

3/11/2019

Statement from Homeowners on River Road regarding Public Water Line

Residents on River Road in Concord have been impacted in recent weeks by a leaking and deteriorating water line serving 64, 65, 67, 69, and 71 River Road. Water service was shut off to the homes on the morning of December 26th when a leak in the water line damaged the surface of the road and began to ice over. The homeowners were contacted by the city and informed that it was their responsibility to repair the water line before service would be restored. A contractor was hired to repair the line at a cost of just under \$5,000. On January 27th the water line began to leak again, several feet down the road from the first leak. The homeowners were again required to pay a contractor to repair the water line to restore service, at an additional expense of almost \$5,000.

In the judgment of the contractor performing the repairs, the water line is in a deteriorating state and will likely continue to leak periodically until it has been replaced. Given that the water leaks cause damage to the surface of the road and may create dangerous icy spots in the cold weather, the homeowners believe that finding a solution to the problem is not only in their interest, but also in the public interest and potentially a matter of public safety.

The city has estimated the cost to replace the water line and bring it into compliance with city standards to be \$250,000. The homeowners are not in a position to accept responsibility for an expense of this magnitude, given the relatively modest value of the properties and the income levels of the residents. The homeowners are willing to take responsibility for the cost of connecting to an upgraded water service line from each of the properties, and to allow access and easements to private property as an alternative to running the water line beneath the road if the city determines this to be the more cost-effective solution. The homeowners are not asking for a handout, but rather looking to partner with the city to find a reasonable solution to the problem.

Installation of individual private wells as a source for water has been looked at as an alternative, but has been ruled out due to the small size of the house lots, the proximity of septic systems (both current and abandoned), and the location of nearby drainage areas and standing water. Wells are required to be located with a minimum separation distance of 75 feet from septic tanks and septic system leach fields. The lot sizes of the five properties range from 0.14 to 0.38 acres, with existing septic systems on each property. (See attached diagram.)

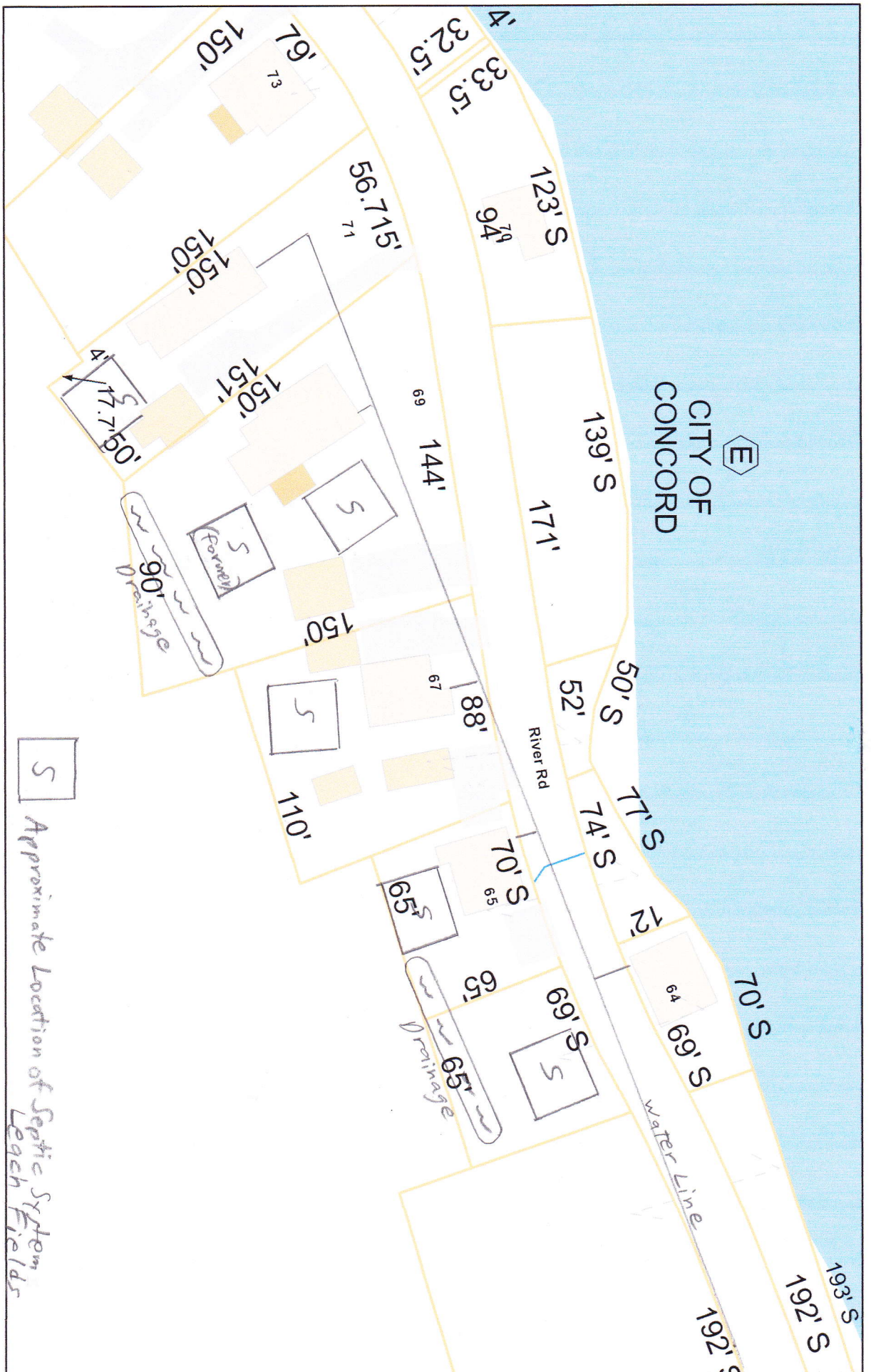
Due to the condition of the water line as described by the contractor, the ever-increasing volume of traffic and large trucks passing over River Road, the effect the spring thaw will likely have on the water line, the considerable cost associated with each repair event, and the lack of a viable alternative water source, the homeowners believe the water line issue on River Road is an emergency and are asking it be considered as such by the City Council.

