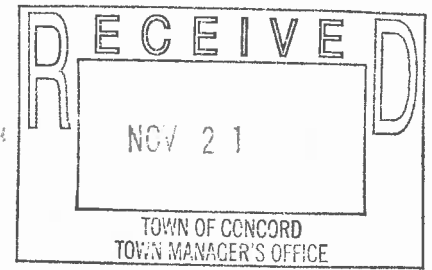




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**PENDING**

Tuesday	November 29	6 PM	Select Board Meeting	Town House
Tuesday	November 29	7 PM	Joint Public Hearing Select Board/Finance Committee/Planning Board	Town House
Thursday	December 8	7 PM	Special Town Meeting	High School
Monday	December 12	7 PM	Special Town Meeting <i>Adjourned Session/Snow Date</i>	High School
Monday	December 12	7 PM	Select Board Meeting	Town House



To: Concord Board of Selectmen  
From: Howard N. Dana, Senior Minister, First Parish in Concord

Re: Silent Fund

Date: 11/21/2016

I recommend funding in the amount of \$10,000 to be provided to Concord residents as requested by the appropriate human service and educational agencies. This is fully in accordance with the provisions of the 2001 Memorandum of Understanding between the Concord Board of Selectmen and the Senior Minister, First Parish in Concord.

The complete list of recipients and recommending staff is attached.

*Rev. Howard N. Dana*

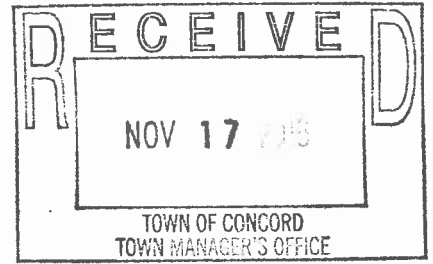
## Gift Acceptance Log – November 28, 2016

<b>Gift Received From:</b>	<b>Date of Meeting:</b>	<b>For Gift Account:</b>	<b>Total Amount:</b>
Anderson & Kreiger	November 28, 2016	Retirement Celebration Gift Account	\$500.00
Abode Builders of New England	November 28, 2016	Special Town Meeting Gift Account	\$9,000.00

## Weekly One Day License Log – November 28, 2016

Applicant Name & Number	Phone Number	Date of Event	Location of Event	Type of Alcohol	
16-132 Concord Museum	978-369-9763	December 2	200 Lexington Road	All Alcohol	Event Coordinator: Margaret Burke Bartenders: Lance Jones, Jeffrey Wiles, Joshua Wright Under 21: No First License in Concord: No
16-133 Pufahl Farricker Spirit Foundation	508-450-2266	December 17	74 Walden Street	All Alcohol	Event Coordinator: Philip Adams Bartenders: Deborah Merriam, Kimberly Shakins, Mae McAvoy Under 21: No First License in Concord: Yes
16-134 Saltbox Farm	617-877-3859	December 15	40 Westford Road Saltbox Farm	W&M	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First license in Concord: No
16-135 Saltbox Farm	617-877-3859	January 28, 2017	40 Westford Road Saltbox Farm	W&M	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First license in Concord: No

11/17/16



To whom it may concern,

Woods Hill Table needs altered hours on the following days for the following reasons:

December 10<sup>th</sup>: Open from 11am until 11pm

we have a private party, Bat mitzvah from 12-6

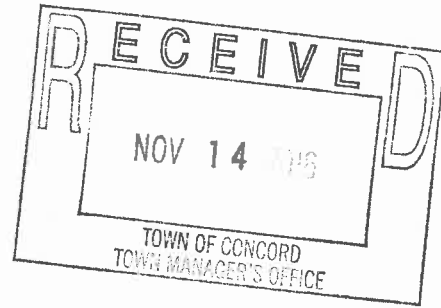
December 24<sup>th</sup> + 25<sup>th</sup> → Closed for Christmas

December 31<sup>st</sup> Last call 12am for New Year's Eve

Sunday, January 29<sup>th</sup> open 11am through 11:30pm

\* Private Parties only: Debra's Natural Gourmet Christmas party + Emerson Hospital Woods Hill Table dinner

To: Concord Board of Selectmen  
From: Ian Calhoun – Owner – 80 Thoreau  
Re: Additional Alcohol Service Hours & Dates  
Date: 11/14/16



