

Town Manager's Weekly Report

Monday, November 17, 2008

To: Board of Selectmen
From Christopher Whelan, Town Manager

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

- 1. Mass Highway will Present Route 2 Rotary Alternatives next week.** Mass Highway officials have arranged to attend the November 24 Selectmen's meeting at 7:30 pm in the Town House to discuss Alternative #3 and Alternative #5 for reconstruction of the Route 2 Rotary. Grace Arthur from MHD reports that most of the feedback they have heard favors Alternative #5, with the "free right turn" for vehicles entering the rotary along Route 2A from Acton. Several weeks ago, the Selectmen expressed the opinion that Alternative 5 seems to consume too much of the farmland adjacent to the MCI-Concord cemetery and the Board preferred a less intrusive option. Grace Arthur indicated that Alternative #3 creates a left turn for cars entering the rotary from Acton and creates an access ramp in front of the prison, which will make it necessary to eliminate both MCI entrances onto Route 2. Alternative #5 would only eliminate what is now the "main" entrance to the prison. MHD is meeting with the Acton Selectmen this week and Concord Selectmen next week in the hope of breaking the "impasse" by the end of November. MHD hopes to achieve consensus on a "preferred alternative" and to proceed to permitting for that alternative by the beginning of 2009.
- 2. *Fire Chief Retiring February 27.*** *As reported earlier, Chief Ken Willette will be retiring from the Fire Department in February. He has now set his last date of work as February 27 of next year. The Human Resource Department has begun advertising to fill the vacancy in the Fire Chief's position. Ads will appear in "The Beacon", the Massachusetts Municipal Association's monthly newsletter, as well as the "Boston Globe" and other publications. The deadline for applications is January 16. A new Fire Chief is not likely to be selected and available for work by the end of February, so it is expected one of our current fire officers will serve as Acting Fire Chief for a month or so.*
- 3. Concord Housing Development Corporation.** New member Jack McBride of Spenser Brook Road was recently elected as the new Chair of the Concord Housing Development Corporation, effective immediately. Jack has an extensive background in housing development in New England.
- 4. Mass Highway Leasing Land for Cell Carriers.** The Selectmen received notice last week that the Commonwealth of Mass is requesting proposals to lease space for a cell tower on the Mass Highway property next to the State Police barracks on Route 2. Planning Director Marciaspoke with Nicholas Tsaparlis at DCAM regarding the lease of MHD land at 936 Elm St. He indicated that this is the first step of the State's process for leasing land. Plans and additional information will be available at the public hearing scheduled for Wednesday, December 10th at 6:00 p.m. to be held at the Town House. After the December public hearing, DCAM will prepare a recommendation to the Asset Management Board. If the AMB approves the recommendation,

the next step would be the issuance of a Request for Proposals to lease the site. Any lease agreement will include the condition that the carrier obtain local permits as needed/required. The initial hope of MHD is that the carriers are able to use the existing lattice structure that is already standing at this site and is used by MHD for radio communications. The carriers will need to confirm that the structure is capable of carrying the communications equipment; if not, then the Planning staff will likely recommend a monopole designed to allow multiple carriers - the height would depend on what exists, what's needed and what it would look like (note: the tower height at 200 Baker Ave. is 150 feet).

5. **CC Human Rights Council's Annual Human Rights Day Breakfast.** The Selectmen and the community have been invited to attend CCHRC's Breakfast on Monday, December 1 at 7:30 a.m. at the Trinitarian Church on Walden St. No charge to attend and all are welcome.
6. **Local Wetlands Bylaw.** The Natural Resources Commission will be meeting with the Board of Selectmen on Monday, December 1. The NRC plans to present the proposed Bylaw to Town Meeting in April 2009. The Commission has also prepared a set of draft regulations they would plan to implement if the Local Wetlands Bylaw is approved by Town Meeting. The local bylaw is intended to provide the Commission added flexibility to address wetlands concerns that are not available through the State's Wetlands Protection Act. Many Massachusetts cities and towns have adopted their own local bylaws to supplement the State Act.
7. **Waste Water Task Force.** *The Waste Water Task force is meeting tomorrow morning at 7:30 a.m. in the Selectmen's Room. The group will be discussing a draft report to the Board of Selectmen, as well as two possible articles for inclusion on the Town Meeting warrant for 2009. The Task Force will be reporting to the Selectmen at the December 1 meeting, in advance of the Town Meeting Coordinating Meeting on Saturday, December 6.*
8. **Planning Department Activities**

Planning Division

- **Concord Housing Development Corporation:** The CHDC is scheduled to meet with the Board of Selectmen on November 17th and the Planning Board on November 18th to present their conceptual plan for affordable housing at 1245 Elm Street and request the support of each Board. A draft plan and project summary were submitted for the Boards' reviews. The CHDC also met with the Community Preservation Committee to discuss the possibility of removing one of the restrictions on the current funds (2008) that limit use of the funds for preservation of housing (such as the units at Emerson Annex) rather than construction of new housing. The CPC was receptive to removing the limitation, but raised concern about the loss of a unit at the Emerson Annex if an owner was ready to sell.
- **Community Preservation Committee:** The CPC held their last project review meeting on Thursday which included the Thoreau Farm Landscape Restoration, the Bruce Freeman Rail Trail, and the Concord Art Association Access Project. The application for additional playground facilities made by Friends of Concord Children has been formally withdrawn from consideration as the applicant has decided to wait and try to work with the School Committee next summer when the building has been completed. The CPC will hold its public hearing for new funding applications next Tuesday, November 18, at 7:30pm in the Alcott School Auditorium. Both CPC members and project applicants will be making brief presentations of the new projects, and the public has been encouraged to come in with any questions or comments that they might have at this time.
- **Historic District Commission:** The HDC continues their review of the Historic District Guidelines with presentations on the Barrett Farm, Church Street, and American Mile Historic Districts. Commission members discussed the scope and format of the proposed changes, and have scheduled a further discussion of this project for their Dec. 4th meeting. The Commission hopes to

complete the summary updates for each District and then move on to update the guidelines for specific architectural features.

