



TOWN OF DURHAM
8 NEWMARKET RD
DURHAM, NH 03824-2898
603/868-8064
www.ci.durham.nh.us

Town Planner's Recommendation
Wednesday, July 24, 2019

IX. **Eversource Energy – Replacing pole in wetland.** Permitted Use B. application to replace one utility pole. Site to be accessed from Lee Hook Road via Eversource easement. Review under Wetland Conservation Overlay District for placement of the pole and Shoreland Protection Overlay District to cross Follett's Brook. Pole on Map 17, Lot 2-2. Jeremy Fennell, Environmental Specialist with Eversource Energy.

➤ I recommend the board approve the application as submitted if all is in order.

Please note the following:

- See the detailed packets describing the proposal. The application is to replace one utility pole in a wetland within the Wetland Conservation Overlay District. Eversource needs to replace the existing pole because it is damaged from woodpeckers. See photo below. The pole is on the second sheet of the plans, shown as pole #28.
- Eversource is crossing 5 lots, including 3 in Lee, to reach Map 17, Lot 2-2 where the pole is located. See the tax map below. The subject lot fronts Wiswall Road but access will be taken from the Eversource easement so as to not disturb the property beyond the easement.
- The application is also for temporary crossings of Follett's Brook and the South Branch of Follet's Brook. The applicant told me, "We are driving down the ROW from Lee Hook Road. We will need to cross the 2 streams with timber mats, although I anticipate that the mats can span the stream banks, so no impacts to the stream channels or banks.

"Also, we may have some minor grading in uplands in the shoreland zone if the contractor has an issue with a slope and can't safely get the tracked equipment across. I don't think this will be the case, but wanted to be upfront about it."

- The Conservation Commission will review the application on July 22. This application is not a conditional use but rather a "Permitted Use B." There is no hearing, fee, nor notice involved with a permitted use B and the Planning Board may take action at one meeting if all is in order. The 3 criteria for the WCOD and SPOD are identical so the board need only review the proposed activity for compliance with a), b), and c), below.

175-60. Permitted Uses in the WCOD.

...B. The following uses or activities, including any necessary grading, shall be permitted in the WCOD if they are permitted in the underlying zoning district provided that the Zoning Administrator issues a permit for the activity after the Planning Board, with the advice of the Conservation Commission, determines that: a.) appropriate erosion control measures will be used, b.) any disturbed area will be restored, and c.) the activity will be conducted in a manner that minimizes any impact on the wetland.

175-71. Permitted Uses in the SPOD.

...B. The following uses or activities, including any necessary grading, shall be permitted in the SPOD provided that the Zoning Administrator issues a permit for the activity after the Planning Board, with the advice of the Conservation Commission, determines that: a) appropriate erosion control measures will be used, b) any disturbed area will be restored, and c) the activity will be conducted in a manner that minimizes any impact on the shoreland:

