

**TOWN OF CONCORD**  
**SELECT BOARD – AGENDA** *revised*  
**June 4, 2018**

<b>6:30 PM – Select Board Meeting Room – Town House</b>	
1.	Call to Order (Joint Meeting)
2.	Joint Meeting with Concord Housing Authority – Appoint Temporary CHA Member to Fill Vacancy
3.	Call to Order (Regular Meeting)
4.	<p>Consent Agenda:</p> <ul style="list-style-type: none"> <li>• Gift Acceptance <ul style="list-style-type: none"> <li>· Middlesex Savings Bank      \$500                      Harvey Wheeler Centennial Celebration Gift Account</li> <li>· The Boston Foundation      \$2,500                      Thomas Curtain – Bobby Kargula Nanae Gift Account</li> </ul> </li> <li>• One Day Special Licenses <ul style="list-style-type: none"> <li>· Kathy Clute                      7/14                      5pm-8pm              11 Wheeler Road              Wine &amp; Malt</li> <li>· Saltbox Farm                      6/15                      6pm-10pm              40 Westford Road              Wine &amp; Malt</li> <li>· Concord Academy      6/8, 6/9, 6/10      12pm-10pm              166 Main Street              All Alcohol</li> </ul> </li> <li>• Proclamations <ul style="list-style-type: none"> <li>· Fenn School Headmaster Jerry Ward Retirement</li> <li>· Concord Historian Jayne Gordon Retirement</li> </ul> </li> <li>• Sunday Entertainment Licenses <ul style="list-style-type: none"> <li>· 51 Walden Inc.                      6/10                      2pm-5pm              51 Walden Street              Opera</li> </ul> </li> <li>• Tour Guide Renewals</li> </ul>
5.	Town Manager's Report
6.	Update on Verizon's Emerson Umbrella Wireless Facility Proposal
7.	7:05pm Public Hearing – Pole Petition: Comcast of MA III, Inc., Install Conduit Cable from Pole 1 Elm Place to Pole 96-1 Elm Street (see notice attached)
8.	7:10pm Continued Public Hearing – Dog Hearing: 15 Chase Road, for violations of existing Dog Order (see notice attached)
9.	Discuss Affordable Housing on the Gerow land
10.	Affordable Housing Funding Committee Update – Todd Benjamin, AHFC Chair
11.	Black Birch II, Age Restriction and SHI – Liz Rust, RHSO
12.	Review & Approve RHSO Inter-municipal Agreement Amendment – Liz Rust, RHSO
13.	Update on Planning Matters – Marcia Rasmussen, DPLM Director
14.	Review & Amend West Concord Advisory Committee charge
15.	Review & Approve Climate Action Advisory Board Draft charge
16.	Review & Amend Comprehensive Sustainable Energy Committee charge
17.	Request for Marker at Sleep Hollow Cemetery – Friends of Sleepy Hollow Cemetery
18.	Schedule 2019 Annual Town Meeting Dates
19.	Public Comments
20.	Committee Liaison Reports
21.	Miscellaneous/Correspondence
22.	Committee Nominations: Carol Steele of 52 Sorrel Road to the Bruce Freeman Rail Trail Advisory Committee
23.	Committee Appointments: Yannis Tsitsas of 33 Brook Trail Road to the Concord Housing Development Corporation for term to expire May 31, 2021; Dennis Fiori of 309 Strawberry Hill Road and Patricia Nelson of 52 Cottage Lane to the Library Committee for terms to expire May 31, 2021
24.	Committee Reappointments: Burton Flint of 1643 Main Street to the Community Preservation Committee as the Planning Board designee for a term to expire May 31, 2019; Hester Schnipper of 631 Main Street to the Community Preservation Committee as the Housing Authority designee for a term to expire May 31, 2020; Peter Ward of 29 Pilgrim Road to the Community Preservation Committee as the Recreation Commission designee for a term to expire May 31, 2019
25.	Confirm Town Manager Appointments: Jerry Frenkil of 132 Jennie Dugan Road to the Comprehensive Sustainable Energy Committee for an unexpired term to expire May 31, 2019; Melissa Saalfeld of 7 Concord Greene #7 to the Historical Commission as a full member for a term to expire May 31, 2021
26.	Confirm Town Manager Administrative Appointments: Kerry Lafleur, Town Treasurer/Town Collector; Patricia Robertson, Deputy Treasurer/Collector; Kaari Tari, Town Clerk; Patricia Clifford, Assistant Town Clerk; and Anderson & Krieger LLP, Town Counsel, all for terms to expire on May 31, 2019
27.	Adjourn to Executive Session for the purposes of discussing Land Acquisition (Gerow Property)

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**PENDING**

Tuesday	June 12	All Day	Special Municipal Election	All Precincts
Monday	June 18	7PM	Select Board Meeting	Town House
Monday	July 2	7PM	Select Board Meeting	Town House
Wednesday	July 4	<b>All Day</b>	<b>Independence Day</b>	<b>Town Offices Closed</b>
Monday	July 16	7PM	Select Board Meeting	Town House
Monday	July 30	7PM	Select Board Meeting	Town House

Supporting materials for agenda items are available online at [www.concordma.gov/sbmtgdocs](http://www.concordma.gov/sbmtgdocs). Materials are uploaded on the Friday before a Select Board meeting.

**TOWN OF CONCORD, MASSACHUSETTS  
NOTICE OF MEETING OPEN TO THE PUBLIC**  
*(In accordance with M.G.L. Ch. 30A, §§18-25)*

**DATE POSTED: 5/25/18**

**Joint Meeting  
Appointment to Fill Vacancy in Town Office (Concord Housing Authority)**

<b>Town Board or Committee</b>	<b>Meeting Place</b>	<b>Time</b>	<b>Date</b>
Select Board Concord Housing Authority	Select Board Meeting Room 22 Monument Square	6:30 pm	6/4/18

\*\* The June 4<sup>th</sup> Select Board regular meeting will begin at the conclusion of the Joint Meeting \*\*

**Gift Acceptance Log – June 4, 2018**

<b>Gift Received From:</b>	<b>For Gift Account:</b>	<b>Total Amount:</b>
Middlesex Savings Bank	Harvey Wheeler Centennial Celebration Gift Account	\$500.00
The Boston Foundation	Thomas Curtain – Bobby Kargula Nanae Gift Account	\$2,500.00

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF CONCORD  
SELECT BOARD

**PROCLAMATION**

***“HONORING JAYNE K. GORDON ON HER RETIREMENT”***

**WHEREAS** Jayne K. Gordon has championed historical inquiry and education in Concord for over 40 years, working with multiple groups and institutions on the rich and compelling history of this our town and New England; and

**WHEREAS** Jayne has advanced public interest and activism, historic preservation and interpretation by sharing her passion for American history with thousands of individuals and dozens of organizations; and

**WHEREAS** Over the decades, Jayne has served as Executive Director of the Thoreau Society, Education Program Direct for the Thoreau Institute, Director of Education and Interpretation at the Concord Museum, Director of the Orchard House as well as created and taught an acclaimed course for licensure of Concord Guides. Jane has also been a member of the boards of Minute Man National Historical Park and the Robbins House as well as a recipient of a Victorian Society Lifetime Achievement Award and a Fellow of the Massachusetts Historical Society.

**THEREFORE** BE IT PROCLAIMED that the members of the Select Board of the Town of Concord, on behalf of the citizens of Concord, do hereby recognize Ms. Jayne Gordon’s numerous contributions to the Town of Concord. We extend our personal best wishes in her well-deserved retirement, and for her continued success in life’s pursuits.

*Proclaimed this 4<sup>th</sup> day of June 2018*

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**CONCORD SELECT BOARD**

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF CONCORD  
SELECT BOARD

**PROCLAMATION**

***“HONORING GERALD J.G. WARD ON HIS RETIREMENT”***

- WHEREAS** Gerald J.G. Ward has served as Headmaster of The Fenn School in Concord for 25 years; and
- WHEREAS** Mr. Ward has played an active role in the education of over one thousand nine hundred boys who attended The Fenn School during his tenure; and
- WHEREAS** Mr. Ward, in assuming his position as Headmaster in July 1993, devoted himself not only to the welfare of The Fenn School’s students and teachers but also to building a strong and collaborative relationship with the Concord community by welcoming town youth sports groups to use the School’s fields and gymnasiums, hosting notable speakers in Ward Hall in collaboration with organizations such as the Concord Museum, opening Fenn’s doors to the Concord-Carlisle Scholarship Fund for its annual fundraising drive, and offering parking for special events to neighbors and organizations such as the Wounded Warriors Project; and
- WHEREAS** Mr. Ward acted as a wise, conscientious steward of Fenn’s campus, ensuring that any new buildings created over the years mirrored the colonial vernacular of the Town of Concord, drew their inspiration from the School’s iconic white clapboarded houses, and stayed true to Fenn’s modest, country roots as a farm; and
- WHEREAS** Mr. Ward’s commitment to the Concord community extended to serving as a Trustee of the Concord Free Public Library Corporation for five years and as a Corporator of Emerson Hospital for fourteen years; and
- WHEREAS** Mr. Ward’s leadership at The Fenn School has inspired the love and respect of generations of students, faculty and staff, alumni, parents, friends, and community members through his personification of compassion and commitment as a highly regarded educator in the singular tradition of the Town of Concord’s finest teachers.
- THEREFORE** BE IT PROCLAIMED that the members of the Select Board of the Town of Concord, on behalf of the citizens of Concord, do hereby recognize Mr. Gerald J.G. Ward’s numerous contributions to the Town of Concord. We extend our personal best wishes in his well-deserved retirement, and for his continued success in life’s pursuits.

*Proclaimed this 4<sup>th</sup> day of June 2018*

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**CONCORD SELECT BOARD**

### Weekly One Day License Log – June 4, 2018

<b>Applicant Name &amp; License Number</b>	<b>Phone Number</b>	<b>Date</b>	<b>Location</b>	<b>Type of Alcohol</b>	<b>Event Details</b>
18-107 Kathy Clute	978 505-8378	7/14	11 Wheeler Road	Wine & Malt	Event Coordinator: Jen Verrill Bartenders: Eileen Stanowicz Under 21: No First License in Concord: Yes
18-108 Saltbox Farm	617 877-3859	6/15	40 Westford Road	Wine & Malt	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First License in Concord: No
18-109 Concord Academy	978 402-2248	6/8	166 Main Street	All Alcohol	Event Coordinator: Emily Walberg Bartenders: Sara Zablowksy, Karen Oliver, Tyler Lambert Under 21: Yes First License in Concord: No
18-110 Concord Academy	978 402-2248	6/9	166 Main Street	All Alcohol	Event Coordinator: Emily Walberg Bartenders: Sara Zablowksy, Karen Oliver, Tyler Lambert Under 21: Yes First License in Concord: No
18-111 Concord Academy	978 402-2248	6/10	166 Main Street	All Alcohol	Event Coordinator: Emily Walberg Bartenders: Sara Zablowksy, Karen Oliver, Tyler Lambert Under 21: Yes First License in Concord: No

## Sunday Entertainment Log – June 4, 2018

<b>Applicant Name</b>	<b>Phone Number</b>	<b>Date of Event</b>	<b>Location of Event</b>	<b>Type of Entertainment</b>
51 Walden, Inc.	978 369-7911	6/10	51 Walden Street	Opera

**Earl W. Duval**

*Licensed in Massachusetts & New Hampshire*  
eduval@dkp-law.com

Via Email to: [khodges@concordma.gov](mailto:khodges@concordma.gov)

May 7, 2018

Kate Hodges  
Assistant Town Manager  
22 Monument Square  
Concord, NH 01742

RE: Verizon Wireless

Dear Kate:

I am writing to follow-up on Verizon Wireless' efforts since we attended the Select Board meeting on January 22, 2018.

As requested, we attended a site visit at the Emerson Field and prepared photo simulations that show the replacement of the existing flagpole with a unipole. To satisfy coverage objectives and the requirement for colocation, the proposed unipole would need to be 150' tall. All antennas would be mounted internally. We anticipate that three (3) antennas would be mounted at each centerline height of 145', 135', 125' and 115'. Since only three (3) antennas can be mounted at each centerline height, Verizon Wireless would occupy space at 145' and 135'. If coverage objectives could be satisfied, one additional wireless provider could collocate inside the unipole at 125' and 115'. For your convenience, follow the link below to view the photo simulations:

<https://files.acrobat.com/a/preview/884d7287-9880-4461-9e35-7670935dcd0a>

We also investigated the following three (3) churches in Town:

- 1) Holy Family Parish. The Holy Family Parish is located at 12 Monument Square. T-Mobile has a site at the church and there is not sufficient space for Verizon Wireless to install its equipment.
- 2) Trinitarian Congregational Church. The Trinitarian Congregation Church is located at 54 Walden Street. Sprint has a site at the church and the church is not interested in leasing to any additional wireless providers.
- 3) First Parish. The First Parish church is located at 20 Lexington Road. The design of the belfry is such that the antennas cannot be installed inside the belfry and would be visible.

We would like to meet with you, Chris Whelan, Select Board Chair and Ivan Pagacik at your earliest convenience to discuss the Umbrella Arts RFP, the Emerson Field unipole and any other options that may exist. Thank you.

Very truly yours,  
DUVAL & KLASNICK LLC

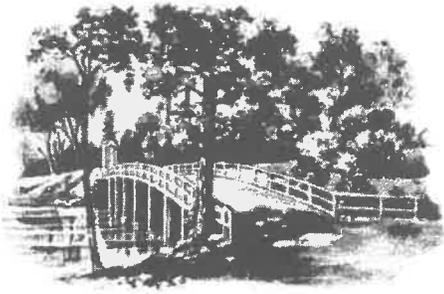
Earl W. Duval

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By: Earl W. Duval  
Attorney at Law

EWD/tbm

cc: David Tivnan, Verizon Wireless



OLD NORTH BRIDGE  
1775

## 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

#### PUBLIC HEARING NOTICE

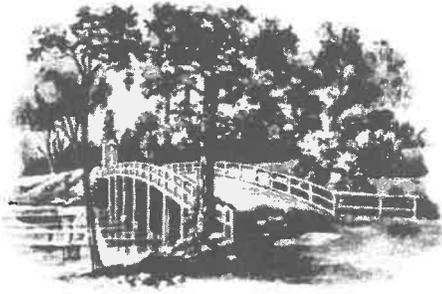
Notice is hereby given that a Public Hearing will be held at the Town House in the Select Board's Meeting Room, 22 Monument Square, Concord, MA on **June 4, 2018** at **7:05 PM**, upon the petition of Comcast of Massachusetts III, Inc. to **install overhead coaxial cable from Pole 1 Elm Place to Pole 96-1 Elm Street** in accordance with the plan Aerial Cable Placement Request filed with the Select Board.

Questions on this matter should be directed to Greg Franks, Senior Manager Government & Regulatory Affairs Comcast Cable, 508-647-1418.

By Order of the Select Board

Michael Lawson  
Clerk





OLD NORTH BRIDGE  
1775

## 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

#### PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will be held at the Town House in the Select Board Meeting Room, 22 Monument Square, Concord, MA on May 21 at 7:10 PM, pursuant to MGL Chapter 140, § 157 and Town of Concord Dog Bylaw § 1,2,3,4.

Complaint: "Blue", Failure to comply with Dog Order dated February 12, 2018  
Owner: Rachel Hitchcock  
Address: 15 Chase Road

By order of the Select Board

Michael Lawson  
Clerk

# Affordable Housing Funding Study Committee



[AHFC@CONCORDMA.GOV](mailto:AHFC@CONCORDMA.GOV)

**UPDATE**

**JUNE 4, 2018**

# 2017 Town Meeting Charge



- **Study and determine cost-effective means to fund Concord's affordable housing goals.**

# Committee



- Ray Andrews, Todd Benjamin (Chair), Holly Darzen (Clerk), Sue Myers
- First meeting: September 27, 2017.
- Joint meetings with Concord Housing Authority, Concord Housing Development Corp, Concord Housing Foundation
- Guests: Kerry Lafleur (Finance), Marcia Rasmussen (Planning), Liz Rust (Regional Housing Services Office, Charles Phillips (Concord Housing Foundation), Linda Miller & Mary Hartman (Finance Committee), Karlen Reed (League of Women Voters)

# Funding Options



1. Building permit fee surcharge
2. Free Cash
3. Payments in Lieu of Taxes (PILOT)
4. Real estate transfer fee surcharge
5. Town budget line item

*Also looked at*

- Change the Community Preservation Act Rate or Allocation
- Payment in Lieu of Units (PILU)
- Tax incentive strategy
- Sales tax
- Bonds
- Trust fund

# Assumptions



- Wait lists, which can be 7+ years for affordable homes in Concord, are not expected to get shorter.
- As expressed at the 2017 Town Meeting, Concord residents want affordable homes to stay at or above 10% of total homes.
- According to the Planning Department, the number of new homes added annually is expected to continue to be 90-100 per year; need 9-10 new affordable units per year to stay at 10% level. (40-B)
- The cost of each affordable home (including land) could be \$500,000+, so \$4 million or more per year could be required.

