

SELECT BOARD  
MINUTES  
JANUARY 9, 2017

Pursuant to notice duly filed with the Town Clerk, a meeting of the Select Board was held at 7PM in the Hearing Room.

Present were Michael E. Lawson, Chair; Jane Hotchkiss, Clerk; Alice Kaufman and Tom McKean. Also present was Christopher Whelan, Town Manager.

Mr. Lawson called the meeting to order at 7:01PM and announced that it is being broadcasted on CCTV.

Call to Order

**CONSENT AGENDA**

Consent Agenda

Consent Agenda:

- Town Accountant's Warrants
- Minutes – 9/20, 9/26, 10/31
- Gift Acceptance
- Alcott School PTG \$1000 to Concord Recreation Scholarship Gift Account
- One Day Special Licenses (Wine & Malt)

Saltbox Farm	40 Westford Road	1/10	4PM-7PM
		2/4, 2/14, 2/17	6PM-9PM
Concord Art Assoc.	37 Lexington Road	1/28	6PM-9PM

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** To approve the Consent Agenda as read.

**EXECUTIVE SESSION MINUTES**

ES Minutes

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** To approve Executive Session Minutes of December 12, 2016 not to be released

**TOWN MANAGER'S REPORT**

Town Manager's Report

1. The Town Manager expressed gratitude for the effort recently put forth by Concord Public Works to ensure that roadways were clear after the recent snowstorms.
2. The proponents for the Junction Village project have requested for a waiver from the application and permitting fees associated with the project. It is standard protocol that the Board reviews such requests and this will be an item on an upcoming meeting agenda. The Applicants will be appearing before the Planning Board in the next few days to discuss ongoing developments to the project.
3. In the early hours of January 4, a fire occurred at Fire Station 2 in West Concord. The fire caused significant damage to the first floor area. Engine 4 also suffered significant damage. The cause of the fire has yet to be officially determined. Fire Station #2 operations have been temporarily relocated to the Concord Municipal Light Plant.
4. Town staff has constructed a public skating rink at Emerson Field.
5. The results from the 2016 Town Government Survey are now available online.
6. The hazardous structure at 91 Sudbury Road has been demolished.
7. The continued hearing with the Acton Board of Selectman for Concord's proposed water treatment plant at Nagod Pond in Acton is scheduled for January 11.

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8. The Town Manager briefly updated the Board on the potential future ownership of 2229 Main Street. Based on conversations conducted between the Town and the Federal Government, it appears that the Federal Government will seek for the Town to resume ownership of the former superfund site.

**MINUTE MAN NATIONAL HISTORICAL PARK SUPERINTENDENT NANCY NELSON  
PROCLAMATION**

Proclamation

Mr. Lawson reminded those in attendance that his spouse is Nancy Nelson and therefore he will abstain from participating in this agenda item. Ms. Hotchkiss read the proclamation for the audience.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To approve the Proclamation honoring Ms. Nancy Nelson, Superintendent of Minute Man National Historic Park, upon her retirement after 39 years of public service as drafted. The proclamation shall be delivered at Superintendent Nelson's upcoming retirement ceremony.

**REVIEW AND APPROVE LETTER IN SUPPORT OF WALDEN WOODS PROJECT APPLICATION  
TO MASSACHUSETTS CULTURAL FACILITIES FUND FOR INTERPRETIVE EXHIBITS AT  
WALDEN POND**

Walden Woods

Mr. Lawson reviewed the draft letter dated January 9, 2017. Board members agreed to transmit the letter as drafted.

**MOVED:** To approve letter of support for the Walden Woods Project Application to Massachusetts Cultural Facilities Fund for Interpretive Exhibits at Walden Pond as drafted.

