

Comment on Eversource's application to the Town of Easton for a Conditional Use Permit re Easton's Steep Slopes zoning. I incorporate by reference comments on Eversource's structure height Variance and Wetlands and Site Plan Review Conditional Use Permit applications where these contain the same text and maps.

Eversource states: *The entire Rebuild Project includes the replacement of 106 existing utility structures (i.e. [212+] utility poles) within portions of the Towns of Woodstock, Sugar Hill and Easton (i.e. Site). There are 41 [or 31?] proposed structure replacements and [construction of substantial new] accompanying work pad areas in the Town of Easton, and five additional work pad areas for structures that are located the WMNF. [does this mean that all other structures in WMNF would be accessed by helicopter, eliminating road and construction "pads?"]*

Replacement of the structures before significant deterioration to crossarms or the structure itself [poles?] is of the utmost importance in regard to maintaining service and ensuring safety of the public. [cross-arms and insulators can be replaced without replacing the structure, as they were around 2017 and in 2024. Eversource has shown no need for replacement of any structures] Therefore, the X178-2 rebuild is beneficial to public health and safety. [Eversource provides no data supporting this claim] The X178-2 Transmission Line was originally built in ~~1969~~ [1949] and ~~additional portions~~ [sections 1 and 2 were replaced] ~~built~~ in 1985. During an inspection of the X178-2 Transmission Line, it was observed [Eversource uses the passive voice to avoid responsibility] that the structures are old and worn and have been subjected to pole splitting, woodpecker damage and rot, and must be replaced due to the state of deterioration of these structures over the past ~~55~~ and 39 years. [Eversource provides no data in support of this claim]

In the Town of Easton, Eversource is proposing to replace [insisting on the replacement of] 46 [or is it 41 or 31?] existing utility structures. The existing wooden H-frame structures will be replaced with weathering steel equivalent H-frame structures. [Eversource dismisses the possibility of using wood structures. The proposed structures are not equivalent. And so on...]

"Pending receipt of applicable permits, work is proposed to begin in September 2025, and pending emergencies and weather-related delays, the proposed project will be completed by September 2027" [new text using "proposed" followed by "will be completed" rather than "would", to imply that the rebuild is inevitable]

Steep Slopes zoning requirements in Easton:

1. The grading cut and fill shall not exceed a 1V:2H ratio (50% slope).

Eversource proposal: *"Grading will be completed to the extent necessary to provide safe access and work pads for proposed structure replacement. During restoration, access roads and maintenance pads will not exceed 50% slope."* [Eversource provides no data supporting any need for it to alter the existing terrain by creating roads and construction pads. Eversource provides no data showing the locations and total area of terrain it plans to alter to a more than

50 % slope by cutting and filling, which in any case is forbidden by the easement terms. Eversource provides no data showing that violating this condition will not cause irrevocable damage to the terrain. Eversource provides no alterations to its original plans to avoid cutting and filling steep slopes.]

2. Existing natural and topographic features, including the vegetative cover, will be preserved to the greatest extent possible. In the event that extensive amounts of vegetation are removed, the Site shall be replanted with indigenous vegetation and shall replicate the original vegetation as much as possible

“Proposed access and work pad areas have been reviewed by Eversource [which has made no alterations to its boiler-plate rebuild plan in response to Easton’s zoning and refuses to discuss construction without roads and construction “pads” as it is doing with WMNF] to minimize impacts to natural topographic features to the greatest extent practicable [for Eversource] while providing safe access to each structure. Grading will be completed to the extent necessary to provide safe access and work pads for proposed structure replacement [=Eversource has no intention of altering its plans in acknowledgment of Easton’s zoning or the environment] During restoration, stockpiled native topsoil is used to restore larger work pads to an approximate 30-ft x 60-ft maintenance pad. [covering is not restoration] The surrounding landscape will be regraded to pre-existing contours to the greatest extent [convenient for Eversource] and topsoil will be spread over restored areas. The topsoil is then seeded with a native seed mix [which likely differs substantially from the existing flora] and mulched with a seedless, weed-free straw or erosion control blanket, as necessary.”

