

Poor drainage in the Phillips Drive neighborhood causes flooding, safety hazards, and major property damage. Despite pleas from individual homeowners, the City of Newburyport has allowed the problems to persist. Neighbors have now come together to demand action.

Phillips Drive Neighborhood Water Drainage Issues

Report to Mayor Donna Holaday, June 2017

Homeowners of Phillips Dr. Neighborhood

Table of Contents

	<u>Page(s)</u>
<u>Statement of Issue</u>	1
<u>History of Water Drainage Issues</u> <i>As presented by Richard and Anita Goulet</i>	2 - 32
<u>Homeowner Statements</u>	
Atanasoff, 37 Phillips Drive	33 - 35
Brittan, 21 Phillips Drive	36 - 39
Cootey and Matsuo, 22 Phillips Drive	40 - 41
Norton, 35 Phillips Drive	42
Palladino, 23 Phillips Drive	43
Weber, 4 Drew Street	44 - 45
Welch, 6 Drew Street	46 - 49
Worthen, 24 Phillips Drive	50 - 51
<u>Addenda</u>	
Addendum I Summary of April 29, 2017 Phillips Drive neighborhood meeting with Mayor Donna Holaday and members of City Council	52
Addendum II Email follow-up from Mayor Donna Holaday	53
Addendum III 2014 Incident Report	54
<u>Request</u>	55

Phillips Drive Neighborhood Water Drainage Issues Presentation to Mayor Donna Holaday, June 2017

Statement of Issue

Since 1999, homeowners of the Phillips Drive neighborhood have been issuing complaints to the City about flooding, property damage, and other environmental and public safety hazards due to improper water drainage. These issues have not been adequately addressed or rectified.

In mid-April 2017, neighborhood residents received an invitation to attend a community discussion on April 22, 2017, about potential new Habitat for Humanity construction on Hoyts Lane. A number of residents in attendance expressed grave concerns that any construction would worsen the neighborhood's already severe water drainage issues and concomitant environmental and public safety hazards.

In follow-up to the April 22 meeting, Newburyport's Mayor and members of the City Council were invited to a Phillips Drive neighborhood meeting on Saturday, April 29, to discuss our long-standing concerns. A summary of that meeting is attached. **(See Addendum I, page 51)**

Mayor Donna Holaday asked that Phillips Drive neighborhood homeowners document the following issues so that she and the City Council may "form a multi-step action plan":

- ❑ Flooding/drainage issues within their homes and property
- ❑ Changes noted in drainage and flooding patterns
- ❑ Other area of concern

(See Addendum II, page 52)

A final addendum **(See Addendum III, page 53)** details a public safety incident from 2014.

The Phillips Drive neighborhood residents demand that the drainage issues be fully addressed by the city. The neighborhood residents do not support any construction on Hoyts Lane.

This report is the Phillips Drive neighborhood's response to the Mayor's request. The report is provided in full to the Mayor, City Council, and Phillips Drive neighborhood homeowners who have contributed to this report.

Phillips Drive Neighborhood Water Drainage Issues
Presentation to Mayor Donna Holaday, June 2017

Homeowner History of Water Drainage Issues

As presented by Richard and Anita Goulet

"Water Problem"
25 Phillips Drive
Newburyport Ma 01950

HOMEOWNERS:

Richard A. & Anita M. Goulet

Prepared for:
Mayor Donna Holaday
Ward-6 Councilor Thomas O'Brien

Goulet Statement, 25 Phillips Drive

The following is an attempt to summarize, in chronological order, the many, many years of events concerning our ongoing "water problems".

It is also our intention to bring again this issue to the attention of Mayor's Donna Holaday, her Administration and all City Council Members.

1. May 10, 1999 – Purchase of and city portion sale agreement for the Cherry Hill Nurseries property. – Refer Exhibit- A
2. April 5, 1999 – Copy of Cherry Hill Place – Cluster Plan
Sewer Easement Next to "Sawyer Hill Burying Ground Association, Inc."
Note: No provision is set forth for the drainage, or plans for the groundwater flow via the sewer easement, thus creating increased water table down gradient toward Phillips Drive homes. – Refer Exhibit- B
3. April 2, 2002 – Copy of letter acknowledging Mayor Alan Lavender for meeting we had on March 25, 2002 to discuss "Water Problem at 25 Phillips Drive". – refer Exhibit- C
4. Attached is a copy of Plot Plan of existing groundwater drainage, which was installed originally by developer Hazen Brown. The Orangeburg clay pipe that was used has now deteriorated and is no longer functional. – Refer Exhibit - D
5. Copy of Cherry Hill Development Plot Plan – April, 1999.
Refer Exhibit - E
6. May 18, 1999 – Copy of "Newburyport Daily News" article "Cherry Hill Sewer Line OKd". "Other residents questioned their recourse if the development causes environmental problems in years to come." Refer Exhibit - F
7. April 15, 2004 – Copy of meeting and topics discussed with Mayor MaryAnne Clancy and Councilor Thomas S. Farrell - Re: Water Problem at 25 Phillips Drive. – Refer Exhibit - G
8. April 29, 2004 – Copy of letter from Mayor MaryAnne Clancy acknowledging the Phillips Drive neighborhood "water problem". – Refer Exhibit – H
9. October 25, 2007 – Copy of meeting with Mayor John Moak and Ward 6 Councilor Thomas O'Brien – Re: Water Problem at 25 Phillips Drive. – Refer Exhibit – I

10. April 30, 2007 – Copy of Newburyport Department of Public Services Memorandum. “Multi-Hazard Mitigation Plan Approved City Eligible for Future Grant Funding”

See page #5, listing various Phillips Drive properties. – Refer Exhibit – J
Kindly advise the status of ‘Grant’ and or the work start date.

11. May 9, 1999 – copy of Conceptual “Cluster Plan” for the Cherry Hill Nurseries property. Worthy of noting the proper management of the ground water, has proven to be inadequate as of this date. Also, keeping in mind the management of ground water today, now includes (57) roof tops, driveways, some swimming pools, roadway and open space. Refer Exhibit - K

12. Summary of “out of pocket costs” of homeowner – Mitigation Expenses @ 25 Phillips Dr.

Date		<u>Amount</u>
March 20, 2002	B-Dry System, Inc.	\$6,039.00
February 2002	Gut out finished basement due to water damage	\$5,000.00
2002 – 2017	Sump Pumps	\$5,250.00
	Generator	\$630.00
2002 – 2017	Electricity – pumps running 24/7 year round	\$13,500.00 est.
	Total homeowner out of pocket costs	\$30,419.00

13. Photo - #1, December – 2000, Cherry Hill foundations being set in standing water.

Photo - #2, December – 2000, Standing water in the invert of the drain pipe. Drain is nearly blocked by debris. Location base of Hill on (Phillips Drive), looking East.

Photo - #3 & #4, December – 2000, Cherry Hill Nurseries development, actually this a sample of the amount of water that needs to be managed.

Photo - #5 & #6, December – 2000, Standing water on Sawyer Hill Burial Ground Assoc. – Plot #31. Site is in need of water management.

14. The ongoing serious water problem has generated conflict between ourselves and our neighbors, who are located downgradient from our home. Also our neighbors have continually involved the City of Newburyport Health Department. This continuous water problem has been forced upon us by the city’s inactions, which is beyond our ability as homeowners to control. Between our yard and our neighbor’s yard there is a known swale, and whenever we get rain, water does therefore accumulate in this particular location.

Photo - #1, December – 2000
Cherry Hill Foundations being set
In standing water.



Photo - #2, December – 2000
Standing water in the invert of
the drain pipe. Drain is nearly
blocked by debris. Base of Hill
(Phillips Drive) looking East.



Photo - #3 & #4, Dec. - 2000
Cherry Hill Nurseries
development, actually this is the
amount of water that needs to be
managed.



Photo - #5 & #6, Dec. - 2000
Standing water on Sawyer Hill
Burial Ground Assoc. - Plot #31.
Site is in need of water
management.

FOR THE RECORD

Cherry Hill contract up for approval

By SEAN DOYLE
Daily News staff

NEWBURYPORT — The official purchase and sale agreement for the city's portion of the former Cherry Hill Nurseries property will be up for approval at tonight's City Council meeting.

