

WEST CONCORD TASK FORCE
MINUTES
FEBRUARY 15, 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; Nancy Carey, Clerk; Bobbie Brennan, Sue Felshin, Don Hawley, David Holdorf, Gary Kleiman, Chris Sgarzi, and Jimi Two Feathers. Also present were Finance Committee representative Pat Nelson and members of the community Ray Hanselman and Mari Weinberg.

Absent: Gary Clayton, Betsy Stokey

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

MINUTES

On a motion duly made and seconded, with two abstentions, it was

VOTED: To approve the minutes of 3 February 2011, as amended.

DEBRIEFING OF FEBRUARY 8TH PLANNING BOARD MEETING

The Chair reported that the Planning Board approved Task Force recommendations, with the exception of the inclusion of a minimum lot size amongst the Special Permit conditions listed for a proposed Industrial District warrant article, on which Task Force members were tied in opinion, and they omitted the Task Force's recommendation to measure a building's base elevation based on existing conditions. He noted that the Planning Board stuck with the Task Force's recommendation for no ground floor residential use. Additionally, the Planning Board increased the requirement for industrial and non-retail business uses combined from a minimum of 25% to 30%. The Task Force's Planning Board representative Chris Sgarzi noted that that the Planning Board has chosen to leave it up to applicants to make the case for how proposals provide affordable industrial space; that he doesn't think that base elevation will be a problem in the Industrial District since no mounding is allowed in a flood plain; and that since the Planning Board wants to change the language in the Residence C article to add an "escape hatch" to the definition of base elevation, it doesn't make sense to use an unfinished definition. Discussion included: potential for "residential creep" remains a concern; the measurement of elevation may in fact turn out to be a problem, but the Planning Board's decision takes precedence over the Task Force's recommendation.

Public comment: Mr. Ray Hanselman commented that since much of 50 Beharrell St. is in the flood plain, it would not be possible to build up the property without triggering review by several committees. Ms. Mari Weinberg commented that at the Feb. 8th Planning Board meeting, Planning Board member Doris Cole noted her concern over the possibility of a building being constructed in the Industrial District that was effectively much higher, due to mounding.

SPECIAL TOWN MEETING WITHIN TOWN MEETING

Planning Board representative Chris Sgarzi noted that he thinks the proposed Special Town Meeting within Town Meeting will take place and that he intends to push the process along; even if the development agreement for Special Town Meeting isn't ready in time, the STM will probably take place anyway, allowing other proposed West Concord Industrial District articles regarding use changes and special permit conditions to be moved. Mr. Sgarzi stated that he will be submitting a letter to the Board of Selectmen this week regarding the STM.

Call to Order

Minutes

Planning Board

STM w/i TM

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ARTICLE 52, RECOMMENDED SIZE LIMITATIONS FOR GROCERY STORE, RETAIL STORE AND RESTAURANT IN W. CONCORD'S BUSINESS AND VILLAGE DISTRICTS

Task Force members David Holdorf and Sue Felshin reported on their meeting with Planning Director Marcia Rasmussen and Building Inspector John Minty on February 11th regarding Article 52, "Grocery Store, Retail Store and Restaurant" to pin down the definition of "public retail space" in a way that the building inspector can practically administer. They reported that the proposed changes in language [see List of Attachments] reflect the intent of the article.

Grocery/Store Size

PUBLIC FORUM AND OTHER COMMUNICATIONS

Nancy Carey reported that based on Task Force members' schedules and facilities' availability, the Task Force's public forum on warrant articles will be held on Tuesday, April 5th at the Harvey Wheeler Community Center. There was a discussion of whether to cover Articles 54 and 55, formula business bylaws, in the Task Force's public forum. Mr. Sgarzi noted that the Task Force should promote the articles if it wants them to pass; the Planning Board will have a public hearing, but not a public forum. Discussion included: if we cover one of the two articles, we will have to cover them both, in order to explain the difference. There was a more general discussion of forum content. Discussion included: since the Task Force has put the most time into these articles, it is the committee best suited to cover them in a public forum; we should include articles for the STM w/i TM; we need a good handout; we should create a handout in the style of the League of Women Voters indicating the meanings of yes and no votes; the LWV is an impartial organization, but we should advocate for the articles we support; we can present articles without advocating for them; we can, but it would be better if we advocate for those we support; we can present our split opinions where they occur; we should vote our positions on all articles before the Planning Board hearing on March 8; we also need to prepare Town Meeting presentations on articles; preparing a handout and presentations will help the Task Force come to positions on articles; Mr. Nick Boynton will not present his proposal for 50 Beharrell St. at the Planning Board hearing and could present it at the Task Force forum; alternatively, he could present it at a forum of his own since the Task Force already has more than enough zoning amendments to present at the forum and introducing the 50 Beharrell Overlay will take up a lot of time; it is in Mr. Boynton's best interest that he have enough time to present his project

Public Forum

Public comment: Mr. Ray Hanselman requested that the Task Force make sure that if the 50 Beharrell St. project is included in the upcoming forum that at least as much time is provided at the forum for public comment as for the presentation of the 50 Beharrell St. project by its developer, which was not the case at the previous WCTF zoning forum held in the Thoreau School auditorium.

