

APPROVED
Town of Fitzwilliam
Planning Board Meeting
March 15, 2016

Members Present: Terry Silverman, Robin Blais, Paul Haynes, Matt Buonomano, Suzanne Gray, and Nancy Carney, Selectman's Representative.

Others Present: David Coate, consultant; Eversource representatives: Chris Allwarden, Laurel Boivin, Jim Jiottis, Bonnie Kurylo, Allen Desbiens, Lisa Kavarnos, LandWorks - Matthew Robinson, GZA - Tracy Tarr, Burns & McDonnell - Chris Howell.

Also present: John Hunt, State Representative, Mr. and Mrs. Pinney, Bob Ford, Amy Manzelli, attorney representing the Pinney's, and Megan Foley, Keene Sentinel reporter.

Call to Order: 7:00 PM

Silverman called the meeting to order and welcomed Matt Buonomano and Paul Haynes, newly elected members, to the Board. He thanked Mac Landy for his many years of service on the Planning Board. He moved, Gray seconded, and the Board concurred that a "glowing" letter be sent expressing the thanks of the Board and the Town for his service.

7:00 PM Public Hearing (continued). Eversource (PSNH) application for a conditional use permit for proposed wetland impacts within the Wetlands Protection Overlay District, Fitzwilliam ordinance Section 127-16.1, D.4., to co-locate the new Q166 transmission line with an existing line and install poles in a utility corridor; and associated application for a site plan review of this corridor and existing substation, including a sound study report and landscaping plan.

Silverman read the public hearing notice and introduced David Coate, consultant to the Planning Board. Mr. Coate consults on a broad range of acoustics and noise and vibration control. He presented the sound study review, which he prepared at the request of the Board, with the support of Eversource. The review was based on the Burns and McDonnell sound study presented to the Board by Eversource in November 2015. The Executive Summary of the Coate report follows:

"The Town of Fitzwilliam, New Hampshire contracted with David Coate Consulting (DCC) to provide an independent review of sound issues related to Eversource's Fitzwilliam Substation. Neighbors in the vicinity of the substation have complained of excessive tonal noise emanating from the substation. Specifically, this report includes a review of Eversource's sound studies as well as DCC's independent noise measurements, noise modeling, analysis, and recommendations.

This study will demonstrate that a pure tone condition, caused by the substation, exists at the Mr. Pinney residence at 76 Upper Gap Mountain Road. This tonal condition is far in excess of EPA's tonal noise definition and grossly in excess of a more reasonable tonal guideline based on extensive field experience. This finding explains the high level of annoyance that neighbors in this area are experiencing. Neighbors in this area had no opportunity to receive full public disclosure of the ultimate tonal noise effects of the substation prior to its construction. In fact, Eversource promised to the town of Fitzwilliam that "the Substation would have no audible impacts at the neighboring residences.1" The Substation is clearly audible at residences in this area, and the noise levels of substation tones are substantially higher than published human hearing and audibility thresholds.

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The study will also analyze a noise barrier which was demonstrated to reduce substation noise by nearly 10 dBA which would result in a very noticeable noise reduction for the residents affected by this noise. It should be noted that even though a 10 dBA noise reduction is considered by the environmental acoustics community to be very worthwhile, the noise barrier analyzed in this study is not a panacea for noise issues in this situation. In other words, it is arguable that even more noise reduction than this should have been built into the original design of the substation and therefore the addition of a noise barrier is simply a compromise to allow the operation of the substation in an otherwise untenable community noise situation.”

Mr. Coate noted that some people in the room had heard the tonal noise emanating from the substation at the Pinney and Ford residences and others haven't. He said he deployed a high quality digital recorder on Mr. Pinney's deck to allow the Mr. Pinney to record various substation noise samples at will, which Mr. Coate then analyzed. He played the recording for the Board, attending public and Eversource representatives.

Coate's report noted that a tonal noise is more objectionable than other noises. Further, the measured “tonal noise levels substantially exceed the Environmental Protection Agency's definition of tonal noise and grossly exceed field tested tonal noise guidelines.”

Mr. Coate went through the entire report, including the noise modeling work that resulted in a recommendation that a noise barrier could reduce substation noise levels, which “would be perceived as a 50% reduction in loudness, a very noticeable improvement for the Pinney and Ford residences.” [The report is available in the Land Use Office or electronically for those interested.]

Coate went on to describe an effective sound barrier as being one that “breaks up the line of sight.” Gray asked if this was possible given the terrain around the substation. Coate said modeling this problem is important to decide what height would be most effective. He said the materials used in the barrier are not important, as long as the barrier breaks the line of sight. Any sound that goes over the top will be heard. Mr. Ford asked if a stand of trees could act as a noise barrier. Coate said a thick stand of trees might provide a 5 decibel reduction. Mr. Ford noted that with powerline expansion, trees will be cut, and there are proposals in the works for tree clearing for the proposed natural gas pipeline.

