

Department of Public Works
Advisory Board Meeting
February 27, 2007
approved

The meeting was held in Room 211 at the town hall on Tuesday February 27, 2007 at 7:30 AM. Present were Advisory Board Members Eric Sonnett, Dan McIntyre and Jim Pyne, DPW Director J.T. Gaucher, DPW Administrative Manager Bruce Prentiss, Town Facilities Manager Brian Main and Town Manager Tony Troiano. Also present were town residents Nancy Peters, Mary Pratt, Muriel Kramer and Ron Clark and from Earth Tech Dick Jubinville, John Daniels, Bob Bell and Rosemary Blacquier and real estate developer Chuck Joseph.

WEST MAIN STREET / SOUTH STREET DEVELOPMENT

Mr. Joseph advised the board that Mr. McIntyre is involved with engineering for the proposed project that he will be discussing and therefore Mr. McIntyre stepped down as a board member for this presentation. Mr. Joseph presented a concept drawing of redevelopment in the area of South and West Main Streets. He said that 5 existing buildings would be raised and replaced with 3 retail buildings and 1 office building. At the present time water/sewer connections have not been applied for, but those applications will be submitted soon. It is estimated that the water/sewer usage will be 12,000 gallons per day for both water and sewer for all buildings. The 5 current buildings are connected to water and sewer so the net increase is expected to be 3,000 gallons per day. The proposal calls for using several of the existing sewer stubs so that each building should be able to have its own sewer connection. The board did not make any

recommendations at this time, however it was stated that the proposal would have right to water/sewer service provided sewer capacity exists when the permit application(s) is submitted. Mr. Joseph said his purpose for attending today's meeting was for informational purposes and when the formal water/sewer application(s) have been submitted he would be back for further discussion.

FRUIT STREET PROPERTY CONSERVATION RESTRICTION

Mr. Sonnett explained that it has been discovered that a conflict exists between the boundaries of the conservation restriction proposed for the Fruit Street property and the layout of the Waste Water Treatment Facility. Representatives from Earth Tech and Mrs. Kramer and Mr. Clark joined the meeting to discuss options for resolving this conflict. Mr. Sonnett said the board just recently became aware of the conflict and asked Ms. Blacquier to review the history of establishing the boundaries of the conservation restriction. She explained that Earth Tech was not involved in the process when it began several years ago. Through research she said Earth Tech was able to determine that the borders of the proposed conservation restriction were first established by Beals & Thomas Engineers in 2003, based on information that existed at the time for the proposed development of the Fruit Street property. She said that the layout of the Waste Water Treatment Facility encroaches on approximately 30 feet of conservation restriction land, and that the access road, as proposed, crosses conservation restriction land.

Mr. Clark explained that the Board of Selectmen appointed the Fruit Street Study Committee to explore options for build out of the Fruit Street property, and Beals & Thomas was hired to assist with that. Eventually the Fruit Street Study Committee was

replaced by the Fruit Street Development Committee, and they thought it would be appropriate to advertise for proposals for engineering services for the proposed development of the property. Beals & Thomas was not the low bid and VHB Engineering was hired to take over the engineering services. VHB used Beals & Thomas information and expanded upon it and at the annual town meeting in 2003 an article was voted to establish the boundaries of the conservation restriction. Mr. Clark and Ms Blacquier also explained that research has shown it was believed that having the bounds of the conservation restriction established early in the development process would assist in obtaining a funding grant and negotiating an agreement with the Massachusetts Fish and Wildlife agency. As it turned out the grant was not awarded and the agreement with the state was not negotiated.

Mr. Bell discussed the implications that a conservation restriction would have on the zone 1 protection area around well #6 (H-2). He explained that the DEP policies and regulations are stricter than what is required under the conservation restriction, and including water department controlled land within the conservation restriction may preclude future improvements to the required infrastructure of the water supply.

Mr. Daniels pointed out that the original conservation restriction comprised 98 acres of land, and at the annual town meeting in 2006 an article was voted which added an additional approximate 51 acres. That brought the total conservation restriction to 149 approximate acres. It was also noted that the MEPA permit for the waste water treatment facility includes wording referring to a conservation restriction of 149 acres.

Discussion centered around if and/or how the bounds of the conservation restriction could be modified so as to not include the water protection zone 1 at well #6 (H-2) and the

waste water treatment facility, and so as not to interfere with construction of future projects on the Fruit Street Property.

Ms Blacquier said one option may be to send a letter of determination to MEPA explaining the conflict(s) that exist and provide assurance that if the bounds of the conservation restricted area are changed, the total number of acres included will not be reduced. She also said that if the conservation restriction was implemented in phases, it could be established upon the completion of each phase of construction proposed for the Fruit Street property.

Mr. Troiano suggested forming a working group consisting of all interested parties to review all related issues and agree on a process for moving forward prior to presenting an article at town meeting for voter consideration, either for the annual town meeting this year or a future town meeting.