ARTICLE 36, WEST CONCORD CENTER ROADWAY-RELATED IMPROVEMENTS

In response to a query on how the Task Force communicated its recommendations for land acquisition to Town Manager Chris Whelan, the chair noted that the Task Force sent a letter to Mr. Whelan regarding short-term infrastructure improvement projects, which noted that land acquisition was the first priority, on August 3, 2010 [see List of Attachments], and that the Task Force sent a second letter to Mr. Whelan, regarding capital priorities, on January 6, 2011 [see List of Attachments]. Regarding Article 36, West Concord Center Roadway-Related Improvements, which seeks to authorize a borrowing of \$500,000, discussion included: is this the same money as the \$450,000 that the Town Manager previously indicated would likely be available for the recommended short-term streetscape improvement projects, or is this money to be used for roadway improvements related to the proposed redevelopment of 50 Beharrell St.?; do the terms of the article allow for the money to be used for land acquisition, as the Task Force has recommended as the first priority? Mr. Sgarzi indicated he would determine the answer to whether the money could be used for land acquisition, and Mr. Adams indicated he would determine the relation of Article 36 to the previously mentioned \$450,000 for streetscape improvements.

Roadway improvements

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MISCELLANEOUS

Ms. Pat Nelson was introduced as the Finance Committee's representative to the Task Force. She noted that she will be writing an observer's report for the Finance Committee. She was asked whether the Finance Committee plans to take a position on any articles related to the Task Force's work. She stated that the Finance Committee doesn't plan to, but that zoning articles will be included in the Finance Committee's report on the warrant.

Mr. Sgarzi noted that he will attend the next Concord Business Partnership breakfast, on March 2nd.

NEXT MEETING

The next meeting is scheduled for March 3rd, at 7:30 p.m., location TBD.

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: 3 March 2011

LIST OF ATTACHMENTS

1. "ZONING BYLAW AMENDMENT – GROCERY STORE, RETAIL STORE AND RESTAURANT ", GroceryStoreEtc_021411.doc
2. "West Concord Village Master Plan - Short-Term Streetscape Improvements", WCTF_Short-Term_Master_Plan_Streetscape_Improvements_V7-1.doc
3. "West Concord Task Force Capital Expenditure Priorities", WCTF Capital Priorities 2011 01 06.doc

Miscellaneous

Next meeting

Adjourn

ZONING BYLAW AMENDMENT – GROCERY STORE, RETAIL STORE AND RESTAURANT

1ARTICLE . To determine whether the Town will vote to amend the **Zoning Bylaw** to add a definition of grocery store and add a size limitation to the definitions of retail store and restaurant uses when located in the West Concord Business (WCB) District and the proposed West Concord Village (WCV) District:

In subsection 4.5 Business Uses, add:

4.5.19 Grocery store: A type of retail store primarily devoted to the sale of food products for home preparation and consumption, home care products and personal care products, or some combination thereof. In the West Concord Business District and the West Concord Village District a grocery store shall not occupy more than 5,000 square feet of public retail area devoted to the display and sale of such merchandise. Public retail area is defined as that interior area of the retail store devoted to display and sales and exclusive of rooms for storage, offices, restrooms, employee break rooms and utility rooms.

And amend Table I Principal Use Regulations by adding a category for 4.5.19 Grocery store allowed in all Commercial Districts, except in the Limited Business District, but not in the Residential or the Industrial Districts as follows:

Principal Uses	Residential Districts				Commercial Districts					MP	Industrial Districts				Site Plan Approval
	AA	A	B	C	B	<u>CCB,</u> <u>TDB,</u> <u>NACB</u>	<u>WCB</u>	<u>WCV</u>	LB		WCI	I	IP	LIP	
<u>4.5.19 Grocery Store</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>R</u>	

And amend Sections 4.5.1 and 4.5.4 to limit the size of retail stores and restaurants in the West Concord Business District and West Concord Village District by adding the new underlined sections below:

4.5.1 Retail store: Sale and display of merchandise within a building. Sale of ready-to-consume foods and beverages in disposable containers for consumption outside the building will be permitted only as an accessory use to the principal retail operation. In the West Concord Business District and in the West Concord Village District the public retail area of a retail store shall not occupy more than 4,000 square feet. The public retail area is defined as that interior area of the retail store devoted to display and sales and exclusive of rooms for storage, offices, restrooms, employee break rooms and utility rooms.

