

PETITION
FOR TEMPORARY REPAIRS TO PRIVATE WAYS IN THE
WHITE POND WATERSHED

Dover Street and Darton Street
February 1, 2024

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I. SPOKESPERSONS

Petitioners are requested to identify spokespersons with whom the Town can communicate during the course of the project.

Notwithstanding this request, the owners of lots which may benefit from the requested repairs will be notified of the public hearing, and all affected parties are encouraged to attend the hearing.

MAIN SPOKESPERSON:

NAME: James Whalen
ADDRESS: 65 Dover Street, Concord, MA 01742
DAY PHONE: (781) 307-6991
EVENING PHONE: Same

ALTERNATE SPOKESPERSON:

NAME: Courtney Whalen
ADDRESS: 65 Dover Street, Concord MA 01742
DAY PHONE: (781) 307-1929
EVENING PHONE: Same

II. AREA OF REPAIRS

Petitioners hereby request that repairs be made within the existing roadbed on contiguous portions of the following private ways beginning or ending at an intersection or conjunction with another way:

STREET:

FROM:

TO:

Dover Street and Darton Street

Lot 1 A Shore Drive and 11 Shore Drive to the intersection and four drainage basins at Dover and Darton Street to 65 Valley Street to Lot 1 A Valley Street.

III. DESCRIPTION OF REQUESTED REPAIRS

Petitioners must identify what is wrong with this road, including problems with drainage and erosion in the same area (see page 5 for guidelines):

Since Dover and Darton Streets were paved in the late 1960s, the area at the intersection of Dover and Darton has flooded during periods of moderate and heavy rainfall. The existing catch basins in the vicinity of Dover and Darton were installed many years ago as "leaching" basins and are not functioning as designed. As a result, standing water as deep as a foot over covers a wide swath of Dover and Darton Streets after significant rain events, as depicted in the photographs on the following page. The problem has worsened in recent years, due in part to the increased intensity and frequency of heavy rainfall. Further complicated matters, several homes abutting the flood zone on Dover Street have septic leach fields on their front lawns which directly flood and spill septic effluent into the street during flooding episodes. As the situation stands today, each flood event creates an unhealthy and dangerous situation for vehicular traffic, pedestrians, pets, and the health of the greater White Pond watershed area.

The proposed repairs consist of the following:

- **Removal of two leaching catch basins and installation of two new deep-sump catch basins connected to a subsurface infiltration system**, which is to include a six-foot diameter leaching basin with a two-foot sump, connected to a system of StormTech infiltration chambers, consistent with the Storm Draining Design proposal from John J. Shipe, P.E., attached as Exhibit A.
- **Roadway Reconstruction** consistent with the estimate and scope from Lazaro Paving, attached as Exhibit B.

Photographs of Current Flooding Conditions at Dover Street and Darton Street

Photo 1:



Photo 2:



Photo 3:



Photo 4:



Temporary repairs are what the Town of Concord Roads Program consider minor repairs as opposed to significant repairs. Minor repair types include:

- **Full-depth Patching** - localized repair from the roadbase up to the surface, used where a localized structural failure occurs.
- **Shim/Level Second Overlay** - an overlay of bituminous material of the Engineer's choice that is spread and compacted on the roadway. This may be in addition to a leveling course to remove surface irregularities where they are excessive. Shoulder installation and/or maintenance is to be scheduled in conjunction with an overlay. Some benefits of this type of repair are to seal minor cracks, thereby keeping water out of the roadway base, to provide short-term structural improvement, and to smooth the surface for improved ridability.

In addition, requested repairs may include work which is reasonably necessary to improve the drainage of the ways and to mitigate storm-water runoff into White Pond.

IV. LIST OF ABUTTING PROPERTY OWNERS

List owners of ALL properties contiguous to the private ways where repairs are requested. [The owners of the parcels highlighted below have signed this Petition].

To compile the abutters list, petitioners must inspect the Town Assessors map of parcels of land in Concord, showing parcel numbers and the list of property owners by parcel number, in the Assessors Office in the Town House. Final list must be certified by the Assessors Office as to correct property owner.