**FINALIZE EASEMENT AND ESCROW AGREEMENTS FOR BROOKSIDE SQUARE**

Brookside Square

Marcia Rasmussen, Director of Planning and Land Management, appeared before the Board and presented the finalized easement and escrow agreements associated with the recent Brookside Square development. Director Rasmussen reviewed the easement and escrow agreements as noted in her memo dated January 4, 2017. She noted that significant coordination with Concord Public Works was required for the project and construction was forecasted for the summer of 2017. Town Manager Whelan noted that the easement and escrow agreements were the culmination of over two years of work and expressed support for the proposals presented by Director Rasmussen.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To approve and authorize the Town Manager and Town Treasurer to execute that certain Escrow Agreement (the "Agreement") by and between the Town of Concord, a Massachusetts municipal corporation acting by and through the Town Treasurer or their designee, Brookside Square LLC, a Massachusetts limited liability company and The Town of Concord, acting by and through its Town Manager, in substantially the form presented to the Board at its January 9, 2017 meeting.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To accept and endorse those certain permanent easements associated with the Brookside Square Development located at 50, 70 and 80 Beharrell Street as follows:

1. Grant of Right of Way Upon Beharrell Street Extension
2. Grant of Public Access and Recreation Easement

**REVIEW AND APPROVE REVISED CHARGE FOR THE POLYSTYRENE OUTREACH AND  
EDUCATION COMMITTEE**

Polystyrene

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Ms. Kaufman reviewed the Committee's current charge and discussed their ongoing work. In order to adequately accommodate for the hearing process required for organizations seeking waivers from the Polystyrene Ban Bylaw, Ms. Kaufman recommended that the Board extend the Committee's term for a period of six months to July 1, 2017. Mr. Lawson inquired if any waivers had been requested. Ms. Kaufman noted that were currently no waiver requests but several were expected in the near future. Board members briefly discussed how several organizations, such as the Concord Public Schools and Emerson Hospital, would be affected.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To amend the charge of the Polystyrene Outreach and Education Committee substantially as discussed to extend the Committee's term to July 1, 2017.

**CONCORD CENTER CULTURAL DISTRICT RENEWAL & WEST CONCORD CULTURAL DISTRICT SIGNAGE REQUEST**

Cultural Districts

Marcia Rasmussen, Director of Planning and Land Management, appeared before the Board and reviewed the request for the renewal of the Concord Center Cultural District and the request for signage associated with the West Concord Cultural District. Director Rasmussen reviewed the key points from her memo dated January 5, 2017. Ms. Hotchkiss complimented Director Rasmussen for her ongoing efforts to ensure that Concord maintained such distinctions. Ms. Kaufman agreed and found it interesting that the Town would need to reapply for cultural district status.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To authorize the Chair to sign and transmit letter to the Massachusetts Cultural Council of the Town's intent to renew the Concord Center Cultural District Designation.

Director Rasmussen reviewed the proposed locations of the West Concord Cultural District signage as detailed in her memo dated January 5, 2017. The Board agreed that the signage was appropriate for the locations proposed.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Approve the request for West Concord Cultural District signage at the four locations as indicated in the memo dated January 5, 2017 from Marcia Rasmussen, Director of Planning and Land Management.

**REVIEW ESTABROOK WOODS ACCESS STUDY COMMITTEE REPORT**

EWASC Report

Mr. Lawson acknowledged that the relationship between public access to Estabrook Woods and the rights of private property owners of Estabrook Woods was a complex issue that encompassed numerous different political and legal layers. He expressed the utmost gratitude to all those involved in the Estabrook Woods Access Study Committee's final report. He pointed out that the development of a final report was only possible through the civil cooperation of residents, property owners, committee members, the Town of Carlisle, and Town staff. Mr. Lawson opined that the principal goals of the meeting were to promote safety, provide public access, respect property rights, and to protect Estabrook Woods. However, Mr. Lawson noted that it was unlikely that all the issues will be resolved to the satisfaction of all interested parties. He advised that the Board has received and reviewed the final recommendations put forth by the EWASC. The final report's cover letter identified the two important recommendations. The first was for the Town to "Work with Town Counsel and direct abutters on Estabrook Road to resolve legal uncertainties regarding the current dirt road trail in order to secure permanent public access at this location." Mr. Lawson stated that the Town and property owners had differing legal opinions concerning the uncertainties of the current dirt road trail. However, he expressed his desire to avoid any legal confrontation through diplomacy first.