Silverman noted that Massachusetts does not allow any tonal noise and requires a mitigation plan prior to permitting if there is any. Silverman said there needs to be mitigation for other residents who live nearby. Coate said modeling is a way to assess options, like a wrap-around barrier.

Silverman said he assumed that the Eversource engineer would need time to review the Coate report. Eversource agreed. Mr. Ford reminded the Board that he had sent a letter to them in January assessing the Eversource sound reports from 2014 and 2015. Staff will send copies electronically to the Board and to Eversource, as requested. Amy Manzelli, attorney for the Mr. Pinney's, introduced herself and said she would need time to absorb the report, adding that the Mr. Pinney's position is the same, that there be no site plan approval before the sound issue is resolved. Mr. Ford said that is his position as well.

Silverman said that in 2007 both the ZBA and Planning Board asked questions about the potential for noise problems and both Boards were told by PSNH representative Frazer that “there will be some hum caused by the

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corona effect and some buzz associated with the transformers, but none of it will reach above normal background noise, except possibly at night when Route 12 traffic noise is at a minimum.” (From the April 17, 2007 Planning Board minutes.)

Silverman invited Tracy Tarr, GZA, to present a revised landscaping plan for the area along Route 12, which is designed to screen the poles, wires and substation. She noted that they had met with DES twice because the agency has jurisdiction on this site. The plan will require a permit to add soil. DES considered this a minimum impact project because it disturbs less than 3000 sf. Existing old route 12 pavement will be removed and fill added, using loam good for planting.

Eversource will prepare the DES application and present the plan to the Selectmen. They will also pay all fees.

Matthew Robinson, LandWorks, presented the new plan, which was designed to insure plantings will thrive, using a different combination of trees and shrubs that are more suitable for these wetlands conditions. Old Route 12 pavement will be removed, soil brought in and a berm constructed along the old Route 12. Trees will be planted in the berms, getting them out of the water as much as possible. The berm will be covered with jute fabric and stabilized along the sides with shrubs and native species.

He added that tree plantings are planned to screen the substation and they will be planted up to the edge of the right of way for National Grid. Trees will be planted down the slope from the substation to further screen the station. Shrubs and a native mix will be used to stabilize the hill because they can exist in that fairly barren environment.

Blais asked about color in the swamp area, adding that there are red maples in the fall and the landscaping plan does not contain this species. Mr. Robinson said red maples are not particularly well-suited for the wet conditions there, but he will look for some colorful trees to use in their place. Perhaps red maples can be placed in the north section of the planting area. Blais said she'd like to see the most color possible. A mix of deciduous and conifer trees will be planted.

Mr. Ford asked if “grown up” trees will be planted. Mr. Robinson said they will plant as big trees as they can. Buonomano confirmed there would be a mix of deciduous and conifer. Robinson indicated their location.

Mr. Pinney asked who actually owned the substation now. Eversource representatives said Eversource owns the substation. He asked if National Grid was tied to the substation and it is. Mr. Pinney asked if Eversource had approached National Grid to see if they wanted to help Eversource on this project. Jim Jiottis said they are working as much as possible with National Grid.

Silverman asked if Eversource maintenance rules change, will it affect the landscaping plan. Mr. Jiottis said it wouldn't because the landscaping will be outside the wire easements.

Mr. Ford felt a condition of approval should contain language that insured that the viewshed would always be protected and the Planning Board would always be notified if the company needs to cut. Silverman said that since the purpose of a landscaping plan is screening the poles, wires and station, the Planning Board will want a commitment to ongoing maintenance.

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Mr. Pinney asked when the landscaping would begin. Mr. Robinson said either this spring or in the fall. They are developing a planting schedule now to insure plants will thrive. He added that plants near the substation will need to be watered in the fall.

Mr. Ford thanked the Board and David Coate for the sound study report and thanked Eversource for supporting it. Mr. Pinney thanked State Representative John Hunt for attending.

The Board and Eversource agreed to continue the hearing to April 5, 2016.

Election of Officers: Blais nominated, Haynes seconded and the Board voted to elect Silverman as chairman; Blais nominated, Silverman seconded and the Board voted to elect Gray as Vice Chairman; Gray nominated, Silverman seconded and the Board voted to elect Blais as Secretary.

Minutes. The Board reviewed minutes of the work session on March 1, 2016. Blais moved, Haynes seconded and the Board approved them as written.

Pipeline Update. Silverman gave a brief summary of pipeline activity in the last month. The coalition of towns is working hard and now has intervenor status. The Pacific 157 pipeline was denied because there were no customers on the line. Gray added that FERC said the environmental impact was too severe. Blais reported that the Wetlands Study is completed and now the town has to choose those to be designated prime. She said there are 30 very high value wetlands to choose from. The Town would accept those chosen as Prime Wetlands. She added that the study provided an opportunity for public education. It was noted that Rick Van der Poll is doing similar studies for other towns included in the pipeline proposed pathway.

The meeting was adjourned at 8:45 PM.