PARCEL NUMBER: (from assessors map)	NAME: (from assessors records)	MAILING ADDRESS:
3288 - 11 SHORE DR	BRAUN, KEVIN	11 SHORE DR CONCORD, MA 01742
3299 - 1A DARTON ST	BRODSKY, GREG and MUMFORD, HEATHER LEIGH	20 DARTON ST CONCORD, MA 01742
3298 - 2A DARTON ST	TOWN OF CONCORD	PO BOX 535
3296 - 66 DOVER ST	WHITE, MITZI M R S	66 DOVER ST CONCORD, MA 01742
3364 - 65 DOVER ST	WHALEN, JAMES E JR and WHALEN, COURTNEY D	65 DOVER ST CONCORD, MA 01742
3362 - 55 DARTON ST	SCHUMAN, ANDREW and SCHUMAN, CAITLIN	55 DARTON ST CONCORD, MA 01742
3358 - 1A VALLEY ST	JEANS, KEVIN	86 BOLTON ST CONCORD, MA 01742
3357 - 65 VALLEY ST	HOPKINS, PATRICIA A	65 DARTON ST CONCORD, MA 01742
3354 - 56 DARTON ST	KILLOH, CAROLINE P	56 DARTON ST CONCORD, MA 01742
3351 - 85 DOVER ST	O'DONNELL PAUL J and O'DONNELL COLLEEN M	85 DOVER ST CONCORD, MA 01742
3312 - 80 DOVER ST	BUONOMO, CARLO and KOVEN, SUZANNE J	80 DOVER ST CONCORD, MA 01742
3300 - 20 DARTON ST	BRODSKY, GREG and MUMFORD, HEATHER LEIGH	20 DARTON ST CONCORD, MA 01742
3301 - 2A SHORE DR	FREEMAN G TIMOTHY	263 ROCKLAND ST APT 25 PORTSMOUTH, NH 03801

THE ASSESSORS OFFICE CERTIFIES THAT THE NAME AND ADDRESS OF THE OWNER OF EACH PARCEL IS CORRECT AS OF THIS DATE:

DATE: _____ NAME: _____

V. METHOD OF ASSESSMENT

Betterments must be assessed based on the value of benefits or advantages, to a limited and determinable area, other than the general advantage to the community. Each parcel must be assessed a proportionate share of the cost of these improvements.

In most cases, the Public Works Commission recommends assessing betterments equally on all buildable parcels benefiting from the improvements.

Petitioners may suggest a method of allocating any betterment assessment among benefited parcels:

The petitioners respectfully suggest that all property owners that access their property via Dover and Darton Streets equally share in the cost of this road repair, drainage and maintenance project, including properties on Dover Street, Eaton Street, Varick Street, Hemlock Street, Valley Street, and Shore Drive. Additionally, the petitioners suggest that all properties from which water drains to the Darton and Dover Street locations also share in the cost of the road repair, drainage and maintenance of the roadway equally, notably, but not limited to, the north section of Bolton Street.

List of possible non-abutting property owners who the petitioners suggest benefit from the proposed repair:

162 PLAINFIELD RD CONCORD ID: 3273	Owner: NUGENT JAMES E Owner Address: PO BOX 616 CONCORD, MA 01742
196 PLAINFIELD RD CONCORD ID:3376-1	Owner: ANDERSON DAVID C Owner Address: 196 PLAINFIELD RD CONCORD, MA 01742
16 DOVER ST CONCORD ID: 3274	Owner: BLAKE CHRISTOPHER Owner Address: 16 DOVER ST CONCORD, MA 01742
13 DOVER ST CONCORD: 3374	Owner: REED PETER D Owner Address: 13 DOVER ST CONCORD, MA 01742
30 DOVER ST CONCORD ID: 3276	Owner: ANDERSON SCOTT W Owner Address: 30 DOVER ST CONCORD, MA 01742
23 DOVER ST CONCORD ID: 3372	Owner: LAWRENCE, REBECCA Owner Address: 23 DOVER ST CONCORD, MA 01742
36 DOVER ST CONCORD ID: 3277	Owner: MOORE TIMOTHY D Owner Address: 36 DOVER ST CONCORD, MA 01742
3A DOVER ST CONCORD ID: 3376-3	Owner: NAUSEDA IONE R TR Owner Address: 37 DOVER ST CONCORD, MA 01742
37 DOVER ST CONCORD ID: 3370	Owner: NAUSEDA IONE R TR Owner Address: 37 DOVER ST CONCORD, MA 01742
40 DOVER ST CONCORD ID: 3278	Owner: COSTELLO ROBERT D Owner Address: 40 DOVER ST CONCORD, MA 01742
54 DOVER ST CONCORD ID: 3294	Owner: O'CONNELL, PETER Owner Address: 54 DOVER ST CONCORD, MA 01742

62 BOLTON ST CONCORD ID: 3366	Owner: BLANCHARD GEORGE W III Owner Address: 62 BOLTON ST CONCORD, MA 01742
60 DOVER ST CONCORD ID: 3295	Owner: SULLIVAN ADRIANA SALVO Owner Address: 60 DOVER ST CONCORD, MA 01742
94 DOVER ST CONCORD ID: 3314	Owner: JOSELYN RYAN Owner Address: 94 DOVER ST CONCORD, MA 01742
93 DOVER ST CONCORD ID: 3350	Owner: SILLS KATHLEEN M TR Owner Address: 93 DOVER ST CONCORD, MA 01742
108 DOVER ST CONCORD ID: 3318	Owner: DAVIS TR, DAVID A Owner Address: 25 RIDGEWOOD DR UNIT 6 STOW, MA 01775
107 DOVER ST CONCORD ID: 3347	Owner: MANGIARACINE KEVIN Owner Address: 107 DOVER ST CONCORD, MA 01742
5A EATON ST CONCORD ID: 3355	Owner: CLAIRMONT CATHERINE L Owner Address: 26 HEMLOCK ST CONCORD, MA 01742
61 EATON ST CONCORD ID: 3356	Owner: GALGAY MAUREEN M Owner Address: 61 EATON ST CONCORD, MA 01742
72 EATON ST CONCORD ID: 3343	Owner: MCGONAGLE WILLIAM J Owner Address: 72 EATON ST CONCORD, MA 01742
62 EATON ST CONCORD ID: 3343	Owner: KLOVSKI, ELENA Owner Address: 78 CLIFFE AVE LEXINGTON, MA 02420
58 EATON ST CONCORD ID: 3345	Owner: CARLSON KELLY A Owner Address: 58 EATON ST CONCORD, MA 01742
48 EATON ST CONCORD ID: 3348	Owner: FIRST CRAIG Owner Address: 48 EATON ST CONCORD, MA 01742

