

# WARRANT FOR TOWN MEETING

SUNDAY, MAY 4, 2014

2:00 PM

(No New Business will be taken up after 5:30 p.m. on Sunday)

**CONCORD-CARLISLE REGIONAL HIGH SCHOOL  
500 WALDEN STREET**

**TOWN OF CONCORD  
TOWN HOUSE  
CONCORD, MA 01742**

**PRESORT STANDARD  
U.S. POSTAGE PAID  
PERMIT No. 51**

**RESIDENTIAL CUSTOMER  
LOCAL 01742**

## PUBLIC HEARINGS

All at 7:00 P.M.

PLEASE NOTE START TIME OF THE HEARINGS

<b>FINANCE COMMITTEE</b> Town Budget & Articles including Capital	Town House Hearing Room	* Monday, February 24
<b>FINANCE COMMITTEE</b> School Budgets & Articles Community Preservation Committee Articles	Town House Hearing Room	** Wednesday, February 26
<b>BOARD OF SELECTMEN</b>	Town House Hearing Room	*** Monday, March 3
<b>PLANNING BOARD</b>	Town House Hearing Room	*** Tuesday, March 4
<b>FINANCE COMMITTEE</b> Enterprise Fund Budgets & Articles	Town House Hearing Room	**** Monday, March 17

### PUBLIC HEARING – SNOW DATES

- \* Snow date for this day will be Tuesday, February 25, 2014
- \*\* Snow date for this day will be Thursday, February 27, 2014
- \*\*\* Snow date for this day will be Thursday, March 6, 2014
- \*\*\*\* Snow date for this day will be Tuesday, March 18, 2014

In case of snow call 978-318-3006 for cancellation information & website notices available at [www.concordma.gov](http://www.concordma.gov)

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February 2014

Dear Concord Voter:

We encourage you to read these articles carefully and to participate in our Town Meeting process.

Over the next several months, you will have numerous opportunities to participate actively in the democratic process of Town government by electing Town officials, attending hearings and taking action at Town Meeting on the wide range of subjects described in the accompanying Warrant. This brief introduction summarizes the activities leading up to the elections and to the Town Meeting.

**TOWN CAUCUS:** Nominations of candidates for election were made at the Town Caucus which was held on Monday, January 27, 2014. Names of Caucus nominees will be on the ballot for the Town Election which will be held on Tuesday, March 25, 2014. The deadline for unregistered residents to register to vote at the Town Election is March 5, 2014.

**WARRANT:** The publication of the Warrant is the first event leading up to Town Meeting. The Warrant serves as the agenda for the Meeting; it is a combination of proposals by the Town's committees and professional staff, and those brought by petitions signed by at least ten registered voters. Each Article on the Warrant represents a separate agenda item and describes the subject on which the voters at Town Meeting will be asked to take action. Any motion made under an Article at Town Meeting must fit within the scope of that Article as presented in the Warrant as determined by the Moderator. The motion will often be more specific, however. For example, estimated amounts may be replaced by more precise figures in appropriation Articles, or the details of a zoning Article may be refined to make the intended action more workable as a result of discussion during the hearing process.

Some Articles provide for various funding methods. The phrase, "**raise and appropriate**" means funding through the property tax levy. The phrase "**transfer from available funds**" means funding through monies already on hand in the Town treasury and not already reserved or committed for other purposes. Finally, the Treasurer may be authorized "**with the approval of the Board of Selectmen, to borrow ...**". This means the issuance of debt for which the Town commits its credit to make future repayment of the loan with interest. The motion made under a financial Article will always specify the financing method from among the possible options. The amount of money in the motion may vary up or down from the amount appearing in the Article text.

**Does the majority always rule?** Some votes require super-majority votes in accordance with state Law. These include Articles authorizing the issuance of debt and zoning bylaws. You will be informed by the Moderator when a motion is made under an Article whether a 2/3rds or other super-majority vote is required for passage.

**PUBLIC HEARINGS:** Following publication of the Warrant, five public hearings will be held in the Town House hearing room as shown on the schedule at the end of this section. All citizens are encouraged to attend the hearings that provide an opportunity to gain a better understanding of the background and issues and serve a number of purposes:

- to provide better information on Warrant Articles to boards and committees charged with making recommendations to Town Meeting;
- to provide information to voters to help enable them to decide how to vote on Warrant Articles;
- to identify needs for further information on Warrant Articles;
- to provide Warrant Article presenters with constructive feedback to help them improve presentations, respond to likely questions and objections, clarify ambiguities, remedy potential technical problems, and avoid unintended consequences.

After the hearings, the Finance Committee, which consists of fifteen citizens appointed by the Moderator, will prepare its report to the Town. This report summarizes the Town's financial position, reports on various issues, and makes recommendations to Town Meeting on each Article with financial impact. The recommendations of the Selectmen on all Articles are also included in the report.

<b>SCHEDULE OF PUBLIC HEARINGS Held at the Town House in the Hearing Room</b>			
Committee	Articles	Time	Date
Finance Committee: FC Town Budget, related Articles and Town Capital Articles	3-7, 14, 19-21, 24, 30-35, 55	7:00 PM	Monday, February 24
Finance Committee: FC/SC School Budgets & Articles	8-13, 15, 16	7:00 PM	Wednesday, February 26
Community Preservation Committee: FC/SC	36		
Board of Selectmen: BOS	1, 2, 17, 18, 37-42, 56-59	7:00 PM	Monday, March 3
Planning Board: PB	43-54	7:00 PM	Tuesday, March 4
Finance Committee: FC/ENT Enterprise Funds Budgets & Articles	22, 23, 25-29	7:00 PM	Monday, March 17

**SPECIAL ARRANGEMENTS OR NEEDS:** Anyone with a disability requiring special arrangements for the Public Hearings or Town Meeting should contact Douglas Meagher, Deputy Town Manager/ADA Coordinator at (978) 318-3000.

**TOWN MEETING:** Will begin on Sunday, May 4, 2014 at 2:00 PM and will convene at the Concord-Carlisle Regional High School. All registered voters are eligible to attend and vote.

The deadline for unregistered residents to register to vote at the Town Meeting is Monday, April 14, 2014. Attendees must check in with the Town Clerk's staff in the lobby. Check-in is done alphabetically by last name.

The Moderator, who presides at the Meeting, is elected each year at the annual Town election. The Moderator will be on the stage, as will the Town Clerk. The Finance Committee and Selectmen, along with the Town Manager, will be seated at tables at the front of the auditorium.

The Moderator will call each Article and its sponsor will make a Motion. After the motion has been seconded, debate will start according to Town Meeting rules of order as set forth in the book, Town Meeting Time, which is available at the Town libraries. The Moderator will recognize the speakers, rule on motions and

amendments with respect to conformance to parliamentary procedure, and call for votes. The recommendations of Town Committees may be made on each Article. For additional information on the conduct of the Meeting, refer to the pamphlet "Concord Town Meeting Traditions and Procedures" which is available on the Town's website [www.concordma.gov](http://www.concordma.gov), from the Town Clerk's office in the Town House, or in the lobby as you enter Town Meeting.

Article Three, "Meeting Procedure," has been submitted by the Finance Committee to address the special constraints placed on Town Meeting by "Proposition 2½." Additional information on the Town's status relative to Proposition 2½ will be presented in the Report and Recommendations of the Concord Finance Committee to be published and mailed to all residents in April.

We will again use a consent calendar, which is intended to expedite action on Articles that are expected to be non-controversial. (A full explanation will appear in the Finance Committee Report which will be mailed to residents in April.) Also consistent with our recent procedures, certain Articles that attract a high level of community interest may be scheduled for specific dates and times. (Please watch for advance notice in the local media.) Other Articles will be taken up in accordance with the order of the Warrant until the conclusion of the Warrant.

Town Meeting is an important democratic institution open to all Concord registered voters, and is Concord's legislative body. The procedures are simple, and all have a right to attend and be heard. On each Article you will hear a formal presentation and recommendations from citizen committees. You may speak on the issues if you wish, and then cast your vote. By this process, the decisions made are based on the collective will and wisdom of the Meeting. We encourage your active participation, particularly for those Articles that are of greatest importance to you.

If you would like to serve your community as a volunteer member of a Town Board or Committee, or on a short-term assignment, bring yourself to the attention of the appointing authorities by filling out a "Green Card" and submitting it to the Secretary of the Board of Selectmen in the Town House. See page 46 and 47 of this Warrant for further information and a tear-out copy of the "Green Card."

Respectfully,

Jeffrey S. Wieand

Alice Kaufman

Steven Ng

Eric E. Van Loon

Carmin Reiss

Elise F. Woodward

MODERATOR

BOARD OF SELECTMEN

**THE COMMONWEALTH OF MASSACHUSETTS  
WARRANT FOR THE ANNUAL TOWN MEETING 2014**

Middlesex, ss.

To any of the Constables of the Town of Concord, in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the legal voters of said Town of Concord, qualified to vote at Town Meeting for the transaction of Town affairs, to meet at the Concord-Carlisle Regional High School at 500 Walden Street, in said town, on Sunday, the fourth day of May 2014, at 2:00 pm in the afternoon, by posting a printed copy of this Warrant by you attested, at the Town House and in at least one public location in each precinct in Concord, and by mailing a copy thereof to every household seven days, at least, before said 4th day of May 2014, then and there to act upon the following Articles:

**CHOOSE TOWN OFFICERS**

**ARTICLE 1.** To choose all necessary Town Officers and Committees.

**HEAR REPORTS**

**ARTICLE 2.** To hear and act upon the reports of Town Officers and Committees.

**MEETING PROCEDURE**

**ARTICLE 3.** To determine whether the Town will adopt a rule of the meeting governing requirements on Motions and amendments to Motions made at this meeting under Articles concerned with expenditures, in order to assure compliance with the requirements of Chapter 59, Section 21C of the Massachusetts General Laws (generally referred to as "Proposition 2½"), or take any other action relative thereto.

***The motion to be made by the Finance Committee will specify that every motion to appropriate funds will be required to identify the source of funding. This meeting procedure has been adopted by Town Meeting for a number of years.***

**RATIFY PERSONNEL BOARD CLASSIFICATION ACTIONS**

**ARTICLE 4.** To determine whether the Town will vote to ratify the Personnel Board's actions to amend the Classification and Compensation Plan as follows:

1. Delete the title "Building Systems Custodian" from Grade TCL-3, effective July 1, 2013.
2. Delete the title "GIS Program Coordinator" from Grade MP-3, effective September 24, 2013.
3. Add the title "GIS Technician/Analyst" to Grade MP-2, effective September 24, 2013.
4. Add the title "GIS & Application Integration Program Manager" to Grade MP-4, effective September 24, 2013.
5. Delete the title "Engineering & Operations Manager" from Grade EM-3, effective September 24, 2013.
6. Add the title "Power Supply & Rates Administrator" to Grade EM-3, effective September 24, 2013.
7. Change the title "Information Systems Assistant" in Grade MP-2 to "Information Systems Technician," effective January 2, 2014.
8. Add the title "Town Planner" to Grade MP-5, effective January 2, 2014.

9. Make all other changes to the Classification and Compensation Plan voted by the Personnel Board between January 2, 2014, and May 4, 2014,

or take any other action relative thereto.

*The Town Manager has authority to create and modify positions throughout the fiscal year; titles and salary ranges are determined using the Town's established classification system. Under the Personnel Bylaw, the Personnel Board is authorized to approve temporary changes in the Classification and Compensation Plans, pending ratification of such actions at the next Town Meeting. Eight actions taken appear in the Warrant; if additional actions are taken by the Personnel Board after the close of the Warrant, notice will be filed with the Town Clerk and details will be presented at Town Meeting.*

**CLASSIFICATION & COMPENSATION PLAN FOR REGULAR-STATUS POSITIONS**

**ARTICLE 5.** To determine whether the Town will vote to amend the Classification and Compensation Plan for regular-status Town positions by adopting the following schedules to become effective July 1, 2014, or take any other action relative thereto:

**CLASSIFICATION AND COMPENSATION PLAN  
Effective July 1, 2014**

**ADMINISTRATIVE-CLERICAL**

Grade Number & Class Title		Minimum	Mid-Point	Maximum
<b>AC-1</b> Receptionist/Clerk Recreation Clerk	Hourly	15.60	18.76	21.91
<b>AC-2</b> Account Clerk Department Clerk Senior Recreation Clerk Utility Account Clerk	Hourly	17.42	20.94	24.46
<b>AC-3</b> Senior Account Clerk Senior Department Clerk	Hourly	19.75	23.75	27.74
<b>AC-4</b> Administrative Assistant Collections Assistant Retirement Assistant Treasury Assistant	Hourly	21.34	25.65	29.96
<b>AC-5</b> Assistant Town Clerk Human Resources Assistant Senior Administrative Assistant	Hourly	22.81	27.42	32.02
<b>AC-6</b> Finance Assistant	Hourly	23.59	28.37	33.14



**MANAGERIAL-PROFESSIONAL**

*Annual rates are based on 40-hour base week and will be prorated for part-time schedules.*

Grade Number & Class Title		Minimum	Mid-Point	Maximum
<b>MP-1</b>	<b>Annual</b>	<b>42,369</b>	<b>53,141</b>	<b>63,913</b>
Aquatics Supervisor				
Associate Engineer				
Engineering Technician				
Recreation Supervisor				
<b>MP-2</b>	<b>Annual</b>	<b>47,814</b>	<b>59,969</b>	<b>72,123</b>
Administrative & Special Projects Coordinator				
Assistant Aquatics Coordinator				
Assistant Local Inspector				
Assistant Natural Resources Director				
Budget Analyst				
COA Program Supervisor				
Environmental Health Inspector				
Environmental & Regulatory Coordinator				
Field Lister				
GIS Technician/Analyst				
Information Systems Technician				
Office Accountant				
Public Health Inspector				
Senior Engineering Technician				
Telecommunications Network Technician				
Utility Software Coordinator				
Water Conservation Coordinator				
<b>MP-3</b>	<b>Annual</b>	<b>56,419</b>	<b>70,762</b>	<b>85,105</b>
Aquatics Coordinator				
Assistant Human Resources Director				
Assistant Public Health Director				
Assistant Public Works Engineer				
Assistant to the Water/Sewer Superintendent				
Assistant Town Accountant				
Assistant Treasurer				
Civil Engineer				
Customer Service Administrator				
Energy Conservation Coordinator				
Facilities Maintenance Supervisor				
Fitness Coordinator				
Local Inspector				
Management Analyst				
Recreation Coordinator				
Retirement System Administrator				
Senior Budget & Operations Analyst				
Senior Environmental & Regulatory Coordinator				
Senior Planner				

**MANAGERIAL-PROFESSIONAL, continued**

*Annual rates are based on 40-hour base week and will be prorated for part-time schedules.*