3. No structure shall be built on an extremely steep slope (greater than 25 percent prior to site disturbance).

4. All development, including grading, clearing and construction of driveways, shall provide for the retention of native topsoil, stabilization of steep hillsides, prevention of erosion, and consequent sedimentation of streams and watercourses. Peak stormwater discharge from the site after development shall not exceed pre- development levels for a two (2) year/twenty-four (24) hour storm event and existing drainage patterns will not be altered in a manner to cause an adverse impact on neighboring properties, town highways or surface waters.

“Proposed access and work pads are proposed within an existing and maintained utility ROW, and are not proposed for public transportation.” [This is irrelevant]

5. Development shall not result in an undue adverse impact on fragile environments, including wetlands, wildlife habitats, streams, steep and extremely steep slopes and unique property features. All efforts will be made to protect/preserve such areas and promote suitable buffers.

6. Buffer widths and setbacks from streams and wetlands shall be 75 feet.

“Eversource is proposing to [will, unless permits are denied or a suit filed for violation of the easement terms] grade and install stone and gravel for proposed access roads and work pads,

as typical for [Eversource "Asset Condition"] work in uplands [since 2018]. This will reduce the need for future access construction work for future storm events and will provide important soil stabilization in the Steep Slope District."

Eversource fails to show data supporting its claim that its road construction is an appropriate or effective way to access structures or data on how often and under what circumstances its structures have required replacement or repair. Where is its data on the 2008 ice storm?

Eversource fails to provide data supporting its claim that its denuded 9" deep, 16+' wide compacted roads "will provide important soil stabilization in the Steep Slope District."

Eversource has made no changes in its plans in response to the requirements of Easton's Steep Slopes zoning. It simply repeated its plans with claims of need and right with no evidence provided. Any agreements it has made with easement-encumbered landowners need to be made public, signed by both parties and reflected on the plans. Easton needs to know the conditions Eversource is required to meet for work in White Mountain National Forest.]

A Conditional Use Permit requires that Eversource:

6) Make no changes whatsoever in the Final Plat or plan as approved/granted by the Board unless a revised plan and/or Conditional Use Permit Application is submitted to and approved by the Board

How does this work with Eversource's waiver from DES 1503.21(d)(6&7) which allows it to move the road anywhere in the cleared easement?

"RE: X178-2 Transmission Line Rebuild and OPGW Project, Phase 1 Permit: AoT-2597 Woodstock, Easton, Sugar Hill, NH Dear Applicant: Based upon the plans and application, approved on May 28, 2024, we are hereby issuing RSA 485-A:17 Alteration of Terrain Permit AoT-2597. As part of the processing of this application, DES granted approval to waiving specific requirements of Env-Wq 1503.12(d)(1 & 2), Env-Wq 1503.21(d)(6 & 7), and Env-Wq 1504.09, finding that granting the waivers would not have an adverse impact on the environment, public health, public safety, or abutting properties, and that granting the requests is consistent with the intent and purpose of the rules waived." [p. 145](#)

