

**TOWN OF CONCORD  
SELECT BOARD  
AGENDA  
December 3, 2018**

<b>7 p.m. – Select Board Room – Town House</b>																																			
1.	Call to Order																																		
2.	Consent Agenda <ul style="list-style-type: none"> <li>• Town Accountant Warrants</li> <li>• Minutes</li> <li>• Executive Session Minutes</li> <li>• Silent Fund Holiday Gifts</li> <li>• One Day Special Licenses               <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">· Concord Youth Theatre</td> <td style="padding-left: 20px;">1/5/19</td> <td style="padding-left: 20px;">7pm-11pm</td> <td style="padding-left: 20px;">51 Walden Street</td> <td style="padding-left: 20px;">Wine Only</td> </tr> <tr> <td style="padding-left: 20px;">· Pyschemedics Corp.</td> <td style="padding-left: 20px;">12/18/18</td> <td style="padding-left: 20px;">6pm-9pm</td> <td style="padding-left: 20px;">40 Westford Road</td> <td style="padding-left: 20px;">Wine &amp; Malt</td> </tr> </table> </li> <li>• Extension of Hours               <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">· Saltbox Kitchen</td> <td style="padding-left: 20px;">12/19/18</td> <td style="padding-left: 20px;">9:30pm, last call at 9pm</td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">· Woods Hill Table</td> <td style="padding-left: 20px;">1/1/19</td> <td style="padding-left: 20px;">1:30am, last call at 12:30am</td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">· 80 Thoreau</td> <td style="padding-left: 20px;">1/1/19</td> <td style="padding-left: 20px;">1am, last call at 12:30am</td> <td></td> <td></td> </tr> <tr> <td></td> <td style="padding-left: 20px;">1/27/19</td> <td style="padding-left: 20px;">11am, last call at 3pm</td> <td></td> <td></td> </tr> </table> </li> </ul>					· Concord Youth Theatre	1/5/19	7pm-11pm	51 Walden Street	Wine Only	· Pyschemedics Corp.	12/18/18	6pm-9pm	40 Westford Road	Wine & Malt	· Saltbox Kitchen	12/19/18	9:30pm, last call at 9pm			· Woods Hill Table	1/1/19	1:30am, last call at 12:30am			· 80 Thoreau	1/1/19	1am, last call at 12:30am				1/27/19	11am, last call at 3pm		
· Concord Youth Theatre	1/5/19	7pm-11pm	51 Walden Street	Wine Only																															
· Pyschemedics Corp.	12/18/18	6pm-9pm	40 Westford Road	Wine & Malt																															
· Saltbox Kitchen	12/19/18	9:30pm, last call at 9pm																																	
· Woods Hill Table	1/1/19	1:30am, last call at 12:30am																																	
· 80 Thoreau	1/1/19	1am, last call at 12:30am																																	
	1/27/19	11am, last call at 3pm																																	
3.	Town Manager's Report																																		
4.	Chair's Report																																		
5.	7:07 Public Hearing – Change of Stock Interest: West Concord Liquor Store d/b/a Concord Wine & Spirits, located at 1216 Main Street																																		
6.	7:10 Public Hearing – Change of Ownership, Corporate Name, and Officers: Carneiro Restaurant Corp. d/b/a Rossini's Pizzeria and Restaurant to RK Wing Corp. d/b/a Rossini's Pizzeria and Restaurant, located at 206 Fitchburg Turnpike																																		
7.	Class II License: Nano's Auto Service Body, LLC d/b/a Nano's Auto, located at 1211 Main Street																																		
8.	Receive Dog Park Feasibility Study Committee Report																																		
9.	7:15 p.m. Continued Public Hearing – FY19 Tax Levy Classification Hearing with Board of Assessors																																		
10.	Discuss FY2020 Budget																																		
11.	Consider Free Parking on Saturday December 15 & December 22																																		
12.	Annual License Renewal																																		
13.	Consider Selection of Town Manager Search Consultant																																		
14.	Town Meeting Preview Meeting Recap																																		
15.	Public Comments																																		
16.	Committee Liaison Reports																																		
17.	Miscellaneous/Correspondence																																		
18.	Committee Nominations: Susan Mlodozienec of 392 Border Road to the West Concord Advisory Committee; Carole Wayland of 6 Abbott Lane #6 to the Concord Center Cultural District Committee																																		
19.	Committee Appointments: Luis Berrizbeitia of 410 Lexington Road to the Historic Districts Commission as full member (Planning Board nominee) for term to expire December 31, 2024; Theo Kindermans of 252 Fairhaven Road to the Zoning Board of Appeals as associate member for term to expire May 31, 2021																																		
20.	Adjourn																																		

**PENDING**

Monday	December 17	7pm	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's Day</b>	<b>Town Offices Closed</b>

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.



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

November 15<sup>th</sup>, 2018

To the Board of Selectmen, Town of Concord:

I respectfully request permission for extension of our regular business hours until 9.30pm on Wednesday, December 19<sup>th</sup>, 2018.

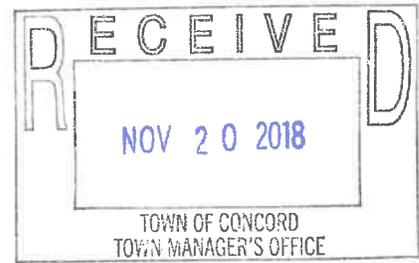
Last call will be at 9:00pm, and all alcohol will be offered in addition to a special dinner menu.

Thank you for your consideration in advance,  
Ben Elliott

A handwritten signature in blue ink, appearing to read "Ben Elliott", with a long horizontal flourish extending to the right.



Woods Hill Table  
24 Commonwealth Ave  
Concord, MA 01742



To the Board of Selectmen for Concord, MA,  
Woods Hill Table requests a liquor  
license extension on New Year's Eve  
for a wedding.

The bride and groom have requested  
a 1:30am extension. ~~for the wedding.~~

Additionally, we will be closed Tuesday,  
December 25<sup>th</sup> 2018 for Christmas  
and Tuesday, Jan 1<sup>st</sup> 2019 for New  
Year's Day, at both Adelita and Woods Hill  
Table.

Sincerely,

Kristin Canty  
managing member  
Woods Hill Table

To: Concord Board of Selectmen

From: Ian Calhoun – Owner – 80 Thoreau

Re: Additional Alcohol Service Hours & Dates

Date: 11/28/2018



We are seeking additional hours for the following dates:

**New Year's Eve**

12/31/18-1/1/19 – Opening at 5:00pm on 12/31/18 and concluding alcohol service at 12:30am 1/1/19

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

1/27/19 – Opening for food and alcohol service at 11:00am concluding at 3:00pm.

Sincerely

Ian Calhoun

### Weekly One Day License Log – December 3, 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>
18-183 Psychemedics Corp	978 206 8220	12/18/18	40 Westford Road	W & M	Event Coordinator: Donna Theodore Bartenders: Ben Elliott Under 21: No First License in Concord: Yes
18-184 Concord Youth Theatre	978 371-1482	1/15/19	40 Westford Road	Wine Only	Event Coordinator: Corinne Kinsman Bartenders: Corinne Kinsman Under 21: No First License in Concord: No

**Andrew Mara**

---

**From:** Michael Lawson  
**Sent:** Wednesday, November 21, 2018 1:16 PM  
**To:** judy terry; Andrew Mara  
**Cc:** Sally Clutter  
**Subject:** Re: SelectBoard approval of \$7,500 transfer to Silent Fund

Hi  
That's all that's necessary>  
Mike

Michael Lawson

On 11/21/18, 1:15 PM, "Judy Terry" <[judyterry.368@gmail.com](mailto:judyterry.368@gmail.com)> wrote:

Could you please put this item on the next Select Board meeting agenda so we will be able to prepare and distribute the Silent Fund holiday gifts in early December. Is there anything else I need to do at this time to get us ready? Do I need to get First Parish sign off?

Sent from my iPad

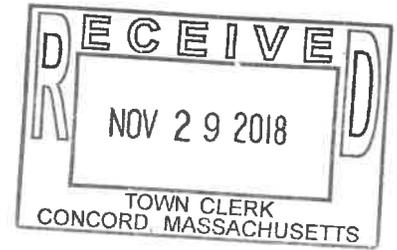


OLD NORTH BRIDGE 1775

## 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

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held at the Town House, 22 Monument Square, Concord, MA in the Select Board Meeting Room on December 3, 2018 at 7:07 PM upon the application from West Concord Liquor Store d/b/a Concord Wine & Spirits, located at 1216 Main Street, for the change of stock interest associated with existing retail liquor license.

By order of the SELECT BOARD

Michael Lawson, Clerk

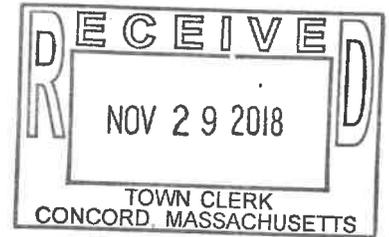


OLD NORTH BRIDGE

## TOWN OF CONCORD

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

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



### TOWN OF CONCORD SELECT BOARD

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held at the Town House, 22 Monument Square, Concord, MA in the Select Board Meeting Room on December 3, 2018 at 7:10 PM upon the application from RK Wing Corp., located at 206 Fitchburg Turnpike, for the change of ownership, change of corporate name, and change of officers associated with wine and malt license from Carneiro Restaurant Corp. d/b/a Rossini's Pizzeria and Restaurant to RK Wing Corp. d/b/a Rossini's Pizzeria and Restaurant.

By order of the SELECT BOARD

Michael Lawson, Clerk

**TOWN OF CONCORD**  
Application for a Class II License



New License/Transfer Application Fee: \$50.00 (Payable to Town of Concord)  
License Fee: \$150.00 (Payable to Town of Concord)

CK# 167  
\$ 150 fee  
\$ 50 application

The undersigned hereby applies for a Class II  Motor Vehicle License in accordance with the provisions of the State relating thereto

Owner Name:	NARSIS JABLIAN	
Business Name:	NAND'S AUTO SERVICE BODY LLC	
d/b/a:	NAND'S AUTO	
Business Address:	1211 MAIN ST. CONCORD, MA 01742	
Business Telephone #:	617-407-9670	
Business Certificate #:	001265264	or Articles of Incorporation attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
Owners License #:		

Citizen:  Yes  No Date of Birth: 03/28/1969

Copy of lease attached : (if applicable)  Yes  No

Number of Vehicles: 25, 1 BAY

Description of premises to be licensed: USED CARS AUTO DEALER, 1211 MAIN ST., CONCORD, MA 01742

Surety bond or other equivalent proof of financial responsibility in the amount of \$25,000: Attached

→ Applicant Signature: Date: 10/22/2018

Paid: \$ \_\_\_\_\_ Date Application Received: \_\_\_\_\_

APPROVAL

Building Commissioner Approved:  Disapproved:

Remarks: 25 cars only

Signature: Date: 11/20/18  
Building Commissioner

# DOG PARK FEASIBILITY STUDY COMMITTEE REPORT

SUBMITTED TO THE SELECT BOARD  
DECEMBER 3, 2018

## **I. Executive Summary**

The Town of Concord established a Dog Park Feasibility Study Committee in December 2017, to consider the following:

- Community interest in a dog park(s)
- Key elements of these dog parks
- A review of possible sites for these dog parks
- Cost assessment

This report contains the process used by the Committee as well as its findings.

The Committee's work began with outreach to a variety of Town personnel to best understand the regulatory landscape of dog parks and general recreational land use, Town-owned land usage designations, and Town personnel experience with dog parks. Combining that input with personal experience and further investigations into a variety of existing dog parks, the Committee then created a set of ideal criteria and preferable criteria for dog parks. Using these criteria, the Committee then surveyed all Town-owned open-space parcels of at least five acres in size. The Committee also discussed historical data and cost models for implementing and maintaining a dog park.

The Committee took steps to understand community interest in a dog park by evaluating survey results and conducting a public hearing. The tenor of the community feedback from the hearing and other public input made it clear to the Committee that there is a good deal of fear that a dog park would be used to exclude dogs and dog walkers from other Town land and open spaces.

The lack of community interest and support for a dog park, coupled with the considerable cost to taxpayers to provide and maintain such a facility, as well as the lack of an appropriate site, resulted in the Committee concluding that, at this time, a dog park is not feasible for Concord.

The Committee ends this report with a recommendation to create a standing Committee to serve as a forum for addressing and resolving dog-related issues in Town.

## **II. Dog Park Feasibility Study Charge**

Established in December 2017, the Dog Park Feasibility Study Committee was charged to consider whether there is community interest in, and a need for, a dog park in Concord, a place designated and reserved for use specifically by dogs and dog owners. And, if a need was deemed to exist, to consider whether there is need for more than one dog park for the convenient access and use by all interested residents of the Town.

The Committee was also charged to determine key elements that would be desirable in a dog park and to consider whether the need exists for a larger parcel of land designated for dog use that may not be fenced, allowing for long, off-leash walks in a wooded or natural area that won't conflict with other users.

Further, the Committee was asked to review Town-owned land for the purposes of creating a dog park and to consider whether privately held land might exist where landowners might welcome dog walkers. (Appendix I)

The Committee's charge expires at the end of December 2018.

## **III. Background**

The Town of Concord's "2015 Open Space & Recreation Plan" states in a 2014 citizen survey, that "the need for a formal dog park was raised as a community desire and requires further evaluation" (p. 91). In that survey, 63 of 416 respondents selected a dog park as one of their top three recreational facility needs.

## **IV. Research**

### **A. Town Resources**

The Committee began its study of the feasibility of a dog park in Concord by interviewing several Town employees whose positions would help provide a window into various aspects of our inquiry. We sought simple definitions of regulatory considerations as well as how to use the GIS system to identify Town-owned parcels of land. We received the following assistance:

1. Marcia Rasmussen, Director of Planning and Land Management, who tutored the Committee in the effective use of the Concord Geographic Information System (GIS). She explained the system of 'layers' that allows one to isolate government owned lands, open spaces land and wetlands.

Further, she also identified for us the seven Town departments with oversight of parcels of Town land:

- Concord Housing Authority

- Concord Municipal Light and Power
- Concord Public Schools
- Concord Public Works
- Finance Committee
- Natural Resources Commission
- Recreation

*[NOTE: A few parcels are not assigned to any specific town department]*

Ms. Rasmussen provided the Committee with a list of twelve Concord sites she recommended we evaluate for use as a dog park.

2. Jill Moonheron, Concord's GIS Analyst. Based on information gathered by the Committee from Town records and provided to her, she created a GIS 'layer' showing the location of dog owners throughout Concord. This layer shows concentration of dogs in a band on either side of Lexington Road, Main Street, Elm Street and along Route 62.
3. Kate Hodges, Assistant Town Manager, explained the vocabulary associated with recreation and recreation facilities, specifically 'open space,' 'recreation' and 'mixed use.' She also provided us with articles about dog parks in Ann Arbor, MI, and Montgomery County, MD.
4. Ryan Kane, Recreation Director, shared his experiences with dog parks in South Windsor, East Windsor and Glastonbury, all in Connecticut, prior to taking the Recreation position in Concord. Mr. Kane provided the Committee with details of the East Windsor, CT dog park (voted best in CT), including size, cost, ground material, community involvement.  
Discussion focused on existing multi-use, Recreation Department facilities open to dog walkers, namely Emerson Field and Rideout Park. The Committee learned of the complex nature of Emerson Field's make-up, given that the land was acquired piecemeal and different parcels within Emerson Field have different restrictions. The Recreation Department is also responsible for South Meadow, aka Southfield Meadow, playing fields.
5. Alan Cathcart (via Kate Hodges), Water Superintendent, advised the Committee that Massachusetts General Law Regulations regarding drinking water [Section 310 CMR22.21 (1)(b)5] forbid a dog park in or around Town wells or water sources that might impact the water supply itself. "Active park lands which invite a concentration of nutrients/contaminants (i.e., dog waste) into the recharge area of a public water supply are not in keeping with the State regulation." Cathcart stated that he and other members of the water division would not be supportive of a dog park near Zone 1 Ground Water (well) areas.

## V. Definition of a Dog Park

Concurrent with these interviews/information gathering sessions with Town officials, the Committee discussed the definition of a dog park at length, both generally as outlined by the American Kennel Club, the Veterinary School at the University of California Davis and numerous other dog park guidelines from across the country, in Canada and England (See Appendix II); and specifically as one might apply to Concord.

1. National — Existing dog parks from around the country were evaluated to the best of the Committee's ability, using articles, websites, field visits and word-of-mouth. Issues of size, location, cost, parking, accessibility by dog owners, hard vs. soft boundaries, lighting, water availability and other amenities were noted. The Committee looked at dog parks in the following places: Edmonton, Alberta, Canada; the Royal Parks in London; San Francisco, CA; El Paso, TX; Brunswick and Kennebunk, ME; Ann Arbor, MI; and Naples, FL. The parks ranged in size from 1 acre to over 40 acres outside San Francisco.
2. Regional — Closer to home, in Massachusetts, the Committee looked at dog parks or dog friendly recreational facilities in Boxborough, Perkins School for the Blind, Billerica, Newton, Chelmsford, Cambridge, Hyannis and Nantucket.
3. Local — Dog data for Concord and West Concord was gathered from the Concord Police Department (Appendix III, reported incidents of bad behavior by dogs); from a survey completed by 650 local dog owners (identified through Town dog licensing) conducted by Concord Unleashed to assess interest in a Concord dog park by Concord dog owners; and from a Public Hearing held by the Committee on May 27, 2018.
4. Community Support — First and foremost, the Committee identified three components essential for a Concord dog park. These are: size, location and community involvement. This last point cannot be overstated. Community interest can guarantee the success of a dog park, while the lack of community support can be its undoing. For instance, the Windsor, CT, dog park (1.04 acres) cost only \$17,000 because of donated services and materials. Community involvement can substantively reduce the cost to build a dog park. It is also necessary for the on-going success of such a facility, from self-policing to identifying deteriorating infrastructure (e.g., the need for fence or gate repair; dead or dying shade trees; broken water source, etc.).

5. Size — Although fenced-in dog parks of one acre or less are common throughout our area, the Committee determined that such a small site would not meet the needs of Concord’s dog owners or its dogs, because:
- a. There are 1,943 licensed dogs in 1,565 Concord households as of August 2018. Unlicensed dogs must also be factored into any consideration of a dog park. Thus, in a one-acre or smaller dog park, overcrowding becomes a serious concern. Overuse can lead to the degradation of the site, especially the surface material (i.e, grass cannot recover fast enough, chips would require regular replacement, etc.; and the consequent cost) and poses the potential risk of conflict between dogs for want of enough space;
  - b. Community desire for human as well as dog exercise. This is another underrated consideration for a dog park. Most dog owners in Concord enjoy exercising *with* their dog. For example, many dog walkers will walk around the outside of the Emerson Field track; many also walk *to* Emerson Field or to Rideout in order to maximize the human benefit;
  - c. Because socializing dogs is integral to their training, sufficient space for this purpose is important both for the success of a dog park and for the training of ‘good citizen’ dogs;
  - d. Community desire for off-leash exercising, including the space to run a dog, play games (fetch) or practice agility exercises, demands a dog park site of 2-3 usable acres at a minimum;
  - e. This last point means that parking, where not available on-street, must be factored into any dog park siting without diminishing the acreage set aside for the park itself.
6. Therefore, the Committee determined that the ideal parameters for a dog park in Concord are:
- 5 or more acres (with a minimum of 2-3 acres set aside for the park itself)
  - Adequate parking
  - Grass surfacing
  - Access to water
  - Access to shade
  - Drainage
  - Variable topography (i.e., access to woodland trails as well as open space)
  - Waste bag dispensers; waste removal
  - Maintenance/cleanliness
  - Educational signage (e.g., park rules; rules of dog etiquette, etc.)
  - Accessibility to Concord dog owners (i.e., be located in reasonable proximity to those areas listed above as representing the majority of local dog owners)

Other desirable features, depending on the site location, may include:

- Fencing
- Hard/soft boundaries
- Handicapped accessibility
- A small parcel within the dog park set aside for small dogs
- Access to trails for human as well as dog exercise
- Access to pond/stream/river
- Pavilion or similar rain/lightning cover
- Lighting
- Residential buffers (to minimize impact on abutting neighborhoods)
- Restrooms

## **VI. Location — Possible Dog Park Sites in Concord/West Concord**

A. The Committee made a spreadsheet of all open-space parcels of land in Concord over five acres. These 106 parcels were then color-coded to identify potential dog park sites as well as potential conflicting uses that might preclude use as a dog park (see Appendix IV). Conflicting uses were identified as any of the following:

- Wetlands
- Town wells (see IV.A.5)
- Current agricultural use/farmland
- Conservation land with high value or restrictions
- Anticipated municipal use (e.g, sports fields, DPW, future use by schools, etc.)
- Hostile topography (precipitously steep, too densely wooded, etc.)

