

From: [Michael Behrendt](#)
Subject: Durham Point Road - email from Luci Gardner
Date: Tuesday, July 09, 2019 1:40:56 PM

To the Planning Board,
Please see the email from Luci Gardner below (received before the public hearing was closed). I realize that I did not forward her email to the board.

I will now forward separately the response that I sent to Ms. Gardner.

Michael Behrendt
Durham Town Planner
Town of Durham
8 Newmarket Road
Durham, NH 03824
(603) 868-8064
www.ci.durham.nh.us

-----Original Message-----

From: Luci Gardner [<mailto:lucigardner@comcast.net>]
Sent: Friday, June 28, 2019 2:16 PM
To: Michael Behrendt
Subject: Section 231:158 - Effect of Designation as Scenic Roads. :: 2015 New Hampshire Revised Statutes :: US Codes and Statutes :: US Law :: Justia

I am wondering whether RSA 231:158 empowers the Planning Board to mandate the pole height on Durham Point Road or any scenic road especially as I thought Eversource said the existing shorter poles would not any longer be used by Eversource (or the industry)? Shouldn't Eversource which owns more than 500,000 poles and is already regulated by the PUC be the 'expert' to determine the height it needs?

Is there some statute or language beyond this chapter allocating the determination to local boards?
Would that make sense, community to community having different height poles ?

I inferred the taller poles were necessary to three phase because the three phase wires begin lower on the new poles and hang down lower ?

Eversource evidently was unaware it needed permission to place taller poles on the first part of Durham Point Road and I was surprised by the consternation of those in the audience who thought they did?

Please ask the PB to consider these questions.

Best,
Luci Gardner

<https://law.justia.com/codes/new-hampshire/2015/title-xx/chapter-231/section-231-158>