The agreement will allow the city to eventually secure 9.8 acres of the land off

Storey Avenue and Curzon Mill Road it hopes to preserve as a site for a future elementary school. While the city will be buying 5.2 acres of the land outright, the contract stipulates that the remaining 4.6 acres will be transferred to the city by lease or easement "on a perpetual basis."

Essentially making it the city's to use as it wants. The developer, Symes Associates of Wakefield, needed to craft the deal that way in order to meet open space require-

ments of Newburyport's cluster zoning ordinance.

The deal was also written with the understanding that Symes would actually purchase the Cherry Hill land from the Thurlow family of West Newbury, and thus transfer the city's portion, within an established time frame. Symes is purchasing the land from the Thurlows in several phases, and attorney Cheryl Blaine of the city solicitor firm of Keegan, Werlin and

Pabian said the city's part is contained in the second phase of that purchase.

According to Jeffrey Rhuda of Symes, the developers will close their deal with the Thurlows within 60 days of acquiring the necessary permits for construction. The contract also says Symes must close with the city within 18 months of receiving those permits, he added.

"I assume we'll close on the property in Cherry Hill, page A14

CHERRY HILL: Contract is up for approval

Continued from page A1

its entirety by the end of the year," Rhuda said, "and the city will be closing on its property sometime in 2000. I'd expect it to be in the summer because we want to get going on the roads right away."

The city does not have any immediate plans for the 9.8 acres but preserved it as a potential elementary school site after lengthy negotiations.

Additionally, two committees will be presenting progress reports to the council tonight.

The High Street Ad Hoc Committee has been working with city officials to monitor the progress of the proposed redesign of the street and will let the council know about the status of the plans and negotiations with the state Highway Department. The High School Building Conditions Committee, which recently narrowed its vision of a refurbished building to two choices, will also speak to the council.

Ward 1 Councilor C. Bruce Brown has submitted a proposed ordinance that would allow citi-

zens over age 65 to park at the Plum Island Point lot for free. The council will get its first look at that ordinance tonight.

Also coming up tonight is a proposed ordinance that would govern water-use restrictions when a state of supply conservation or supply emergency is declared. The proposal was referred to the council's Public Service and General Government committees last September.

Tonight's meeting begins at 7:30 p.m. in the council chamber of City Hall.

Monday
May 10, 1999

RICHARD A. GOULET
25 PHILLIPS DRIVE
NEWBURYPORT, MA 01950
Work Tel # 978-927-1715

April 2, 2002

Honorable Alan Lavender – Mayor
City of Newburyport
Pleasant Street
Newburyport, Ma 01950

Re: Ground Water Problem @ 25 Phillips Drive

HAND DELIVERED

Honorable Alan Lavender,

Thank you for taking the opportunity to meet with me in your office on Monday, March 25th, to discuss and review the ongoing ground water problem affecting my residence located at 25 Phillips Drive. After a period of thirty years in our home at 25 Phillips Drive, there has never been a need to have a sump pump in our basement. However, since mid December 2001 we have had ground water seeping into our basement and even with being in a drought situation we have needed to have two sump pumps sitting on the cellar floor running (24-7) in order to evacuate the water.

This ground water problem is without a doubt attributed to the development of the Cherry Hill housing development. Before construction began it was announced at various public meetings that retention ponds were to be constructed to allow the vast amount of water that the area would now generate to be released on a gradual basis. A site visit to the development reveals that those retention ponds show no visible signs of water control thus forcing the developments ground water into the soil immediately rather than gradually.

Listed below is some of the chronology as to what has happened to date.

- December – 2001 ground water appeared into basement located at 25 Phillips Drive
- March 8, 2002 Approved Symes Contractor performs a test hole to determine the level of ground water located on the land known as (25 Phillips Drive). Richard Williams - Engineer representing Symes Contracting verbally denies any wrong doing by the developer. He said he would render his opinion and submit it to his corporate counsel.


- March 8, 2002 Allowed the City of Newburyport Water department to take water samples and test if the water had traces of fluoride. The initial test results prove to be negative as far as fluoride content
- March 14, 2002 Allowed the City of Newburyport Water department to take a second water sample to test for possible traces of fluoride. The second testing for fluoride was again proven to be negative.


Two significant events that have occurred on Phillips Drive that are primary reasons for the ground water problem of today

- 1) When the betterment of city sewer was installed approximately 10 years ago. The ground water drainage installed by the Hazen Brown developer was interrupted and circumvented by the Easement running along side the brook adjacent to 23 Phillips Drive (J & K Santos).
- 2) The Cherry Hill development ground water is obviously being sent down gradient to 25 Phillips Drive, whereby in the past vast amount of sod and trees and other vegetation would have absorbed much of the ground water. A site visit to view the condition of the retention ponds, as original proposed by Symes Contracting clearly shows these ponds having a absence of water.

Immediate attention is necessary in mitigating this ongoing ground water problem, which is jeopardizing the health and stability of my residence.

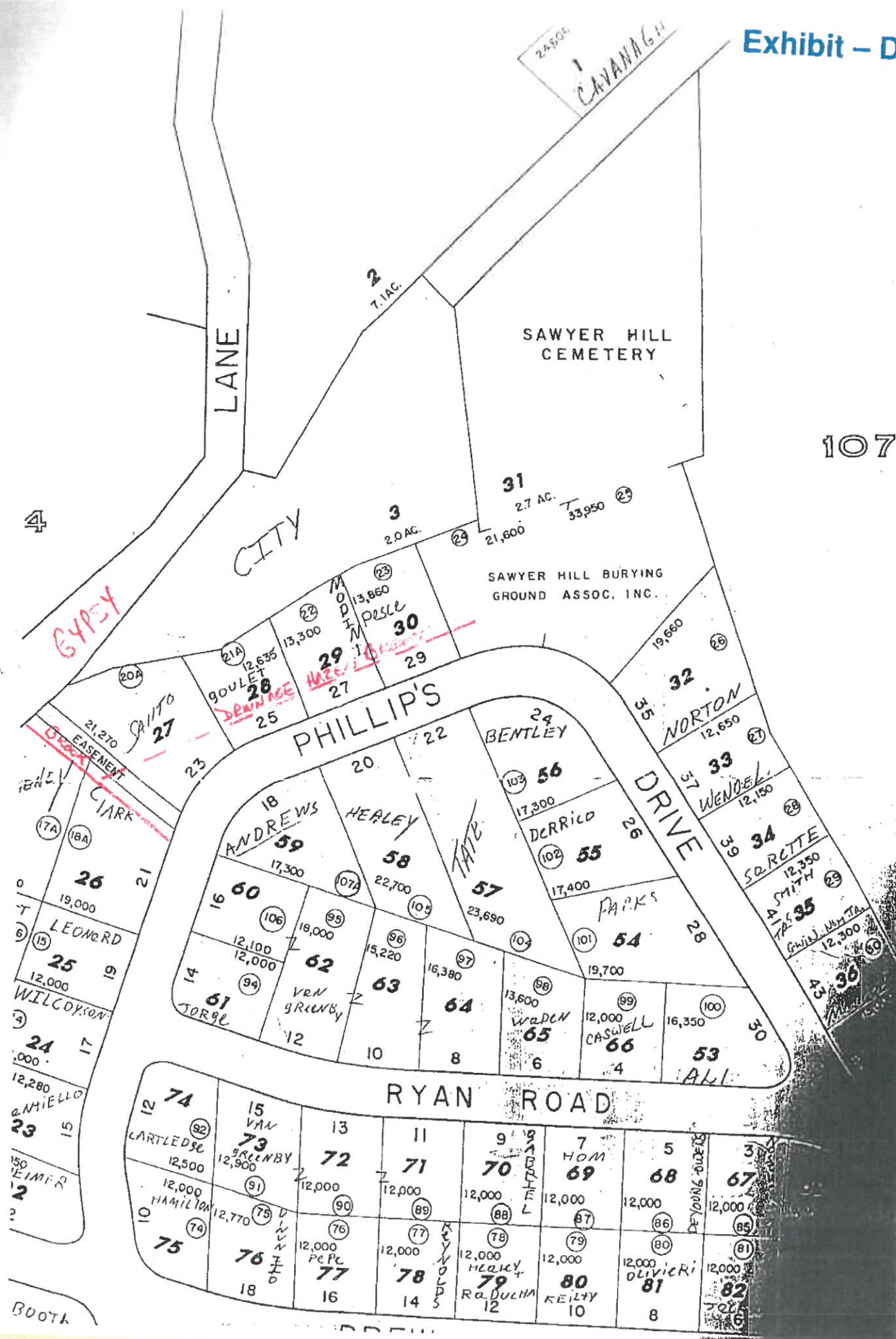
Thanking you in advance for your utmost prompt attention in this matter