<b>MP-4</b>	<b>Annual</b>	<b>60,317</b>	<b>75,651</b>	<b>90,985</b>
Assistant Recreation Director				
Budget & Purchasing Administrator				
Council on Aging Director				
Environmental Services Program Administrator				
Financial Administrator				
GIS & Application Integration Program Manager				
Natural Resources Director				
Operations Engineer				
Public Works Engineer				
Telecommunications Coordinator				

<b>MP-5</b>	<b>Annual</b>	<b>64,880</b>	<b>81,373</b>	<b>97,865</b>
Assistant Library Director				
Deputy Fire Chief				
Deputy Treasurer/Collector				
Highway & Grounds Superintendent				
Police Lieutenant				
Public Health Director				
Town Clerk				
Town Planner				

<b>MP-6</b>	<b>Annual</b>	<b>71,499</b>	<b>89,675</b>	<b>107,850</b>
Building Commissioner				
Deputy Police Chief				
Human Resources Director				
Town Accountant				
Town Assessor				
Town Engineer				
Water/Sewer Superintendent				

<b>MP-7</b>	<b>Annual</b>	<b>81,870</b>	<b>102,683</b>	<b>123,496</b>
Chief Information Officer				
Director of Planning & Land Management				
Library Director				
Recreation Director				

<b>MP-8</b>	<b>Annual</b>	<b>91,211</b>	<b>114,399</b>	<b>137,587</b>
Deputy Town Manager				
Fire Chief				
Police Chief				
Public Works Director				

<b>MP-9</b>	<b>Annual</b>	<b>99,964</b>	<b>125,378</b>	<b>150,792</b>
Finance Director				

## ELECTRICAL LABOR

<u>Grade Number &amp; Class Title</u>		<b>Minimum</b>	<b>Mid-Point</b>	<b>Maximum</b>
<b>EL-1</b> Meter Reader	Hourly	17.22	20.83	24.43
<b>EL-2</b> Lineworker, Grade 3 Meter Technician	Hourly	21.01	25.41	29.81
<b>EL-3</b> Lineworker, Grade 2 Utility Electrician	Hourly	26.66	30.14	33.62
<b>EL-4</b> Lineworker, Grade 1	Hourly	33.10	37.43	41.75
<b>EL-5</b> Lead Lineworker	Hourly	34.66	39.19	43.71
<b>EL-6</b> Line Supervisor	Hourly	37.33	42.21	47.08

## ELECTRICAL MANAGEMENT

*Annual rates are based on 40-hour base week and will be prorated for part-time schedules.*

<u>Grade Number &amp; Class Title</u>		<b>Minimum</b>	<b>Mid-Point</b>	<b>Maximum</b>
<b>EM-1</b> Meter Supervisor	Annual	57,754	69,433	81,111
<b>EM-2</b> Electrical Engineer	Annual	66,287	79,690	93,092
<b>EM-3</b> Assistant CMLP Director Power Supply & Rates Administrator	Annual	78,849	94,792	110,735
<b>EM-4</b> CMLP Director	Annual	106,581	128,131	149,681

**SWIM & FITNESS**

<u>Grade Number &amp; Class Title</u>		<b>Minimum</b>	<b>Mid-Point</b>	<b>Maximum</b>
<b>SF-1</b>	<b>Hourly</b>	<b>8.00</b>	<b>34.00</b>	<b>60.00</b>
Swim/Fitness Specialist				

**HUMAN SERVICES**

<u>Grade Number &amp; Class Title</u>		<b>Minimum</b>	<b>Mid-Point</b>	<b>Maximum</b>
<b>HS-1</b>	<b>Hourly</b>	<b>15.00</b>	<b>22.50</b>	<b>30.00</b>
Human Services Specialist				
<b>HS-2</b>	<b>Hourly</b>	<b>15.00</b>	<b>27.50</b>	<b>40.00</b>
Child Care/Education Specialist				

*With annual adjustments and periodic comprehensive reviews, the Classification & Compensation Plan keeps Town salaries competitive in the employment market, maintains internal equity of salary ranges, maintains comparability with salaries of unionized employees, and keeps pace with changes in the cost of living. This article does not control the amount of the actual salary increases to be received by employees in FY15. The Town Manager and Personnel Board set actual salary increase amounts after Town Meeting, based upon the approved budget.*

**PERSONNEL BYLAW AMENDMENT – OTHER SPECIAL PAYS**

**ARTICLE 6.** To determine whether the Town will vote to amend the Other Special Pays section of the Personnel Bylaw as follows:

**Section 10. PAY POLICIES**

In section 10.7, Other Special Pays, delete paragraph 1, Stand-By Pay, and paragraph 2, Uniform Pay, and replace with the following:

**10.7 Other Special Pays**

The Town Manager may adopt schedules to provide employees with special pays that are consistent with the municipal employment market. Examples of such compensation that may be provided beyond the maximum base rate of pay outlined in the Compensation Plan include, but are not limited to: stand-by pay, uniform pay, education assistance, and educational incentives.

or take any other action relative thereto.

*This Bylaw amendment provides the Town Manager with the ability to maintain competitive total compensation for employees by providing common forms of special pay that can be adjusted when needed. The amendment is requested at this time to address changes made by the Commonwealth of Massachusetts to the “Quinn Bill”, which provided educational incentive pay to law enforcement officers, including the police chief and lieutenants.*

**TOWN BUDGET**

**ARTICLE 7.** To determine whether the Town will vote to raise and appropriate money for the following necessary and expedient purposes of the Town for the fiscal year ending June 30, 2015, or take any other action relative thereto:

**General Fund Operating Budget**

<b>Item No.</b>	<b>Department</b>	<b>Fiscal 2013 Expenses</b>	<b>Fiscal 2014 Appropriation</b>	<b>Fiscal 2015 Proposal</b>
<b>General Government</b>				
<b>\$2,460,383 is 6.5% of Total</b>				
1	Town Manager's Office			
	A. Town Manager	\$ 316,743	\$ 324,396	\$ 327,646
	B. Human Resources	187,160	198,553	198,672
	C. Town-Wide Building Fund	170,000	180,000	200,000
	D. Resource Sustainability Fund	25,000	40,000	75,000
	<b>Subtotal</b>	<b>698,903</b>	<b>742,949</b>	<b>801,318</b>
2	Legal Services	202,104	225,000	225,000
3	Elections and Registrars			
	A. Elections	37,169	17,129	40,368
	B. Registrars	5,718	8,216	8,031
	<b>Subtotal</b>	<b>42,887</b>	<b>25,345</b>	<b>48,399</b>
4	Town Meeting and Reports	61,794	81,550	81,550
5	Planning			
	A. Planning Administration	303,979	325,045	344,284
	B. Natural Resources	207,282	196,315	221,394
	C. Inspections	368,368	387,519	386,248
	D. Health	247,365	268,254	277,738
	<b>Subtotal</b>	<b>1,126,994</b>	<b>1,177,133</b>	<b>1,229,664</b>
6	141 Keyes Road	84,838	74,119	74,452
	<b>Total General Government</b>	<b>\$ 2,217,520</b>	<b>\$ 2,326,096</b>	<b>\$ 2,460,383</b>
<b>Finance and Administration</b>				
<b>\$2,033,970 is 5.4% of Total</b>				
7	Finance Committee	2,711	3,410	3,410
8	Finance			
	A. Finance Administration	253,264	265,933	264,659
	B. Treasurer-Collector	255,591	265,456	270,790
	C. Town Accountant	129,464	145,414	142,190
	D. Assessors	367,057	387,176	388,916
	E. Town Clerk	215,150	224,903	227,847
	<b>Subtotal</b>	<b>1,220,527</b>	<b>1,288,882</b>	<b>1,294,402</b>
9	Information Systems	486,863	697,358	632,533
10	Town House	100,843	99,629	103,625
	<b>Total Finance and Administration</b>	<b>\$ 1,810,944</b>	<b>\$ 2,089,279</b>	<b>\$ 2,033,970</b>
<b>Item No.</b>	<b>Department</b>	<b>Fiscal 2013 Expenses</b>	<b>Fiscal 2014 Appropriation</b>	<b>Fiscal 2015 Proposal</b>

<b>Public Safety</b>				
<b>\$8,570,305 is 22.4% of Total</b>				
11	Police Department	3,952,915	4,063,608	4,124,019
12	Fire Department	3,638,828	3,804,730	3,994,645
13	West Concord Fire Station	34,830	35,814	36,697
14	Police-Fire Station	217,741	226,792	227,034
15	Emergency Management	12,767	12,810	12,810
16	Animal Control Officer	21,750	25,100	25,100
	<b>Total Public Safety</b>	<b>\$ 7,878,831</b>	<b>\$ 8,168,853</b>	<b>\$ 8,420,305</b>
<b>Public Works and Facilities</b>				
<b>\$3,939,367 is 10.5% of Total</b>				
17	Public Works			
	A. CPW Administration	173,359	178,930	178,143
	B. Engineering	282,621	348,720	358,619
	C. Highway Maintenance	1,183,960	1,249,913	1,262,994
	D. Parks and Trees	540,225	654,970	658,691
	E. Cemetery	24,544	60,429	60,366
	<b>Subtotal</b>	<b>2,204,709</b>	<b>2,492,962</b>	<b>2,518,813</b>
18	Snow and Ice Removal	626,951	540,000	555,000
19	Street Lighting	69,131	68,463	73,463
20	CPW Equipment	296,500	277,000	288,000
21	Drainage Program	205,000	205,000	205,000
22	Sidewalk Management	100,000	100,000	100,000
23	Road Improvements	90,000	90,000	90,000
24	133/135 Keyes Road	93,672	109,072	109,091
	<b>Total Public Works and Facilities</b>	<b>\$ 3,685,963</b>	<b>\$ 3,882,497</b>	<b>\$ 3,939,367</b>
<b>Human Services</b>				
<b>\$2,614,554 is 6.9% of Total</b>				
25	Library	1,827,580	1,881,760	1,898,318
26	Recreation Administration	96,331	100,544	100,544
27	Hunt Recreation Center	83,115	88,262	90,192
28	Harvey Wheeler Community Ctr.	137,753	144,945	116,853
29	Council on Aging	262,293	284,812	303,946
30	Veterans	42,624	45,971	55,771
31	Ceremonies and Celebrations	23,569	23,800	24,006
32	Visitors' Center and Restroom	7,605	24,447	24,924
	<b>Total Human Services</b>	<b>\$ 2,490,869</b>	<b>\$ 2,594,541</b>	<b>\$ 2,614,554</b>

<b>Item No.</b>	<b>Department</b>	<b>Fiscal 2013 Expenses</b>	<b>Fiscal 2014 Appropriation</b>	<b>Fiscal 2015 Proposal</b>
<b>Unclassified</b>				
<b>\$895,434 is 2.4% of Total</b>				

33	Town Employee Benefits			
	A. Unused Sick Leave	90,000	90,000	90,000
	B. Public Safety Disability	242	2,500	2,500
	C. Employee Assistance Program	6,721	7,500	7,500
	<b>Total</b>	<b>96,963</b>	<b>100,000</b>	<b>100,000</b>
34	Reserve Fund*	-	225,000	225,000
*Transfers totaling \$86,253 were made to other accounts in Fiscal Year 2013				
35	Salary Reserve**	84,500	77,748	555,434
**Transfers totaling \$371,858 in Fiscal Year 2013 and \$402,826 (to date) in Fiscal Year 2014 were made to other accounts.				
36	Land Fund	10,000	10,000	15,000
	<b>Total Unclassified</b>	<b>\$ 191,463</b>	<b>\$ 412,748</b>	<b>\$ 895,434</b>
<b>SUBTOTAL FOR REFERENCE ONLY</b> Account 1-36		<b>\$18,275,590</b>	<b>\$ 19,474,013</b>	<b>\$20,364,013</b>
<b>Joint (Town - CPS)</b> <b>\$17,280,632 is 45.9% of Total</b>				
37	Insurance			
	A. Group Insurance	4,650,000	4,650,000	4,650,000
	B. OPEB	400,000	650,000	900,000
	C. Property/Liability	175,000	200,000	225,000
	<b>Subtotal</b>	<b>5,225,000</b>	<b>5,500,000</b>	<b>5,775,000</b>
38	Unemployment/Workers' Comp.			
	A. Unemployment Comp.	100,000	100,000	100,000
	B. Workers' Comp.	47,627	100,000	100,000
	<b>Subtotal</b>	<b>147,627</b>	<b>200,000</b>	<b>200,000</b>
39	Retirement	2,912,312	3,035,000	3,125,000
40	Social Security and Medicare	618,331	640,000	685,000
41	Debt Service			
	A. Debt Within the Levy Limit			
	Town Principal and Interest	2,467,671	2,497,671	2,527,576
	CPS Principal and Interest	697,220	810,895	899,281
	<b>Subtotal</b>	<b>3,164,891</b>	<b>3,308,566</b>	<b>3,426,857</b>
	Interest on Notes	-	56,434	38,143
	Other Debt Expense	14,336	35,000	35,000
	<b>Subtotal Within Levy Limit</b>	<b>3,179,227</b>	<b>3,400,000</b>	<b>3,500,000</b>
	B. Excluded Debt			
	Town Principal and Interest	214,806	212,287	208,720
	CPS Principal and Interest	4,039,057	3,447,170	3,786,912
	<b>Subtotal Excluded Debt</b>	<b>4,253,863</b>	<b>3,659,457</b>	<b>3,995,632</b>
	<b>Total Debt Service</b>	<b>7,433,090</b>	<b>7,059,457</b>	<b>7,495,632</b>
	<b>Total Joint (Town - CPS)</b>	<b>\$16,336,360</b>	<b>\$ 16,434,457</b>	<b>\$17,280,632</b>
	<b>Total Appropriation</b>	<b>\$34,611,950</b>	<b>\$ 35,908,470</b>	<b>\$37,644,645</b>

That the appropriation for equipment under these various line items is to be expended by the Town Manager. The Town Manager is authorized to turn in or sell at public auction the surplus equipment, the amount allowed or received therefor to be applied against the purchase of new equipment;

That the sum of \$11,000, state aid to libraries, be transferred to the use of the Library Committee for the purchase of books, periodicals, and subscriptions;

That the Town appropriate and transfer the sum of \$500 from the dog inoculation fees reserve account for the cost of the Board of Health's rabies clinic;

That the appropriation for salary reserve under line item 35 shall be transferred by the Town Manager to the various salary line items in accordance with salary levels established at July 1, 2014 and thereafter pursuant to the salary schedules adopted under Article 5, the implementation of the merit pay plan in accordance with Section 10.2 (2) of the Personnel Bylaws, and collective bargaining agreements. Any such transfers shall be reported periodically by the Town Manager to the Board of Selectmen and the Finance Committee, and a final report shall be issued when all such transfers have been completed for the fiscal year;

That the Town authorize the sum of \$10,828.73 to be expended from the Title 5 Septic Loans Betterments reserve account to meet the loan payment to the Massachusetts Water Pollution Abatement Trust #T5-1070 due and payable during FY 2015, pursuant to Article 46 of 1997 and the loan totaling \$195,088.95 executed on July 24, 2003 and having a final payment due February 1, 2021.