# Building Permit Fee Surcharge



- A Concord fee would be based on a fee per per \$1,000 of construction value, in accordance with the Town's existing building permit fee structure (now \$12 per\$1000 of construction value).
- A surcharge could be a sliding scale based on the cost of construction

# Sliding Scale for Fee Surcharge



Construction Value Range & Example	Base Fee (w/out plumb/elect. fees)	Surcharge Option 1	Surcharge Option 2
<\$50,000 Ex: \$20,000 bathroom	\$240	\$5/\$1000 = \$100	\$9/\$1000 = \$180
\$50,000 - \$100,000 Ex: \$100,000 Kitchen/ Family. Rm. Addition	\$1200	\$8/\$1000 = \$800	\$10/\$1000 = \$1,000
\$100,000 - \$500,000 Ex: \$500,000 New House	\$6000	\$10/\$1000 = \$5,000	\$15/\$1000 = \$7,500
>\$500,000 Ex: \$1,500,000 New House	\$18,000	\$15/\$1000 = \$22,500	\$20/\$1000 = \$30,000

# Building Permit Fee Surcharge



- New revenues could be \$900,000 to \$1 million per year, if the construction value of building permits stays at 2016 levels.
- Commercial construction activity varies widely from year-to-year, so these revenues could vary widely.
- Affordable homes with deed-restricted sale prices or rent (meeting Subsidized Housing Inventory (SHI) requirements) would be exempt from any building permit fee surcharge.

# Free Cash



- Free cash refers to the unassigned funds in Concord's General Fund
- Free Cash is governed by the Town of Concord Financial Policies
- Per section 7 of the Policies, "It is Town policy to maintain Free Cash, at a level between 5% and 10% of the ensuing General Fund Budget"
- Over the last 5 years, Free Cash averaged 12%
- A use of Free Cash does not dictate higher taxes as there is no requirement that use of Free Cash in excess of 10% must be re-generated.

# Free Cash

## PROPOSAL



- Amend the town's financial policy to maintain free cash at a level between 5% - 8% of the ensuing General Fund Budget
  - 5/31/2017 Credit Opinion – Moody's Assigns Aaa to Concord MA's GO Bonds; Outlook Stable - Management and governance: The town continues to abide by sound fiscal management policies which include the maintenance of free cash of at least 5% of the Total budget, ...
- Amend the town's financial policy to state that if Free Cash rises above 8%, the amount of funds between 8% - 10% of Free Cash will be allocated to affordable housing.

# Free Cash

## USE OF FUNDS



- Brookline, MA Free Cash - Affordable Housing Trust Fund – to support the town’s efforts creating and maintaining affordable housing, 15% of remaining free cash shall be appropriated into the AHTF if the unreserved fund balance in the AHTF, as calculated in the town’s financial system, is less than \$5MM.
- 2017 Free cash was 11% (\$10.8MM). Allocating 3% (\$2.9MM) of total revenues to affordable housing, would have left free cash of 8% (\$7.9MM) and could have helped produce 5 affordable homes.

# PILOT: Payment in Lieu of Taxes



- PILOT - a formalized way for municipalities to seek payments from tax-exempt property owners.
- 86% of Concord's General Fund Budget is derived from property taxes.
- The 6 largest exempt entities do not pay tax on over 1,000 acres of land with a property value of \$228,542,000.
- Any property acquired by exempt entities ceases to pay taxes.
- Paying only 50% of the tax owed would yield \$1,633,000/year for affordable homes.

# PILOT in Massachusetts



<b>Entity</b>	<b>Community</b>
Lahey Hospital and Medical Center	Burlington
Phillips Academy	Andover
North Shore Medical Center	Salem
Salem State University	Salem
Umass Amherst	Amherst
Concord Housing Authority	Concord
Concord Municipal Light Plant	Concord

# PILOT



- PILOT addresses the consumption of land by exempt entities. This contributes to the high cost of land which makes it difficult to build affordable homes.
- Facilitating affordable homes helps our town become more economically sustainable by encouraging businesses to grow and relocate here. This broadens the tax base and reduces pressure on residential property taxes to fund the town budget.
- Affordable homes helps employees of these organizations live closer to work. This cuts commuting times, increases employee satisfaction, and helps employers recruit employees.

# PILOT

## POTENTIAL REVENUES FOR CONCORD FROM THE 6 LARGEST PROPERTY TAX EXEMPT ORGANIZATIONS



### Top 6 Tax-exempt Property Owners by Value

	Total Assessed Parcel Value	Land Area in Acres	Value/Acre	Implied Property Tax	50% of Implied Tax
Middlesex School	\$ 70,337,800	332.68	\$ 211,427	1,005,127	502,564
Concord Academy	\$ 50,481,700	39.14	\$ 1,289,740	721,383	360,692
President & Fellows of Harvard College	\$ 42,750,000	611.84	\$ 69,871	610,898	305,449
Emerson Hospital	\$ 33,561,800	31.64	\$ 1,060,874	479,598	239,799
Fenn School	\$ 19,045,900	23.95	\$ 795,203	272,166	136,083
Nashoba Brooks School	\$ 12,364,800	28.556	\$ 433,004	176,693	88,346
<b>TOTAL</b>	<b>\$ 228,542,000</b>	<b>1,068</b>	<b>\$ 214,030</b>	<b>3,265,865</b>	<b>1,632,933</b>

# Real Estate Transfer Fee



- In effect in 35+ states, as well as many counties and municipalities, when real property changes ownership
- Proceeds support ongoing operations and are sometimes earmarked for specific purposes such as affordable homes or open space preservation

# Real Estate Transfer Fee

## NEW ENGLAND



State	Transfer Fee
Connecticut	.75% - 1.25% (state only; some municipalities impose additional fees of .25% to .5%)
Massachusetts	.456%
New Hampshire	1.5%
Rhode Island	.46%
Vermont	.5% to 1.45%

### *Supplemental Transfer Fees in MA*

- Barnstable County: \$3.06 per \$1000
- Dukes County: 2%
- Pending on Nantucket: .5% to fund affordable housing

# Real Estate Transfer Fees

## POTENTIAL CONCORD REVENUE FROM LOCAL SUPPLEMENTAL TRANSFER FEE 2012-2017



Year	Value of Sold Properties	1% Local Transfer Fee	.5% Local Transfer Fee
2012	\$346.9 m	\$3.5 m	\$1.7 m
2013	\$348.1 m	\$3.5 m	\$1.7 m
2014	\$354.1 m	\$3.5 m	\$1.8 m
2015	\$339.5 m	\$3.4 m	\$1.7 m
2016	\$514.1 m	\$5.1 m	\$2.6 m
2017	\$329.6 m	\$3.3 m	\$1.6 m
<b>6 years</b>	<b>\$2.2 b</b>	<b>\$22.3 m</b>	<b>\$11.2 m</b>

# Town Budget Line Item



- Concord could allocate funds to affordable housing each year through a line item in the annual budget.
- The line item could be included in each year's budget at the same amount to provide a predictable funding source for affordable housing.
- Because affordable housing opportunities don't coincide with the Town's budget year, and budgets must be spent in the fiscal year appropriated, this option would require a mechanism such as an affordable housing trust fund to "bank" the funds for future use.

# Managing Affordable Housing Funds



- Affordable housing opportunities may need fast response.
- Funds must be available to act on these opportunities.
- Issuing bonds or establishing an affordable housing fund can help insure opportunities are not missed.

# Bonds for Affordable Housing



- The funding options chosen by the town could take some time to implement and generate a pool of funds available.
- In the meantime, Concord could establish a bond offering of a size to fund affordable housing initiatives for 3-5 years.
- The bonds would be paid over time by the funding options selected.

# Affordable Housing Fund



- A stabilization fund could accumulate funds for affordable housing to be ready for new opportunities.
- Many communities use 'land banks' to fund purchases of open space and for affordable housing.
- A fund could 'smooth out' inflows from funding options.

# Approvals Needed



	<b>FinCom</b>	<b>Select Board</b>	<b>Town Mtg</b>	<b>State</b>
<b>Building Permit</b>	X	X	X	X
<b>CPA Funding</b>	X	X	X	X
<b>Free Cash</b>	X	X	X	
<b>PILOT</b>		X		
<b>PILU</b>		X		
<b>Transfer Fee</b>	X	X	X	X
<b>Budget Line Item</b>	X	X	X	
<b>Bonds</b>	X	X	X	
<b>Housing Fund</b>	X	X		

# AHFC Committee



**[AHFC@ConcordMA.gov](mailto:AHFC@ConcordMA.gov)**

- Ray Andrews
- Todd Benjamin (Chair)
- Holly Darzen (Clerk)
- Sue Myers



# Regional Housing Services Office

*Serving Acton, Bedford, Burlington, Concord, Lexington, Sudbury, Wayland, and Weston*

Office Address: 37 Knox Trail, Acton, MA 01720  
Mailing Address: 2352 Main Street, Suite 2, Concord MA 01742

Website: [WWW.RHSOhousing.org](http://WWW.RHSOhousing.org)  
Email: [INFO@RHSOhousing.org](mailto:INFO@RHSOhousing.org)  
Phone: (978) 287-1092

May 23, 2018

To: Chris Whelan  
CC: Marcia Rasmussen, Jack McBride  
From: Elizabeth Rust  
RE: Black Birch II, Age Restriction and SHI.

I am writing regarding the planned affordable units at the Black Birch II development and DHCD's recent policy clarification to not approve units in 55+ developments where children are prohibited.

By way of background: In accordance with 2017 Town Meeting, the Concord Zoning Board of Appeals granted a special permit on June 23, 2017 to Abode Builders for Black Birch II, to construct a 16-unit age-restricted condominium to include two deed restricted units affordable to households earning under 80% of the Area Median Income. While not specifically stated in the permit, the Town Meeting materials indicated that the units would be eligible for inclusion on the Subsidized Housing Inventory. The DHCD Local Initiative Program is the regulatory framework for including locally permitted units on the SHI, as an SHI- Eligible Program, using the LIP regulations and guidelines for program authority.

The permit, and Town Meeting, further required that all of the units be age restricted for age 55 or older, and the permit required a restriction regarding occupants and guests under the age of 18-years old staying in the units, which was codified in the condominium documents.

The Black Birch II development team has proceeded to construct and sell the units, in accordance with Town Meeting and the Special Permit, and now finds the plan for the affordable units unresolved.

In February 2018, DHCD formally issued a clarification of their LIP policy (attached) indicating that the agency will not approve affordable units under the LIP program if children are prohibited from residing in the units.

This clarification was new information to many. Although the Federal Housing for Older Persons Act (HOPA) allows a development that meets the criteria of a 55+ to exclude children, DHCD has reiterated its policy that it will not approve affordable units under the LIP program if children are prohibited from residing in the units.

While 55+ developments which excluded children have been (perhaps unintentionally) approved by DHCD in the past, the agency has now indicated that it intends to carefully review all zoning, regulatory, marketing, and condo documents to insure that children are allowed to reside in the affordable units.

DHCD has indicated that it will likely deny issuing a waiver of this requirement for Black Birch II, and offers to issue that opinion on a request memo from the Town, versus the full LIP application. I have offered a draft memo as a starting point for your convenience.

When or if the agency denies the request for a waiver, the Town can then explore other options in partnership with the developer.



## **Local Initiative Program Policy Regarding Restrictions on Children in Age-Restricted 55+ Housing**

It is DHCD's longstanding policy, consistent with its obligation to affirmatively further fair housing under the federal Fair Housing Act, to maximize opportunities for families with children in housing that receives DHCD subsidy or program approval. Families with children not only are protected under federal and state civil rights laws, but also face particular barriers in accessing affordable housing across the Commonwealth. It is also longstanding DHCD policy that housing subject to DHCD subsidy or program approval is also subject to DHCD approval of marketing and resident selection procedures.

Accordingly, it has long been DHCD's policy and practice not to approve affordable units under the Local Initiative Program ("LIP"), including Local Action Units ("LAUs"), in age-restricted housing for persons 55 years of age or older ("55+ housing"), if selection or occupancy policies, special permits or other zoning approvals, or underlying zoning would exclude persons 18 years of age or younger from occupying those affordable units.<sup>1</sup> DHCD is restating the policy at this time given the inquiries on the subject.

In submitting an application to LIP for 55+ housing, the following must be submitted to DHCD for review as applicable to the housing:

- Occupancy rules or policies in addition to the LIP required Affirmative Fair Housing Marketing and Resident Selection Plan
- Affordable housing restriction(s) in addition the LIP required Regulatory Agreement and Declaration of Restrictive Covenants
- Condominium documents, including the Master Deed and Declaration of Trust
- Zoning bylaws
- Zoning permit
- Other relevant documents as may be requested by DHCD

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<sup>1</sup> Age-restricted housing for persons 55 years of age or older ("55+ housing"), to the extent permitted under federal and state law including the federal Fair Housing Act (42 U.S.C. § 3601 *et seq.*), as amended, and Massachusetts General Laws Chapter 151B, is not required to exclude persons 18 years of age or younger. Nothing in this policy is intended to prohibit compliance with applicable federal and state legal requirements (e.g., the requirement that at least 80% of the occupied units in the housing are occupied by at least one person who is 55 years of age or older).

## INTERAGENCY AGREEMENT

### Regarding Housing Opportunities for Families with Children

This Interagency Agreement (this "Agreement") is entered into as of the 17th day of January, 2014 by and between the Commonwealth of Massachusetts, acting by and through its Department of Housing and Community Development ("DHCD"), the Massachusetts Housing Partnership Fund Board ("MHP"), the Massachusetts Housing Finance Agency (in its own right and in its capacity as Project Administrator designated by DHCD under the Guidelines for Housing Programs in Which Funding is Provided By Other Than a State Agency, "MassHousing"), the Massachusetts Development Finance Agency ("MassDevelopment") and the Community Economic Development Assistance Corporation ("CEDAC"). DHCD, MHP, MassHousing, MassDevelopment and CEDAC are each referred to herein as a "State Housing Agency" and collectively as the "State Housing Agencies".

### Background

A. DHCD's 2013 Analysis of Impediments to Fair Housing Choice ("AI") includes action steps to improve housing opportunities for families, including families with children, the latter being a protected class pursuant to fair housing laws, including the federal Fair Housing Act, as amended (42 U.S.C. §§ 3601 *et seq.*) and Massachusetts General Laws Chapter 151B. In order to respond to development patterns in the Commonwealth that disparately impact and limit housing options for families with children, such steps include requiring a diversity of bedroom sizes in Affordable Production Developments that are not age-restricted and that are funded, assisted or approved by the State Housing Agencies to ensure that families with children are adequately served.

B. The State Housing Agencies have agreed to conduct their activities in accordance with the action steps set forth in the AI.

C. This Agreement sets forth certain agreements and commitments among the State Housing Agencies with respect to this effort.

### Definitions

1) "Affordable" - For the purposes of this Agreement, the term "Affordable" shall mean that the development will have units that meet the eligibility requirements for inclusion on the Subsidized Housing Inventory ("SHI").

2) "Production Development" - For purposes of this Agreement "Production Development" is defined as new construction or adaptive reuse of a non-residential building and shall include rehabilitation projects if the property has been vacant for two (2) or more years or if the property has been condemned or made uninhabitable by fire or other casualty.



## Agreements

NOW, THEREFORE, DHCD, MHP, MassHousing, MassDevelopment and CEDAC agree as follows:

### Bedroom Mix Policy

1) Consistent with the AI, it is the intention of the State Housing Agencies that at least ten percent (10%) of the units in Affordable Production Developments funded, assisted or approved by a State Housing Agency shall have three (3) or more bedrooms except as provided herein. To the extent practicable, the three bedroom or larger units shall be distributed proportionately among affordable and market rate units.

2) The Bedroom Mix Policy shall be applied by the State Housing Agency that imposes the affordability restriction that complies with the requirements of the SHI.

3) The Bedroom Mix Policy shall not apply to Affordable Production Developments for age-restricted housing, assisted living, supportive housing for individuals, single room occupancy or other developments in which the policy is not appropriate for the intended residents. In addition, the Bedroom Mix Policy shall not apply to a Production Development where such units:

- (i) are in a location where there is insufficient market demand for such units , as determined in the reasonable discretion of the applicable State Housing Agency; or
- (ii) will render a development infeasible, as determined in the reasonable discretion of the applicable State Housing Agency.

