

Town Manager's Weekly Report

Monday, October 6, 2008

To: Board of Selectmen
From Christopher Whelan, Town Manager

*Items with **italicized** headings relate to the Town Manager's goals for 2008-2009.*

- Former Town Moderator Gordon McCouch.** It is with sadness that I report the death on Saturday October 4 of former Town Moderator Gordon McCouch. Gordon served as Concord's Town Moderator for 8 terms (1984-1992). His service to the Town also included two terms on the Board of Selectmen, as well as time served on the Finance Committee, Town Meeting Study Committee, and Bylaw Re-codification Committee, and others. He and his wife Bettye were named Concord's Honored Citizens in 1990. Services will be held in Hanover, NH (where he and Bettye retired a few years ago) October 19. Concord is much the richer for Gordon's service to the community for many years. He will be missed.
- Exterior Painting of Town House.** A painting contractor is currently painting the exterior trim of the Town House. The work will take about two weeks, during which time there may be some parking limitations in place to allow the contractor safe access to the building. The Public Works Department is also installing a new storm drain in the driveway.
- Cemetery Deeds Building.*** *Jim Macone is currently working on the Cemetery Deeds Building on Bedford Street. This building was constructed in 1799 as a school house. It has since been used as a chapel and as administrative and maintenance headquarters for the Cemetery Division of CPW. The frame was "bowing" out somewhat and staff was concerned about the ability of the roof to sustain a heavy load of snow. Funds from the Cemetery Fund and the "Central Building Maintenance Account" are being combined to effect the structural repairs. The interior will be laid out for administrative use and the historic exterior will be preserved.*
- Boston Bark Appeal Hearing.** *The Zoning Board of Appeals will hear Boston Bark's appeal of the Building Commissioner's "cease and desist" order on Thursday, October 16, at 8:35 p.m. at 141 Keyes Road. Boston Bark is hoping to have an agreement worked out with the Building Commissioner, prior to the ZBA hearing, that would allow the company to sell off the stockpiled mulch and other material over a period of several months.*
- School Food Service Inspections:** Public Health Inspector Gabrielle White performed the bi-annual inspections of the School District food service facilities this week, and all passed with 0 critical violations, and only a very few minor, non-critical violations. The district facilities will be re-inspected again in the spring as required under State law.

6. **Starmet demolition announced;** The U.S. Environmental Protection Agency, New England Regional Office has decided that the contaminated Starmet buildings in Concord should be demolished in order to prevent the release of depleted uranium and other hazardous substances from buildings at the Starmet. The demolition work is not yet scheduled, but when it takes place all building contents will be removed, followed by the demolition and disposal of all buildings and debris. Concrete building slabs will remain in-place so as not to disturb potentially-contaminated underlying soil. Sumps and depressions in the slab will be filled and slabs will be entirely overlain with a short-term cap or sealed until a future EPA decision is made regarding the handling of underlying site soils. The estimated cost for this cleanup is \$63.9 million.

7. **Bruce Freeman Rail Trail:** *The Transportation Enhancements Program Enhancements Steering Committee voted unanimously to recommend approval of the final application for design funds for the BFRT phases 2A and 2C. This recommendation will be forwarded to EOT&PW Secretary Bernard Cohen, who will then make his decision and send a letter to the communities. Once the final application is approved, the process then shifts to the funding side where David Mohler, EOT&PW Deputy Secretary for Planning and chair of the Metropolitan Planning Organization, will be involved with adding this design project to the 2009 TIP and helping identify the best way to fund the project. Mass Highway representatives suggested a follow up meeting between the various Mass Highway agencies involved and continued coordination with and between the communities.*

The BFRT was also featured as part of the Route 2 Rotary Redesign session on Wednesday evening, where two potential designs were illustrated – either over or under Route 2. Meeting attendees were asked their opinions/preference of the two options.

8. **Senior Planner Will Be Leaving.** After almost two years of service with the Town Tyke Crowley, Senior Planner, is planning to leave the Town to work in the private sector beginning in early 2009. Tyke has proposed to reduce his hours to three days per week effective October 6, 2008. This arrangement will allow the Town time to recruit a replacement for him. Under the reduced work schedule we anticipate that Tyke will typically be in the office on Mondays, Tuesdays and Thursdays.

