

**Town of Pelham, NH**  
**Pelham Conservation Commission**  
**6 Village Green**  
**Pelham, NH 03076-3723**

**MEETING OF 06/10/15**

**APPROVED 07/08/15**

Members Present:

Karen Mackay, Louise Delehanty  
Mike Gendreau, Kaela Law (late),  
Paul Gagnon

Members Absent:

Lisa Loosigian, Paul Dadak

Chairman Paul Gagnon brought the meeting to order at 7:07 p.m.

**NEW BUSINESS:**

Merrimack Valley Reliability Project – This project proposes to upgrade high tension electric wires in Pelham as well as other towns. Joshua Holden of National Grid and Sherrie Trefry of VHB presented an overview of the project and a summary of the natural resources and environmental impacts in the project area.

Mr. Holden works for National Grid in the Environmental Department and is responsible for licensing and permitting for this project. Ms. Trefry works for VHB and is responsible for permitting this project.

The proposal is to add a 345-kV power line to the existing power line right-of-way (ROW). The line will run from National Grid's 22A substation in Tewksbury, MA to Eversource/PSNH, Scobie Pond substation in Londonderry, NH. The route is 24.5 miles long with 6.5 miles of new lines in MA and 18 miles of new lines in NH. The upgrade to the system is meant to address current and future electric needs. The investment in MA and NH will be approximately \$520 million dollars. Twenty-nine million will be invested in Pelham.

The power company will have to pay additional taxes to the town because the power company is taxed on all the towers. The impact to the town will be minimal because the new lines are to be located within the existing ROW. The project will involve relocating 60 towers and adding 57 new structures.

Currently, a 115-kV line runs through the center of the ROW with a 230-kV line on each side. The 115-kV line will be relocated to the west edge of the ROW. New structures approximately 80-85 feet in height will be built in the center of the ROW. These structures will hold the 345-kV lines. The new central towers will be about the same height as the existing towers. When completed, the ROW will have 4 sets of power lines. The lines will be arranged with the 115-kV on the west side of the ROW. The 230-kV line will be next to the 115-kV. The new 345-kV line will be next and the existing 230-kV line will be on the east side of the ROW.

Several types of permits will be required in order to complete the project. Federal permits include an Army Corps of Engineers (ACOE) section 10 and 404 permits, a cultural resource review called a

section 106 permit and a NPDES general storm water permit. State permits include NH site evaluation committee (SEC) permits, wetlands, shoreline, alteration of terrain, water quality and Department of Transportation permits.

The SEC process is to solicit input from the community, then file the application and provide public information sessions and hearings. Following these steps there will hopefully be an approval given for the project. Engineering is ongoing. Final impact numbers are still being determined. Impacts will be avoided or minimized. If impacts cannot be avoided, mitigation will be provided for the impacts. National Grid would like to start construction in 2016 then finish and be in service by the end of 2017.

The local utility provider is Liberty Utilities. National Grid provides electricity to Liberty. This project has no connection to the gas line project that is being proposed in the same easement. National Grid has much of their power line system on private property. They have obtained easements on these properties for their lines, but cannot give Kinder Morgan or any third party entity any rights on these privately owned lands. The gas line company must negotiate easements on their own with land owners, they cannot use the National Grid existing ROW.

Contact information was given for Bryan Hudock the project manager (781-907-3131, [bryan.hudock@nationalgrid.com](mailto:bryan.hudock@nationalgrid.com)) and Shannon Baxevanis with stake holder relations (781-907-3289, [Shannon.baxevanis@nationalgrid.com](mailto:Shannon.baxevanis@nationalgrid.com)).

The natural resource piece of the project is being managed by VHB. Wetland and vernal pool surveys have been completed; species surveys are in the process now. There is some concern the area of construction could contain northern black racer, a type of threatened snake. No snakes have been found as of yet. National Heritage has identified several species of concern within the ROW.

Presently, VHB is finalizing the wetland permit application that is needed to submit to the SEC. This should be finished by the end of the month.

Transmission lines (Y151) currently exist in the Golden Brook prime wetland. These structures must be removed and relocated to the west side of the ROW. New towers and lines (H3124) will be constructed in the spot where the old lines were removed. This will impact the prime wetland. Matting in the wetland during the construction will minimize soil and vegetation disturbance and prevent rutting. Some work may be done in the dry season or when the area is frozen. These techniques will also cause minimal impacts.

Most impacts are expected to be temporary. The only permanent impacts are in the locations of the towers. Some towers will be located in wetlands. National Grid tried to span wetlands where possible. Golden Brook could not be spanned because the width between towers would have been too great. There will be one tower in the Golden Brook prime wetland for each line. There will be no direct impact to vernal pools.