4) Additionally, a State Housing Agency shall have the discretion to waive this policy (a) for small projects that have less than ten (10) units and (b) in limited instances when, in the applicable State Housing Agency's judgment, specific factors applicable to a project and considered in view of the regional need for family housing, make a waiver reasonable.

5) The Bedroom Mix Policy shall be applicable to all Production Developments provided a Subsidy as defined under 760 CMR 56.02 or otherwise subsidized, financed and/or overseen by a State Housing Agency under the M.G.L. Chapter 40B comprehensive permit rules for which a Chapter 40B Project Eligibility letter is issued on or after March 1, 2014. The policy shall be applicable to all other Affordable Production Developments funded, assisted, or approved by a State Housing Agency on or after May 1, 2014.



## AMENDMENT

The agreement entered into by and between the Towns of Acton, Bedford, Burlington, Concord, Lexington, Sudbury and Weston (collectively the “Municipalities”), dated June 1, 2017 (the “Agreement”) to share services of a Regional Housing Services Office provided by the Town of Concord (the “Agreement”), which is incorporated herein by reference, is hereby amended, effective July 1, 2018, as described below.

WHEREAS, the Town of Wayland (“Wayland”) is located adjacent to one or more of the Municipalities;

WHEREAS, Wayland desires to be added to the Agreement as an “Additional Community” pursuant to Section 10 of the Agreement and to share the services of the Regional Housing Services Office with the Municipalities;

WHEREAS, the Original Municipalities desire to add Wayland to the Agreement as an “Additional Community” pursuant to Section 10 of the Agreement and to share the services of the Regional Housing Services Office with Wayland;

WHEREAS, the Town of Concord agrees to provide the services described in the Agreement, as amended herein, to Wayland, in addition to the Municipalities; and

WHEREAS, Wayland agrees to be bound by and benefit from all of the terms of the Agreement, as amended herein;

NOW,

- The first sentence of the first paragraph is amended by adding “Wayland” after “Towns of” and after “Sudbury.”
- Section 6. Indemnification. This Section is amended by adding the “Wayland’s obligations shall be limited to the services provided for Wayland;” after the word Sudbury and before the words ‘and Weston’ in line 14.
- Section 17. Notices. This Section is amended by adding the following to the addresses in this Section: “Town of Wayland, Nan Balmer, Town Administrator, 41 Cochituate Road, Wayland, MA 01778
- The Town of Wayland Board of Selectmen shall be added as a signatory to the Agreement, as amended herein.
- Exhibit B. Fee Structure. This Exhibit is deleted and replaced in its entirety with the Membership Fee Schedule Chart for FY19, attached hereto as Exhibit B.

[SIGNATURE PAGES FOLLOW EXHIBIT B]

## Exhibit B

### Membership Fee Schedule Chart for FY19

The participating municipalities will proportionally share the total cost of operating the Regional Housing Services Office. The proportional share is determined based on the percentage of hours planned to support each municipality for core services as represented in the fee schedule.

FY19 Membership Fee Schedule			
	Hours	% of hrs	Pro rata \$
Acton	320	10%	\$24,493
Bedford	485	15%	\$37,123
Burlington	130	4%	\$9,950
Concord	500	16%	\$38,271
Lexington	390	12%	\$29,851
Sudbury	780	24%	\$59,702
Wayland	215	7%	\$16,456
Weston	365	11%	\$27,938
Total	3,185	100%	\$243,784

This fee structure does not include payment for additional hours in excess of the allotted hours or for additional supplemental services which will be proposed and invoiced outside of this agreement.

WITNESS OUR HANDS AND SEALS on \_\_\_\_\_, 2018.

TOWN OF ACTON

By its Board of Selectmen

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WITNESS OUR HANDS AND SEALS on \_\_\_\_\_, 2018.

TOWN OF BEDFORD

By its Board of Selectmen

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WITNESS OUR HANDS AND SEALS on \_\_\_\_\_, 2018.

TOWN OF BURLINGTON

By its Board of Selectmen

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WITNESS OUR HANDS AND SEALS on \_\_\_\_\_, 2018.

TOWN OF CONCORD

By its Board of Selectmen

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WITNESS OUR HANDS AND SEALS on \_\_\_\_\_, 2018.

TOWN OF LEXINGTON

By its Board of Selectmen

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WITNESS OUR HANDS AND SEALS on \_\_\_\_\_, 2018.

TOWN OF SUDBURY

By its Board of Selectmen

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WITNESS OUR HANDS AND SEALS on \_\_\_\_\_, 2018.

TOWN OF WAYLAND

By its Board of Selectmen

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WITNESS OUR HANDS AND SEALS on \_\_\_\_\_, 2018.

TOWN OF WESTON

By its Board of Selectmen

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# TOWN OF CONCORD

## Department of Planning and Land Management

141 Keyes Road - Concord, MA - 01742

Phone: 978-318-3290

### MEMORANDUM

**To:** Chris Whelan, Town Manager  
**From:** Marcia Rasmussen, Director of Planning & Land Management  
**Re:** **Update on implementation of the Parking Management Plan**  
**Date:** May 31, 2018

The Parking Management Team reviewed the comments given and the questions raised during the Select Board meeting held in November 2017 regarding the purpose of the parking management program and asked parking consultant Nelson-Nygaard about what changes to the Implementation Plan would mean to the goal of managing parking. The PMT also wanted to understand from Finance what the impact might be if the plan was not implemented as proposed.

Nelson-Nygaard reviewed the initial recommendations; the results of the implementation program to date; and, based on the observed parking utilization (conducted this spring 2018) and public comments received, have prepared revised recommendations, which are found on the next page).

Regarding the PayByPhone (PBP) aspect of paid parking, it should be noted that people are using PBP and that credit card payments are rising. The majority of the PMT felt it was important to continue to offer PBP and that there is a need to focus on the connectivity of wireless services in Concord Center to improve service delivery.

Work with consultant, Mark Favermann of Favermann Design, continues. Town staff and members of the Historic Districts Commission are working to develop a wayfinding/branding logo for Concord Center that can be used for Parking signs, directional and wayfinding signage to assist visitors and residents alike. The goal is to have signage installed this summer in conjunction with the reconstruction/renovation of the two major parking lots, as well as to provide a map showing where parking is available (in both paper and for on-line use).

## Recommendations from Nelson-Nygaard:

- Remove the PayByPhone spaces on Main Street between Sudbury Road and Thoreau Street. Allow all day parking for free. Monitor these spaces to determine use.
- Remove 12 parking meters from Main Street adjacent to the Main Library lawn. Post these spaces for 3-hour parking. Allow parking for free.
- Renovation to the Keyes Road parking lot will be done this summer with an overall increase of three spaces in the lot. Keep these spaces free and available for all-day parking at this time. Continue monitoring use; consider time limits and evaluate before implementing pricing.
- Renovation to the Walden Street parking lot will be done this summer – no net loss of parking spaces. Keep these spaces free at this time. Some spaces at the periphery will be posted for all day parking. Spaces in the central portion of the lot will be limited to 3-hour parking. Continue monitoring use; consider time limits and evaluate before implementing pricing.
- Keep the parking meters in the business core on Main Street and Walden Street; keep the 3-hour time limit and \$1.00 per hour pricing.
- Keep the parking meters on Hubbard Street; keep the 3-hour time limit and \$0.50 per hour pricing.
- Review **Traffic, Parking and Pedestrian Rules and Regulations** to determine whether additional revisions are needed based on the above recommendations; bring any needed revisions to Select Board in summer 2018 for review and approval.
- The Town has implemented ‘PayByPhone’ service to the West Concord commuter parking lot (effective January 2016).



# Concord Center Parking Review Spring 2018

# 2018 Inventory

Parking Type	Supply
Free 15 Minute Parking	5
Free 4 Hour Parking	26
Free Parking	235
Pay by Phone Only, \$0.50/hour	89
Three Hour Metered Parking, \$0.50/hour	15
Three Hour Metered Parking, \$1.00/hour	87
<b>Total</b>	<b>457</b>

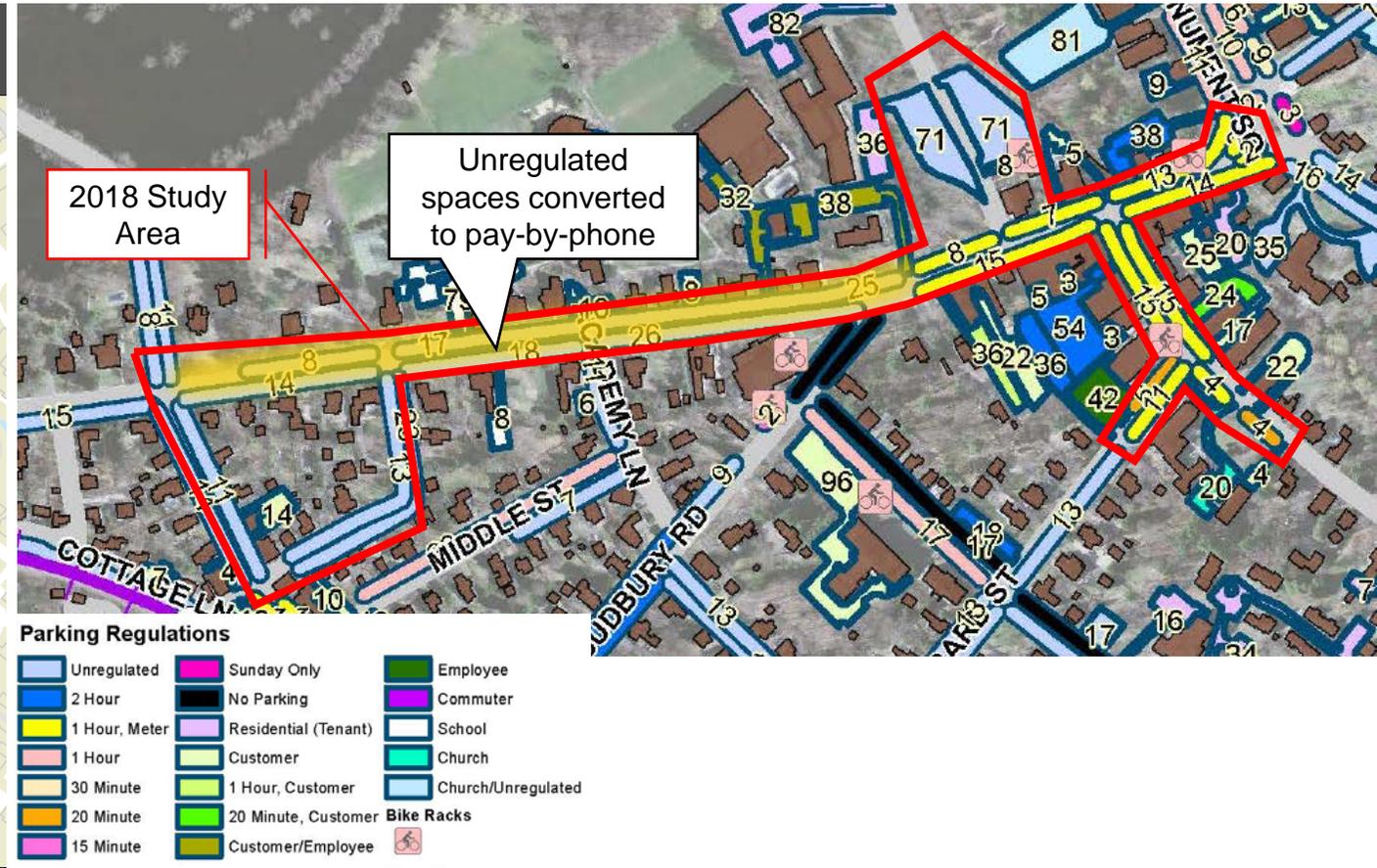
# 2012 Inventory

Parking Type	Supply
Free 20 Minute Parking	10
Free Parking	304
One Hour Metered Parking, \$0.50/hour	114
One Hour Parking	23
<b>Total</b>	<b>451</b>

## Key Changes:

- Unregulated spaces west of Sudbury Road converted to pay-by-phone only
- One side of Belknap St converted to “No Parking”
- 4 on-street spaces removed on Walden Street

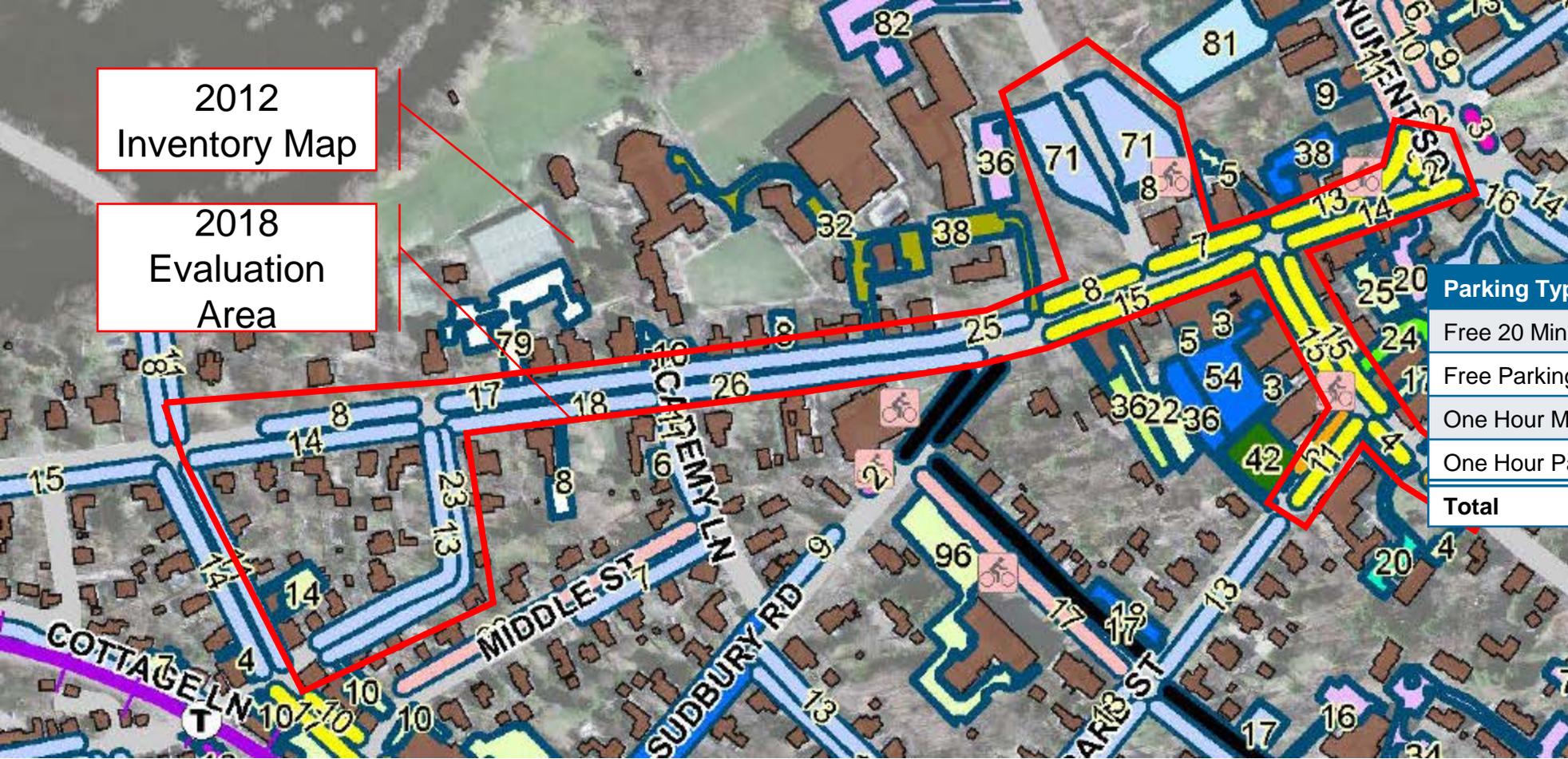
## Concord Center Parking Inventory 2018



2012  
Inventory Map

2018  
Evaluation  
Area

## 2012 Parking Inventory (in the 2018 Study Area)



Parking Type	Supply
Free 20 Minute Parking	10
Free Parking	304
One Hour Metered Parking, \$0.50/hour	114
One Hour Parking	23
<b>Total</b>	<b>451</b>