36 EATON ST CONCORD ID: 3317	Owner: SINGER TR, ALON Owner Address: 36 EATON ST CONCORD, MA 01742
25 EATON ST CONCORD ID: 3315	Owner: IRWIN, LUCAS Owner Address: 25 EATON ST CONCORD, MA 01742
2B EATON ST CONCORD ID: 3323	Owner: BOILY, NATHALIE Owner Address: 82 SHORE DR CONCORD, MA 01742
19 EATON ST CONCORD ID: 3316	Owner: GERAGHTY JEFFREY T Owner Address: 19 EATON ST CONCORD, MA 01742
8 EATON ST CONCORD ID: 3326	Owner: JONES SHARON M Owner Address: 8 EATON ST CONCORD, MA 01742
45 SHORE DR CONCORD ID: 3308	Owner: JOACHIM JEFFREY C Owner Address: 45 SHORE DR CONCORD, MA 01742
4B VALLEY ST CONCORD ID: 3397	Owner: TOWN OF CONCORD Owner Address: 22 MONUMENT SQ CONCORD, MA 01742
5B VALLEY ST CONCORD ID: 3398	Owner: TOWN OF CONCORD Owner Address: 22 MONUMENT SQ CONCORD, MA 01742
205 HEMLOCK ST CONCORD ID: 3417-2	Owner: TOWN OF CONCORD Owner Address: 133 KEYES RD CONCORD, MA 01742
23B HEMLOCK ST CONCORD ID: 3422	Owner: CLAIRMONT CATHERINE L Owner Address: 26 HEMLOCK ST CONCORD, MA 01742
21B HEMLOCK ST CONCORD ID: 3341	Owner: BEER JESSICA T Owner Address: 24 CHICORY RD WESTFORD, MA 01886
2B SHORE DR CONCORD ID: 3340	Owner: MALLOY SALLY M Owner Address: 1 ALBEMARLE RD NEWTONVILLE, MA 02460

20A HEMLOCK ST CONCORD ID: 3407	Owner: ROSEN ALICE J Owner Address: 27 HEMLOCK ST CONCORD, MA 01742
27 HEMLOCK ST CONCORD ID: 3408	Owner: 27 HEMLOCK LLC Owner Address: 67 MASON ST GREENWICH, CT 06830
24B HEMLOCK ST CONCORD ID: 3336-1	Owner: TOWN OF CONCORD Owner Address: 141 KEYES RD CONCORD, MA 01742
116 SHORE DR CONCORD ID: 3412-1	Owner: TOWN OF CONCORD Owner Address: 141 KEYES RD CONCORD, MA 01742
260 HEMLOCK ST CONCORD ID: 3414	Owner: LEBLANC OSCAR Owner Address: 26 JUNIPER HILL RD WALTHAM, MA 02452
98 SHORE DR CONCORD ID: 3337	Owner: HOYT LORLENE Owner Address: 98 SHORE DR CONCORD, MA 01742
94 SHORE DR CONCORD ID: 3335	Owner: MONAGHAN NORMA M TR Owner Address: 26 WARREN AVE WALTHAM, MA 02452
88 SHORE DR CONCORD ID: 3334	Owner: MCBREEN ROBERT J TR Owner Address: 88 SHORE DR CONCORD, MA 01742
87 SHORE DR CONCORD ID: 3320	Owner: DAVIS CHARLES N TR Owner Address: 110 FOREST PARK RD DRACUT, MA 01826
82 SHORE DR CONCORD ID: 3332	Owner: BOILY NATHALIE Owner Address: 82 SHORE DR CONCORD, MA 01742
72 SHORE DR CONCORD ID: 3331	Owner: OSHEA TR, SUSAN MARIANNE Owner Address: 72 SHORE DR CONCORD, MA 01742
68 SHORE DR CONCORD ID: 3330	Owner: RICKER JAMES C TR Owner Address: 68 SHORE DR CONCORD, MA 01742