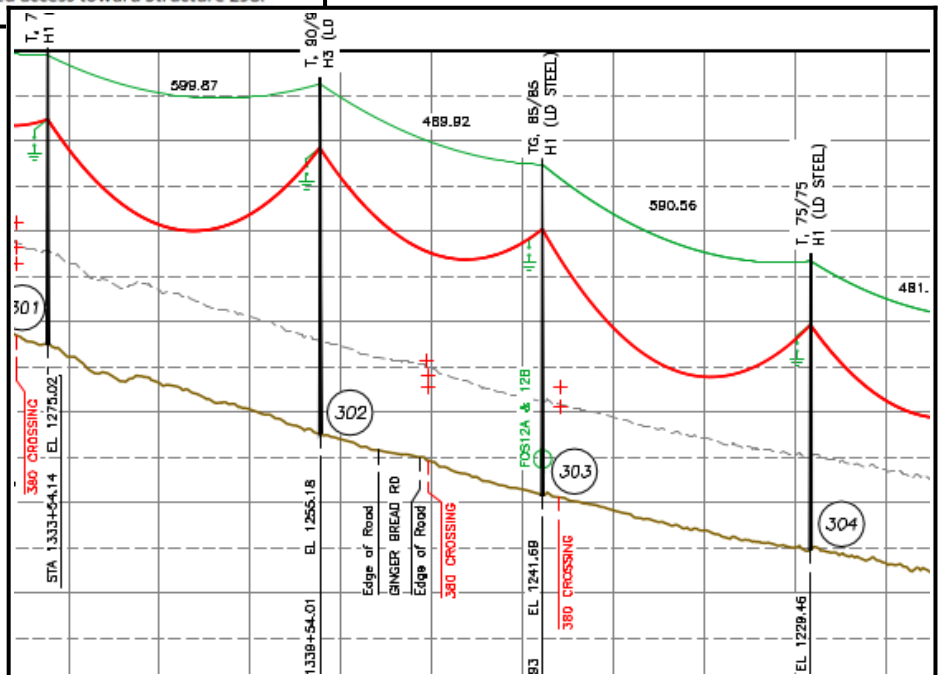
*"Proposed Alternative Allow for the access road centerlines to be relocated during construction, if necessary, up to a distance equal to the approximate width of the ROW (approximately 170-350 feet on the X178-2 Line). Shifts would not create greater than 5% increase in disturbed area along the individual access segment, which is assumed to be the length of the access road between two work pads/structures. **Allow for the center point of the parking area, assumed to be the structure replacement work pads for transmission line projects, to be relocated during construction, if necessary, up to a distance equal to half the approximate width of the ROW (approximately 170-350 feet on the X178-2 Line). Shifts would not create greater than 5% increase in disturbed area at each work pad.**" [p. 301](#)*

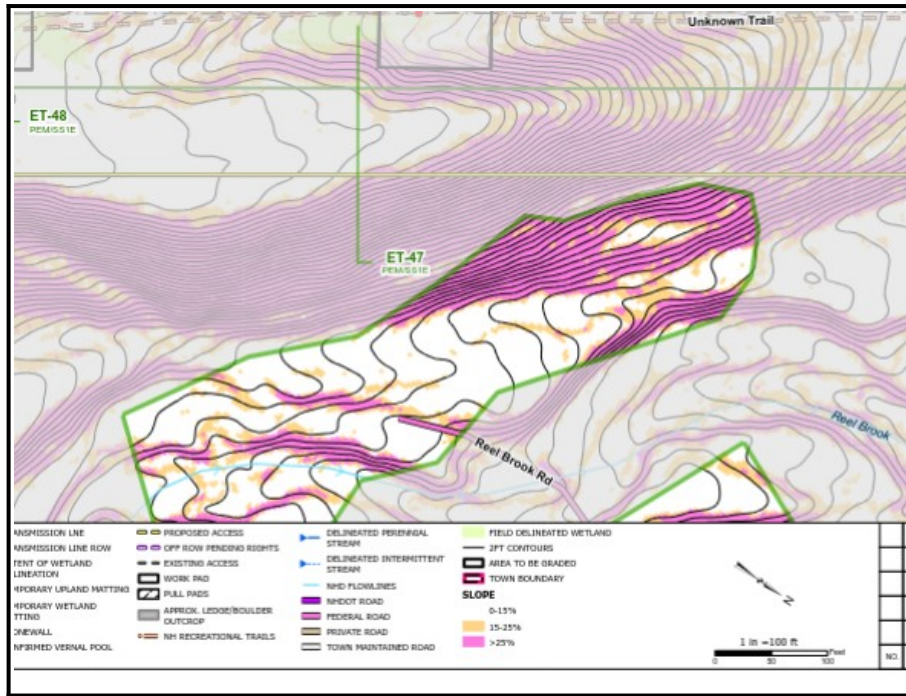
Note that Eversource plans to use the construction “pads” for parking, in contradiction to its Site Plan Review application denial of this intent: “...the project does not include uses such as public roads and parking lots...” p. 7

The abutter list does not include my address. I have not received notice of the meeting for this Conditional Use Permit.

Eversource has made no changes in its “proposed” structure heights. Below, Gingerbread Village, existing structure 49’, proposed structure 79’. There is a house just left of this structure. Has Eversource contacted this landowner and discussed how the 30’ increase in the height of this structure could be reduced, for example by not exceeding the required clearance by 20’?