### Parking Regulations

Unregulated	Sunday Only	Employee
2 Hour	No Parking	Commuter
1 Hour, Meter	Residential (Tenant)	School
1 Hour	Customer	Church
30 Minute	1 Hour, Customer	Church/Unregulated
20 Minute	20 Minute, Customer	<b>Bike Racks</b>
15 Minute	Customer/Employee	

# Concord Center

## Parking Inventory 2018

### Parking Inventory

- Free 15 Minute Parking
- Free 4 Hour Parking
- Free Parking
- Pay by phone only, \$0.50/hour
- Three hour metered parking, \$0.50/hour
- Three hour metered parking, \$1.00/hour

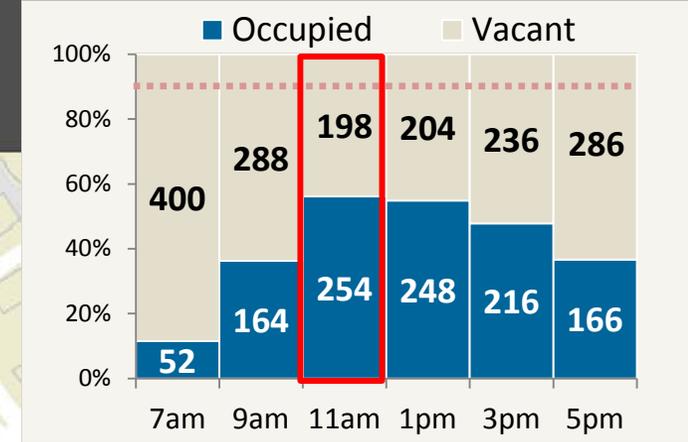
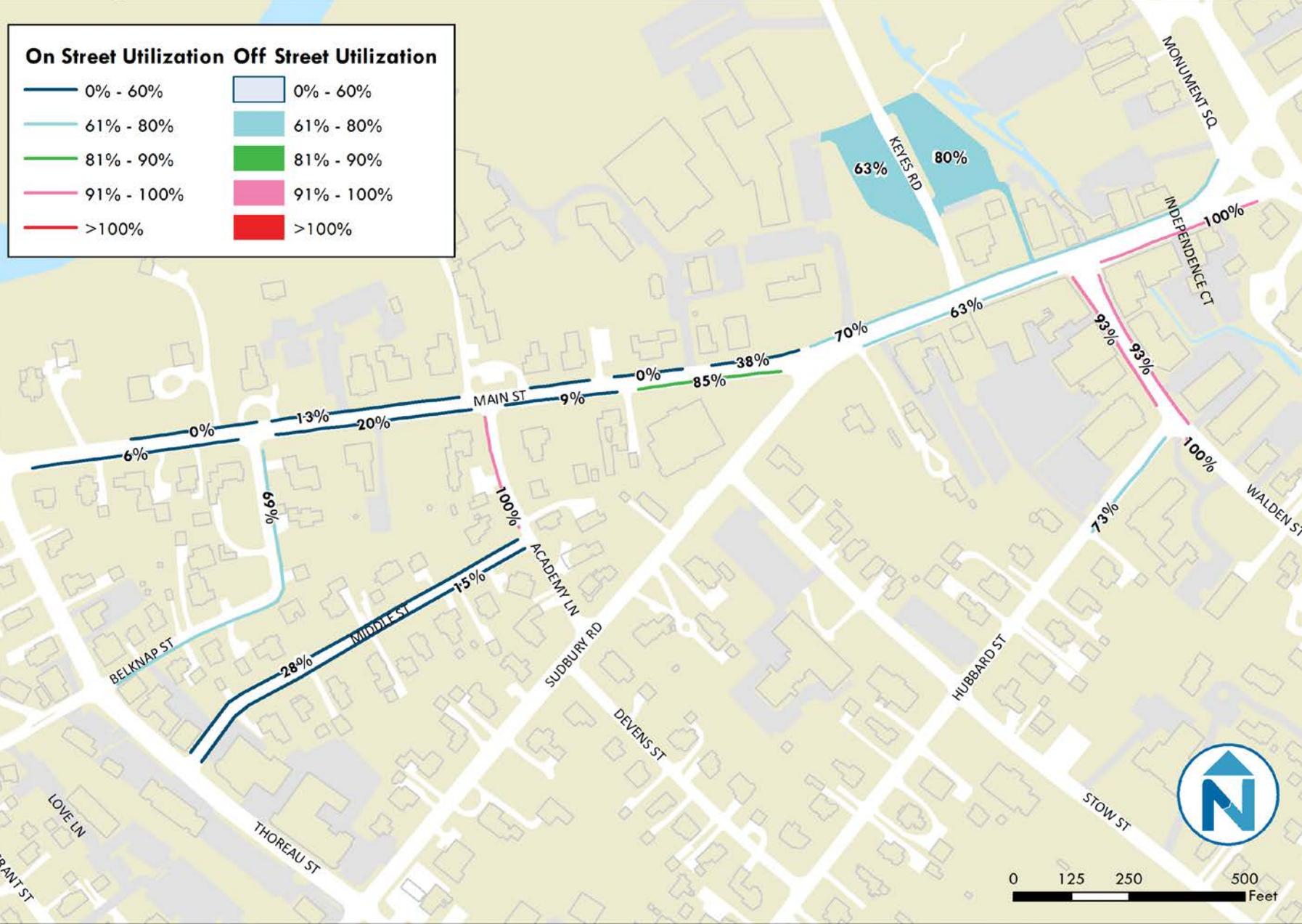
## 2018 Core Parking Evaluation

Parking Type	Supply
Free 15 Minute Parking	5
Free 4 Hour Parking	26
Free Parking	235
Pay by Phone Only, \$0.50/hour	89
Three Hour Metered Parking, \$0.50/hour	15
Three Hour Metered Parking, \$1.00/hour	87
<b>Total</b>	<b>457</b>



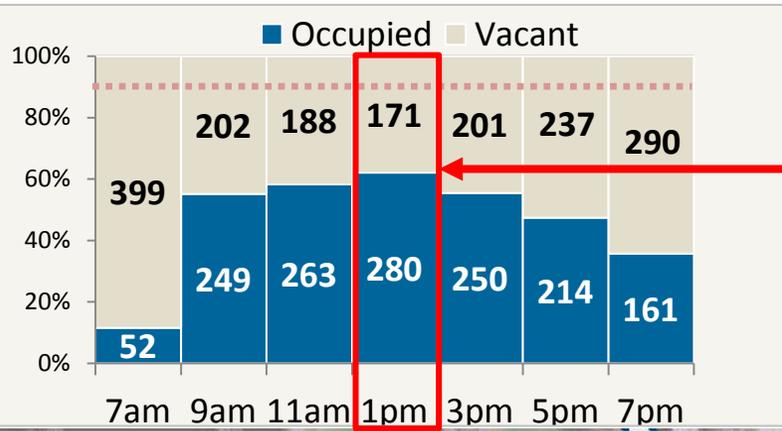
# Concord Center 2018 Peak

## Parking Utilization, 11 AM

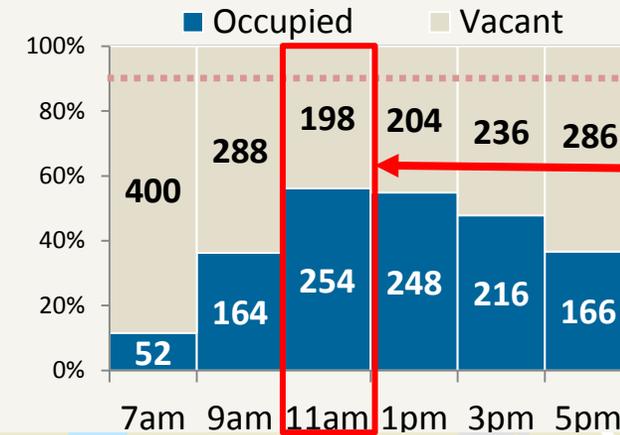


- Utilization across the area surveyed was approximately 55%, consistent with utilization in the past study
- 11AM – 3PM was the busiest on the day surveyed (approaching the 55% mark)
- The off-street lot on the east side of Keyes Road was busier than the one on the west side of Keyes Road
- The first block of Walden Street and the south side of the block on Main Street on either side of Walden Street were most busy
- Pay by phone-only spaces were consistently empty
- Spots by the library (which have been bagged) were completely full in late afternoon.

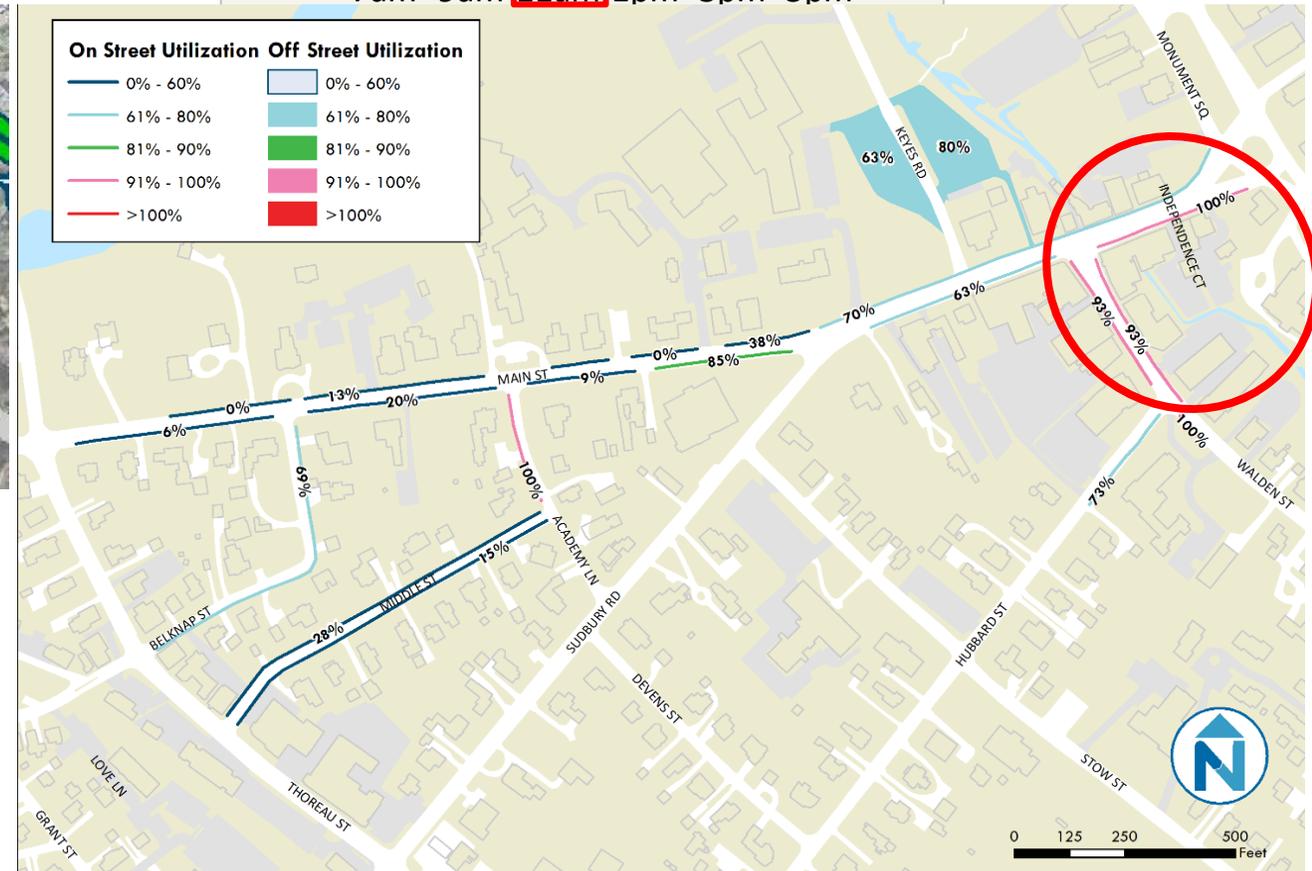
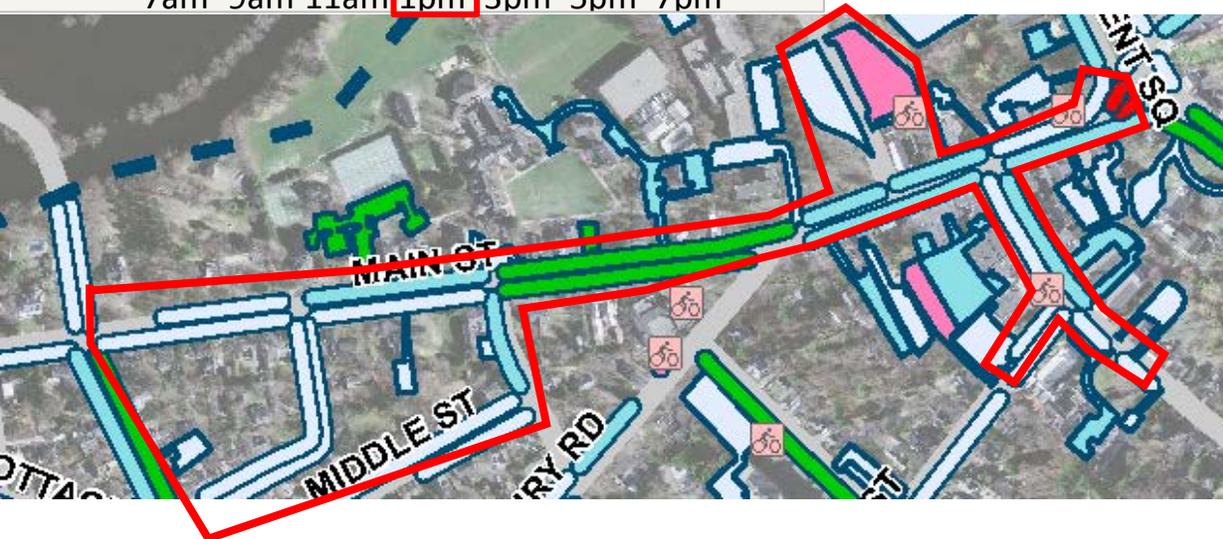
# Performance Findings – Full Evaluation Area



2012 Study Peak Utilization (2018 Study Area Spaces Only)

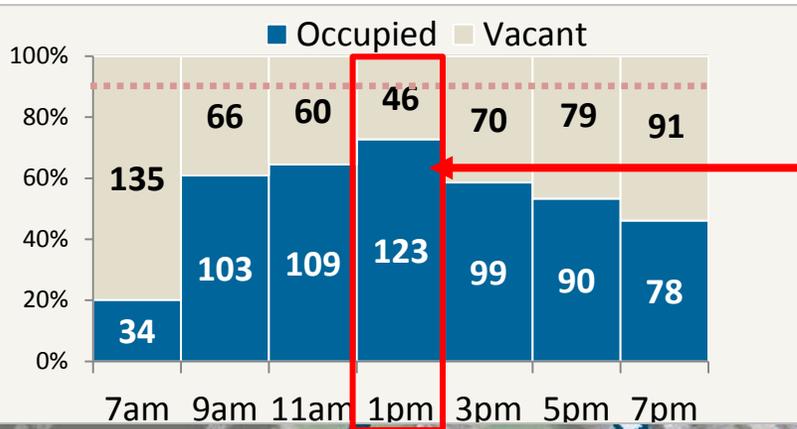


2018 Study Peak Utilization

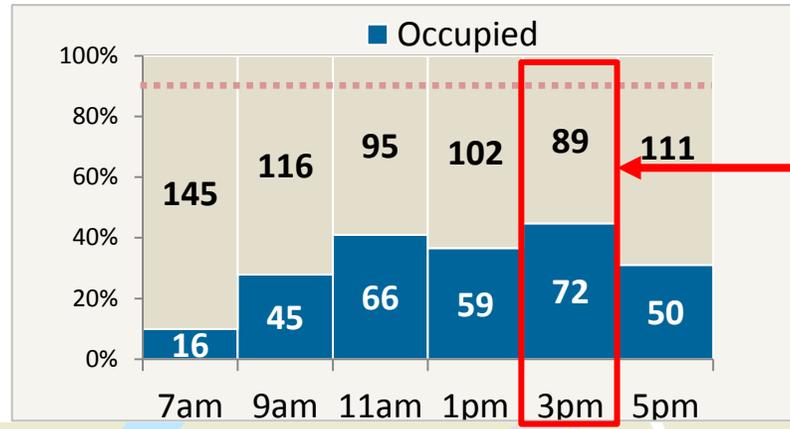


- Utilization dropped dramatically at formerly unregulated spots converted to pay-by-phone parking
- Demand increases in core area meters along Main Street and Walden Street
- Overall utilization is comparable (55% vs 60%)