B. By a process of elimination, the Committee deemed 79 of the 106 parcels inappropriate for use as a dog park:

- 28 parcels were eliminated because they are either federally protected wetlands (e.g, Jenny Dugan Swamp; 28A & 27 B Cambridge Turnpike) or so significantly wet that, at the least, a superstructure (i.e., a bridge) would have to be built across an existing flood zone, as in the case of 6Y Quail Run Drive, or the parcel is predominantly wet, as in the case of 10A Sandy Pond Road, where half of this eight acre parcel is Crosby's Pond;
- 19 parcels of conservation land or land bearing restrictions, including Punkatasset, Monument Farm, October Farm, the Hapgood Wright Town Forest (aka Fairyland), Mattison Field and Old Rifle Range;
- 18 parcels currently being actively farmed. Given the historic importance of farming in Concord and the value placed on small

farmers by this community, the Committee opted not to consider these parcels. Examples include 15B, 33A, 52A, 52X, 41A & 42A Barretts Mill Road; 38A Virginia Road (Gaining Ground), Arena Farm and 38A Fairhaven Road;

- 4 Town well sites: Williams Well, 97A Old Marlboro Road; Thoreau Hills Well, 20A Border Road; Hugh Cargill Well on the back side of the Alcott School & abutting the Community Gardens; and Deaconess Well (next to Deaconess Rehab), 363 ORNAC;

- Hostile terrain sites include:

- 28A Laws Brook Road - Extremely steep
- 205 Hemlock Street (White Pond neighborhood) – steep drop-off
- 22X Laws Brook Road (behind Warner’s Pond) – very steep
- 3A Hillcrest Road (abuts Kennedy’s Pond) — extremely steep;

- Sites already maxed out for use include parcels abutting most schools, which may also be earmarked for future expansion

*[Note: For details beyond these examples, refer to Appendix IV]*

C. Other sites were weaned from the list because the Committee deemed them unsuitable for use as a dog park. Reasons for this determination include:

- Inappropriate land configuration [e.g., Reformatory Branch Trail; 10A Border Road (long and thin); 15B Virginia Road, across from Gaining Ground (thin and L-shaped)]
- Lack of accessibility [e.g, 8X Thornton Lane (behind Thornton Lane condos); 48B Fitchburg Turnpike (backside of White’s Pond from Sudbury)]
- Sleepy Hollow cemetery
- Wastewater treatment
- Community gardens

D. No private parcels of land that might be made available for use as a dog park have come to the Committee’s attention.

## **VII. Parcels Evaluated As Possible Dog Park Sites**

From the remaining sites, the Committee selected the most promising six. Four were selected from Marcia Rasmussen’s suggested twelve; two others were added by the Committee after close scrutiny of site options. These six are:

- The former landfill
- The bus depot
- Burke-Meriam Farm
- Southfield Meadow

- Willow Guzzle
- Concord Municipal Light Plant property

1. **755 Walden Street at Route 2** (site of the former landfill)

- Pros:
  - Town owned
  - 36 acres (total)
  - Parking
  - Fenced
- Cons:
  - Solar array covering all or most of the parcel
  - Composting facility
  - Snow removal deposit site
  - Unfavorable terrain – steeply sloped in a bowl shape, the base of which is a catch basin for rain (therefore a potential breeding ground for mosquitos) and in winter is used for snow removal deposits; terrain would restrict use to the able-bodied
  - Walkers must cross Route 2, potentially increasing pedestrian flow at a very busy intersection

2. **Knox Trail Bus Depot** — 214Y Main Street

- Pros:
  - Town-owned
  - 73 acres (total)
  - Fenced
  - Parking
  - Existing lighting
- Cons:
  - Land split between bus depot and depot building/parking lot
  - What land remains is heavily sloped and/or wetlands
  - Locked at night
  - Large solar array covers most of the parcel

3. **Burke-Meriam Farm** — 11A Old Bedford Road, abutting Ripley School, Burke Landing housing and the Heritage Club; essentially, two plots separated by an irrigation pond

- Pros:
  - Town owned
  - 11+ acres

- Good natural surroundings
- Not too far from Concord Center
- Parking at Ripley School a possibility (new parking lot could be created off Bedford Road)

• Cons:

- Currently being farmed
- Was purchased with the idea that it might be used for future school purposes
- No variety in the natural surroundings (no shade trees, shrubs, etc. Existing trees are outside the boundary of a prospective dog park)
- Parking lot on the field end by Ripley is already maxed out on soccer or baseball game days and practice days
- Pond is too small for use as swim exercise for dogs

**4. Southfield Meadow — 10A Riverdale Circle**

• Pros:

- Town owned
- 22 acres
- Close to Concord Center
- Natural surroundings are flat but not featureless
- On non-game days, dogs could be run in South Meadow

• Cons:

- Active use by the Recreation Department for playing fields
- Only two acres available when playing fields and wetlands are taken into account
- No parking; neighborhood already stressed on game days
- May be too close to playing fields; on game days, dog walkers would have to make their way down a narrow strip of land at one end of the fields to access dog park
- Neighborhood pushback occurred when a playground was suggested at this location; therefore, pushback is expected if a dog park is suggested.

**5. Willow Guzzle — 139A Sudbury Road, at Powder Mill Road**

• Pros:

- Town owned
- 27 acres (total)
- Limited intrusion into residential areas

- Cons:
  - Only four dry acres
  - Some acreage under wetlands protection
  - Would require taking some farmland
  - Limited existing parking
  - Two houses in the middle of the site

6. **Concord Municipal Light Plant** — 1175 Elm Street, between Route 2A and Route 2, behind the gas station at the Rotary

- Pros:
  - Town owned
  - 24 acres
  - Parking available at light plant or easily installed in field
  - Utility hook-up possible
- Cons:
  - Stressful location — Rotary traffic
  - Access by car only, potentially compounding already congested entry to the Rotary
  - On Acton border, not easily accessible to Concord dog populations
  - Would require full fencing

### VIII. Cost Assessment

Initially, the Committee did a cost assessment for a one-acre dog park to get a baseline figure. That figure came in as \$234,050. The projected cost to build a ±5-acre dog park in Concord would then necessarily be considerably more than \$234,050, with another estimated \$17,500 per annum needed for maintenance (see Appendix V). This projected cost *does not include land acquisition*. All estimates are based on the use of Town land. Given that the Committee concluded that only a dog park of five+ acres would meet Concord's needs, all cost estimates herewith should be considered minimums.

#### A. Research

1. The Committee solicited cost profiles from the following regional Towns with dog parks.

- Medford — .25 acre — \$250,000
- Billerica — .50 acre — \$200,000
- Bedford — 1 acre — \$200,000
- Westford — 2 acres — \$250,000

*[NOTE: Cost profiles were not available for dog parks of two-to-three designated dog park acres, so the above figures must be viewed as baseline]*

2. The Stanton Foundation has funded or helped fund 34 dog parks in Massachusetts. Their maximum grant is \$250,000, which may have influenced the size of dog parks in these communities.
3. Our determination of +\$250,000 to establish a dog park was based on the above as a baseline figure and took into consideration cost for the following:
  - Design
  - Site preparation (tree removal, grading, subsurface and surface)
  - Fencing — 5' vinyl
  - Gates
  - Hardscape (entry and walkway)
  - Infrastructure (irrigation, engineering, water service)
  - Parking
  - Amenities (bag dispensers, trash receptacles, benches, water fountain, lighting, landscaping, shade trees)
  - Legal costs
4. Our determination of approximately \$17,500 per annum for maintenance of a dog park (see Appendix V) took into consideration the cost of the following:
  - Trails
  - Mowing
  - Waste disposal
  - Snow removal
  - Periodic resurfacing
  - Cash reserve fund for infrastructure repair and/or replacement over time
  - Insurance

## **IX. Community Interest**

While there have been a vocal few who have voiced strong opposition to dogs off leash on Town and conservation land, the Committee determined that the community at large has very little interest in a dog park in Concord. This determination was made by evaluating community participation in a public hearing, public attendance at the Committee's open meetings, and responses to a large survey sent out to all Concord households that licensed their dogs.

A. Concord Unleashed survey

Concord Unleashed, a special interest group, sent out an in-depth survey in 2017 to the owners of all Town-registered dogs (1818, that year). It received 650 thoughtful responses.

1. One question on the survey asked the following question: How likely would you be to use the following sized dog park? The following answers reflect the largest percentages in each category:

- |                        |                          |
|------------------------|--------------------------|
| • .5-1 acre —          | not at all — 55.32%      |
| • 2-3 acres —          | not at all — 26.84%      |
|                        | extremely likely — 2.62% |
| • 5 acres/open field — | not at all — 18.31%      |
|                        | somewhat likely — 29.93% |
| • 5 acres/wooded       | not at all — 23.49%      |
|                        | somewhat likely — 24.56% |

Another question on the survey asked: Would you prefer to use a dog park instead of conservation land? (Appendix VI) Answers:

- Not at all — 49.83%
- Not really — 26.90%
- Not sure — 10.17 %
- Possibly — 6.38%
- Definitely — 6.72%

(See Appendix VI)

B. Public Hearing and Other Community Input

1. On May 22, The Dog Park Feasibility Study held a public hearing to invite comment and input from interested and concerned Concord residents (for minutes see Appendix VII). The hearing was advertised by the Committee on the Town website and through flyers around Town, including at Emerson Field and at trail heads; a letter to the editor of the Concord Journal; and, notices on several Concord online NextDoor forums. At the hearing, we provided, a survey of our own design to augment that done by Concord Unleashed. Thirty-five members of the public attended, of which 19 offered comments.
  - a. Dog Park Feasibility Study Committee chair, Anne Umphrey, opened the hearing with an overview of the Committee's work to date, including: a brief explanation of the Committee's charge (see Appendix 1); that the Committee had looked into more than 30

successful dog parks across the nation to help develop a profile of what makes a good dog park and that the Committee had met with several Town officials Town as part of its information gathering process. The Chair then opened the floor to public comment;

- b. Most of those who attended voiced their disapproval of the idea of a dog park and were distressed at the actions of the Natural Resource Commission to exclude off-leash dog walking on conservation lands, such as Punkatasset. Many naysayers were driven by fear that a dog park would serve as license for further exclusion from conservation/Town open spaces, and they were adamant they did not want to trade their right to walk their pets off-leash in conservation lands for a dog park;
  - c. Some interest was shown for a small, fenced dog park established for smaller dogs and for handicapped dog owners who would welcome a way to exercise their pets in a confined environment;
  - d. One professional dog trainer in attendance said only a park of 15 or more acres would meet the exercise needs of the Town's dog population;
  - e. One citizen at the hearing was adamant that a dog park was essential for the safety of walkers without dogs. He made a suggestion for a possible site. (The Committee took that under advisement, researched it immediately and found that the parcel he suggested is the site of a town well);
  - f. Hearing attendees gave 'wish list' suggestions of amenities they would wish to see in any Concord dog park (see section V.6);
  - g. A survey was compiled by the Committee and made available at the public hearing. Questions included: Are you interested in seeing a dog park built in Concord? If not interested in a dog park, why not? What does 'dog park' mean to you? Three people completed the survey.
2. The Committee has met twelve times since it was established, with each meeting duly and appropriately announced on the Town website. Over the course of that time, only seven members of the public have attended meetings of the Dog Park Feasibility Study.

## **X. Conclusion**

At this time, the Dog Park Feasibility Study Committee has concluded that a dog park is not feasible for Concord. The reasons are fivefold:

- Lack of community interest in a dog park is the foremost reason for the Committee's conclusion. While there has been a highly public and highly polarized debate in Concord recently on the subject of the 'rights' of dogs to run off-leash on public/conservation land, the Committee, despite concerted effort, did not find that the community at large had interest in a Town-financed dog park. Community support and involvement is critical to the success of a dog park.
- Considerable cost to the Town (and by extension, to Concord taxpayers, whether or not they are dog owners)
- No standout location for a dog park at this time, one without conflicting use or purpose. In the future, should the issue of whether or not to build a dog park be revisited, others sites may be considered that are not available now. Some that may be worthy of future consideration include: the Gerow property, the Middle School properties and 2229 Main Street.
- No volunteer organization in place to work with the Town to address dog issues generally or to oversee the success of a dog park specifically, from the initial stages through on-going use of such a facility
- Significant fear on the part of dog owners that their rights as citizens of Concord to avail themselves with their dogs of public/conservation land, as has been traditionally allowed for all previous generations of Concord residents, will be compromised if a dog park is built

## **X. Recommendations**

The Committee has determined that a dog park is not feasible at the present time. Future interest and/or new location options may arise, at which time the idea of a dog park could be revisited. In the meantime, this Committee recommends the following:

- A. The formation of a freestanding Committee to serve as a liaison between Town interests and dog-related concerns in Concord. Other communities such as Carlisle, have such a group. The mandate of this group would be to:
  1. Advance public education in dog etiquette at multi-use sites such as Emerson Field and Rideout as well as at trail heads

2. Develop a “Dog Owners’ Rule Book” to be given to all dog owners when licensing their pets
  3. Work with the Recreation Department to improve such things as pet/playground buffers and general respect and cooperation
  4. Provide a forum for addressing and resolving pet behavior issues
  5. Encourage *responsible* shared use of all Concord open spaces
  6. To work with similar committees in surrounding communities
- B. That existing multi-use public parks in Concord be considered for responsible use by dog-owners. Where such use is already informally in place, that use could be formalized and overseen by a working relationship between the aforementioned freestanding dog committee and the Recreation Department.

### **Addendum**

The Dog Park Feasibility Study Committee conducted a second Public Hearing on Tuesday, November 13, 2018, in the Concord Town House, as per its charge by the Select Board. This meeting was to present the Committee’s report to the public. Minuteman Media Network (MMN) recorded it for broadcast. Seven Concord residents and one member of the Select Board attended. A Power Point presentation was made by the Committee outlining the key points of the report as well as the Committee’s findings. Of those seven attendees, two elected to speak, both praising the Committee’s hard work and its conclusions.

Respectfully Submitted,

The Dog Park Feasibility Study Committee

Anne Umphrey, chair  
Susanne Jarnryd  
Deborah Richardson  
Bob Schulman  
Don Shobry  
Kate Stout  
Jeff Young

# APPENDIX I

Adopted: October 2, 2017

Town Of Concord  
Dog Park Feasibility Study Committee  
Committee Charge

**A. Purpose**

The purpose of the Dog Park *Feasibility* Study Committee is to explore the opportunity to create one or more dog parks in Concord where residents may exercise their dogs in a secure and friendly environment.

**B. Background**

*The Town's "2015 Open Space & Recreation Plan" states in a 2014 citizen survey, "the need for a formal dog park was raised as a community desire and requires further evaluation" (p.91). Part of evaluating the feasibility of creating a dog park is to identify one or more sites where a dog park could be located. The evaluation of public land for a possible future dog park is not intended to influence the discussion of whether it would be appropriate to require dogs to be on-leash in certain Town-owned conservation parcels. That determination will be made by the Natural Resources Commission.*

A dog park is a fenced-in area with multiple gated points of entry that allows dogs to roam and play off-leash in a safe manner. Dog owners also are free to socialize while their dogs are playing. This helps new residents establish community connections and is an opportunity for neighbors to stay connected. An area designated for dogs to run off-leash avoids conflicts with other users of public lands such as at playgrounds or public parks.

**C. Membership and Term**

The Committee will be comprised of the following members appointed by the Select Board:

Seven (7) citizens at-large from various sections of Concord with diverse backgrounds and at least 2 of which shall be dog owners.

Members shall serve until May 30, 2018 unless the term is amended or extended by the Select Board.

**D. Duties and Responsibilities**

1. To consider whether there is interest in and a need for a dog park in Concord as a place designated and reserved for use specifically by dogs and dog owners. And if a need exists, to consider whether there is need for more than one dog park for the convenient access and use by all interested residents of the town.
2. To determine key elements that would be desirable in a dog park, including parking, fencing waste removal, a water supply, and other amenities.
3. To consider whether the need exists for a larger area of land designated for use by dogs and dog-owners that may not be fenced in, which would allow for long, off-leash walks in a wooded or natural area that won't conflict with other users.

4. To review the list of town-owned land for possible use as a dog park and to consider whether there are privately owned parcels which the owners may be interested in allowing to be used for a dog park.
5. To hold a public hearing at the outset of the study process to solicit comments from the community on the need for a dog park, as well as the desired elements and locations.
6. To develop a draft report, including the Committee's preliminary findings and recommendations to the Select Board concerning dog parks, and to hold a second public hearing at which the draft report is publicly discussed and public comments are solicited.
7. To prepare a final report to the Select Board on or about March 1, 2018 on the Committee's findings and recommendations upon reflecting on comments received at the public hearing or otherwise concerning the draft report.
8. The Committee may request that this committee charge be amended to add additional duties, and the Select Board will give the request due consideration.

**E. Other Considerations**

The Committee will conduct business 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 project.

# APPENDIX II

## Links to DOG PARK GUIDELINES Reviewed by the Dog Park Feasibility Study Committee

1. Ann Arbor, MI Dog Park Guide

<https://www.a2gov.org/departments/Parks-Recreation/play/Documents/Recommendations%20and%20Guidelines%20for%20Dog%20Park%20Site%20Selection%20updated%204-10-15.pdf>

2. El Paso County, TX Dog Park Guide

[https://communityservices.elpasoco.com/wp-content/uploads/Parks\\_Planning/BearCreekDogParkMasterPlan.pdf](https://communityservices.elpasoco.com/wp-content/uploads/Parks_Planning/BearCreekDogParkMasterPlan.pdf)

3. University of California, Davis, Dog Park Study

<http://thestantonfoundation.org/assets/canine/Dog-Park-Resources/UC-Davis-Study-Dog-Park-Maintenance.pdf>

4. London Royal Parks Dog Regulations

<https://www.royalparks.org.uk/managing-the-parks/park-regulations-legislation-and-policies/dogs-in-the-royal-parks>

5. Vancouver, B.C., CA Dog Park Guidelines

<https://vancouver.ca/files/cov/people-parks-dogs-strategy-implementation-guide.pdf>

6. Edmonton, Alberta, CA Dogs In Open Spaces Strategy

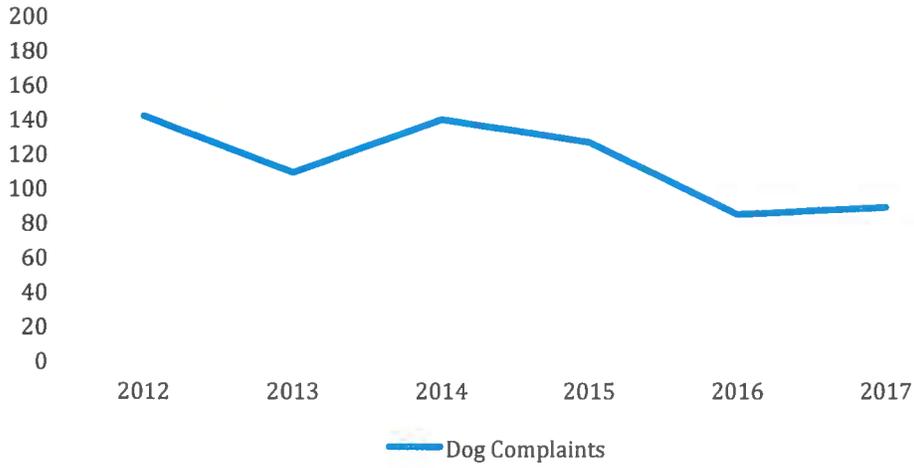
<https://www.edmonton.ca/documents/2016DogsinOpenSpacesStrategy.pdf>