That the Town authorize the sum of \$70,317 to be expended from the Title 5 Septic Loans Betterments reserve account to meet the loan payment of the Massachusetts Pollution Abatement Trust #T5-05-1234 due and payable during FY 2015, pursuant to Article 50 of 2004 and the loan totaling \$703,170 executed on March 18, 2009 and having a final payment date of July 15, 2018.

That the Town authorize the sum of \$29,527 to be expended from the Title 5 Septic Loans Betterments reserve account to meet the loan payment of the Massachusetts Pollution Abatement Trust #T5-05-1234A due and payable during FY 2015, pursuant to Article 50 of 2004 and the loan totaling \$296,830 executed on June 13, 2012 and having a final payment date of July 15, 2022.

*The Town budget article provides for all General Fund (tax-supported) Town operations and activities organized by Town Charter under the direction of the Town Manager. The total appropriation to be presented for Town Meeting approval meets the spending guideline set by the Finance Committee in November 2013.*

## **PUBLIC SCHOOL BUDGET**

**ARTICLE 8.** To determine whether the Town will vote to raise and appropriate money for the following necessary and expedient purposes of the public schools of the Town for the fiscal year ending June 30, 2015, or take any other action relative thereto:

<b>SCHEDULE A - PUBLIC SCHOOL BUDGET</b>				
	<b>Department</b>	<b>Fiscal 2013 Adopted</b>	<b>Fiscal 2014 Adopted</b>	<b>Fiscal 2015 School Committee Vote of Dec. 10, 2013</b>
1	Concord Public Schools Budget/Appropriation	\$29,755,538	\$31,140,538	\$32,440,538

***This article provides the annual operating budget for the Concord Public Schools. The appropriation to be presented for Town Meeting approval meets the spending guideline set by the Finance Committee in November 2013.***

### **CONCORD PUBLIC SCHOOLS RENOVATIONS**

**ARTICLE 9.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen to borrow money by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$450,000, or any other sum, to be expended under the direction of the School Committee for remodeling, construction, reconstructing or making extraordinary repairs, including original equipment and related work, at various Concord Public School facilities, or take any other action relative thereto.

***This article authorizes the Treasurer to borrow \$450,000 for construction, renovations, repairs, and related work at various Concord Public School facilities. This borrowing is part of the Town Manager's five-year Capital Plan, with the debt service cost to be funded within the Levy Limit.***

### **CONCORD PUBLIC SCHOOLS – SUPPLEMENTAL APPROPRIATION FOR CURRENT YEAR**

**ARTICLE 10.** To determine whether the Town will vote to transfer from available funds in the treasury, or transfer from the current year appropriations, the sum of \$200,000 or any other sum, to be added to the appropriation voted under Item No. 34 Reserve Fund of Article 6 of the Warrant of the 2013 Annual Town Meeting, for the purposes of meeting extraordinary or unforeseen expenditures of the Concord Public Schools Budget, due to increased pupil transportation expenses, and benefits costs, identified after preparation of the FY14 budget for the fiscal year ending June 30, 2014, or take any other action relative thereto.

***This article amends the current year budget for the purpose of paying unanticipated costs of pupil transportation services and employee benefits costs. The Article proposes a supplemental appropriation to the Reserve Fund account which is subject to the control of the Finance Committee. The School Committee would make a request to the Finance Committee, by June 30, 2014, for a transfer from the Reserve Fund appropriation to the extent necessary but not exceeding the amount voted.***

### **CONCORD PUBLIC SCHOOLS – USE OF THE CPS TECHNOLOGY STABILIZATION FUND FOR CLASSROOM COMPUTER REPLACEMENT**

**ARTICLE 11.** To determine whether the Town will vote to appropriate the sum of \$75,000, or any other sum, from the CPS Technology Stabilization Fund established by vote under Article 25 of the 2010 Annual Town Meeting, to be expended under the direction of the Concord School Committee for the replacement of classroom technology in Concord Public Schools, or at any other available site controlled by and deemed appropriate by the Concord School Committee, or take any other action relative thereto.

***This article authorizes use of monies in the Concord Public Schools Technology Stabilization Fund.***

**CONCORD PUBLIC SCHOOLS – USE OF THE CPS CAPITAL NEEDS STABILIZATION FUND FOR TRANSPORTATION INFRASTRUCTURE**

**ARTICLE 12.** To determine whether the Town will vote to appropriate the sum of \$925,000, or any other sum, from the CPS Capital Needs Stabilization Fund established by vote under Article 32 of the 2006 Annual Town Meeting, to be expended under the direction of the Concord School Committee for the development of transportation infrastructure at 55 and 55R Knox Trail, Acton, MA, or at any other available site controlled by and deemed appropriate by the Concord School Committee, or take any other action relative thereto.

***This article authorizes use of monies in the Concord Public Schools Capital Stabilization Fund.***

**CONCORD-CARLISLE REGIONAL HIGH SCHOOL BUDGET**

**ARTICLE 13.** To determine whether the Town will vote to raise and appropriate the sum of \$17,815,062, or any other sum, as set forth in schedule A below for the following necessary and expedient purposes of the Concord-Carlisle Regional School District for the fiscal year ending June 30, 2015, or take any other action relative thereto.

<b>SCHEDULE A – CONCORD-CARLISLE REGIONAL HIGH SCHOOL BUDGET</b>				
	<b>Department/Description</b>	<b>Fiscal 2013 Adopted</b>	<b>Fiscal 2014 Adopted</b>	<b>Fiscal 2015 School Committee Vote of Dec. 10, 2013</b>
1	Concord-Carlisle Regional High School Budget	\$24,290,423	\$26,305,603	\$27,437,330
	Assessment	\$15,320,349	\$16,908,064	\$17,715,062*
*(includes \$15,856,221 assessment for operating budget and \$1,858,841 assessment for debt exclusion)				

***This article provides Concord’s share of the annual operating budget for the Concord-Carlisle Regional High School. The appropriation to be presented for Town Meeting approval meets the spending guideline set by the Finance Committee in November 2013.***

**HIGH SCHOOL DEBT STABILIZATION FUND – ADDITION AND USE**

**ARTICLE 14.** To determine whether the Town will vote to appropriate and transfer from Free Cash the sum of \$750,000 to be added to the Stabilization Fund established by vote under Article 2 of the November 7, 2011 Special Town Meeting for the purpose of reserving funds to be used to lower the tax levy impact of the Town’s assessed share of principal and interest payment on bonds to be issued by the Concord-Carlisle Regional School District for the new District High School construction project; and further, to appropriate the sum of \$500,000, or any other sum, from said Fund, to be expended under the direction of the Town Manager for a portion of the Town’s assessed share of the debt service due and payable during fiscal year 2015, or take any other action relative thereto.

***This article provides that \$750,000 of the Uncommitted Fund Balance (“Free Cash”) be added to the existing \$2,750,000 High School Debt Stabilization Fund; and further that the second of a planned multi-year allocation be made to mitigate the FY15 property tax increase that would otherwise occur due to payment of the Town’s apportioned share of debt service on the Concord-Carlisle Regional School District bonds issued and to be issued in connection with the construction of the new high school building.***

**MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT BUDGET**

**ARTICLE 15.** To determine whether the Town will vote to raise and appropriate the sum of \$237,950, or any other sum, as set forth in schedule A below for the following necessary and expedient purposes of the Minuteman Regional Vocational School District for the fiscal year ending June 30, 2015, or take any other action relative thereto.

<b>SCHEDULE A – MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT BUDGET</b>				
	<b>Department/Description</b>	<b>Fiscal 2013 Adopted</b>	<b>Fiscal 2014 Adopted</b>	<b>Superintendent's Proposed Budget &amp; Fiscal 2015 Assessment</b>
1	Minuteman Regional High School Budget Assessment	\$17,251,713 \$437,910	\$18,547,097 \$227,033	\$19,645,065 \$208,212 (est. @ 1/7/2014)

***This article provides Concord's share of the annual operating budget for the Minuteman Regional Vocational School District. The estimated assessment is \$208,212.***

**AMENDMENTS TO THE DISTRICT AGREEMENT OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**

**ARTICLE 16.** To determine whether the Town will vote, consistent with Section VII of the existing "Agreement With Respect to the Establishment of a Technical and Vocational Regional School District" for the Minuteman Regional Vocational Technical School District, to accept the amendments to said Agreement as on file with the Town Clerk, which have been initiated and approved by a majority of the Regional School Committee and which have been submitted to the Board of Selectmen of each member town prior to its vote on this article, or take any other action relative thereto.

***Concord is a 1970 founding member of the now-16-member Minuteman Career and Technical Regional School District, whose charter was last amended in 1980. The Minuteman School Committee, in conjunction with the state DESE (Dept. of Elementary and Secondary Education), has developed a series of proposed charter revisions which would use each community's 4-year rolling average student enrollment, rather than the current single-year number, as the basis for weighted voting at School Committee meetings, and annual assessments of operating and capital costs. The revisions also provide new procedures for the admission of new member communities and the withdrawal of current members, and give the Committee the option of authorizing new debt by District-wide vote. Under the current charter, these proposed amendments must be approved by town meetings in each of the 16 member communities, as well as by the state DESE Commissioner, although the revisions also provide that future amendments would only require a 2/3 vote of the member communities, along with state approval. A more complete explanation of the proposed revisions is found on the Concord Town website and will be provide in a handout at Town Meeting.***

**BY PETITION    RECALL BY TOWN MEETING**

**ARTICLE 17.** To determine whether the Town of Concord, MA, will deliver a home-rule petition to the State legislature for enabling legislation amending the Town of Concord town charter to permit the recall by action of Town Meeting of both elected and appointed town officials for failure to perform their duties in accordance with the best interest of the residents of the Town of Concord, MA, as determined by a 2/3 vote at the Town of Concord Town Meeting, or take any other action relative thereto.

**PETITIONER'S EXPLANATION:** *This article is intended to give Town Meeting the power to remove elected and appointed town officials by a 2/3 vote, for failure to act in the best interest of Concord citizens. Implementation of such authority would be through a home-rule petition to the state legislature to amend Concord's Town Charter. This article does not pertain to town or school employees. Approximately 150 communities in Massachusetts have recall provisions.*

## **BY PETITION TOWN CHARTER HOME-RULE PETITION: TOWN MEETING BALLOTING AT POLLS**

**ARTICLE 18.** To determine whether the Town of Concord, MA, will deliver a home-rule petition to the State legislature for enabling legislation amending the Town of Concord town charter to make voting at the precinct polls on Town Meeting motions for which the call for the previous question has been duly made in deliberative sessions of Town Meeting to be an integral part of Town Meeting, and that completion of such voting shall constitute adjournment of the Town Meeting, or to take any other appropriate action relative thereto.

**PETITIONER'S EXPLANATION:** *This article would authorize a home-rule petition to enable voting at the polls on Town Meeting motions by all of the registered voters of Concord instead of the requirement of physical attendance at Town Meeting to vote, which now disenfranchises more than 90% of Concord's registered voters on Town issues.*

## **FREE CASH USE**

**ARTICLE 19.** To determine whether the Town will vote to authorize and direct the Assessors to take \$850,000, or any other sum, from free cash to reduce the tax levy for the fiscal year ending June 30, 2015, or take any other action relative thereto.

*This article seeks Town Meeting approval to allocate a portion of the available General Fund balance to support the 2015 budget.*

## **UNPAID BILLS**

**ARTICLE 20.** To determine whether the Town will vote to raise and appropriate or transfer from available funds in the Treasury, monies to pay the unpaid bills of prior fiscal years, or take any other action relative thereto.

*If there are unpaid bills of a prior fiscal year, state law requires that such bills be presented to the Town Meeting.*

## **PROPERTY TAX EXEMPTIONS**

**ARTICLE 21.** To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, and further to act under the aforesaid statutes to increase by 100% the amount of property tax exemption granted to persons who qualify for said exemption under clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A, and 41C of Section 5 of Chapter 59 of the Massachusetts General Laws, or take any other action relative thereto.

*State law establishes property tax exemptions, reimbursed by the State, for disabled veterans, blind persons, and elderly citizens who meet income and asset limitation requirements. State law also allows towns, by annual votes, to increase state-set exemption amounts up to 100%, although without state reimbursement. Since 2001, Concord Town Meeting has voted this, for example, increasing the \$500 state-set senior exemption to \$1000 each year since 2005.*

## **LIGHT PLANT PAYMENT IN LIEU OF TAXES**

**ARTICLE 22.** To determine whether the Town will vote to authorize a transfer of \$458,650, or any other sum, from the Operating Fund of the Light Plant to be used by the Board of Assessors to reduce the tax levy for the fiscal year ending June 30, 2014, or take any other action relative thereto.

***This article authorizes the transfer of \$458,650 from the Operating Fund of the Light Plant to the General Fund as a Payment In Lieu of Taxes (or PILOT) for fiscal year 2015. The amount is determined as the product of the net plant investment of the Light Plant on the previous June 30 and the property tax rate of the current fiscal year. This makes the PILOT equivalent to the amount an investor-owned utility with the same physical plant would pay in property taxes, thus avoiding any indirect subsidy from property taxpayers to the Municipal Light Plant.***

### **LIGHT PLANT EXPENDITURES**

**ARTICLE 23.** To determine whether the Town will vote that the income from sales of electricity and from servicing and jobbing during the ensuing fiscal year together with the balance of operating cash in the Light Plant Fund, be expended without further appropriation under the direction and control of the Town Manager for the expenses of the Light Plant for said fiscal year, as defined in Section 57 of Chapter 164 of the Massachusetts General Laws; and/or for other plant extensions, enlargements, additions, renewals and reconstruction, or take any other action relative thereto.

***This article authorizes the Town Manager, as Manager of the Light Plant, to expend the income received by the Light Plant from the sale of electricity along with other departmental income to be used for the purposes of operating the department for the Fiscal Year. This is a routine annual action.***

### **ROAD REPAIR REVOLVING FUND EXPENDITURES**

**ARTICLE 24.** To determine whether the Town will vote that the income from fees paid by applicants to the Town for permits to dig up, alter, or disturb a public way in accordance with the Motion passed under Article 47 of the 1992 Annual Town Meeting, in an amount not to exceed the sum of \$120,000, or any other sum, be expended without further appropriation for the purpose of repairing, restoring, maintaining and inspecting public ways, to be managed and expended by the Town Manager in accordance with Chapter 44, Section 53E½ of the Massachusetts General Laws, or take any other action relative thereto.