We are seeking additional hours for the following dates:

**New Year's Eve**

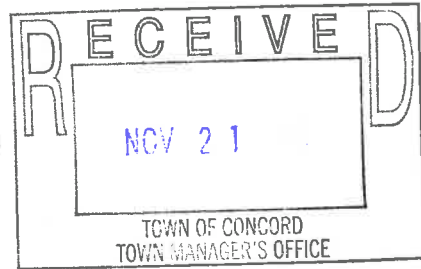
12/31/16-1/1/17 – Opening at 5:00pm on 12/31/16 and concluding alcohol service at 12:30am 1/1/17

**Super Hunger Brunch (100% for charity)**

1/29/17 – Opening for food and alcohol service at 11:00am concluding at 3:00pm.

Sincerely

  
Ian Calhoun



Benjamin T. Elliott  
Proprietor, Saltbox Kitchen  
84 Commonwealth Avenue  
Concord, MA 01742

November 18, 2016

To the Board of Selectmen, Town of Concord:

I respectfully request permission for extension of our regular business hours until 11:00pm on Wednesday, December 14th, 2016. Last call will be at 10:30pm, and all alcohol will be offered in addition to a special dinner menu.

Thank you for your consideration in advance,

A handwritten signature in blue ink that reads "Ben. Elliott".

Ben Elliott





**TOWN OF CONCORD**  
**DEPARTMENT OF PLANNING & LAND MANAGEMENT**  
141 KEYES ROAD, CONCORD, MA 01742  
TEL. (978) 318-3290 FAX (978) 318-3291

**MEMORANDUM**

Date: November 16, 2016

To: Michael Lawson, Chair, Select Board  
Christopher Whelan, Town Manager  
Kerry Lafleur, Finance Director

From: Marcia Rasmussen, Director, Planning and Land Management *MR*  
Dan Gaulin, Regional Housing Services Office *DG*  
Lara Kritzer, Senior Planner *LK*

**Re: Release of \$60,000 from Affordable Housing Gift Account to Concord Housing Authority for the completion of the final four units at Peter Bulkeley Terrace**

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This memorandum is prepared to request that the Select Board vote to release \$60,000 from the Town's Affordable Housing Gift Account to the Concord Housing Authority for the construction of the last four units at the Peter Bulkeley Terrace, one of which will be fully accessible.

These funds were approved by the Select Board for this project by unanimous vote of the Select Board at its December 15, 2014 meeting. The Concord Housing Authority recently began construction on these units and is working with the Regional Housing Services Office to coordinate the release of funds allocated for the project, including additional funding from Community Preservation Act funds, WestMetro HOME Consortium funds and Massachusetts Department of Housing & Community Development (DHCD) funds.

**Background**

At its August 28, 2014 meeting, the Select Board voted to accept funds in the amount of \$60,000 from the developer of the Monsen Road Subdivision (Bentley Builders, Inc.) as per the Planning Board's vote to release the developer from the Town's three year reservation for the purchase of one house lot for use as affordable housing. At its September 22, 2014 meeting, the BOS voted to accept the funds into the Affordable Housing Gift Account. These funds were received as an in-lieu payment which must be used for affordable housing purposes as described in Section 6.21.6 of the Town's Subdivision Rules and Regulations.

At that same time, the Planning Division and the Regional Housing Services Office were working closely with the Concord Housing Authority (CHA) to identify potential funding sources for the completion of the four remaining units in the Peter Bulkeley Terrace. Previously, the CHA had completed a multimillion dollar project to convert the 36 unit congregate living facility at Peter Bulkeley Terrace into 24 studio and one-bedroom units. That project also included approximately 2,500 square feet of unfinished space on the first floor, where it was intended that four more units

could be constructed when additional funds could be identified. By 2014, the CHA had assembled a combination of State, Federal and local funds (\$60,000 from the Affordable Housing Gift Account) to meet the projected construction cost of \$885,812 for the four new units. This Phase II cost estimate also anticipated completing additional work to correct building infrastructure issues and to expand the parking lot by 8 spaces. The Phase II work was included in the CHA's original Special Permit for the Peter Bulkeley Terrace, which precluded the need for additional review or approval. The commitment of the \$60,000 from the Affordable Housing Gift Account allowed the project to meet its funding goals and begin the long process of receiving State approval for their plans and construction work. When completed, the four new units will be included on the Subsidized Housing Inventory (SHI) and will provide the Town with a much needed fully accessible unit.