4.5.4 Restaurant: Restaurant, cafeteria, lunchroom or similar establishment whose principal business is the sale of prepared foods or beverages and whose principal method of operation includes either (1) service by a restaurant employee to a table or counter where the food or beverages is consumed, or (2) a cafeteria-type operation where foods and beverages are consumed within the restaurant building. In the West Concord Business District a restaurant shall not occupy more than 5,000 square feet of gross floor area and in the West Concord Village District a restaurant shall not occupy more than 4,000 square feet of gross floor area, unless a special permit is granted to allow a larger restaurant by up to twenty percent (20%). A special permit shall be granted by the Planning Board only upon a written determination as provided in Section 11.6 and that the larger restaurant serves a public purpose or has a public benefit.

or take any other action relative thereto.

February 10, 2011
For discussion

The proposed changes to the Zoning Bylaw adds a definition for grocery stores and a limitation on the size of retail stores and restaurants in the West Concord Business and the proposed West Concord Village Districts, implementing recommendations of the West Concord Master Plan. Changes above are shown underlined for the warrant only. If the proposed West Concord Village District is not approved in Article __, references to the West Concord Village District may be subject to deletion in the motion to be voted upon under this Article.

Dan Holin, Chair
West Concord Task Force

August 3, 2010

Chris Whelan
Town Manager
Town House
Concord MA, 01742

Dear Chris,

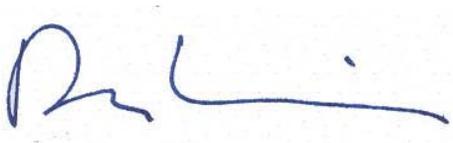
Earlier this year, you kindly requested that the West Concord Task Force identify a few streetscape improvements from the recently completed Master Plan that might be undertaken by the town. At its July 22nd meeting, the task force approved the attached list of projects that could provide residents with immediate benefits from our investment in the master planning process.

These projects are modest in scale, but as a group, will have a positive impact on West Concord's quality of life. They include open space, lighting and traffic improvements throughout the West Concord village area. They have been selected because they have minimal dependencies on other development, and could potentially be funded within the Town budget or from other existing sources.

Projects involving land purchases and other one-time opportunities should still get the first priority for any master plan spending. However, the timing of these more strategic projects is difficult to plan. In the interim, the West Concord Task Force recommends that the Town Manager pursue these projects (within available resources) in FY 2011.

Thank you for helping us move the Master Plan off the written page and onto the streets of West Concord!

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dan Holin', with a stylized flourish at the end.

Dan Holin
for the West Concord Task Force

West Concord Village Master Plan - Short-Term Streetscape Improvements

The West Concord Village Master Plan includes many projects. Some are large-scale initiatives; others are dependent upon proposed private development, state programs or MBTA improvements.

Projects involving land purchases and other one-time opportunities should get the first priority for any master plan spending. However, the West Concord Task Force committee has also identified the following streetscape improvements that could be pursued until the larger projects become feasible.

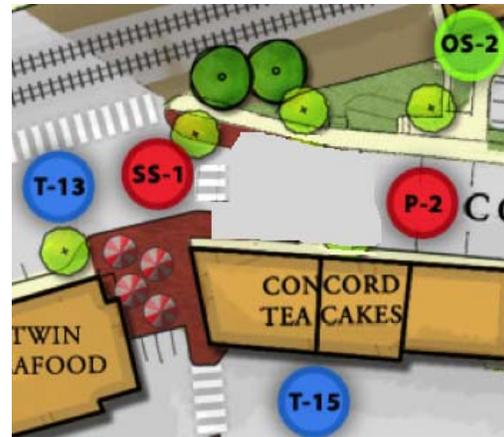
These smaller-scale projects could make an immediate impact on the quality of life in the village. They have been selected because they have minimal dependencies on other development, and could potentially be funded within the Town budget or from other existing sources. The West Concord Task Force recommends that the Town Manager pursue these projects (within available resources) in FY 2011.

