

# Town Manager's Report Monday, August 13, 2012

**To:** Board of Selectmen  
**From:** Christopher Whelan, Town Manager

**Following are some of the matters reported on this week by various Town Departments:**

## **LIBRARY**

**Assistant Director Begins Work:** As previously reported, new Assistant Director Deborah Ervin starts work today. Plans for a public welcoming Ice Cream Social are in the works.

## **PLANNING & LAND MANAGEMENT**

### **Planning Division**

**Planning Board:** Last Tuesday, the Planning Board met with the development team for the proposed TD Bank at 1112 Main Street. After a lengthy discussion, the Board continued the application to receive the traffic peer reviewed report and allow the development team time to consider issues identified. The Board then met with the architect for the proposed Concord Outfitters building at 113 Commonwealth Avenue, and continued the application to allow time to revisit suggestions made and for the Planning Division to prepare a draft recommendation for Board's consideration. The Board also endorsed an Approval Not Required Plan for land of C3 Development LLC at 115 Independence Road.

**Zoning Board of Appeals (ZBA):** On Thursday, the ZBA accepted the continuance requests from the Arista Development for 1112 Main Street and from the applicant for 113 Commonwealth Avenue. The Board granted a special permit to allow the extension of a non-conforming structure at 75 Pleasant Street, and a special permit and site plan approval for the Nashawtuc Country Club to construct paddle tennis courts, expand the clubhouse and make other modifications to the site at 1861 Sudbury Road. After a lengthy discussion, the Board continued to the September 13 meeting the application for the reconstruction of a single-family structure that will maintain the existing non-conforming front yard setback and exceed the gross floor area of the existing structure by more than 50% at 12 Kenney Lane.

**Bruce Freeman Rail Trail Advisory Committee:** On Thursday, the BFRT-AC met to discuss the following updates: MassDOT has determined that it will make a confirmatory taking of the railroad right-of-way after determination that the title work done to date is sufficient (or identify where additional title work is necessary); MassDOT has also determined that the railroad r.o.w. will be subject to a 99-year lease to the towns for the Rail Trail construction; the Town has contracted with Chappell Engineering for additional survey along the commuter rail in West Concord (between the West Concord Supermarket and

Depot); and Greenman-Pedersen, Inc. is preparing an estimate for additional survey along the 3.5 mile railroad r.o.w. corridor.

**Concord Center Cultural District:** The Town received the Site Advisor Assessment report prepared by the Massachusetts Cultural Council staff after their visit to Concord on June 28. MCC staff are recommending that the Council designate Concord Center as a Cultural District, which may be voted at the August MCC meeting.

### **Natural Resources Division**

**Natural Resources Commission:** New applications received for the August 15 meeting include: an amendment to an Order of Conditions for the Concord-Carlisle Regional High School at 500 Walden Street to excavate and remove sediment in the stream channel and wetlands between the newly constructed outfall and a point upstream of the culvert at Thoreau Street; a Notice of Intent for Minuteman National Historic Park at 30A Monument Street to reconstruct the existing stone retaining walls on each side of the Old North Bridge; and a Request for Determination of Applicability for MassDOT-Highway Division to repair an existing drainage pipe on Route 2 adjacent to Arena Farm. Continued applications to be heard include: a Notice of Intent for 495 Monument Street to construct an in-ground pool, pool house, and other site amenities. Applications that will be continued to September 5 without discussion include: a Notice of Intent for Concord Public Works – Engineering to replace a culvert in Sleepy Hollow Cemetery; a Notice of Intent for Millbrook Tarry Condominium Association, Inc. to construct additions, new buildings, improve drainage, and repave the parking lot at 91 – 107 Lowell Road; and a Notice of Intent for Arista Development to redevelop the existing gas station into a new bank facility 1112 Main Street.

**50 Beharrell Street:** DNR staff met with the development team to redevelop the site at 50 Beharrell Street into a combined industrial, business, and residential use, along with traffic, parking and open space improvements. A Notice of Intent Application is expected to be filed for this development in the coming months.