6B SHORE DR CONCORD ID: 3329	Owner: FREEMAN G TIMOTHY Owner Address: 263 ROCKLAND ST APT 25 PORTSMOUTH, NH 03801
5C SHORE DR CONCORD ID: 3328	Owner: THE TRS OF DOVER PROP OWNERS ASSOC Owner Address: 8 EATON ST CONCORD, MA 01742
5B SHORE DR CONCORD ID: 3327	Owner: JARMULOWICZ ROBERT M Owner Address: 30 SILVER HILL RD MAYNARD, MA 01754
46 SHORE DR CONCORD ID: 3306	Owner: PERREAULT DAVID J Owner Address: 46 SHORE DR CONCORD, MA 01742
42 SHORE DR CONCORD ID: 3305	Owner: REYNOLDS, DIANNE TR Owner Address: 42 SHORE DR CONCORD, MA 01742
38 SHORE DR CONCORD ID: 3304	Owner: JAQUIER-LAAGE CARMEN L Owner Address: 38 SHORE DR CONCORD, MA 01742
3B SHORE DR CONCORD ID: 3303	Owner: LAAGE THOMAS A Owner Address: 38 SHORE DR CONCORD, MA 01742
28 SHORE DR CONCORD ID: 3302-1	Owner: BEVERIDGE ALAN Owner Address: 28 SHORE DR CONCORD, MA 01742
3A SHORE DR CONCORD ID: 3310	Owner: TOWN OF CONCORD Owner Address: 22 MONUMENT SQ CONCORD, MA 01742
4A SHORE DR CONCORD ID: 3311	Owner: DES LAURIERS, ERIC ANTHONY Owner Address: 20 DARTON ST CONCORD, MA 01742
32 BOLTON ST CONCORD ID: 3292	Owner: ROBERTS BRANDON K Owner Address: 80 STONE ROOT LN CONCORD, MA 01742
3A BOLTON ST CONCORD ID: 3280	Owner: TOWN OF CONCORD Owner Address: PO BOX 535 CONCORD, MA 01742

38 BOLTON ST CONCORD ID: 3293	Owner: LANE JEFFREY H Owner Address: 38 BOLTON ST CONCORD, MA 01742
35 BOLTON ST CONCORD ID: 3279	Owner: SATER, MERHI Owner Address: 35 BOLTON ST CONCORD, MA 01742

VI. SIGNATURE PAGES


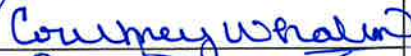






NAME (please print)	ADDRESS	SIGNATURE
James Whalen COURTNEY WHALEN	65 Dover Street Concord, MA 01742	 
CARLO BUONOMO SUZANNE KOVEN	80 DOVER street CONCORD MA	 
Colleen M O'Donnell	85 Dover St. Concord, MA.	
Kevin Jeans	86 Bolton St. Concord MA	
Caitlin Schuman	55 Dorton St Concord MA	
Caroline Killoh	56 Dorton St. Concord MA	

EXHIBIT A



To: Town of Concord

Fr: John J. Shipe, P.E.
Columbia Design Group

DRAFT

RE: 65 Dover Street, Concord
Storm Drainage Design

Dt: May 2, 2012

On behalf of Jim Whalen of 65 Dover Street, Columbia Design Group has designed drainage improvements to be constructed at the intersection of Dover and Darton Streets in Concord, MA. These are two existing private streets that experience significant flooding during moderate to heavy rainfall events. Existing catch basins in the vicinity appear to have been installed many years ago as "leaching" basins and have most likely not been maintained and are not functioning well.

The proposed design consists of removing two leaching catch basins and installing two new deep-sump catch basins connected to a subsurface infiltration system. The subsurface infiltration system is a 6-foot diameter leaching basin with a 2 foot sump, connected to a system of StormTech infiltration chambers.

The existing drainage area tributary to the low point intersection appears to be approximately 20,000 square feet of roadway surface. The two existing basins appear to provide 72 cubic feet (cf) and 22 cf of storage volume for a total static storage of 94 cf. The leaching area of the two basins combined is 119 square feet (sf).

The proposed Static Storage Volume is:

Leaching manhole: 5.33' ID x 4.5' height = 100 cf
10 SC 740 Chambers: 6.45 sf x 70 lf = 452 cf
Voids in the Stone: 1,700 cf of stone x 40% voids = 680 cf
Total storage = 1,232 cf (as compared to 94 cf existing)

Exfiltration: Based on the septic system design by Civil Solutions Inc. dated 9/19/11 for address #65, local soils are Hydrologic Soils Group A with a percolation rate of 2 minutes per inch. Groundwater was not observed to a depth of more than 11 feet below the surface during the septic system soils testing. Although the 2 min/inch percolation rate is equivalent to 30 inches per hour across the wetted surface, DEP design guidelines recommend using a stormwater design infiltration rate of 8.27 inches per hour for Type A soils.

The surface area available for infiltration in the existing system is approximately 1,300 square feet (as compared to 119 sf existing).



The computer software system HydroCad was used to analyze the design performance of this system.