***Pursuant to Article 47 of the 1992 Annual Town Meeting, this article authorizes up to \$120,000 of fees collected through the Town's Right-of-Way Street Permit Program to be used in fiscal year 2015 for repairing, restoring, maintaining and inspecting the Town's public ways. This is a routine annual action, with the amount of the authorization dependent upon the available unreserved balance of the Fund at the time of the vote.***

### **SOLID WASTE DISPOSAL FUND EXPENDITURES**

**ARTICLE 25.** To determine whether the Town will vote that the income from user fees for solid waste disposal services, associated services, and jobbing services by Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Solid Waste Disposal Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 27 of the 1989 Annual Town Meeting, or take any other action relative thereto.

***Pursuant to Article 27 of the 1989 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Solid Waste Disposal Fund and user fee revenue in fiscal year 2015 to be used to operate the Town's "pay-as-you-throw" curbside solid waste and recycling collection and disposal program. The Program consists of two major components: curbside collection and disposal including recycling and Drop-Off Days; and the operation and maintenance of the Town's composting site including the former landfill. This has been a routine annual action.***

## SEWER SYSTEM EXPENDITURES

**ARTICLE 26.** To determine whether the Town will vote that the income from user fees, special service fees and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Sewer Fund be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 37 of the 1976 Annual Town Meeting, or take any other action relative thereto.

*Pursuant to Article 37 of the 1976 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Sewer Fund and fiscal year 2015 revenue for the operation and maintenance and improvement of the Town's sewer system. Similar to the Town's Water and Light Plant Funds, the Sewer Fund is an enterprise fund. The entire cost of operations, maintenance, and capital replacement and renewal is funded by user fees. At the present time approximately one-third of Concord's residences and many businesses and institutions are connected to the Town's municipal sewer system. This has been routine annual action.*

## SEWER IMPROVEMENT FUND EXPENDITURES

**ARTICLE 27.** To determine whether the Town will vote that the income from sewer improvement fees during the ensuing fiscal year, together with the balance of operating cash in the Sewer Improvement Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 25 of the 1989 Annual Town Meeting and applicable state enabling statutes, or take any other action relative thereto.

*Pursuant to Article 25 of the 1989 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Sewer Improvement Fund (a sub-fund within the Sewer Fund) and fiscal year 2015 fees for constructing and expanding the Town's sewer lines and treatment facility capacities. Sewer improvement fees are charged to certain properties connecting to the sewer system. This has been a routine annual action.*

## WATER SYSTEM EXPENDITURES

**ARTICLE 28.** To determine whether the Town will vote that the income from user fees, special service fees, and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Water Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 38 of the 1974 Annual Town Meeting, or take any other action relative thereto.

*Pursuant to Article 38 of the 1974 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Water Fund and fiscal year 2015 revenue for the operation and maintenance and improvement of the Town's water system. Similar to the Town's Sewer and Light Plant Funds, the Water Fund is an enterprise fund. The entire cost of operations, maintenance, and capital replacement and renewal is funded by user fees. Almost all of Concord's residences and businesses/institutions are connected to the Town's municipal water system. This has been a routine annual action.*

## BEEDE SWIM & FITNESS CENTER ENTERPRISE FUND: FY 2015 BUDGET AND FY2014 SUPPLEMENTAL APPROPRIATION

**ARTICLE 29.** To determine whether the Town will vote to appropriate the amount required for the total expenses of the Community Pool Enterprise Fund for the fiscal year beginning July 1, 2014 (FY2015) for the operation of the Community Pool, in accordance with Chapter 44, section 53F½ of the Massachusetts General Laws, and further to make a supplemental appropriation to the FY2014 Beede Center operating budget in the amount of \$1,000,000, or any other sum, to fund the purchase of capital equipment, including any necessary design, testing, engineering, planning and related expenses, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*This article enacts the operating budget for the Community Swim and Fitness Center, which is self-supporting from its own revenues. State law applicable to this enterprise fund, adopted by*

*the 2005 Town Meeting, requires that a budget be enacted by Town Meeting. No tax funds are involved. In 2013, Town Meeting appropriated an operating budget of \$2,524,938 (\$2,430,364 from estimated revenues, \$94,574 from the undesignated fund balance) and a capital budget of \$325,000 (funded from the undesignated fund balance). The FY15 budget will be submitted by the Town Manager and reviewed at a public hearing on March 17, 2014. This article also proposes the appropriation of funds to supplement the FY 2014 budget so that a major capital improvement project, funded by Beede Center revenues, may be ordered in May and delivered and installed during the Center's annual one week closure in August for cleaning and repairs. The capital improvement project will replace the existing dehumidification system with a more reliable and energy-efficient system.*

### **FEASIBILITY STUDY AT 133, 135 AND 141 KEYES ROAD CAMPUS**

**ARTICLE 30.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the Treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, or any other enabling authorities, the sum of \$150,000, or any other sum, for the purposes of financing the cost of design services consultants, including engineering, surveying, geotechnical, architectural and related services, to undertake a feasibility study and preliminary design for the renovation and expansion of facilities on the Keyes Road campus, including 133, 135, and 141 Keyes Road, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*This article provides funds for a feasibility study to determine how best to utilize 133 and 135 Keyes Road, which house the Public Works Department, and 141 Keyes Road, which houses the Department of Planning & Land Management. Both departments have a need for additional office space, equipment storage areas, and employee workspaces. The site is located partially within the floodplain, so the study will include an evaluation of creating work space without increasing building footprints.*

### **141 KEYES ROAD BUILDING IMPROVEMENTS**

**ARTICLE 31.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the Treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$600,000, or any other sum, for the purposes of remodeling, reconstructing or making extraordinary repairs to the structure at 141 Keyes Road, including original equipment and related work, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*The building at 141 Keyes Road was originally constructed in 1899 to generate electricity for the Town. The structure underwent a major renovation in 1992 and now houses the Planning & Land Management Department, including the Planning, Health, Inspections and Natural Resources Divisions. This article would provide funds to replace the heating, ventilating and air conditioning system (HVAC) and the roof, which are both more than twenty years old. A small addition to the structure is proposed in order to relocate the mechanical systems out of the basement of the building, which is very wet and requires the continual operation of a sump-pump system.*

### **PURCHASE OF AMBULANCE EQUIPMENT**

**ARTICLE 32.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the Treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$75,000, or any other sum, for the purposes of financing the cost of purchasing equipment for a new ambulance that was donated to the Town and which will be placed into service on or about July 1, 2014, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*This article funds the purchase of important equipment needed for a new ambulance, including a stretcher, various cardiac and respiratory care equipment, patient monitoring devices and other related equipment. Ms. Audrey J. Mold generously donated the full cost of purchasing a new ambulance for West Concord and on July 1 the Fire Department expects to have this second ambulance operational daily from 8:00 a.m. to 8:00 p.m. The funding*

***proposed in this article fully equips the donated ambulance with life-saving and patient-care equipment necessary to operate this second ambulance.***

### **WEST CONCORD INFRASTRUCTURE IMPROVEMENTS**

**ARTICLE 33.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the Treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$100,000, or any other sum, for the purpose of reconstruction, renovation and improvement of streets, roads, sidewalks and related facilities in West Concord Center, including any necessary engineering design and surveying services, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

***The “West Concord Master Plan” recommended streetscape improvements in West Concord to promote pedestrian safety, make better use of available parking, calm traffic and improve the appearance of the village with plantings and other amenities. This article funds some of the recommended public infrastructure improvements.***

### **HARVEY WHEELER COMMUNITY CENTER – HVAC SYSTEM AND INSULATION AND POLICE STATION IMPROVEMENTS**

**ARTICLE 34.** To determine whether the Town will vote to appropriate the sum of \$425,000, or any other sum, for the purpose of remodeling, reconstructing or making extraordinary repairs, including any necessary design services, original equipping and related work, to the Harvey Wheeler Community Center in West Concord and the Police Station on Walden Street, and that to raise said appropriation, the Town Treasurer be authorized, with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$425,000, or any other sum, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

***This article funds building improvements at both the Harvey Wheeler Community Center, which needs HVAC improvement and building insulation, as well at the Police Station on Walden Street. The third floor of the public safety building has some unfinished storage space, which will likely be converted into new office space for use by the Police Department. The expected breakdown in cost will be approximately \$340,000 for the Harvey Wheeler Community Center and \$85,000 for the Police Station. This is part of the Five Year Capital Plan.***

### **REGIONAL HOUSING SERVICES REVOLVING FUND**

**ARTICLE 35.** To determine whether the Town will vote to establish a under Massachusetts General Laws Chapter 44, Section 53E ½, a Regional Housing Services Revolving Fund, to receive payments from member towns, including a payment of Concord’s proportional share as appropriated in the Town budget under Article 7, and to authorize the expenditure of up to \$150,000 in revenue under the direction of the Town Manager, for the purposes of continuing the operation of a five-town consortium set up to assist member communities in managing affordable housing resources, or take any other action relative thereto.

***In 2011, the Boards of Selectmen in Concord, Lexington, Lincoln, Sudbury and Weston approved an inter-municipal agreement to jointly operate a Regional Housing Services Office (RHSO). The RHSO provides a variety of affordable housing-related services including monitoring of developer/owner compliance with affordable housing requirements; consulting with affordable housing supporters and committees to develop community-sensitive housing; developing ready-buyer and ready-renter list to ensure maximum availability of affordable housing units; exploring regional solutions to affordable housing challenges. In 2012, Lincoln left the consortium and Acton joined the group. Sudbury served as lead community for the***

*first three years of operation. It is proposed that Concord serve as lead community for the next three years. Approval of this article would facilitate accounting and spending as Concord exercises its role as lead community. Funding for Concord's proportional share of the expenses for the RHSO will be appropriated under Article 7 (\$12,500 in line item 5A) and under Article 36 (\$17,000 in line item A).*

**COMMUNITY PRESERVATION COMMITTEE APPROPRIATION RECOMMENDATIONS**

**ARTICLE 36.** To determine whether the Town will vote to appropriate or reserve for future appropriation the sum of \$1,323,875, or any other sum, from the Concord Community Preservation Fund, of which up to \$75,875 shall be appropriated from unappropriated Fiscal Year 2014 Fund revenues and up to \$1,248,000 shall be appropriated from projected Fiscal Year 2015 Fund revenues, in accordance with Chapter 44B of the Massachusetts General Laws, to be expended under the direction of the Town Manager as follows:

Item	Project/Description	Total Amount Recommended	Category	FY14 CPA Fund Revenues	FY15 CPA Fund Revenues
A	Town of Concord – Regional Housing Services Program	17,500	Community Housing		17,500
B	Concord Housing Development Corporation – Broadening Affordable Housing for Concord Program	125,000	Community Housing		125,000
C	Town of Concord – Heywood Meadow Stone Wall Reconstruction Project	88,000	Historic Preservation		73,000
			Open Space		15,000
D	The Trustees of Reservations - Old Manse Phased Interior Restoration and Preservation Program	45,782	Historic Preservation		45,782
E	Town of Concord – Rogers Land Slope Restoration	82,804	Open Space		82,804
F	Town of Concord - Bruce Freeman Rail Trail Phase 2B and 2C in Concord	250,000	Recreation		200,000
			Open Space		50,000
G	Concord Carlisle at Play, Inc. – Fields Renovation Project at Concord Carlisle High School	433,000	Recreation		433,000
H	Concord Children's Center – Phase II Infrastructure and Accessible Elements for the Natural Playscape at Ripley	77,073	Recreation	75,875	1,198
I	Community Housing Reserve Fund (reserve for future appropriation)	125,000	Community Housing		125,000
J	Historic Preservation Reserve Fund (reserve for future appropriation)	15,000	Historic Preservation		15,000
K	Open Space Reserve Fund (reserve for future appropriation)	34,716	Open Space		34,716
L	Town of Concord – Staff and Technical Support	30,000	Administrative		30,000
		<b>\$1,323,875</b>		<b>\$75,875</b>	<b>\$1,248,000</b>

or take any other action relative thereto.

*This article authorizes the appropriation of funds from the Community Preservation Fund for the completion of specific projects as listed in the above chart and allowed under the Community Preservation Act (CPA). The article also reserves for future appropriation designated amounts for community housing, historic preservation and open space. These projects will expend, and reserve, a total of \$267,500 for Community Housing, \$133,782 for Historic Preservation, \$182,520 for Open Space, \$710,073 for Recreation and \$30,000 for Administration. Under the CPA, Town Meeting may reduce or reject but may not increase the appropriation from the Community Preservation Fund for any item proposed by the Committee, provided, however, that the CPA requires that a minimum of 10% of the annual revenues in the Community Preservation Fund be either spent or reserved for future spending for each of Community Housing, Historic Preservation and Open Space purposes.*

#### **GRANT OF A RESTRICTION AT 51 LAWS BROOK ROAD**

**ARTICLE 37.** To determine whether the Town will vote to authorize the Board of Selectmen (a) to grant on terms acceptable to the Board of Selectmen a perpetual restriction to an entity acceptable to the Board of Selectmen, meeting the requirements of Chapter 44B, Section 12 and Chapter 184, Sections 31-33 of the Massachusetts General Laws, with respect to all or a portion of the real property known as and numbered 51 Laws Brook Road, shown on the assessors maps D9 as parcel #2243, comprised of approximately 1 acre, that would permit recreational uses and uses accessory thereto on the property and (b) to enter into all agreements, execute any and all instruments and take any other steps that may be necessary in the judgment of the Board of Selectmen to effect said restriction, or take any other action relative thereto.

*This article authorizes the Town to enter into a permanent conservation restriction for the site formerly known as 51 Laws Brook Road Parcel 2243. In conjunction with the Town's purchase of the property, the restriction will provide for recreational uses and is recommended to meet the requirements of the Community Preservation Act as authorized by the 2012 Annual Town Meeting.*

#### **AGRICULTURAL PRESERVATION RESTRICTION ON TOWN FARM LAND AT 449, 42A, 52A AND 52X BARRETT'S MILL ROAD**

**ARTICLE 38.** To determine whether the Town will vote to authorize the Board of Selectmen to (a) grant a perpetual Agricultural Preservation Restriction (APR) or a Conservation Restriction (CR) that meets the requirements of Chapter 184, Sections 31-33 of the Massachusetts General Laws, in all or a portion of the properties at 449, 42A, 52A and 52X Barrett's Mill Road to the Concord Land Conservation Trust or a similar conservation organization acceptable to the Board of Selectmen, for the purposes of promoting local agriculture, farming and food production, and (b) to enter into all agreements, execute any and all instruments and take any other steps that may be necessary in the judgment of the Board of Selectmen to effect said restriction, or take any other action relative thereto.