298 = 302 in the profile shown below.





The Steep Slopes map has the wrong parcel outline for the house and land at the end of Reel Brook Road, and no owner information for any of the lots except WMNF.

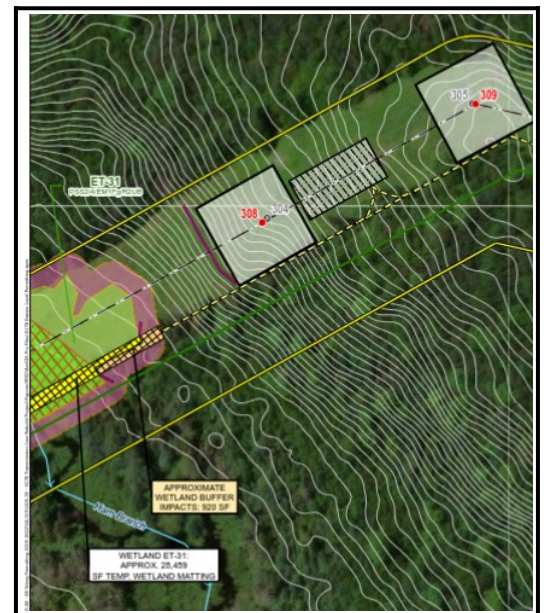
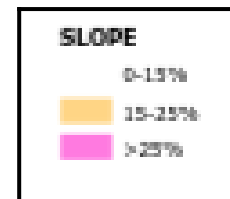
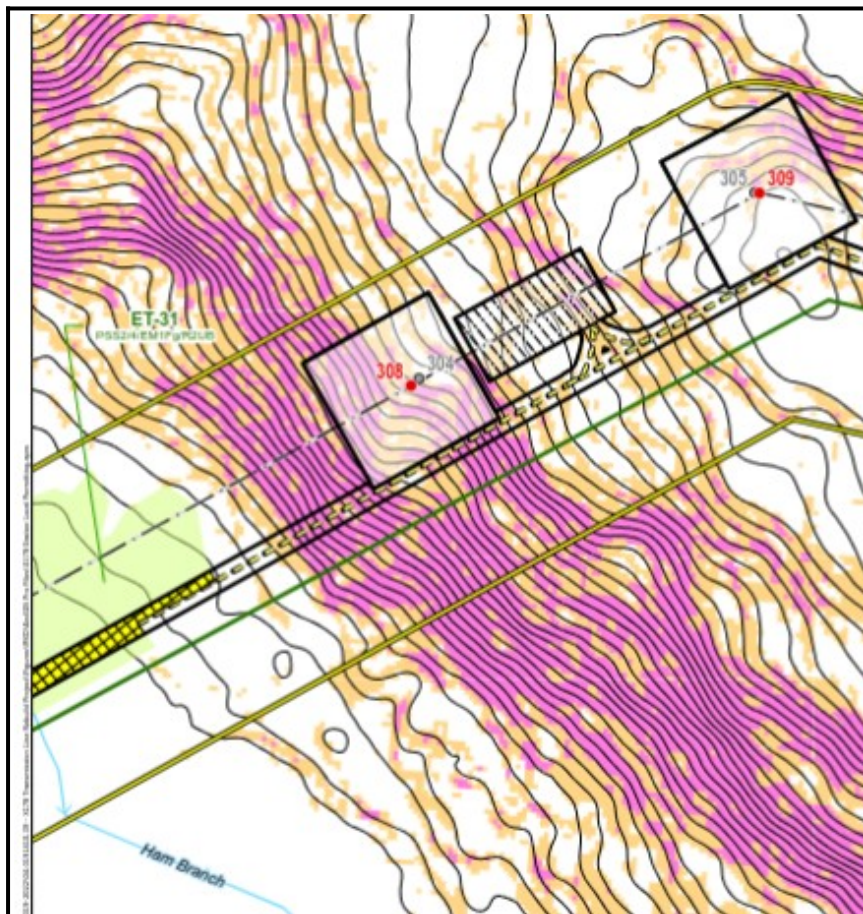
Below:

Eversource plans to build a road straight up this >25% slope hillside, excavate and berm a 100' x 100' construction pad around structure 304 in an area of 15% to >25% slope

and excavate and berm a 50' x 100' pull pad above that, with a very flared road entrance.

