



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

**APPLICATION FOR PERMITTED USE B.**

**in the Wetland Conservation Overlay District or the Shoreland Protection Overlay district**

*This form and all required information per Durham's Zoning Ordinance (Article XIII, Section 175-60. B. and/or Article XIV, Section 175-71. B.) must be filed with the Planning Department at least 14 days prior to the meeting of the Conservation Commission (but may be submitted later with an okay from the Town Planner if there is sufficient time to review the application). A recommendation from the Conservation Commission is required prior to final Planning Board action.*

**Property Location:**

Street Address Eversource Energy Packers Falls Substation, Bennett Road, Durham, NH 03824

Tax Map # 224 Lot # 66 Zoning District R - Rural

**Owner(s):**

Name Eversource Energy, Attn. Kurt Nelson

Mailing Address 13 Legends Drive, Hooksett, NH 03106 / PO Box 270, Hartford, CT 06141

Phone 603-714-3031 Email kurt.nelson@eversource.com

**Professional Preparing Plans:**

Name of individual and company William McCloy, NHCWS

Mailing Address PO Box 205, Rutland, VT 05701

Phone 802-861-7038 Email wmccloy@normandeau.com

**Proposed Activity:** Eversource proposes to install one new steel utility pole and one guy anchor adjacent to the existing Packers Falls Substation parking lot in the WCOD buffer. No wetlands or streams will be impacted by the project and the area will be managed for erosion during installation and restored after the construction work is complete.

**Please attach plans of the proposal and a written description of the project including a narrative addressing the three required criteria.**

I certify that all of the information provided is true, to the best of my knowledge.

Signature of professional: William McCloy Date 12/5/2022

If I am an agent for the owner, I certify that I am authorized to submit this application.

Signature of owner (or agent): [Signature] Date 12/5/2022



December 5, 2022

Michael Behrendt  
Town Planner  
8 Newmarket Road  
Durham, NH 03824

Re: Application for Permitted Use B in the Wetland Conservation Overlay District  
Eversource Packers Falls Substation Fiber Pole Project – Packers Falls Substation, Bennett Road

Mr. Behrendt:

On behalf of Eversource Energy (Eversource), Normandeau Associates, Inc. (Normandeau) is submitting an application for “Permitted Use B,” pursuant to Article XIII, 175-60(B), in the Wetland Conservation Overlay District (WCOD) for Eversource’s Packers Falls Substation Fiber Pole Project (or Project). The Project involves the installation of one utility pole and one guy anchor in the WCOD near the existing Packers Falls Substation in the Town of Durham (see Attachment 1 for Locus Map, Attachment 2 for Tax Map).

#### New Utility Pole

One (1) new utility pole and guy anchor are proposed to be located within the WCOD 100-foot buffer. The purpose of the pole is to allow for the stringing of fiber optic communications cable(s) from a nearby transmission/distribution pole/line to the existing substation. The pole location was sited in an upland location that allows for a fiber optic line run in the existing cleared right of way that does not impede the substation’s parking area or associated snow plowing. A new pole is needed to allow for the new communications cable to be connected safely and in a manner that meets the applicable code requirements and which provides the required clearances above the railroad tracks. The proposed pole will be 34 feet in height above the ground. The pole will be steel and directly embedded without being placed in a caisson. No tree clearing will be required to complete this project.

#### Wetland Delineations, Mapping and Town Coordination

Normandeau New Hampshire Certified Wetland Scientists (NHCWS) originally delineated wetlands and streams within the project area in 2019. A Normandeau NHCWS revisited the site in November 2022 to review existing conditions and determine if any changes have occurred; they have not. Normandeau also coordinated with the Town of Durham to determine what type of permit would be appropriate for the proposed project. Michael Behrendt, Durham Town Planner confirmed that a Permitted Use B permit would be required for the Project in the WCOD as per Article XIII, 175-60(B)(4), which allows for “temporary crossings for the maintenance of utility pipes or lines or for other utility structures.”

The locations of the proposed pole, guy anchor and communications cables are included on the *Packers Falls Fiber Project WCOD Map* (see Attachment 3). The mapping includes the locations of existing and proposed poles, wetlands, streams and buffers, approximate parcel boundaries and landowner/parcel information as determined from publically available data sources and other background information.

### Natural Resource Avoidance and Impact Minimization

There will be no direct permanent or temporary wetland impacts associated with this Project; all proposed impacts will be within the upland WCOD buffer area. Work to string the communications cables will be completed on foot with ladders and will not impact any wetlands or WCOD areas. Erosion controls will be deployed prior to construction as needed and the area will be stabilized after work is completed.

### Construction Methodology

Construction methodology will involve:

1. Pole modification and/or installation locations will be evaluated and the appropriate erosion controls will be installed (staked straw wattles or haybales) based on the slopes and proximity to wetlands;
2. The drilling/auguring of hole for the new pole will generate a minimal amount of spoils that are typically spread on the ground in upland areas or removed from the site;
3. The new pole is installed and the void around the pole is backfilled per the applicable standards for the pole being installed;
4. One 10-inch (typically) or 14-inch helical anchors (screw-like installation without excavation) will be installed to serve as attachment points for a guy wires that is necessary for supporting the pole;
5. All communications cables will be installed on the new pole, and connected to the existing poles and substation, and;
6. The area around the new pole will be stabilized with mulch and seeded with a compatible upland seed mix.

### Permit Standards

Article XIII, 175-60(B) states that "Temporary crossings for the maintenance of utility pipes or lines or for other utility structures" shall be permitted by the Zoning Administrator in the WCOD, provided that 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

The construction methodology, above, describes how Eversource contractors will approach the proposed pole and guy anchor installation within the WCOD and how the three criteria listed above, and excerpted from the Town Zoning Ordinances, will be addressed. Selected erosion control measures will be installed prior to the work within the WCOD, will be maintained throughout the work from initial pole installation and the erosion control measures will only be removed when any disturbed soils are restored.

Please don't hesitate to reach out if you, Conservation Commission members, or Planning Board members have any questions in the time leading up to our scheduled meetings. We are anticipating attending the January 23, 2023 Conservation Commission meeting and the January 25, 2023 Planning Board meeting.

Thank you for your time and consideration.

Sincerely,



William McCloy  
Senior Scientist  
NHCWS #268

- Attachments:
- 1) Locus Map
  - 2) Tax Map
  - 3) Packers Falls Fiber Pole WCOD Map