7. American Kennel Club Dog Park Guidelines

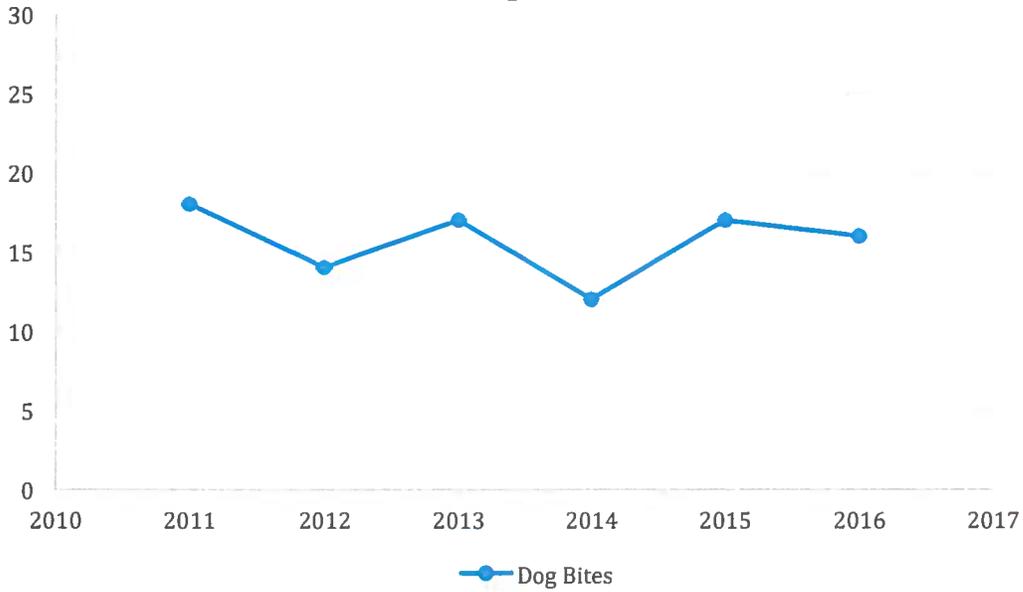
<https://images.akc.org/pdf/GLEG01.pdf>

# APPENDIX III

## Dog Complaints



## Dog Bites



## Dog Park Feasibility Study-Potential Sites

Acres	Parcel ID	ADDRESS	OWNE/	CO_OWNER	Commonly known as	Features	Current Use
5.01	4067	64A CAMBRIDGE TPK	TOC	DNR	Crosby's Corner (across from gas station)	All wet-no land	Empty wetlands
5.05	3101-2	14Y JENNIE DUGAN RD	TOC		Jennie Dugan Swamp	All wet-no land	
5.18	1195	40S BEDFORD ST	TOC	HUGH CARGILL	Comeau/Wastewater treatment	Flat	Agricultural Empty wetlands
5.28	0374-2	24A SUDBURY RD	TOC	DNR	Next to Crosby's Plaza	All wet-no land	
5.33	1986-7	42A BARRETT'S MILL RD	TOC	DNR	Barrett's Mill Farm		Agricultural
5.42	2475-1	11A PINE ST	TOC	DNR	Next to Assabet River	All wet-no land	
5.61	2971-3	150 FOREST RIDGE RD	TOC	CMLP	Forest Ridge Substation		
5.84	2022-1	49B LAWS BROOK RD	TOC	W&S	long skinny piece of land abutting Acton		
5.92	1320	15Y LOWELL RD	TOC	DNR	Bet Lowell & Monument	All wet-no land, landlocked	
5.94	2891-82	3A HILLCREST RD	TOC	DNR	Thoreau Hills/Kennedy's Pond	Extremely steep, no parking	
6.00	1249-2	18A MONUMENT ST	TOC		Reformatory Branch Trail	Long, skinny, trail	
6.11	0252	25X WALDEN ST	TOC	DNR	Thoreau Amble		Conservation / passive rec
6.31	4062-1	15B CONCORD TPK	TOC	DNR	Between Rte 2 & Crosby's Pond	Wet, hilly	Empty
6.41	2091-81	10A BORDER RD	TOC	DNR	Approx. 91 Border Rd.	Skinny parcel in a dense neighborhood	Empty
6.45	2819	160Y WRIGHT RD	TOC	DNR	Behind Wright Road	Wet, landlocked	
6.46	2498-2			DNR	Back end of Cousins Park		Community gardens
6.47	2970-1-9	9 FOREST RIDGE RD	TOC	DNR	Behind 210-300 Border Rd.	Long, skinny parcel parallel to Border Rd.	
6.90	3083-8	8X THORNTON LN	TOC	DNR	Behind Thornton Ln. Condos	Landlocked, behind neighborhood	
7.18	1196	50X BEDFORD ST	TOC	HUGH CARGILL	Wastewater treatment plant leaching fields	Flat	Wastewater treatment
7.18	1950	15B BARRETT'S MILL RD	TOC	DNR	Barrett's Mill Farm	Flat	Agricultural
7.20	1986-10	52X BARRETT'S MILL RD	TOC	DNR	Barrett's Mill Farm	Wet	Agricultural
7.46	1986-5	41A BARRETT'S MILL RD	CPS		Corner of SHR & Barrett's Mill	Flat	Agricultural-res'd CMS?
7.63	0319-1	282 THOREAU ST	CHA		Housing in front-wet beyond		
7.84	3049-2	25B OLD MILL RD	TOC	DNR	Old Rifle Range	All wet-no land	
7.87	2999	1231 OLD MARLBORO RD	CPS		Peabody School		Conservation / passive rec
7.91	1735	25Y LOWELL RD	TOTD	DNR	Egg Rock		
8.05	1965-1-6	76B STRAWBERRY HILL RE	TOC	DNR	SHR conservation land		
8.08	1649-1	12B BARRETT'S MILL RD	TOC	DNR	Approx 130 Barrett's Mill Rd.	All wet-no land	
8.10	4063	10A SANDY POND RD	TOC	DNR	Along Sandy Pond Rd. + Part of Sandy Pond	Wet (1/2 of parcel is Crosby's Pond)	
8.20	4114	28A CAMBRIDGE TPK	TOC	DNR	Wetlands on Cambridge Tpk	All wet-no land	Community Gardens & Hugh Cargill Well
8.22	0220	416 WALDEN ST	TOC		Back side of Alcott School		
8.24	1200	40W BEDFORD ST	TOC	HUGH CARGILL	Wastewater treatment	Flat	Agricultural
8.25	1436-1-5	97A MONUMENT ST	TOC	DNR	Punkasset		
8.25	3412-1	116 SHORE DR	TOC	DNR	White Pond conservation land	Wooded	
8.62	1205	43A BEDFORD ST	TOC	DNR	Wastewater treatment field	2/3 wetlands, 1/3 field	

8.75	3432	185X SUDBURY RD	TOC	DNR	Between Nashawtuc CC and Sudbury River	All wet, landlocked	
8.76	1198	509 BEDFORD ST	TOC	HUGH CARGILL	Wastewater treatment plant	No free land	
8.78	0259-1A	27B CAMBRIDGE TPK	TOC	DNR	Wetlands on Cambridge Tpk	All wet-no land	
8.88	0272-2	53 WALDEN ST	TOC	DNR	Pedestrian way by 51 Walden	No open space	
9.02	2256-2	22X LAWS BROOK RD	TOC	DNR	Behind Warner's Woods	Steep, wet in middle, no parking	
9.14	0269-2	31Y CONCORD TPK	TOC	DNR	Back end of Fairlyland		
9.14	1948-22	74A BARRETT'S MILL RD	TOC	DNR	Wetlands off Barrett's Mill Rd.	All wet	
9.75	1682	133 KEYES RD	TOC	DPW	DPW		DPW storage
9.79	3000	7B OLD PICKARD RD	CPS	Peabody School			
10.05	2717	39A HARRINGTON AVE	TOC	DNR	Approx. 351 Harrington Ave.	Wet	
10.31	1986-6	14A STRAWBERRY HILL RT	TOC	DNR	Strawberry Hill Rd. Conservation	Wooded, wet	
10.39	4118-2	25A CAMBRIDGE TPK	TOC	DNR	Across from Fairlyland-wet	All wet	
10.73	2278	28A LAWS BROOK RD	TOC	DNR	Next to Domino Dr.	Extremely steep	
10.94	2244	61 LAWS BROOK RD	TOC	Recreation	Rideout field		
11.04	1249	40X BEDFORD ST	TOC	DNR	Reformatory Branch Trail	Long thin trail, not suitable for a park	
11.35	3007-1	1045 OLD MARLBORO RD	TOC	DNR	Off Rail Trail, behind Capt. Miles I	No access	
11.51	1376-1-?	TBD BALLS HILL RD	TOC	W&S	October Farm		
11.69	4209	33X OLD BEDFORD RD	TOC	DNR	By Meriam School	Middle of a neighborhood	Agricultural
12.15	1986-9	52A BARRETT'S MILL RD	TOC	DNR	Barrett's Mill Farm	Thin, L shaped parcel	Agricultural
12.51	2970-1-1	8X FOREST RIDGE RD	TOC	DNR	Paralleling Border Rd.	Flat	Agricultural
12.64	4185-2	11A OLD BEDFORD RD	TOC	DNR	Burke-Meriam Farm- Approx 95 Old Bedford Rd.		
12.78	1201	40R BEDFORD ST	TOC	HUGH CARGILL	Peter Spring Farm		
13.31	3008-1	97A OLD MARLBORO RD	TOC	W&S	Williams Well	Partially Wet	Agricultural
13.52	2891-830	20A BORDER RD	TOC	DNR	Thoreau Hills Well area		Well, no public access
13.90	1950-2	33A BARRETT'S MILL RD	TOC	DNR	Barrett's Mill Farm		Agricultural
14.05	1397-19	6A MONUMENT FARM RD	TOC	DNR	Monument Farm	Private road -no parking	Conservation
14.10	4222	18Y OLD BEDFORD RD	TOC	DNR	Behind 138 Old Bedford Rd.	Flat	Agricultural
14.34	3080	42B ORNAC	TOC	W&S	Across From Deaconess Well	Very wet-swamp	
14.48	0478	47B CONCORD TPK	TOC	DNR	Back side of South Meadow	Wet	
14.86	0186	26A STOW ST	TOC	Recreation	Emerson Park		Recreation
15.62	2712	249 HARRINGTON AVE	TOC	DNR	Harrington Park		Historical/farming
16.50	4262-12	6Y QUAIL RUN DR	TOC	DNR	Hebb Land/Quail Ridge, End of Elm Brook Ln.	Inaccessible from Quail Run bc of water	
16.66	0256-3	20Y CAMBRIDGE TPK	TOC	DNR	Fairlyland/Hapgood-Wright		
17.00	1374-1	26A BALLS HILL RD	TOC	DNR	October Farm		
17.46	4187	120 MERIAM RD	CPS	Merriam School			
17.90	4286-1	38A VIRGINIA RD	TOC	DNR	Gaining Ground		
18.53	2476	29 PRAIRIE ST	CPS	Thorreau School			

18.80	1675-1	35A LOWELL RD	TOC	DNR		Davis Land (across the river from Old Calf Pasture)	Wet	Conservation / passive rec
18.81	3417-2	205 HEMLOCK ST	TOC	W&S		White Pond neighborhood	Steep drop off, very tight neighborhood	
19.31	3476	185 POWDER MILL RD	CPS			Willard School		
19.46	1376-1-?	TBD BALLS HILL RD	TOC	DNR		October Farm		
19.95	4262-13	5Y QUAIL RUN DR	TOC	DNR		Hebb Land/Quail Ridge, End of Elm Brook Ln	Inaccessible from Quail Run bc of water	
20.00	4221	13B OLD BEDFORD RD	TOC	DNR		Farmland across fr. Merriam Rd.	Flat	Agricultural
20.38	4268-42	15B VIRGINIA RD	TOC	DNR		Across from Gaining Ground	Wet, Skinny, L shaped	
20.47	1677-1	20A LOWELL RD	TOC	DNR		Old Calf Pasture	Mostly wet-fully floods in spring	
21.96	0477	10A RIVERDALE CIR	TOC			South Meadow	Potential to split off 2 1/2 acre section	Active rec (sports fields)
22.48	0387	38A FAIRHAVEN RD	TOC	DNR		Arena Farm	Half wet Flat, currently farmed	Agricultural
23.61	3101-1	4Y WILLIAMS RD	TOC	DNR		Jennie Dugan Swamp	Swamp	Town Forest
23.75	0270-1	35Y CONCORD TPK	TOC	DNR		Back side of Town Forest		
24.02	1999-1	1175 ELM ST	TOC	CMLP		Light Plant-between 2A & 2	Rotary	
24.63	3159-1-4	79B ORNAC	TOC	DNR		Across fr. South side of Mattison Field	Almost completely wet, flat	Agricultural
26.26	4093-2	47A CAMBRIDGE TPK	TOC	DNR		Kennedy Farm-no access (across water)	Partially wet/inaccessible	
26.97	0221	91 LAUREL ST	CPS			Alcott School		
27.20	3479-1	139A SUDBURY RD	TOC			Willow Guzzle	Partially wet, 4 dry acres, close neighbors	Agricultural/passive rec
27.77	3646	363 ORNAC	TOC	W&S		(Combine with 3479-2)	Partially wet-next to Sudbury river	about 5 usable acres
31.59	3010-2-1	835 OLD MARLBORO RD	CPS			Deaconess Well		
34.56	4260	26A SHADYSIDE AVE	TOC	DNR		Sanborn School	1/2 dry & v. flat, 1/2 wet	Agricultural
35.74	4039	755 WALDEN ST	TOC			Shady side Ave	Very sloped into a bowl-	
37.64	3991	647 SUDBURY RD	TOC	W&S		Landfill/solar array	center has standing water	
39.87	3416-1	48B FITCHBURG TPK	TOC			Abutting Sudbury River	Mostly wet-dry part inaccessible	Empty
40.27	4092	56Y LEXINGTON RD	TOC	DNR		Back of Wt. Pond from Sudbury	Landlocked	Agricultural
42.62	3634-1	63A ORNAC	TOC	DNR		Kennedy Farm/Mill Brook-	Flat	
52.00	4012	67X FAIRHAVEN RD	TOC	DNR		Bet Lex, Hawthorn & Conc. Tpk		
71.03	0271	55A WALDEN ST	TOC	DNR		Mattison Field		
72.92	2322	214Y MAIN ST	TOC	FINANCE DIR		Between Fairhaven Bay & Walden Pond-inaccessible	Buses, solar array, locked after working hours	
76.29	2017	2X WARNER ST	TOC	DNR		Fairyland/Hapgood-Wright		
91.51	1436-1-1	86A MONUMENT ST	TOC	DNR		41 Knox Trail-Bus Depot		
94.83	0298	500 WALDEN ST	CCHS			Warner's Pond (the pond itself + small portion wetlands)		High School
						Punkasset		
						CCHS		

96.39	1213	361 BEDFORD ST	TOC	HUGH CARGILL	Sleepy Hollow	
108.05	3055	66B OLD MARLBORO RD	TOC	DNR	Old Rifle Range	Heavily wooded
118.53	1981-2	57A STRAWBERRY HILL RD	TOC	DNR	Annurnnac Conservation	

Cemetery

- TOC=Town of Concord
- CPS= Concord Public Schools
- CHA= Concord Housing Authority
- TOTD= Trustees of Town Donations
- DNR=Department of Natural Resources
- FD= Finance Director
- W&S= Water & Sewer Dept
- HC=Hugh Cargill
- DPW=Public Works

Parcel too wet, oddly shaped or inaccessible to contain a 1-2 acre dog park

Well (health laws disallow use as dog park)

Conservation land with high value or restrictions

Maxed out with municipal uses (school, sports field, DPW, etc)

Active farmland

# APPENDIX V

## COST ESTIMATE FOR A ONE ACRE DOG PARK\*

\*Mostly from Bedford's cost estimate:

<b>Design:</b>	\$45,000.00
<b>Site Preparation:</b>	
Tree clearing	\$15,000.00
Grading	\$18,000.00
Subsurface	\$10,000.00
Surface	\$11,000.00
<b>Fencing</b>	
5' vinyl (950 lineal ft)	\$40,000.00
Gates	\$2,800.00
Drive gate	\$1,000.00
<b>Hardscape</b>	
entry	\$1,500.00
walkway	\$20,000.00
<b>Infrastructure</b>	
Irrigation	\$3,250.00
Engineering	\$1,500.00
Water service	\$12,000.00
<b>Parking</b>	\$12,000.00
<b>Amenities</b>	
Benches/signage	\$9,000.00
Water fountain	\$4,000.00
Lighting	\$10,000.00
Landscaping	\$5,000.00

Shade trees \$3,000.00

Legal costs \$10,000.00  
**\$234,050.00**

**TOTAL ESTIMATED COST: \$234,050.00**

(Does not include land acquisition or upkeep)

**Estimated Annual Maintenance**

trails \$1,000.00  
mowing \$2,000.00  
waste disposal \$2,000.00  
snow removal \$2,000.00  
insurance \$3,000.00  
Reserves for replacements \$2,500.00  
resurfacing \$5,000.00  
\$17,500.00 (fencing, water line repairs, etc.)

**Comparable nearby towns dog park costs:**

town	size		cost	annual costs
Medford	12,000 ft2	1/4 acre	\$250,000.00	\$10,000.00
Billerica		1/2 acre	\$200,000.00	\$10,000.00
Bedford		1 acre	\$200,000.00	\$10,000.00
Westford		2 acres	\$250,000.00	\$10,000.00
Auburn			\$200,000.00	

# APPENDIX VI

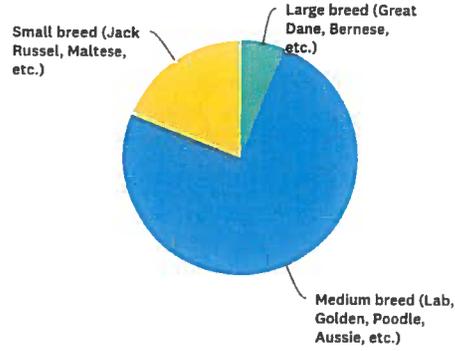
## Concord Dog Owner Survey: In Depth Question Analysis

Q1

Customize Export

Approximately what size dog(s) do you own?

Answered: 581 Skipped: 2



ANSWER CHOICES

- Large breed (Great Dane, Bernese, etc.)
- Medium breed (Lab, Golden, Poodle, Aussie, etc.)
- Small breed (Jack Russel, Maltese, etc.)

RESPONSES

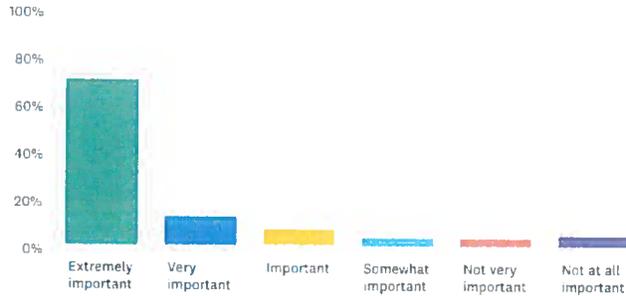
6.02%	35
87%	435
19.10%	111
<b>TOTAL</b>	<b>581</b>

Q2

Customize Export

Overall, how would you rate the importance of walking your dog(s) off-leash?