Richard Goulet


Anita Goulet

Enc (1)

Cc: Mr. Thomas O'Brien – City Councilor
Mr. Bert Reed – City Councilor



LEGEND OF SYMBOLS & ABBREVIATIONS

EDGE OF PAVEMENT	---
EXISTING CONTOUR	--- 55 ---
EXISTING SPOT ELEVATION	+ 71
PROPOSED WATER MAIN	---
PAVED WATER LINE	---
EDGE OF EXISTING	---
VEGETATED WETLAND (B.V.M.)	---
WETLAND FLAG	---
100' BUFFER ZONE LINE	---
PROPOSED SEWER MANHOLE	○
PROPOSED DRAIN MANHOLE	○
PROPOSED CATCH BASIN	○
PROPOSED HYDRANT	○
PROPOSED INTERMITTENT	○
PROPOSED DRAINAGE FLOW	---
STORMWATER MANAGEMENT AREA	S.W.M.A.
REINFORCED CONCRETE PIPE	---
PIPE ELEVATION	---
EXISTING TRESTLE	---
EXISTING MECHANICAL	---
EXISTING ROILER	---
EXISTING FENCELINE	---
RECORDED BOOK & PAGE NUMBER	2004/71



OWNER: CHERRY HILL ASSOCIATES, INC.

INCS

0' 50' 100' 200'

PRELIMINARY PLAN
CHERRY HILL PLACE
NEWPORT, MASS.

APPLICANT: CHERRY HILL ASSOCIATES, INC.
DESIGNER: WHITE SANDS ASSOCIATES, INC.
DATE: 01/10/00
SCALE: 1" = 100'
REVISED: 01/10/00

Exhibit - E

NEWBURYPORT

Cherry Hill sewer line OK'd

By JANET DEPASQUALE
Daily News staff

NEWBURYPORT— The Conservation Commission approved the building of a sewer line on the former Cherry Hill Nurseries property, but attached a series of conditions to the construction.

Board members agreed that a handful of conditions needed to be placed on the order of conditions that they approved last night for the sewer line of the 71-unit housing development at 113 Storey Avenue.

Those conditions included:

- A comprehensive notice of intent including a comprehensive storm management plan, to be filed within 60 days of the definitive plan set forth by the Planning Board.

- A wetlands replication plan of any uprooted hydric soil with a detailed listing of plants, species, and seed mix of organic matter and native soil plant mixture.

- A detailed plan of planting trees.

- Inspection of the sewer line and checking of dams during the

installation.

- A wetland inspection of the site at both a year and two years from the date of construction.

Many commission members expressed the difficulty in ruling on a proposal without seeing the comprehensive plan.

"This project should be treated as a whole," said member Ray Talkington. "Segmented projects are a curse and create problems. We'd like to have it all together."

Representatives of Symes Associates of Wakefield, the developer, agreed to a complete filing for the project, but explained that before the Planning Board approves a specific plan, there is no clear, comprehensive plan to put forth.

Symes representatives will appear before the Planning Board next week.

Many residents who live near the proposed development attended last night's meeting to voice their concerns about environmental effects.

Homeowner John Santos of 23 Philip's Drive lives at the end area of the drainage, which is immediately adjacent to a stream.

"I've lived there for five years

Government at a Glance

Port Conservation Commission

May 18, 1999



APPROVED

- An order of conditions for a sewer line for a housing development on the former Cherry Hill Nurseries property off Storey Avenue and Curzon Mill Road, with several extra conditions attached.
- Parker River Clean Water



Association proposal to plant native vegetation at 15 Plum Island Turnpike.

DISCUSSED, BUT TOOK NO ACTION ON

- John Daley will re-appear before the Conservation Commission with updated site plans for his 63,000 square-foot self-storage facility at 18 Graf Road.

and I've already spent \$2,000 on drainage problems in my basement," Santos said.

He said he has incurred extensive property damage, and the storm drain has overflowed as much as 30 feet onto his property. "That sewer didn't have the capacity to drain water after just a couple days of rain," he said.

The commission advised residents to write detailed letters, organized by seasons or storms in the past five to 10 years, that

could be used as benchmarks. Other residents questioned their recourse if the development causes environmental problems in years to come.

Member Ellen LaBrecque explained the goal of the commission is to cover the bases to ensure that does not occur.

"That's why we're trying to lock them into a storm management plan now — to prevent that from happening in the future," she said.

Exhibit – G

April 15, 2004

**Richard & Anita Goulet
25 Phillips Drive
Newburyport, Ma 01950**

Ground Water Problem

Presented To:

Honorable Mary Anne Clancy, Mayor

Councilor Thomas S. Farrell

**Richard & Anita Goulet
25 Phillips Drive
Newburyport, Ma 01950**

Re: Ground Water Problem

Contents

- 1. Correspondence to Honorable Alan Lavender – Mayor, April 2, 2002**
- 2. Plot Plan of Existing Ground water drainage, Installed by Hazen Brown developer**
- 3. Plot Plan of Cherry Hill development, Symes Associates, Inc**
- 4. Representative Paul E. Tirone, various communications**
- 5. Senator Steven A. Baddour, communication**
- 6. City of Newburyport Water Department, communication**
- 7. Symes Associates, Inc, 25 Phillips Drive site visit**
- 8. Insurance coverage rejection letter, Vermont Mutual Insurance Company**
- 9. Various photo's of Phillips Drive and Cherry Hill development**
- 10.B-Dry System M/E, Inc, perimeter drain expenditure**



CITY OF NEWBURYPORT

April 29, 2004

OFFICE OF THE MAYOR
MARY ANNE CLANCY
MAYOR

NEWBURYPORT CITY HALL
60 PLEASANT STREET
NEWBURYPORT, MA 01950

978-465-4413

WWW.CITYOFNEWBURYPORT.COM

Richard and Anita Goulet
25 Phillips Drive
Newburyport, MA 01950

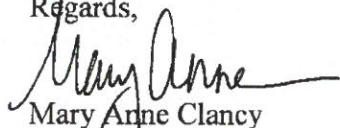
Dear Dick and Anita:

Thank you for meeting with me recently regarding your issues with flooding on Phillips Drive. I am sorry that this had continued to be an ongoing problem for you for so long.

I have several people in my office currently working on ways to identify and resolve this issue to your satisfaction. The main contact is Kristina Ostman in the Planning Office, who can be reached at 978-465-4400. In addition, we will be staying on top of this in the Mayor's Office as well, so feel free to contact me or my assistant, Heather Rowe.

Please know that we will do everything we can to get resolution for you. I thank you for your patience.

Regards,


Mary Anne Clancy
Mayor

Cc: Planning Office

Exhibit – I

**GROUNDWATER PROBLEM
25 PHILLIPS DRIVE
NEWBURYPORT, MA 01950**

HOMEOWNERS:

RICHARD A. & ANITA M. GOULET

**MEETING
OCTOBER 25, 2007
@ 3:00 P.M.**

**HONORABLE JOHN MOAK
COUNCILOR TOM O'BRIEN**



CITY OF NEWBURYPORT

Nancy

Exhibit - J

DEPARTMENT
OF
PUBLIC SERVICES

MEMORANDUM

TO: Daily News, WNBZ, Merrimack Current, Media One, City Councilors, Mayor Moak, Water Commission, Sewer Commission, Planning Department, Board of Health, Conservation Commission, Interested Parties

FROM: Brendan O'Regan, Director
Newburyport Department of Public Services

RE: Press Release - City eligible for Future Grant Funding

DATE: 4/30/2007

MULTI-HAZARD MITIGATION PLAN APPROVED
CITY ELIGIBLE FOR FUTURE GRANT FUNDING

The Federal Emergency Management Agency (FEMA) recently approved the Multi-Hazard Mitigation Plan completed by the Department of Public Services (DPS). The creation of this plan was made possible through a grant received by the DPS. This significant achievement allows for the entire City to apply for mitigation project grants under the many different funding programs administered through FEMA.

According to Brendan O'Regan, Director of the DPS, "While it is always important to attempt to maximize outside funding assistance, it is especially true in the current economic picture. The completion of this Plan and its approval by FEMA will allow the City to access funding that can be used to resolve long standing drainage problems throughout the City as well as other problem areas."