9. **Concord Public Works Matters:**
Solid Waste & Recycling

- **133 Keyes Road Garage Green Initiatives** – Dick Fowler, John Wilson, Bill Holt, & Rod Robison met with a fuel company representative to discuss vegetable-based hydraulic fluid and “environmentally friendly” grease and penetrating oil. A pilot program has been developed regarding the use of vegetable-based hydraulic fluid, where vegetable-based hydraulic fluid will be used in several non-snow removal vehicles during the winter months. The mechanics will be using BioGrease in the future, a green product, instead of regular grease. Green penetrating oil is currently being tested, and the mechanics are using an environmentally friendly hand cleaner.
- **Business Recycling Event** – The semi-annual business recycling event was just held on Friday, October 3rd. Thirty-two Concord businesses attended the event, bringing fluorescent bulbs, CPU’s, Monitors, fax machines, and other electronics, along with reams of paper which shredded free of charge. CPW partners with Complete Recycling Solutions for this event. The next business recycling event is scheduled for April 3, 2009.
- **DropOff - SwapOff Day** – The next event is scheduled for October 18, 2008. The event will be advertised on CCTV, channels 8&9, during the weeks of October 6th & 13th. In addition, WIQH is interested in possibly doing a live broadcast on the day of the event. The

remote broadcast would promote the event to the community and would interview people participating in the event while providing commentary.

Water and Sewer

- **Water main Project:** Ventresca Inc. has completed the temporary patching of trenches along Walden Terrace. They are mobilized to begin working along Laurel Street. While work quality is good, the production is slow. Production will be closely monitored to avoid seasonal construction scheduling conflicts.
- **Lead and Copper Testing** - Test results have been received from town-wide lead and copper sampling activities, conducted every three years in accordance with state and federal requirements. Results demonstrate system remains in compliance.
- **Water Treatment Chemical Supply Shortages** - Water and Sewer staff participated in an emergency planning meeting called by Massachusetts Water Works Association and DEP to review potential “regional” chemical supply shortages which are adversely impacting water treatment operations. Both cost increases (which have impacted Concord) and availability issues (which have not yet impacted service in Concord), are under discussion.

Engineering

- **Warner’s Pond Dam** - The work area was flooded for the 4th time during the rain events of September 27– 28. This is the 3rd flooding that was caused by storm flow either bypassing the cofferdam through the adjacent wetland area or overtopping the cofferdam due to the reduced spillway capacity caused by the construction activities. This flooding condition was a situation anticipated in the contract with an associated contract value per occurrence of \$8K. The contractor has informed CPW-Engineering that the frames of the cofferdam system shifted during the last storm event and will need to be reset. This will require back flooding of the work area to make these cofferdam repairs.
- **Roads Program** - Roads contractor has installed Catch basins and Drainage Manholes at the low area of Upland Road. The Pine Street Bridge Project and Mass Highway is coordinating with CPW to tie-in the drainage improvement portion of the bridge project with these drainage improvement on Upland Road. The Bridge project also will allow a “loop” connection of the water system across the bridge, thereby improving reliability of the water system in that area.
- **Drainage Improvements** - Drainage improvements at Nut Meadow Crossing, and ORNAC (at Williams Road) have been installed. The drainage improvements at ORNAC (at CCC) will completed the week of 10/6
- **Reclamation Work** - Reclaim and rough grading has begun on Nut Meadow Crossing, Rollingwood Lane and sections of ORNAC. Proposed grades currently being reviewed by CPW Engineering prior to fine grading. Nut Meadow Crossing and Rollingwood Lane will be bindered and topped this construction season, while ORNAC will be left at binder grade for the winter to allow for settlement with top course installation and cold planning scheduled for spring.
- **Additional Paving Work this year** – The balance of paving work will include the installation of the Church Street parking lot porous pavement installation. Currently CPW Engineering is finalizing the grant from the Intel Fund administered by Organization for the Assabet River (OAR). This grant is expected to be approximately \$70,000.

- **Deferral of portions of the 2008 program to the 2009 construction season.**

These deferrals will likely include:

- The planned milling and top course pavement installation on ORNAC. (To allow for settlement of drainage trenches)
 - The mill and overlay of Main Street from Monument Street to Sudbury Road (Due to delays caused by weather impacting Mill Brook Culvert Project)
 - Main Street concrete sidewalk installation. (Due to delays caused by weather impacting Mill Brook Culvert Project)
 - Vanderhoof parking lot reconstruction. (Due to delays caused by weather impacting Mill Brook Culvert Project)
- ***Main Street Culvert*** – *The pre-fabricated plastic liner is still en-route from the manufacturer in Germany to Jacksonville, FL. It will be trucked to Concord early this week, and prep work on project is expected to resume as soon as it arrives. Liner installation is expected to begin after Columbus Day. The Army Corps of Engineers permit required construction to be completed in low flow season (by October 1st). CPW in process of getting waiver from this requirement to complete construction this season*
 - ***Concord Academy Crosswalk*** - *Project began last week with curb removal and drainage installation work. The project is being funded by Concord Academy with engineering oversight by CPW-Engineering through the right-of-way permit program. Work for project is expected to be completed by mid November.*
 - ***Monument Street at Hutchins Farm Retaining Wall*** – *CPW Highway has completed the temporary repairs of the wall with the installation of buttressing blocks. This measure is intended to provide temporary stabilization to wall and Monument Street while the application for Community Preservation Act funding moves forward.*
 - **Finigan Way Subdivision** – Binder installation has been installed and inspected by CPW. Surety estimate provided by the developer has been reviewed and approved by CPW.
 - **Engineering Project Planning** – CPW is beginning the next round of State Transportation Improvement Plan (TIP) project planning. CPW is planning the submittal of a Project Information Form to Mass Highway in time for their February review meeting. CPW has met with Mass Highway TIP planning group and MPO who recommends submitting for one project for each Project Review Committee Meeting. The projects planned to be submitted at this time included:
 - Main Street Phase III (Pine St to Baker Avenue) – Project may include integration with BFRT, improvements to Commonwealth Ave. intersection, reconfiguration of Cottage, Baker, Old Bridge intersection.
 - Pail Factory Bridge – Project could include integration with the pocket park design, bridge widening to provide sidewalk connection to park, and reconstruction of retaining wall opposite dam.

