

NATHANIEL STEVENS
128 PIKE BROOK ROAD & 25 SOONIPi PARK ROAD
NEW LONDON

October 12, 2020

VIA E-MAIL ONLY (planning@nl-nh.com)

Paul Gorman, Chair
New London Planning Board
375 Main Street
New London, NH 03257

RE: Application for Tree Cutting on SoonNipi Park Road, a Scenic Road

Dear Mr. Gorman and Members of the Planning Board:

I oppose Eversource's request under NH RSA 231:158 to remove 75 trees and extensively trim an unspecified number of additional trees along SoonNipi Park Road for the installation of a new power line with 12 new poles.

I ask the Planning Board not to give its consent to this tree cutting and removal which will forever denigrate the scenic rural quality of SoonNipi Park Road, one of the Town's seven scenic roads. The Planning Board should schedule a site visit.

As you know, SoonNipi Park Road is about a half-mile long, rolling and curving, lined with mature forests along much of both sides. Branches from the trees reach over the road and meet in many places in the center, creating an impressive and beautiful canopy. There are only three houses along the road, but one is set very far back and the other two well screened by vegetation so the road has a very beautiful rural feel, enhanced by old stone walls along much of its middle length. Some photos of the road from last fall are included in **Attachment 1**.

The Tree Cutting and Removal Will Destroy the Scenic Beauty of SoonNipi Park Road

While the standard the Planning Board must apply is not explicitly stated in the statute, the New Hampshire Supreme Court has interpreted it to mean that a planning board should "exercise its discretion consistent with the purpose of the road's scenic designation." Webster v. Town of Candia, 146 N.H. 430 (2001). The removal of trees "must not destroy the 'scenic beauty' of the road". Id.

The Town voted to designate SooNipi Park Road a Scenic Road in March of 1982, according to the Master Plan on the Town's website. This designation was made well after power lines were installed in the neighborhood.

The Town's Master Plan (p. 225) states that:

the main purpose of a scenic road designation is to help protect the scenic qualities of a town maintained road. To the people who live or travel along that road, the trees and stone walls may add significantly to the visual quality and may contribute greatly to the rural character of the area. The designation of a road as scenic is a declaration by the town that the road has important visual qualities which must be recognized and treated with care.

The trees along SooNipi Park Road significantly contribute to the visual quality of the road enjoyed by those who travel along it.

The Tree Cutting and Removal Will Result in the Town Losing One of Its Seven Scenic Roads

According to the Town's Master Plan, SooNipi Park Road is one of just seven Scenic Roads in Town. Allowing Eversource to destroy 75 trees and cut/prune an unspecified number of additional trees will irrevocably reduce the tree canopy along and over the road. This would eliminate the desired "rural feeling", and the Town will be down to just six Scenic Roads.

With only seven Scenic Roads designated in New London, the Planning Board should exercise its authority to preserve each and every one of them.

Eversource Has Not Shown that There Are Not Any Alternatives to Destroying the Rural Feeling of SooNipi Park Road

It seems that Eversource has alternatives to provide reliable power that will not destroy the rural character of SooNipi Park Road, but has not explained in its application why they are not feasible.

First, Eversource could run the line along its existing easement parallel to and several hundred feet to the south of SooNipi Park Road, just to the north of Pike Brook. The line could then cross SooNipi Park Road and continue up Lighthouse View Road.

Second, Eversource could bury the line along SooNipi Park Road and Lighthouse View Road.

Third, Eversource could bring the power to the new waterfront lots on Lighthouse View Road from Howard Road or via Hastings Landing Road, neither of which are designated a Scenic Road.

Fourth, the Planning Board approved a subdivision of the Crimi land and the electrical lines could go through that land.

Until all alternatives are fully vetted, the Planning Board should not consider allowing removal of any trees along SooNipi Park Road.

Eversource’s Application Does Not Specify All Trees That Will Be Removed or Cut

The statute requires Planning Board permission only for trees of 15-inch or greater in circumference, so Planning Board permission is not required for smaller trees. See **Attachment 2**. Eversource’s tree list includes trees only with a diameter of 5 inches or greater (equating to a circumference of about 15 inches or greater – see Attachment 2 to convert diameter to circumference).

Many of these smaller trees along SooNipi Park Road contribute to the scenic woods and canopy, but can be cut without the Planning Board’s permission.

Conclusion

For the above reasons, I ask that the Planning Board not give its consent to Eversource’s request to remove 75 trees and cut or prune an untold number of additional trees as it will negatively impact the scenic rural quality of SooNipi Park Road.

Thank you for considering my comments.

Sincerely,

Nathaniel Stevens

Nathaniel Stevens

Attachments 1 & 2

Attachment 1



Driving westbound on Soonipi Park Road, from Route 103A towards Lake Sunapee



Attachment 1



Driving westbound on SooNipi Park Road



Attachment 2

**NH RSA 231:158 Protects Trees Only ≥ 15 Inches in Circumference
at a Point 4 Feet Above Ground**

Tree (in inches):

	Diameter	Radius	Circumference
<u>No</u> Planning Board Permission Required To Cut, Remove, or Damage	1	0.5	3.14
	2	1	6.28
	3	1.5	9.42
	4	2	12.56
<hr/>			
Planning Board Permission Required To Cut, Remove, or Damage	4.8	2.4	15.07
	5	2.5	15.70
	6	3	18.84
	7	3.5	21.98
	8	4	25.12
	9	4.5	28.26
	10	5	31.40
	11	5.5	34.54
	12	6	37.68
	13	6.5	40.82
	14	7	43.96
	15	7.5	47.10
	16	8	50.24
	17	8.5	53.38
	18	9	56.52
	19	9.5	59.66
	20	10	62.80
	21	10.5	65.94
	22	11	69.08
	23	11.5	72.22
	24	12	75.36
25	12.5	78.50	