



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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[www.ct.gov/csc](http://www.ct.gov/csc)

VIA ELECTRONIC MAIL

May 9, 2016

The Honorable Laura L. Francis  
First Selectman  
Town of Durham  
Town Hall  
3 Town House Road  
Durham, CT 06422-0428

RE: **PETITION NO. 1227** – Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed replacement of electric transmission line structures within approximately .8 miles of existing right of way along its existing No. 1975 115-kV transmission line traversing the municipalities of Middlefield, Durham and Middletown, Connecticut, and related transmission line structure improvements.

Dear First Selectman Francis:

The Connecticut Siting Council (Council) is in receipt of the Town of Durham's correspondence dated May 5, 2016 concerning the above-referenced petition. Thank you for taking the time to provide the Council with your comments.

This petition will be placed on a future Council meeting agenda for discussion and decision. Please note that you can view all of the documents related to this petition on our website at [www.ct.gov/csc](http://www.ct.gov/csc) under the "Pending Proceedings" link. You may also keep apprised of Council events on the website calendar and agenda. If the Council decides to hold a public hearing, public notice of the hearing location, date and time will be provided.

Before reaching a final decision on a petition, the Council carefully considers all of the facts contained in the record that is developed by the Council, the petitioner, parties and intervenors to the petition, and members of the public who attend the field review and submit written statements to the Council.

Your comments shall become part of the official record in this matter in the form of a limited appearance defined under subsection (f) of Connecticut General Statutes §16-50n. Copies of your correspondence will be distributed to the petitioner and parties and intervenors to the petition.

Thank you for your interest and concern in this matter.

Very truly yours,

Melanie A. Bachman  
Acting Executive Director

MAB/FOC/lm

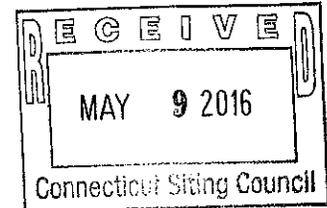
c: Parties and Intervenors  
Council Members

# Town of Durham

OFFICE OF THE FIRST SELECTMAN  
LAURA L. FRANCIS



ORIGINAL



May 5, 2016

Melanie A. Bachman  
Acting Executive Director/Staff Attorney  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

Dear Attorney Bachman:

Please accept the town of Durham comments on Petition No. 1227 Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed replacement of electric transmission line structures within approximately .8 miles of existing right of way along its existing No. 1975 115kV transmission line traversing the municipalities of Middlefield, Durham and Middletown, CT, and related transmission line structure improvements.

First, I would like to thank you and the Siting Council members for allowing our residents to participate in the site walk. It was very informative and useful in the development of the following comments. As you know, the area in question is rather unique in that the easement/right of way is on or precariously close to private residential property. I am sending you the following comments representing proximate Durham residents of the project site and as an abutting property owner. I am interested in protecting private property as well as town property.

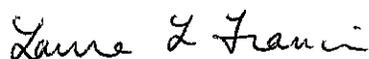
I ask that you consider the following. In 1997, property owners in Royal Oak signed into an agreement with the utility company. The agreement essentially states that the homeowners and the utility company would cooperate to maintain the ROW. It was understood that the property owners would maintain the height of the trees within the ROW, and that the utility company would not cut or use defoliant without the property owners' permission. In Docket 272, April, 7, 2005, the CSC determined the 1997 agreement to be a valid and binding agreement and ruled to preserve Royal Oak by using a bypass for that new construction proposed.

We prefer that a Certificate of Environmental Compatibility be required for this Project because this will have a substantial adverse effect on this entire neighborhood. We have a very unique situation with regard to the ROW and the proximity of homes, some places coming within 10 feet of house. However, if you choose to grant the declaratory ruling we ask for the following conditions:

- Require that Eversource develop and distribute the Design and Management Plan that will have all specifications of the project before approval. In addition, we ask that the town and neighbors be given the opportunity to review and comment on the D&M plan prior to approval.
- Require Eversource to work with EVERY property owner along the ROW individually before construction to discuss individual concerns about project.
- Identify crane/work pads on the D&M Plan as "temporary" and confirm that they will be removed in their entirety at the completion/restoration phase of the project.
- Specify and locate on D&M plan where permanent access road will be installed sub grade, backfilled with top soil, so that grass lawns can be restored in ROW, in lieu of re growth of wild vegetation.
- Please note that the 2016 Durham Fair will be held on September 22-25. I ask that there be no disruption on the Route 17 side of the project during that week that would hinder traffic flow.
- Require a helicopter to pull the wires. The use of helicopters would minimize defoliation and vegetation removal, damage to wells, leaching fields, pools, foundations, etc. due to heavy equipment traversing personal property.
- If helicopters are not used, require construction team to traverse property on the far north side of the ROW, away from the houses and driveways and leaching fields.
- If a helicopter is not used and it is necessary to clear a path the entire length of the ROW, we would like any cut trees or bushes, as well as any trap rock and matting cleared from those paths and grass planted. It will look better and prevent creating a path for motorized recreational vehicles and vandals.
- Confirm that there will be no blasting.
- Require the use of organic materials for vegetation management.
- Encourage the least amount of clearing as possible, especially in the individual easement areas.
- Require Eversource to work with each property owner individually to fully restore private property after construction, including removal of unwanted materials such as matting and trap rock.
- Require that any ornamental trees on town or private property are preserved and to make sure they are properly marked.
- Require proper insurance is in place in the event that private property is damaged to include but not limited to such things as septic systems, wells, pools, fencing (both upright and electronic).
- Require the work to be done Monday through Friday so that residents may enjoy their yards for summertime recreational activities.

Thank you for your consideration. If you would like to discuss these matters in more detailed, please contact me.

Sincerely,



Laura L. Francis  
First Selectman