Eversource maps do not divide the >25% slope into 25-35% and 35-50%

A landowner would not be allowed to build this road running perpendicular to the Ham Branch through a wetland, then on a slope of 25+%. This structure is not in need of replacement.
















Wetland 31, below, is a Priority Resource Area, though perhaps one of the 15/18 (?) for which DES waived protections to accommodate Eversource. This wetland is not wholly within White Mountain National Forest, but I include the sheet for it provided in the Conditional (actually an Unconditional) Use Permit application. Did Eversource request waivers for these PRA Wetlands to enable it to build roads straight up hillsides? For an example of this steep slope construction, look at the U-199 where it crosses the strip in Littleton, at the defunct car dealership and Little Red Wagon thrift store.

Eversource agreed to use wetland and upland matting on the whole section of the easement owned by my mother and me; to engage in no excavation, no road building, no construction pads (these would be built from matting) or pull pads. This is one of the “73 unique construction-specific [commitments](#) with property owners to minimize or mitigate construction-related impacts, which include, but are not limited to, specific restoration requests, gate installations, advance notification requests, coordination of activities during construction, and conducting EMF measurements.”

Eversource states that there are 373 landowners on the X-178.

Eversource probably knows landowners will likely not speak about these agreements out of fear that if everyone knows what Eversource has conceded to them, more demands will be made and Eversource will renege on its agreements because it is only willing to spend a limited amount on keeping unhappy easement-encumbered landowners quiet.

