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March 26, 2019

Public Works Committee Meeting Minutes

A meeting of the Public Works Committee was held on Tuesday, February 26, 2019, at DPW Headquarters, 301 Broad Street, at 5:01 PM.

Committee Members Present: Councillors Joel Kaddy (chair), Marisa Fleming, Sam Squailia, Dave Clark, Paul Beauchemin

Committee Members Absent: (none)

Other Participants: DPW Commissioner Lenny Laakso
DPW Superintendent Gary Withington

Action taken as follows:

Petition 131-18: Councillors Marisa Fleming and Marcus DiNatale on behalf of Raul and Yeydi Jimenez, to investigate and implement remedies to mitigate/ and or prevent property damage to 162 Townsend Street resulting from motor vehicle incidents that frequently damage the property's fencing.

Discussion: Superintendent Withington met with the property owner and they agreed that boulders would be placed in front of the property by DPW. The Committee voted, 5-0, to GRANT the petition

Petition 132-18: Councillor Paul Beauchemin to establish a height limit for utility poles in the City of Fitchburg.

Discussion: At the petitioner's request, the Committee voted, 5-0, to give the petition LEAVE TO WITHDRAW.

Petition 209-18: Multiple citizens to repair McTaggart's Dam to refill pond and restore wildlife population.

Discussion: The Committee voted, 5-0, to HOLD the petition, pending completion of the ongoing alternatives analysis. NOTE: The Committee went on a tour of McTaggart's Dam and Moran Playground after the formal meeting.

Petition 286-18: Councillor Marisa Fleming, to have the City place bales of hay at the top of High Rock Road where it meets the paper road portion of High Rock Road. During heavy rain the water runs down into the back yards of 1191 and 1179 Ashby State Road causing flooding and debris.

Discussion: Superintendent Withington advised that hay bales would not help much, but Councillor Fleming said that the property owners on Ashby State are insistent that something be done about the flooding. The Committee voted, 5-0, to HOLD the petition pending a review by Engineering Division.

Petition 307-18: Councillors Green and DiNatale, on behalf of resident Timothy St. Jean, to inspect and find a remedy to a water runoff issue beginning at 113 Payson Street that is causing recurring ice beds to form during cold weather on the remainder of the street.

Discussion: Commissioner Laakso stated that the engineering consultant for the sewer separation project that is planned on Payson Street has been looking into this problem. Preliminary conclusion is that the storm drain can be extended to this area, which will provide a means to control runoff. The Committee voted, 5-0, to GRANT the petition, recommending that the sewer separation designer continue to pursue a solution via the new storm drain system on Payson Street.

Petition 062-19: Councillor Amy Green on behalf of Martha LaLancette, 389 South Street, to request that the City of Fitchburg turn Colburn Street into a public way.

Discussion: The Committee voted, 5-0, to give the petition LEAVE TO WITHDRAW. See attached letter from Engineering Division.

Petition 064-19: Councillors Sam Squailia and Joel Kaddy on behalf of David Siefert, 96 Alpine Road, to request DPW find remedy for drainage of Alpine Road between 96 and 142 Alpine Road as outlined in the enclosed petition.

Discussion: Superintendent Withington and Commissioner Laakso stated that the problem can be alleviated by (1) cleaning the culvert at the driveway at 147 Alpine; (2) placing crushed stone to back up the asphalt berm south of 142 Alpine; (3) installing a new driveway apron northwest of the stone culvert crossing Alpine south of #142 and (4) adding new asphalt swales to direct the runoff so that it flows to the stone culvert. The Committee voted, 5-0, to GRANT the petition.

Petition 065-19: Councillors Sam Squailia and Joel Kaddy on behalf of Paul Agnese, to install a berm from his driveway down as required to mitigate washout from street water runoff. NOTE: Petition was amended by City Council to provide address of 273 Theresa Street.

Discussion: The Committee voted, 5-0, to HOLD the petition, as DPW was just advised of the address that the petition is related to.

Petition 284-18: (Referred by Public Safety Committee) Councillor Marisa Fleming to turn private street Eastlin Way into a public way. This street connects East Street to Lincoln Street and cannot be blocked so that the FPD and FFD have access to emergencies.

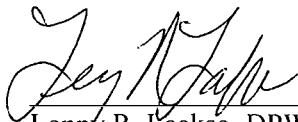
Discussion: Commissioner Laakso referred to the attached letter from the Engineering Division which recommends that the street not be accepted as a public way. The City Code defines various requirements that must be met before a street can be accepted as a public way, but Eastlin Way does not comply. The Committee voted, 4-1, to give the petition LEAVE TO WITHDRAW (Councillor Fleming opposed).

Petition 077-19: Councillor Paul Beauchemin to request that the Department of Public Works submit annually on or about February 1st to the City Council a prioritized list of streets to be paved.

Discussion: Councillor Kaddy expressed concern that this petition will politicize the process of selecting streets to be paved. It was a problem in his earlier days as a Councillor, and he would not want to see a return to that. The Committee voted, 3-2, to give the petition LEAVE TO WITHDRAW (Councillors Beauchemin and Clark opposed).

The meeting was adjourned at 5:16 p.m.

Respectfully submitted,



Lenny R. Laakso, DPW Commissioner
Clerk of Committee

Distribution:
Mayor Stephen L. DiNatale
City Clerk, City Councillors
Gary Bevilacqua, Assistant City Engineer
Gary Withington, Superintendent of Streets
File 2.3A

City of
Fitchburg



Department of
Public Works

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March 6, 2019

Mike O'Hara
Principal Planner
City of Fitchburg

Re: Petition 62-2019- Colburn St

Dear Mr. O'Hara:

Street Acceptance as a Public Way is governed by the City of Fitchburg Code Chapter 157-12 (attached) and is approved by the Commissioner of Public Works.