Answered: 583 Skipped: 6



ANSWER CHOICES

- Extremely important
- Very important
- Important
- Somewhat important
- Not very important
- Not at all important

RESPONSES

69.64%	406
12.01%	70
7.03%	41
3.60%	21
3.26%	19
4.46%	26
<b>TOTAL</b>	<b>583</b>

# Concord Dog Owner Survey: In Depth Question Analysis

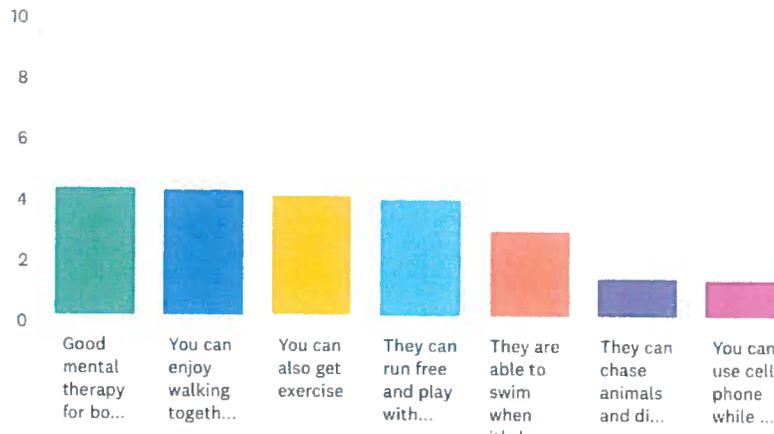
Q3

Customize

Export

## What do you like (or dislike) about walking dogs off-leash?

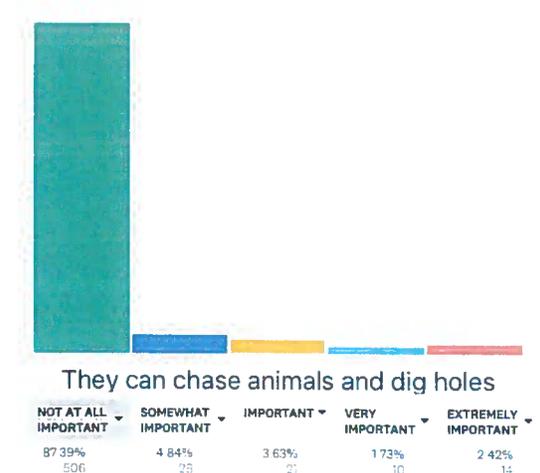
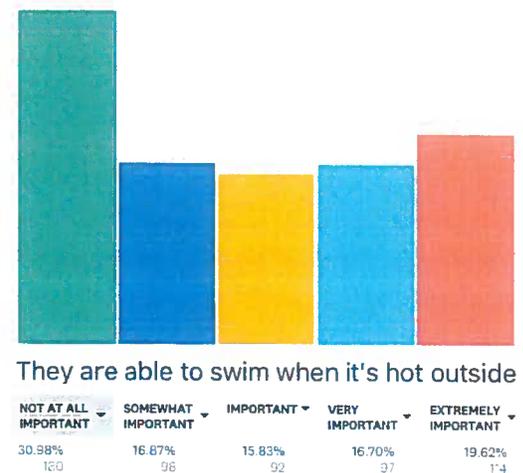
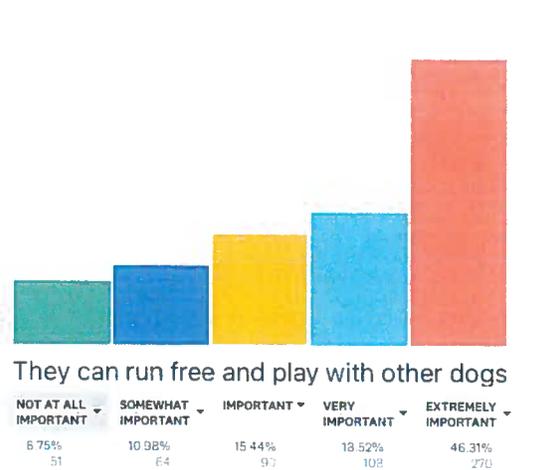
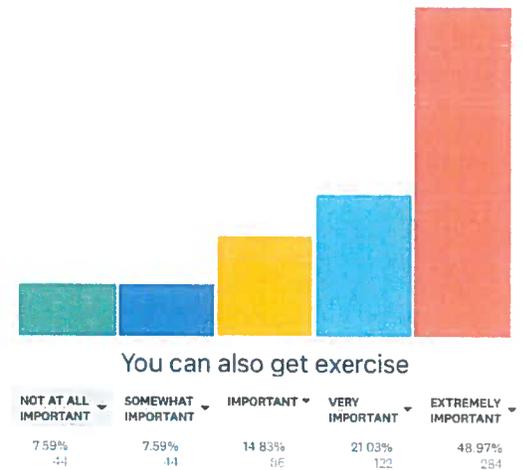
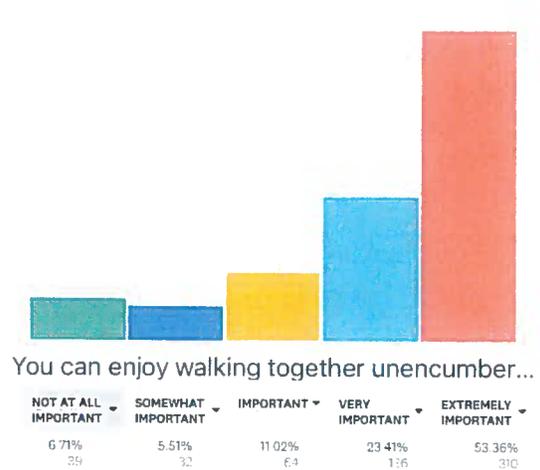
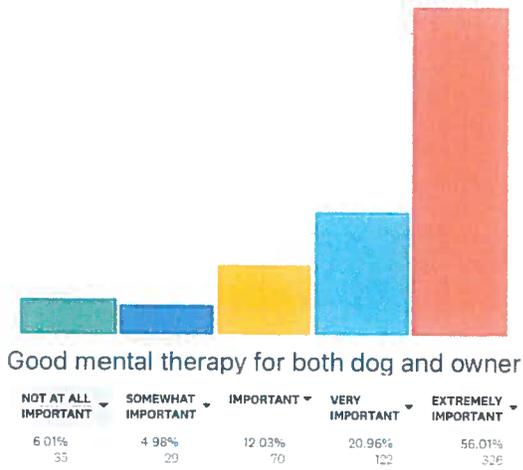
Answered: 582 Skipped: 7



	NOT AT ALL IMPORTANT	SOMEWHAT IMPORTANT	IMPORTANT	VERY IMPORTANT	EXTREMELY IMPORTANT	TOTAL	WEIGHTED AVERAGE
Good mental therapy for both dog and owner	6.03% 35	5.00% 29	12.07% 70	20.69% 120	56.21% 326	580	4.16
You can enjoy walking together unencumbered	6.74% 39	5.53% 32	11.05% 64	23.14% 134	53.54% 310	579	4.11
You can also get exercise	7.61% 44	7.44% 43	14.88% 86	21.11% 122	48.96% 283	578	3.96
They can run free and play with other dogs	8.78% 51	11.02% 64	15.32% 89	18.76% 109	46.13% 268	581	3.92
They are able to swim when it's hot outside	30.74% 178	16.75% 97	15.89% 92	16.93% 98	19.69% 114	579	2.78
They can chase animals and dig holes	87.35% 504	4.85% 28	3.64% 21	1.73% 10	2.43% 14	577	1.27
You can use cell phone while dog roams unattended	88.39% 510	7.63% 44	2.43% 14	0.17% 1	1.39% 8	577	1.19

# Concord Dog Owner Survey: In Depth Question Analysis

## Question 3 Breakdown:



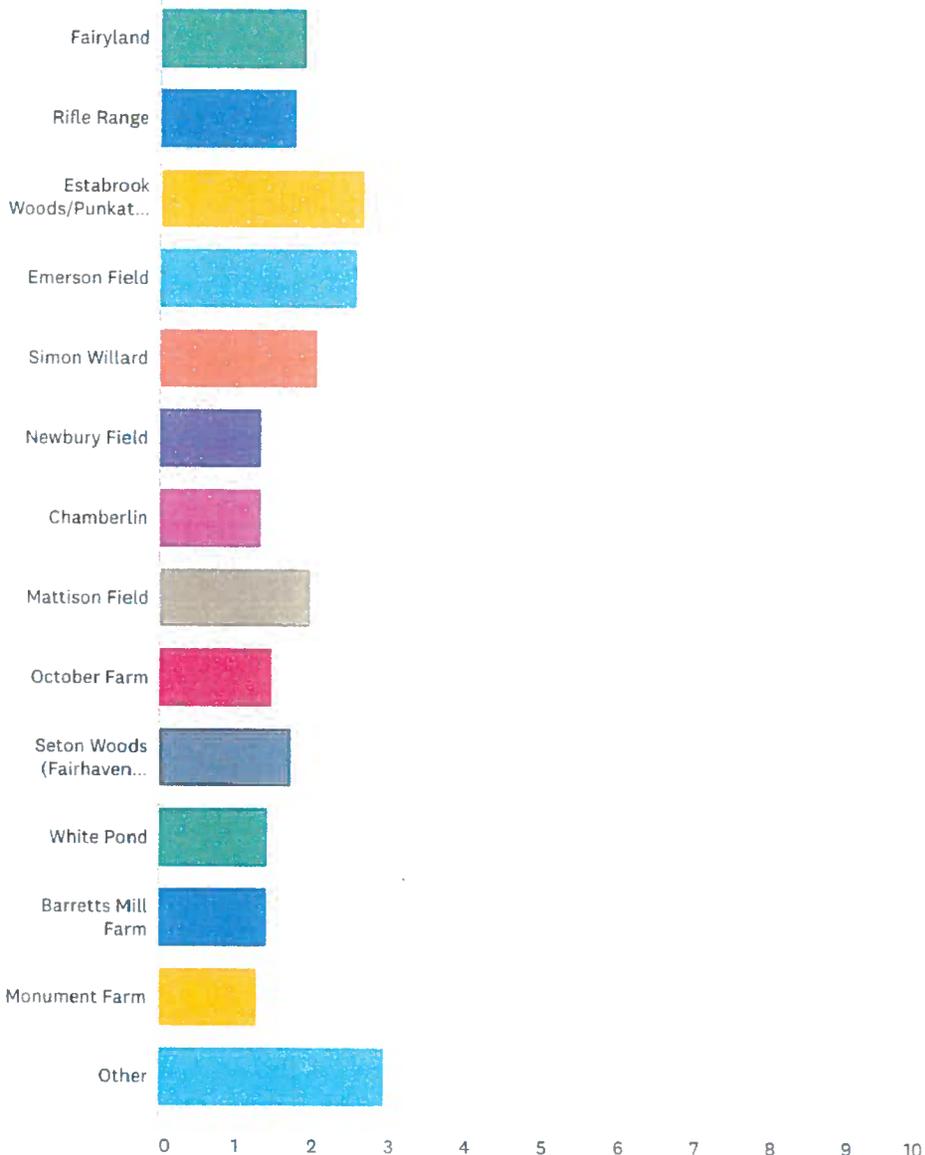
# Concord Dog Owner Survey: In Depth Question Analysis

Q4

Customize E

## How often do you walk off-leash at the following places?

Answered: 591 Skipped: 8



# Concord Dog Owner Survey: In Depth Question Analysis

	NEVER	ONCE IN A WHILE (ONCE OR TWICE A YEAR)	SOMETIMES (ONCE OR TWICE A MONTH)	OFTEN (ONE OR TWO TIMES A WEEK)	ALL THE TIME (SEVERAL TIMES A WEEK)	TOTAL	WEIGHTED AVERAGE
Fairyland	50.99% 283	23.24% 129	13.33% 74	8.29% 46	4.14% 23	555	1.91
Rifle Range	57.09% 314	20.91% 115	12.73% 70	5.82% 32	3.45% 19	550	1.78
Estabrook Woods/Punkatasset	27.61% 156	19.82% 112	21.95% 124	18.23% 103	12.39% 70	565	2.68
Emerson Field	39.58% 224	14.13% 80	15.02% 85	11.48% 65	19.79% 112	566	2.58
Simon Willard	58.70% 324	11.05% 61	8.33% 46	8.33% 46	13.59% 75	552	2.07
Newbury Field	81.83% 446	8.44% 46	5.14% 28	2.94% 16	1.65% 9	545	1.34
Chamberlin	80.92% 441	9.54% 52	5.32% 29	2.94% 16	1.28% 7	545	1.34
Mattison Field	51.89% 289	18.31% 102	14.18% 79	9.69% 54	5.92% 33	557	1.99
October Farm	76.39% 411	8.74% 47	7.62% 41	5.20% 28	2.04% 11	538	1.48
Seton Woods (Fairhaven Hill)	64.76% 351	12.55% 69	10.70% 58	7.56% 41	4.43% 24	542	1.74
White Pond	73.31% 401	17.00% 93	5.30% 29	2.56% 14	1.83% 10	547	1.43
Barretts Mill Farm	78.49% 427	10.11% 55	5.15% 28	3.13% 17	3.13% 17	544	1.42
Monument Farm	82.29% 446	9.41% 51	5.54% 30	1.66% 9	1.11% 6	542	1.30
Other	30.38% 127	9.09% 38	19.14% 80	16.51% 69	24.88% 104	418	2.96

Q5

Export

What other places do you like to walk off-leash?

Answers: 245 | Skipped: 345

RESPONSES (245) | TEXT ANALYSIS | MY CATEGORIES (0)

Cloud View | List View

Search responses

Building 25 words and phrases

Sudbury Live in Concord West Concord Brook Conservation Land  
 Old Railroad Rideout Cranberry Bog School Meadow Trail Yard  
 Dogs Neighborhood Woods House Cousins Field  
 Beach Acton Gowing Swamp Mount Misery Farm Road Simon Willard  
 Pond

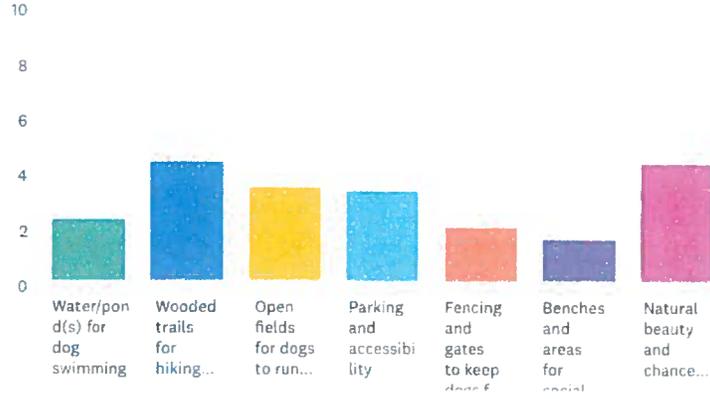
# Concord Dog Owner Survey: In Depth Question Analysis

Q6

[Customize](#) [Export](#)

How important are the following features when deciding where to go for off-leash walks?

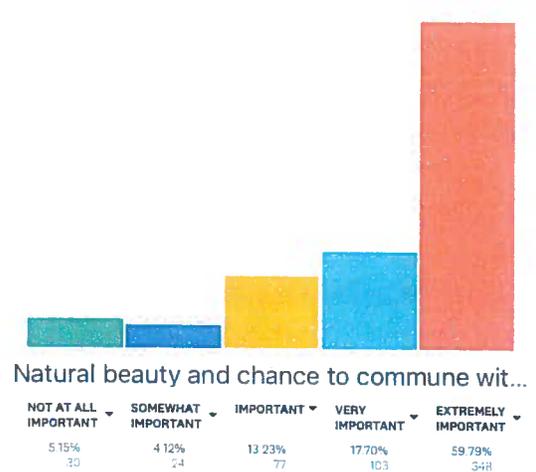
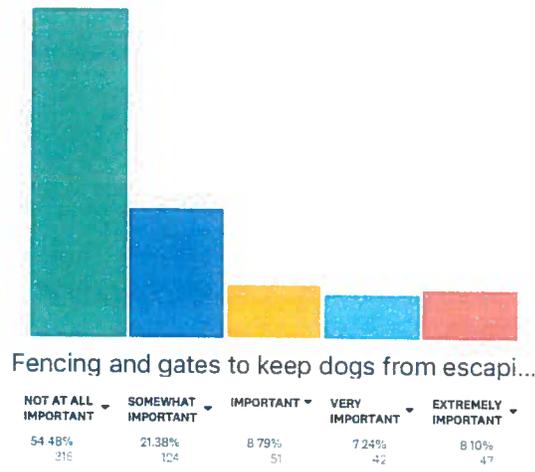
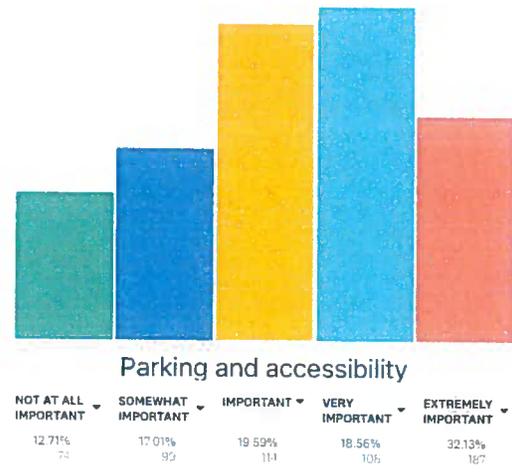
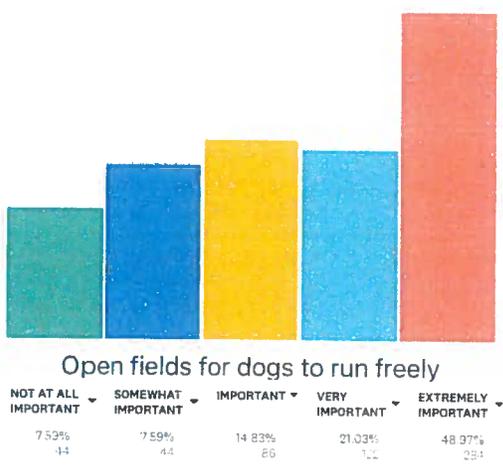
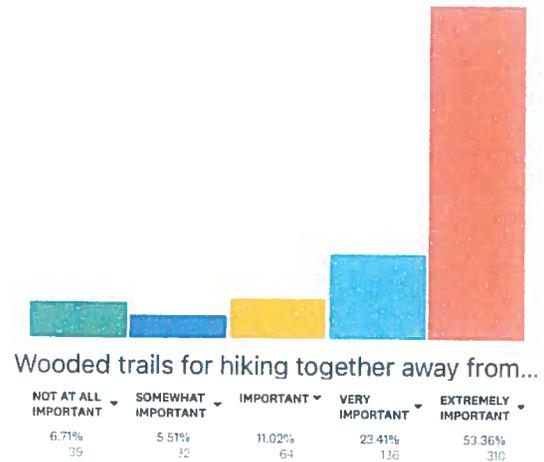
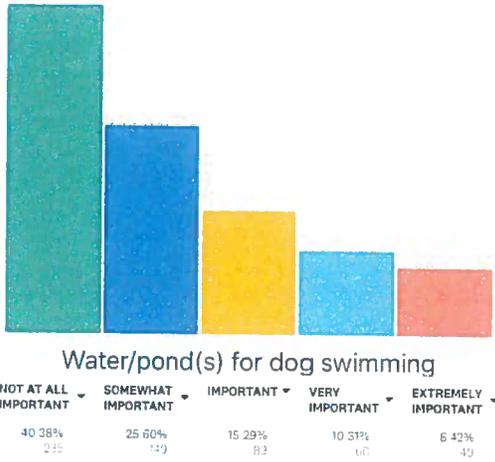
Answered: 582 Skipped: 7



	NOT AT ALL IMPORTANT	SOMEWHAT IMPORTANT	IMPORTANT	VERY IMPORTANT	EXTREMELY IMPORTANT	TOTAL	WEIGHTED AVERAGE
Water/pond(s) for dog swimming	40.17% 233	25.52% 148	15.34% 89	10.52% 61	8.45% 49	580	2.22
Wooded trails for hiking together away from traffic	6.75% 39	4.33% 25	7.79% 45	16.09% 93	65.05% 376	578	4.28
Open fields for dogs to run freely	12.59% 73	17.24% 100	19.48% 113	18.62% 108	32.07% 186	580	3.40
Parking and accessibility	12.15% 70	15.63% 90	26.04% 150	27.60% 159	18.58% 107	576	3.25
Fencing and gates to keep dogs from escaping	54.33% 314	21.45% 124	8.82% 51	7.27% 42	8.13% 47	578	1.93
Benches and areas for socializing with other owners	71.18% 410	17.36% 100	4.51% 26	4.51% 26	2.43% 14	576	1.50
Natural beauty and chance to commune with nature	5.17% 30	4.14% 24	13.10% 76	17.59% 102	60.00% 348	580	4.23

# Concord Dog Owner Survey: In Depth Question Analysis

## Question 6 Breakdown of each traits' desirability:



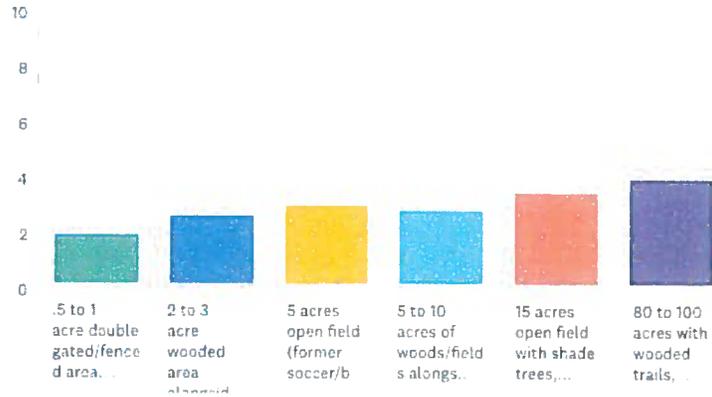
# Concord Dog Owner Survey: In Depth Question Analysis

Q8

Customize Export

How likely would you be to use the following hypothetical size/type dog park?