The western edge of the ROW will need the vegetation to be trimmed. This may include cutting of trees, limbs and brush. This edge of the ROW has not been maintained consistently because there were no lines along the western edge. The moving of the Y151 line to the edge requires the additional cutting. Vertical and horizontal line clearances must be met. Vegetation must not interfere with safe power line

operation. National Grid is within their rights to cut vegetation that has the potential to interfere with transmission lines. Abutters will be notified prior to tree cutting. Some places the ROW is cleared edge to edge and some places the clearing is narrower than to the edge of the ROW. The narrow areas will need to be cleared in order to provide clearances for the new Y151 line.

The Y151 is currently on an 'H' frame pole structure. The new Y151 will be on a mono or single pole structure. The Y151 will be moved to the western edge of the ROW. The 'H' frame structure will be removed from the center of the ROW. A new 'H' frame structure will be built, in the original Y151 location, to carry the 3124 line.

The access ways to the ROW and within the ROW already exist. Previous paths will be used to access the areas and complete the construction. The trails/paths have a serpentine look to them from above.

Some vegetation maintenance prior to construction will need to be completed. Scrub/shrub removal will be needed in order to gain access to the structures. Removal of the vegetation will be limited and will only be necessary to make sure the tower deconstruction and construction can be done in a safe manner.

Construction will follow a set order. First, the Y151 will be added to the western side of the ROW with new wires and will be put into service. Second, the existing Y151 will be removed from service and disassembled. The new 3124 will be constructed in the central location on a new steel tower then it will be energized. These activities should not disturb the two 230kV lines.

Herbicides will not be used for this project, but they are used to maintain the ROW on a 4-6 year cycle of regular maintenance. The herbicide use is selective and strict state guidelines are used. State permits are obtained and a licensed technician is employed. No herbicides are used in known well locations. Applications of herbicides are directed at target species. The technician sprays directly at the plants that need to be treated. There is no broad spraying.

Usually, a hydraulic hammer or drilling machine will be used to drill into the bedrock. National Grid typically does not use blasting as a method to break up bedrock. Mr. Holden only knows of one time in the past 10 years that blasting was used.

Under state rules, this project does not require any mitigation because there is under 10,000 square feet of wetland impact. The Army Corps and Environmental Protection Agency (EPA) do require mitigation. These organizations have a guidance document for determining the amount of mitigation required for a project. VHB will add up all the impacts and apply the document guidelines then send the calculations to ACOE and EPA for review. Every square foot of permanent impact needs 2 square feet of mitigation. The current estimate for mitigation is 5.1 acres.

National Grid owns a parcel of land adjacent to Peabody Town Forest. Mr. Gagnon asked if National Grid could donated 5 acres of that parcel to mitigate impacts of the project. National Grid has asked VHB to evaluate the parcel to see if it meets the criteria for mitigation as described in the ACOE and EPA guidance document. Currently, a review is in process within National Grid. Mr. Gagnon stated that preservation of uplands seems to be the best option to mitigate for the work in wetlands at this time. He asked Mr. Holden to continue to investigate the possibility.

The new 3124 structures are 'H' frame and come in 2-3 sections and will be assembled on site with a crane. Some portions of parcels in the ROW may need to be used in transport, construction or staging. No final locations have been determined yet. Staging areas will be within the uplands of the ROW. National Grid has already secured access agreements with private property owners if their property is needed to access the ROW.

National Grid has already had a set of open houses with the county. These open houses give the public the opportunity to speak and ask questions about the project. National Grid is working to file the site evaluation package. When this is complete, the town will receive a copy for review, which will include the wetlands application. A second round of open houses will be conducted. All comments about the project must be made on the record through the site evaluation committee meeting as verbal comments or in writing. National Grid can come back before us, but all comments must go through the site evaluation committee. The town will have a copy of the SEC application prior to the SEC meeting. After filing, National Grid has 45 days until the next required open house. They are expecting to file at the end of June and have the open house by the middle of August. In September, they can plan to be back before us to talk about mitigation.

The mitigation package will not be decided by the time National Grid files with the SEC. Mitigation cannot be decided until impacts are finalized. If plans change due to the permitting process, then mitigation requirements will change. National Grid will be pursuing mitigation through the ACOE, EPA and the town.

Map/Lot: 30/11-164	2 Methuen Road – Proposal to purchase a lot of vacant town owned land for the appraised value of \$13,300 – Presentation by George W. LaBonte III, Esq.
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Mr. Kevin Crooker, owner of lot 30/11-157, would like to purchase lot 30/11-164 and is requesting input from Conservation about the purchase. The town currently owns the property. The property is located on Methuen Road which is off Campbell Road. Methuen Road is a paper road shown on town maps that does not actually exist. The road was drawn on the maps years ago when the area around Little Island Pond was developed. No road was ever constructed on the site and there is no access to any lot on this portion of Methuen Road.

The condition of the road area at the present time is mowed lawn, scrubby vegetation and forest trees of approximately 70 years old. The roads in the area are all privately owned by the residents in the area. Each property owner owns to the mid-point of the road in front of their land. The residents maintain their own road.