Health Division

- **Casey's restaurant:** Plans have been submitted by the owners of Serafina's for their new restaurant, Casey's, which will be located in the space previously occupied by the video store at Crosby's Plaza. Gabi White will be working with the owners to insure that the facility is designed and constructed in accordance with proper food safety principles.
- **Emergency Preparedness:** Brent Reagor participated in the limited stand-up of the Concord Emergency Operations Center during the FEMA Region 1 Hurricane Zed exercise on Thursday. As part of the exercise, Concord examined the local operations necessary in the aftermath of a Category 2 hurricane passing to the west of Worcester, with sustained winds at 74 mph impacting Concord. Operations included damage assessment, mass shelter operations, commodity (water, food) distribution, and debris removal. Brent will also serve as a primary instructor during this weekend's Concord Emergency Management Agency Mass Shelter training exercise at the lower gym at CCHS.

Building and Inspections Division

- **Trammell Crow Residential/Alexan Concord:** DPLM staff received confirmation from Robb Hewitt of TCR that there was no appeal of the Acton comprehensive permit decision. TCR is starting work on their construction drawings and have requested a meeting with the Building Division to discuss the schedule for submitting drawings and to get a better understanding of the permit process (review, issuance and occupancy). TCR has also scheduled a meeting with the Fire Dept. Chief and Deputy Chief to meet with its fire protection engineer and construction group relative to fire protection, emergency access points and to layout TCR's schedule for submitting drawings.
- **Concord Board of Appeals:** Paula Trebino and John Minty report that the Board of Appeals approved special permits for two wireless communication facilities at its Thursday meeting - one located on town-owned land at 509 Bedford Street and the other located in the steeple at the Holy Family Parish Church at 12 Monument Square. There was a small group of Concord residents speaking in opposition to these applications. The renewal of a special permit for a Special Home Occupation at 141 Mildred Circle was approved and a special permit to allow demolition of an existing house and construction of a new 2-story colonial-style house at 27 Birch Drive was also approved. Two applications were continued: One for a special permit to change, alter, extend or reconstruct an existing non-conforming use and structure and for an amendment to a previously approved special permit for an additional dwelling unit at 350-352 Sudbury Road; the second for Concord Wold LLC, for a special permit for three Hammerhead Lots as part of a proposed subdivision plan for land off of Commerford Road.

Natural Resources Division

- **Macone Farm Lane Conservation Restrictions:** Division of Natural Resources staff is working with the state and the three property owners along Macone Farm Lane to finalize three Conservation Restrictions that were required by the Planning Board for the three-lot residential compound approved in 1996. These are expected to be completed and signed by the Natural Resources Commission soon and then forwarded to the Board of Selectmen for approval. A previous version of the CR was signed by the NRC and BOS in 1996, but the state requested changes twice (from different reviewers) and there have been multiple changes in property ownership.
- **Proposed Wetland Bylaw:** The draft Wetlands Protection Bylaw and Regulations have been sent to the Board of Selectmen and the Planning Board for their review. During the presentation to the Planning Board on November 18 at 7:00 p.m., the Commission will also discuss the proposal to delete the Wetlands Conservancy District from the Zoning Bylaw concurrent with the adoption of the new bylaw. This bylaw will also be the topic of a special Conservation Coffee presentation at 8:30 a.m. on November 18th. The presentation to the Board of Selectmen is scheduled for their meeting on December 1, 2008.

9. Public Works Department Activities

Warner's Pond Dam – Made it through the recent rains without any additional flooding. Progress continues with the completion of the walls and low-flow pipe. Favorable weather has allowed for significant progress in the construction of the earthen embankment, placement of low perm soil, rip rap and keyway/flowable fill installation. With continued dry weather, substantial project completion is expected later this fall.

Playing Fields Storage Building and Restroom – The construction of the restroom and storage building began two weeks ago at the High School. The structure should be completed by early December. The storage portion of the building will be put to immediate use. The restroom building project was made possible by a donation of the Friends of Concord-Carlisle Fields. Upon completion of this project a formal donation of this building from the Friends will be brought forward for acceptance by the Selectmen.

Sleepy Hollow Deeds Building Repairs – CPW continues to perform work related to structural stabilization at the Deeds Building. This work is being coordinated with Jim Macone who is providing his expertise in building construction to ensure work meets all code and structural requirements. As time and funding permit, efforts will continue to make both interior and exterior construction improvements with the intent of rehabilitating the Deeds building for future use.

Concord Academy Crosswalk – The majority of drainage improvements have been completed with installation of curbing scheduled to begin early this week. The contractor, Greener Excavation, reports that all roadway work is anticipated to be completed by November 15th followed by the balance of all related sidewalk work completed shortly thereafter, weather permitting (*Tree planting in the "bump out" area is likely to be delayed until Spring*).