*The 2013 Annual Town Meeting authorized the Board of Selectmen to purchase the property at 449 Barrett's Mill Road, including the McGrath farmhouse, farm stand and 1.9 acres of land. The purchase was completed on July 31, using \$400,000 from Community Preservation Act (CPA) funds designated for Open Space acquisition as well as an additional \$451,000 in non-CPA funds. The Natural Resources Commission has authorized the use of 10 additional acres of adjacent farmable conservation land acquired previously, to be leased to a farmer who will reside in the farmhouse. The CPA requires that a permanent restriction be placed on land purchased with CPA funds. The State Department of Agricultural Resources has provided preliminary support for an APR on the property which would limit future use of the land to agricultural uses, which is consistent with the Town's long-term plan to promote local agriculture and food production.*

#### **BY PETITION BRUCE FREEMAN RAIL TRAIL – PROTECTIVE MEASURES FOR ENVIRONMENTAL RESOURCES AND PUBLIC SAFETY**

**ARTICLE 39.** To determine whether the Town will vote to authorize and direct the Board of Selectmen to: (1) evaluate public and private studies completed to date and perform additional assessments

necessary to clearly define and evaluate impacts of construction, use, and maintenance of the Bruce Freeman Rail Trail (BFRT) on *environmental resources* (including but not limited to White Pond, Vernal Pools, Natural Heritage and Endangered Species Priority Habitat, Jennie Dugan Swamp, recharge areas to Town drinking water supplies, the Assabet River, and Warner Pond) and *public safety* (including but not limited to rules of use); (2) clearly define and evaluate environmental resource and safety impacts of construction, use, and maintenance of the BFRT; (3) design protective pre-construction, construction, use, and maintenance measures that will avoid, minimize, or mitigate these environmental resource and safety impacts; and (4) implement these protective measures during pre-construction, construction, use, and long-term maintenance of the BFRT.

Environmental resources and public safety impacts of construction, use, and maintenance of the BFRT, for which protective measures shall be designed and implemented, include but are not limited to the following:

- Soil erosion and discharge of toxics into environmental resources, including water supplies, and creation of conditions for invasive plants
- Destruction of tree canopy and shading, and damage to root systems of remaining trees
- Wildlife disturbance, including barriers to wildlife passage, temporary or permanent habitat loss, loss of biological diversity, and loss of “small wilderness” that supports species sensitive to human intrusion
- Impacts of 10 feet trail width, 3 feet shoulders either side of trail, and paved, impervious surface material for portions of the trail passing through environmental resources
- Public safety impacts, including safety during all hours of use, safety at rest stops, Sanborn Middle School student safety, safety around the West Concord train station, safety associated with allowed speeds and parking, and safe access from the BFRT to expected tourist destinations
- Drainage impacts of the surface and shoulders to wildlife habitat, water supplies and other environmental resources
- Impacts to environmental resources and public safety associated with long-term maintenance needs
- Impacts to environmental resources and public safety from increased usage over time

**Also, to determine whether the Town** will vote to allocate the sum of up to \$20,000, or any other sum, from the BFRT account or other funding source, to be expended under the direction of the Board of Selectmen for development of a Work Plan, Implementation Plan and associated budget and schedule for completion of tasks 1-4 in paragraph 1 above; or take any other action relative hereto.

Said Work Plan, Implementation Plan and associated budget and schedule shall be completed by the Board of Selectmen, in consultation with the Town of Concord BFRT Advisory Committee, Natural Resources Commission, and Health Department, and relevant state environmental, public health and safety agencies, prior to commencement of BFRT construction in 2015, and shall be incorporated into specifications for BFRT pre-construction site preparation, construction, post-construction, and long-term maintenance.

***PETITIONER’S EXPLANATION: This article would provide for a quality experience of the BFRT by (1) clearly defining environmental resource and public safety impacts and necessary pre-construction, construction, and post-construction measures to avoid, minimize or mitigate these impacts; and (2) developing a Work Plan, Implementation Plan and associated budget and schedule for these measures tied to the site preparation, construction, and long-term monitoring and maintenance phases of the project.***

## **BY PETITION RESOLUTION ON FOSSIL FUEL DIVESTMENT**

**ARTICLE 40.** To determine whether the Town of Concord will vote to adopt the following Resolution:

### RESOLUTION ON FOSSIL FUEL DIVESTMENT

WHEREAS, Global warming, caused primarily by the burning of fossil fuels and resulting increase in greenhouse gases in the atmosphere, is a serious threat to current and future generations in Concord and around the world; and

WHEREAS, Global warming is already causing costly disruption of human and natural systems throughout the world, including the acidification of the oceans, melting of Arctic and glacial ice, rising sea levels,

increasing heat waves, floods, drought, extreme weather, and corresponding food and water shortages, property damage, loss of biodiversity, and death; and

WHEREAS, The effects of global warming will further intensify with increased temperatures such that almost all governments in the world, including the United States, have agreed (through the 2009 Copenhagen Accord) that any warming above a 2°C (3.6°F) rise would be unsafe for human habitation; and

WHEREAS, Scientists estimate that humans can emit only approximately 565 more gigatons of carbon dioxide into the atmosphere and still retain a reasonable hope of not exceeding 2°C of global warming; and

WHEREAS, Proven coal, oil and gas reserves counted as assets of fossil fuel companies equal roughly 2,795 gigatons of CO<sub>2</sub>, or five times the maximum amount that can safely be released to prevent more than 2°C of global warming; and

WHEREAS, Fossil fuel companies continue to explore for even more fossil fuel deposits that cannot be burned without rendering Earth unfit for human habitation; and

WHEREAS, Fossil fuel companies operate under the imperative to create shareholder profit rather than for long term public benefit, use their considerable financial resources to create confusion on the science of global warming, and to influence the government to maintain laws and regulations favorable to the continuing sale of their product, and

WHEREAS, The Town of Concord has a moral duty to protect the lives and livelihoods of its inhabitants and of people around the world from the threat of global warming and believes that its investments should support a future without the catastrophic impacts of a warming environment; and

WHEREAS, The Town of Concord has a duty to its employees and taxpayers to maintain the value of funds invested on their behalf and to avoid risky investments; and

WHEREAS, Investments in fossil fuel companies could prove highly risky given that 80% of their proven reserves could become “stranded” and unusable assets if governments act to protect a habitable climate; now

THEREFORE, BE IT RESOLVED THAT Concord Town Meeting urges its Retirement Board and Town Treasurer to review their investment portfolios in order to identify any holdings that include direct or indirect investments in Fossil Fuel Companies, defined for purposes of this Resolution as any of the two hundred publicly-traded companies with the largest coal, oil and gas reserves (as measured by the gigatons of carbon dioxide that would be emitted if those reserves were extracted and burned) such as those companies listed in the Carbon Tracker Initiative’s “Unburnable Carbon” report; and

Be it FURTHER RESOLVED, That Concord Town Meeting urges it Retirement Board and the Town Treasurer to adopt policies to divest from such existing public equities, corporate bonds, or other direct holdings in Fossil Fuel Companies within five years and to preclude any new direct investments in Fossil Fuel Companies in the future, and

Be it FURTHER RESOLVED, That, for any investments of the Town of Concord in commingled funds that are found to include Fossil Fuel Companies, Town Meeting urges the Retirement Board and Town Treasurer to contact the fund managers and request that the Fossil Fuel Companies be removed from such funds; and

Be it FURTHER RESOLVED, That the Town Treasurer and Retirement Board release annual updates, that are made available to the public, which detail progress made towards full divestment in Fossil Fuel Companies within five years; and

Be it FURTHER RESOLVED, That Town Meeting urges the Board of Selectmen, Town Treasurer and Retirement Board to endorse proposed state legislation requiring divestment of statewide retirement funds (Pension Reserve Investment Trust (PRIT)) from Fossil Fuel Companies, and

Be it FURTHER RESOLVED, That the Town Clerk is requested to send copies of this Resolution to Concord’s elected state and national officials including President Barack Obama, Senators Elizabeth Warren and Edward Markey, Representative Niki Tsongas, Governor Deval Patrick, State Senator Michael Barrett,

and State Representative Cory Atkins, as well as to State Treasurer Steven Grossman, the Public Employee Retirement Administration Commission (PERAC) and managers of the Pension Reserve Investment Trust (PRIT), or take any other action relative thereto.

**PETITIONER'S EXPLANATION: Because of the urgency of the climate crisis which is caused primarily by human use of fossil fuels, this resolution urges the Town of Concord to 1) examine its portfolio to determine its holdings in fossil fuel companies 2) adopt a policy to divest from direct investment in fossil fuel companies within five years 3) send a request to managers of funds with which Concord investments are commingled to divest from fossil fuel companies 4) report annually on progress toward divestment 5) support proposed legislation for divestment of the statewide pension fund from fossil fuel companies and 6) send copies of this resolution to Concord's national and state elected officials as well as to the county and state retirement boards**

### **TRANSFER CUSTODY OF PROPERTY AT 383 OLD BEDFORD ROAD**

**ARTICLE 41 .** To determine whether the Town will vote to authorize the Board of Selectmen to transfer care custody and control of Parcel "A", as shown on the "Recorded Plan for 389 Old Bedford Road, a Planned Residential Development, Concord MA" dated October 26, 2004, as revised April 25, 2005 and October 24, 2005, prepared for Paul McMann by Stamski and McNary, Inc., on file with the Town Clerk, containing 84,783 square feet more or less, to the Natural Resources Commission, acting as the Town's Conservation Commission, pursuant to Chapter 40, Section 8C of the General Laws of Massachusetts, for open space purposes, or take any other action relative thereto.

***The Board of Appeals approved a Planned Residential Development for the property at 389 Old Bedford Road in July of 2004 which created a new lot referred to as 383 Old Bedford Road. A condition of the PRD approval was that the open space portion of the PRD property, containing approximately 84,783 square feet, would be gifted to the Town and held in the custody of the Natural Resources Commission. The buyer of the property at 383 Old Bedford Road belatedly transferred the open space portion of the property to the Town via quitclaim deed recorded on January 16, 2012 without the Town's review. The deed failed to specify that the land was to be placed in the custody of the NRC. Therefore, the land is held in the care, custody and control of the Board of Selectmen until Town Meeting authorizes the Selectmen to transfer custody to the NRC.***

### **SALE OF TOWN-OWNED LAND – 13B KEYES ROAD**

**ARTICLE 42.** To determine whether the Town will vote to authorize the Board of Selectmen to sell fee, easement and/or other property interests in, on, over, across, or under all or any portion of the property located at 13B Keyes Road in Concord, shown on Assessor's map 8G as parcel #1682-1, consisting of approximately 0.45 acres, together with any structures, improvements and trees thereon, on terms and conditions agreeable to the Selectmen, provided that such sale shall be conditioned upon the execution of a Development Agreement between the Board of Selectmen and the purchaser of the property on terms acceptable to the Board of Selectmen, concerning the redevelopment or reuse of the property, or take any other action relative thereto.

***The Mill Brook Tarry Task Force, appointed by the Planning Board, has been meeting to help define a redevelopment project for Mill Brook Tarry commercial property, including new housing, commercial office space and retail sales space, including a grocery store. The property at 13B Keyes Road may be useful to accomplish the overall redevelopment of this area. The 0.45 acre-parcel at 13B Keyes Road, which is the subject of this article, was acquired in 1899 by the Town as part of the campus of the Public Works Department. This article authorizes the Selectmen to sell the land, provided a Development Agreement has been reached specifying the terms and conditions of redevelopment.***

### **BY PETITION ZONING BYLAW AMENDMENT – FRONT YARDS**

**ARTICLE 43.** To determine whether the Town will vote to amend the Zoning Bylaw as follows:

Amend Section 6.2.6, by adding the following sentence thereto: "In a Business District, the Board may, by special permit, allow a front yard of zero (0) feet along Keyes Road, if it finds that doing so will advance the planning objectives of the town and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw".

or take any other action relative thereto.

**PETITIONER'S EXPLANATION:** *This article furthers the goals of both the 2005 Comprehensive Long Range Plan and the 2007 Village Center Study, one of which is the redevelopment of the underutilized Millbrook Tarry property at the intersection of Lowell Road and Keyes Road into a vibrant, mixed-use, "sub-village" of Concord Center. On December 13, 2013, the Millbrook Tarry Task Force, created by the Concord Planning Board, issued its Final Report and Recommendations and unanimously recommended specific redevelopment guidelines for the site. To existing uses at Millbrook Tarry (Rite Aid, Citizens Bank, Trail's End Café, professional offices) will be added residences, an upscale grocery store, and retail space serving local needs. Approval of this article grants no permits to the project's proponent, who will have to go through the regular town permitting process.*

### **BY PETITION** ZONING BYLAW AMENDMENT – TRAILER AND MOBILE HOME

**ARTICLE 44.** To determine whether the Town will vote to amend the Zoning Bylaw as follows:

Amend subsection 5.4.1 by inserting a new subsection 5.4.1.5, as follows:

"5.4.1.5 In a Business District, the Board may, by special permit, authorize the use of a trailer, modular container transportable by trailer or other similar vehicle or mobile structure as temporary retail space for not more than two (2) years provided that adequate parking is available for such temporary retail use."

or take any other action relative thereto.

**PETITIONER'S EXPLANATION:** *This article furthers the goals of both the 2005 Comprehensive Long Range Plan and the 2007 Village Center Study, one of which is the redevelopment of the underutilized Millbrook Tarry property at the intersection of Lowell Road and Keyes Road into a vibrant, mixed-use, "sub-village" of Concord Center. On December 13, 2013, the Millbrook Tarry Task Force, created by the Concord Planning Board, issued its Final Report and Recommendations and unanimously recommended specific redevelopment guidelines for the site. To existing uses at Millbrook Tarry (Rite Aid, Citizens Bank, Trail's End Café, professional offices) will be added residences, an upscale grocery store, and retail space serving local needs. Approval of this article grants no permits to the project's proponent, who will have to go through the regular town permitting process.*

### **BY PETITION** ZONING BYLAW AMENDMENT – COMBINED BUSINESS/RESIDENCE

**ARTICLE 45.** To determine whether the Town will vote to amend the Zoning Bylaw as follows:

Replace existing Subsection 4.2.3.1 with the following: "4.2.3.1 Each such unit is either a) structurally part of a commercial building, having common walls, foundation, roof or floor, or b) is within a multi-unit dwelling authorized by a special permit issued by the Board, provided, that, no such special permit shall be issued if the gross floor area of the multi-unit dwelling exceeds thirty-five percent (35%) of the gross floor area of the non-residential uses on the lot.

Amend Subsection 4.2.3.2, by deleting the word "twenty" and replacing it with the word "ten."

Amend Subsection 4.2.3.3, by deleting the word "twice."