**Draft Motion:** Move that the Concord Select Board vote to release \$60,000 from the Town's Affordable Housing Gift Account to the Concord Housing Authority for the construction of the remaining four units at the Peter Bulkeley Terrace, one of which will be fully accessible.

**Town of Concord**

**APP #48**

**Regulations Governing  
Private Signs on Public Property**

**General Purpose**

At the Town Meeting in 2016, Concord approved amendments to the Sign Bylaw, which was originally adopted at Town Meeting in 1971. The Purpose and Intent of the Bylaw is: “to regulate, restrict and place such limitations on the size, location, type and illumination of all signs as will assure that they will (a) be appropriate to the land, building or use to which they are appurtenant (b) be protective of property values and the safety of the public; and (c) not unnecessarily detract from the historic qualities and characteristics of the Town of Concord.” The details of the bylaw provide for permit requirements, the bylaw’s administration and penalties for non-compliance, the determination of the signs allowed in various districts and the determination of prohibited signs.

Within the bylaw, *Section 5, Signs Allowed in All Districts*, paragraph a3 addresses the issue of non-commercial signs being erected on Town property other than right of ways. That section of the bylaw states, “Non-commercial signs may be erected on other Town property only pursuant to such other administrative policy governing the placement of signs on Town property duly enacted by the Select Board or the Town Manager.” The regulations below are adopted by the Select Board to govern the placement of such private signs on public property.

These regulations are intended to be “content neutral,” distinguishing only between “commercial signs” and “non-commercial signs”, in keeping with judicial decisions permitting the regulation of “advertising.”

**Private Signs on Private Property**

The Town’s Sign Bylaw governs the location, size and other aspects of commercial signs on private property; and, such signage must comply with the requirements of the

Bylaw. Non-commercial signs on private property are not regulated by the bylaw and are permitted without limitation on private property with the permission of the property owner. These regulations are not intended to restrict the location of signs on private property.

### **Private Signs on Public Property other than within the Public Right of Way**

Commercial signs, including real estate for sale signs, contractor signs, and private event notices are prohibited on all public property. This prohibition does not apply to the small, movable commercial signs allowed under the Bylaw in business districts that must be removed at the end of the day and are not permitted on public property overnight.

Non-commercial signs are permitted on town-owned land for not more than fourteen (14) days in a given calendar year, and only at these two locations:

1. Along the fence at Harvey Wheeler Community Center (intersection of Main and Church Streets)
2. Along the fence at Emerson Field (intersection of Thoreau and Everett Streets)

The installation of private, non-commercial signs on public property shall be with the prior approval of the Town Manager or a designee. Approval is required to establish the start and end times for locating such signs, to identify the person or group sponsoring the sign, the party responsible for removal of the sign and to assist in limiting the number of signs at that location.

The location of private non-commercial signs is expressly prohibited at cemeteries, war memorials, fire stations, the Town House, police and fire stations, public works sites, and other community properties.

The proposed sign shall comply with the applicable residential or nonresidential sign standards, including location, size, height and setback as contained in the Bylaw.

### **Signs within the Public Right-of-Way**

#### **Commercial Signs**

Commercial signs are prohibited within the public right-of-way and must be located on private property in conformance with the Sign Bylaw.

#### **Non-commercial Signs Adjacent to Private Property**

The Sign Bylaw states in Section 5, part 2a, "Non-commercial signs may be erected in the Town's right of way adjacent to a private property by the private property owner only

if (a) there is no protrusion of the sign into the public walkway or roadway; (b) placement of the sign will not damage any plantings that are in the area; and (c) placement does not pose a hazard to passersby.”