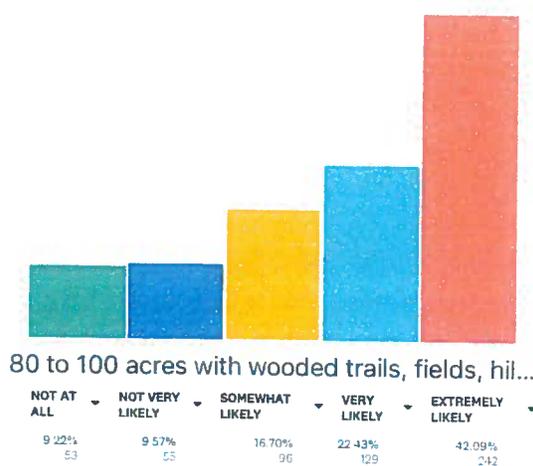
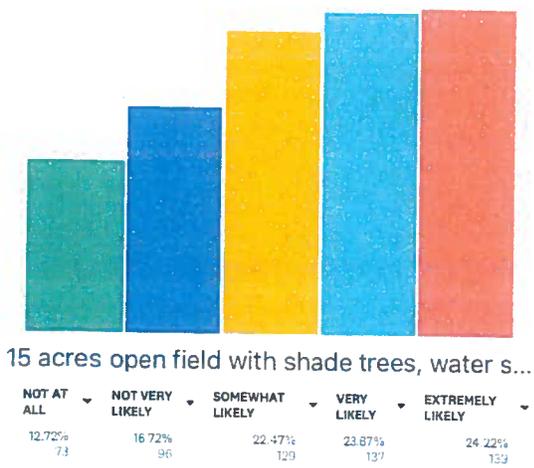
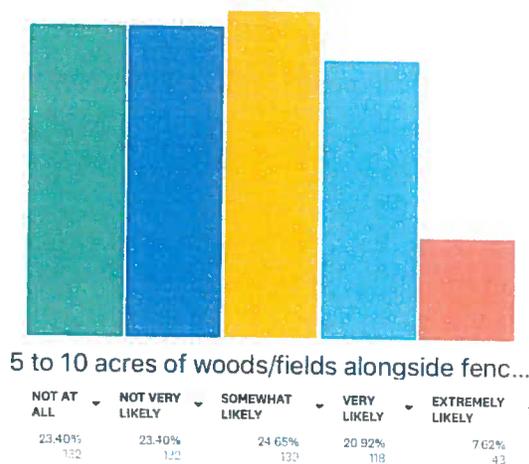
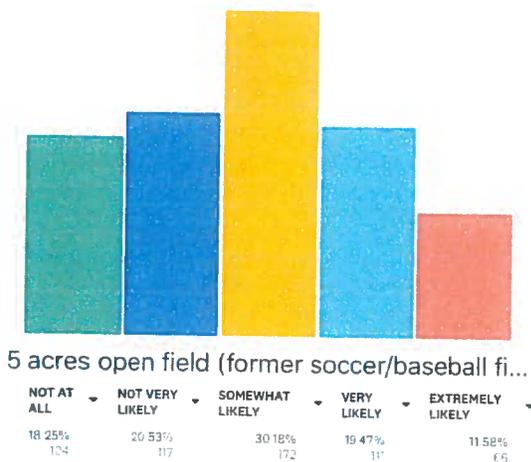
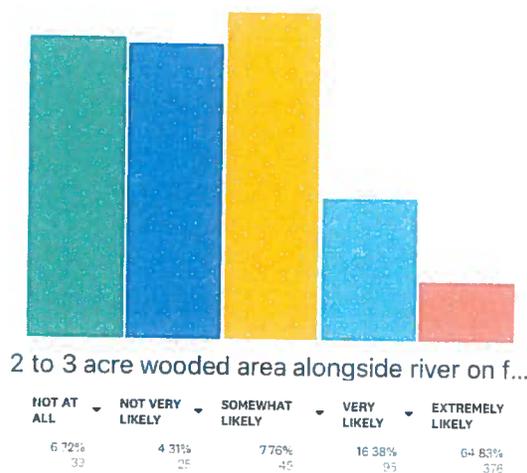
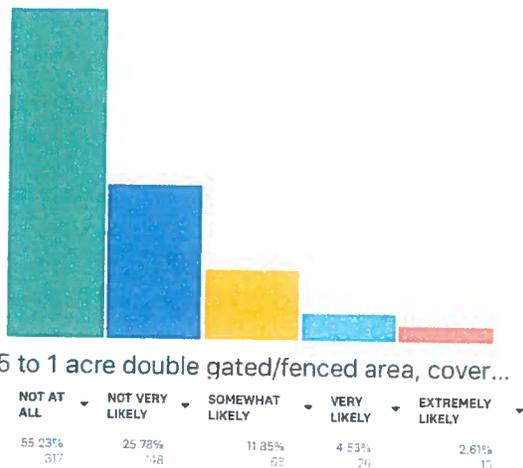
Answered: 530 Skipped: 9



	NOT AT ALL	NOT VERY LIKELY	SOMEWHAT LIKELY	VERY LIKELY	EXTREMELY LIKELY	TOTAL	WEIGHTED AVERAGE
.5 to 1 acre double gated/fenced area, covered in wood chips (similar to Maynard dog park)	55.32% 317	25.65% 147	11.87% 68	4.54% 26	2.62% 15	573	1.73
2 to 3 acre wooded area alongside river on former industrial site	26.84% 153	26.32% 150	29.12% 166	12.46% 71	5.26% 30	570	2.43
5 acres open field (former soccer/baseball field next to woods)	18.31% 104	20.60% 117	29.93% 170	19.54% 111	11.62% 66	568	2.86
5 to 10 acres of woods/fields alongside fenced highway	23.49% 132	23.49% 132	24.56% 138	21.00% 118	7.47% 42	562	2.65
15 acres open field with shade trees, water spigot and mostly fenced in town center	12.76% 73	16.78% 96	22.55% 129	23.78% 136	24.13% 138	572	3.30
80 to 100 acres with wooded trails, fields, hills and pond away from traffic, but somewhat out of town	9.25% 53	9.42% 54	16.75% 96	22.69% 130	41.88% 240	573	3.79

# Concord Dog Owner Survey: In Depth Question Analysis

## Question 8: Breakdown of each type parks' desirability



# Concord Dog Owner Survey: In Depth Question Analysis

## Question 7 Text Analysis:

Q7

Export ▾

What do you think of the possibility that Concord may build a dog park?

Answered: 555 Skipped: 36

RESPONSES (555)

TEXT ANALYSIS

MY CATEGORIES (0)

Cloud View

List View

Search responses

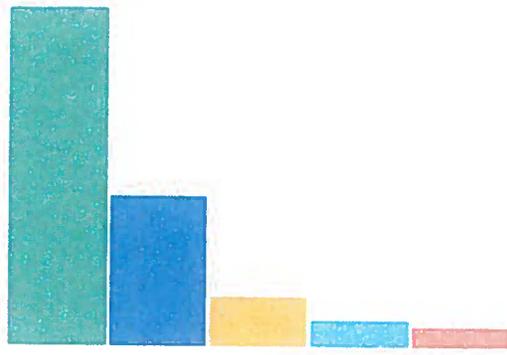


Showing 28 words and phrases

Control Urban Areas Live Not Excited Nature Trails Not Allow  
Open Space Build a dog Park Not Needed Support Leash  
Acres Woods Aggressive Dogs Walk Opposed Idea  
Not Necessary Not Interested Worry Big Neutral  
Emerson Field Space and Places Problem Way Too Small  
Waste of Money Depends

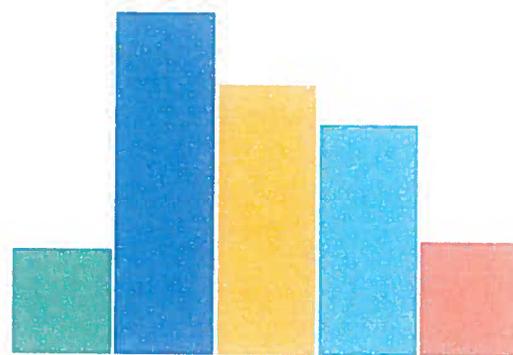
# Concord Dog Owner Survey: In Depth Question Analysis

## Breakdown of off-leash dog related issues by individual issue:



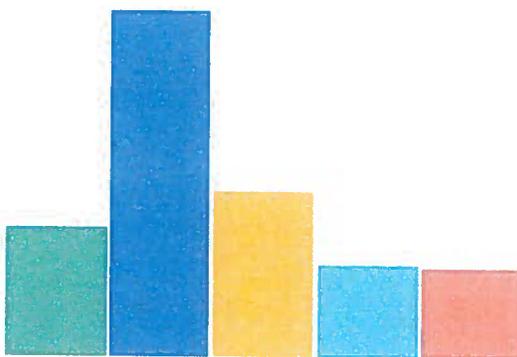
Dogs disturbing/attacking wildlife

NOT AN ISSUE	VERY MINOR ISSUE	SOMEWHAT OF AN ISSUE	NEEDS TO BE ADDRESSED	MAJOR ISSUE
58.15%	25.56%	8.58%	4.29%	3.43%
309	140	50	25	20



Poop pick up/receptacles

NOT AN ISSUE	VERY MINOR ISSUE	SOMEWHAT OF AN ISSUE	NEEDS TO BE ADDRESSED	MAJOR ISSUE
10.00%	32.24%	25.52%	21.38%	10.86%
53	187	118	124	63



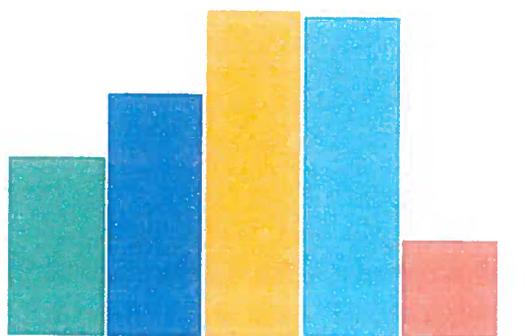
Owner control of dog (encountering others)

NOT AN ISSUE	VERY MINOR ISSUE	SOMEWHAT OF AN ISSUE	NEEDS TO BE ADDRESSED	MAJOR ISSUE
16.10%	42.12%	19.86%	10.96%	10.96%
94	246	116	64	64



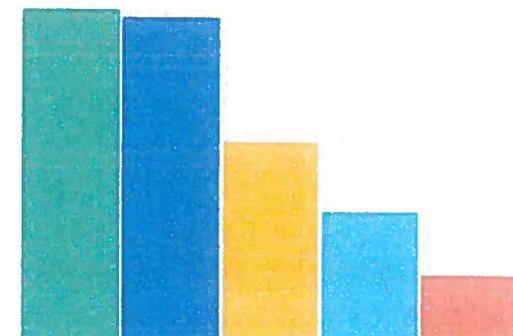
Loss (and/or potential loss) of areas available...

NOT AN ISSUE	VERY MINOR ISSUE	SOMEWHAT OF AN ISSUE	NEEDS TO BE ADDRESSED	MAJOR ISSUE
5.48%	3.77%	6.68%	14.73%	69.35%
32	22	40	85	405



Education/Signage/Communication

NOT AN ISSUE	VERY MINOR ISSUE	SOMEWHAT OF AN ISSUE	NEEDS TO BE ADDRESSED	MAJOR ISSUE
15.24%	21.19%	28.20%	27.15%	8.23%
87	121	161	155	47



Out of town dog owners using Concord's land

NOT AN ISSUE	VERY MINOR ISSUE	SOMEWHAT OF AN ISSUE	NEEDS TO BE ADDRESSED	MAJOR ISSUE
31.20%	31.02%	19.06%	12.13%	6.59%
160	179	110	70	38

# Concord Dog Owner Survey: In Depth Question Analysis

## Question 12: Text Analysis of 555 Responses

Q12

Export ▾

Where do you live (street name or area of Concord)?

Answered: 271 Skipped: 321

RESPONSES (271) TEXT ANALYSIS MY CATEGORIES (0)

Cloud View List View

Search responses 🔍

Showing 25 words and phrases

White Pond<sub>Mill Rd</sub> Conantum<sub>Farm</sub> School<sub>Alcott</sub> Lane<sub>Lexington</sub>  
Hill<sub>Avenue</sub> Road<sub>Concord</sub> Greene West Concord  
East Concord Street<sub>Sudbury Rd</sub> Concord Center<sub>Circle</sub>  
Thoreau<sub>Simon Willard</sub> Dogs<sub>Fairhaven</sub> Drive<sub>Lowell Rd</sub> Bedford

# APPENDIX VII

## Dog Park Feasibility Study Committee Public Hearing May 22, 2018

Committee members present:

Susanne Jarnryd  
Deborah Richardson  
Bob Schulman  
Don Shobry  
Kate Stout  
Ann Umphrey  
Jeff Young

The meeting was called to order at 7:05. The committee, Select Board Chair Tom McKean, and 25 members of the public were present. Ten more members of the public came during the course of the hearing.

The Committee members and Tom McKean were introduced. Anne reviewed the path forward and gave a recap of the committee's activities, and then asked for comments from the public. Her comments are included at the end of this document.

Martha Gilpatrick, 140 Revolution Road: Is this to supplant existing locations or in addition to existing locations? How big would this be?

Committee Chair Anne Umphrey replied that, as far as we know, this is in addition to existing facilities and we are assessing interest. The size is to be determined.

Michael Dettlebach, 89 Assabet Avenue: It would be helpful to know what other kinds of dog facilities are out there? Are there url's you can steer us to?

Committee Clerk Don Shobry replied that the committee's minutes are online and refer to specific examples, and also contain some urls.

Marlene Boyaner, 1540 Monument Street: What process does this have to go through to get approval?

Tom McKean replied that the committee's charter goes through the end of the year, and it would be up to the Select Board to determine what to do next. If there is any significant cost involved with the next steps, it would likely go before the Town Meeting. This is not intended in lieu of existing facilities, and will most likely be a multi-year process.

Penny Rodday, 6 South Mountain Ridge: What have you done up to date? (She came in after Anne gave her recap) Have you done any surveys? I would not favor a dog park when we have such beautiful areas to walk through.

Committee member Jeff Young briefly described his own survey, which had 650 responses.

Judy Bernard, 107 Deer Grass Lane: I do not agree with the AKC guideline, (which suggest a minimum of 1 acre and recommend as much space as possible). The minimum should be between 10 and 15 acres with three separate fenced areas for small, large and senior dogs, respectfully. It should include paths that dogs can run on, safe access to water, with things for dogs to do. I worry that we could end up with an acre or two of mud that would sit idle most of the time.

Carol Aronson, 7 Wright Farm: I would not use a dog park. I have an active dog and I want to be able to play catch. There would not be enough space to do that in a 1 to 2 acre park.

Donna Peterson, 355 Lexington Road: I would like a contained area. There is a fabulous area in Kennebunk, Maine of 2 to 3 acres covered with mulch, which never has more than 8 dogs at a time. It has dog runs, loose tennis balls, a kiddie pool and dog bag dispenser. People take responsibility for cleaning up.

Marianne Zasa, 73 Hugh Cargill Road: This is my second dog. The dog park design does not address dogs being aggressive and owners that don't pay attention to dogs.

Ronnie Olitsky, 264 Bedford Street: Is the dog park in Maine only open to local dogs?

Donna responded that it is open to local communities but she did not know if they had a system to control access.

Marlene Boyaner, 1540 Monument Street: I go to Maynard because I had a young dog that would go out of Emerson park. Some people that go there are incapacitated. I would love to see a park in Concord.

Marcia Schloss, 86 Hillside Avenue: I have two dogs that get pummeled by other dogs. I am still not convinced that a dog park will not be used to impose other restrictions on dogs. Also, will the town incur any liability?

Lisa Resnick, 45 Laurel Street: Have people asked if the dog park will lead to other restrictions? If you want a true sense of whether they want a dog park, they need to know if there would be any more restrictions.

Tom McKean noted that the Select Board does not control the Natural Resources Commission (NRC), which gets its authority from the state and controls conservation lands. There is also land owned by conservation trusts. The Select Board only controls the lands owned by the Town of Concord that are not designated as conservation lands. The Select Board does not control what the

NRC or land trusts do. Land availability keeps changing and additional properties may come under the control of the Select Board.

Lisa: Does any one know the size of Emerson?

Committee members replied that Emerson is about 14 acres.

Dinny McIntyre, 26 Simon Willard Road: I would not use a dog park. I would see it as a solution to an urban problem that we don't have. Dogs need to be able to run. We have met people who are afraid to let dogs off leash because they would run. Instead of investing in a park, can we invest in training or use the money in other ways?

Rob Morrison, 63 Monument Street: I have no desire for a dog park and support Dinny's points. We should be using open space to exercise dogs.

Cheryl Baggen, 3 Bolton Street: There are advantages to having a dog park. The larger the better, you don't need to have the young and old dogs separated. It would be nice to walk dogs early or late.

Judy Bernard, 107 Deer Grass Lane: A dog park might not be a bad idea because there are dogs that need to be in fenced areas, if it is done right. Dogs need amenities like agility style obstacles. The problem at Emerson is that people don't pay attention to their dogs. There should be space for people to train their dogs.

Committee member Kate Stout – Do we need to educate people on dogs?

Judy – Yes

Committee Chair Anne Umphrey – Would people like to see training sessions? Also, there is the Yuppy Hour they have at a dog park in the south, where a beer truck pulls up in the late afternoon and serves adult beverages.

Comment from audience: In Toronto, on the beaches, there is a fenced section off the boardwalk where dogs can run.

Amy Hanselmann, 37 Nimrod Drive: I have a good dog but I have seen dogs run out of Emerson. Can we put gates in? It makes it more accessible for less money than creating a dog park. What has happened in other places? Have there been donations?

Ned Perry, 362 Bedford Street: This dialog is going on too long in this town. Look at the Brunswick, Maine Dog Park. It is totally fenced, with small dog and large dog areas, and is 1 to 2 acres in size. Relative to fencing Emerson Field, where dog walkers don't always pay attention to when their dogs eliminate, dogs should be someplace else. The perfect place is between the garden plots, town wells, Alcott School, and the Courthouse. There is a path from Alcott to Walden Streets. The committee should talk to the 12,000 people who can't go out because of dogs(?). My wife was attacked 3

times by the same dog, and there should be an easier way to submit dog complaints. This is a rural problem as well as an urban one.

Committee member Jeff Young commented that dog problems should be reported to the Police. Committee member Kate Stout stressed the need for public education.

Martha Gilpatrick, 140 Revolution Road: Don't paint all dog owners with the same brush. Look at the denominator. There is a way to educate people.

Carol Aronson, 7 Wright Farm: The survey in 2014 that indicated interest in a dog park did not ask respondents if they had a dog, and if they wanted a dog park. The motivation for building a dog park should come from dog owners.

Ronnie Olitsky, 264 Bedford Street: Not everyone has children but we still build schools.

Marcia Schloss, 86 Hillside Avenue: There are two dog parks in Gloucester worth looking at.

Michael Dettlebach, 89 Asabett Avenue: I like seeing the dogs in Madison Square Park in Manhattan. I go to Emerson to find dogs for my dog to play with

Bonnie Polakoff, 68 Whits End Road: I do not want a dog park if it becomes political and the NRC votes to keep dogs off of trails. Otherwise I have no objection.

We then had a general discussion of desirable attributes for a dog park. People wanted enough space and access to trails so that they can walk around with their dogs. They would like to see agility equipment and classes, and a water source like a pond. They also mentioned parking, fenced in areas for the dogs that need it, benches, good drainage, accessibility, double gates at entrances/exits, poop bag dispensers, lighting, tennis balls and chukkers, frisbees, and plowing of snow. One person commented that she would prefer to see amenities be put in place over time rather than waiting for the perfect facility to be built.

Anne thanked the public for attending and the hearing was adjourned at 8:20.

### **Opening Statement by Committee Chair Anne Umphrey**

Welcome

We are here as part of the charge that the Select Board gave to the Dog Park Feasibility Committee.

This included:

1. Consider whether there is an interest in and a need for one or more dog parks in Concord.
2. Determine the key elements that would be desirable in a dog park, and the amenities desired.
3. Consider the size and type of dog park, fenced (?) and/or paths for long off-leash walks.
4. Review a list of town owned land for possible use as a dog park and whether there are privately owned parcels that might be available.

At the end of this process the Committee is to develop a draft report including the Committee's preliminary findings and recommendations to the Select Board concerning dog parks and to hold a second hearing to present the draft report and solicit public comments before making a final report to the Select Board.

What we have done so far:

The Committee has looked at types of dog recreation facilities in use in the US and Canada, reviewing more than 30 different ones, collecting and reviewing descriptions and guidelines including cost estimates for development and use of these facilities.

The Committee has met with Marcia Rasmussen, Director of planning and Town Management who introduced the Committee to the Concord Geographic Information System, or GIS. She has provided an overview of the town lands and what bodies have the responsibility for managing them. The public can access these maps by going to <https://www.concordma.gov/461/Geographic-Information-System-Program>

Jill Moonheron, Concord's GIS analyst has kindly provided overlays to the website showing how dogs are distributed across Concord by size.

Kate Hodges, Assistant Town Manager has provided an overview of recreation terminology and practices.