Add Subsection 4.2.3.5, to read as follows: "4.2.3.5 For purposes of this Section 4.2.3: a) "at least" and "more than" shall refer to the whole number derived by dividing the number of proposed units by ten (10), and b) an affordable unit shall not be required unless the number derived by dividing the number of proposed units by ten (10) results in a remainder that equals or exceeds one half (.5)."

or take any other action relative thereto.

**PETITIONER'S EXPLANATION: This article furthers the goals of both the 2005 Comprehensive Long Range Plan and the 2007 Village Center Study, one of which is the redevelopment of the underutilized Millbrook Tarry property at the intersection of Lowell Road and Keyes Road into a vibrant, mixed-use, "sub-village" of Concord Center. On December 13, 2013, the Millbrook Tarry Task Force, created by the Concord Planning Board, issued its Final Report and Recommendations and unanimously recommended specific redevelopment guidelines for the site. To existing uses at Millbrook Tarry (Rite Aid, Citizens Bank, Trail's End Café, professional offices) will be added residences, an upscale grocery store, and retail space serving local needs. Approval of this article grants no permits to the project's proponent, who will have to go through the regular town permitting process.**

### **ZONING BYLAW AMENDMENT – REVISE COMBINED BUSINESS/RESIDENCE USE**

**ARTICLE 46.** To determine whether the Town will vote to amend the Zoning Bylaw in Section 4.2.3 Combined business/residence to allow one or more structures to be entirely in residential use when there are multiple structures on a lot, to establish a minimum percentage of commercial use for the combined business/residence use, to reduce the number of affordable units required from 20% to 15% and to allow the Board of Appeals to waive the affordable housing requirement when a payment in lieu of housing is provided when five or fewer units are proposed, and to reduce the amount of open space required, as follows:

4.2.3 *Combined business/residence:* A dwelling unit or units may be located on the same lot where commercial uses are conducted provided that:

- 4.2.3.1 Each such unit is structurally part of the commercial building, having common walls, foundation, roof and floor; except where there are multiple structures on the same lot, the Board may grant a special permit to allow one or more structures to be solely in residential use if the Board finds that the proposed residential use on the lot is not detrimental or injurious to the neighborhood in which it is to take place;
- 4.2.3.2 At least thirty percent (30%) of the total gross floor area on the lot shall be in business use;
- 4.2.3.3 At least fifteen percent (15%) of the dwelling units are available as affordable housing; if five (5) or fewer units are proposed, the Board may waive the construction or provision of affordable housing units when a comparable fee in lieu of units is made in accordance with the Inclusionary Housing Bylaw;
- 4.2.3.4 Open space shall be provided on the lot (~~apart from any paved area~~) equal to the gross floor area of the residential portion of the building. Any deck, balcony or rooftop garden shall be considered as open space if its width or depth is six feet (6 ft.) or greater and its floor area is more than thirty-six (36) square feet. Open space may be in its natural state or modified in such a way that the modification itself enhances the residents' quality of life;
- 4.2.3.5 In a combined business/residence building where more than fifteen percent (15%) of the dwelling units are available as affordable housing, the Board may grant a special permit to allow a decrease in the amount of open space, an increase in the height of the building up to forty (40) feet and/or a decrease in the number of parking spaces if the Board finds that the proposed combined business/residence development is in harmony with the general purpose and intent of this section and that it will not be detrimental or injurious to the neighborhood in which it is to take place.

or take any other action relative thereto.

***This Zoning Bylaw amendment to Section 4.2.3 Combined business/residence use allows one or more structures to be entirely in residential use when there are multiple structures on a lot; establishes a minimum area on the lot for business use; reduces the percentage of affordable housing units required from 20% to 15%; allows the Board of Appeals to waive the affordable housing units in consideration of a payment made in accordance with the Inclusionary Housing Bylaw if 5 or fewer units are proposed; and reduces the amount of open space required in relation to the residential use proposed. The Planning Board has submitted this bylaw amendment for two reasons: there has been no development of a combined business/residence use in any of the Business Districts since the bylaw was amended in 2006 to require 20% affordable housing units and the Town has achieved the 10% affordable housing mandated by the State. Additionally, the Planning Board recognizes the value of providing housing options in the Business districts that are located near goods, services and transportation opportunities, and would like to promote development that includes a mix of***

## **ZONING BYLAW AMENDMENT – FLOOD PLAIN CONSERVANCY DISTRICT**

**ARTICLE 47.** To determine whether the Town will vote to amend **Zoning Bylaw Section 2.2 Zoning Map** by inserting the date of January 1, 2014 in place of the date of January 1, 2010 and inserting the date of July 7, 2014 in place of June 4, 2010 and change the suffix of ALL map panels from “E” to “F”, as follows:

Flood Plain Conservancy District, Town of Concord, January 1, 2014 (Scale 1”=1000’ consisting of a single sheet). The general boundaries of the Flood Plain Conservancy District includes all special flood hazard areas within the Town of Concord designated as Zone A, AE and AH, on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Concord are panel numbers 25017C0244~~E~~, 25017C0263~~E~~, 25017C0264~~E~~, 25017C0356~~E~~, 25017C0357~~E~~, 25017C0358~~E~~, 25017C0359~~E~~, 25017C0366~~E~~, 25017C0367~~E~~, 25017C0376~~E~~, 25017C0377~~E~~, 25017C0378~~E~~, 25017C0379~~E~~, 25017C0381~~E~~, 25017C0383~~E~~, 25017C0386~~E~~, and, 25017C0387~~E~~ dated July 7, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

And, by amending Zoning Bylaw Section 2.3.5 to insert a reference to the new Flood Insurance Rate Maps (FIRMs) as follows:

“2.3.5 The exact boundaries of the Flood Plain Conservancy District shall be the location on the ground of the 100-year flood contours shown on the FPCD maps or the Middlesex County FIRMs, and as determined by an actual field survey. Supplementary information concerning flood elevations and the limits of the floodway may be found in the Middlesex County “Flood Insurance Study” booklet dated July 7, 2014 and published by the Federal Emergency Management Agency.”

And, by inserting the phrase “greater than 50 lots or 5 acres, whichever is the lesser,” in subsection 7.2.1.5 *Base flood elevation data*, so that the subsection reads: “Base flood elevation data is required for subdivision proposals or other developments on parcels greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.”

And, by revising the datum referenced in subsection 7.2.1.7 from National Geodetic Vertical Datum to North American Vertical Datum as follows: “7.2.1.7 *Water surface elevation*: The height in relation to the North American Vertical Datum (NAVD) of 1988 of floods of various magnitudes and frequencies in the flood plains of riverine areas.”

And, by inserting a new section 7.2.3 *Standards* as follows:

7.2.3 Standards.

7.2.3.1 Within Zone AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

7.2.3.2 In Zone AE, along watercourses that have a regulatory floodway within the Town of Concord designated on the Middlesex County FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

7.2.3.3 All site plan proposals shall be designed to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and, c) adequate drainage is provided to reduce exposure to flood hazards.”

and renumbering the sections and subsections that follow, i.e., “7.2.4 *Uses permitted without review by the Board*”, “7.2.5 *Uses permitted subject to review by the Board*” and “7.2.6 *Procedure for review by the Board*”.

or take any other action relative thereto.

***This Zoning Bylaw amendment addresses changes to the Federal Emergency Management Agency and National Flood Insurance Program mapping prepared by FEMA in 2013/2014 and keeps the Town in compliance with requirements of the National Flood Insurance Program. Failure to adopt these revisions will result in Concord's suspension from the National Flood Insurance Program. Changes above are shown underlined and highlighted for the Warrant only.***

**ZONING BYLAW AMENDMENT – TABLE III – DIMENSIONAL REGULATIONS**

**ARTICLE 48.** To determine whether the Town will vote to amend the **Zoning Bylaw TABLE III – Dimensional Regulations** by creating individual lines for each Business District (Business, Concord Center Business, Thoreau Depot Business and Nine Acre Corner Business), and by changing the minimum front yard in the Concord Center Business and Thoreau Depot Business districts from ten (10) feet to zero (0) feet, as shown below:

**TABLE III – DIMENSIONAL REGULATIONS**

Zoning Districts	Min. Lot Area in Sq. Ft.	Min. Lot Frontage In Feet	Frontage Exception In Feet	Min. Lot Width In Feet	Min. Front Yard In Feet	Min. Side Yard In Feet	Minimum Rear Yard in Feet	Corner Clearance In Feet	Maximum Height In Feet	Max. Lot Coverage %	Max. Floor Area Ratio
<u>Business</u>					<u>10</u>	none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which about the residential district unless otherwise specified under site plan approval.		<u>10</u>	<u>35</u>		
<u>Concord Center Business</u>					<u>0</u>	none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which about the residential district unless otherwise specified under site plan approval.		<u>10</u>	<u>35</u>		
<u>Thoreau Depot Business</u>					<u>0</u>	none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which about the residential district unless otherwise specified under site plan approval.		<u>10</u>	<u>35</u>		
<u>Nine Acre Corner Business</u>					<u>10</u>	none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which about the residential district unless otherwise		<u>10</u>	<u>35</u>		

						specified under site plan approval.											
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or take any other action relative thereto.

***This amendment to the Zoning Bylaw Table III Dimensional Regulations changes the minimum front yard in the four named business districts to match minimum front yard setbacks voted for the West Concord Business and West Concord Village districts in 2011. It makes many currently non-conforming structures in these business districts conforming with respect to the front yard setback requirement. Changes above are shown underlined and highlighted for the Warrant only.***

**ZONING BYLAW AMENDMENT – REGISTERED MARIJUANA DISPENSARY**

**ARTICLE 49.** To determine whether the Town will vote to amend the Zoning Bylaw as follows:

Amend Zoning Bylaw Section 4.3 Institutional Uses by replacing the words “Medical Marijuana Treatment Center” with “*Registered Marijuana Dispensary*”, so that the Section reads:

**4.3.9 Registered Marijuana Dispensary:** A non-profit facility or location that has been registered by the Department of Public Health where medical marijuana is grown, processed and/or made available to a qualifying patient or a personal caregiver, provided that:

4.3.9.1 A registered marijuana dispensary shall not be located within three thousand feet (3,000’) of an elementary school, middle school, high school, or public library in existence at the time of enactment of the zoning bylaw amendment establishing this use.

And, amend Table I – Principal Use Regulations in Section 4 to replace the words “Medical Marijuana Treatment Center” with “Registered Marijuana Dispensary” as shown in the portion of Table I below as follows.

Principal Uses	Residential Districts				Commercial Districts				Industrial Districts						Site Plan Review		
	AA	A	B	C	B	<u>CCB</u> , <u>TDB</u> , <u>NACB</u>	<u>WCB</u>	<u>WCV</u>	LB	MP	WCI	I	IPA	IPB		LIP1	LIP2
4.3																	
4.3.9 <u>Registered Marijuana Dispensary</u>	no	no	no	no	no	no	no	no	no	SP	no	no	no	no	no	no	R

***This amendment aligns the Town’s terminology with the State’s terminology, which had not yet been established at the time the Town’s Zoning Bylaw was amended to create and allow a medical marijuana use. Changes above are shown underlined for the Warrant only.***

**ZONING BYLAW AMENDMENT – RESTAURANT SIZE IN THE WEST CONCORD VILLAGE DISTRICT**

**ARTICLE 50.** To determine whether the Town will vote to amend the Zoning Bylaw by revising Section 4.5.4 to allow a restaurant larger than 4,000 square feet and up to 5,200 square feet in the West Concord Village District by increasing the percentage allowed by Special Permit from twenty percent (20%) to thirty percent (30%):

4.5.4 Restaurant: Restaurant, cafeteria, lunchroom or similar establishment whose principal business is the sale of prepared foods or beverages and whose principal method of operation includes either (1) service by a restaurant employee to a table or counter where the food or beverages is consumed, or (2) a cafeteria-type operation where foods and beverages are consumed within the restaurant building. Provided, however, in the West Concord Business District a restaurant shall not occupy more than 5,000 square feet of gross floor area; and, provided further, in the West Concord Village District a restaurant shall not occupy more than 4,000 square feet of gross floor area, unless a special permit is granted to allow a larger restaurant in the West Concord

Village District by up to thirty percent (30%). A special permit shall be granted by the Planning Board only upon a written determination as provided in Section 11.6 and that the larger restaurant serves a public purpose or has a public benefit.

or take any other action relative thereto.

***The proposed change to the Zoning Bylaw allows a restaurant in the West Concord Village District to be 30% larger than 4,000 sq. ft. in area by special permit. This will allow the building at 24 Commonwealth Ave. to be used entirely for restaurant use, including the existing 2<sup>nd</sup> floor office space, which would otherwise be limited to storage space. Changes above are shown underlined for the Warrant only.***

## **ZONING BYLAW AMENDMENT – HOUSEKEEPING/CORRECTIONS**

**ARTICLE 51.** To determine whether the Town will vote to amend the Zoning Bylaw by revising the following:

Insert the phrase, “of the annual household income” before the phrase “of a qualified affordable housing unit tenant” in section 1.3.2 *Affordable housing*: item (b) so that this portion of the sentence reads: “(b) available for rent and rented at an annual rent (which for this purpose shall include, to the extent required by the applicable federal, state or local program, an appropriate allowance for utilities to the extent they are not otherwise included in the rent) that will result in an annual shelter cost of not more than thirty percent (30%) of the annual household income of a qualified affordable housing unit tenant;

Re-number Section 1.3 Definitions beginning with 1.3.14 and deleting the alphabetical addition (A and B) so that the subsections follow in numerical sequence (that is 1.3.14, 1.3.15, 1.3.16, and so on); and,

Amend Section 5.3 Table II-Accessory Use Regulations to add a period before the 15 in subsection 5.3.15, so that it reads 5.3.15; and,

To implement the vote of the 2012 Town Meeting that Section 4 Table I – Principal Use Regulations was to be amended to allow 4.2.9 Hotel, Extended-stay hotel and Motel use in the Industrial Park-A (IP-A).

And, add a new section 1.4 to read as follows:

“ 1.4 Changes in Numbering

The Town Clerk is authorized to make non-substantive changes to the numbering of this Bylaw and future amendments hereto in order to make numbering conform to the numbering format of this Bylaw.” .

or take any other action relative thereto.

***The proposed changes to the Zoning Bylaw are “general housekeeping” items to revise and correct numbering and numbering sequences, to implement the actions of Town Meeting 2012 when there are inconsistencies between the table and the language presented in the Warrant, and to allow non-substantive numbering changes to be made in the future without requiring a vote by Town Meeting. Changes above are shown underlined for the Warrant only.***

## **ZONING BYLAW AMENDMENT – WIRELESS FACILITY MODIFICATIONS**

**ARTICLE 52.** To determine whether the Town will vote to amend the Zoning Bylaw Section 7.8 Personal Wireless Communications Facility by revising subsection 7.8.2.13 *Modification of an existing facility*: to delete the following phrase “change in antenna type or model, repositioning of antenna(s),” so that the subsection reads as follows:

“7.8.2.13 *Modification of an existing facility*: Any material change or proposed change to a personal wireless communication facility including but not limited to power input or output, number of antennas, ~~change in~~

antenna type or model, repositioning of antenna(s), or change in number of channels per antenna above the maximum number approved under an existing special permit.”