Based on the proposed storage volumes, the infiltration area and the infiltration rate of 8.27 inches per hour, the system is designed to store and infiltrate up to the 2-year, 24-hour rainfall event (2.8 inches of rain over a 24 hour period). Very minimal flooding (less than 1 inch) may occur for very short durations (less than one hour) during periods of high intensity.

It should be noted that this analysis based on industry-standard assumptions and the design parameters inherent with the HydroCad software. Actual performance is affected by the variable nature of precipitation, antecedent conditions, the presence of groundwater, construction techniques and system maintenance.

Please let us know if you have any questions or comments.

ATT: HydroCad plot page 1 dated 5/2/12

Summary for Pond 1P: Leaching Basin 1

Inflow Area = 20,700 sf, 100.00% Impervious, Inflow Depth > 2.57" for 2 year event
 Inflow = 1.30 cfs @ 12.07 hrs, Volume= 4,430 cf
 Outflow = 0.25 cfs @ 12.35 hrs, Volume= 4,428 cf, Atten= 81%, Lag= 16.8 min
 Discarded = 0.25 cfs @ 12.35 hrs, Volume= 4,428 cf

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 99.57' @ 12.50 hrs Surf.Area= 506 sf Storage= 1,305 cf

Plug-Flow detention time= 40.0 min calculated for 4,428 cf (100% of inflow)
 Center-of-Mass det. time= 39.7 min (797.7 - 758.0)

Volume	Invert	Avail.Storage	Storage Description
#1	93.45'	679 cf	6.25'W x 81.00'L x 4.50'H Prismatic 2,278 cf Overall - 582 cf Embedded = 1,697 cf x 40.0% Voids
#2	93.45'	100 cf	5.33'D x 4.50'H Vertical Cone/Cylinder Inside #1 127 cf Overall - 4.0" Wall Thickness = 100 cf
#3	94.45'	454 cf	StormTech SC-740 @ 70.00' L Inside #1 Effective Size= 44.6"W x 30.0"H => 6.45 sf x 70.00'L = 451.7 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap Row Length Adjustment= +0.44' x 6.45 sf x 1 rows
#4	99.50'	5,400 cf	Custom Stage Data (Prismatic) Listed below (Recalc) -Impervious
		6,634 cf	Total Available Storage

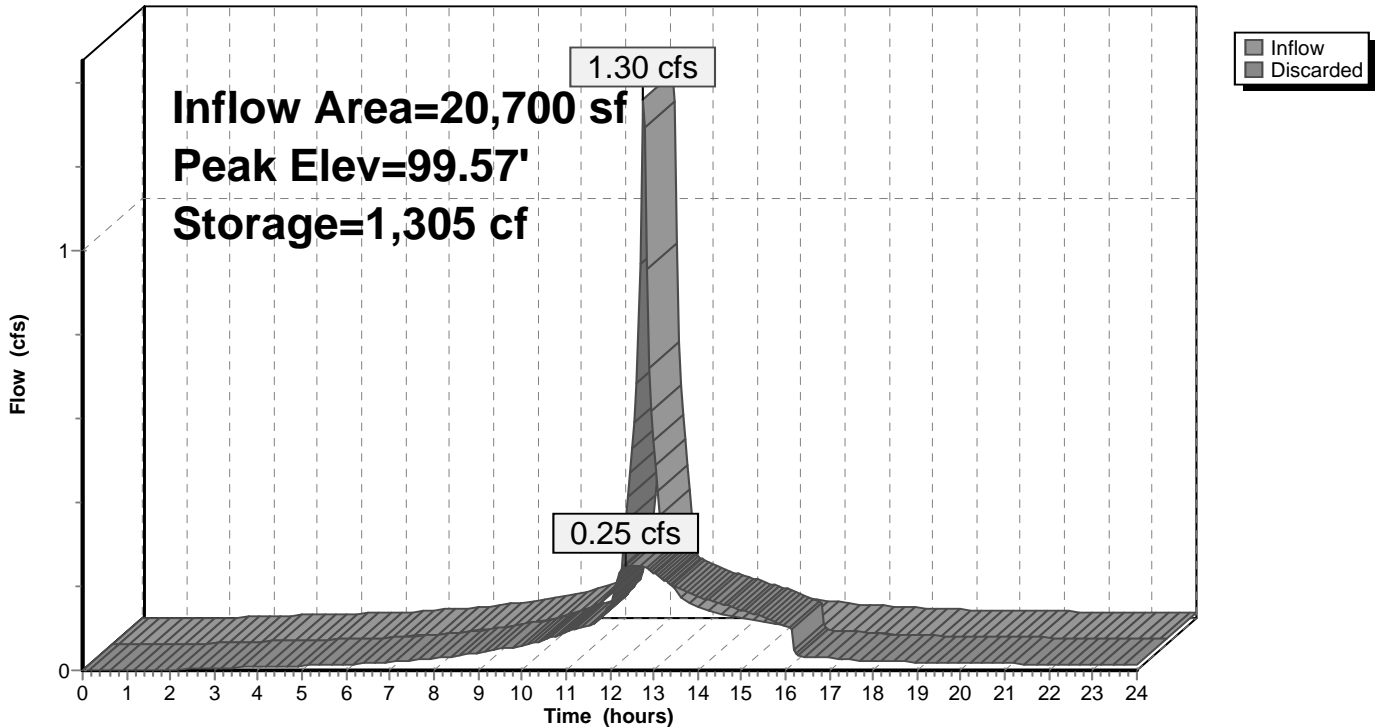
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
99.50	800	0	0
100.50	10,000	5,400	5,400