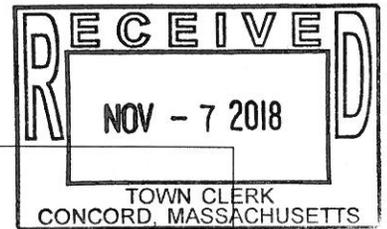
Ryan Kane, Director of Recreation, has discussed the properties under the purview of the Recreation Department and dog-related issues associated with recreation facilities and programs.

As part of the charge to the Committee the Select Board requested it to hold a public hearing to solicit comments from the community on the need for a dog park, the desired elements and possible locations. So here we are this evening.

We wish to solicit from you your thoughts on a dog park for Concord.

The floor is open for comments and questions. We will try to answer from what we have gleaned already but mostly this is for you to speak to us.

Please state your name and address. And please make your comments and questions somewhat brief, and to the point. We are not here to hear complaints on what has been, but to look forward to what could be.



**NOTICE OF PUBLIC HEARING  
TOWN OF CONCORD  
SELECT BOARD  
Monday November 19, 2018  
7:10 P.M.**

The Select Board will hold a public hearing in the Select Board Meeting Room at the Concord Town House, to determine the allocation of the FY 2019 tax levy among the four classes of real property and of personal property. The tax policy decisions include a split tax rate, an open space discount, a residential exemption, and a small commercial exemption. The Board of Assessors presentation will be available on the town's website [www.concordma.gov](http://www.concordma.gov). Public comment may be submitted prior to the hearing in writing to the Select Board and/or orally at the hearing. Sometime following the hearing the Select Board will vote on these tax policies for FY 2019.

**Andrew Mara**

---

**From:** Lane Partridge  
**Sent:** Friday, November 09, 2018 3:35 PM  
**To:** Andrew Mara  
**Subject:** CLASSIFICATION HEARING

Hi Andrew

We are not going to be able to have the exact tax rate and the implications of shifting the rate to have a single rate by next week. Could you call me when you have a chance to discuss how to postpone the hearing. We should be ready by the 3<sup>rd</sup> of December.

Lane

*Lane Partridge*

Lane Partridge, MAA  
Assessor Town of Concord  
P.O. Box 535  
Concord, Ma 01742  
978-318-3070

**TAX RATE ANALYSIS**  
**Fiscal Year 2019**

**Report of the**  
**Concord Board of Assessors**

Christian Fisher, Chair  
Cynthia Rainey  
Tom Matthews  
Andrea Okie  
Susan Livingston  
William Herring, Associate

**To**

**Concord Select Board**

For Public Hearing on December 3, 2018

## Table of Contents

	<u>Page</u>
Purpose.....	3
Recommendation .....	3
I. Total Assessed Values for Fiscal Year 2019 .....	3
A. Revaluation/Interim Year Adjustment .....	3
B. Abatements and Adjustments .....	4
C. New Growth .....	4
D. Change of Taxable Status.....	4
E. Total Taxable Value .....	5
II. Tax Levy.....	5
FY2019 Taxable Assessed Value.....	6
Comparative Detail FY16 and FY19.....	7
III. Tax Rate .....	8
A. Residential Factor .....	8
B. Open Space Discount .....	9
C. Residential Exemption .....	10
D. Small Commercial Exemption .....	11
Conclusion .....	12
Addendum 1: State Use Codes.....	14
Addendum 2: Assessment/Classification Report FY2019.....	15
Addendum 3: Comparative Tax Rates.....	16
Addendum 4: Senior Mean Tested Exemption Home Rule .....	18
Addendum 5: What If Scenarios .....	20
Addendum 6: Single Family Dwelling Value Breakdown .....	21
Addendum 7: Condominium Value Breakdown .....	22

## Purpose

The purpose of the public classification hearing is for the Select Board to determine the allocation of the local property tax to be borne by the four classes of real property plus personal property for Fiscal Year 2019. In deciding the allocation, the Select Board must adopt a residential factor, which is used to determine the percentage of the tax levy to apply to each class of real and personal property. The Board of Assessors applies these percentages to the individual property class (M.G.L. Chapter 40, section 56). The Select Board also can vote to adopt a factor for shifting the taxes among residential properties (residential exemption), among commercial properties (small commercial exemption), and between residential and open space properties (open space discount). It is the responsibility of the Assessors to provide the Select Board with all relevant information, and to discuss the fiscal effect of possible alternatives.

## Recommendation

The Board of Assessors recommends the Select Board take the following action in adopting the FY2018 factors:

1. Vote a "Residential Factor of ".99797."
2. Vote not to grant an Open Space discount.
3. Vote not to adopt a Residential Exemption.
4. Vote not to adopt a Small Commercial Exemption.

These recommendations result in a uniform tax rate of \$14.19, down .7% from the FY2018 rate. Total taxable value is up 4.92%. Net of new growth, the tax value on all other property will rise 1.41%.

The following is the report of the Board of Assessors to the Select Board.

### I. Total Assessed Values for Fiscal Year 2019

The Board of Assessors must determine the classification of all real property as of January 1, 2018, for FY2019, in accordance with the definitions set forth in M.G.L. Chapter 59, section 2A(b):

Class One	Residential
Class Two	Open Space
Class Three	Commercial
Class Four	Industrial

In addition, the value for all personal property, Class Five, must be determined. The classification, or use, codes are issued in accordance with the Department of Revenue, Bureau of Local Assessment guidelines. A listing of the State Use Classification Codes is attached in Addendum 1 and the total valuation report (LA-4) for FY2019 is attached in Addendum 2.

In FY2019, the town data and values have been affected by the following items:

#### A. Revaluation/Re-certification Adjustment

Per the Department of Revenue's guidelines, the assessing cycle requires that all parcels, exempt and taxable, be visited at least once every 10 years, that values be determined at market value every year, and that the Department of Revenue recertify values every five years. The last recertification year was FY2018, which means this year Fy 2019 is an interim year.

**B. Abatements and Adjustments**

In FY2018 Concord taxpayers filed 44 applications for abatement during the regular abatement period. The total number of abatements granted was 28. The dollar amount of abatements granted during the FY2018 abatement hearings totaled \$4,751,405 for both personal property and real estate, which is \$67,897.56 in tax dollars. The majority of abated taxes was attributed to small corrections in property listings and most resulted in permanent adjustments to the property data. There have been two FY2018 appeals filed with the Appellate Tax Board (ATB).

In order to meet the DOR’s cyclical inspection requirement, assessing staff seeks to conduct a complete inspection of a property regardless of the reason for the visit (building permit, sale, data verification, abatement application, or cyclical inspection, etc.). Every year there are many changes entered into the property records as a result of these inspections. Our records show that there were 907 inspections for FY2019, (just over 13.5% of all real estate parcels). Of these, 314 were full inspections, inside and out. These numbers do not include when a field review is done from the street, which can include one parcel or many. A field review was performed on all properties as part of the FY 2018 recertification program. A field review usually does not require entering the property and therefore does not meet the DOR’s standard in order to qualify as a cyclical inspection.

**C. New Growth**

The Annual Town Meeting in April of 2001 voted to accept a 1989 state statute that changes the new growth date from January 1<sup>st</sup> to June 30<sup>th</sup>. Thus, the valuation as a result of new construction or any other physical changes for FY2019 covers the time frame from July 1, 2017 to June 30, 2018.

The new growth represents, new houses, additions or changes to a property that result in added value to that property. The growth this year was slightly lower as compared to the prior year, primarily due to a decrease in the commercial and industrial permits. The growth included 33 new homes, 21 New condominiums, 66 major renovations and additions. Personal Property new growth is largely due to the addition of property on three accounts Comcast, Avention Inc., Prysm, Inc., and Welch Foods, Inc.

The growth relevant to FY2019 was distributed among the four classes of real estate and personal property as follows:

	<u>Value</u>	<u>Levy Limit Adjustment</u>	<u>% of Total New Growth</u>
Class One, Residential	\$73,455,800	\$1,049,683	84.93%
Class Two, Open Space	0	0	0
Class Three, Commercial	\$ 2,377,400	\$ 33,973	2.75%
Class Four, Industrial	\$ 2,100	\$ 30	0%
Personal Property	<u>\$ 10,655,520</u>	<u>\$ 152,267</u>	12.32 %
<b>TOTAL</b>	<b>\$ 86,490,820</b>	<b>\$ 1,235,953</b>	100.00%

**D. Change of Taxable Status**

From time to time a shift in tax burdens will occur due to a change of taxable status. This year 95 Manuel Drive and 1767 Lowell Road became exempt this year for a total loss in taxable value of \$613,500. There was no offset this year for exempt parcels becoming taxable.

## E. Total Taxable value

The total taxable value for FY2019 is \$6,447,033,517. A comparison of the Assessment Totals between FY2018 and FY2019 appears on pages 6 and 7. The total town valuation from FY18 to FY19 increases by 4.92%. The change in value by class varies from this total. The increase in the residential class is 5.33%, while the commercial/industrial and personal property increase is .46%. The new growth listed above is included in the totals, so the actual change is \$301,146,964 or 4.90%. Note that this represents the change in the market from Calendar 2016 to 2017 and represents a moderate change.

Overall, the Residential/Open Space (R/O) portion is 91.88% of the total value and the Commercial/Industrial/Personal Property (C/I/P) portion is 8.12%. These percentages are slightly higher for residential, but consistent with the last several years. The FY2009 portions, ten years earlier, were 90.70% and 8.30%.

## II. Tax Levy

At the April 2018 Annual Town Meeting, the taxpayers voted appropriations for the fiscal year July 1, 2018 through June 30, 2019. In addition, certain state assessments, deficits and the overlay must be added to determine the total budget amount. Monies to support this local spending are raised by the property tax levy, state aid, local receipts and other sources. The Maximum Permitted Levy is the total amount of money that can be raised through real and personal property taxes and is the largest source of revenue for the town. The Maximum Permitted Levy in FY 2019, including the debt exclusion, is \$95,339,078. The actual levy is \$91,289,995. The difference between the maximum permitted levy and the actual levy is called excess levy capacity. For FY 2019 the Unused Levy Limit is \$4,049,083. The Levy Limit is calculated as follows:

FY2018 Levy Limit	\$85,491,022
Fy 18 New Growth Adjustment ( <i>form LA-13a</i> )	\$ 0
2 ½% allowed increase	\$ 2,137,276
New Growth ( <i>form LA-13</i> )	<u>\$ 1,235,953</u>
TOTAL ( <i>before debt exclusion and override</i> )	\$88,864,251
DEBT EXCLUSION ( <i>Principal and interest due on debt authorized to be repaid from taxation above the levy limit</i> )	\$6,474,827
OVERRIDE	<u>0</u>
MAXIMUM PERMITTED LEVY	<u>\$95,339,078</u>
FY2019 PROPERTY TAX LEVY	\$91,289,995
Unused Levy Limit	\$ 4,049,083



Town of Concord									
Fy 2019 Taxable Assessed Value									
Assessment Date:		January 1, 2017	January 1, 2018						
Budget Year		7/1/17 - 6/30/18	7/1/18 - 6/30/19					Last Year	10 Years Ago
Class		FY18 Valuation	FY19 Valuation	\$ Change FY18-19	%Change FY18-19	FY19 % Share		FY18 % Share	FY09 % Share
<b>Class 1</b>	Residential	\$5,623,508,756	\$5,923,488,031	\$299,979,275	5.33%	91.88%		91.52%	90.70%
<b>Class 2</b>	Open Space	\$0	\$0	\$0	na	0.00%		0.00%	0%
	<b>R/O Subtotal</b>	<b>\$5,623,508,756</b>	<b>\$5,923,488,031</b>	<b>\$299,979,275</b>	<b>5.33%</b>	<b>91.88%</b>		<b>91.52%</b>	<b>90.70%</b>
<b>Class 3</b>	Commercial	\$444,876,674	\$448,415,526	\$3,538,852	0.80%	6.96%		7.24%	7.73%
<b>Class 4</b>	Industrial	\$27,268,900	\$26,439,500	(\$829,400)	-3.04%	0.41%		0.44%	0.62%
<b>Class 5</b>	Personal Property	\$48,996,270	\$48,690,460	(\$305,810)	-0.62%	0.76%		0.80%	0.95%
	<b>C/P Subtotal</b>	<b>\$521,141,844</b>	<b>\$523,545,486</b>	<b>\$2,403,642</b>	<b>0.46%</b>	<b>8.12%</b>		<b>8.48%</b>	<b>9.30%</b>
	<b>TOTAL</b>	<b>\$6,144,650,600</b>	<b>\$6,447,033,517</b>	<b>\$302,382,917</b>	<b>4.92%</b>				
<b>Class 9</b>	Exempt	\$879,882,300	\$889,054,300	\$9,172,000	1.04%				

<b>Fiscal 2018</b>				<b>Fiscal 2019</b>			
<b>Category</b>	<b>Assessed Value</b>	<b>Tax Rate</b>	<b>Tax Levy</b>	<b>Category</b>	<b>Assessed Value</b>	<b>Tax Rate (Proposed)</b>	<b>Tax Levy</b>
<b>Residential/Open Space (R/O):</b>				<b>Residential/Open Space (R/O):</b>			
Residential:				Residential:			
Single family	4,656,510,200	\$14.29	66,541,531	Single family	4,889,158,324	\$14.16	69,230,482
Condominiums	403,783,850	\$14.29	5,770,071	Condominiums	458,232,133	\$14.16	6,488,567
Miscellaneous	137,748,600	\$14.29	1,968,427	Miscellaneous	144,887,300	\$14.16	2,051,604
Multi-family	71,674,500	\$14.29	1,024,229	Multi-family	72,548,100	\$14.16	1,027,281
Apartments	193,258,800	\$14.29		Apartments	193,204,200	\$14.16	2,735,771
Vacant Land	45,087,840	\$14.29	644,305	Vacant Land	41,287,440	\$14.16	584,630
Mixed Use Residential	115,444,966	\$14.29	1,649,709	Mixed Use Residential	124,170,534	\$14.16	1,758,255
<b>Total RO:</b>	<b>5,623,508,756</b>		<b>77,598,272</b>	<b>Total RO:</b>	<b>5,923,488,031</b>		<b>83,876,591</b>
<b>Commercial/Industrial (CIP):</b>				<b>Commercial/Industrial (CIP):</b>			
Commercial:				Commercial:			
Retail , Office , Other	389,897,200	\$14.29	5,571,631	Retail , Office , Other	394,522,825	\$14.16	5,586,443
Chapter 61, 61A & 61B	12,119,240	\$14.29	173,184	Chapter 61, 61A & 61B	12,330,335	\$14.16	174,598
Mixed Use Commercial	42,860,234	\$14.29	612,473	Mixed Use Commercial	41,562,366	\$14.16	588,523
<b>subtotal:</b>	<b>444,876,674</b>		<b>6,357,288</b>	<b>subtotal:</b>	<b>448,415,526</b>		<b>6,349,564</b>
Industrial:				Industrial:			
Manuf., Processing, Warehouse	20,699,100	\$14.29	295,790	Manuf., Processing, Warehouse	20,824,400	\$14.16	294,874
Solar	6,569,800	\$14.29	93,882	Solar	5,615,100	\$14.16	79,510
<b>subtotal:</b>	<b>27,268,900</b>		<b>389,673</b>	<b>subtotal:</b>	<b>26,439,500</b>		<b>374,383</b>
<b>Personal property:</b>	<b>48,996,270</b>	<b>\$14.29</b>	<b>700,157</b>	<b>Personal property:</b>	<b>48,690,460</b>	<b>\$14.16</b>	<b>689,457</b>
<b>Total CIP:</b>	<b>521,141,844</b>		<b>7,447,117</b>	<b>Total CIP:</b>	<b>523,545,486</b>		<b>7,413,404</b>
<b>Total Town Value:</b>	<b>6,144,650,600</b>		<b>85,045,389</b>	<b>Total Town Value:</b>	<b>6,447,033,517</b>		<b>91,289,995</b>

## II. Tax Rate

The tax rate, in its simplest form, is the tax levy divided by the town's taxable valuation. This is called the *Uniform Tax Rate*. Under this rate each class of property pays a share of the tax levy *equal* to its share of the total town value. The calculation for the Town of Concord for FY 2019 is:

$$\$91,289,995 / \$6,447,033,517 = .01416$$

or

$$\$14.16 \text{ per thousand dollars of assessed valuation}$$

A tax rate history of both the Town of Concord and surrounding and/or comparable cities and towns is shown in Addendum 3. Of the 12 communities listed, 7 have split rates and 5 have a uniform rate. Despite the residential class advantage in a split rate town, the Town of Concord has repeatedly had the lowest or one of the lowest tax rates for both the Residential and the CIP classes. For FY2018 the town ranked the third lowest in the residential class and the lowest CIP rate in this group.

The Select Board has chosen to adopt a *Uniform Tax Rate* for the last 20 years. The Select Board must vote the percentages of the tax levy to be paid by each class of real property and by personal property each year (M.G.L. Chapter 40 section 56). In determining the percentages, the Select Board is actually adopting a residential factor.

### A. Residential Factor

The residential factor adopted by a community governs the percentage of the tax levy that is to be paid by the residential property owners. A residential factor of "1" will result in the taxation of all property at the same rate, the *Uniform Tax Rate*. The Uniform Tax Rate with a residential factor of "1" is calculated to be \$14.16. However, the law allows the Commercial/Industrial/Personal Property, C/I/P, tax rate for the Town of Concord to be as high as 50% above the uniform rate; and the Residential/Open Space, R/O, to be as low as 65% of the uniform rate. A lower residential factor would result in the residential class bearing a lower share of the total levy than its share of taxable assessed value.

#### History of differential tax rates in Concord

In 1982, the town had a uniform rate and the percentage shares were 18% for the C/I/P, and 82% for the R/O. In 1983, the C/I/P class began to decrease in value relative to the R/O class. The Select Board, at that time, decided to shift the tax burden to the C/I/P class in the interest of maintaining a stable percent balance between the R/O and C/I/P classes. The 1983 vote shifted the levy 9/10ths of a percent to the C/I/P class. The Select Board continued to shift the taxes until 1996, with the maximum shift of 22% occurring in FY 1991.

However, through the mid-1990's, the total value of the town became increasingly residential. With this residential growth, it was perceived that an increasingly severe shift of the tax levy share to CIP would be required in order to produce only a relatively small benefit to the residential class. Therefore, the Select Board decided to gradually reduce the tax shift, and in FY1997 eliminated this tax shift entirely. In each of the ensuing years, the Board of Assessors has recommended and the Select board has voted to adopt a uniform tax rate for the residential and CIP classes.

#### Allowable tax shift for FY19

As previously stated, a residential factor of 1 will result in the taxation of all property at the same rate. However, state law permits the town to adopt a residential factor of less than 1, which would have the effect of increasing the commercial, industrial, and personal property tax rates and decreasing the residential tax rate. The chart in Addendum 4 shows the range of allowable residential factor options available to the Select Board.

### **Senior Means Tested Exemption**

In 2015 the Select board created the Tax Fairness Committee, which eventually proposed a tax exemption for Seniors as a Home Rule Petition to the Commonwealth of Massachusetts Legislature in 2016 and was passed as Chapter 374 of the Acts of 2016. A copy can be found in the addenda. The article was ratified at the 2017 Town meeting article 48 and was put to a Town wide election. The Exemption became effective on July 8, 2017 and was put into use for fiscal 2019.

The Exemption is based on the Commonwealths Circuit Breaker Income tax program for Income, but uses Concord's median single family house value instead of the value set by the DOR. This expands the exemption to help seniors in homes up to a value of \$838,900. The exemption is funded by a tax shift on the residential class of property only.

The program for Fy 2019 will provide an exemption to 49 taxpayers and has a total reduction of \$191,413. This results in an increase to the residential rate of \$.03 or a full rate of \$14.19/ thousand. Given Concord's history of maintaining a single rate a slight shift in the Commercial/Industrial/Personal Property would be needed. This shift would provide all classes of property to have a single rate of \$14.19/thousand.

To maintain a single rate the Select Board would have to vote a Minimum Residential Factor of .999797 resulting in a shift to the Commercial/Industrial/Personal Property class of .25%.

### **Recommendation of the Board of Assessors**

**The Board of Assessors supports a uniform tax rate for all classes, achieved by the adoption of a residential factor of “.999797.”**

## **B. Open Space Discount**

Open Space is defined in M.G.L. Chapter 59, section 2A as:

...land which is not otherwise classified and which is not taxable under the provisions of chapters sixty-one, sixty-one A or sixty-one B, or taxable under a permanent conservation restriction, and which land is not held for the production of income but is maintained in an open or natural condition and which contributes significantly to the benefit and enjoyment of the public. [Recently the law was changed to allow inclusion of chapter land.]