In fact, the DPS has already applied to funding assistance under one of the programs administered through FEMA and hopes to hear back shortly of their grant request.

Customers or interested parties with questions on this subject are asked to contact the DPS at (978) 465-4464.

TEL: 978-465-4463
TEL: 978-465-4464
FAX: 978-465-1623

WWW.CITYOFNEWBURYPORT.COM



Hazard Mitigation Grant

PROJECT 2 – PHILLIP'S DRIVE

Project Location

Phillip's Drive is located in the eastern portion of the city of Newburyport, MA in Essex County. Phillip's Drive intersects with Storey Ave to the south in two places and Hoyt's Lane to the east across from the southern portion of Maudslay State Park. Intersecting streets along Phillip's Drive include Ryan Road, Drew Street, and Sullivan Drive. The Artichoke River is located approximately 0.33 miles away and has a 100-year flood elevation of 13-feet (NGVD).

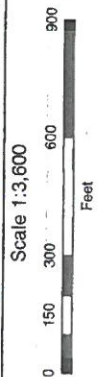
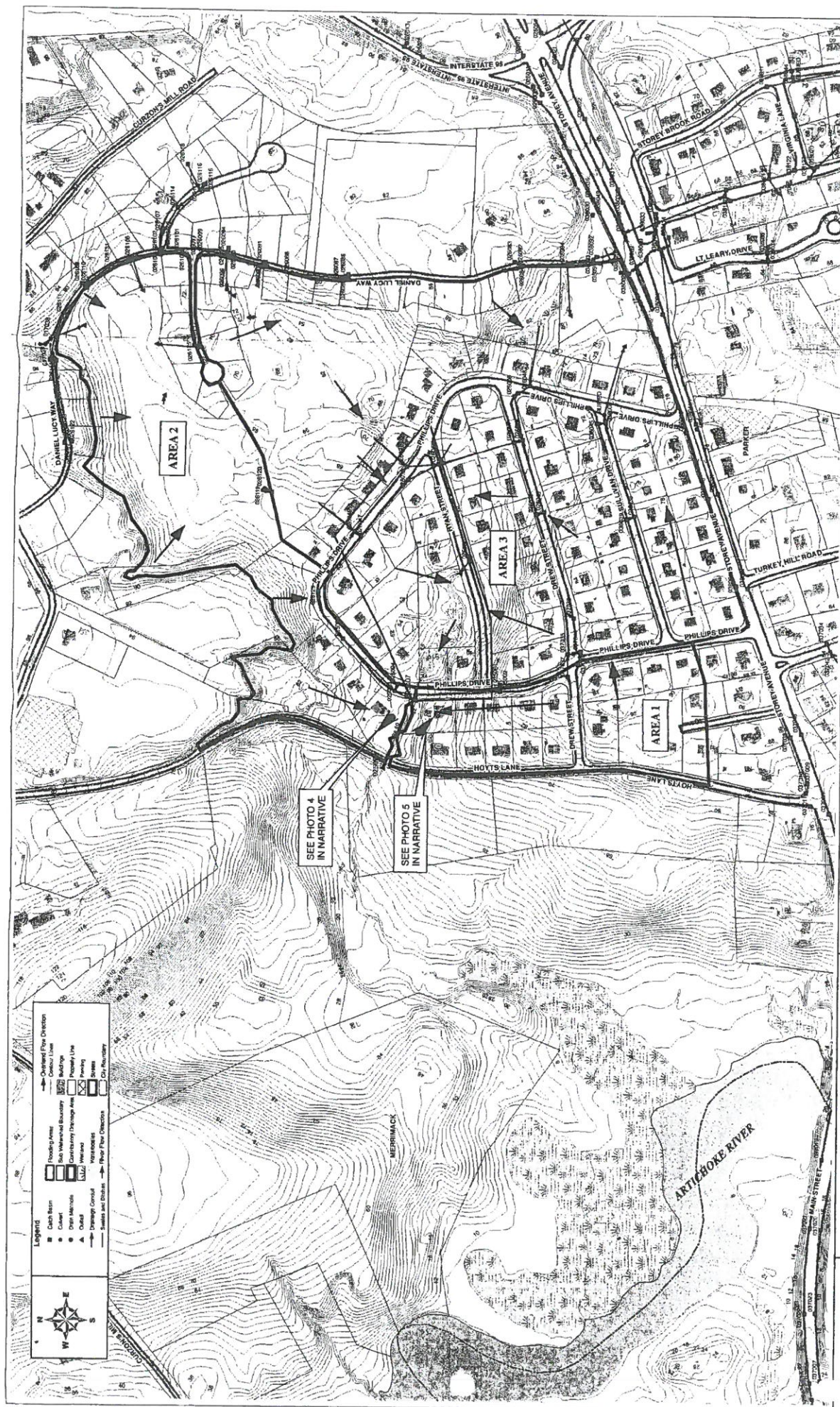
Description of Existing Conditions

During rain events, flooding conditions can be observed in several places along Phillip's Drive and in residents' back yards. This area has experienced flood conditions in 19 storms, with return periods ranging from 1-years to 10-years, over the last ten years. Most recently, during the May 2006 flood event (10-year storm occurring May 13-16, 2006), stormwater was flowing through private property and across Phillip's Drive to the Hoyt's Lane box culvert. The existing stormwater infrastructure upstream of the Hoyt's Lane culvert was undersized and could not handle the flow, which created sheetflow in the roadways and flooding in yards around homes.

Figure 7 shows the neighborhood and the flooding areas. Currently, runoff collects in the retention basins northeast of Phillip's Drive. To control the water level in the retention basins, in an effort to protect the adjacent homes, the basins have two inlets to the stormwater drainage system in Phillip's Drive. However, the existing system on Phillip's Drive is undersized to handle runoff from the retention basins and other contributory areas to Phillip's Drive and Ryan Street for storms of a 10-year return period and greater. In recent years, this problem has been intensified by new development to the north.

When the cumulative runoff from the area cannot be handled by the drainage system on Phillip's Drive, stormwater travels overland and floods backyards and woods until it reaches the 4-foot by 5-foot box culvert at Hoyt's Lane. The outlet of the Hoyt's Lane culvert is at elevation 46, which is well above the 100-year elevation of the Artichoke River of 13 feet.

This area has been identified by city officials as a chronic flooding problem. Twenty-eight residences on Phillip's Drive and Ryan Street repeatedly experience yard and home flooding.



MAICOLM
PIRNIE

CITY OF NEWBURYPORT, MA
HAZARD MITIGATION GRANT PROGRAM
APPLICATION PACKAGE



EXISTING CONDITIONS ON
PHILLIPS DRIVE

FIGURE 7

DECEMBER 2006



Hazard Mitigation Grant

Two public meetings were held regarding the flooding in this area, on February 13, 2006 and November 2, 2006. From these public meetings, and from individual interviews with residents impacted by the flooding, the problems occur when the retention basins overflow. This causes lawn damage when the floodwaters travel cross-country and pond at the Philip's Drive culvert.

Proposed Project Alternatives

Alternative #1: Replace Drain with Larger Diameter Pipes, Improve Inlets and Outlets, and a new Phillip's Drive Culvert

This proposed project is the construction of a new, larger network of drain pipes on Phillip's Drive and Ryan Street, the installation of larger inlets from the retention basins, the installation of a larger outlet from Ryan Street to the brook and the construction of a new box culvert on Phillip's Drive, near Hoyt's Lane (see Figure 8). The new drainage system would include approximately 1,500 linear feet of reinforced concrete pipe and would convey the stormwater to the natural brook before it meets a new box culvert at Phillip's Drive (see Photo 4 for a photo of the existing Phillip's Drive culvert). The outlet of the new Phillip's Drive culvert would then transmit water, via a natural brook (see Photo 5) to the Hoyt's Lane culvert and then to the state park located west of Hoyt's Lane. It would mitigate structure, street and lawn flooding and would eliminate overland flow up to a 100-year storm event, which matches the design parameters of the Hoyt's Lane culvert.