No permit is necessary for this type of sign; however:

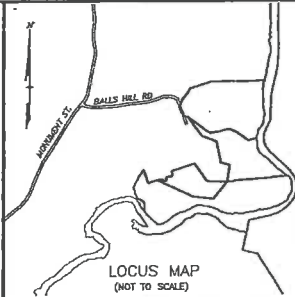
1. The sign may be installed for a period of not more than fourteen (14) days in any calendar year;
2. The proposed non-commercial sign, or signs, must comply with the applicable residential or nonresidential sign standards in the Bylaw including the number of signs, location, height and setback;
3. Signs posted in the public right of way that interfere with scheduled public improvements will be removed. The Town is not obligated to replace the signs at the completion of an improvement; and
4. Any sign shall be promptly removed from the public right-of-way at the end of fourteen (14) days and non-compliance with any requirement of these regulations shall be grounds for denial of permission for future sign installations.

#### Non-commercial Signs in the Public Right of Way not adjacent to Private Property

Non-commercial signs within the public right of way not adjacent to private property are prohibited except for such Town signs that inform citizens about municipal issues such as water restrictions and voting locations.

*Distribution: Department Heads; Committee and Board Chairs*





**NOTES:**

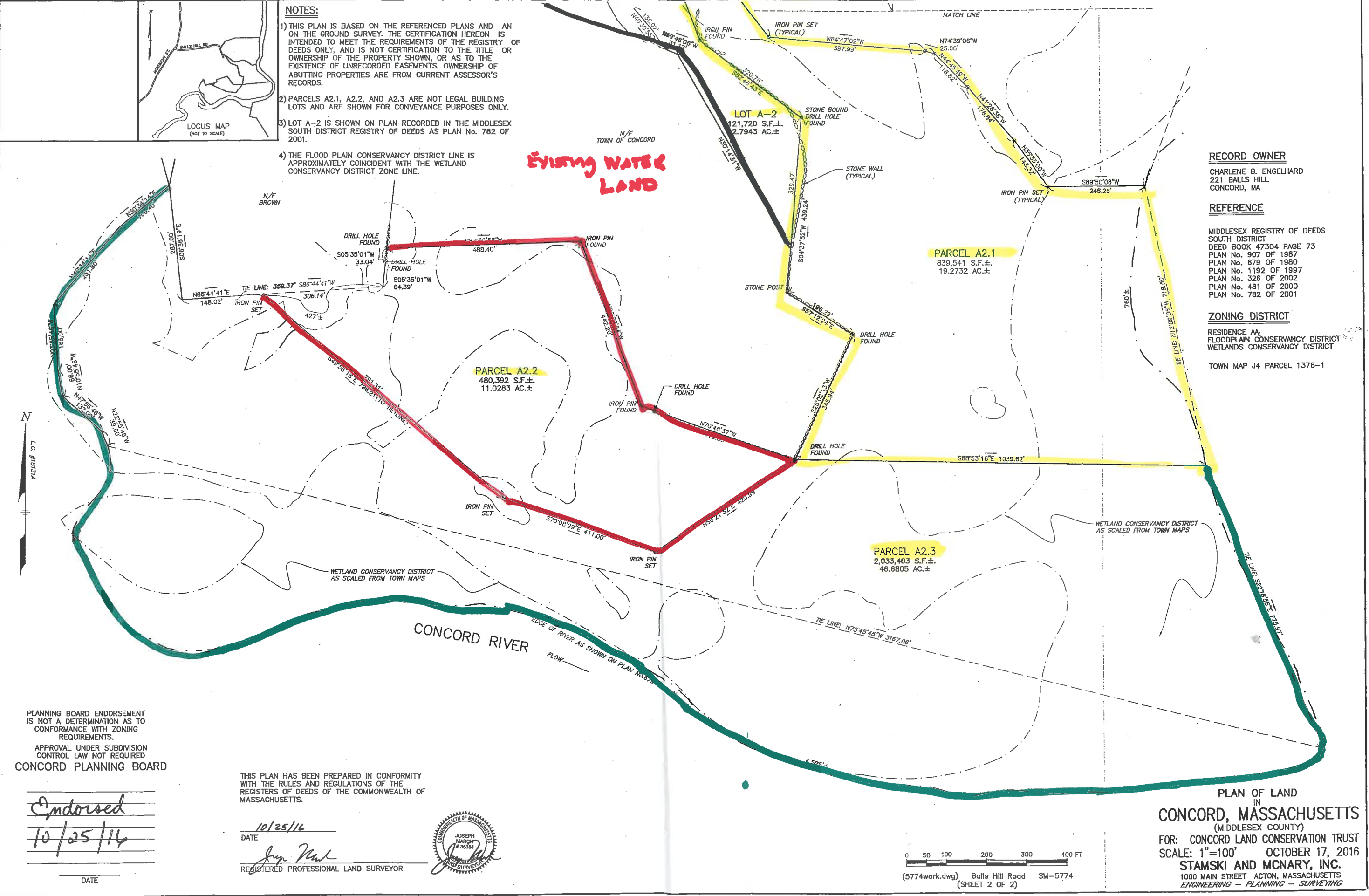
- 1) THIS PLAN IS BASED ON THE REFERENCED PLANS AND AN ON THE GROUND SURVEY. THE CERTIFICATION HEREON IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS ONLY, AND IS NOT CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN, OR AS TO THE EXISTENCE OF UNRECORDED EASEMENTS. OWNERSHIP OF ADJUTING PROPERTIES ARE FROM CURRENT ASSESSOR'S RECORDS.
- 2) PARCELS A2.1, A2.2, AND A2.3 ARE NOT LEGAL BUILDING LOTS AND ARE SHOWN FOR CONVEYANCE PURPOSES ONLY.
- 3) LOT A-2 IS SHOWN ON PLAN RECORDED IN THE MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS AS PLAN No. 782 OF 2001.
- 4) THE FLOOD PLAIN CONSERVANCY DISTRICT LINE IS APPROXIMATELY COINCIDENT WITH THE WETLAND CONSERVANCY DISTRICT ZONE LINE.