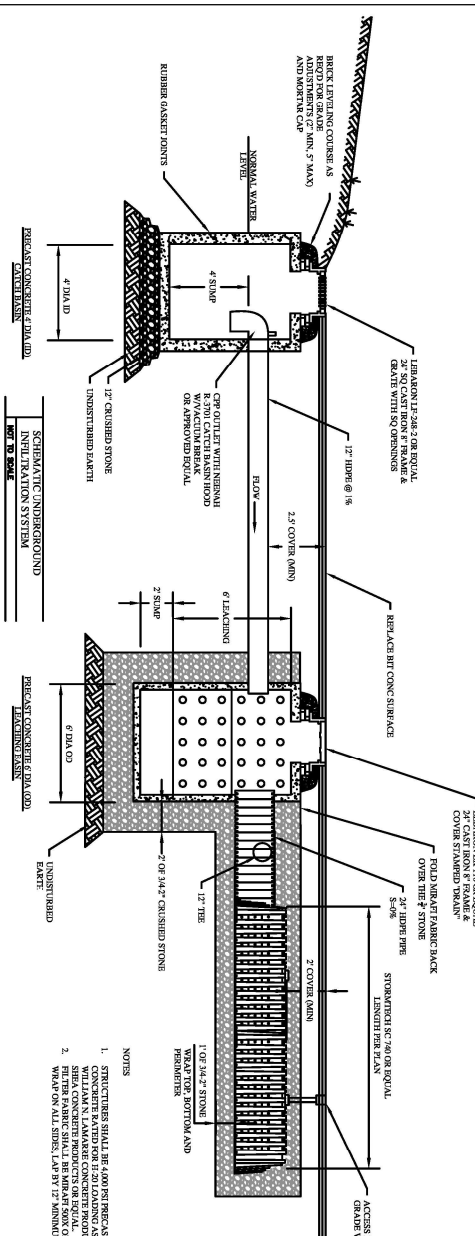
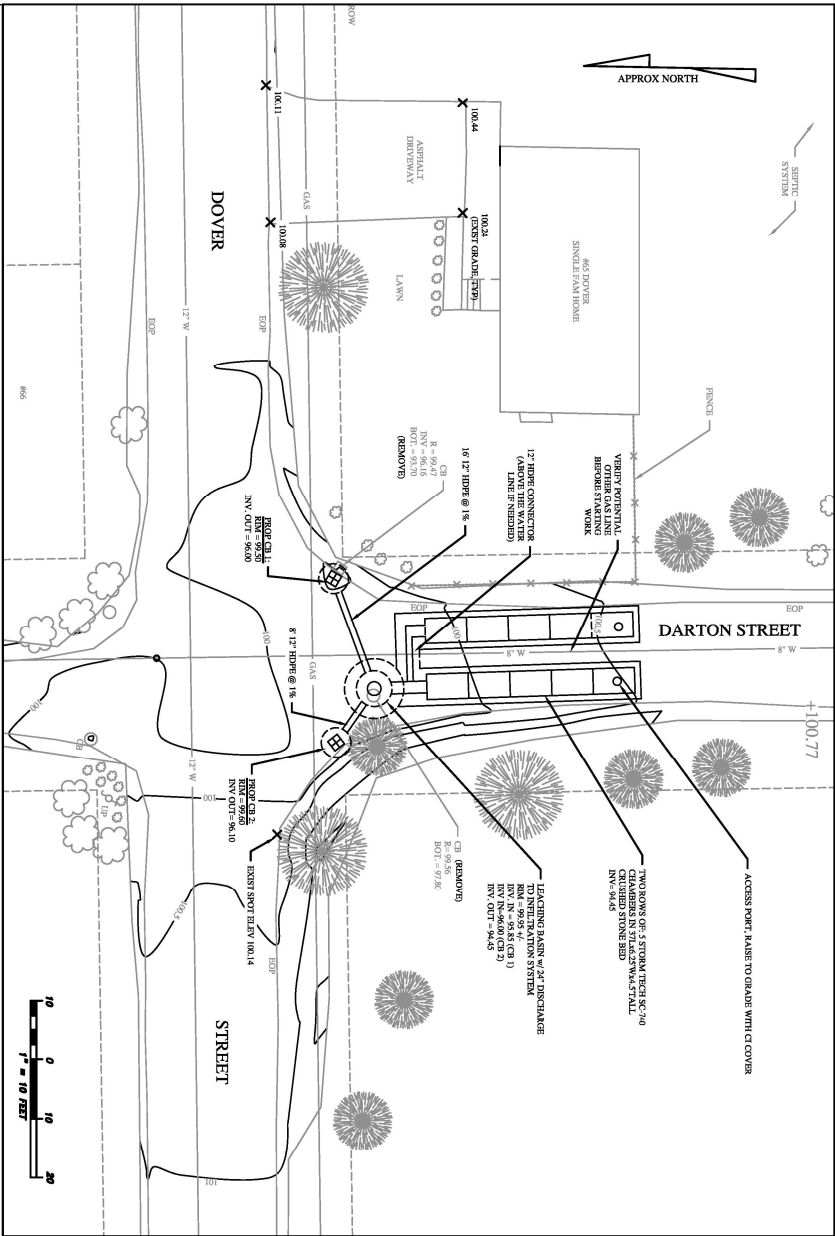
Device	Routing	Invert	Outlet Devices
#1	Discarded	93.45'	8.300 in/hr Exfiltration over Wetted area