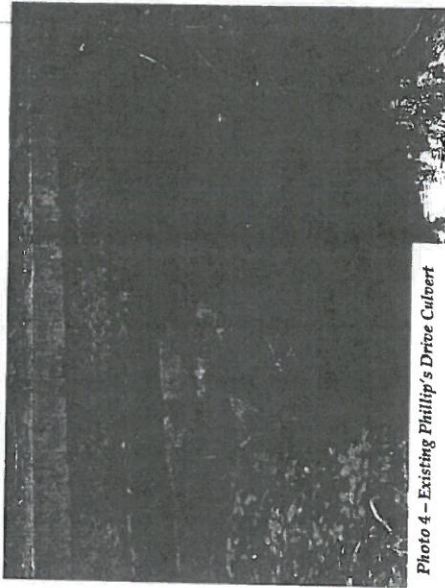


Photo 4 - Existing Phillip's Drive Culvert



Hazard Mitigation Grant

The project would divert stormwater from traveling overland from the retention basins and would allow the flow to enter the new drainage system. This would effectively address the current flooding that occurs in the neighborhood upstream of the recently constructed culvert.

Construction would require the use of heavy machinery to excavate soils and to install the new culvert, drains and inlet structures. It is expected that approximately 4,000 cubic yards of soil will be excavated to install the new drain system. All disturbed areas in the retention basin would be restored with native vegetation and all impacted roadways would receive a full-width repaving. The estimated cost of this project, including design and construction, is \$860,000.



Photo 5 – Natural Brook from Phillip's Drive to Hoyt's Lane Box Culvert

Advantages to this alternative include:

- There is no impact to private property to implement this alternative while solving the current flooding issues in the streets and on private property
- This alternative affords the best solution from an operation and maintenance (O&M) perspective. Although this alternative is more expensive than Alternative #2 (discussed next) it does not add any additional O&M costs.
- This is consistent with the hazard mitigation plan
- This solution provides the best solution from a public perception standpoint. If residents see larger pipes being installed, they will support the project during construction.
- This solution would alleviate flooding for twenty-eight structures located within the affected area and affords the most protection for flood abatement.



Hazard Mitigation Grant

Disadvantages to this alternative include:

- It is the most expensive to construct of all three alternatives

Alternative #2: Add Additional Drains, Improve Inlets and Outlets, and a new Phillip's Drive Culvert

This alternative is similar to alternative #1, only instead replacing the old system with a completely new system, this involves the construction of a supplemental drainage system, in parallel to the existing system and the installation of a new box culvert under Phillip's Drive. Additionally, this project would include new inlets at the retention basins northeast of Phillip's Drive and a new outlet at Ryan Street.

While this project would also handle the 100-year storm, this solution would add 1,500-linear feet of redundant drainage systems that the city would have to maintain. Also, the installation of smaller diameter pipes (than under alternative #1) may be more difficult to defend at public meetings with the neighborhood.

As with Alternative #1, construction would require the use of heavy machinery to excavate soils to install the new drains and inlet structures. It is expected that approximately 4,000 cubic yards of soil would be excavated to install the new drain system. All disturbed areas in the retention basin would be planted with native vegetation. Debris would be removed from the site and hauled to an approved disposal site.

Advantages to this alternative include:

- The construction cost for this alternative would be slightly lower than alternative #1 while still addressing the 100-year storm event. However, the cost reduction is marginal and would be offset by the more complicated design required for a parallel drainage system.

Disadvantages to this alternative include:

- Redundant drainage systems are an O&M burden on the city.
- This project has a higher construction complexity since the city will have to be constructing an additional drainage system and diverting existing drain pipes to the new system.
- This will cause more traffic and pedestrian impacts than with Alternative #1 as construction will be occurring on the majority of each roadway, on the existing system and on the new system.



Hazard Mitigation Grant

Alternative #3: Create a Swale across Private Property and a new Phillip's Drive Culvert

This alternative includes the construction of a swale through private property on the southwest side of Phillip's Drive and the installation of a new box culvert under Phillip's Drive. This swale would take overland flow that is not contained in the retention basin and divert it between homes to the brook near the Ryan Street outlet. The swale would be designed to handle the 100-year storm so that it does not overburden the downstream infrastructure. It would be graded and shaped over its 400 foot length to adequately convey the flow. It is expected that approximately 300 cubic yards of soil would be excavated to install the new Phillip's Drive culvert.

Advantages to this alternative include:

- It is the least expensive of all solutions while still providing protection for some homes under the 100-year storm event.
- There is minimal additional O&M cost to maintain a swale.

Disadvantages to this alternative include:

- This alternative adversely impacts private property. There are still approximately four homes that would still experience flooding during 10-year storm events and higher when the retention basins rise into resident's back yards.
- It is likely that negotiations with property owners, to take the easement to construct the swale, would be difficult and may delay the project.
- This alternative does not meet the hazard mitigation plan goals since it does not mitigate flooding near the retention basins. Also, flooding would still occur on Phillip's Drive at Ryan Street.



Hazard Mitigation Grant

Alternative	Description	Status	Construction Complexity	Construction Duration	Capital Costs	Annual Operation and Maintenance Costs	Permitting Complexity	Consistent with Hazard Mitigation Plan	Impacts to Roads, Vehicle and Pedestrian Traffic	Impacts to Private Property	Level of Protection
1	Replace Drain with Larger Diameter Pipes, Improved Inlets and Outlets, and a new Phillip's Drive Culvert	Preferred Alternative	Moderate	Six months	High	Low to Moderate	Moderate	Yes	Moderate	No	100 Year Storm
2	Add Additional Drains, Improve Inlets and Outlets, and a new Phillip's Drive Culvert	Dismissed	Moderate to High	Eight months	Moderate to High	Moderate	Moderate	Yes	Moderate to High	No	100 Year Storm
3	Create a Swale across Private Property and a new Phillip's Drive Culvert	Dismissed	Easy	Four months	Low to Moderate	Low	Moderate	No	Marginal	Yes	100 Year Storm

Alternative 1 is the recommended alternative.



Hazard Mitigation Grant

PROJECT 2 – PHILLIP'S DRIVE

During rain events, flooding conditions can be observed in several places along Phillip's Drive and in residents' back yards. This area has experienced flood conditions in 27 storms, with return periods ranging from 1-years to 10-years, over the last twenty-five years. Most recently, during the May 2006 flood event (10-year storm occurring May 13-16, 2006), stormwater was flowing through private property and across Phillip's Drive to the Hoyt's Lane box culvert.

This area has been identified by city officials as a chronic flooding problem. Twenty-eight residences on Phillip's Drive and Ryan Street repeatedly experience yard and home flooding during storm events, with six homes having severe flooding. Those six homes are as follows:

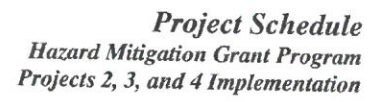
- 18 Phillip's Drive
- 23 Phillip's Drive
- 25 Phillip's Drive
- 26 Phillip's Drive
- 37 Phillip's Drive
- 39 Phillip's Drive

In the May 2006 rainstorm and subsequent flooding, these 28 private homes experienced damage on average of \$3,000 per home. Damage included external property damage from flooded yards and internal property damage from flooded basements and garages.

28 homes X \$3,000: \$84,000

During the May 2006 storm, the roads in this residential neighborhood were still passable, although sheetflow across Phillip's Drive and Ryan Street made it hazardous to vehicular and pedestrian traffic. It is likely that, during a 25-year storm event, this entire neighborhood would be inaccessible to emergency vehicles, creating a dangerous health condition.

To the best of the City's knowledge, this area has not received any US Army Corps of Engineers or USDA – National Resources Conservation Service funding to date.