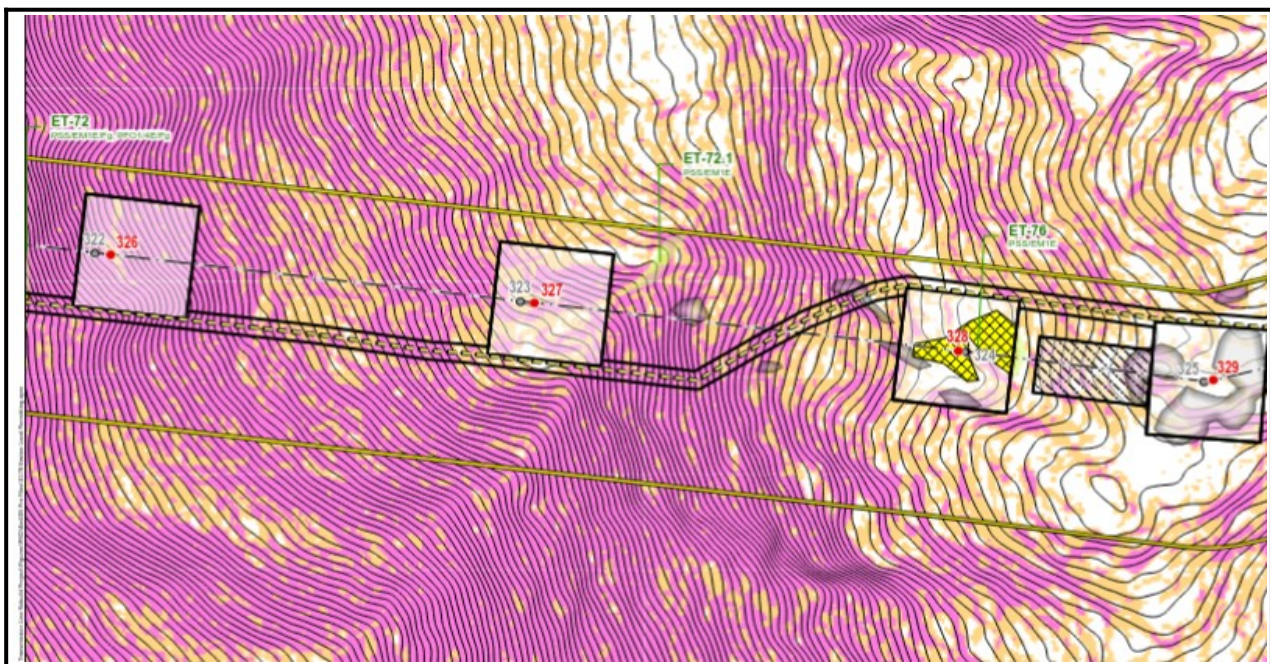
File No: 04.0191410.39		WETLAND FUNCTION – VALUE EVALUATION FORM			Date: 11/8/2023
Wetland ID: ET-31 PSS2/4/EM1Fg/R2UB					GZA Personnel: Peter Petkauskos (CWS), Tracy Tarr (CWS)
Function/Value	Capability Y N	Rationale (Reference #)	Summary	Principal Yes/No	
 Groundwater Recharge/Discharge	Y	4, 6, 7, 8, 12, 13	Wetland hydrology is supported by runoff, a seasonally high-water table, and The Ham Branch River. The wetland is not directly underlain by an aquifer (see Aquifer Transmissivity Overlay).	Y	
 Floodflow Alteration	Y	1, 2, 3, 5, 6, 7, 8, 9, 10, 13, 18	The wetland receives and retains overland sheet flow from surrounding uplands and contains the Ham Branch River.	Y	
 Fish and Shellfish Habitat	Y	1, 2, 4, 5, 7, 8, 14, 15, 16, 17	The wetland contains a perennial stream capable of supporting fish populations.	Y	
 Sediment/Toxicant Retention	Y	4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16	The wetland contains dense vegetation suitable for sediment/toxicant detention and retention.	Y	
 Nutrient Removal	Y	2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14	The wetland contains very poorly drained organic soils, dense emergent and scrub shrub vegetation, and open water habitat.	Y	
 Production Export	Y	1, 2, 4, 5, 7, 8, 10, 12, 13	The wetland contains dense vegetation and export is occurring through wildlife use in the wetland and amphibian dispersal.	Y	
 Sediment/Shoreline Stabilization	Y	1, 2, 7, 10, 12, 13, 15	Dense vegetation borders the streams and open water habitat with a defined bank.	Y	
 Wildlife Habitat	Y	3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 17, 18, 19, 20	The wetland contains a perennial stream and three vernal pools. The wetland is located within highest ranked habitat in NH (see NH WAP Overlay).	Y	
 Recreation	Y	1, 3, 5, 6, 7, 8, 9	The wetland is located within the White Mountain National Forest and an open water is present. However, safe access limits its capability.	N	
 Educational/Scientific Value	Y	2, 3, 4, 5, 6, 11	The wetland is located within the White Mountain National Forest and a perennial stream, vernal pools, and peatland habitat. However, safe access and parking suitable for school buses is not present.	N	
 Uniqueness/Heritage	Y	4, 11, 12, 13, 16, 17, 18, 19, 22	The wetland contains "peatland habitat" a NHDES priority resource area (PRA).	Y	
 Visual Quality/Aesthetics	Y	1, 2, 3, 5, 6, 7, 8, 10, 11, 12	The wetland contains view of the bog and the perennial watercourse with some primary viewing locations.	Y	
 Endangered Species Habitat	Y	1, 2	NHB has have records of wood turtle in the larger landscape and suitable habitat is present (see NHB memo dated NHB24-1713).	Y	

Notes:

Eversource has provided no documentation supporting its claim that the construction for which it requests a Condition Use Permit will not damage the terrain nor has it provided documentation supporting its claims of need to replace the structures, build roads, build pull pads and build construction “pads.”

White Mountain National Forest boundaries are inaccurate on the Steep Slopes map.

Eversource has not altered its July, 2023 plan for the steep slope south of the height-of-land on the Ruskin property in response to the steep slopes or Easton’s Steep Slopes protective zoning:



Below, height-of-land tangent structure and existing structures 324 and 323 below it. Eversource subcontractors marking locations of “proposed” new structures.



kris pastoriza
ZBA

Comment to SEC 2024-02, DE-24-087, Easton Planning Board and Easton
January 15, 2025