Homeowners also ask the City Council to consider the following:

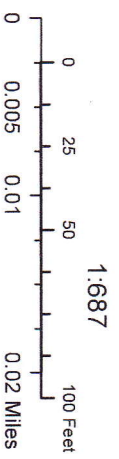
- The increase in traffic volume in recent years, including large trucks traveling over River Road, and the generally poor quality of the pavement have had a negative impact on the water line and will likely contribute to the frequency of repair events and loss of water service to the homeowners.
- The homeowners have paid the city for metered water since purchase of the properties, an expense which presumably includes ongoing maintenance for the water line. The shut-off valves, connecting each of the homes to the water line, were also installed by the city.
- The homeowners were not aware at time of purchase of the city's designation of the water line as 'private', nor were the homeowners aware of any responsibility for the maintenance of the water line. Each of the properties were listed and represented by the sellers as having 'City Water'.
- The current state of the water line, subject to frequent leaks and loss of water service, has a direct and negative effect on the ability of the homeowners to sell the properties. As the problem goes unresolved the homes will also lose value, which will result in lower property tax assessments and less tax revenue to the city. This is not to suggest the city holds particular interest in the marketability or market value of these homes, but does indicate another impact of the problem to the homeowners.
- The homeowners are not party to any agreement with the city, written or otherwise, with respect to the water line. Similarly, the city has provided no documentation or agreement regarding the city's original connection to the water line in 1964. Given the substandard quality of the water line, it is the position of the homeowners that the city should not have connected to it without holding responsibility for its maintenance, and that the homeowners should not be held wholly responsible for a mistake originally made by the city.
- The homeowners see this as a unique circumstance, and not equivalent to or subject to the same conditions as the private water lines installed for commercial or residential development in Concord. The homeowners are not aware of a similar 'private' water line in the city serving a community of homeowners with a history or circumstances comparable to River Road. As such, the homeowners do not believe it would break from any established precedent for the city to work with them to resolve this problem.

Respectfully,

Deann Scott, 65 River Road
Thomas Cimikoski, 67 River Road
Freeland Hubbard, 69 River road
Mark Cornell, 71 River Road



March 6, 2019



S [] Approximate Location of Septic Systems
 ~~~~~ Drainage Leach Fields