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The second important recommendation was for the Town to “Work with the Trustees of Reservations (TTOR) to determine the feasibility and process for constructing a dirt or gravel parking lot for the Punkatasset Town Conservation Land on TTOR’s Aphorp property, with a goal of building such a lot as soon as possible.” He advised the audience that two members of the Board have met with Trustees of Reservations to discuss the feasibility of this recommendation. He noted that it was his opinion that he did not want to create a significantly large parking lot there but rather sought to provide a practical solution that could add additional parking spaces while also relocating the on-street parking spaces on Monument Street for the sake of public safety. He noted that this was an ongoing discussion with the TTOR that also required coordination with the Natural Resources Commission (NRC).

Mr. Lawson noted that the final report was broken down into the following sections:

- Section 1 – Educate the public about the unique nature of the Estabrook Woods
- Section 2 – Foster observance of consistent guidelines that promote mutual respect
- Section 3 – Resolve legal uncertainties
- Section 4 – Address parking issues
- Section 5 – Specific recommendations for Chamberlin Woods
- Section 6 – Specific recommendations for Estabrook Road
- Section 7 – Specific recommendations for Punkatasset on Monument Street
- Section 8 – Specific recommendations for Monument Farm Road
- Section 9 – Other general recommendations
- Section 10 – Increased measures (not recommended at this time)

Mr. Lawson opined that Section 2 and Section 4 were the most crucial sections that needed to be addressed. He felt that however the Board acted on these two sections would dictate the manner in which the other sections would be addressed. He referred to Section 2 as the use of the resource i.e. who can access Estabrook Woods, when can Estabrook Woods be accessed, how can Estabrook Woods be accessed, how should Estabrook Woods be used by those who access it. He noted that Section 4 pertained primarily to the parking issues created at the several access points. He opined that these sections should be resolved first and then the Board could go back and address the other issues. Mr. Lawson stated that since this current issue has generated a significant amount of public interest and a large audience was present at the meeting, it would be important for the Board to open this agenda item to Public Comments.

Mr. Lawson asked how Board members would like to proceed. Ms. Kaufman suggested looking at the access issue outlined in Section 2. She opined that the recommendations of Section 2 pertaining to access were thoughtful and practical. The final report recommended that access be from dawn to dusk only, parking allowed only in designated areas, no commercial activities, hunting, swimming, camping, or fires, and no motorized vehicles. She asked if swimming was previously permitted as she had observed it in the past. Ms. Hotchkiss stated that swimming was not currently allowed. Mr. Lawson noted that Section 2 also had recommendations regarding the use by dogs and trail access. Ms. Kaufman opined that she agreed with the recommendations for trail access but has questions regarding use by dogs. She opined that this was a touchy subject because some families have more than two dogs so now they would only be allowed to walk two at a time. As the Board’s Liaison to the EWASC, Ms. Hotchkiss was able to provide context to the two dog recommendation. Ms. Hotchkiss mentioned that it was primarily an issue of how many dogs one person can control at one time. She noted that the EWASC came to conclusion that one person could adequately control two dogs at one time. Mr. McKean agreed that the two dog limit was acceptable. However, Mr. McKean questioned the limits of public access from dawn to dusk. At the request of Mr. Lawson, Town Manager Whelan clarified that this recommendation was in line with current Town policy. Mr. McKean also noted that motorized wheel chairs should be exempt from the recommendation for no motorized vehicles on the trails. Board members agreed with Mr. McKean’s suggestion regarding motorized wheel chairs.

Mr. Lawson asked for comments from the Public regarding the recommendations of Section 2.

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Neil Rasmussen, 393 Estabrook Road, pointed out that since the Town only owns a small portion of Estabrook Woods, the recommendations put forth by the Board would also need to be adopted by numerous private owners. Mr. Rasmussen advised the Board that he had spoken with other property owners about the recommendations of Section 2 and he believed that they were fair and appropriate recommendations. Mr. Lawson acknowledged the significance of having multiple property owners involved and that the Board would try to coordinate these recommendations to all the various parties responsible.

Susannah Kaye Read, 366 Estabrook Road, asked if the Board's potential decisions were only recommendations or actually enforceable measures. Mr. Lawson confirmed that the Board can only recommend certain actions. He advised Ms. Read that the Board would engage in a dialogue with the various property owners to ask if they would agree to adopt a code of conduct consistent with the Board's final recommendations.