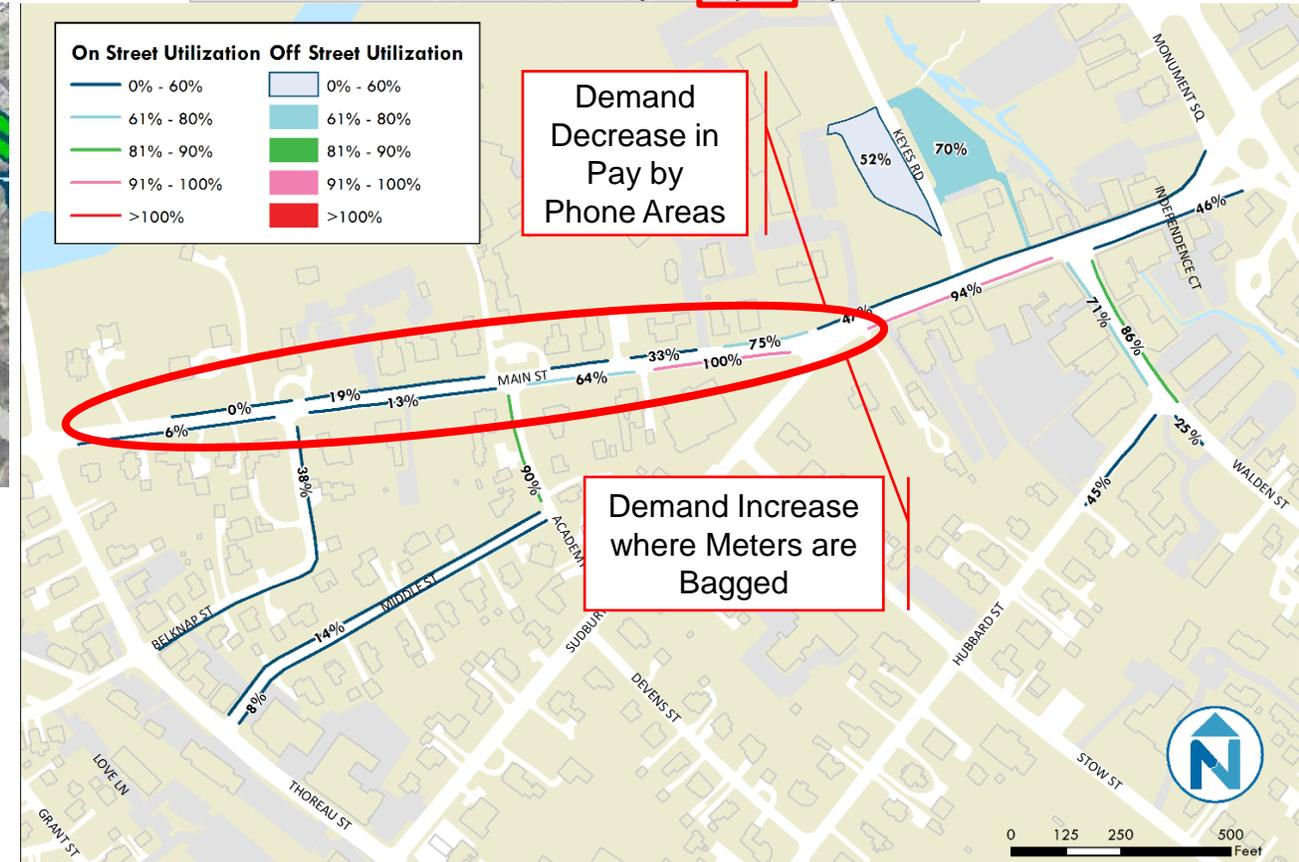
# Performance Findings – Main Street Only



2012 Study Peak Utilization (Main Street Only)



2018 Study Peak Utilization (Main Street Only)



Demand Decrease in Pay by Phone Areas

Demand Increase where Meters are Bagged

- Utilization along Main Street is much lower overall in 2018
- Demand shifted to core area meters along Main Street and Walden Street
- Pay-by-phone areas are highly underused



# Proposed Implementation Adjustments

**Parking Inventory**

- Free 15 Minute Parking
- Free 4 Hour Parking
- Free Parking
- Pay by phone only, \$0.50/hour
- Three hour metered parking, \$0.50/hour
- Three hour metered parking, \$1.00/hour

Remove Pay by Phone only spaces – make free and unregulated and monitor. If demand increases in key areas, consider adding time limits and evaluating.

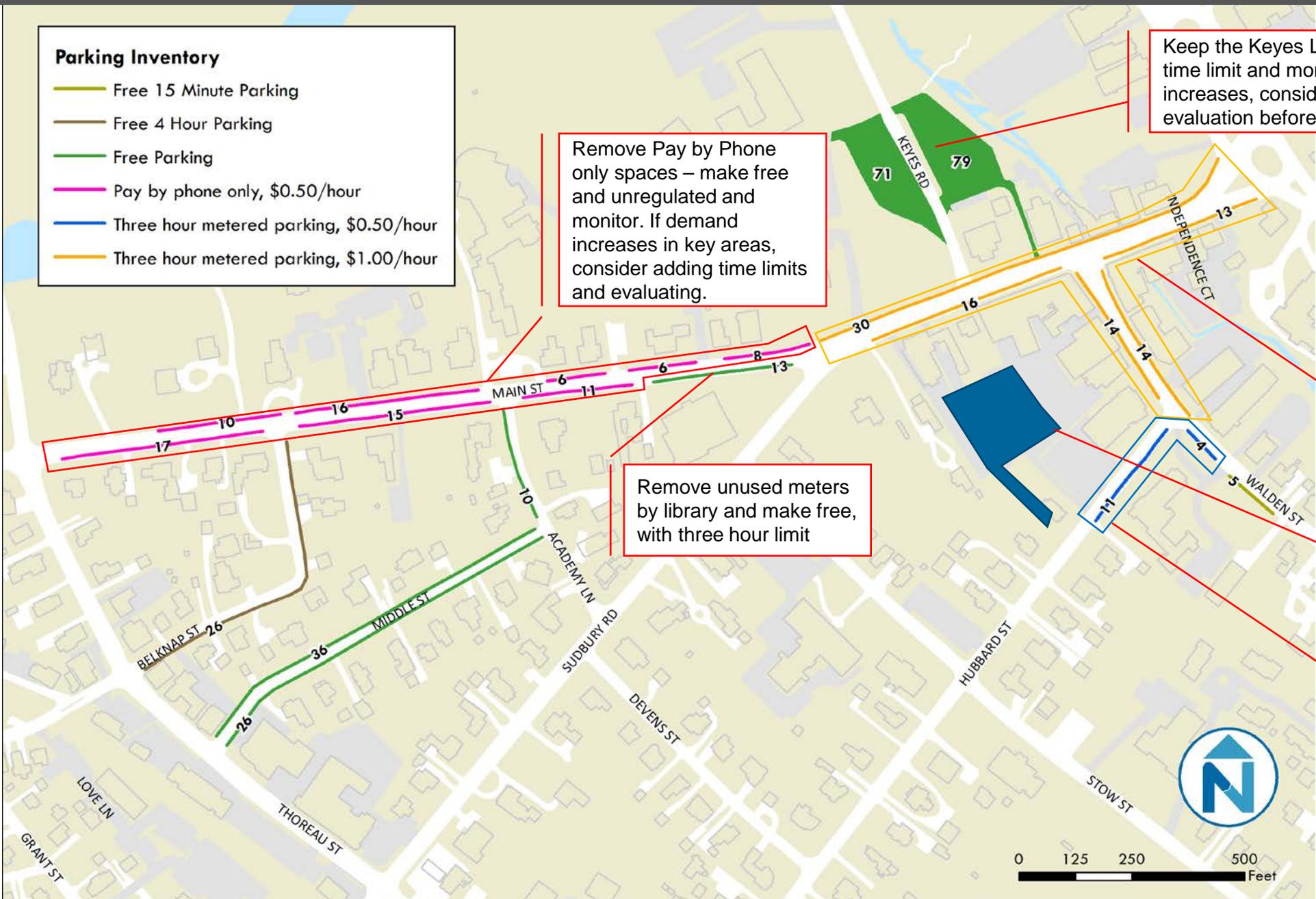
Keep the Keyes Lot free, with no time limit and monitor. If demand increases, consider time limits and evaluation before pricing.

Remove unused meters by library and make free, with three hour limit

Keep \$1.00/hr, three hour limit in the core area (with Pay by Phone overlay)

Keep free and unregulated, If demand increases, consider time limits and evaluation before pricing.

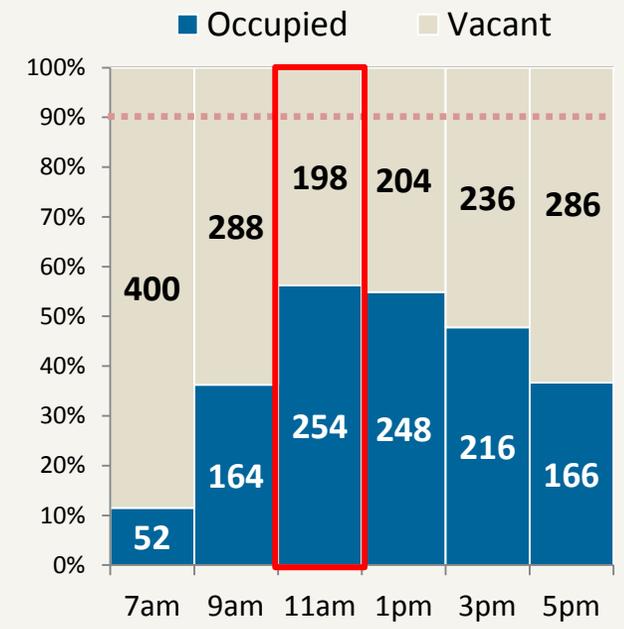
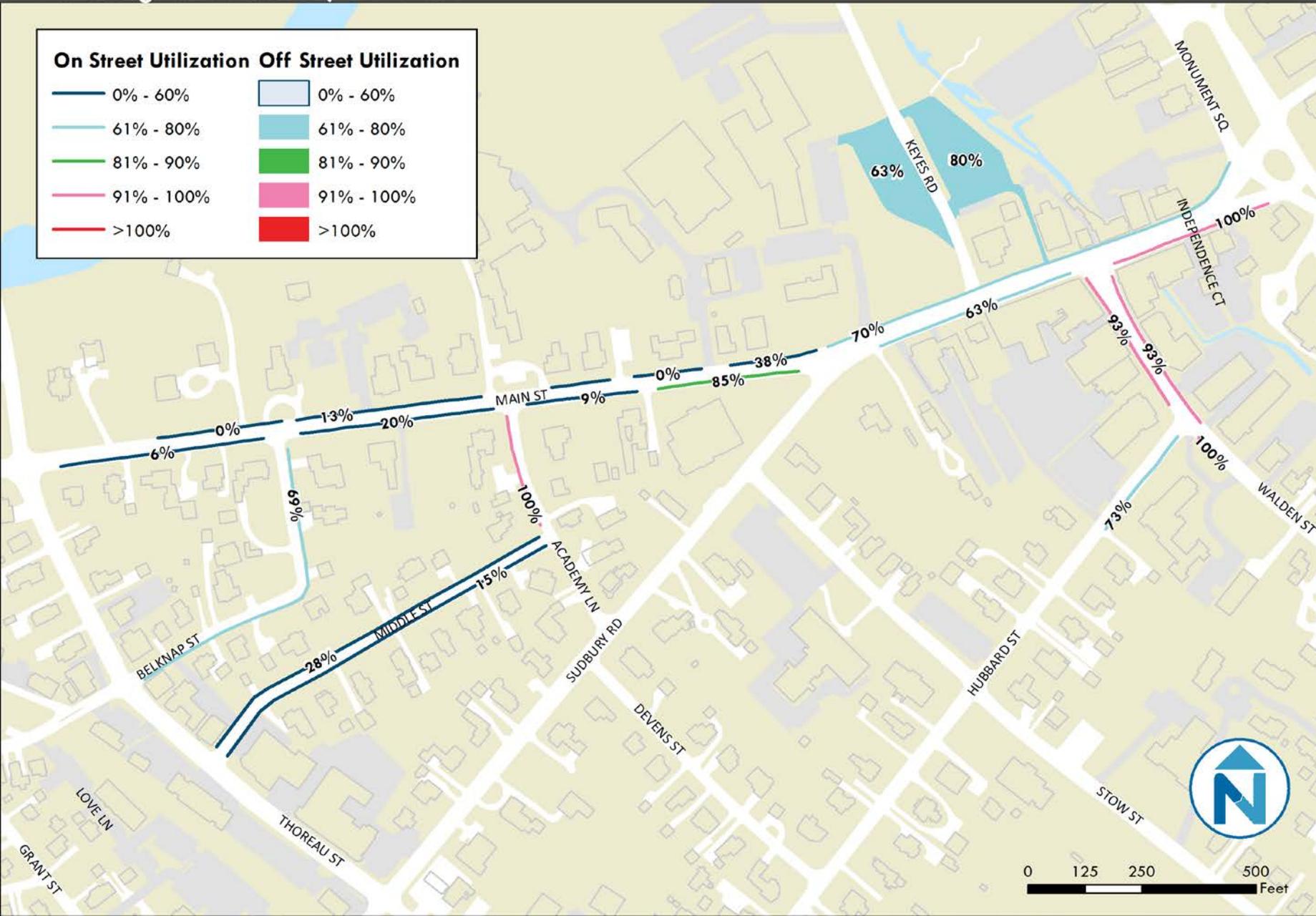
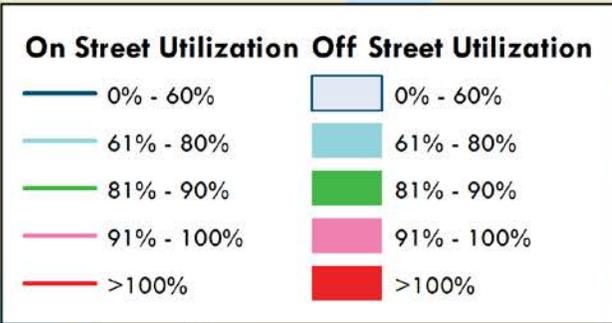
Keep \$0.50/hr, three hour limit spaces where applicable