2008



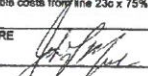
FEDERAL EMERGENCY MANAGEMENT AGENCY BUDGET INFORMATION - CONSTRUCTION PROGRAMS		See reverse side for Instructions and Paperwork Burden Disclosure Notice	OMB NO. 3067-0209 Expires June 30, 1999
1. NAME OF APPLICANT: City of Newburyport - Phillip's Drive Project		2. FEDERAL IDENTIFICATION NUMBER 646-001-403	
3. CFDA NUMBER 97.039	4. BUDGET (Check one) <input checked="" type="checkbox"/> NEW <input type="checkbox"/> REVISED	Budget Period (Month, Day, Year) Beginning Date: July 1, 2006 Ending Date: November 30, 2007	
		5. Grant Program, Functions, Activity Hazard Mitigation Grant Program	
COST CLASSIFICATION	a. Total Cost	b. Cost Not Allowable	c. Total Allowable Cost (Column a-b)
6. Administrative Expense	\$	\$	\$
7. Preliminary Expense	\$	\$	\$
8. Land, structures, right-of-way	\$	\$	\$
9. Architectural engineering basic fees	\$172,000	\$	\$172,000
10. Other architectural engineering fees	\$	\$	\$
11. Project inspection fees	\$	\$	\$
12. Land development	\$	\$	\$
13. Relocation expenses	\$	\$	\$
14. Relocation payments to individuals and businesses	\$	\$	\$
15. Demolition and removal	\$	\$	\$
16. Construction and project improvement	\$888,000	\$	\$888,000
17. Equipment	\$	\$	\$
18. Miscellaneous	\$	\$	\$
19. SUBTOTAL (Sum of lines 6-18)	\$888,000	\$	\$888,000
20. Contingencies	\$114,800	\$	\$114,800
21. SUBTOTAL (Line 19 minus Line 20)	\$773,200	\$	\$773,200
22. Project (program) income	\$	\$	\$
23. TOTAL PROJECT COSTS (Subtract #22 from #21)	\$773,200	\$	\$773,200
24. Federal assistance requested calculations as follows: Multiply allowable costs from line 18b by the (Federal Participation Percentage Approved by FEMA). Enter Resulting Federal share in block labeled "Federal Share". Enter eligible costs from line 23c x 75%		25. Federal share \$559,050	
26. SIGNATURE 		DATE 12/4/06	

Exhibit - K



0 = BEAN POLE W/ BLUE & WHITE FLAGGING

INTERSTATE ROUTE 1-95

CONCEPTUAL
CLUSTER PLAN
IN

NEWBURYPORT, MASS.

SCALE: 1" = 100'
0' 50' 100' 200' 400'
MAY 8, 1999
H&S ASSOCIATES, INC.
ONE FOREST STREET
NEWBURYPORT, MASS. 01901
TEL: (781) 241-3000

**Phillips Drive Neighborhood Water Drainage Issues
Presentation to Mayor Donna Holaday, June 2017**

Homeowner Statements

Atanasoff Statement, 37 Phillips Drive

From: Todd Atanasoff
Sent: Friday, May 12, 2017 8:25 PM
To: 'Philip Cootey'
Subject: RE: Phillips Dr. Meeting

Phil,

Thanks for your continued effort on this initiative! We have lived at 37 Phillips drive 10 years this past April. Our basement has flooded 4 times over this timeframe due to primarily the "manmade water culvert" the town has put in my backyard. Please see attached photo. It cannot handle all the water coming from Cherry Hill when it rains for more than 3-4 days straight. I would also like to bring up the streets in our neighborhood are in really bad shape. Please see attached photos of Ryan Road and Phillips Drive. This needs to be addressed immediately or someone is going to get injured.

Please let me know if you have questions.

Todd Atanasoff
37 Phillips Drive





Brittan Statement, 21 Phillips Drive

Dear friend of Phillips Dr.,

Our home at 21 Phillips Dr. is a little farther uphill than the houses that face the worst drainage problems. Even so, we feel the impact of poor drainage year-round.

The main problem for us is the erosion of our front yard, which gets worse by the year. The border between our lawn and the road receives a gushing stream of water that has worn away soil, grass, and asphalt, leaving an unsightly rut that is several feet wide and 100-plus feet long. The city has applied many layers of drainage rocks (swale) over the years, but they do not improve the problem, and are themselves unsightly.

This water damage comes from two sources: the constantly flowing spring beneath the road outside our house, which pools at the lower section of our yard, and runoff from rain, which has no place else to go but in the rut formed in our front yard. We hope that the city will correct these problems and also install a curb, wall, or similar barrier to keep the flow out of our yard.

We should also mention the dangers that the spring poses when the water freezes. A thick river of ice forms every winter, creating hazards for motorists and pedestrians. Several times this past winter, the U.S. Postal Service van struggled to get up the hill before finally giving up and turning around (I don't know how the mail was delivered in those cases). Cars frequently slip and slide both going up and going down.

The worst incident of which we know personally happened a few winters ago. A teenage friend of my son was walking down the hill near us one evening, when he slipped on the thick ice and broke his leg. I (David) was the person who drove him to Anna Jaques. Obviously, the liability to the city could have been significant.

We enclose three photos showing the water damage done to our front yard.

Thank you for your attention to this matter.

Sincerely,

David and Kathleen Brittan
21 Phillips Dr.







Cootey and Matsuo Statement, 22 Phillips Drive

Phillip Cootey and Nobuko Matsuo
22 Phillips Dr.

We live at 22 Phillips Dr., Newburyport, MA. It is a single-family home that contains approximately 1800 sq. ft. of living space and was built in 1967. It contains 3 bedrooms, 1 bathroom and a finished basement. We bought our home for \$359,000 in October 2002.

Since 2002 there have been two significant water events in this neighborhood: The Mother's Day Flood of 2006 and the March Storm of 2010. During both these storm events the ground was so saturated that a river was created from the Cherry Hill swale which overwhelmed the culvert and flowed over Phillips Drive and across my backyard. This resulting sheetflow was in the range of 25 meters in breadth and six inches in depth across the width of my property. The elevated water table combined with a loss of power resulted in flooding in our basement.

We have lost tens of thousands of dollars in damage to finished and partially finished work in our basement, which has forced us to invest tens of thousands of dollars more in restoration and mitigation. I would estimate our combined losses and capital costs for mitigation at close to **\$80,000**. This included building up a berm behind my house to deflect the Cherry Hill flood water into the back swale.

Luckily for us, our investment in mitigation has prevented more loss of property and money. As long as we have power, we stay dry. We use a triple battery back-up for our pump, which is backed up by a gas generator hooked into our electrical. We can keep the water at bay. However, the flow of water is eroding the soil beneath my foundation which is causing foundation cracks. I believe I will have to invest thousands more just to keep my home stabilized.

As the town has known, there is a water problem in this neighborhood. The developer who built this neighborhood filled in wetlands with the sand hill. This was City-approved development. These homes were built on top of what appears to be an aquiclude.

The City approved this development. More water problems were created by blasting in Cherry Hill, also approved by the City. Now the chicken has come home to roost. Water mitigation attempts from 20 years ago or more have not addressed the problem and the water issues are becoming increasingly worse.

Although the town is collecting our property taxes and the taxes from the new development in Cherry Hill, this neighborhood has not seen the City invest a single dollar to mitigate this known water problem outside of some sand, gravel and cones in the last 20 years. In the meantime, **we have invested at least 20% of our homes' value into mitigation which has no positive effect on our property value.** We expect to have to invest thousands more in stabilizing the foundation. This imbalance of our capital investment versus the City's is not acceptable.

Despite this imbalance between what homeowners such as myself have invested to mitigate a water problem and the absence of City investment in this neighborhood itself to mitigate the problem, the City has proposed more development in partnership with Habitat for Humanity. I feel confident in representing our neighborhood by noting this action is nothing less than callous.

The proposed development with Habitat for Humanity (which has not been publicly withdrawn) will make our problems worse by disturbing the already imbalanced water table beneath our homes. The City has already admittedly done that with Cherry Hill. The City has to accept that the water table is rising beneath our homes, which has been made worse through unmitigated development in Cherry Hill and that the first step is not more development but City capital improvement of drainage in this neighborhood.

Norton Statement, 35 Phillips Drive

Ted and Ann Norton
35 Phillips Drive

- Building the Phillips Drive residential area began around 1965.
- The entire lower area was a **swamp** and was built upon by filling on top of it.
- Because of this many of the homes have a high-water table.
- Sump pumps have always been a necessity in this area due to the water table.
- Additional building in or around the area could affect the current water flow and could increase the problems with water in this neighborhood.
- The tick population has nothing to do with the water in the area. The tick population is high due to wooded area we live next to. The high animal population are hosts for these ticks.
- There also seems to be a City water leak at the intersection of Phillips Drive and Ryan Road.

Palladino Statement, 23 Phillips Drive

John and Cynthia Palladino
23 Phillips Drive, Newburyport, MA 01950
(978) 808-5723

We moved into 23 Phillips Drive right before the Mother's Day Flood in 2006. This flood was a neighborhood disaster. Our entire front lawn was underwater for three to four days and our mailbox was toppled. At the time we moved in, the basement was dry. The previous owner said on the deed that there was occasional water and one sump pump and the basement French drain handled the problem.

