



Town of Concord

Planning Board Agenda

March 7, 2017 at 7:00 p.m.

Public Hearing

Hearing Room, Town House

22 Monument Square, Concord, MA

On **Tuesday, March 7, 2017 at 7:00 p.m.**, the Concord Planning Board will hold a Public Hearing in the Hearing Room at Town House located at 22 Monument Square, pursuant to M.G.L. Chapter 40A, Section 5, concerning amendments to the Concord Zoning Bylaw proposed under Articles 35-39, an amendment to the General Bylaws proposed under Article 40, and petition articles proposed under Article 42 and 43 in the 2017 Town Meeting Warrant.

- Article 35** **Site Plan Review for Religious Uses, Educational Uses, and Child Care Facilities** – Correct a discrepancy in an amendment to this Section of the Zoning Bylaw, approved by Article 37 at the 2016 Annual Town Meeting, between the opening paragraph and the actual wording of the Bylaw under subsection (e).
- Article 36** **Professional Office** – Add “real estate broker” to the definition of persons having a professional office, thereby prohibiting a real estate office from locating on the first floor of buildings in the West Concord Village District only.
- Article 37** **Nonconforming Single and Two-Family Residential Structures** – Make the method of measuring the gross floor area of a residence under Section 7.1.5 consistent with Section 6.2.13, maximum floor area ratio, and insert a new subsection (d) “extension of a structure by more than 50% is based on the aggregate of all expansions undertaken within a consecutive 5 year period”.
- Article 38** **Residential Uses** – Correct a discrepancy in an amendment to this Section of the Zoning Bylaw, approved by Article 35 at the 2016 Annual Town Meeting, between the opening paragraph of the article and the actual wording of the sentence added at the end of the paragraph; and change the measurement in Section 4.2.2.1 from “volume” to “gross floor area” for consistency with other sections of the Zoning Bylaw.
- Article 39** **Marijuana Establishment Temporary Moratorium** – Institute a moratorium until July 1, 2018 on marijuana establishments (allowed by enactment of a 2016 state law) in order to give the Town sufficient time to engage in the planning process and enact bylaws in a manner consistent with sound land use planning goals and objectives.
- Article 40** **Tree Preservation Bylaw** – Amend the Town’s General Bylaws to require residential property owners to protect trees within a defined setback area of a lot during significant demolition and/or construction activity and, if trees are removed from the setback area, require property owners to either plant replacement trees or pay fees to a Town Tree Fund for planting elsewhere in Town.
- Article 42** **(By petition) Alternative Planned Residential Development Preliminary Site Development and Use Proposal** - Determine whether the Town will vote pursuant to Section 10.3.4 of the Zoning Bylaw to approve Phase II Black Birch Alternative Planned Residential Development Site Development and Use Proposal for Lot 4A and Parcel A Forest Ridge Road (Parcel 2970-1-5) dated 9/12/16, revised 12/20/16, as filed with the Town Clerk and Planning Board for a 16-unit over age 55 residential development.
- Article 43** **(By petition) Release of Residential Restriction Applicable to Lot 4A and Parcel A Forest Ridge Road** – Determine whether the Town will vote to authorize the Select Board to enter into an agreement to release Lot 4A and Parcel A Forest Ridge Road from a certain Easement and Restrictive Covenant Agreement dated September 19, 1990 and agree that said Lot 4A and Parcel A may be used for residential purposes as a primary use.

The complete text of the amendments may be found in the 2017 Warrant for Town Meeting, or may be reviewed at the Town Clerk’s Office in the Town House at 22 Monument Square, or at the Department of Planning and Land Management, 141 Keyes Road, during business hours, 8:30 a.m. to 4:30 p.m. Monday through Friday.