- Cambridge Turnpike.– Possibly two phases depending on our ability to include Phase I section of Cambridge Turnpike project from RT 2 to Sandy Pond within the Crosby Corner Reconstruction project. Conversations to design, permit and include this section have begun.

Highway and Grounds

- The annual snow rodeo and safety event is planned for October 9th. This event is a great team building and safety awareness event in which teams are scored on various technical and operational aspects of winter maintenance. Surrounding towns are invited to participate and learn the latest techniques and developments in the winter maintenance field. Bay state Roads, The Local Technical Assistance program sponsored by the EOT and Federal Highway has provided a small grant in the amount of \$400 to defray the costs of organizing this event.

Crosby’s Corner Status and 10/03/08 Meeting

A meeting was held on Friday October 3 at the Executive Office of Transportation to discuss this project. The meeting was attended by several interested parties including MHD Commissioner, Luisa Paiewonski , EOT Undersecretary Wendy Stern, Senator Fargo and staff, staff Rep. Conroy, Dave Moeller EOT Deputy Secretary for Planning, Lincoln Town Administrator, Planning Director and Planning Board Chair, Concord Public Works Director, Rich Reine and Town Engineer, Bill Renault, EOT Community Relations Coordinator, Toni Whitimore, MHD Crosby’s Corner Project Manager Steve McLaughlin and others.

The Main issue reported on centered around securing funding for the Right-of-Way acquisition which is estimated at \$30 Million dollars. Without this funding, the project is unable to move forward at this time. Several months ago, a financial plan was developed which include these funds in the Mass Highway budget over the next two years at \$15 million per year. However, this plan was not accepted by Administration and Finance. Administration and Finance did indicate that the Commissioner had the ability to “reassign” any current or future line items for this ROW acquisition purpose without additional action required from A&F.

Commissioner Paiewonski stated that the Crosby’s Corner project is her highest priority in ROW acquisition and Division and Section Heads have been asked to “pass the hat” to collectively obtain the \$30 Million over the next 2 years. This funding reassignment will potentially come from the tens of millions of dollars spent annually on Highway design and planning. There is no intent to touch construction funding but all other areas will require trimming. The status of this funding will be reported at the December CAC meeting which will be attended by Public Works Director Rich Reine and Town Engineer, Bill Renault.

Design Status - 75 % plans are currently under review with comments being generated. It is anticipated that all comments will be back in October. 100% design plans will then take approximately 4-6 months to complete.

10. Department of Planning & Land Management Matters: Building and Inspections Division

- **300 Baker Avenue:** DP&LM and other Town review staff met this week with Justin Krebs from Normandy Development Real Estate Partners to discuss preliminary plans to construct a new 130,000

– 135,000 square foot office building at the 300 Baker Avenue site in the near future and a 65,000 to 70,000 square foot building longer term. The new building configuration is part of a plan to redesign the site to create more of a campus-like feel. The proposed plan is different from what has been approved previously for this site; so Normandy will likely be required to go back to the Planning Board, Board of Appeals and NRC for new approvals.