Peter Gifford, 1171 Monument Street, asked for clarification on the recommendation concerning commercial dog walking in Estabrook Woods. Mr. Lawson reviewed the permitted use of dogs and advised Mr. Gifford that under the currently proposed recommendation, commercial dog walking would be banned. Mr. Gifford thanked the Board for the clarification.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to adopt the recommendations of Section 2 of the Estabrook Woods Access Study Committee final report to foster observance of consistent guidelines that promote mutual respect as amended to also include the permitted use of trails by motorized handicap wheel chairs. In adopting these guidelines, the Select Board will work with the Land Trust, the Natural Resources Commission, and the Estabrook Road abutters to seek their agreement.

Mr. McKean inquired about the issue of dog waste. He mentioned that often he notices that dog waste is bagged but not properly discarded. Ms. Hotchkiss noted that this topic was extensively discussed at several EWASC meetings. Mr. Lawson opined that the proper disposal of dog waste should be part of the education/outreach effort as outlined in Section 1.

Mr. Lawson reviewed Section 4. He reiterated that Section 4(a) recommended that the Town work with the TTOR to determine the feasibility of providing a low key parking lot at the Apthorp Land at the entrance to Punkatasset. Section 4(b) recommended that the Town permit and assist in providing roadside parallel parking for 11 cars on Estabrook Road. Mr. Lawson noted that this recommendation was consistent with the current amount of parking spaces permitted under the Police Department's parking restriction. Section 4(c) included recommendations based on the assumption that a parking lot can be built on TTOR's Apthorp Land. Those recommendations were: eliminate the on-street spaces on Monument Street, keep the current parking restriction on Estabrook Road in place, and keep the current parking restriction on Estabrook Road in place during the construction of the Punkatasset parking lot. Section 4(d) recommends that if a parking lot cannot be built at the Apthorp land, the NRC work with the Town's public safety staff and neighbors to provide safer parking for 13 cars at Punkatasset, including the possibility of improvements to roadside parking, speed limits, and/or some spaces provided on conservation land, and that the NRC undertake due diligence and consult with neighbors to accommodate roadside parking for 3-5 cars on the Town's frontage on Monument Farm Road with the addition of a single parking sign for Conservation Land Parking.

Mr. Lawson asked for comments from the Board.

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Mr. McKean opined that he viewed this as a conflict between usage/access and the preservation of Estabrook Woods. He noted that he slightly favored the preservation side of the agreement. He cited that the Board received numerous letters of correspondence that urged the preservation of the land. He noted that the original intent was to limit access as a measure to preserve the natural environment. Mr. Lawson opined that while he agreed with some of the points made by Mr. McKean, he viewed the original intent as seeking to manage access to the land as opposed to limiting access to the land. Mr. Lawson opined that proper management of access to the land would ensure public safety. Ms. Kaufman agreed with the recommendations as presented. Ms. Hotchkiss noted the sensitive nature of the parking issue. She stated that the pressure point of this was over the dilemma of preserving the land while facing a new type usage of the Woods. She noted that the issue stemmed from Estabrook Road, and all the other access points can be looked at into the future. She expressed her support for the recommendations of Section 4. Ms. Kaufman asked if the recommendations called for 11 parking spaces on Estabrook Road and 13 parking spaces at Punkatasset.

Mr. Lawson noted that the Town was already working with the TTOR so no action was needed to be taken by the Board on Section 4(a). The Board could take action on Section 4(b)

Neil Rasmussen, 393 Estabrook Road, discussed the process made by CPW for calculating parking spaces. It was clarified that the distance was 212 feet (19 feet per car) on Estabrook Road.

Ms. Kaufman noted that the length of cars greatly varied and suggested that the parking area be designated by a measurement of distance as opposed to the total amount of cars. Mr. Lawson noted that Section 4(b) could be amended to provide roadside parallel parking for a distance of 212 feet.