And, revise subsection *7.8.4 Procedure for review by the Board*: to insert the following language at the end of the paragraph: “, except where modification of an existing tower or facility does not substantially change the physical dimensions of such tower or facility or transmission equipment, or involves the removal of transmission equipment.” so that the paragraph reads as follows:

*“7.8.4 Procedure for review by the Board: Any person who desires to construct or install a personal wireless communication facility, including co-location on an existing facility, shall submit a written application for a special permit and site plan approval to the Board, with copies to the Planning Board. Applications shall be submitted in accordance with the requirements outlined in the Rules and Regulations for Personal Wireless Communication Facility(s) adopted by the Board. A special permit is required for: a) new tower construction (or modification of an existing tower); and b) personal wireless communication service facilities (or modification of an existing facility) to be mounted in or on an existing or newly permitted tower or structure, except where modification of an existing tower or facility does not substantially change the physical dimensions or appearance of such tower or facility or transmission equipment, or involves the removal of transmission equipment.”*

or take any other action relative thereto.

***Recent changes in the interpretation of section 704 of the Telecommunications Act of 1996 clarify the definition of substantial changes. The added language for “Procedure for review by the Board” allows the wireless provider to make minor changes to an existing tower, facility or equipment, as well as to remove equipment. Changes above are shown underlined for the Warrant only.***

## **ZONING BYLAW AMENDMENT – BIKE PARKING REQUIREMENTS AND WAIVER OF DESIGN STANDARDS FOR SITE PLAN REQUIREMENTS**

**ARTICLE 53.** To determine whether the Town will vote to amend the Zoning Bylaw Section 7.7.3 *Design standards* by adding a new subsection “*7.7.3.8 Bicycle parking:*” and renumbering the subsections that follow i.e., *7.7.3.9 Surfacing, drainage and curbing; 7.7.3.10 Landscaping;* etc. as follows:

*“7.7.3.8 Bicycle parking: Bicycle parking or storage shall be provided for use by residents, employees and other users of the site. Long-term bicycle parking for residents and employees shall be located in secure, weather-protected, restricted access facilities. Short-term bicycle parking for visitors and users of a site shall be located in convenient and accessible locations.”*

And by deleting the existing subsection 7.7.3.12 and inserting a new subsection 7.7.3.13 in its place as follows:

*7.7.3.13 Relief from design standards:* The Board may, upon advice of the Planning Board, grant relief from the design standards contained in Section 7.7.3 where the variation in the standards can be supported by a study prepared by a qualified consultant and where the Board finds that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

or take any other action relative thereto.

***There is no requirement to provide for bicycle storage when a site is being developed or redeveloped – the proposed change clarifies the expectation that bicycle parking should be provided. Further, the existing bylaw allows the Board of Appeals (the Board) to consider relief or waivers from only the parking dimensions outlined in subsection 7.7.3.1. This amendment also allows the Board to consider relief or waivers from all of the Design standards on a case by case basis and be more responsive to the concerns of a specific site. Changes above are shown underlined for the Warrant only.***

## **BYLAW AMENDMENT - INCLUSIONARY HOUSING BYLAW**

**ARTICLE 54.** To determine whether the Town will vote to amend the Inclusionary Housing Bylaw enacted under Article 61 of the 1992 Annual Town Meeting as follows:

Amend Section 1. Purpose by inserting the phrase “or special development provisions of the Zoning Bylaw” in the first sentence and after the words “subdivision process”, so the first sentence reads: “To provide, as a matter of public policy and within the subdivision process or special development provisions of the Zoning Bylaw, a means to address the affordable housing needs of the Town and to encourage housing for persons of all income levels in the Town of Concord, particularly, and to the extent permitted by law, for Town employees, residents of the Town, and their children.”

Add the words “in Subdivisions” to the title of Section 2. so that the title reads: “Required Reservation of Land in Subdivisions”.

Add the words “for Subdivisions” to the title of Section 3. so that the title reads: “Exemptions for Subdivisions”.

Add the words “of Land in Subdivisions” to the title of Section 4. so that the title reads: “Options in Lieu of Reservation of Land in Subdivisions”.

**Insert** a new Section 5. Options in Lieu of Required Affordable Housing in Special Developments as follows:

### **Section 5. Options in Lieu of Required Affordable Housing in Special Developments**

Certain uses in the Zoning Bylaw require the construction of affordable housing units as a percentage of the overall number of residential housing units constructed (Zoning Bylaw sections 4.2.3 Combined business/residence use and 4.2.4 Combined industrial/business/residence use); however, when a small number of residential housing units are proposed, construction of the required affordable housing unit may not be economically feasible. In such situations, the Board of Appeals may waive the required affordable housing unit provided that the Selectmen have agreed to accept, at no cost to the Town, for affordable housing purposes adequate alternative contributions of land or money to the Town or its designee.

And, renumber Section 5. Rules and Regulations to be **Section 6. Rules and Regulations.**

or take any other action relative thereto.

***The proposed changes to the Inclusionary Housing Bylaw provide a mechanism for an applicant or developer using a special development provision of the Zoning Bylaw to provide an alternative form of contribution toward development of affordable housing when a small number of residential housing units are proposed for construction. Changes above are shown underlined for the Warrant only.***

## **2015 ROAD PROGRAM**

**ARTICLE 55.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen to borrow the sum of \$1,300,000, or any other sum, for the repair, reconstruction, renovation or design of roads and streets within the town including drainage and sidewalk improvements; and that to meet said appropriation, the Treasurer with the approval of the Board of Selectmen be authorized to borrow the sum of \$1,300,000, or any other sum, under the provisions of Chapter 44 of the Massachusetts General Laws; said funds to be expended under the direction of the Town Manager; and further that the Town Manager be authorized to accept and expend state grants as may be available for the same purpose, and that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow up to the amount stipulated in such grant or grants under the provisions of Chapter 44 of the Massachusetts General Laws, in anticipation of reimbursement of this amount, or take any other action relative thereto.

***This article authorizes the Treasurer to borrow \$1,300,000 for the repair, reconstruction or renovation of Concord's roads. Combined with expected state road aid and \$90,000 requested***

*under Article 7, item 23, funds will be used to protect and replace Concord's 103 miles of public roads including drainage and sidewalk construction and renovation. This borrowing is part of the Town Manager's Five-Year Capital Plan, with the debt service cost to be funded within the Levy Limit.*

### **STREET ACCEPTANCE – FINIGAN WAY**

**ARTICLE 56.** To determine whether the Town will vote to (a) accept as a Town way the laying out by the Commissioners of Public Works of a street located on the westerly side of Strawberry Hill Road approximately 850' feet north westerly from Barrett's Mill Road extending in a westerly direction approximately 1,277 feet and terminating in a cul-de-sac turnaround over land formerly owned by Bentley Building Corp., as shown on a plan filed with the Town Clerk and recorded at the Middlesex South District Registry of Deeds on March 26, 2008 as Plan No. 214 of 2008, entitled "Definitive Subdivision Plan, Finigan Way, A Planned Residential Development, Concord Massachusetts", dated June 26, 2007, revised March 7, 2008, prepared by Stamski and McNary, Inc., containing three (3) sheets; (b) name said street Finigan Way; (c) authorize the Commissioners to acquire on behalf of the Town, by purchase, eminent domain or otherwise, such interests in land as may be necessary and related thereto, including the fee interest in Finigan Way, and utility, drainage and other easements, on such terms and conditions as the Commissioners may determine; and (d) raise and appropriate, transfer from available funds or accept a grant of a sum of money therefor; or take any other action relative thereto.

*This article asks Town Meeting to accept the laying out of Finigan Way as a public way.*

### **DEMOLITION DELAY BYLAW**

**ARTICLE 57.** To determine whether the Town will vote to replace the text of the existing **Demolition Delay Bylaw** with new text as follows:

#### **Section 1. Intent and Purpose**

The intent of this bylaw is to provide an opportunity to develop preservation solutions for historically significant properties threatened with demolition. The purpose of this article is to establish a predictable process for preserving and protecting significant buildings and other structures within the Town of Concord (the "Town") which constitute or reflect distinctive features of the cultural, political, architectural or social history of the Town; to encourage owners of such buildings and other structures to seek out persons or groups of people who might be willing to purchase, preserve, rehabilitate, restore or relocate such buildings or other structures rather than demolish them; or, barring that, to create a record, including a visual history of such buildings or other structures; and to provide a reasonable time period for public notice and discussion by interested groups and individuals of means by which to preserve such buildings and other structures.

#### **Section 2. Definitions**

For the purposes of this bylaw, the following words and phrases shall have the meanings set forth below:

- 2.1 "CHC" - the Concord Historical Commission.
- 2.2 "Building Commissioner"- the Building Commissioner of the Town of Concord, or other person authorized by state law or local bylaw to issue demolition permits in the Town.
- 2.3 "Building or other Structure" - any combination of materials forming a shelter for persons, animals, or property, and also such other combinations of building materials as constitute the historic built environment of the Town, including, but not limited to, statues, monuments, and burial grounds.
- 2.4 "Application" - An application to the Building Commissioner for a demolition permit as defined by this bylaw.
- 2.5 "Demolition Permit" - Any permit issued by the Building Commissioner which is required by the State Building Code and which authorizes the total or partial demolition of a building or structure (excluding interior

demolition) regardless of whether such permit is called a demolition permit, alteration permit, building permit, or otherwise.

2.6 "Total Demolition" - The pulling down, razing or destruction of the entire portion of a building or structure which is above ground regardless of whether another building or structure is constructed within the original footprint of the destroyed building or structure.

2.7 "Partial Demolition" - The pulling down, destruction or removal of a substantial portion of the exterior of a building or structure or the removal of architectural elements which define or contribute to the historic character of the structure.

2.8 "Historically significant building or structure" - Any building or other structure which is in whole or in part **seventy five** or more years old and

- (1) is listed on or within an area listed on the National Register of Historic Places or eligible for such listing, or listed on or is within an area listed on the State Register of Historic Places, or eligible for such listing; and/or,
- (2) has been determined by the CHC or its designee to be a historically significant building after a finding that it is:
  - a) importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic or social history of the Town of Concord, the Commonwealth of Massachusetts or the United States of America: or
  - b) historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of buildings or structures; or
  - c) located within one hundred fifty (150) feet of the boundary line of any federal or local historic district and contextually similar to the buildings or structures located in the adjacent federal or local historic district; and/or,
- 3) is located in any federal historic district, or if in any local historic district, is not visible from any public street, way, or place, including public lands, parks or bodies of water.

2.9 "Preferably Preserved" - An historically significant building or structure which the CHC has determined should be preserved, rather than totally or partially demolished, in accordance with the standards set forth in subsection 3.6 below.

2.10 "Business Day" - A day which is not a legal federal, state or municipal holiday, Saturday, or Sunday.

### **Section 3. Procedure**

3.1 No demolition permit for a building or structure which is in whole or in part seventy five or more years old shall be issued by the Building Commissioner except in conformity with the provisions of this section, as well as any other applicable law, statute, bylaw or regulation.

3.2 If any applicant, or the owner of the building or structure if different from the applicant, seeks to demolish, in whole or in part, a building or structure which is in whole or in part seventy five or more years old, and if the Building Commissioner determines that at least one full exterior façade or roof structure is proposed for demolition, the owner of the building or structure shall file a demolition review application with the CHC for a determination as to whether the building or structure is historically significant and shall provide the CHC with the following information:

- (1) a site plan or GIS map which shows the building or structure to be demolished and the property on which it is located;
- (2) photographs of all existing façade elevations of the building or structure to be totally or partially demolished;
- (3) a description of the proposed plans for demolition and the reason(s) therefore.

3.3 Within fifteen (15) business days after the CHC's receipt of a demolition review application, the CHC shall make a determination as to whether the building is or is not historically significant and shall notify, in writing, the Building Commissioner and the applicant of this determination. The CHC may delegate the determination that a building or structure is or is not historically significant to Commission staff or to a

designated Commission member. In the event that the CHC delegates the determination to the Commission staff or to a designated Commission member, the Commission shall adopt criteria to be followed by the staff or the member in making this determination.

- (1) when the CHC receives a demolition review application for a partial demolition, the CHC shall apply the following standards and procedures:

(a) *Items requiring review by the CHC at a hearing.* Partial demolition of any architecturally significant features in a historically significant building or other structure, which would alter the massing of the existing building or other structure including, but not limited to, the removal or envelopment by subsequent additions of any complete exterior wall surface or roof structure.

(b) *Items requiring review by the CHC that may be reviewed and approved by its staff without a hearing if plans indicate:*

- a) Repair or replacement of existing and original porches with similar materials to match existing.
- b) Demolition or envelopment by subsequent additions or alterations not visible from a public way.
- c) Removal or envelopment by subsequent additions of a portion of an exterior wall or an area comprising less than a single exterior wall surface.

(c) *Items considered to be de minimis and requiring no CHC review:*

- a) Open porches and entryways consisting of only a set of stairs, an entrance platform and a roof which are utilitarian in design or do not contribute to the architectural significance or character of the building.
- b) Demolition or construction of new additions which remove, alter, or envelop less than 100% of a single exterior wall or roof structure.
- c) Normal maintenance of a building's exterior, including, but not limited to repair or replacement of roof surfaces, repair or replacement of gutters, and repair or replacement of existing doors and windows, including casings and frames, repair or replacement of existing exterior cladding (clapboards, shingles, masonry, etc.).

3.4 A determination that a building or structure is or is not historically significant made by the Commission staff or a designated Commission member may be appealed to the full CHC by filing a notice of appeal with the CHC not later than fifteen (15) business days after the written notice that the building or structure is or is not historically significant has been filed with the Building Commissioner. Filing the appeal of the determination shall not stay the effect of such determination. Following a hearing before the CHC, which may be, but is not required to be, conducted in conjunction with the hearing on whether the building or structure is preferably preserved, the CHC shall affirm or reverse the determination and file notice of such determination with the Building Commissioner. If the appeal of the determination is made independent of the preferably preserved hearing, the CHC shall follow the same procedure for such hearing as that set forth in subsection 3.6 below.

3.5 No demolition permit shall be issued by the Building Commissioner for a building or structure determined to be historically significant until the procedural requirements of subsection 3.6 of this bylaw have been satisfied. The Building Commissioner may grant the demolition permit if he:

- (1) does not receive written notice within forty-five (45) days after the CHC's receipt of the application for demolition that the building or structure is historically significant; or
- (2) receives written notice from the CHC that the affected structure either is not historically significant, or is historically significant but deemed not preferably preserved by the CHC.