State law allows properties classified as Open Space to be taxed at a rate discounted up to 25% from the uniform tax rate. The tax dollars lost by the discount are shifted to the residential class of properties, which includes developable vacant land. The local Board of Assessors must develop the criteria that must be met in order to classify a parcel as Open Space that meets the “significant contribution” for the benefit and enjoyment of the public criteria. Previously Concord has interpreted “significant” as a size consideration, in addition to other factors including view, watershed, trail way, or green belt.

Only one community in Massachusetts grants an open space discount: Bedford. Boards of Assessors use this classification sparingly since most land fits into other classifications, and the open space classification, on its own, makes no difference in the assessment of a property. Assessors have also observed that as the years have passed, many of the land parcels afforded a tax discount were developed anyway, regardless of the tax incentive employed to encourage protection of open land and/or be a deterrent to development.

**Presently, there are no parcels classified by the Board of Assessors as Class 2 – Open Space.** During the past several years the Assessors have examined the valuation methodologies for land, including undeveloped land, and considered what might be an appropriate policy that Concord could adopt for open space. In particular, vacant land as well as undeveloped lots on a developed parcel were reviewed in detail. Current assessing practices in Concord do not use an aggressive approach to the valuation of undeveloped parcels by assuming that they could

be developed to the maximum potential. Valuing a parcel as excess land results in a more favorable property tax for the owner, rather than assessing it as buildable and then applying an open space discount. The Board of Assessors does not believe there is any advantage to classifying properties as Class 2 – Open Space. ***Further the tax discount under the Chapter land program is far greater than afforded by the open space discount.***

**Recommendation of the Board of Assessors**

**The Board of Assessors recommends that the Select Board not adopt an open space discount since there are no parcels classified as Class 2.**

**C. Residential Exemption**

This mechanism provides for the redistribution of the tax levy among residential property owners, solely within the Residential Class (Class 1). “Exemption” is a misnomer since it is actually a tax shift among residential properties. It involves the following steps:

- Subtracting a standard dollar amount (a percentage of the average Class 1 value) from every qualifying owner-occupied residential parcel;
- Recalculating the Class 1 tax rate based on the new total of the Class 1 taxable value. The Class 1 tax levy must remain unchanged before and after this calculation.

This has the net result of shifting taxes from Class 1 parcels that are below the average value to parcels within the Class that are above the average. It also, however, results in substantially higher taxes on apartment and multi-family parcels that are not owner occupied, on vacant land parcels in the Class, and on any other residential property which is not owner occupied (including, in many instances, properties that are owned by a trust).

The selected percentage to calculate the standard qualifying assessed value reduction can be from 0 to 35%, but selecting a certain percent does not mean that everyone gets that exact percent tax reduction. This is because the tax rate for the Class must be raised. The impact of the exemption – who pays more and who pays less – is not conditioned upon the income status of the occupant. The manner in which the residential exemption works implies the presumption that all occupants of higher-valued properties also have higher incomes.

The average value of Class 1 is \$993,707 while the average single family home value is \$1,065,176. The exemption, however, would be calculated on the \$993,707 value. A 35% shift would be \$347,797 exemption in value. The Class 1, residential tax rate associated with 35% exemption would produce a class 1 tax rate of \$20.04 up, \$5.88 from the rate without the exemption. The break-even point where the rate increase and the exemption amount cross would be on a residential parcel (land and buildings) valued at \$1,185,000.

In FY2019 there are 5,961 Class 1 parcels. Based on a “guesstimate” of eligibility, we estimate there are 4,999 potentially eligible properties. To determine the precise number of principal residences would require extensive review of the census, voting, and utility records, car registrations and income tax returns. To implement this exemption, the taxpayers would file an application and include the above mentioned documents. Their principal residence, indicated by using the above listed documents, would determine their eligibility. Based on the assumed eligible number of parcels, at least 962 residential parcels would not qualify for the exemption and experience an increase in their taxes. If the property did not qualify the reduction of \$347,797 wouldn’t apply and in addition they would be taxed at the new rate of \$20.04. A \$400,000 house that did not qualify for the exemption would have an annual tax bill shift or increase of \$2,352.

In additional residential properties (those over the break-even point) would experience an increase. The following are examples of the increase.

Value	No Shift Tax	Shift Value	Shift Tax	Difference
\$1,185,000	\$16,779.60	\$837,203	\$16,780.05	\$00.045
\$1,504,636	\$21,305.64	\$1,156,838	\$23,186.51	\$1,880.87
\$2,007,942	\$28,432.46	\$1,660,145	\$33,274.29	\$4,841.83

This option is based on the assumption that a lower value property indicates an occupant with lower income and vice versa. In recent years the Board of Assessors has examined this provision in detail and has continued to recommend against its adoption. The FY2019 data does not indicate any change that would result in a different conclusion.

Only fourteen cities and towns in the Commonwealth use the residential exemption. Two communities joined in FY2006, Everett and Barnstable. Otherwise, this list hasn't changed in many years. In larger metropolitan communities, the large apartment population essentially funds the exemption (Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Marlborough, Somerville, Waltham, Watertown); in resort communities, the second home population funds the exemption (Barnstable, Truro, Nantucket, Tisbury); and in one community, the power plant funds over half of the total levy (Somerset). Thirteen of the fourteen communities also use the CIP tax shift essentially to the fullest degree they can, which means the commercial, industrial, and personal property classes are also called upon to reduce the Class 1 tax bill. (See "A. Residential Factor" above.)

Note: The above information was calculated on a single rate without the Senior Exemption Shift.

### **Recommendation of the Board of Assessors**

**The Board of Assessors does not support adoption of a residential exemption because its impact would be to raise taxes on a substantial number of residential parcels without regard to the fiscal circumstances of the occupants, while lowering taxes on a substantial number of residential parcels whose financial circumstances may not indicate a need for a discounted property tax. (See a report to the Concord Board of Assessors by Lynn Masson and Tony Logalbo on 10/13/05 and *The Residential Exemption* prepared by Jay E. Closser on 11/25/98) all available at:**

**[http://www.concordma.gov/Pages/ConcordMA\\_Assessor/FY18INFO](http://www.concordma.gov/Pages/ConcordMA_Assessor/FY18INFO)**

**Further, the Board notes the adverse consequences that would result for apartment buildings and multi-family units, which comprise a significant proportion of Concord's affordable housing stock.**

## **D. Small Commercial Exemption**

Under M.G.L. Chapter 59, section 5I, the Select Board may decide annually to exempt up to ten percent of the average value of Class Three(Commercial) The properties have to be occupied by businesses with an average annual employment of no more than ten people. The building value must have a valuation of less than \$1,000,000 and the property must be occupied by the eligible businesses as of the January 1 assessment date. The property need not be owned by the eligible business that has been approved as a small business by the DOR. If multiple commercial occupants occupy the building, all occupants must be eligible. The small commercial exemption is a reduction in the taxable valuation of the property applied by the assessors before setting the tax rate. Like the Residential Exemption discussed above, the consequence of the Commercial Exemption is to set a new Commercial Tax Rate higher than the Uniform Tax Rate of \$14.16. If adopted, it has the effect of reducing property taxes on certain commercial properties occupied by small businesses and shifting those taxes onto other commercial properties, many of which are likely also occupied by small businesses as either owners or leaseholders.

In FY 2019, the Town of Concord has 337 Class Three commercial properties with a total value of \$394,522,825 (excluding mixed use). There are approximately 83 parcels over \$1,000,000 and 1 vacant developable parcel. The majority of the remaining parcels are commercial condominiums that may or may not qualify. However, the businesses needs to apply to the DOR to be qualified as a small business. If this exemption were to be considered it would require several years notification, so that the businesses that could qualify would have time to be approved by the DOR. There are a limited number of communities that provide the small commercial exemption including: Auburn, Avon, Bellingham, Braintree, Dartmouth, New Ashford, Seekonk, Somerset, Westford and Wrentham.

The intent of the law is to give a tax reduction to small businesses at the expense of the larger commercial parcels. The question of fairness arises since the legislation is based upon the assumption that the owners of larger buildings are financially healthier than the owners of smaller buildings.

### **Recommendation of the Board of Assessors**

**The Board of Assessors does not support adoption of the small commercial exemption (See *The Small Commercial Exemption* by Jay E. Closser, dated November 25, 1998). Also available at:**

**[http://www.concordma.gov/Pages/ConcordMA\\_Assessor/FY18INFO](http://www.concordma.gov/Pages/ConcordMA_Assessor/FY18INFO)**

### **CONCLUSION**

**In conclusion, the Board of Assessors is unanimous in its recommendation to retain the Uniform Tax Rate of \$14.16/\$1,000 of valuation for FY19 with a Minimum Residential factor of .999797.**

**The Board of Assessors does not recommend adoption of the Open Space Discount, the Residential Exemption or the Small Business Exemption.**

## ADDENDA

## ADDENDUM #1

### State Use Code

#### Residences

101	Single Family
102	Condominium
103	Mobile Home
104	Two-Family
105	Three-Family
106	Accessory Land with Improvement
109	Multiple Houses on One Parcel

#### Apartments

111	Four to Eight Units
112	More Than Eight Units

#### Non-Transient Group Quarters

125	Other Congregate Housing
126	

#### Vacant Land in a Residential Zone or Accessory to Residential Parcel

130	Developable Land
131	Potentially Developable Land
132	Undevelopable Land

#### Other

140	Child Care Facility
-----	---------------------

#### Open Space

201-202	Open Land in Residential Area
210-211	Open Land in Rural Area
220-221	Open Land in Commercial Area

#### Commercial

300-393	Transient Group Quarters, Warehouse and Distribution Facilities, Retail, Office Buildings, Public Service and Recreational
---------	--

#### Industrial

400-452	Manufacturing, Utilities, Mining
---------	----------------------------------

#### Personal Property

501-552	
---------	--

#### Forest Land (CH 61), Agricultural/Horticultural (CH 61A),

##### Recreational CH 61B)

601	Forest Land
710-722	Agriculture/Horticulture Land
801-814	Recreational Land

#### Exempt

900-939	Government-owned, Educational, Charitable, Religious
---------	--

## ADENNDUM # 2

Jurisdiction  Fiscal Year

Property Type	Parcel Count	Class1 Residential	Class2 Open Space	Class3 Commercial	Class4 Industrial	Class5 Pers Prop
101	4,590	4,889,158,324				
102	865	458,232,133				
MISC 103,109	64	144,887,300				
104	104	70,858,200				
105	2	1,689,900				
111-125	27	193,204,200				
130-32,106	283	41,287,440				
200-231	0		0			
300-393	337			394,522,825		
400-442	27				20,824,400	
450-452	2				5,615,100	
CH 61 LAND	3 14		0	46,458		
CH 61A LAND	27 32		0	1,085,102		
CH 61B LAND	25 11		0	11,198,775		
012-043	26	124,170,534	0	41,562,366	0	
501	88					6,259,230
502	142					21,622,240
503	0					0
504	2					9,364,320
505	2					7,341,700
506	1					2,653,300
508	4					1,449,670
550-552	0					0
<b>TOTALS</b>	<b>6,678</b>	<b>5,923,488,031</b>	<b>0</b>	<b>448,415,526</b>	<b>26,439,500</b>	<b>48,690,460</b>
<b>Real and Personal Property Total Value</b>						<b>6,447,033,517</b>
<b>Exempt Parcel Count &amp; Value</b>					628	889,054,300

### Addenda # 3

#### Community Tax Rates

	FY12	FY13	FY 14	FY 15	FY16	FY17	FY18
--	------	------	-------	-------	------	------	------

#### Concord

<b>Residential</b>	\$13.58	\$14.07	\$14.45	\$14.29	\$13.92	\$14.07	\$14.29
<b>CIP</b>	Uniform						
<b>Average Single Family Bill</b>	\$11,564	\$11,802	\$12,249	\$12,890	\$13,490	\$13,895	\$14,494

#### Acton

<b>Residential</b>	\$18.55	\$19.10	\$19.45	\$19.05	\$19.23	\$19.06	\$19.38
<b>CIP</b>	Uniform	Uniform	Uniform	Uniform	Uniform	Uniform	Uniform
<b>Average Single Family Bill</b>	\$9,259	\$9,650	\$9,832	\$10,128	\$10,382	\$10,696	\$10,974

#### Andover

<b>Residential</b>	\$14.15	\$14.51	\$15.18	\$14.97	\$14.82	\$15.18	\$15.64
<b>CIP</b>	\$23.54	\$24.26	\$25.25	\$24.77	\$25.99	\$26.46	\$27.61
(uniform rate)	(\$16.01)	(\$16.45)	(\$17.18)	(\$16.90)	(\$16.93)	\$17.35	\$17.88
<b>Average Single Family Bill</b>	\$7,786	\$7,967	\$8,343	\$8,648	\$8,945	\$9,170	\$9,591

#### Bedford

<b>Residential</b>	\$15.21	\$15.37	\$15.71	\$14.62	\$15.28	\$14.81	\$13.74
<b>Open Space</b>	\$11.40	\$11.55	\$11.78	\$10.94	\$11.47		
<b>CIP</b>	\$33.21	\$33.80	\$34.04	\$32.12	\$33.50	\$32.04	\$30.38
(uniform rate)	(\$18.98)	(\$19.31)	(\$19.45)	(\$18.36)	(\$19.15)	\$18.31	\$17.36
<b>Average Single Family Bill</b>	\$7,883	\$7,963	\$8,481	\$8,607	\$9,103	\$9,508	\$9,265

#### Carlisle

<b>Residential</b>	\$17.14	\$17.68	\$18.64	\$19.00	\$17.20	\$17.62	\$18.17
<b>CIP</b>	Uniform						
<b>Average Single Family Bill</b>	\$11,900	\$11,960	\$12,732	\$13,127	\$13,588	\$14,062	\$14,701

#### Chelmsford

<b>Residential</b>	\$17.49	\$17.95	\$18.98	\$18.70	\$18.03	\$17.92	\$17.96
<b>CIP</b>	Uniform						
<b>Average Single Family Bill</b>	\$5,653	\$5,799	\$6,119	\$6,329	\$6,540	\$6,912	\$7,175

#### Lexington

<b>Residential</b>	\$14.97	\$15.20	\$15.51	\$14.86	\$14.60	\$14.49	\$14.30
<b>CIP</b>	\$28.45	\$28.97	\$29.56	\$29.10	\$28.40	\$28.13	\$27.69
(uniform rate)	(\$16.74)	(\$17.04)	(\$17.39)	(\$16.63)	(\$16.23)	\$16.07	\$15.82
<b>Average Single Family Bill</b>	\$10,441	\$10,906	\$11,481	\$12,191	\$12,955	\$13,506	\$14,169

**ADDENDUM #3**  
**(continued)**

Community Tax Rates	FY12	FY13	FY 14	FY 15	FY 16	FY 17	FY 17
---------------------	------	------	-------	-------	-------	-------	-------

**Lincoln**

<b>Residential</b>	\$13.81	\$14.23	\$14.41	\$14.15	\$13.99	\$13.07	\$14.03
<b>CIP</b>	\$18.17	\$18.72	\$18.95	\$18.60	\$18.39	\$18.05	\$18.44
(uniform rate)	(\$13.98)	(\$14.40)	(\$14.58)	(\$14.31)	(\$14.15)	\$13.88	\$14.18
<b>Average Single Family Bill</b>	\$13,322	\$13,254	\$13,742	\$14,367	\$15,033	\$15,185	\$16,118

**Maynard**

<b>Residential</b>	\$18.45	\$20.05	\$22.29	\$22.31	\$21.25	\$22.01	\$22.64
<b>CIP</b>	\$27.17	\$29.55	\$32.28	\$31.09	\$29.57	\$30.57	\$31.10
(uniform rate)	(\$19.54)	(\$21.26)	(\$23.56)	(\$23.38)	(\$22.23)	\$22.98	\$23.56
<b>Average Single Family Bill</b>	\$5,751	\$6,096	\$6,414	\$6,680	\$6,960	\$7,209	\$7,440

**Sudbury**

<b>Residential</b>	\$17.60	\$17.99	\$18.03	\$17.60	\$17.80	\$17.74	\$17.93
<b>CIP</b>	\$22.95	\$23.52	\$24.94	\$24.88	\$25.11	\$25.01	\$24.30
(uniform rate)	(\$17.98)	(\$18.38)	(\$18.42)	(\$17.99)	(\$18.20)	\$18.12	\$18.27
<b>Average Single Family Bill</b>	\$10,937	\$11,205	\$11,544	\$11,598	\$12,082	\$12,520	\$13,033

**Wayland**

<b>Residential</b>	\$19.01	\$17.89	\$18.33	\$18.39	\$17.34	\$18.14	\$18.03
<b>CIP</b>	Uniform						
<b>Average Single Family Bill</b>	\$11,274	\$10,529	\$10,974	\$12,049	\$11,730	\$12,529	\$12,906

**Westford**

<b>Residential</b>	\$15.55	\$16.13	\$16.60	\$16.24	\$16.30	\$16.41	\$16.38
<b>CIP</b>	\$15.79	\$16.38	\$16.83	\$16.44	\$16.50	\$16.41	\$16.38
(uniform rate)	(\$15.55)*	(\$16.13)*	(\$16.60)*	(\$16.24)*	(\$16.30)*	\$16.41	\$16.38
<b>Average Single Family Bill</b>	\$6,901	\$7,097	\$7,312	\$7,543	\$7,797	\$8,054	\$8,420

# Chapter 374 – Acts of 2016

## AN ACT ESTABLISHING A SENIOR MEANS-TESTED PROPERTY TAX EXEMPTION IN THE TOWN OF CONCORD

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

SECTION 1. With respect to each qualifying parcel of real property classified as Class 1, residential, in the town of Concord there shall be an exemption from the property tax equal to the total amount of tax that would otherwise be assessed without this exemption less the sum of: (i) 10 per cent of the total annual qualifying income for purposes of the state circuit breaker income tax credit; and (ii) the amount of the state circuit breaker credit the applicant was eligible to receive in the year before the application being filed. The percentage of total annual qualifying income may be raised by section 3. Property taxes shall not be reduced by more than 50 per cent by this exemption. The exemption shall be applied to the domicile of the taxpayer only. For the purposes of this act, a "parcel" shall be a unit of real property as defined by the board of assessors under the deed for the property and shall include a condominium unit.

SECTION 2. The board of assessors may deny an application for the exemption in section 1 if the board finds that the applicant has excessive assets that place the applicant outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption under section 1 if the following criteria are met:

- (i) the qualifying real property is owned and occupied by a person whose prior year's income would make the person eligible for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws;
- (ii) the qualifying real property is owned by a single applicant who is 65 years of age or older at the close of the previous year or owned jointly if 1 of the joint applicants is 65 years of age or older at the close of the previous year and the other joint applicant is 60 years of age or older;
- (iii) the qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;
- (iv) the applicant or not less than 1 of the joint applicants has been domiciled in the town of Concord for not less than 10 consecutive years before filing an application for the exemption;
- (v) the maximum assessed value of the domicile is not more than the town's median single-family residential assessed value of the prior fiscal year; and
- (vi) the board of assessors has approved the application for the exemption.

SECTION 3. The exemption under section 1 shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap on the total exemptions granted pursuant to this act equal to 0.5 per cent of the fiscal year's total residential property tax levy for the town of Concord, including the levy for the regional high school if not included in the town's tax levy at some subsequent date with the total exemption amount granted pursuant to this act allocated proportionally within the tax levy on all residential taxpayers. After the first year of the exemption, the total cap on the exemptions granted pursuant to this act shall be set annually by the select board within a range of 0.5 to 1 per cent of the residential property tax levy for the town. If benefits to the applicants may be limited because the percentage established annually by the select board would otherwise be exceeded, the benefits shall be allocated by raising the total annual qualifying income percentage as required in section 1 as necessary to not exceed the cap. If the cap exceeds the need for the exemption, the total cap on the exemptions granted pursuant to this act shall be reduced to meet the need.

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the

board of assessors, with the supporting documentation of the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. Acceptance of this act by the town of Concord shall be first by vote of approval at an annual town meeting, to be followed by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot. Sections 1 to 4, inclusive, and sections 7 and 8 shall take effect 30 days after an affirmative vote by the town.

SECTION 6. This act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election at which the question of revocation is placed on the ballot. Revocation of sections 1 to 4, inclusive, and sections 7 and 8 shall take effect 30 days after an affirmative vote of the town to revoke those sections.

SECTION 7. An exemption shall not be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

SECTION 8. This act shall expire after 3 years of implementation of the exemption.