- **Visitor's Center Second Floor:** John Minty met with Doug Meagher this week to inspect the second floor of the Visitor's Center building located at 58 Main Street, for potential conversion to office use for the Chamber of Commerce. When the visitor's center was originally proposed it was located in the town's Flood Plain Conservancy District (100 year flood plain) and was reviewed by the Board of Appeals for a special permit to build in the flood plain. Since that date, FEMA has revised the flood plain elevation in this area so that the structure is no longer in the flood plain. Office use is an allowed use in the Business Zoning District, but they would need to seek "relief from parking requirements" from the Board of Appeals (the Board). The Planning Board is required to make a recommendation to the Board whenever relief from parking is requested. The Natural Resources Commission will need to review the construction plan and determine if any excavation work lies within the 100 foot Wetland Protection Act buffer zone and or within the 200 foot Rivers Act area. The new office spaces will generate additional septic flow from this site, therefore there will be a review by the CPW Water & Sewer Division and a sewer improvement fee may be required. The Visitor's Center building is also located in the Main Street Historic District so any exterior work proposed to the building would need to be reviewed and approved by the Historic Districts Commission.
- **Saving energy experiment:** *The Building - Board of Health office at 141 Keyes Road is trying an energy saving experiment over the next month. They have removed one out of the three bulbs in each florescent ceiling light fixture in the main office. After a month we will be surveying staff to determine if the new lighting level is acceptable. If it is, we can expect to reduce our energy costs as well as save on bulb replacement costs.*

Natural Resources Division

- **Accessible Trails discussion:** *Delia Kaye and Marcia Rasmussen met with Harry Beyer (Trails Committee member) and Matt Burne (Walden Woods Project representative) to discuss handicapped accessible parking and path in the Town Forest that would provide access to the Brister's Hill Interpretive Site and possible future trail over "Tuttle Lane" in the Town Forest. We discussed the differences between accessible trails and assessed trails, as well as explored development of more accessible pathways around Fairyland Pond.*
- **Five new Wetland applications submitted:** The Natural Resources Division received five new applications for their next meeting on October 15th. Four are Notices of Intent (24 Old Mill Rd, 35 Attawan Rd., 324 Main St. and 711 Virginia Rd.). One Request for Determination of Applicability was submitted for 9 Shirley Street.

Planning Division

- **Planning Board Workshop Oct 4, 2008:** A workshop to discuss potential Zoning Bylaw amendments to the Planned Residential Development (PRD) and Site Plan Approval for education and religious uses and child care facilities is scheduled for 10/4/08. The Board has been concerned with the density and design of recent PRDs and wants to better coordinate the relationship between increased density and public amenities. The Board will also discuss revisions to make Site Plan Approval comply with recent court decisions for exempt uses under the Zoning Act.
- **Historic Districts Commission/Historical Commission meet:** The HDC and Historical Commission held a joint meeting on Wednesday to meet with Chris Skelly, Director of Local Government Programs at the Mass. Historical Commission. This was part of MHC's "On the Road"

program and was a chance for the Commissions to discuss general issues impacting historic preservation and historic resources in the community.

- **Community Preservation Committee:** The CPC has received 14 applications this year for Community Preservation Act funding which cover all four potential CPC purposes. The CPC estimates that they will have about \$1.2 million in funds to recommend for allocation at 2009 Town Meeting, and have received over \$2.3 million in requests. A full list of the proposed projects is available on request and is expected to be added to the website next week, with a press release to follow. Also in CPC news, the final draft of the 2009 Community Preservation Plan was approved at last week's meeting. Copies are available on the CPC page of the website and in the Planning Division office.
- ***West Concord's Commonwealth Avenue/MBTA line intersection:*** *The long awaited clean up of the area adjacent to the MBTA tracks on Commonwealth Avenue was completed last Friday. A crew from Campbell Construction was at the site on Friday morning to clear the area of trash and overgrown weeds, level the site, and install additional gravel between the tracks and the MBTA sheds. The area looks great and the community is hoping to do some additional landscaping adjacent to this site in the spring.*

Health Division

- **Hanscom AFB Exercise:** On Tuesday, Brent Reagor participated in a Tabletop Exercise of the Hanscom AFB Disease Containment Plan. This exercise was built around an outbreak of Avian Flu, potentially centered at Hanscom and the associated on-base and regional response that would occur. This is the third Hanscom exercise in the last year that the Health Division has participated in, and each one only serves to further strengthen the relationship between the Public Health Office at the base and the Health Division.
- **Normandy Partners (300 Baker Ave):** After the larger staff meeting, Brent, along with Marcia and Elena met with the developer to layout a series of wastewater management options that could be available in that area, including potential coordination with Nick Boynton and his proposed development at the Elks Club and joining all of those properties into one localized wastewater treatment facility that could include reuse of the treated wastewater for irrigation, toilet flushing, and other non-potable uses.
- **Verrill Farm:** Brent and Gabi have been working with Steve and Jen Verrill to develop a phased approach to the restart of food-service operations at Verrill Farm. Phase I includes the preparation of pies and baked goods at the "old farmhouse" kitchen on Wheeler Road, with other foods for catered events prepared at offsite facilities like Debra's Natural Gourmet. Phase II includes the temporary trailers that have been proposed to the Building and Health Divisions, and the layout and equipment specifications for those trailers are being discussed with the Verrills now so as not to slow the process. Phase III will include the design and construction of the new farmstand and the Health Division is already preparing to work with the Verrills and their architect to ensure code compliance and a smooth review process.