Over the past ten years, the water level in our basement continues to increase and worsen. This neighborhood cannot possibly handle any more houses proposed by Habitat for Humanity.

- In the spring of 2006, under Mayor John Moak, DPW workers inspected the stream that runs along the left side of our property. This low ground stream runs under the road at the bottom of the hill on Phillips Drive, and it is intended as drainage for neighborhood water run-off. My husband John asked the workers what they were doing. The DPW crew said they were flagging the stream to remove water obstructions to improve the water flow. They never returned. No clean up ever materialized. No improvements were made to increase the water flow of the stream.
- Presently, we vacuum our basement floor 2 – 3 times a day, filling a 7-gallon wet vacuum 3 – 4 times with each vacuum session. Each session takes about 30 minutes equaling between 1 hour and 90 minutes of my morning and evening.
- We have invested in 3 new sump pumps since 2006.
- The previous owner installed a French drain on three sides of the house which is not handling the amount of water flowing into our yard and basement.
- Our next home improvement cost will be to cut and remove the concrete floor trench and install another sump pump to try to handle the volume of water.
- The drainage situation is so dire that our lawn is frequently flooded by outflow from the neighbor's pumping system.
- City water department and DPW trucks drive through the neighborhood most every day because they know our neighborhood is in rough shape from water and improper water runoff.

Weber Statement, 4 Drew Street

Emily Webber
4 Drew Street

Property purchased May 2012

May 2012: Water stains and damage in basement. Improper installment of perimeter drain and submersible pump done previously.

June-July 2012: Installed a 1HP Submersible pump and core drilled foundation to run a 1 ½ Inch ejection line from house. Sloped Line ran approximately 25 feet into a drywell system.

June-July 2012: Drywell system was dug. Approximately 8-10 feet in diameter and approximately 12 feet deep. This was lined with landscape fabric and backfilled with an approximate 9 cubic yards mixture of sand and ¾ inch crushed stone. Topped with landscape fabric and topsoil.

June-July 2012: Perimeter 'French Drains' installed around house at an approximate depth of 4 feet. Backfilled with a mixture of sand and ¾ crushed stone and surrounded with landscape fabric. These were installed to be gravity fed (high in front, carry water downhill). The french drains connected to the drywell system above.

June-July 2012: Approximately 60 yards of topsoil delivered and spread to direct water away from foundation. LandPro of Middleton Ma. regraded the property and pitched entire grade away on all four sides.

June-July 2012: New roof gutters attached with extensions to run water into newly graded runoff

Summer 2014: Home still taking water into basement during storms. Damage to carpet and sheetrock. Materials removed and replaced.

October-November 2014: Ted Norton installs a 6-inch water drain at rear door of the house. Connects submersible line from pump, dry well at rear door and gutter runoff into the drain and connects to the city easement storm drain running through property.

On going: Water runoff from other surrounding properties pools in rear of property. I regularly maintain by spraying for control of mosquitoes. I also attempt to build up the borders of the property to direct neighboring water from flooding my property with annual topsoil, stone and seed.

Estimated Cost of water prevention and repairs (including materials and labor):
\$10,000.00 in 60 months (low end estimate- does not include my labor, time spent,
electric, water/ sewer or materials already owned).

Welch Statement, 6 Drew Street

From: Melissa Welch
Sent: Wednesday, May 10, 2017 5:02 PM
To: Cindy Palladino; pcootey@hotmail.com
Subject: 6 Drew Street Water Issues

Phil & Cindy -

Again, thank you for adding my notes to others from our neighborhood. This subject tends to get me highly frustrated with how the City does not react. The real estate agent who sold me the house is an attorney here in NBPT. I've spoken with him on several occasions. I tried to give you all my info best that I can. I do have pictures.

Jun, 2006: Purchased house. Constant standing water and moist ground in backyard. Driveway cracked from presumed years of water issues. Doesn't dry out until August/September. Most times, water is flowing.

Nov 16, 2013: Called water department regarding possible water main break on Drew Street. Clear, sunny weather all week, yet water collecting on Drew Street in front of #6 & #8. Standing water in my driveway and backyard. Beginning to notice water in my basement. Water Dept. came out and dug, which then immediately filled back up with water. Pipes where they dug did not appear to be broken/cracked. Advised must be residential and therefore, not a concern of the city. Said they would take a sample of the water to see if it contained Fluoride, which NBPT adds, to see if City water. Crew mentioned they would come back Monday to patch hole, which continued to overflow with water as they drove off. After digging, my driveway and backyard got worse with water. Started pumping water out from basement.

Nov 17, 2013: Noticed Water Dept. on Sullivan Street. Same crew who were on Drew Street Saturday. Confirmed water main break.

Nov 18, 2013: I called City Hall to express my concerns. Left a message on Mayor's voicemail. Dan Lynch from Water Dept. called me back. Again, confirmed water main break on Sullivan Street. Dan voiced his opinion that the Sullivan Street water main break had been ongoing for some period of time, which emptied out onto Drew Street, explaining the water in the street, my driveway and backyard. That continuous water flow left depressions in my yard and considerable cracks in my driveway and standing water in my yard. Dan also believed that because it was a slow break, there would be no fluoride remaining. So the negative fluoride test result from Drew Street probably wasn't residential and from the City's source. Dan advised me of options to file a claim with the city for damages to my yard.

December, 2013: I received 2 quotes to have the depressions in my yard filled and drainage installed.

January, 2014: I submitted an insurance claim to MIIA Member Services, who I was told was NBPT's insurance company. No acknowledgement or response from MIIA.

Mar, 31, 2014: Heavy rain the entire weekend. Standing water in my yard and driveway. Water being pumped from #7 Drew directly to street, collecting in street, my driveway, basement and backyard. Continued through April 4. I began reaching out to Tom O'Brien, Ward 6 City Counselor. No Responses to voice messages left.

Apr, 2014: I reached out to Ari Herzog, Counselor At Large, seeking a response from anyone. Ari immediately responded and within a day, Tom O'Brien responded to my phone calls. I think I ticked Tom off going around him.

Apr 1, 2014: Sent Tom O'Brien a detailed message explaining issues. Also mentioned I had not heard back from anyone regarding the insurance claim I submitted.

Apr 3, 2014: Tom response to my concerns: "I just got off the phone with the Mayor's aide and he found out that it was # 5 that was pumping water across the street into your yard and also to #8. He said the man at # 8 was there the other day when it happened in front of the water dept. The water dept. will be at your house to take another sample of the water tomorrow. As far as the check the lady is on vacation and will check on Monday where and when you will receive the check. Take care." That message led me to believe the insurance claim had been approved? I wanted acknowledgement. Tom led me to believe the claim had been approved and a check was cut.

Note: #7 Drew is Margaret Kline. Her house has been vacant going on 2 years. House has been condemned by NBPT. While it was in foreclosure status, it recently came out. While vacant, electricity, gas and water were all on. Fire & police departments confirmed this. Mary O'Connell, #9 Drew Street, can provide more information.

Apr 7, 2014: More calls/emails from me to City Hall, Tom O'Brien, Ins. Company and, at that point, pretty much anyone who would listen to me. Tom responded that a crew would be out at my house on 4/10/14 to view the damage to my property.

Apr 10, 2014: Site visit to my property to view standing water, depressions, driveway damage and storm grate in my backyard. Yes, I have a storm grate/catch basin in my backyard. (Remember our neighborhood's rat problems in July/August, 2011? I have pictures of rats crawling in and out of the storm grate.) I forget the DPW rep who came, however after seeing it, he laughed. Tom O'Brien came. Anthony Furnari and

Dan Lynch from the Water Dept. Antony was the only one who spoke. After a 10 minute view of my driveway and yard, they left. Told me they'd follow up with me on the insurance claim and what, if anything, they could do. They did acknowledge that people can drain water from their yard/basement/house out to the street. #7 wasn't doing anything wrong the City could address. Anthony did, however, state that it appears Drew Street has only 1 storm grate/catch basin for the entire street. Not including the storm grate/catch basin in my backyard.

Apr 10, 2014: email from me to Anthony Furnari thanking him for coming out. His response: "Working on a plan to add catch basins on Drew Street.

Jun 16, 2014: email from me to Anthony Furnari checking in. No response.

Jun 30, 2014: email from me to Anthony Furnari checking in. No response.

Jul 8, 2014: email from me to Anthony Furnari checking in. No response.

