

WEST CONCORD TASK FORCE
MINUTES
FEBRUARY 03, 2011

Pursuant to notice duly filed with the Town Clerk, a meeting of the West Concord Task Force was held at 7:30p.m. at Concord Park.

Present were Phil Adams, Chair; Betsy Stokey, Vice Chair; Nancy Carey, Clerk; Bobbie Brennan, Gary Clayton, Sue Felshin, Don Hawley, David Holdorf, Chris Sgarzi, and Jimi Two Feathers. Also present were Planning Director Marcia Rasmussen and members of the community Chris Hart and Ray Hanselman.

Absent: Gary Kleiman

The Meeting was called to order by Phil Adams at 7:30PM.

MINUTES

On a motion duly made and seconded, it was UNANIMOUSLY

VOTED: To approve the minutes of 5 January 2011, as amended.

On a motion duly made and seconded, with one abstention, it was

VOTED: To approve the minutes of 20 January 2011, as amended.

DEBRIEFING OF JANUARY 25TH PLANNING BOARD MEETING

The Planning Board discussed potential warrant articles for the West Concord Industrial District without coming to conclusions. It was noted that the Planning Board would probably try to come to decisions at their next meeting, on Feb. 8. Discussion included: Planning Board members seem to have varied views regarding how to address the West Concord Industrial District and it seems unclear whether they can come to agreement in time to craft articles for a Special Town Meeting within this spring's Town Meeting; there are only a couple of good sites for residential use in the industrial district based on the metric of substantial size that Planning Board member Mark Bobrowski advanced; smaller parcels could be combined to create more sites suitable by that metric; if the 50 Beharrell St. project is built as proposed and housing goes in on the south end of the prison land as planned, Mr. Hart's industrial property will be squeezed with residential uses on all sides. Chair Phil Adams noted that the Task Force probably has one last chance to recommend something to the Planning Board within the timeline for a Special Town Meeting within Town Meeting and that it is highly unlikely that an STM w/i TM will go forward if Mr. Nick Boynton isn't ready with his project. Mr. Adams further noted that he spoke with the Task Force's Selectman representative Greg Howes and that if no action is taken, zoning in the West Concord Industrial District will revert to pre-IPOD zoning. Discussion continued: there may be an STM in September for the high school and West Concord Industrial District articles could go on that warrant if not ready for an STM w/i TM.

INDUSTRIAL DISTRICT ZONING

The Task Force discussed options for changes to underlying zoning in the West Concord Industrial District. Options under discussion were:

1. Retain the status quo by taking no action and allowing zoning to revert to pre-IPOD zoning.
2. Retain combined industrial/business/residential as an allowed use by Special Permit, but alter the Special Permit conditions (Option 4 from the previous meeting's discussion).
3. Remove combined industrial/business/residential, currently allowed by Special Permit, as an allowed use (Option 1a from the previous meeting's discussion); in this case, any residential uses would require a vote of Town Meeting, for example to create an overlay district as has been proposed for 50 Beharrell.

Call to Order

Minutes

Planning Board

Industrial Zoning

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Citizen comment: Mr. Ray Hanselman commented that another alternative might be to extend the IPOD. Mr. Chris Hart commented that commercial properties cost the town 25 cents in services for each tax dollar collected while residential properties cost the town \$1.25 in services for each tax dollar collected. A member of the Task Force requested Mr. Hart to state what he wants for the industrial district. Mr. Hart stated that he wants to retain industrial use, but that as housing surrounds his property it might make sense to allow for a residential component in the future; a special permit process would give him some flexibility; to go to Town Meeting for a zoning change would require a large project; it seems like the center of West Concord should be a tight-knit community with mixed use; the 20% requirement for affordable residential units makes it necessary to offset those units with a greater number of "unaffordable" units, and more requirements regarding access to open space would be preferable; a 40 foot height limit seems acceptable for his property.