Discarded OutFlow Max=0.25 cfs @ 12.35 hrs HW=99.53' (Free Discharge)
 ↑ **1=Exfiltration** (Exfiltration Controls 0.25 cfs)

Pond 1P: Leaching Basin 1

Hydrograph





- GENERAL NOTES**
- THIS PLAN IS FOR THE CONSTRUCTION OF THE STORMWATER IMPROVEMENTS AS SHOWN.
 - EXISTING UTILITIES SHOWN ARE FROM RECORD INFORMATION ONLY AND IS NOT WARRANTED TO BE CORRECT. OTHER UTILITIES MAY BE ENCOUNTERED DURING CONSTRUCTION. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES.
 - THE CONTRACTOR SHALL CONTACT THE TOWN FOR THE MAKING OF EXISTING MUNICIPAL UTILITIES, AND DISCUSS AT 1888444213. DIG WORKS MUST BE NOTIFIED AT LEAST 72 HOURS PRIOR TO EXCAVATION.
 - ALL WORK SHALL CONFORM TO THE STANDARD SPECIFICATIONS OF THE TOWN OF CONCORD. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING CONSTRUCTION PERMITS, LOCAL, STATE AND FEDERAL REGULATIONS.
 - DURING EXCAVATION AND CONSTRUCTION OF PIPES AND STRUCTURES, TRAFFICERS MUST BE EMPLOYED TO BACKED TO PROTECT AGAINST CARS.
 - THE CONTRACTOR SHALL MAINTAIN ACCESS AT ALL TIMES.
 - PIPING SHALL BE SET AS SHOWN AT THE TOP OF THE INSTALLATION. THE SLOPE SHALL BE AS SHOWN AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING PERMITS FROM THE TOWN OF CONCORD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING PERMITS FROM THE TOWN OF CONCORD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING PERMITS FROM THE TOWN OF CONCORD.
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REFERENCES:

STANDARD: Field Survey performed by CDM on 4/18/2012. No other references were used.

Information only. Datum is assumed.

No.	Date	Comments

Columbia Design Group, LLC
 Consulting Engineers
 14 Upland Avenue
 Boston, MA, 02125
 (T) 617.506.1474 (F) 617.507.7140

Sheet Improvement Plan
 65 Dover Street, Concord, MA

14 Upland Avenue
 Boston, MA, 02125
 (T) 617.506.1474 (F) 617.507.7140

MAN 2, 2012
 Project No: 2012-111
 Drawing No: JIS
 Date: As Noted

C-1

EXHIBIT B



Lazaro Paving Corp.
 800 Mt. Laurel Circle, Shirley, MA 01464
 Phone (978) 425-2551 Fax (978) 425-2591
 www.lazaropaving.com

To: Jim Whalen	Contact: Jim Whalen
Address: 65 Dover Street Concord, MA 01742	Phone: 781-307-6991
Project Name: Roadway Reconstruction And Drainage	Bid Number:
Project Location: Darton Street, Concord, MA	Bid Date: 9/1/2023

Item #	Item Description	Total Price
1	Roadway Reconstruction - Saw Cut Limits, Remove And Dispose Of 2 Existing Driveway Aprons (259 SF Total) And Unsuitable Material, Furnish And Install 6" Of Crushed Gravel, Fine Grade And Compact, Reclaim Existing Roadway Asphalt Pavement (3,710 SF), Haul And Dispose Of Any Excess Material, Fine Grade And Compact, Machine Pave 2" Bituminous Concrete Binder Course, Adjust Gate Box To Finish Grade, Install 40 LF Of 4" Cape Cod Berm, Machine Pave 1.5" Bituminous Concrete Top Course To Driveways And Roadway	\$20,553.00
2	Drainage Improvements - Install Two New Precast Catch Basins. One New Precast Drywell And Cultec System In Accordance With Drainage Plans. Includes Excavation, Stone, Pipe And Chambers	\$52,350.00

Notes:

