

REVISED DRAFT MINUTES
MARGINAL WAY COMMITTEE
FEBUARY 3, 2014
DUNAWAY CENTER- 6 PM

A ROLL CALL

Members Present- H. Horn, P. Breen. L.Rioux & D. Joyner,
Members Excused - L. Gillespie & J. Griswold
Alternate Member Excused - P.Hanscom, M.Eimon
Consultants Excused - Prof. A. Hussey & B. Linney
Selectman D. Barton was present.

A quorum was noted.

B. MINUTES

The revised minutes of the meeting of November 11, 2013 were revised and a motion made and approved to accept these minutes.

The minutes of the meeting of January 6,2014 were reviewed and a motion made and approved to accept those minutes .

C.TREASURER'S REPORT

The January report on the Marginal Way Beautification Fund was not available for this meeting. This report will be reported on at the next meeting.

D. CHAIR'S REPORT

1) Storm Damage

The Chair noted that pedestrian traffic on the Marginal Way over the past few months has been greatly limited by snow and ice on the walkway.

2) Town Budget

The Chair offered to support Selectman Barton at the forthcoming budget hearing regarding the need to provide 2 part time seasonal DPW employees for the Marginal Way maintenance.

E. NEW BUSINESS.

1) Emergency Repairs to the Devil's Kitchen Headwall

Selectman Barton provided an update on the proposal to repair the headwall at Devils Kitchen.

A meeting was held on January 26th to discuss the repair of the Marginal Way at Devil's Kitchen. The attendees were the owners of the property abutting the Marginal Way at Devil's Kitchen, Mr. & Mrs. Wayne Griffin, Selectman Barton, the Chair of the Marginal Way Town Committee, Helen Horn and the landscape architect for the Griffins.

The Griffins gave a firm commitment to the Town to allow heavy construction equipment to cross their property to the repair site. Additionally, they have agreed to fund the repairs to their property resulting from the passage of heavy construction equipment.

The route through Griffin's front yard is the only feasible access for the heavy truck traffic, which is required to transport boulders necessary for the new boulder wall. Trucks cannot use the Marginal Way walkway at the Lighthouse to access the repair site as the width of the walkway is too narrow and that walkway cannot sustain the weight of the loaded trucks. The Town will repair that section of the walkway this spring.

A local contractor, Joe Lindsey was contacted regarding estimating repairs to the Devil's Kitchen and he stated that he has obtained access to a substantial cache of correct size boulders in Wells. They will have to be moved to Stearns Rd site soon at the request of the developer. Lindsey estimates that 40 truckloads of boulders will need to be moved to the site. Many of these boulders weigh multiple tons. Access to these stones will result in a significant reduction in costs as contrasted to the repair costs from alternative contractors.

Discussion affirmed that storm water runoff from Israel's Head through the Griffin property is the main cause of the damage to the Devil's Kitchen headwall. The runoff was not properly taken into account a decade or so ago during an earlier repair to the Marginal Way. The storm water runoff percolates under the topsoil and undermines the boulder wall.

The landscape design for the Griffin property will accommodate the storm water runoff and drains will be inserted under the walkway on the Marginal Way at Devil's Kitchen to allow passage of the runoff past the wall to the ocean.

The work site will be in an area known as Devil's Kitchen in the Josiah Chase plaque area. The initial estimates to correct the ground water run off, install a proper foundation and have the boulders properly pinned is estimated to be \$141,000.

This does not include the extensive repair to the Griffin yard caused by the truck and construction equipment traffic, the replacement of the existing fence and repairs to the Marginal Way pavement caused by the construction.

The existing fence on the Marginal Way will be replaced, as the old fence needs to be removed to allow access to the chasm for the construction equipment.

The Griffins offered to have their Landscape Architect create a plan for their front yard area and submit that plan to the Marginal Way Town Committee for approval. This plan

will describe the design of the landscape for their front yard and detail the corrections, which will alleviate the water runoff issue. The Griffins have committed to paying this additional engineering expense, which could be substantial.

Discussion addressed potential alternatives to the proposed repair operation including the construction of a bridge across the affected area and relocation of the walkway closer to the abutter's property lines.

The bridge alternative was eliminated as the potential construction costs were viewed as significantly larger than the proposed repair to the Devils Kitchen headwall.

The relocation of the walkway to the edge of the property line with the abutter's was viewed as not necessarily resulting in a safe walking path for pedestrians on the Marginal Way.

Discussion addressed the validity of the proposed repair costs and the need to have an engineer verify that the proposed activity complies with relevant engineering methods and practices.

Additionally, a specification needs to be developed which defines the requirements of the repair to correct the damage to the Devils Kitchen headwalls. A Clerk of the Works needs to be appointed to oversee the proposed operations.

Selectman Barton agreed to ask Joe Lindsey for an engineering contact that would conduct an analysis of the viability of the proposed repair in accordance with relevant engineering methods and practices.

Selectman Barton noted that requests for funding in next years town budget will not provide funds within the required time frame as any approval of funds must receive voter approval and if approved will not be available until July.

The Committee asked if the proposed repair costs could be reduced below the projected \$141000, Selectman Barton agreed to discuss this matter with Joe Lindsey and report at the next meeting.

A funding partnership with the Marginal Way Committee, the Marginal Way Preservation Fund and the Town was discussed which would obtain funds from these organizations on a 1/3, 1/3 and 1/3 basis.

A motion was proposed and seconded to have the Marginal Way Committee provide \$50,000 towards the proposed repair of Devils Kitchen. The Motion read as follows "Allocate \$50,000 from the Beautification Fund to the project for the Devil's Kitchen repair".

The Committee approved it unanimously

The bylaws of the Marginal Way Preservation Fund limit annual funding from the Fund's Endowment to \$32,000. Additional funds will be sought from a spring appeal, which is being conducted in the next two months.

Selectman Barton is completing a grant request to start the process of requesting a grant of \$50,000 from the Marginal Way Preservation Fund.

The details of the Town's funding proposal are being worked out, .The issues are: the restrictions on a sole source contract beyond \$10,000 and the availability of funding this year.

Selectman Barton and the Town Manager, Tom Fortier are addressing the Town funding and contractual issues.

All of these issues will be discussed at the March meeting.

F. OLD BUSINESS.

1) Action to Correct the Damage to the Bird Sign

P Breen reported that new decals for the revised logo on the Bird Sign had been received from the vendor and one of these was overlaid on the damaged area of the Bird Sign.

G.ADJOURMENT

The next meeting will be scheduled for March 3,2014 at the Dunaway Center @6PM.

This meeting adjourned at 7:30PM.

Submitted respectfully,

Paul Breen
Secretary