To summarize the obvious applicable contents of 157-12 please see below.

There is no plan and profile supplied or on record showing approved location, width, and profile/grades for this street.

The street construction must be in accordance with City standards. Since this street was constructed many years ago-the Commissioner cannot confirm that it has been constructed free of all unacceptable soils-clay, loamy materials, rocks, stumps & organic materials thus supplying a suitable road base material. Pavement type and thickness is also unknown.

There is no street bounding delineating this area of land in the field. City code requires granite road bounds to be set at all angles, curves and corners of such street and all intersecting streets.

There is no legal description supplied or on file for this street. The area of this "street lay out" is privately owned and must be donated to the City of Fitchburg or "taken" by the City of Fitchburg by legal means. This requires legal fees and may require damages paid to owners.

It is with these short comings that DPW Engineering cannot recommend the City acceptance of Colburn Street to the Commissioner of Public Works.

Sincerely,

Gary Bevilacqua
Assistant City Engineer, DPW

Cc: Anna Farrell, City Clerk
Lenny Laakso, Commissioner of Public Works

City of Fitchburg-City Code

Chapter 157 Streets and Sidewalks

§ 157-12 Requirements for establishment of streets over private lands.

Any petition for laying out a street which shall in its effect involve the acceptance by the City of a private street constructed or projected over private lands shall be accompanied either by a certificate from the Commissioner that such street has actually been constructed in compliance with the following requirements and specifications or by an agreement of the petitioners that they will bear the expense of such construction and completion:

A. Such street shall be constructed and completed in accordance with a plan and profile thereof filed with and approved by the Commissioner, showing its proposed location, width and grades and the location and grades of all connecting streets, and drawn to such scale as the Commissioner may require and to his or her satisfaction.

[Amended 6-3-2014 by Ord. No. 100-2014]

B. Such street shall be constructed in a manner reasonably safe for travel and with a roadway of such width as the Commissioner may require and of such cross section as he or she may prescribe.

[Amended 6-3-2014 by Ord. No. 100-2014]

C. The whole area of such street shall be cleared of stumps, rocks, roots and other superfluous or objectionable material and of all trees not intended for preservation, and trees intended for preservation shall be properly protected by boxes or fences against injury.

D. All clay, loam and loamy material shall be removed from the limits of the roadway and sidewalks, if required by the Commissioner, to such depth as he or she may approve and shall be deposited outside the limits of such street.

[Amended 6-3-2014 by Ord. No. 100-2014]

E. All work in excavation and embankment shall be brought accurately to such a subgrade as the Commissioner may require, and all side slopes thereof within such street or on adjoining land shall be at such ratio as he or she may furnish.

[Amended 6-3-2014 by Ord. No. 100-2014]

F. All corners of intersecting streets shall be rounded, and granite bounds shall be set at all angles, curves and corners of such street and those made with such connecting streets, according to the direction and approval of the Commissioner.

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March 1, 2019

Councillor Amy Green
Chair, City Council Public Safety Committee
City of Fitchburg

Re: Petition 284-18: Eastlin Way

Dear Councillor Green:

Street Acceptance as a Public Way is governed by the City of Fitchburg Code Chapter 157-12 (attached) and is approved by the Commissioner of Public Works.

To summarize the obvious applicable contents of 157-12 please see below.

There is no plan and profile supplied or on record showing approved location, width, and profile/grades for this street.

The street construction must be in accordance with City standards. Since this street was constructed many years ago-the Commissioner cannot confirm that it has been constructed free of all unacceptable soils-clay, loamy materials, rocks, stumps & organic materials thus supplying a suitable road base material. Pavement type and thickness is also unknown.

There is no street bounding delineating this area of land in the field. City code requires granite road bounds to be set at all angles, curves and corners of such street and all intersecting streets.

There is no legal description supplied or on file for this street. The area of this "street lay out" is privately owned and must be donated to the City of Fitchburg or "taken" by the City of Fitchburg by legal means. This requires legal fees and may require damages paid to owners.

It is with these short comings that DPW Engineering cannot recommend the City acceptance of Eastlin Way to the Commissioner of Public Works.

Sincerely,

Gary Bevilacqua
Assistant City Engineer, DPW

Cc: Anna Farrell, City Clerk
Lenny Laakso, Commissioner of Public Works

City of Fitchburg-City Code

Chapter 157 Streets and Sidewalks

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A. Such street shall be constructed and completed in accordance with a plan and profile thereof filed with and approved by the Commissioner, showing its proposed location, width and grades and the location and grades of all connecting streets, and drawn to such scale as the Commissioner may require and to his or her satisfaction.

[Amended 6-3-2014 by Ord. No. 100-2014]

B. Such street shall be constructed in a manner reasonably safe for travel and with a roadway of such width as the Commissioner may require and of such cross section as he or she may prescribe.

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C. The whole area of such street shall be cleared of stumps, rocks, roots and other superfluous or objectionable material and of all trees not intended for preservation, and trees intended for preservation shall be properly protected by boxes or fences against injury.

D. All clay, loam and loamy material shall be removed from the limits of the roadway and sidewalks, if required by the Commissioner, to such depth as he or she may approve and shall be deposited outside the limits of such street.

[Amended 6-3-2014 by Ord. No. 100-2014]

E. All work in excavation and embankment shall be brought accurately to such a subgrade as the Commissioner may require, and all side slopes thereof within such street or on adjoining land shall be at such ratio as he or she may furnish.

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