It should be noted that Earth Tech mentioned several times that the apparent conflict between the conservation restriction and the construction of well #6 and the waste water treatment facility will not prevent or delay either project from moving forward to the construction phase.

Motion – Mr. Pyne made a motion that the board should recommend to the Board of Selectmen that no conservation restrictions should be implemented until such time as all details of various projects are complete. The motion was seconded by Mr. McIntyre and voted by unanimous vote.

LAKE MASPENOCK DAM

There was discussion regarding the DPW budget request for maintenance of the Lake Maspenock Dam. Mr. Sonnett stated that the work which has been done so far to study the integrity of the dam was funded through a state grant in the amount of \$100,000 and the state allowed some initial cleaning of the spillway gate area under that funding. He said a second grant in the amount of another \$100,000 was approved by the House, but the Senate would not consider approval until such time as the town owns the dam.

Mr. Gaucher explained that the review of the dam was preformed by Pare Engineering and their classification of the dam based on hazard rating placed it very close to the break between classifications, which define the recommended repairs. Mr. Gaucher said several items recommended are minor repairs and a few recommendations were more involved and represent a higher cost. As part of a 10 year maintenance plan, those more expensive repair recommendations were several years in the future.

Mr. Troiano advised the board that Town Counsel is currently researching the title to the dam, the maintenance and insurance factors and the ownership of the water rights associated with the dam/lake. He said he hoped to have some information regarding those areas before the end of the day today.

Mr. Sonnett stated that during the time the Milford Water Company has been in control of the dam they have done little or no maintenance to the dam, and there is no reason to believe that if they are looking to sell the dam that they will do any maintenance now. He also mentioned that there may be other parties interested in purchasing the dam, and the town would have no assurance that at some point the lake could possibly be

lowered/drained. He said if that were to happen it would have a serious negative effect on the entire town.

Motion – Mr. McIntyre made a motion that the board should recommend to the Board of Selectmen that the Director of Public Works should be directed to consult with Pare Engineering to review the dam classification and update the maintenance proposal. Mr. Pyne seconded the motion and it was voted by unanimous vote.

DIRECTOR'S UPDATE

Town Meeting Articles

Mr. Gaucher advised the board that he presented DPW town meeting articles to the Board of Selectmen last night. He said that the Board of Selectmen Chairperson requested further discussion of additional funding requirements for the increase in construction estimates for the waste water treatment plant prior to town meeting. The board suggested that Mr. Gaucher should consult with Mark Abrahams and obtain an estimate regarding an update to the phase 6 sewer betterment spreadsheet.

The Board of Selectmen questioned the purchase of 2 new highway trucks, one dump truck and one sander. Mr. Gaucher said the question concerned using the existing sander body and installing it on one of the trucks scheduled for replacement instead of getting 2 new trucks. Mr. Gaucher said he checked with the highway employees and was told that it would be very costly due to the modifications that would be required to the frame of the current truck and to the hydraulics to accept that sander body.

The board asked Mr. Troiano if the town meeting warrant would include an article for 2 new trucks for the highway department. Mr. Troiano said at the present time there are no plans to modify the article from the form it was submitted.

Mr. Gaucher advised the board that the water department has received a request to extend the water main on Fruit Street to include the Huckleberry Road area. He said an article has been submitted for town meeting consideration.

Valentine Day Snowstorm

Mr. Gaucher advised the board that the snowstorm on February 14 was extremely difficult to move and that the highway department was not able to start plowing sidewalks until 11:00 PM. The sidewalk operation was further slowed by the fact that the plows would not move the snow and a snowblower had to be used. When the snowblower attachment is on the machine it has to work at a much slower pace than when a plow is used. By the morning of February 15 the majority of sidewalks had been cleared in the center of town with the exception of a few spots on Hayden Rowe and Grove Streets. The sidewalks on South Street were not completed until February 17. The board asked if having additional manpower would help prevent that type of delay in the future and Mr. Gaucher said that additional manpower would be a big help, not only for snow removal but for all year long.

Storm Drain at 283 Hayden Rowe Street

Mr. Gaucher advised the board that the storm drain at 283 Hayden Rowe Street was cleaned within a few hours of the directive he received at the last meeting. He said Town Counsel was advised of the directive he was given, and has in turn written a letter to Mr. Brock's attorney explaining the urgency of the situation. Mr. Gaucher said the work was completed with town employees remaining within the right of way of the roadway layout and not entering Mr. Brock's property.

MINUTES

The minutes of the February 13, 2007 meeting were approved on a motion made by Mr. McIntyre and seconded by Mr. Pyne. The vote was unanimous.

NEXT MEETING

The next meeting was scheduled for Tuesday March 13, 2007 at 7:30 AM in room 211 at the town hall.

This meeting was adjourned at 10:30 AM

Respectfully submitted,

Bruce Prentiss, Administrative Manager DPW