**EYING WATER LAND**

**RECORD OWNER**  
 CHARLENE B. ENGELHARD  
 221 BALLS HILL  
 CONCORD, MA

**REFERENCE**  
 MIDDLESEX REGISTRY OF DEEDS  
 SOUTH DISTRICT  
 DEED BOOK 47304 PAGE 73  
 PLAN No. 907 OF 1987  
 PLAN No. 679 OF 1980  
 PLAN No. 1192 OF 1997  
 PLAN No. 326 OF 2002  
 PLAN No. 481 OF 2000  
 PLAN No. 782 OF 2001

**ZONING DISTRICT**  
 RESIDENCE AA,  
 FLOODPLAIN CONSERVANCY DISTRICT  
 WETLANDS CONSERVANCY DISTRICT  
 TOWN MAP J4 PARCEL 1376-1

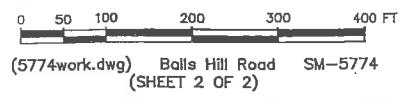


PLANNING BOARD ENDORSEMENT IS NOT A DETERMINATION AS TO CONFORMANCE WITH ZONING REQUIREMENTS.  
 APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED  
 CONCORD PLANNING BOARD

Endorsed  
 10/25/16  
 DATE

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DATE 10/25/16  
 REGISTERED PROFESSIONAL LAND SURVEYOR



PLAN OF LAND  
 IN  
**CONCORD, MASSACHUSETTS**  
 (MIDDLESEX COUNTY)  
 FOR: CONCORD LAND CONSERVATION TRUST  
 SCALE: 1"=100' OCTOBER 17, 2016  
**STAMSKI AND McNARY, INC.**  
 1000 MAIN STREET ACTON, MASSACHUSETTS  
 ENGINEERING - PLANNING - SURVEYING



OLD NORTH BRIDGE

## TOWN OF CONCORD

SELECT BOARD'S OFFICE  
22 MONUMENT SQUARE – P.O. BOX 535  
CONCORD, MASSACHUSETTS 01742

TELEPHONE (978) 318-3001  
FAX (978) 318-3002

### TOWN OF CONCORD SELECT BOARD

#### LEGAL NOTICE

Notice is hereby given that a Public Hearing will be held at the Town House, Concord, MA in the Public Hearing Room on November 28, 2016 at 8:30 PM upon the application from Emerson Umbrella, Inc. d/b/a The Umbrella Community Arts Center, Brian Boruta Manager of Record at 40 Stow Street for a New All Alcoholic Beverages License.