Discussion continued: there isn't currently a threat of drastic change in the industrial district outside of 50 Beharrell St.; if we are adversarial with the business community, we will lose the most important thing, which is the Master Plan; the best alternative is pre-IPOD zoning with the proposed overlay, or if the overlay doesn't pass, then we could look at a different overlay or working within current zoning; the proposed overlay isn't necessarily the best alternative because it could lead to residential use creeping from there to Winthrop St. and eventually taking over 2/3 of West Concord's current industrial district. Planning Director Marcia Rasmussen commented that Concord Commons was favored in its neighborhood as an improvement over the previous use and favored by housing advocates, but now that citizens are alerted to such possibilities, and now that people have expressed that they value the industrial district, a similar large residential development in the West Concord Industrial District would be prevented by public outcry if people were opposed to it. Discussion continued: town meeting voters can't have enough education to vote informedly; it's too drastic to force every project that includes residential use in the industrial district to go through Town Meeting; there shouldn't be many projects including residential in the industrial district and we wouldn't even be considering the 50 Beharrell proposal if not for its Master Plan elements; large projects are not in keeping with the scale and mass called for by the Master Plan; if we leave pre-IPOD zoning then we've done nothing, and the best solution is to add to Special Permit provisions; we are losing sight of what the public wants, which we've heard through surveys and workshops, and why we're here; putting residential use into the industrial district is such a large change that it deserves a Town Meeting vote; a special permit process is practical and will leave the lasting effect we want; not everyone is opposed to residential use in the industrial district; the industrial district is a distinctive feature of West Concord and if we add residential use, West Concord will end up like Concord Center or as a bedroom community; we can provide increased housing in walking distance of stores and the train and reduce driving; we can do so without using the industrial district and not threaten the industrial district's existence; too often we attempt to provide affordable housing in a sprawling way; industrial use could be pushed out by residential, but won't be if the project is handled correctly; people who move into housing in industrial districts in Boston understand that they have to put up with industrial uses; people move next to bucolic farms and then force the farms out; the Task Force shouldn't try to set the high bar of a Town Meeting vote for decisions that so strongly affect the future, and we should use special permitting and trust in the process.

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Task Force members were polled for their preferences for options for 1) pre-IPOD zoning, 2) modifying SP provisions, and 3) eliminating combined industrial/business/residential by Special Permit (no residential except through Town Meeting). Results were:

1 st choice	2 nd choice	3 rd choice	
0	2	3	1) pre-IPOD
6	3	0	2) modify SP
4	0	2	3) resid. only thru TM

It was agreed that the minority opinion would be presented to the Planning Board in addition to the majority position.

Discussion turned to Special Permit conditions to recommend, in the event that combined industrial/business/residential use is still allowed in the industrial district by Special Permit. Members variously proposed:

- affordability requirement of 20% of residential, or industrial
- West Concord Design Guidelines
- no residential use on the ground floor
- access to open space
- consistent with/must advance the Master Plan
- minimum size for parcel, such as 3 acres
- base elevation measured as proposed for the Residence C district
- maximum footprint

Discussion included: it's too hard to define affordability for industrial use; we can say the applicant has to make a case for why industrial space is affordable; housing advocates will support residential use if 20% is affordable; advancing the Master Plan is a suitable condition, for example, to create a path along the Nashoba Brook; projects should be in keeping with the Master Plan in terms of mass and scale; a maximum footprint can be handled through the lot coverage metric; if there is a minimum parcel size of 3 acres, then it would be impossible to, for example, convert the top floor of the Minuteman Press building to residential use [see List of Attachments]; we could allow residential use on smaller parcels only if it is artist live/work space; it's too hard to define artist live/work space; there is a limited market for combined residential and industrial use; a minimum lot size isn't flexible; a minimum lot size is a good idea; residential use in an industrial district is like purple loosestrife that will take over. The chair asked those who support removing the combined industrial/business/residential use if they have any concerns about taking away property owners' rights. Ms. Rasmussen noted that several owners of small parcels in the industrial district have stated that they don't want residential use. Discussion included: all zoning removes rights, and this change will be the best for all in the long run; not all rights would be taken away and there would still be substantial economic value in properties without a residential option.

On a motion duly made and seconded, it was

VOTED: That if Special Permit requirements are changed, that they be changed to include the following 6 criteria:

- no residential use on the ground floor
- consistent with / advances the Master Plan
- adhere to the Design Guidelines
- elevation measured as proposed for the Residence C warrant article
- 20% affordable square footage—residential or industrial
- minimum lot size

On a motion duly made and seconded, the motion was amended and it was

VOTED: That the last criterion be eliminated. The Motion failed on a tie vote.

The original motion passed 9 to 1.

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ARTICLE 52, GROCERY STORE, RETAIL STORE AND RESTAURANT

Ms. Rasmussen noted that she is still looking for an appropriate definition of public retail area for the building inspector to administer, that doesn't require the building inspector to monitor stores on a yearly basis. David Holdorf and Sue Felshin were tasked to meet with Ms. Rasmussen and the building inspector.

UPCOMING PUBLIC FORUM

Upon review of the Town calendar and scheduled public hearings, the group determined that April 5th, 6th, or 7th are suitable dates for the next Task Force public forum. Thoreau School auditorium was discussed as a possible West Concord venue. Nancy Carey offered to secure the location for one of the above dates.

ADJOURNMENT

On a motion duly made and seconded, it was UNANIMOUSLY

VOTED: To adjourn the Open Session and to conclude business for the evening.