Abby White, 851 Monument Street, advised the Board that she abuts the Punkatasset land. Ms. White inquired about the parking spaces off Monument Street. She asked if the same rule of distance would be applied at Punkatasset. She opined that there was not enough space to park 13 cars off Monument Street. Ms. Kaufman opined that the distance should be calculated on what is the safest amount of spaces. Mr. Lawson noted that using the Estabrook Road example of 19 feet per car it would require 247 feet. Ms. Hotchkiss recalled that the 13 spaces were not just on-street parking because it included spaces that would go into the Punkatasset land.

Lisa Pohl, 75 Walden Street and member of EWASC, noted that she was part of the Committee that researched the Monument Street parking. She stated it started off at 13 cars but was lowered due to the construction of new residences. She discussed the parking on Estabrook Road. She stated that she was there over the weekend and 9 cars took up all the space. She opined that parking on Estabrook would need changes to accommodate 11 cars because if it is under 11 it will not fix the problem. She urged the Board to restore the amount of parking spaces that was there two years ago. She expressed her desire for all residents to enjoy the Woods.

Ms. Hotchkiss acknowledged that there is a dispute over whether 13 spaces are feasible. Mr. Lawson asked if CPW could go out a measure how many cars would fit.

Polly Reeve, 429 Williams Road and EWASC Co-Chair, discussed how these figures were generated. She noted that the Committee's folder of correspondence included these calculations.

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Eric Green, 52 Devens Street, questioned what the real issues were at Estabrook Road. He opined that 90% of the problems were from dogs and he supported the recommendations adopted by the Board. He noted that he went skiing in Estabrook Woods earlier in the day and noticed only 3 cars parked on his way out. He opined that he had not heard any persuasive arguments to indicate that the natural resources of the land are being threatened. He noted that the parking spaces along Estabrook Road have existed for several years. He believed that distributing the parking spaces that have historically existed on Estabrook Road to different areas around Concord would not solve the problem. He believed the only problems that would be solved were the aesthetic concerns raised by the Estabrook Road neighbors. He asserted that the Board would be capitulating to the concerns of the few while ignoring the many. Mr. Green cited different examples of governments promoting and protecting public access to areas known for their natural beauty. He urged the Board to not limit public access to the land and noted that a citizen petition will be on the upcoming Town Meeting Warrant designed to ensure the Town protects public access to lands of this caliber.

Neil Rasmussen, 393 Estabrook Road and member of EWASC, advised that he was speaking as landowner and noted that he owned the second largest tract of land in Estabrook Woods. He reviewed the protection history of Estabrook Woods. A campaign in 1996 preserved 400 acres. 28 acres were preserved last year, while an additional five acres were preserved this year. He was very concerned that Estabrook Woods will become a regional dog park if preventative measures aren't immediately ratified. Mr. Rasmussen said that the negative impact of dogs in Estabrook Woods has increased dramatically since 2014. He stated that approximately 20,000 dogs visit Estabrook Woods per year now. He noted that although the behavior of the dogs varied greatly, it was almost inevitable that all the canine visitors would defecate on the land. He asserted that there was a publicly held perception that Estabrook Woods was a dog park. He stated that this perception was in direct contradiction with the final report as it stated that Estabrook Wood is not a dog park. He reiterated the fact that the majority of land in Estabrook Woods was private property. Mr. Rasmussen advised the Board that the vast majority of conservation land dedicated to wildlife preserves doesn't even allow dogs. He requested that the Town implement measures to limit the volume of dogs in Estabrook Woods and urged the Board to maintain the original intentions of the Estabrook Woods.

Kathy Angel, 267 Main Street, followed up on comments made by the public and Board. She agreed with Mr. Rasmussen's statement that nobody wanted Estabrook Woods to become a dog park. She noted that when she was handing out flyers on Estabrook Road trying to promote public attendance at the EWASC public meetings, most of the people she encountered with dogs were not Concord residents. She also agreed that most conservation lands don't allow dogs. She suggested progressive limitations such as not allowing dogs on weekends, or requiring all dogs be leashed, or even no dogs allowed at all should be considered. She said that signage outlining proper conduct should be made before any permanent changes are made. She noted that she shared the parking space concerns raised by Ms. Pohl and Mr. Green. She opined that public walking use was not destroying the land. The real negative impact was from dogs and to a lesser extent, bikers. She felt that walkers will suffer for the issues created by dog walkers. She encouraged the Board to address the scenario if the Town cannot build a lot at Punkatasset. She did not want to allow private decision making to influence the issue.