Priority	Plan Item	Graphic MP ID#	Description	Short-Term Implementation Notes
1	E1-8 , E1-9, E2-9, E2-10	SS-1, T-5, SS-3.1A, SS-3.1B	Main St. streetscape improvements (segments 1 and 2)	Improve sidewalks on the Main St bridge over the Assabet, reconfigure the intersection in front of the 99 Restaurant, and implement other changes as listed in the Master Plan. (Incorporate this work in the Main St/Rt. 62 repaving project.)
2a	B-18, E1-8, E1-10 E2-10	T-13 T-15, SS-1 SS-3.2A	Develop patio/outdoor dining area between Twin Seafoods and Concord Teacakes.	Extend into street, including bumpout at crosswalk, but without removing existing street-level parking at this time. See Supplemental Graphic A below.
2b	E1-8, E1-10, E2-10, F-2	T-13 SS-1 SS-3.2A OS-2	Enhance Mandrioli Pocket Park & add pedestrian bumpout	Link the pocket park to Twin Seafoods/Concord Teacakes patio with brick crosswalk and small bumpout (without removing any parking). Consider providing overflow seating or children's play space. Consult with Green Thumbs gardening group to avoid conflicting plans. See Supplemental Graphic A below.
3	F-13	OS-11	Extend paved path in Rideout Playground to Conant St.	Funding for this path has already been provided by a developer. This path would provide an accessible connection to the existing paved path from Laws Brook Rd. to the play area (not to Maple St.).
4	E2-13	SS-2	Make Bradford Street streetscape improvements (some or all)	Even though these are listed as a "B" in the plan priorities, vs. "A" for Commonwealth Ave. improvements, Commonwealth could be affected by Beharrell St. changes. If only some improvements can be made, consult with abutting property owners regarding highest priorities.
5a	B-12	T-12	Implement interim traffic calming measure at Kenneth Dunn Square	If T intersection or rotary cannot be implemented in the short term, add an interim traffic calming measure at Kenneth Dunn Square to encourage traffic continuing right on Commonwealth to slow down or signal their intentions.
5b	F-5 E1-8	OS-4 SS-1	Add crosswalks to the Warner's Dam Pocket Park and Kenneth Dunn Square	Follow the plan that has been developed by the Dept. of Public Works.
6	F-3	OS-1	Enhance Junction Park	Improve; explore potential use as farmer's market. (Consult with Green Thumbs to avoid conflicting plans.)
7	E2-14	SS-5	Extend decorative light fixtures within the village center—Church St.	Add one or two light fixtures to the bend of Church Street, ensuring no undue light spillage. The sidewalks in this small portion of Church St. currently lack any light fixtures and are quite dark at night.

West Concord Village Master Plan - Short-Term Streetscape Improvements

Supplemental Graphic A

Note suggested modifications from Graphic Master Plan: retain current crosswalk location (at this time) to preserve parking spaces. Create red “bricked” crosswalk (as at intersection of Thoreau & Sudbury). Note that parking spaces from Mandrioli Park to W.C. Supermarket currently vary in size. Can some spaces be decreased in size to allow for a bumpout with both pedestrian landing and tree? If not, omit tree.



January 6, 2011

Christopher Whelan
Town Manager, Town of Concord
Town House
Concord, MA 01742

Dear Chris:

The West Concord Task Force welcomes the opportunity to provide input to the capital planning process. We understand the difficulties associated with capital planning for multiple competing priorities at a time when Concord continues to receive reduced state funding. Your request for input reflects the importance of the West Concord Village and the work of the Task Force to that process and we sincerely appreciate your consideration of our priorities. If you seek priorities for available *operational* budget funds, we refer you to our letter of August 3, 2010 (sent by former-chair, Dan Holin), which lists priority actions for annual operational funds. As stated at that time, our preference for any available funding would be capital expenditures/land acquisitions as listed below.

After a considerable effort to collect feedback from the West Concord community and stakeholder groups and develop a Master Plan for the West Concord Village, there are several capital expenditures that emerge as clear priorities for available Town funds (through the capital budget directly as well as by leveraging Community Preservation Act funding especially for park and/or recreational spaces and historic preservation). Four of these – listed in priority order – include (1) acquisition and/or funding of capital improvements to common areas of the “Acadian” property at 74 Commonwealth Avenue [F1, OS-5]*, (2) acquisition and redevelopment of 51 Laws Brook Road to increase options for heavily used Rideout Playground [F9, D-15], (3) acquisition of 120 Commonwealth Avenue (Concord Auto Sales parking lot) to enable redevelopment and a future extension of Beharrell Street [B1, T-6&D-3], and (4) acquisition of 169/171 Commonwealth Avenue to enable expansion of the Warner’s Pond Pocket Park [F5, OS-4].

Each of these items refer to specific projects included in the Master Plan and are listed in the Master Plan Implementation Matrix. These documents provide additional detail as to the nature of and the rationale behind each project. Please feel free to contact us with any questions or concerns about these priorities.

Sincerely,

Phil Adams, Chair
On Behalf of the West Concord Task Force

* Identifiers in brackets refer to the West Concord Master Plan Implementation Matrix element and graphic master plan ID number, respectively.