**Assabet River Tree Removal (photo below):** DNR staff, with assistance from OARS and the property owner, removed a major obstruction from the Assabet River. Two trees had fallen from either side of the river, causing a dangerous blockage to kayakers and canoeists navigating the river. A minimal amount of the trees was removed to restore safe passage, while leaving the remainder fisheries and wildlife habitat. DNR staff thanks OARS for all the volunteers that assisted with this endeavor.



**Tree Limb Removal**

### **Health Division**

**Weekly Mosquito Update:** The first 2012 human case of EEE has been found in a resident of Middlesex County, although it is likely this individual contracted the disease from a mosquito exposure while traveling out of state. A EEE-positive mosquito was found in Sudbury in mid-July, but no other EEE-positive mosquitos have been found in towns surrounding Concord to date. Mosquitos positive for WNV have been found in Wayland, Framingham, Arlington, Chelmsford and Dracut in the past week. Our recent hot weather with episodic rains has promoted development of WNV and Culex mosquito species.

While the MDPH risk level for WNV and EEE remains low in our area, this does not mean that these areas are completely safe or risk-free. Infections can occur anywhere, even in areas of low or remote risk. Therefore, people in all locations are advised to take precautionary measures to protect themselves and their loved ones from mosquito-borne disease throughout the summer and fall mosquito season. Personal protective measures include using repellent, reducing outdoor activities during the dusk and dawn periods, wearing clothing that covers the skin, and dumping standing water in all areas.

**Healthy Communities RFP for Consultant Services:** Three responses were received to the RFP. The Steering Committee reviewed all proposals and interviewed two of the respondents. A recommendation has been sent to the Town Manager for the selected consultant.

**Bathing Beach Closure:** The semi-public bathing beach at Silver Hill exceeded bacterial limits when tested on August 7. The beach was closed for swimming by the Health Division on August 9, after laboratory results were received late in the day August 8. The beach was re-sampled on August 9; results were to be reported on August 10 and the beach to be reopened if bacterial levels are within acceptable limits.

**330 Baker Avenue:** Construction has begun on the 9,900 g.p.d. septic system. Assistant Health Director Stan Sosnicki has been making periodic visits to the site to inspect construction as it progresses.

## **POLICE**

**Operational Services:** On Thursday August 9, officers responded to 290 Baker Ave for a report of a motor vehicle that was broken into. An unknown person (or persons) smashed out a back window and stole a set of golf clubs. Officers canvassed the area for similar breaks as well as any evidence from the original crime scene. The case is currently under investigation.

On Thursday August 9, officers responded to the area of Walden Street and Everett Street for a disturbance involving three females. Upon arrival officers learned that one of the subjects was a student at the Walden Street School for girls and the other two subjects were staff from that location. They also learned that the female student had tried to run away. Officers assisted the staff members in getting the student back to the school.

On Saturday August 11, Officer Bordenca conducted a motor vehicle stop on Main Street involving an operator suspected of drunk driving. After conducting an investigation of the operator's ability to safely drive a motor vehicle, Officer Bordenca determined that the operator was impaired and should not have been driving. The operator was placed under arrest and transported to the Station for processing.

**Community Services:** Beginning August 15, the Concord Police Department will join other agencies throughout the State to enforce the national campaign of "Drive Sober or Get Pulled Over". The Department of Highway Safety provides agencies, including Concord, additional funding to increase patrols. The patrols, in 4 hour blocks, are devoted to detecting impaired drivers on the roadways.

On Friday August 10, officers provided the Massachusetts / Rhode Island Harley Owners group with an escort through Town. They are a group of veterans that ride to raise awareness and support for fellow veterans.

**Administrative Services:** On Monday August 6, officers were assigned to Superior Court in Woburn for testimony in a criminal case involving the arrest of a suspect in a house break in 2010. Sgt. Goldman, Detective Shea and Detective Morrison all provided sworn testimony regarding the case. The defendant was found guilty on all charges.