## Appendix – Full Data Set (2018)

# Concord Center 2018

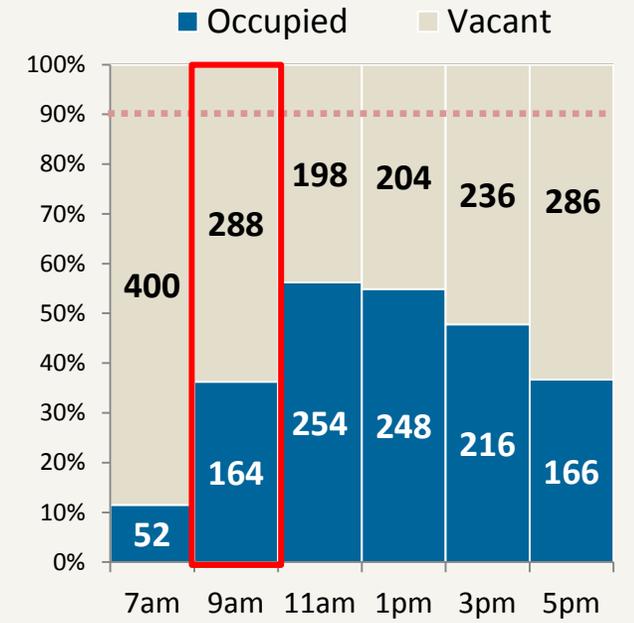
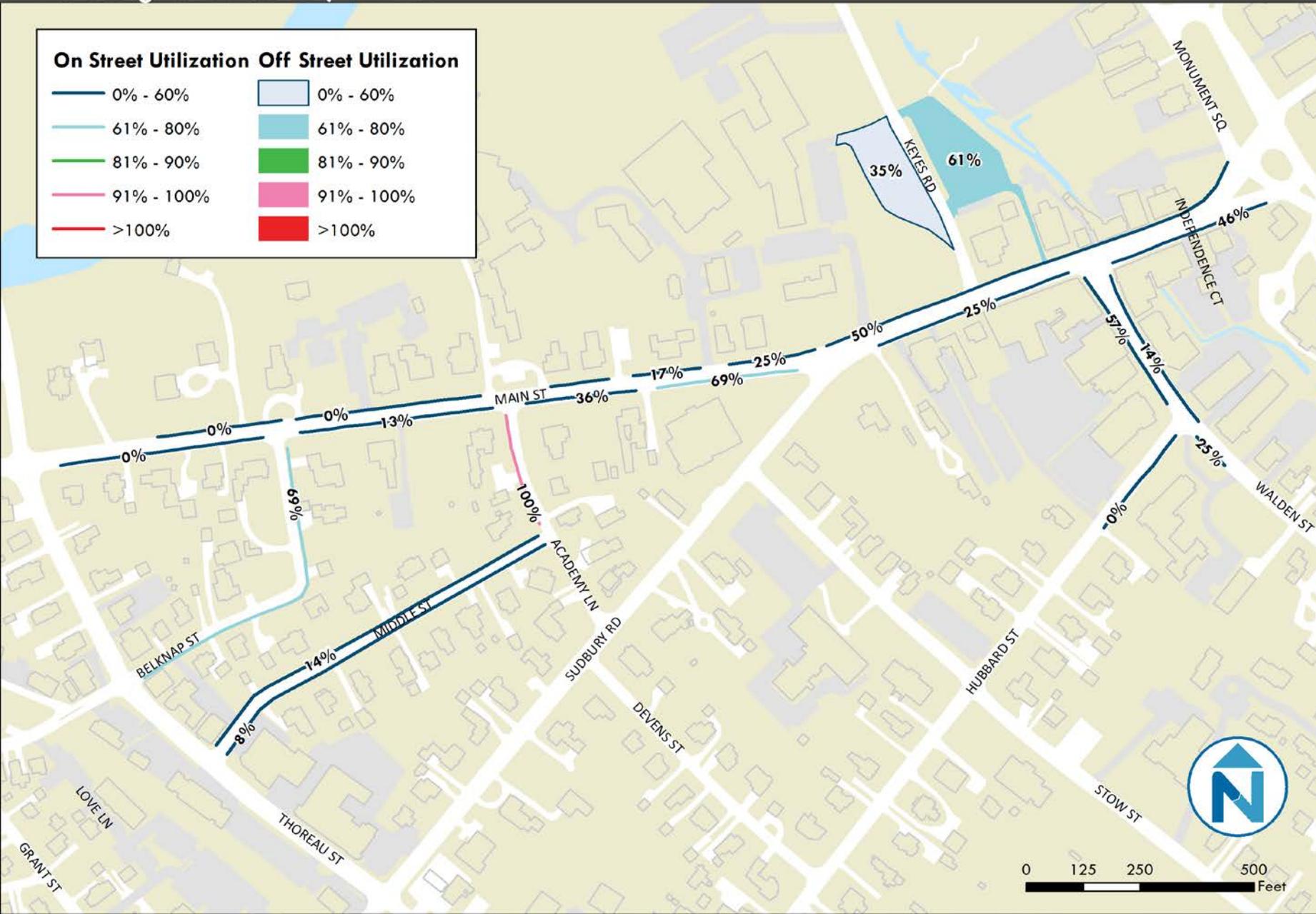
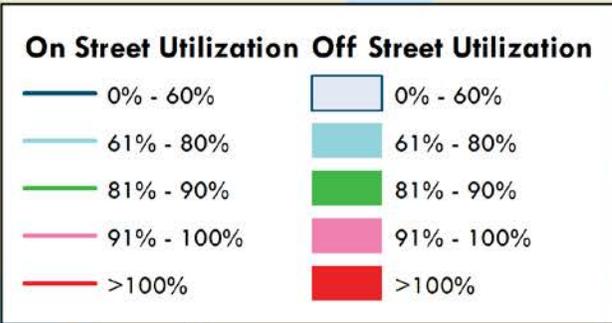
## Parking Utilization, 11 AM





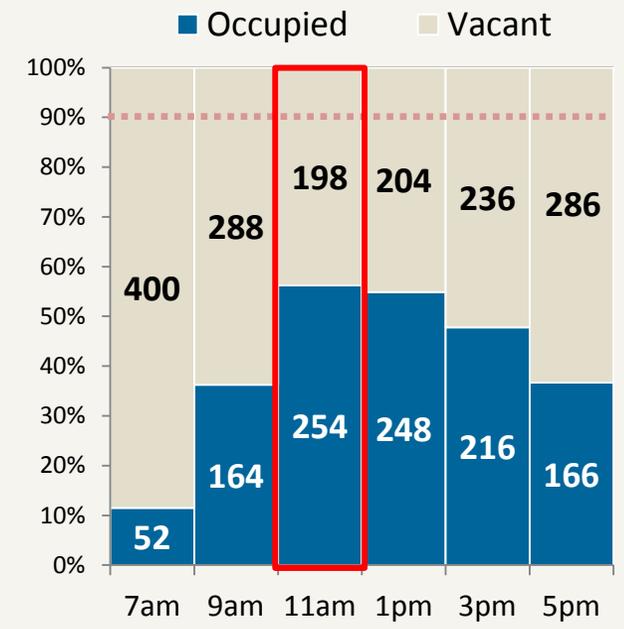
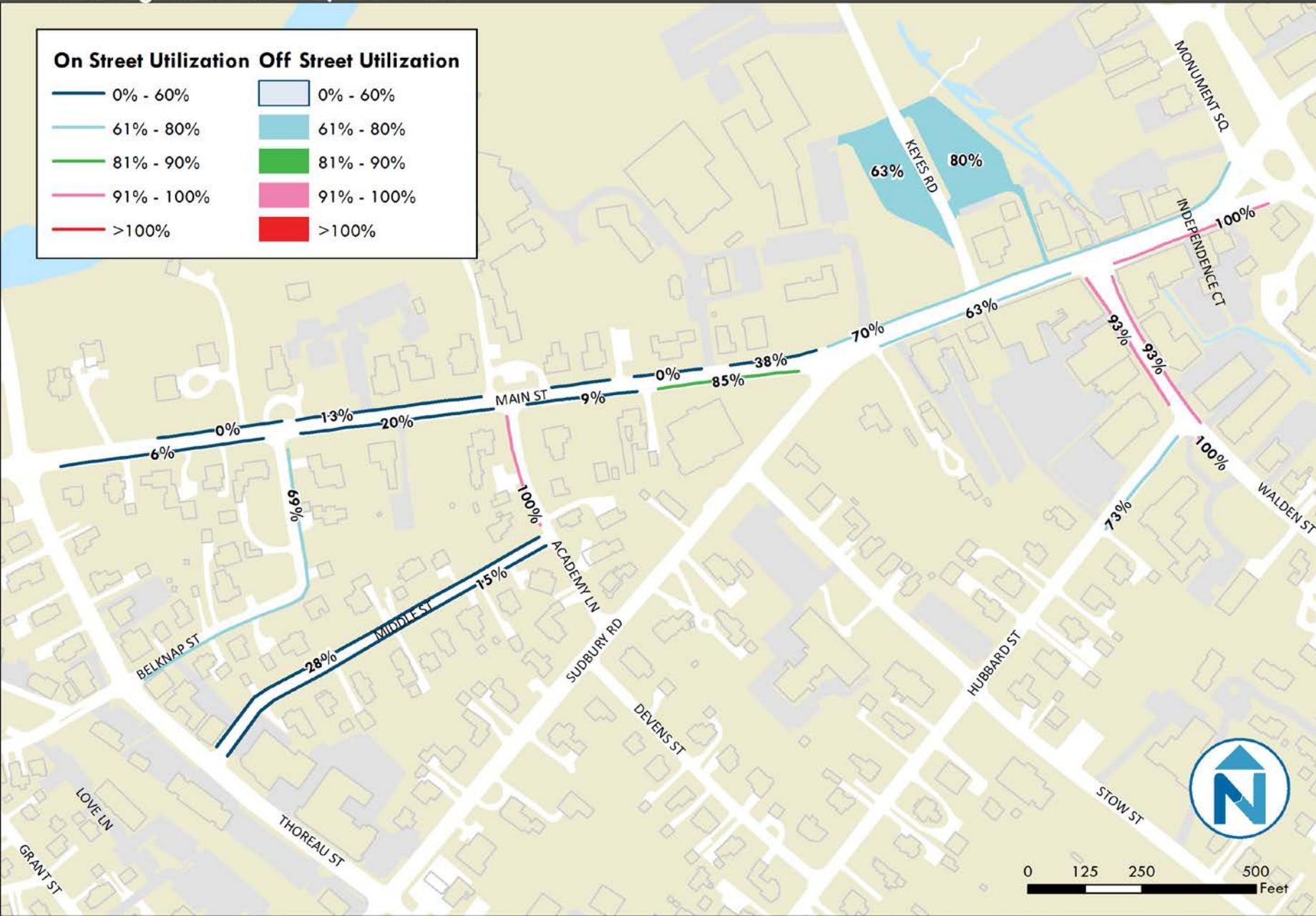
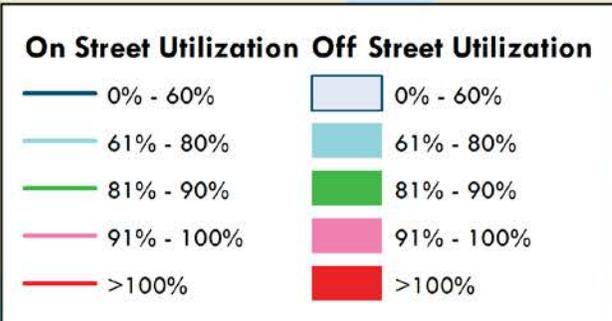
# Concord Center 2018

## Parking Utilization, 9 AM



# Concord Center 2018

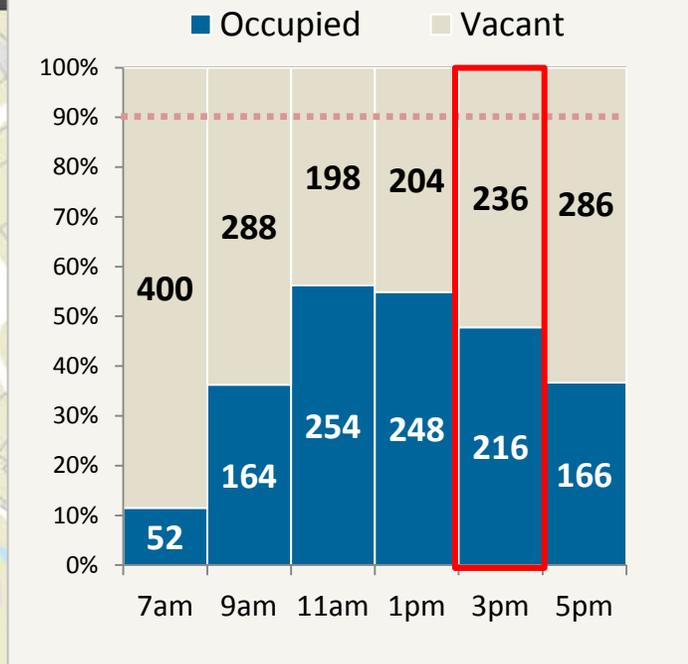
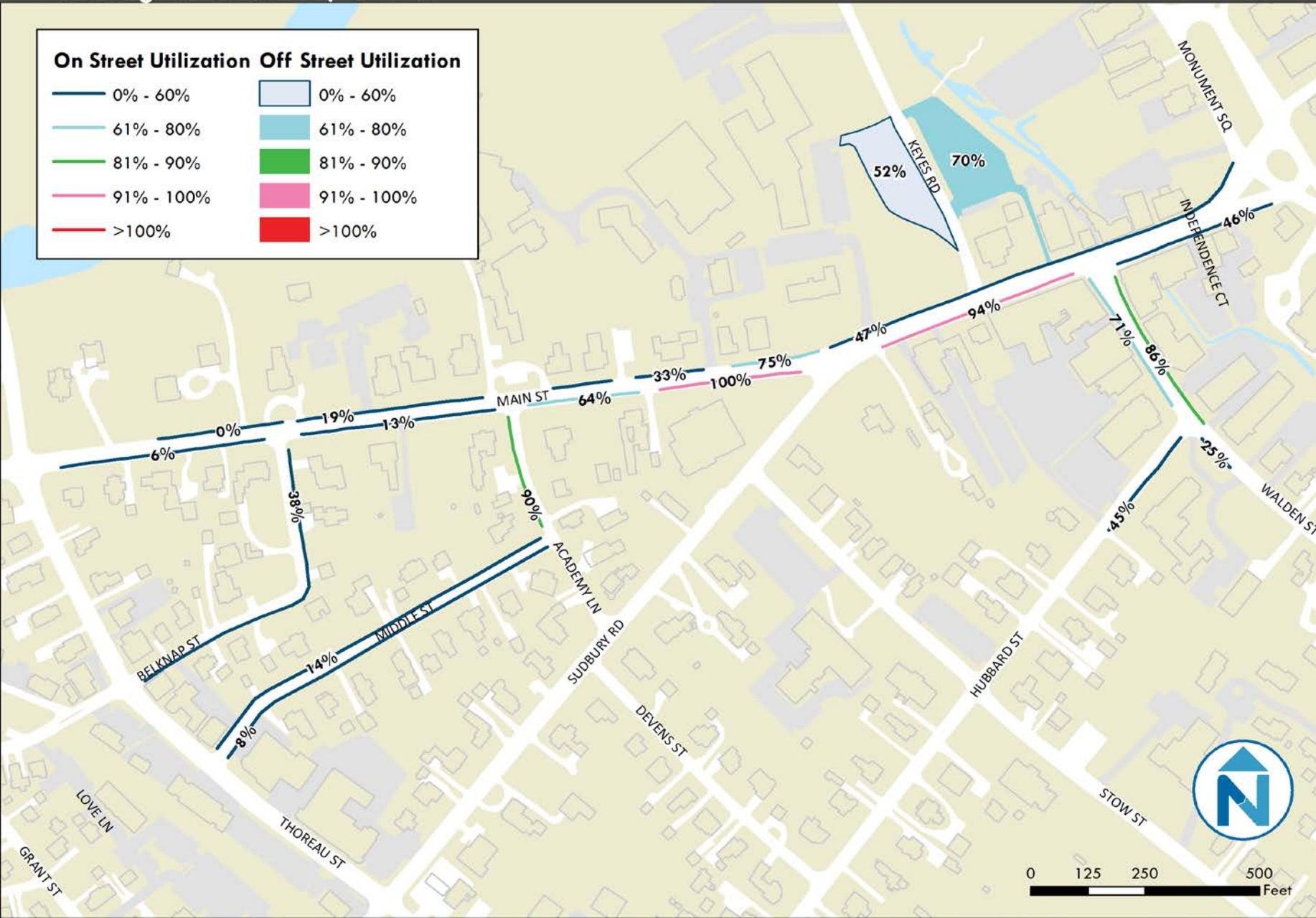
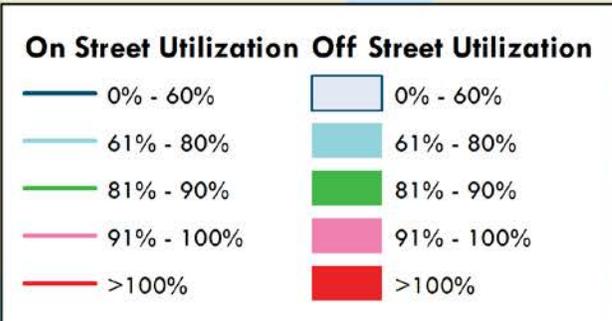
## Parking Utilization, 11 AM