*Approved, January 6, 2017*

Note: This table should be used for planning purposes only. Actual calculations may differ slightly due to rounding

CLASS	VALUE	PERCENTAGE	
Residential	\$5,923,488,031	91.88%	R&O %
Open Space	\$0	0.00%	
Sub-Total Res, OS			91.8793%
Commercial	\$448,415,526	6.96%	
Industrial	\$26,439,500	0.41%	C.I.P.
Personal Property	\$48,690,460	0.76%	
Sub-Total Comm, Ind, PP			8.1207%
Total	\$6,447,033,517	100.00%	

**LEVY**

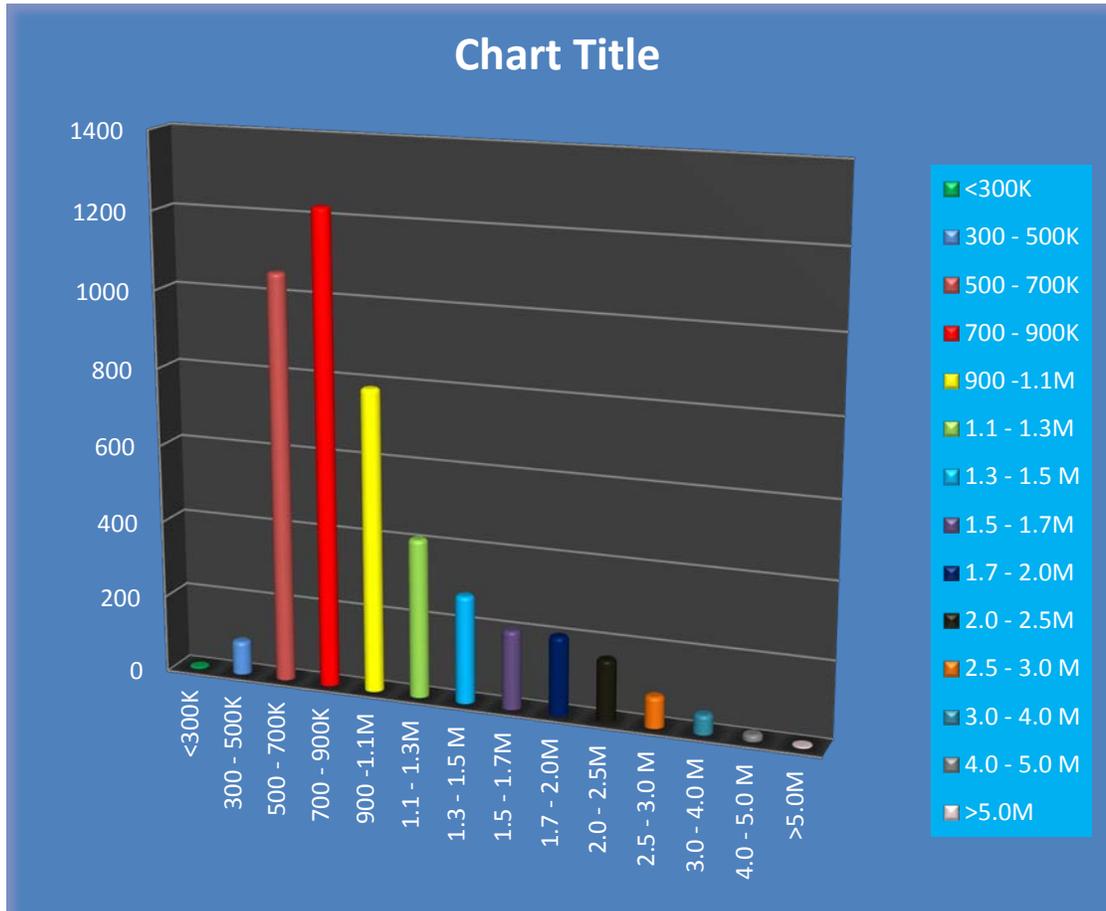
Estimated Levy \$91,289,995.00

Single Tax Rate \$14.1600

		Share Percentages		Estimated Tax rates	C.I.P.	% Shift	
C.I.P. Shift	Res Factor	Res/OS	C.I.P.	Res/OS		Res	C.I.P.
1	100	91.8793%	8.1207%	\$14.16	\$14.16	0.00%	0.00%
1.002	99.9823%	91.8630%	8.1370%	\$14.16	\$14.19	0.02%	0.20%
1.0022	99.9806%	91.8614%	8.1386%	\$14.16	\$14.19	0.02%	0.22%
1.00225	99.9801%	91.8610%	8.1390%	\$14.16	\$14.19	0.02%	0.23%
1.00227	99.9799%	91.8608%	8.1392%	\$14.16	\$14.19	0.02%	0.23%
1.00228	99.9798%	91.8608%	8.1392%	\$14.16	\$14.19	0.02%	0.23%
1.00229	99.9798%	91.8607%	8.1393%	\$14.16	\$14.19243	0.02%	0.23%
1.0023	99.9797%	91.8606%	8.1394%	\$14.16	\$14.19	0.02%	0.23%

**ADDENDUM #6**

**FY 2019 SINGLE FAMILY RESIDENCE by VALUES – STATE USE CODE 101  
(Does not include mixed use 012 or multiple houses 109)  
Concord, Ma**

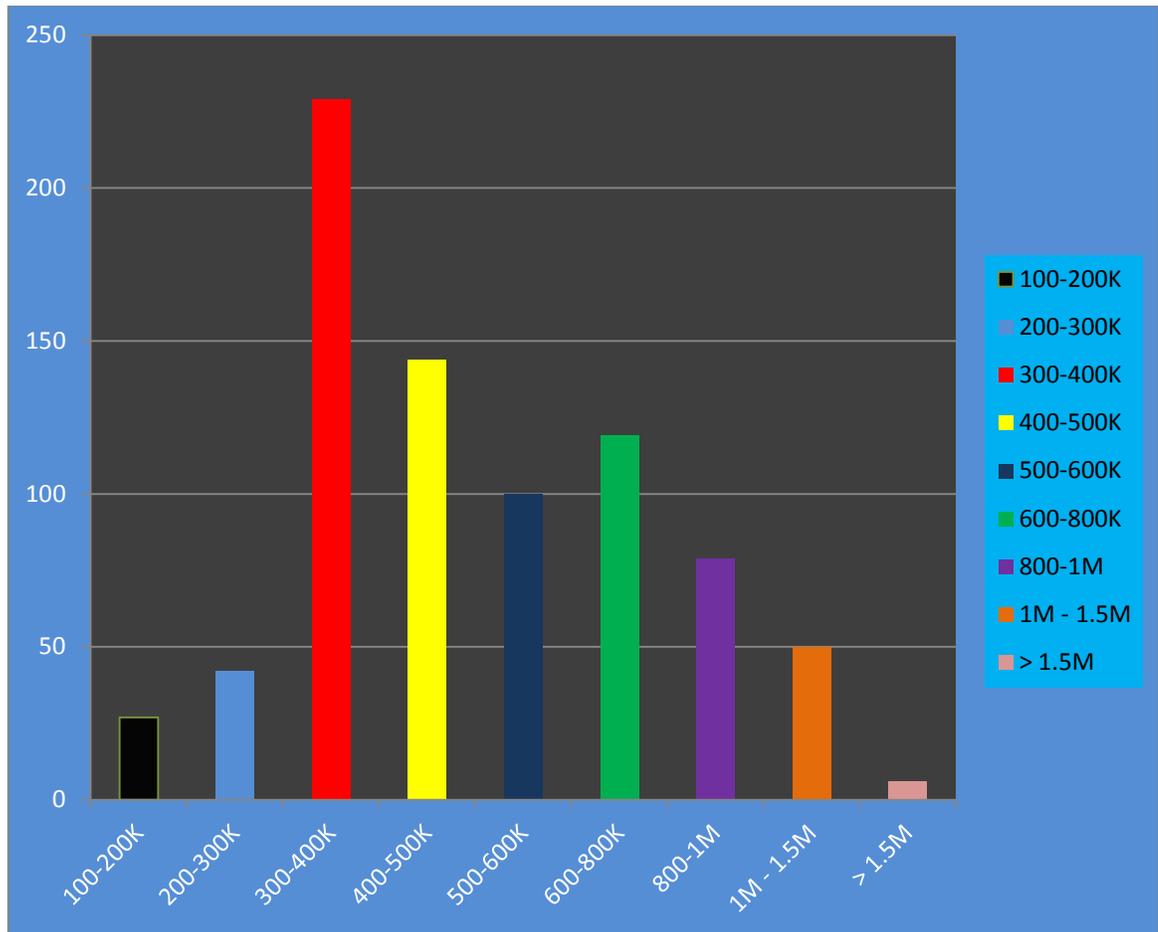


**Average Assessment: \$1,065,176**

**Median Assessment: \$881,550**

Addendum # 7

FY 2019 CONDO VALUES – STATE USE CODE 102  
(The figures include affordable units, but not separate garages)



Assessment

Average Assessment: \$529,748.

Median Assessment: \$454,450.



---

# **Board of Assessors FY2019 Classification Meeting with the Select Board**

**November 18, 2018**



# Outline

- **Tax Rate Analysis for FY2019**
- **Recertification**
- **New Growth**
- **Total Taxable Value**
- **Tax Levy Calculation**
- **Tax Rate Calculation**
- **Senior Mean Tested Exemption**
- **Classification Issues**
  - **Residential Factor**
  - **Open Space Discount**
  - **Residential Exemption**
  - **Small Commercial Exemption**
- **Summary**



# Tax Rate Analysis for FY2019

## TAX RATE ANALYSIS Fiscal Year 2019

### Report of the Concord Board of Assessors

Christian Fisher, Chair  
Cynthia Rainey  
Tom Matthews  
Andrea Okie  
Susan Livingston  
William Herring, Associate

To  
Concord Select Board

For Public Hearing on November 19, 2018

- Report distributed to the Select Board members
- Details:
  - Assessed Values
  - Tax Levy
  - Tax Rate
  - Senior Exemption
  - BOA recommendations on classification



# This is Not A Re-Certification Year

- **DOR requires recertification every 5**
  - **Fiscal 2019 is an Interim year**
  - **Next Recertification year FY 2023**
  - **Interim year same process for Town as a Recertification year**
  - **Review of values and growth by DOR**

Status

- **FY2019 Values Approved**
- **FY2019 Growth Approved**
- **Expect tax bills to go out with the approved rate and on time**



# New Growth

- **Period: July 1, 2017 to June 30, 2018**
- **Residential: \$73,455,800 (Value) @ \$14.29/1,000 = \$1,049,683(Taxes)**
  - \$747,964 – Standard growth (New SFD, Additions)
  - \$286,845 – Condominiums (Forest Ridge and Black Horse Ln)
  - \$ 8,262 - Two and Three-Family's, Apartments
  - \$ 6,612 - Land and Mixed use
- **Commercial: \$2,377,400 @ \$14.29/1000 or \$33,973**  
**Industrial: \$2,100 @ \$14.29/1000 or \$30.00**  
**Personal Property: \$10,655,520 @ \$14.29/1000 or \$152,267**
- **Fiscal 2019 Total Growth: \$86,490,820 @ \$14.29/1000 or \$1,235,953**



# Total Taxable Value

Class	FY2018 Valuation	FY2019 Valuation	Change	% Change
Residential	\$5,623,508,756	\$5,923,488,031	\$299,979,275	5.33%
Commercial/ Industrial/ P. Property	\$521,141,844	\$523,545,486	\$ 2,403,642	0.46%
Total	\$6,144,650,600	\$6,447,033,517	\$302,382,917	4.92%



# Tax Levy Calculation

Item	Value
FY2018 Levy Limit	\$85,491,022
Amended growth FY 2018	\$ 0.00
Add...2 ½ allowed increase	\$ 2,137,276
Add...New growth	\$ 1,235,953
Total before any debt exclusion and override	\$88,864,251
Add...Debt exclusion	\$ 6,474,827
Add...Any override	0
Maximum permitted levy	\$95,339,078
FY2019 Property tax levy	\$91,289,995
Unused levy limit	\$ 4,049,083*

\* Unused levy limit used in fiscal planning for future



# Tax Rate Calculation

**FY2018 Tax Rate was \$14.29**

$$\frac{\text{FY2019 Property Tax Levy}}{\text{Town Taxable Valuation}} = \frac{\$91,289,995}{\$6,447,033,517} = 0.01416$$

or

**\$14.16 per thousand dollars of assessed value**

**FY2019 Tax Rate is \$14.16**



# Senior Means Tested Exemption

- **Qualifications – Age 65 and over, Income requirements of the State Circuit Breaker Program and home value under the Town Median with an asset limit of \$250,000.**
- **Funded by a shift in the tax rate**
- **59 Applications**
- **49 Approved**
- **Total exemption granted \$191,413**
- **\$.03 addition to the Residential Rate**
- **Unified Tax Rate \$14.16**
- **Residential Rate \$14.19 Commercial Rate \$14.16**



# Classification Issue – Residential Factor

- **Setting residential factor = 1 provides uniform tax rate for all classes (Residential, Open space, Commercial, Industrial and Personal property)**
- **Setting residential factor not = 1 results in differential tax rate between the “R/O” group and the “C/I/P” group**
- **Concord has used a uniform rate since FY1998**
- **91% of Concord revenue comes from Residential, a slight reduction (savings) in the “R/O” group would put a large increase (burden) on the “C/I/P” group**
- **This year to Balance the Rate (single rate) a shift of the residential factor to .999797 would result in an single rate for both the Residential and the C/P/I at \$14.19**

## Recommendation:

**The Board of Assessors supports a single tax rate for all classes, achieved by the adoption of a residential factor of “.999797”.**



# Classification Issue – Open Space Discount

- There are no parcels currently classified as open space
- Most large land owners participate in chapter land discounts under 61, 61A and 61B resulting in more savings than if they were designated as “Open Space”
- Under Chapter the discount ranges from 75% to 98%
- The open space discount has a maximum discount of 25%
- Excess land values only increased slightly to \$37,300/Acre further reducing the need for the OSD

## Recommendation:

The Board of Assessors recommends that the Selectmen not adopt an open space discount.



# Classification Issue – Residential Exemption

- **Redistribution of the tax levy among residential property owners**
- **“Exemption” is a misnomer since it is actually a tax shift among residential properties (upper portion of the tax base will have a higher tax bill, lower portion of the tax base will have a lesser tax bill)**
- **Tends to penalize low income renters because Apartment buildings would not qualify, would be in the upper half and pass the increase on to the tenants**
- **Most Advantageous in second-home communities**
- **Only 13 out of 351 communities in Massachusetts have adopted the exemption (9 inner city, 3 Cape, 1 south coast)**

## Recommendation:

**The Board of Assessors does not support adoption of a residential exemption.**



# Classification Issue – Small Commercial Exemption

- The intent of the exemption is to give a tax reduction to small commercial property owners at the expense of the larger commercial and industrial parcels
- The question of fairness arises since the legislation is based upon the assumption that the owners of higher valued properties are financially healthier than the owners of properties with lower values
- Detail analysis appears in the “Tax Rate Analysis” document

## Recommendation:

The Board of Assessors does not support adoption of the small commercial exemption.



# Summary

- **The Board of Assessors recommendation is to have a single Tax Rate by adopting a Minimum Residential Factor of .999797**
- **It is deemed the fairest action to adopt in apportioning the tax bill in Concord – it produces the same rate for all classes of property and avoids unintended consequences that the Board deems to be damaging**
- **The Board of Assessors does not recommend adoption of the**
  - **Open Space Discount**
  - **Residential Exemption**
  - **Small Business Exemption**

**The times on this agenda are estimates.**

**Town Meeting Preview Meeting**

**December 1, 2018 – 8:30 AM**

**Town House – Hearing Room**

**AGENDA**

8:30	<b>Refreshments</b>	
8:45	<ul style="list-style-type: none"> <li>• Welcome &amp; Overview</li> <li>• Vote to Open Annual Town Meeting Warrant and close the Warrant on Jan. 3, 2019 at 4:00 PM</li> <li>• Appropriation: Affordable Housing</li> <li>• Special Legislation: Affordable Housing, Real Estate Transfer Tax</li> <li>• Bylaw: Affordable Housing, Permit Fee Surcharge</li> <li>• Bylaw: Ban on neonicotinoids on Town and CCRSD property</li> <li>• Bylaw Amendment: Posting of Town Meeting Warrant</li> <li>• Conservation Restriction: Walden Woods Project, former landfill site</li> </ul>	Tom McKean
9:00	<b>Finance Committee</b> <ul style="list-style-type: none"> <li>• FY2020 Budget Guidelines</li> </ul>	Tom Tarpey
9:10	<b>Finance Director</b> <ul style="list-style-type: none"> <li>• Acceptance of MGL Ch. 32B, Sec. 20, Other Post-Employment Benefits Trust Fund</li> </ul>	Kerry LaFleur
9:15	<b>Town Manager</b> <ul style="list-style-type: none"> <li>• FY20 Operating Budget</li> <li>• Debt Plan Authorization: Town Buildings</li> <li>• Debt Plan Authorization: Parks</li> <li>• Debt Plan Authorization: Emerson Land</li> <li>• Debt Plan Authorization: Library Furnishings, Fixtures &amp; Equipment</li> <li>• Transfer of Land: Affordable Housing, Gerow</li> <li>• Bylaw Amendment: Town Archives</li> <li>• Accept Provisions of MGL Ch 54: 16A, Election Vacancy Appointments</li> </ul>	Chris Whelan
9:30	<b>Minuteman Vocational Technical School</b> <ul style="list-style-type: none"> <li>• Minuteman FY20 Budget and Assessment Update</li> </ul>	Carolyn Flood
9:40	<b>School Superintendent</b> <ul style="list-style-type: none"> <li>• CPS Operating Budget</li> <li>• CPS Capital</li> <li>• CPS Feasibility Study for Concord Middle School</li> <li>• CPS Creation of Revolving Account</li> <li>• CCRSD Operating Budget</li> <li>• CCRSD Capital</li> </ul>	Laurie Hunter
9:55	<b>Community Preservation Committee</b> <ul style="list-style-type: none"> <li>• CPC's Process/Applications</li> </ul>	Terri Ackerman
10:05	<b>Human Resources Dept. / Personnel Board</b> <ul style="list-style-type: none"> <li>• Personnel Bylaw &amp; Charter Updates</li> </ul>	Amy Foley

10:15	<b>Public Works Commission</b> <ul style="list-style-type: none"> <li>• Water Fund</li> <li>• Sewer Fund</li> <li>• Sewer Improvement Fund</li> <li>• Solid Waste Fund</li> <li>• Road Revolving Fund</li> <li>• FY20 Road Program</li> <li>• Debt Authorization: Water Main System</li> </ul>	KC Winslow
10:25	<b>Planning Board</b> <ul style="list-style-type: none"> <li>• Zoning Article: Groundwater District</li> <li>• Zoning Article: Temp Marijuana Moratorium Removed</li> <li>• Zoning Article: Nonconforming Single &amp; Two Family Residential Structures</li> <li>• Zoning Article: Fairs, Bazaars, Antique Shows etc.</li> <li>• Zoning Article: Flood Plain Maps</li> <li>• Zoning Article: Large Ground Solar Table of Uses</li> <li>• Zoning Article: Handicapped Parking</li> <li>• Zoning Article: Personal Wireless Communications Facility Map</li> <li>• Zoning Article: Formula Business</li> </ul>	Gary Kleiman
10:35	<b>Historic District Commission</b> <ul style="list-style-type: none"> <li>• Main Street Historic District Extension</li> </ul>	Mark Giddings
10:40	<b>Citizen Petition Articles</b> <ul style="list-style-type: none"> <li>• Moratorium Extension: Installation of Synthetic Turf on Town Land</li> </ul>	Beverley Bryant
10:45	<b>Questions &amp; Comments</b>	
	<b>Adjournment</b>	

**Andrew Mara**

---

**From:** Elizabeth Hughes  
**Sent:** Wednesday, November 28, 2018 11:23 AM  
**To:** Alice Kaufman  
**Cc:** Jeffrey Collins; Gary Kleiman; Andrew Mara; Nancy Hausherr  
**Subject:** S. Mlodozienec - WCAC nomination

Good morning Alice,

At the Planning Board meeting last night, the Board voted unanimously to nominate to the Select Board the appointment of Susan Mlodozienec to the West Concord Advisory Committee as a full member for a term to start on 1/1/19 and expire on 5/31/2022.

Ms. Mlodozienec's work experience with the Massachusetts Clean Energy Center is well suited for serving on WCAC.

Please let me know if you have any questions or need additional information.

Sincerely,  
Elizabeth

Elizabeth Hughes, Town Planner  
Concord Planning Division  
Town of Concord  
141 Keyes Road  
Concord, MA 01742  
978-318-3290