Respectfully submitted,

Sue Felshin
Approved: 15 February 2011

LIST OF ATTACHMENTS

1. "West Concord Industrial District Property owners and property information", Industrial Owners data.doc

Grocery/Store Size

Public Forum

Adjourn

West Concord Industrial District Property owners and property information

Owner	Mailing Address	Parcel No. and Address	Area of parcel
40 Beharrell Street LLC and Co-owner 30 Beharrell Street LLC	410 Great Road PO Box A-1 Littleton, MA 01460	Parcel 2186; 40 Beharrell Street and Parcel 2187-1; 30 Beharrell Street	0.45 acres or 19,602 s.f. and 0.53 acres or 23,086 s.f.
Steinmann Realty LLC	4 Daisy Lane Brewster, MA 02631	Parcel 2187-2; 20 Beharrell Street	0.27 acres or 11,761 s. f.
50 Beharrell LLC and Co-owner Lincoln Crossing LLC	199 Sudbury Road Concord, MA 01742	Parcel 2185; 50 Beharrell Street	4.35 acres or 189,486 s.f.
Bradford Street LLC	P.O. Box 1595 Concord, MA 01742	Parcel 2217-1; 23 Bradford Street	1.85 acres or 80,586 s.f.
Fordbrad LLC	199 Sudbury Road Concord, MA 01742	Parcel 2217-1-1 8A Bradford Street	1.23 acres or 53,578 s.f.
152 Commonwealth Inc.	410 Great Road PO Box A-1 Littleton, MA 01460	Parcel 2184-1-1; 152 Commonwealth Ave.	2.99 acres or 130,244 s.f.
LeBaron Trust c/o John Bellantoni (partial WCI)	157 Mossman Road Sudbury, MA 01776	Parcel 2184-1-2 13B Commonwealth Ave.	0.74 acres or 32,234 s.f.
Raymond J. Beaudoin and Co-owner Janice Beaudoin	550 Massachusetts Avenue Acton, MA 01720	Parcel 2189; 17 Beharrell Street	0.09 acres or 3,920 s.f.
John E. Jones, Jr. and Co-owner Norma M. Jones	82 Autumn Lane Lincoln, MA 01773	Parcel 2190 114 Commonwealth Ave.	0.38 acres or 16,552 s.f.
J F Forbes Realty Trust (partial WCI)	PO Box 1058 Concord, MA 01742	Parcel 2192 106-108 Commonwealth Ave.	0.37 acres or 16,117 s.f.
Forbes JF Realty Trust (partial WCI)	PO Box 1058 Concord, MA 01742	Parcel 2191 112 Commonwealth Ave.	0.14 acres or 6,098 s.f.
DNG Realty LLC (condominium) (partial WCI)	9 Pond View Drive Acton, MA 01742	Parcel 2193-92, 2193-94, 2193-96, 2193-98 and 2193-100 96 Commonwealth Ave.	0.28 acres or 12,196 s.f.
56 Winthrop St. LLC c/o Christopher Hart (condominium) and Assabet River Realty LLC	56-2 Winthrop Street Concord, MA 01742 and 56 Winthrop Street	Parcel 2183-1; 2183-2A; 2183-2B and 2183-3; 56 Winthrop Street	4.59 acres or 199,940 s.f.

West Concord Industrial District Property owners and property information

	Concord, MA 01742		
Hollis R. and Caroline V. Holden (partial WCI)	1825 Main Street Concord, MA 01742	Parcel 2195; 74 Commonwealth Ave.	0.30 acres or 13,068 s.f.
John W. Boynton and Albert E. Winemiller c/o The Boynton Company (condominium) (partial WCI)	199 Sudbury Road Concord, MA 01742	Parcel 2194-84, 2194-84A, 2194-86, 2194-88 and 2194-LL 86 Commonwealth Ave.	0.22 acres or 9,583 s.f.
Whale Rock LLC	187 West Street Carlisle, MA 01741	Parcel 2168; 45 Winthrop Street	3.3 acres or 143,748 s.f.
66 Comm Ave. LLC	585 Massachusetts Ave. Acton, MA 01720	Parcel 2196-1; 66 Commonwealth Ave.	0.39 acres or 16,988 s.f.
Town of Concord	22 Monument Square PO Box 535 Concord, MA 01742	Parcel 2196-2; 6B Commonwealth Ave.	0.97 acres or 42,253 s.f.

Notes: Parcel area is taken from the Town Assessor's data available through the Town of Concord GIS (a survey by a Registered Land Surveyor may have a different area).

Those properties with partial West Concord Industrial district zoning (highlighted above) have frontage on Commonwealth Ave. and the remainder of the lot area is zoned West Concord Business district.