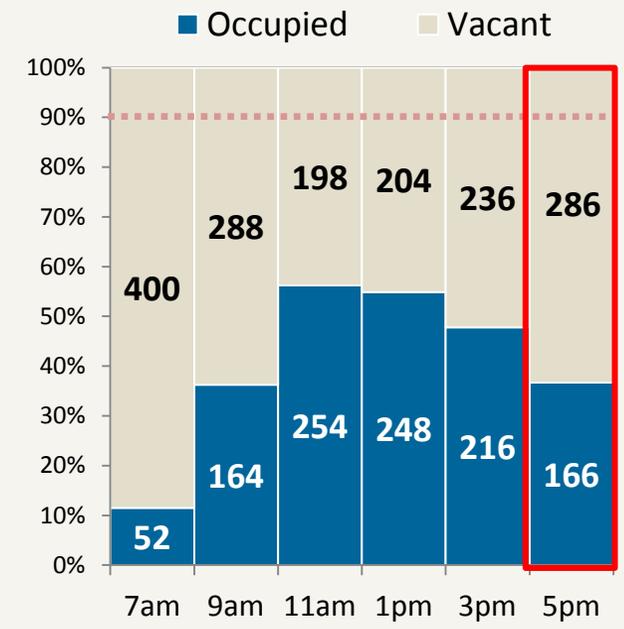
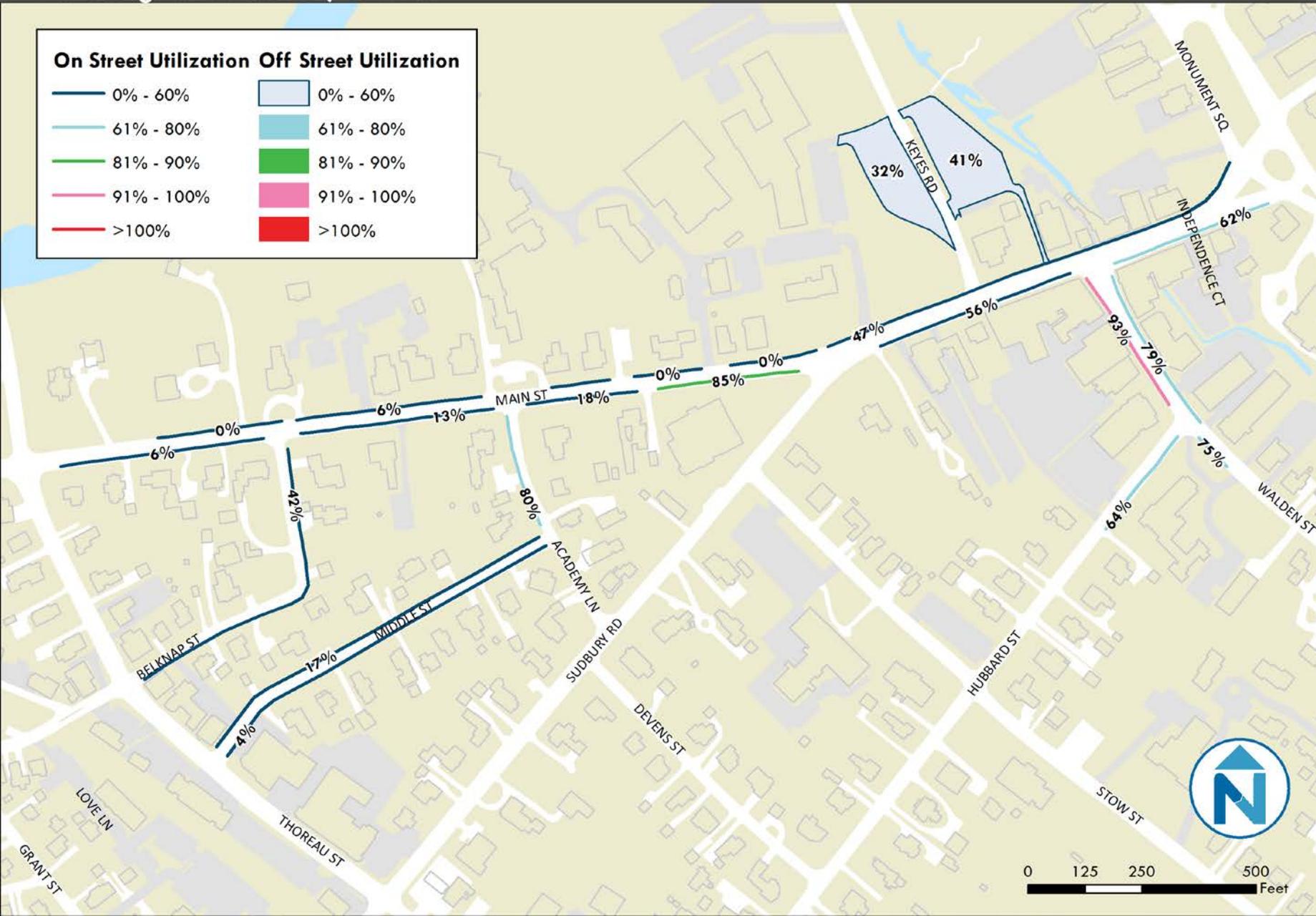
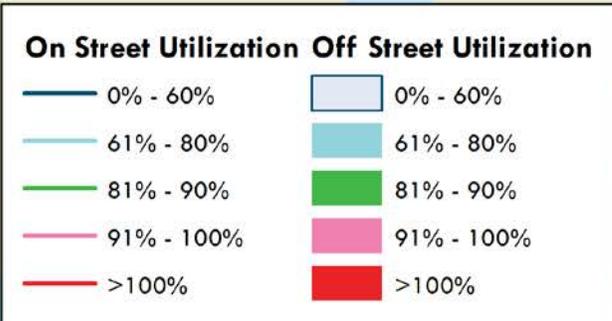
# Concord Center 2018

## Parking Utilization, 3 PM



# Concord Center 2018

## Parking Utilization, 5 PM





# WEST CONCORD VILLAGE CENTER CONCEPTUAL FRAMEWORK PLAN



## MASTER PLAN PROJECTS

### 1 Transportation Network and Circulation

- Commuter Rail Enhancements
  - (T-1) Extend MBTA Platform East and Expand Handicapped Ramp
  - (T-2) Construct Pedestrian Bridge Over Assabet River and Connect to New Commuter Parking lot at Baker Street Extension Park
- Circulation and Accessibility Improvements
  - (T-3) Maple Court Enhancements
  - (T-4) Improve Pedestrian Crossings in Village Center
  - (T-5) Sidewalk Improvements on Main Street Bridge over Assabet River
  - (T-6) Extend and Connect Beharrell Street to Commonwealth Avenue to the North and Expand the Street Network in the Village Center
  - (T-7) New Connector Street between Beharrell Street and the Commuter Parking Lot
  - (T-8) New Connector Street between Commonwealth Avenue and Maple Court
- Intersection Treatments
  - (T-9) Upgrade Intersection of Beharrell Street and Commonwealth Avenue
  - (T-10) Reconfigure Intersection of Commuter Lot Driveway and Commonwealth Avenue
  - (T-11) Reconfigure the Main Street and Commonwealth Avenue Intersection
  - (T-12) Commonwealth Avenue/Laws Brook Road/K. Dunn Square Intersection
  - (T-13) Upgrade Intersection of Church Street and Commonwealth Avenue
  - (T-14) Improve Main Street-Baker Ave-Cottage Street Intersection
  - (T-15) Northern Intersection of Commonwealth Avenue and the RR Right-of-Way

### 2 Streetscape and Parking

- Parking Access, Distribution, and Connectivity Improvements
  - (P-1) Enhance Private Off-Street Parking Lots
  - (P-2) Enhance Public On-Street and Off-Street Parking
  - (P-3) Expand Public Parking along RR Spur
  - (P-4) Designate Satellite Commuter Parking Area at Baker Street Business Park
  - (P-5) Screen Large Parking Areas

### 3 Streetscape and Aesthetic Enhancements

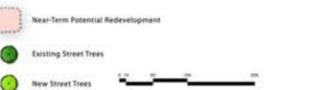
- (S5-1) Narrow or Shorten Pedestrian Crossings at Key Locations along Main Street and Commonwealth Avenue
- (S5-2) Bradford Street Streetscape Improvements
- (S5-3) Main Street and Commonwealth Ave Streetscape Improvements
- (S5-4) Beharrell Street Extension and Streetscape Improvements
- (S5-5) Extend Decorative Light Fixtures within the Village Center
- (S5-6) Upgrade Main Street Pedestrian Alleys
- (S5-7) Enhance Pedestrian Access to and within the Commuter/Public Parking Lot
- Gateway Treatments
  - (S5-8) Install Gateway Treatments at East Entrance
  - (S5-9) Install North Gateway Treatments
  - (S5-10) Install South Gateway Treatments/Main Street and Church Street
  - (S5-11) Install West Gateway Treatment/Laws Brook Road
- Directional "Wayfinding" Sign System and Interpretive Boards
  - (S5-12) Install Wayfinding Signage
  - (S5-13) Install Informational Kiosks and Business Directories
  - (S5-14) Install Interpretive Sign Boards

### 4 Parks, Open Space and Trails

- Existing Park and Open Space Enhancements
  - (OS-1) Junction Square Park Enhancements
  - (OS-2) Mandrolis Pocket Park Enhancement
- New Parks and Open Spaces
  - (OS-3) New WACC "Overlook Park" and Access to Commonwealth Avenue
  - (OS-4) New Warner's Pond Pocket Park
  - (OS-5) New Village Green at Commonwealth Avenue and Beharrell Street
  - (OS-6) New North "Confluence Park"
  - (OS-7) Heritage Park along the Bruce Freeman Trail
- Trails and Paths
  - (OS-8) Bruce Freeman Trail
  - (OS-9) Nashoba Brook Trail
  - (OS-10) Assabet River Trail
  - (OS-11) Other Conservation Areas, Open Spaces, and Trails

### 5 Future Development Scenarios

- Potential Near and Long Term Redevelopment Sites
  - (D-1) 50 Beharrell Street
  - (D-2) 113-135 Commonwealth Avenue Redevelopment
  - (D-3) 120 Commonwealth Avenue
  - (D-4) 74 Commonwealth Avenue
  - (D-5) 152 Commonwealth Avenue
  - (D-6) 1220-1224 Main Street
  - (D-7) 30-40 Beharrell Street
- Potential Renovation and Rehabilitation Sites
  - (D-8) 23-43 Bradford Street Rehabilitation
  - (D-9) 100 Commonwealth Avenue
  - (D-10) 83 Commonwealth Avenue
  - (D-11) 88 Commonwealth Avenue
  - (D-12) West Concord Fire Station/1201 Main Street
  - (D-13) Southern Portion of MCI Concord Property
- Recommended Building Façade and Frontage Improvements
  - (D-14) 1191 Main Street/Dunkin' Donuts
  - (D-15) 1238 Main Street/99 Restaurant
  - (D-16) 1211 Main Street/Colonial Motors
  - (D-17) 1211 Main Street/Tony the Tailor Building
  - (D-18) 120 Commonwealth Avenue/Laurel Upholstery Building



Town of Concord  
WEST CONCORD ADVISORY COMMITTEE  
Committee Charge

**A. Mission**

It is the intention of the ~~Board of Selectmen (BOS)~~ **Select Board**, in creating the West Concord Advisory Committee (WCAC), to provide a mechanism for thoughtful and public examination of the issues surrounding future development, growth, and improvement in West Concord Center as defined by the West Concord Village Center Master Plan of 2010; see attached map defining the WCAC's geographic domain. As a Sub-Committee of the Planning Board, the WCAC will have an advisory role with an active focus on West Concord. The WCAC can be a focal point for soliciting input from citizens, business operators, and property owners as appropriate. The WCAC was recommended by the West Concord Task Force (2008), the Village Centers Study (2007) and the Comprehensive Long Range Plan (2005).

**B. Responsibility**

The West Concord Village Center Master Plan of 2010 ("Master Plan") is the roadmap for future development in West Concord Center and the primary guide for the WCAC. The WCAC shall promote the vision contained in the Master Plan, along with the West Concord Design Guidelines and town sustainability initiatives, when issues are discussed and development is proposed in West Concord.

The WCAC shall be an advisory committee of the Planning Board and receive some support from the Planning Division. The main roles of the WCAC:

- Serve as a resource for the Planning Board by providing input to the Board when plans and concepts are proposed for development, renovation, circulation, beautification, etc. in West Concord.
- Study items and provide recommendations as requested by the Planning Board.
- Serve as a resource for other Town departments, boards and committees that are considering projects in West Concord.
- Proactively monitor agendas and proposals considered by the Public Works Commission and Concord Public Works to provide timely input on public works initiatives in West Concord.
- Review the West Concord Master Plan to identify potential projects or concepts for implementation and conduct outreach to residents, business owners and property owners to gauge interest and support for such projects or concepts.
- Encourage public awareness of projects and initiatives proposed in West Concord.
- Inform the Planning Board (and other appropriate town officials) of opportunities that may arise for land acquisition and other similar efforts that could further the vision of the West Concord Master Plan.
- Provide periodic reports to the Planning Board on the relevance of the Master Plan and West Concord Design Guidelines.

**C. Membership Requirements and Expectations**

1. Seven members will be ~~appointed~~ **recommended** by the Planning Board **and appointed by the Select Board** for three-year terms. Terms will be staggered to ensure continuity: no more than three terms will end in any one year and members may be appointed for an additional term. Up to two non-voting associate members may be appointed.

2. The WCAC shall hold regularly scheduled monthly meetings, and meet with greater frequency if deemed necessary by the WCAC.
3. At least three voting members shall have a connection to West Concord: resident, property owner, local business operator, or tenant.
4. Members of the WCAC have a responsibility to become familiar with the West Concord Master Plan and the West Concord Design Guidelines.
5. The committee shall include members reflecting a mix of qualifications, skills, and/or expertise such as:
  - Working familiarity with the Zoning Bylaw or other Town regulations.
  - Specific skills: Architecture, planning, site design, engineering, environment and natural resources, sustainability or commercial development
  - General skills: Community outreach, meeting management, communications

#### **D. Term**

The Planning Board shall evaluate the effectiveness of the West Concord Advisory Committee every two years to determine the need for the WCAC and provide a recommendation to the ~~Board of Selectmen~~ Select Board.

#### **E. Other Considerations**

The Committee shall elect a chair and a committee clerk, who will be responsible for maintaining the record of the committee's discussions, votes and actions.

All meetings will be conducted in conformance with the Open Meeting Law including proper notice and posting of meetings, and all records will be maintained in conformance with the Public Record Law.

Requests for staff assistance or operating expenses will be made through the Town Manager who will endeavor to comply with reasonable requests.

Town of Concord  
CLIMATE ACTION ADVISORY BOARD  
Committee Charge

**A. Background**

As part of the town's continuing efforts to address climate change, the Select Board established the Energy Future Task Force (EFTF) in 2016 and charged it broadly with creating a framework for the design and implementation of a townwide energy plan that will minimize Concord's carbon footprint and that will be sustainable in the near- and long-term future.

The Select Board received the recommendations and the report by the EFTF and presented its findings at the 2017 Town meeting where the following town-wide climate goals were approved in a near-unanimous decision. (Note: the baseline year is 2008.)

- 25% reduction in greenhouse gases by 2020
- 100% non-carbon emitting electricity by 2030
- 80% reduction in greenhouse gases by 2050

In addition to setting the ambitious climate goals above, Article 51 created the position of Director of Sustainability for the Town and appropriated funds for a consultant to assist the Director and the town to develop an operational plan for achieving these goals. The Director is charged with developing and implementing a plan to achieve the Article 51 goals. Additional tasks include establishing benchmarks and metrics for measuring Concord's sustainability performance, advancing Concord's sustainability within residential, commercial, and municipal sectors, researching and recommending energy and climate resilience tools and techniques, and coordinating with Town Committees and Boards, businesses and residents.

**B. Purpose**

The Climate Action Advisory Board (Advisory Board) is being established to advise the Director of Sustainability and the Town on strategic implementation of Article 51 and town-wide climate goals. Such a Board was specifically recommended in the EFTF report, and should build upon that report as well as Concord's Sustainability Principles (2011) and the most recent Concord Municipal Light Plant Strategic Plan (2017). The Advisory Board should also consider the recommendations of Article 23, which passed at 2018 Town Meeting, to consider climate resilience goals and initiatives in Concord.

The purpose, charge, and membership of this Advisory Board is intentionally broad. Addressing climate change in Concord will require both mitigation (reducing our GHG emissions) and adaptation (ensuring we are resilient to impacts due climate change). Climate actions cut across boards, committees, departments, agencies, and community groups. And many climate actions have both GHG-reducing and climate resiliency benefits.

**C. Duties and Responsibilities**

The Advisory Board will be expected to provide strategic direction for achieving Concord's climate goals. It will seek to reduce barriers and provide incentives to adopting policies, programs, and initiatives that will advance climate action in all sectors, residential, commercial and municipal, in Concord.

The Advisory Board will review Concord's climate-related data (GHG inventory, energy consumption, vulnerability assessments, hazard mitigation plans, etc.) to help provide advice to the Town Manager, Sustainability Director and/or Select Board regarding new programs, policies, and initiatives to further reduce Concord's carbon footprint and improve resilience to projected climate change impacts.

The Advisory Board will provide feedback to the Sustainability Director on the preparation of annual updates on the Town's progress toward meeting Article 51 and other climate goals.

The Advisory Board will identify and recommend opportunities to advance climate action through coordination and collaboration between the Sustainability division, the Comprehensive Sustainable Energy Committee and other Town departments, boards, committees, citizen groups, etc.

The Advisory Board will help the Sustainability Director to identify and prioritize grant and other funding opportunities that the Town should consider. The Board may also provide feedback on grant and other funding applications.