Mr. Lawson noted that the parking issues in Section 4(b), 4(d), and 4(e) should be addressed before the Board reviews the sections regarding certain access points. He mentioned the letter received from the Police Chief regarding the relationship of parking and public safety. Ms. Kaufman noted that several valid points were raised on how to provide access without ruining the natural environment. She noted that extending parking on Estabrook Road would impose upon wetlands. She wondered if a decision should wait for another meeting. Ms. Hotchkiss noted that she was cognizant of the number of cars historically available on Estabrook Road and that currently that figure was at its lowest.

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Mr. Lawson urged Board members to be mindful that there is a clear safety issue that needed to be resolved. He noted that Concord Police were very concerned with public safety on both Estabrook Road and Monument Street. He stressed that the public safety issue was a high priority from his perspective. He sought to continue conversations with TTOR to move forward with the possibility of utilizing the Apthorp land. Mr. Lawson noted that he was willing to revisit the issue if the Apthorp land were to be not available. Board members reviewed the processes that would need to happen if they were to revisit the issue under those circumstances.

Mr. Lawson opined that public safety trumps public access and that public safety shouldn't be given up for the sake of public access. He noted that the Committee has already done extensive work on this subject. Mr. McKean opined that this was a parking issue and not a public access issue. Ms. Kaufman noted that the votes taken by EWASC were not unanimous. She mentioned that it was important to note that the Board was not trying to compromise public safety by any means. She wondered if there are other areas on Estabrook Road that could potentially fix the parking issue and safety issue at the same time. She noted that the overall situation at Estabrook Woods was riddled with what if scenarios. Ms. Hotchkiss reiterated it is an issue about balance around the amount of parking spaces.

Ellen Emerson, 1061 Monument Street, advised the Board these issues were never a problem until recently. During her lifetime growing up in the area there always was a balance in place between the public and landowners. She opined that Mr. Rasmussen has every right to be concerned about his property.

Susannah Kaye Read, 366 Estabrook Road, stated that there are seventeen parking spaces at Chamberlin Woods. She questioned why the Town was not adequately utilizing Monument Farm Road as a possible option since it is already a Town owned access point. She did not support any additional parking spaces on Estabrook Road.

Candace Nelson, 321 Hayward Mill Road, asked that the Board avoid making a decision tonight as she assumed that the abutters to the proposed Punkatasset parking lot would be mobilizing in a manner similar to the Estabrook Road neighbors. She cautioned that any decision made by the Board would set a treacherous precedent for future unforeseen issues.

Lisa Pohl, 75 Laurel Street, agreed with Ms. Nelson that the Board should not make their final decision tonight. She also agreed with Mr. Green's statement regarding the precedent that would be made. She opined that there were no significant safety issues on Estabrook Road from her perspective. She said that the Police Chief never even walked the road before putting the parking restrictions in place. She felt that the road was just an ordinary dead-end road that could accommodate additional parking.

Abby White, 851 Monument Street, stated that there was pressing need to deal with the safety issue on Monument Street. She said that Apthorp land is not guaranteed. She urged that any changes to the land should be thoughtfully done in order to maintain the integrity of what is currently at the site.

Ellie Bemis, 858 Monument Street, opined that this is not a not in my backyard issue as suggested by others. The original intent of Estabrook Woods was for it to be a nature preserve. She pointed out that the easement originally granted to TTOR included a provision allowing for the creation of parking lot provision only for the means of public safety ??? don't understand this sentence. She agreed that parking is an issue and should be limited so as to respect the land. She discussed recent meetings between the neighborhood and TTOR.

Peter Shore, 280 Estabrook Road, stated that a vote of 7-2 is not a split vote. He urged the Board to make a decision on the recommendations of a Committee that the Board specifically created to make such recommendations. He expressed that time was of the essence.

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Bonnie Pohlig, 9 Holden Wood Road and member of EWASC, advised the Board that during the Committee meetings, the Estabrook Road neighbors threatened to shut down access to Estabrook Woods if the EWASC recommended restoring additional parking on Estabrook Road.