- Town of Concord permit application fee included.
- **This estimate is based on the present cost of materials and fuel. Should the cost of either increase due to current market volatility, Lazaro Paving reserves the right to add a surcharge for the amount of any such increase.**

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications will result in an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Our workers are fully covered by Worker's Compensation Insurance. This proposal includes **ONE** mobilization for prep and **ONE** mobilization for paving. Should the circumstances change per the customer's direction, an additional mobilization fee will apply. Asphalt thickness indicated shall be the average compacted thickness of the area. Customer to provide free and clear work area. This proposal does not include ledge removal or disposal of hazardous material. If necessary, police detail not included. Lazaro Paving is not responsible for determining whether proposed work areas are within the owner's boundaries. Lazaro Paving will not be responsible for damage to unmarked irrigation systems or utilities. Prices are based on work taking place during the normal paving season of the current year. Unless specified otherwise, Lazaro Paving is not responsible for landscaping the edges of pavement, berms, curbs, etc. This proposal is valid for 15 days. Please sign and return one copy.

Payment Terms:

Net cash upon completion of each segment, subject to credit approval. Lazaro Paving Corp. reserves the right to progress bill as necessary, to be prorated based on percentage complete. No retainage to be withheld without written permission of Lazaro Paving Corp. Should the account become delinquent the customer unconditionally promises payment of all expenses related to collection, but not limited to interest and attorney's fees. Invoices greater than 30 days past due will be subject to an interest charge of 1.5% per month.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Lazaro Paving</p> <p>Authorized Signature: _____</p> <p>Estimator: Ryan Lazaro (978) 425-2551 ryan@lazaropaving.com</p>
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**TOWN OF CONCORD
MASSACHUSETTS**

**PRIVATE WAYS IN WHITE POND WATERSHED—
TEMPORARY REPAIRS BYLAW**

The Department of Public Works is authorized to make temporary repairs to the publicly-traveled, currently improved private ways laid out or created prior to February 28, 1938 in the White Pond watershed area, said publicly-traveled, currently improved private ways being named Granby Street, Mitchell Road, White Avenue, Seymour Street, Tracy Street, Dover Street, Bolton Street, Darton Street, Eaton Street, Shore Drive and Fern Street.

Temporary repairs may be undertaken on a way subject to this bylaw, or to a contiguous portion of such a way which begins or ends at an intersection or conjunction with another way, only following the delivery to the Department of Public Works of a petition signed by the owner(s) of not less than sixty (60%) percent of the lots which abut such ways. The petition shall identify the requested repairs with reasonable specificity and may suggest an allocation of any associated betterment assessments among benefited parcels.

The specific type and extent of repairs to be made to any of the ways subject to this bylaw and the maximum cost of such repairs shall be proposed by the Department of Public Works and approved by the Public Works Commission at or following a public hearing. The Department of Public Works is authorized to include in its work proposal such repairs as may be reasonably necessary to improve the drainage of the ways and to mitigate storm water runoff into White Pond. Repairs undertaken pursuant to this bylaw shall be planned and made with due regard for the special character of the neighborhood and the character of the way in question, particularly the proximity of homes, driveways and landscaping to the road within the way. Repairs shall be undertaken at the earliest convenience of the Department of Public Works.

The Town of Concord is authorized to apportion, divide, reassess, abate and collect betterment assessments upon benefited parcels within a limited and determinable area based on a proportionate share of the cost of such repairs, all in accordance with Chapter 80 of the Massachusetts General Laws or in any other equitable manner provided by law. A cash deposit shall not be required for such repairs.

The repairs are required by public necessity, including but not limited to:

- i. the necessity of providing adequately drained ways so as to reduce ecologically harmful runoff into White Pond, an important natural resource to the Town of Concord;
- ii. the necessity of providing adequate, passable ways from public ways to residences, Town facilities and resources including the White Pond well and Town conservation land;
- iii. the relative ease of administration of the repair program given that the ten (10) private ways subject to this bylaw serve approximately 100 owners located in a distinct, densely populated neighborhood; and

- iv. the lack of reasonably achievable alternative means of accomplishing such repairs given the fact that the ways subject to this bylaw were laid out or created before the enactment of a subdivision control bylaw in the Town of Concord.

The liability limit of the Town of Concord on account of damages caused by such repairs shall be the same liability limit as may be provided from time to time under the law applicable to Town ways.

The ways subject to this bylaw, namely Granby Street, Mitchell Road, White Avenue, Seymour Street, Tracy Street, Dover Street, Bolton Street, Darton Street, Eaton Street, Shore Drive and Fern Street have been open to public use for a term of not less than 50 years.

This bylaw shall continue in full force and effect

- i. unless and until it is repealed; or
- ii. unless and until the Town of Concord adopts a bylaw governing repairs made by the Town of Concord to the private ways subject to this bylaw as well as to additional private ways in the Town of Concord, provided that any such successor bylaw shall by its terms specifically refer to and repeal or supersede this bylaw.

Article 18, Town Meeting, April 1996