Mr. Crooker would like the property for two main reasons. First, he would like to see that it is never developed and to form a buffer to his property. In addition, the property was owned by his uncle many years ago and he would like it to be back in his family.

This property is across the paper road from his property. The property size is 33,977 square feet, which is about  $\frac{3}{4}$  of an acre. The frontage on Methuen Road is estimated to be 100 feet.

The Commission is not opposed to the sale of the property, but we do not want to see the property developed now or in the future. We have been trying to take land out of development not add land back in to be developed.

Motion: (Mackay/Gendreau) to recommend the Selectmen sell the property with the deed restriction that no residential living or business structures be allowed only accessory buildings in perpetuity.

Vote: 5-0 in favor

### **PRESENTATION:**

Louise Delehanty and Kaela Law will make a presentation on endangered and threatened wildlife.

Ms. Delehanty played a short video about the history of the Endangered Species Act (1973). This is a very effective conservation law. It protects 2140 listed species.

Endangered and Threatened Wildlife

1973 Endangered Species Act – Federal Law

1979 NH Endangered Species Conservation Act – NH fish and Game protect species in danger of state extinction.

1980 First list of NH Threatened and endangered wildlife created

1987 & 2000 Revised list of threatened and endangered species

2006 Wildlife Action Plan took effect

2008 Current NH Threatened and endangered wildlife list

The website for the Non-game and endangered wildlife program is [www.wildNH.com](http://www.wildNH.com).

All 50 states and US territories have implemented their own wildlife action plan. All animals have a place in nature to balance the ecosystem. We have great recreational areas in town to view wildlife. People should observe the animals and take pictures, but should not touch or capture any wildlife or pick/collect any plants. If possible, endangered and threatened species should be reported to NH Fish and Game through their website.

Some reasons species can become threatened or endangered are habitat loss, over development, and pollution. Hillsborough County is a high risk for impacting species because of the high population and heavy development in the county.

Some endangered animals in NH are the Blandings turtle, New England cottontail, Karner blue butterfly and the dwarf wedge mussel. Threatened species include the common loon, bald eagle and northern black racer. Black racers have been documented within the power line ROW and VHB has been looking for them in preparation for the Merrimack Valley Reliability Project. Mr. Gagnon saw and submitted for documentation, a Blandings turtle on the Gumpus Pond Conservation Area.

The moose license plate is a conservation plate that costs more than a regular plate. The additional money goes to protect plants and animals in NH.

#### WALK IN ITEMS:

Ms. Delehanty spoke to the Commission about a letter written by a coalition of towns in opposition to the Kinder Morgan pipeline. The town Selectmen have signed the letter. In addition, the Selectmen have written their own letter of opposition to the pipeline.

Ms. Law was wondering if the Commission could request that FERC come and conduct an environmental scoping meeting in Pelham. They would need a letter written to request they come and talk about the environmental impacts of the pipeline project. They only come to towns that request a meeting. Mr. Gagnon thought the Selectmen should make that type of request.

Ms. Mackay asked about the suggestion to remove ash trees from the Village Green because the emerald ash borer has been spotted in the area. Mr. Gagnon said the consensus was that no healthy trees should be removed because there is a threat of a specific pest.

Mr. Gagnon spoke about the scoping meeting that we have hired Rick Van de Poll, a wetland scientist, to conduct with us. He met with members of the Commission a few weeks ago to discuss steps we need to take to be prepared for discussion about the Kinder Morgan pipeline. Mr. Van de Poll wrote us a proposal to be our consultant regarding the project. The total cost is close to \$7,800.00. The scoping meeting has been completed at a cost of \$680.00. Mr. Gagnon would like us to vote on whether we should keep Mr. Van de Poll as our consultant for the remaining cost of about \$7,200.00. Ms. Mackay felt this was a lot of money for an uncertain result. We will likely not be able to stop the pipeline. Mr. Gendreau agreed the cost was high, but he thought some of the information gathered could be used to help us in other ways or with other projects. Mr. Gagnon felt that we may not be able to stop the pipeline, but if we do nothing we surely cannot and we may be able to influence how the pipeline is built. We may be able to prevent or minimize some environmental impacts. Mr. Gagnon proposed to take money for the fees out of the current use fund. If we have spent current use money to obtain properties then we should be able to use current use money to protect the properties.

Motion: (Gendreau/Delehanty) to spend approximately \$7,200.00 to hire Rick Van de Poll to perform tasks in the proposal submitted on May 28, 2015.

Vote: 5-0 in favor

Our next meeting will be July 8, 2015.

#### ADJOURNMENT:

Motion: (Mackay/Gendreau) to adjourn

Vote: 5-0 in favor.

Adjourned 9:07 p.m.

Respectfully submitted,  
Karen Mackay,  
Recording Secretary