Jonathan Keyes, 91 Liberty Street, urged the Board to make their decision as soon as possible.

Dutch Leonard, 267 Main Street, opined that overwhelming logic indicated that dogs are ruining the area and therefore measures should be enforced to limit or ban dogs from Estabrook Woods. He believed that the best solution to the issue was one that required the minimal amount of government intervention and permanent changes to the natural environment of the land. He wondered if the parking issue would resolve itself once dogs and dog walkers were no longer allowed in Estabrook Woods. He believed that restrictions to limit the amount of dogs at Estabrook Woods had not be adequately explored or presented.

Terry Rothermel, 330 Musketaquid Road, urged the Board to consider the interests of all Concord residents and beyond.

Neil Rasmussen, 393 Estabrook Road, noted that there are already restrictions on dogs in Estabrook Woods but 20,000 dogs still show up. He stated that only changes that would make an impact were the leashing of all dogs in the entire woods and/or the exclusion of dogs from Estabrook Woods.

Kathy Angel, 267 Main Street, stated that increased signage could increase the public's awareness of the rules of proper conduct for visitors to Estabrook Woods. She pointed out that Mr. Rasmussen had a small sign on his property but there were no signs near the parking area.

Lisa Pohl, 75 Laurel Street, agreed with recent comments regarding potential signage and stated that the guidelines for public conduct were not on the internet.

Mr. Lawson stated that the temporary parking restrictions were set in place by Police Chief Joseph O'Connor. Ms. Kaufman opined that she was willing to support permanent parking of 212 feet on Estabrook Road with the condition that it might change in event that parking options at either the Apthorp land or Monument Street are unable to move forward to allow adequate public access to the land. Ms. Hotchkiss agreed that limiting the parking area on Estabrook Road to 212 feet was appropriate assuming they can maintain the number of parking spots at other access points. Mr. McKean agreed with the positions of Ms. Kaufman and Ms. Hotchkiss.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Adopt the recommendations of Section 4(b) of the Estabrook Woods Access Study Committee report pertaining to the permanent parking of 212 feet on Estabrook Road with the condition that the issue be revisited by the Board if the parking situation cannot be resolved/feasible at either the Apthorp land or Monument Street are unable to move forward to allow adequate public access to the land.

Mr. Lawson opined that the Board indicate their support for Section 4(d)1 with the condition that the measurements for parking spaces are given in terms of feet and not cars. Mr. Lawson asked the Town Manager to consult with CPW staff in order to resolve the space necessary for 13 parking spaces on Monument Street and report back to the Board at a later meeting.

Peter Siebert, 321 Hayward Mill Road and member of EWASC, noted that the nature of Monument Street does not allow itself to be measured in linear terms. He noted that you cannot park in a single line due to curves and curb cuts along the roadway. Mr. Lawson agreed and thanked Mr. Siebert for his clarification.

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Neil Rasmussen, 393 Estabrook Road, asserted that the problems with parking on Monument Street stem from the existing streetscape. Fire hydrants, mail boxes, differing amounts of road shoulder, and narrow lanes create significant obstacles for vehicles trying to park. He urged the Board to set the number of cars and then use CPW engineering to determine if that figure is feasible.

Abby White, 851 Monument Street, stated that from a safety perspective it would be best to get the cars off Monument Street. She pointed out that the apex of the road has always been a hazard regardless of the situation. Ms. Hotchkiss reiterated that the Board has been clear that safety is a prime issue.

Mr. Lawson requested that the Town come back to the Board at a later with more additional information regarding the space needed for parking. He noted that although the Board will not vote on this item tonight, the Board supports the recommendation in principle.

Board members reviewed Section 4(e). Ms. Kaufman asked what the current parking was on Monument Farm Road.

Neil Rasmussen, 393 Estabrook Road, opined that there wasn't any specific pull off parking spaces on Monument Farm Road. Ms. Kaufman disagreed with Mr. Rasmussen and noted that she has parked there before.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Adopt the recommendations of Section 4(e) of the Estabrook Woods Access Study Committee report that the Natural Resources Commission undertake due diligence and consult with neighbors to accommodate roadside parking for 3-5 cars on the town's frontage on Monument Farm Road. A single parking sign: "Conservation Land Parking" will be installed.

