared Durham resource from dramatic change and damage.

Sincerely, Joshua Meyrowitz, Ph.D., 7 Chesley Drive

P.S. The key portion of the survey to Deer Point Landowners is as follows (**with a forced choice:** “**we can’t have” both more reliable power and the current scenic quality of the road.**)

Which trees are removed, if any, will be negotiated between Eversource and the planning board – but regardless the character of Durham Point Road will be changed with the removal of some or all of the marked trees. If the project proceeds, however, then our neighborhood will experience much more reliable power without the 1+ week outages like we experienced during Hurricanes Irene and Sandy, and the October snow storm of 2012.

Some residents would prefer no changes on Durham Point Road and that the project not proceed because of the scenic impact – but leaving the area subject to more outages. Others prefer more reliable power – but leaving the scenic characteristics of Durham Point Road changed. There’s really no right answer. Could you provide me feedback as to whether improved power reliability or the scenic characteristics of the road is more important to you??? **Unfortunately, we can’t have it both ways.** [Emphasis added.]