The Advisory Board will also stay informed on leading trends, technologies, programs and policies for reducing town-wide GHG emissions and ensuring climate resiliency. Board members may be asked to research climate topics, technologies, and/or best practices to better advise the Sustainability Director on strategic decisions.

This charge is not inclusive and the Board should pursue the interests and expertise of its membership as they relate to the Town's efforts to address climate change in such areas as, but not limited to:

- The built environment including permitting, zoning, siting and code for new construction and renovations for municipal, school, hospital, airport, commercial, industrial, and residential structures
- Energy use and GHG emissions related to water and wastewater management
- Individual, shared and mass transportation systems and options to reduce emissions from the transportation sector
- Sustainable policies for municipal procurement, building operations, and energy use
- Encouraging sustainable practices across sectors
- Renewable energy deployment
- Energy efficiency programs, policies and incentives
- Climate resilience tools and strategies, such as nature-based solutions
- Educational opportunities related to sustainability and resiliency efforts within the community and in the Schools.

#### **D. Membership**

The members of the Climate Action Advisory Board shall be appointed by the Town Manager. The term of office shall be three years, and the initial appointments shall be of one, two, and three years so that terms shall be staggered. The committee shall be comprised of up to 9 members representing a diversity of interests. The membership shall include:

- At least one representative recommended by the former EFTF
- At least one representative recommended by the Concord Municipal Light Board
- At least one representative recommended by Concord Public Works
- At least one representative recommended by the Department of Planning and Land Management
- At least one representative of the business community
- A liaison from the Comprehensive Sustainable Energy Committee (non-voting)
- 4 members representing the following areas of interest and expertise: education; public policy; strategic planning; renewable energy; energy resource management; carbon and climate change mitigation and adaptation; sustainability management; community engagement; architecture; urban planning; green building; and/or environment and energy regulatory affairs.

**E. Other Considerations**

The Advisory Board shall elect a chair and a committee clerk, who will be responsible for maintaining the record of the committee's discussions, votes and actions.

All meetings will be conducted in conformance with the Open Meeting Law including proper notice and posting of meetings, and all records will be maintained in conformance with the Public Record Law.

Requests for staff assistance or operating expenses will be made through the Town Manager who will endeavor to comply with reasonable requests.

DRAFT

**TOWN OF CONCORD**  
**Comprehensive Sustainable Energy**  
**Committee**

**Committee Charge**

**A. Background**

The comprehensive Sustainable Energy Planning Committee (CSEP) was formed in January 2006. This Committee's purpose was to develop a plan, based on community input, to guide the Town's future energy choices. To effect that purpose, the Committee's charge included collecting and analyzing data from Town sources concerning private and municipal energy use patterns; holding public hearings; exploring with Concord Municipal Light Plant (CMLP) options for diversifying energy supply and increasing incentives for conservation; identifying funding opportunities for renewable energy initiatives; and developing recommendations to promote efficiency, conservation, and cost effective options for supply diversification. This Committee produced a final report documenting its findings in March 2007. This report included several recommendations for action. One of these recommendations was:

*“...the Committee recommends that the Town establish a permanent citizen Sustainable Energy Advisory Board (SEAB) to work with CMLP, Town Departments, and the Town Manager to identify, fund, and implement sustainable energy projects within the Town, including projects to assist citizens in conserving energy and increasing energy efficiency in their homes.”*

The intent of forming the Concord Comprehensive Sustainable Energy Committee (CSE) is to pursue the recommendation. The Town Manager has agreed to commit modest initial funding for initiatives that the Committee identifies, with increased funding in future years as the Committee identifies more opportunities for sustainable energy practices.

**B. Purpose**

The purpose of the Comprehensive Sustainable Energy Committee is to assist the town with identifying, designing, and implementing programs and projects for fostering energy conservation, energy efficiency, and renewable energy generation in the Town and all other segments of the community, and to track and report on the financial and environmental impacts of such programs. These programs and project should address all forms of energy use: electricity, natural gas and heating oil, and transportation fuels. The benefits of pursuing cost-effective sustainable energy use patterns may include: reduced exposure to expected future energy cost trends, decreased reliance on imported energy sources, reduction of “greenhouse gas” emissions and related pollutants, and stimulation of local sustainable energy businesses.

**C. Membership**

The members of the Comprehensive Sustainable Energy Committee shall be appointed by the Town Manager, with the approval of the Board of Selectmen. The term of office shall be three years, and the initial appointments shall be of one, two and three years so that terms of members shall be staggered. The committee shall be comprised of up to nine members representing a diversity of interests concerned with energy. The membership shall be as follows:

- One representative of the Concord Municipal Light Board;
- One representative of the Public Works Commission;
- One representative of Town staff familiar with Police, Fire and other Department operations;*
- One representative of the Concord Public Schools or Concord-Carlisle Regional High School;
- One representative of the business community;
- A member knowledgeable in construction or facilities management;
- Four citizens at-large, based on members' knowledge with regard to:
  - \* Sustainable energy (energy conservation, efficiency, and/or renewable energy) technology and policy;
  - \* Construction, facilities, or energy management;
  - \* Matters involving residential energy consumption;

**D. Duties and Responsibilities**

1. To continue the work of the Concord Sustainable Energy Planning Committee, as documented in its final report, and *to assist in the implementation* of those recommendations where feasible.
2. *To review this committee charge from time to time and to recommend to the Board of Selectmen and Town Manager additional Tasks or other changes in the Charge to reflect changing developments in this field.*
3. To establish mechanisms for measuring energy consumption in all sectors of the community (residential, commercial/industrial, institutional) and to track energy consumption over time in the interest of encouraging sustainable energy use.
4. To define and track metrics that provide visibility to the progress of the Committee and the town in the areas of energy conservation, efficiency, and renewable energy, including documented savings from rebate and audit programs of the Light Plant.
5. To work with the Light Plant on its energy audit program such that participation results in the installation of sustainable energy measures such as energy efficiency improvements.
6. To establish working relationships with the local natural gas utility (Keyspan), a selection of the heating oil suppliers that serve Concord, and a selection of the gas stations located within the Town.
7. To develop a work plan to pursue a "technical potential" study. This study will provide the Committee with the information it requires to identify and prioritize the programs and projects described in this document.
8. To recommend to the Board of Selectmen and Town Manager a set of achievable short-term and long-term goals for sustainable energy practices, both for the town as a municipality and for the entire community, including residential, commercial, and municipal entities. Such goals should have broad policy objectives, as well as specific, measurable steps than can be achieved.
9. To develop a variety of tools to educate the public about the importance and benefits of sustainable energy practices.

10. To encourage sustainable energy use through the development and implementation of programs and projects that provide quantifiable assessments of progress; and to work with CMLP and other energy suppliers to foster sustainable energy practices in all areas. These programs should be prioritized based on return on investment and the extent to which they provide the maximum benefit to the most people, as well as environmental benefits.
11. To advise the Town Manager on matters concerning the Town joining sustainable energy collaborative organizations to foster sharing of ideas among participating communities.
12. To explore funding opportunities for sustainable energy initiatives (including conservation, efficiency, and renewable energy generation), including federal grants and private funding.
13. To hold a public hearing or forum at least once per year to up-date the community on progress being made toward the achievement of sustainable energy supply and the resultant reduction in greenhouse gas emissions in Concord.
14. To work with the Town Manager and the heads of Town departments in identifying reasonable steps than could be taken to promote sustainable energy practices and the wise use of public resources. The Town Manager will give due consideration to funding requests from the committee to underwrite the cost of studies and programs deemed worthwhile by the Committee, including reasonable support from the Municipal Light Plant for electricity-related initiatives.
15. To participate in the annual Town budgeting process as it pertains to sustainable energy programs and projects.
16. To submit a report for inclusion in the “Annual Town Report” each year, providing a discussion of the Committee’s work during the prior year as well as providing an assessment of the community’s progress toward the achievement of a sustainable energy supply.
17. To meet regularly and annually elect a chair and clerk.

**E. Other Considerations**

The Comprehensive Sustainable Energy Committee is responsible for conducting its activities in a manner which is in compliance with all relevant State and local laws and regulations, including but not limited to, the Open Meeting Law, Public Records Law and Conflict of Interest Law. The Committee shall consult with the Town Manager concerning the allocation of town staff or financial resources toward this effort.

Attachments:

- a. Copy of Comprehensive Sustainable Energy Plan

TOWN OF CONCORD  
Comprehensive Sustainability & Energy Committee  
Committee Charge

**A. Background**

The Town Manager charged the Comprehensive Sustainable Energy Planning Committee (CSEP) in 2005 to assist the town in energy planning initiatives that included citizen education and engagement, analyzing energy data from Town sources, and developing recommendations to promote efficiency, conservation, and cost effective options for supply diversification. CSEP produced a final report documenting its findings in March 2007. This report included several recommendations for action. The intent of forming the Concord Comprehensive Sustainable Energy Committee (CSEC) is to pursue those recommendations.

In 2017 voters at Town Meeting approved Article 51 setting ambitious greenhouse gas reduction goals in line with the Massachusetts Global Warming Solutions Act: 25% reduction in GHG by 2020, and 80% reduction in GHG by 2080.

This revised charge recognizes significant accomplishments of CSEC and seeks to broaden both the impact and reach of the committee.

**B. Purpose**

The purpose of CSEC is to encourage adoption of sustainability policies and practices in the Concord community. CSEC will assist the town, the Director of Sustainability, and the Concord Municipal Light Plant with identifying, designing, and implementing community outreach programs and projects to reduce town-wide greenhouse gas emissions (GHG).

Program focuses may include energy conservation, energy efficiency, renewable energy generation, electrification of vehicles, and other sustainability and resiliency initiatives. CSEC will also work with the Director of Sustainability to track and report on the financial and environmental impacts of such programs.

Further, CSEC will engage citizens in understanding sustainability principles and citizens' role in and contributions to building a sustainable community that is responsive to climate impacts. CSEC should be responsive to the changing needs of the community in areas of sustainability, resiliency and energy into the future.

**C. Membership**

The members of the Comprehensive Sustainability and Energy Committee shall be appointed by the Town Manager, with the approval of the Select Board. The term of office shall be three years, and the initial appointments shall be of one, two and three years so that terms of members shall be staggered. The committee shall be comprised of up to nine members representing a diversity of interests concerned with energy.

The membership shall be as follows:

- One representative recommended by the Concord Municipal Light Board (may consider a former light board commissioner);
- One representative with interest in engaging with Concord Public Schools or Concord-Carlisle Regional High School;
- A member knowledgeable of building science;
- Four citizens at-large, based on members' knowledge with regard to: *Community engagement, social marketing, events planning, sustainability, energy technology and strategic electrification.*

**D. Duties and Responsibilities**

1. To work closely with Concord's Sustainability Director and other town boards and committees to advance community goals for energy, sustainability and resiliency.
2. To assist the town in measuring GHG emission reductions due to incentive programs, community outreach and other engagement programs.
3. To develop a variety of tools to educate the public about the importance and benefits of sustainable energy practices, and to define and track metrics for citizen engagement. Prepare annual progress report on impact of previous year's program and initiatives.
4. To work closely with the Concord Municipal Light Plant on development and promotion of customer-focused incentives, services and programs to reduce GHG reductions that provide the maximum benefit to the most people, as well as environmental benefits.
5. Together with the Director of Sustainability, identify a set of achievable short-term and long-term projects and initiatives for encouraging sustainable energy practices for the entire community, including residential, commercial, and municipal entities.
6. To work with the town on annual public forum or engagement on progress toward sustainability goals.
7. To submit a report for inclusion in the "Annual Town Report" each year, providing a discussion of the Committee's work during the prior year as well as providing an assessment of the community's progress toward the achievement of a sustainable energy supply.
8. To appoint a member of CSEC as a liaison to the Climate Change Action Advisory Board.

**E. Other Considerations**

The Comprehensive Sustainable Energy Committee shall meet monthly, or more frequently as needed. The Committee shall annually elect a chair and a committee clerk, who will be responsible for maintaining the record of the committee's actions in a manner which is in compliance with all relevant State and local laws and regulations, including but not limited to, the Open Meeting Law, Public Records Law and Conflict of Interest Law. The Committee shall consult with the Town Manager concerning the allocation of town staff or financial resources toward this effort.

Effective Date: December 27, 1990  
Revised: June 1999  
September 2012  
March 2013

## **Town of Concord**

### **APP # 43** **Naming of Town Property**

It is the policy of the Board of Selectmen that the naming of publicly-owned property shall be done sparingly, for good cause shown.

Requests for naming of any public property, such as buildings, rooms within buildings, playgrounds, recreational facilities, squares, parks and other public facilities shall be considered at an advertised public hearing before the board or committee responsible for operating the facility (when applicable). The board or committee shall then refer a suggestion or suggestions to the Board of Selectmen with a record of the hearing and a committee recommendation for approval. If the facility is not under the jurisdiction of any other board or committee, the request shall be referred to the Board of Selectmen who shall hold said public hearing before making a decision.

It is the policy of the Board of Selectmen that renaming of a property be done very sparingly, for compelling reasons. Renaming of a property already named for a person or family shall be undertaken only by Town Meeting.

A property bearing a name other than that of a person or family shall be renamed in accordance with the procedure for Naming of Town Property.

It is the policy of the Board of Selectmen that the naming of property shall not be linked to conditions of sale or transference to the Town of Concord.

Distribution: All Department Heads  
All Committee and Board Chairpersons

TOWN OF CONCORD  
2018-2019 SELECT BOARD AND TOWN MEETING SCHEDULE

Day	DATE	TIME	EVENT	LOCATION
Monday	June 4	7 PM	Select Board Meeting	Town House
Monday	June 18	7 PM	Select Board Meeting	Town House
Monday	July 2	7 PM	Select Board Meeting	Town House
Wednesday	July 4	<b>All Day</b>	<b>Independence Day</b>	<b>Town Offices Closed</b>
Monday	July 16	7 PM	Select Board Meeting	Town House
Monday	July 30	7 PM	Select Board Meeting	Town House
Monday	August 13	7 PM	Select Board Meeting	Town House
Monday	August 27	7 PM	Select Board Meeting	Town House
Monday	September 3	<b>All Day</b>	<b>Labor Day</b>	<b>Town Offices Closed</b>
Sunday	September 9		<b>Rosh Hashanah</b>	<b>No evening meetings</b>
Monday	September 10	7 PM	Select Board Meeting	Town House
Monday	September 18		<b>Yom Kippur</b>	<b>No evening meetings</b>
Monday	September 25	7 PM	Select Board Meeting	Town House
Monday	October 1	7 PM	Select Board Meeting	Town House
Monday	October 8	<b>All Day</b>	<b>Columbus Day</b>	<b>Town Offices Closed</b>
Monday	October 15	7 PM	Select Board Meeting	Town House
Monday	October 29	7 PM	Select Board Meeting	Town House
Monday	November 5	7 PM	Select Board Meeting	Town House
Monday	November 12	<b>All Day</b>	<b>Veterans Day Observed</b>	<b>Town Offices Closed</b>
Monday	November 19	7 PM	Select Board Meeting	Town House
Sunday	December 2		<b>Hanukah</b>	<b>No evening meetings</b>
Monday	December 3	7 PM	Select Board Meeting	Town House
Monday	December 17	7 PM	Select Board Meeting	Town House
Tuesday	December 25	<b>All Day</b>	<b>Christmas</b>	<b>Town Offices Closed</b>
Tuesday	January 1	<b>All Day</b>	<b>New Year Day</b>	<b>Town Offices Closed</b>
Monday	January 7	7 PM	Select Board Meeting	Town House
Monday	January 21	<b>All Day</b>	<b>Martin Luther King Day</b>	<b>Town Offices Closed</b>
Monday	January 28	7 PM	Select Board Meeting	Town House
Monday	February 11	7 PM	Select Board Meeting	Town House
Monday	February 18	<b>All Day</b>	<b>Presidents Day</b>	<b>Town Offices Closed</b>
Monday	February 25	7 PM	Select Board Meeting	Town House
Monday	March 11	7 PM	Select Board Meeting	Town House
Monday	March 25	7 PM	Select Board Meeting	Town House
Monday	April 8	7 PM	Select Board Meeting	Town House
<b>April TBD</b>		<b>7 PM</b>	<b>Annual Town Meeting</b>	<b>CCHS</b>
Monday	April 15	<b>All Day</b>	<b>Patriots' Day</b>	<b>Town Offices Closed</b>
Friday	April 19		<b>Passover</b>	<b>No evening meetings</b>
Sunday	April 21	<b>All Day</b>	<b>Easter</b>	