By order of the  
SELECT BOARD

Jane Hotchkiss, Clerk

November 28, 2016

Mr. Thomas J. Tinlin, Highway Administrator  
Massachusetts Department of Transportation  
Ten Park Plaza  
Boston, MA 02116

Re: Additional Design Funds from State for the Bruce Freeman Rail Trail (BFRT) Phase 2B in Acton and Concord [Transportation Bond Bills (H. 4371 of 2012) and (H. 4046 of 2014)]

Dear Mr. Tinlin:

The Towns of Acton and Concord are writing to request your assistance in identifying State Design funds of a minimum \$350,000 to be added to funds from Acton and Concord for the 75-100% design of Phase 2B of the BFRT, that portion of the rail trail that will connect Phase 2A in Acton (under construction) and Phase 2C in Concord (bid opening expected at the end of November 2016). Phase 2B represents approximately one mile of the BFRT and includes a bridge over Route 2, a bridge over Nashoba Brook and two culverts under Route 2 (one for the Nashoba Brook and the other for wildlife). Construction funds for Phase 2B are included in the current Boston MPO's Transportation Improvement Program for 2018.

We are aware that funds for design and construction of the BFRT Phase 2B were identified in two prior-year State Transportation Bond Bills (H. 4371 signed on August 10, 20112 and H. 4046 signed on April 18, 2014), but the actual source of design funds has not yet been identified.

The Towns of Acton and Concord have been working cooperatively with MassDOT Highway Division Project Manager David Shedd, and more recently with Project Manager Sreelatha Allam on the 25% design of Phase 2B (contracted and managed directly by MassDOT). The 25% design plans were submitted for review in March 2015; the 25% design public hearing was held on November 17, 2016. The requested additional funds of \$350,000 will ensure continued progress of the Phase 2B design work to 100% plan completion. Acton and Concord are committed to this project and look forward to continued collaboration with MassDOT.



Preliminary estimates for this design work have been prepared by the engineering firm responsible for design of Phase 2A and 2C because they are familiar with each community and the work expected to date. The Design Costs for Acton has been estimated to be \$149,000 and the Design Costs for Concord has been estimated to be \$899,000; the total amount is \$1,048,000. The Town of Acton is seeking Design funding from their Community Preservation funds for their portion of the design. Concord has appropriated \$550,000 through its Capital Improvement Plan (\$250,000) and Community Preservation funds (\$300,000). There is a shortfall of approximately \$350,000 and assistance from the State is requested.

While Acton has served as the lead community and local project coordinator for the design of the adjacent BFRT Phases 2A and 2C, Concord is ready to serve as the lead community and local project coordinator for the design of Phase 2B. Both communities have professional staff and expertise to select, contract with and manage engineering design consultants as needed to see the project to completion.

Given the ongoing and persistent public support locally and regionally for this multi-use rail trail and the Town's consistent focus on sustainable transportation options, we continue to believe that construction of the Bruce Freeman Rail Trail will help relieve traffic congestion locally, and with future construction of the Phase 2B (the bridge over Route 2), regionally. Construction of the Bruce Freeman Rail Trail will offer a safer option for walking or bicycling to the West Concord commuter rail station and the area businesses of West Concord. It will also promote use of public transportation, improved air quality through a reduction in fossil fuel use, and improvement in public health through exercise.

We look forward to your assistance and guidance in this funding matter. If you have any questions or need additional information, please do not hesitate to contact:

Marcia Rasmussen, ASLA  
Director, Town of Concord  
141 Keyes Road  
Concord, MA 01742  
Phone: 978-318-3290  
Email: [mrasmussen@concordma.gov](mailto:mrasmussen@concordma.gov)

Roland Bartl, AICP  
Planning Director, Town of Acton  
472 Main Street  
Acton, MA 01720  
Phone: 978-929-6631  
Email: [rbartl@acton-ma.gov](mailto:rbartl@acton-ma.gov)

Sincerely,

---

Michael Lawson  
Chair, Concord Select Board

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Katie Green  
Chair, Acton Board of Selectmen

cc: Senator James B. Eldridge, Acton  
Senator Michael J. Barrett, Concord  
Representative Cory Atkins, Concord & Acton  
Tom Michelman, Friends of the Bruce Freeman Rail Trail  
David Shedd, P.E., MassDOT Highway Division  
Sreelatha Allam, MassDOT Highway Division  
Marcia Rasmussen, Town of Concord  
Roland Bartl, Town of Acton

DRAFT