Mr. Lawson reviewed Section 9 and expressed his support for it. Board members discussed what type of group would be assembled to oversee the continuation of the Board's recommendations. Mr. McKean expressed concern that the EWASC recommended the creation of an informal group and not specifically a Town committee. Board members agreed with his concerns. Mr. Lawson asked Ms. Hotchkiss to begin formulating a charge/outline for a potential future committee.

Mr. Lawson recommended that the Board did not need to take action on Section 10 as the EWASC only discussed these suggestions and did not recommend them. Mr. McKean agreed and opined that these issues might need to be resolved in the future but not right now.

Mr. Lawson noted that Sections 5,6,7, and 8 all pertained to specific access points. Board members agreed that the recommendations for these sections were all appropriate.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Adopt the recommendations of Section 5 of the Estabrook Woods Access Study Committee report pertaining to the specific recommendations for Chamberlin Woods.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Adopt the recommendations of Section 6 of the Estabrook Woods Access Study Committee report pertaining to the specific recommendations for Estabrook Road.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Adopt the recommendations of Section 7 of the Estabrook Woods Access Study Committee final report pertaining to the specific recommendations for Punkatasset on Monument Street.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

SELECT BOARD  
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**MOVED:** to Adopt the recommendations of Section 8 of the Estabrook Woods Access Study Committee final report pertaining to the specific recommendations for Monument Farm Road with the exception of 8(b).

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Adopt the recommendations of Section 1 of the Estabrook Woods Access Study Committee report pertaining to educate the public about the unique nature of the Estabrook Woods.

**REVIEW WARRANT ARTICLES FOR 2017 ANNUAL TOWN MEETING**

Review Warrant  
Articles for ATM

Carmin Reiss, Town Moderator, appeared before the Board and reviewed the current draft of the 2017 Annual Town Meeting Warrant. Director Rasmussen and Linda Miller, Chair of the Finance Committee, also appeared before the Board. Discussion revolved around the order in which articles would be presented. The Town Moderator was glad to see the order that citizen petition articles were thoughtfully placed throughout the draft warrant. She inquired about the placement of the articles pertaining to zoning. Town Manager Whelan explained the placement of similar articles in previous warrants. The Town Manager reviewed the placement of capital projects and school projects. Possible consent agenda items were discussed. Further discussion was conducted on which department/board/committee was responsible for putting forth specific articles. Mr. Lawson expressed satisfaction with the progress made and noted that although the final order of warrant articles was established, the final language of the warrant was subject to the review of Town Counsel.

**PUBLIC COMMENTS**

Public Comments

None

**COMMITTEE LIAISON REPORTS**

Liaison Reports

Mr. McKean reviewed the latest meetings held by the Council on Aging, Board of Appeals, Bruce Freeman Rail Trail Advisory Committee, and Public Private Partnership Study Committee.

Ms. Kaufman discussed the recent Minuteman School Building Committee meeting. She noted that the new school building was projected to be completed a year ahead of schedule and \$6.5 million under budget.

**MISCELLANEOUS / CORRESPONDENCE**

Miscellaneous  
Correspondence

None

**COMMITTEE APPOINTMENTS**

Appointments

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

**VOTED:** to Appoint Nea Glenn of 388 Lowell Road as full member and Kate Chartener of 888 Sudbury Road as associate member to the Historic Districts Commission representing the Concord Museum for terms expiring January 1, 2022

**TOWN MANAGER APPOINTMENTS**

TM Appointments

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

**VOTED:** to Confirm the Town Manager's appointment of Eric Reinhard of 9 Hayward Mill Circle to the Comprehensive Sustainable Energy Committee for a term to expire May 31, 2019

**ADJOURNMENT**

Adjournment

On a motion duly made and seconded, it was:

**VOTED:** To adjourn the meeting for the evening.

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Michael Lawson, Chair	Aye
Jane Hotchkiss, Clerk	Aye
Alice Kaufman	Aye
Tom McKean	Aye

The meeting adjourned at 9:54 PM.

Respectfully submitted,

Jane Hotchkiss, Clerk