Jul 10, 2014: email to me from Anthony Furnari: We have been throwing some ideas around. We will be down there next week to assess and come up with a game plan and I will let you know what we decide to do.

Oct 8, 2014: email from me to Anthony Furnari checking in. No response. I gave up. Continue to have wet spots in driveway, standing water in backyard and moist ground all year round. Also during this time, I did hear back from MIIA Member Services. Claim made due to water damage to my yard from confirmed city water main break had been denied. Still don't understand why Tom would have commented about a check.

Early Jan, 2015: Fire department shows up at #7 Drew. Due to cold, house's pipe burst causing basement to floor. House had been vacated and condemned, yet water, electricity and gas remained on. Fire department confirmed this. Fire department begins to pump water from basement to the street, which immediately saturates my driveway, backyard and basement. Upon seeing the damage, they stop and redirect pumping elsewhere. I called the Mayor, asking how a house that the City had condemned and which had gone into foreclosure could have gas, electricity and water services all on. Call went directly to voicemail. My call was forwarded to the Water Department. I can't recall who called me back and his name no longer appears on the City's website. Basically, nothing they can do.

August 2015: I Invested **\$7,000** to have french drains installed along the bottom section of my yard by our neighborhood's own Ted Norton. Permission received from city to tie french drains to city drainage pipes along the easement of my yard. Still have water in my backyard. Driveway is cracked with constant wet spots.

To this day, I believe there is electricity at #7 Drew. Just a month ago, water was being pumped to the street, to my driveway, to my backyard and in my basement. While still condemned, the house is no longer in foreclosure.

Thank you!

Melissa Welch
6 Drew Street
c: (978) 499-7125

Worthen Statement, 6 Drew Street

May 29, 2017

Sherrie L. Worthen
24 Phillips Drive
Newburyport MA 01950

Mayor Donna Holaday
60 Pleasant Street
Newburyport MA 01950

Dear Mayor Holaday,

I am writing in response to my concerns for the project of building houses for The Habitat for Humanity on Gypsy/Hoyts Lane. Per your informal conversation with the neighborhood in May, your request to have us write down our individual concerns about the projected project.

I am a resident of 24 Phillips Drive and my family has lived here for 44 years. We are located across the street from the sand hill and vacant wooded area below Sawyer Hill Cemetery. Since the building of houses on Daniel Lucy Way & William Hall Drive we have had flooding issues and water problems. The area directly across the street from our house used to be mowed and maintained and always looked nice, but since this project it is now considered wet lands and it floods and is always soggy and mucky all year long. There is a catch basin that used to be even with the road and now has sunken approximately 2 feet below the street and is covered with weeds and bushes growing on top of it and all around it when it used to be asphalt. The manhole directly in front of our house has also sunken and plows have to stop and lift up the plow blades and then continue after they pass over it, leaving a pile of snow in front of our driveway. This area has standing water and has become a breeding ground for mosquitoes and ticks, and leaves outdoor activities hard to do. The natural springs that were located on the Cherry Hill Nursery property that is now Daniel Lucy Way and William Hall Drive were never dealt with and now have re-routed into our neighborhood on Phillips Drive, leaving us with flooded streets, basements, and yards. We also have constant water running down the hill all year long located at approximately 27 Phillips Drive and again at 32 Phillips Drive. Where the proposals for the new houses to built are located, their foundations/structures would further cause the back up of water into the Phillips Drive area as they would act like a dam and the water would again back up into our yards/homes.

My biggest concerns are that the existing water problems for this street and neighborhood and road conditions need to be dealt with before any new construction can or should occur. As I support Habitat for Humanity and Veterans, I think this location will cause many more problems for our neighborhood.

I want to thank you for taking interest in this project and our neighborhood and look forward to our next meeting in June as discussed.

Respectfully yours,

Sheerie L. Worthen

**Phillips Drive Neighborhood Water Drainage Issues
Presentation to Mayor Donna Holaday, June 2017**

Addenda

Addendum I

Summary of April 29, 2017 Phillips Drive Neighborhood Meeting with Mayor Donna Holaday and members of City Council

- The Mayor expressed at one point that development would not move forward; although this articulation was not supported by further elaboration.
- The Mayor said that the Habitat for Humanity proposal would be put on the back burner until we deal with the water issues.
- The neighbors uniformly expressed dissatisfaction with the proposed Habitat for Humanity development in light of what was characterized as negligence by the City on this neighborhood's water problems.
- The Mayor did express dismay and wonderment that our water issues were not one of 9 drainage issues being looked at by the City. Neighbors expressed surprise but accepted in good faith that the Mayor did not know how extensive this problem is. We will be looking for concrete indicators that this is no longer the case. Our primary objective is to get the City to deal with the water through improvement of our drainage system.
- After the 45-minute meeting and discussion, we took the mayor on a limited tour of the neighborhood, visiting basements, 24/7/365 pumping, swales, gullies, streams, collapsed drains, etc.
- The Mayor acknowledged drainage is not sufficient considering the volume of water we are handling. Our expectation is capital improvement in the drainage in our neighborhood. It's time to look at Phillips drive.
- The Mayor asked for stories and information from the neighbors.

Addendum II

May 2, 2017 Email Follow-Up from Mayor Donna Holaday

From: Donna Holaday <DHoladay@CityofNewburyport.com>
Sent: Tuesday, May 2, 2017 9:54 AM
To: cynthiapalladino@comcast.net; pcootey@hotmail.com; RASCAC6@hotmail.com
Cc: Paul OBrien
Subject: Phillips Dr. Meeting

Dear Phil, Cindy and Richard,

I first wanted to thank you for organizing the meeting last Saturday to inform us just how dire things have become in your neighborhood. My only regret is that this situation was not brought to our attention sooner. Every year we have our city councilors put in requests to repair infrastructure needs in their wards and not once has your street been brought to my attention.

It would be unconscionable for the city not to make an effort to provide some relief for the residents of Phillips Drive. I think the first order of business is having all of the issues that were brought to my attention on Saturday documented and sent to my office as soon as possible so we can form a multi-step action plan. Specifically, each homeowner should include:

- ☐ Flooding/drainage issues within their homes and property
- ☐ Changes noted in drainage and flooding patterns
- ☐ Other area of concern

We are compiling all records we may have in the Phillips Dr. area so we can begin to get a better understanding of the extent of the problem, when it originated, attempted fixes etc. As I mentioned on Saturday, we will need some time to pull this information together and then meet again in late June.

Please feel free to reach out to myself or my Chief Administrative Officer, Paul O'Brien if you need any further assistance.

Donna D. Holaday
Mayor
City of Newburyport
60 Pleasant St. PO 550
Newburyport, MA 01950
[978-465-4413](tel:978-465-4413)
<http://newburyportmayor.org/>

INCIDENT REPORT

PHILLIPS DRIVE (HILL – CONSTANT
WATER SEEPING FROM ROAD)
NEWBURYPORT, MA

1. As a matter of record, this incident occurred on Phillips Drive between #12 and #14 involving a motor vehicle and its occupants in early 2014.
2. The driver and occupants proceeded to descend the Phillips Drive “hill” at about #12 and #14 Phillips Drive, when the motor vehicle began sliding on the ice, which was hidden by the snow on the road surface. The motor vehicle slid out of control into the snow bank and thus was unable to get out.
3. Both residents of #12 and #14 Phillips Drive were able to assist and extricate the disabled motor vehicle from the snow bank.
4. The driver of the disabled motor vehicle was a resident of the Phillips Drive neighborhood.
5. Let it be known that the water seeping onto the Phillips Drive road surface at approximately #14 Phillips Drive in the middle of the “hill” is an ongoing safety hazard to the general public, whether driving or walking.
6. In the past the “DPW” has placed a sand barrel to the side of the hill in the winter months. However, during the 2016-2017 winter season no sand barrel was put in place.

John C. Frangin
12R Phillips Dr.

Submitted By: Richard A. Goulet – May 24, 2017

Additionally, city snow plows often have a difficult time driving up the hill in front of 12 + 14 Phillips Drive. On some occasions they have slid backwards down the hill.

**Phillips Drive Neighborhood Water Drainage Issues
Presentation to Mayor Donna Holaday, June 2017**

Request

Upon due review and consideration of the enclosed documentation,
Phillips Drive Neighborhood homeowners request a meeting with
Mayor Donna Holaday and members of the City Council on or before
June 30, 2017, to draw up an action plan.

LAST PAGE