3.6 When a building or structure is determined to be historically significant, the CHC shall hold a public hearing to determine whether the building or structure, or the portion of the building or structure to be demolished, is preferably preserved. The applicant shall provide the CHC with the following information for this determination:

- (1) in the case of partial demolition involving alteration(s) or addition(s) to a building or structure,
  - a) proposed plans and elevation drawings for the affected portion of the building or structure; and,
  - b) a plot plan of the property, if the same is required to obtain a permit under the State Building Code for the proposed alteration(s) or addition(s); and,

- c) if the site of the building or structure to be demolished is to be redeveloped, plans showing the use or development of the site after demolition together with a statement identifying all zoning variances and/or special permits which may be required in order to implement the proposed use or development.

The date that the CHC receives all the above information shall be stamped on the information received and shall be considered the submission date. Following public notice as set forth in subsection 3.9 of this ordinance, the CHC shall hold a public hearing within forty-five (45) days of the submission date to determine whether the building or structure should be preferably preserved based on the criteria set forth in this paragraph. If the CHC finds that the demolition proposed in the application would result in the demolition of a historically significant building or structure whose loss would be detrimental to the historical, cultural or architectural heritage or resources of the Town of Concord, then the CHC shall find that the building or structure should be preferably preserved.

3.7 Upon a determination that the building or structure which is the subject of an application for a demolition permit is preferably preserved, the CHC shall give written notice of the determination to the Building Commissioner. A copy of the CHC's determination shall also be sent to the applicant for the demolition permit and to the owner of the building or structure if different from the applicant.

- (1) For a building or structure listed in the National Register of Historic Places or determined eligible for listing in the National Register of Historic Places by the Massachusetts Historical Commission:
  - a) No demolition permit shall be issued for a total demolition or a partial demolition of a building or structure until eighteen (18) months after the date of such determination by the CHC, unless the CHC informs the Building Commissioner prior to the expiration of such eighteen (18) month period that it is satisfied that the applicant for the demolition permit and the owner of the building or structure, if different from the applicant, has:
    - i) made a bona fide, reasonable and unsuccessful effort to locate a purchaser for the building or structure who is willing to preserve, rehabilitate, restore or relocate the building or structure; or,
    - ii) has agreed to accept a demolition permit on specified conditions approved by the CHC.
  - b) If the specified conditions involve approved plans and elevations, then no demolition permit shall be issued by the Building Commissioner unless the applicant provides, as part of his application for a demolition permit, a complete set of plans and elevation drawings which have been signed and stamped by the CHC or its staff. The applicant shall have two (2) years from the date of the expiration of the eighteen (18) month period in which to apply for and obtain a demolition permit. No demolition permit shall be issued for such building or structure after the expiration of this two (2) year period, unless the procedural requirements of subsection 3.6 hereof have been satisfied.
  - c) The applicant, the CHC and any other interested parties are encouraged to work to seek an alternative to the proposed demolition during the eighteen (18) month delay. In order to encourage applications that preserve, restore, reuse, rehabilitate or relocate historic buildings and structures, no application for a total demolition of a building or structure which has been unfavorably and finally acted upon by the CHC shall be acted favorably upon within four (4) months after the date of final unfavorable action unless the said CHC finds, by a majority vote of those members present, that the resubmitted application proposes to preserve the building or structure.
  - d) Due notice shall be given to parties in interest of the time and place of the proceedings when the resubmitted application will be considered.
- (2) For all other preferably preserved buildings and other structures not covered under section 3.7(1) above:
  - a) No demolition permit shall be issued for a total demolition or a partial demolition of a building or structure found preferably preserved until one (1) year after the date of such determination by the CHC, unless the CHC informs the Building Commissioner prior to the expiration of such one (1) year period that the CHC is satisfied that the applicant for the demolition permit and the owner of the building or structure, if different from the applicant, has:
    - i) made a bona fide, reasonable and unsuccessful effort to locate a purchaser for the building or structure who is willing to preserve, rehabilitate, restore or relocate the building or structure; or,
    - ii) agreed to accept a demolition permit on specified conditions approved by the CHC.
  - b) If the specified conditions involve approved plans and elevations, then no demolition permit shall be issued by the Building Commissioner unless the applicant provides, as part of his application for a demolition permit, a complete set of plans and elevation drawings which have been signed and stamped by the CHC or its staff. The applicant shall have two (2) years from the date of the

- expiration of the one (1) year period in which to apply for and obtain a demolition permit. No demolition permit shall be issued for such building or structure after the expiration of this two (2) year period, unless the procedural requirements of subsection 3.6 hereof have been satisfied.
- c) The applicant, the CHC and any other interested parties are encouraged to work to seek an alternative to the proposed demolition during the one year delay. In order to encourage applications that preserve, restore, reuse, or rehabilitate historic buildings and structures, no application for a total demolition of a building or structure which has been unfavorably and finally acted upon by the commission shall be acted favorably upon within four (4) months after the date of final unfavorable action unless the said commission finds, by a majority vote of those members present, that the resubmitted application proposes to preserve the building or structure.
  - d) Due notice shall be given to parties in interest of the time and place of the proceedings when the resubmitted application will be considered.

3.8 Upon a determination by the CHC that a building or structure is not preferably preserved or upon the CHC's failure to make any determination within forty-five (45) days of the submission date, the Building Commissioner may grant a demolition permit for the building or structure.

3.9 Public notice of Demolition Review hearings shall provide the date, place and time of the hearing and the addresses of the properties to be considered at the hearing. Public notice shall include, at a minimum, posting with the Town Clerk and notification to the Director of Planning and Land Management, to the Building Commissioner, to the applicant, to the owners of all abutting properties and to other property owners deemed by the CHC to be materially affected.

3.10 If the applicant is someone other than the owner or his designated agent, a demolition review application cannot be filed until the CHC receives written authorization from the owner that the applicant may apply for changes to their property.

#### **Section 4. Securing Historically Significant and Preferably Preserved Buildings and Structures**

4.1 If, following an application for a demolition permit, a building or structure has been determined to be historically significant, and the building or structure is subsequently destroyed by fire or other cause before any determination is made by the CHC as to whether the building or structure is preferably preserved, a rebuttable presumption shall arise that the owner voluntarily demolished the building or structure without obtaining a demolition permit in accordance with the provisions of this ordinance. In such cases, the Building Commissioner shall not issue any permit required under the State Building Code pertaining to the property on which the historically significant building or structure was located (except as necessary to secure public safety or health) for a period of two (2) years from the date of destruction of the building or structure, unless the owner can provide evidence satisfactory to the CHC that he took reasonable steps to secure the building or structure against fire or other loss or that the cause of the destruction was not otherwise due to the owner's negligence.

4.2. If during the period of demolition delay for a building or structure determined to be preferably preserved, such building or structure is destroyed through fire or other cause, the Building Commissioner shall not issue any permit required under the State Building Code pertaining to the property on which the preferably preserved building or structure was located (except as necessary to secure public safety or health) until the end of the period of demolition delay, unless the owner can provide evidence to the CHC that he took reasonable steps to secure the building or structure against fire or other loss or that the cause of the destruction was not otherwise due to the owner's negligence.

4.3 This section shall not apply, and a demolition permit shall be issued, if a building, structure or exterior architectural feature damaged or destroyed by fire, storm, or other disaster is reconstructed with an exterior design that is substantially similar to its previous appearance, provided that such reconstruction is begun within six (6) months thereafter and is carried forward with due diligence. This exception shall be limited to reconstruction of only that portion of the building or structure damaged by such catastrophic event.

#### **Section 5. Emergency Demolition**

If a building or structure poses an immediate threat to public health or safety due to its deteriorated condition, the owner of such building or structure may request issuance of an emergency demolition permit from the Building Commissioner. As soon as practicable after the receipt of such request, the Building Commissioner

shall arrange to have the property inspected by a team consisting of himself or his designee; the town engineer or his designee; the fire chief or his designee; the chairman of the CHC or their designee; and one (1) disinterested person chosen by the Building Commissioner. After inspection of the building or structure and consultation with the other members of the inspection team, the Building Commissioner shall determine whether the condition of the building or structure represents a serious and imminent threat to public health and safety and whether there is any reasonable alternative to the immediate demolition of the building or structure which would protect public health and safety. If the Building Commissioner finds that the condition of the building or structure poses a serious and imminent threat to public health and safety and that there is no reasonable alternative to the immediate demolition of the building or structure, then the Commissioner may issue an emergency demolition permit to the owner of the building or other structure.

Whenever the Building Commissioner issues an emergency demolition permit under the provisions of this section of the bylaw, he shall prepare a written report describing the condition of the building or structure and the basis of his decision to issue an emergency permit with the CHC. Nothing in this section shall be inconsistent with the procedures for the demolition and/or securing of buildings and structures established by M.G.L. c. 143.

## **Section 6. Enforcement and Remedies**

6.1 The CHC and/or the Building Commissioner are each specifically authorized to request that the Town Manager, with the approval of the Selectmen, institute any and all actions and proceedings, in law or in equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this bylaw or to prevent a threatened violation thereof.

6.2 Anyone who demolishes a preferably preserved building or other structure without first obtaining and complying fully with the provisions of the demolition review in accordance with this bylaw shall be subject to a fine as specified in Appendix A of the Regulations for the Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D and the Bylaw for Non-Criminal Disposition of Violations adopted under Article 47 of the 1984 Town Meeting, as amended.

6.3 No building permit for a new building or other structure shall be issued with respect to any premises upon which a preferably preserved building or other structure has been voluntarily demolished in violation of this bylaw for a period of two (2) years after the date of the completion of the demolition. As used herein "premises" includes the parcel of land upon which the demolished preferably preserved building or other structure was located, and all adjoining parcels of land under common ownership or control.

6.4 Nothing in this bylaw shall be deemed to exempt applicants from any requirements of the State Building Code.

## **Section 7. Local Historic Districts**

Nothing in this bylaw shall be deemed to conflict with the provisions of Chapter 345 of the Acts of 1960 as amended (the Historic Districts Act). This bylaw shall not apply to any proposed demolition of a building or other structure which is located within a Local Historic District established under the Local Historic Districts Act, unless the building or structure is not subject to view from any public street way or place, including public lands, parks or waterways as defined by the Local Historic Districts Act. The Historic Districts Commission shall have jurisdiction over any demolition proposals within a Local Historic District pursuant to all procedures, standards and requirements set forth therein.

## **Section 8. Severability**

In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

or take any other action relative thereto.

***The proposed changes to the Demolition Delay Bylaw require that any structure that is 75 years or older go through a review process when a demolition permit has been applied for. The revised Bylaw also establishes a clear process for reviewing structures, determining***

*whether they are historically significant, and deciding whether a one year delay of demolition, or an eighteen month delay in the case of structures listed or eligible for listing on the National Register of Historic Places, should be imposed. The intent of the Bylaw is to encourage property owners to consider options other than demolition for their historically significant structures.*

## **BY PETITION TO SERVE ALCOHOLIC BEVERAGES**

**ARTICLE 58.** To determine whether the Town will vote to accept Chapter 138, Section 33B of the Massachusetts General Laws to authorize the Board of Selectmen to allow alcoholic beverages to be served by restaurants in Concord on Sundays starting at 10:00 AM instead of 12:00 Noon, or take any other action relative thereto.

## **REVISED DOG BYLAW**

**ARTICLE 59.** To determine whether the Town will vote to delete the existing Concord Dog Bylaw in its entirety, and replace it with the following:

### **DOG BYLAW**

#### **Section 1. Licensing**

The owner of a dog that is six months of age or older shall cause it to be licensed annually, in accordance with M.G.L. Ch. 140, §137 and §138. The license year is January 1 through December 31. Dogs over six months of age should be licensed within 30 days of moving to Concord. A late fee will be applied if a dog six months of age or older is not licensed by March 31. No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. Proof of valid rabies vaccination is required for licensing. The owner of a licensed dog shall keep affixed around the dog's neck or body, a collar or harness to which the license tag shall be securely attached. If the tag becomes lost, the owner shall immediately secure a substitute tag from the licensing authority.

#### **Section 2. Vaccination Requirement**

Whoever is the owner of a dog six months of age or older shall cause such dog to be vaccinated against rabies by a licensed veterinarian, in accordance with the provisions of M.G.L. Ch. 140, §145B. An exemption from this requirement may be granted for any dog which has not yet attained the age of six months, or any dog declared exempt upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regimen of therapy, that inoculation is thereby deemed inadvisable.

#### **Section 3. Control of Dogs**

No owner of a dog shall permit such dog:

- a. to be outside the confines of the property of the owner unless the dog is held firmly on a leash or under effective and direct voice control of its owner or keeper; persons walking three or more dogs on public ways, sidewalks, trails or other Town-owned property shall have all their dogs leashed at all times;
- b. to disturb the peace or quiet of any neighborhood or endanger the safety of any person by biting, barking excessively, howling, chasing, or in any other manner;
- c. to run at large on Town-owned land, out of the owner's or keeper's direct control by voice or lead at any time;
- d. to be unleashed while walking or running on a public sidewalk or at a public gathering, including organized athletic events;

- e. to chase a vehicle on any way open to the public travel;
- f. to dig holes or otherwise cause damage to any Town-owned land or property, or to interfere with mowing or field maintenance activities;
- g. to worry, kill, maim or otherwise injure another's fowl, livestock or domesticated animal;
- h. to harass, kill, maim, or otherwise injure wildlife;
- i. to be in a school or municipal building, except at the invitation of school or municipal authorities, for educational or other purposes;
- j. to be within the boundaries of Town cemetery property, with the exception of a dog in attendance at an owner's funeral service and held firmly on a leash;
- k. to be within any public children's playground;

Dogs shall be held firmly on a leash while at Emerson Field on Mondays through Fridays, from 9:00 am to 4:00 pm, from late June through late August due to summer camp activities.

The provisions of Section 3, subsections i through k shall not apply to dogs properly trained as service animals to assist persons with disabilities.

**Section 4. Dog Litter**

Every dog owner or keeper is responsible for expeditiously removing any dog feces the dog deposits anywhere except on its owner's private property, or on other private property with the property owner's permission. Any owner or keeper walking a dog off the owner's property is required to have the means for removing any dog feces left by such dog and must properly dispose of such waste. This provision does not apply to any assistance dog while it is performing its duties, if the owner of the assistance dog is unable to remove the dog litter. Depositing dog litter in a public catch basin, storm drain, or on public land is specifically prohibited.

**Section 5. Confinement of Dogs**

The Animal Control Officer may impound any dog found to be in violation of any section of this bylaw, and on doing so shall immediately notify the owner of such impoundment, if ascertainable from some device on the dog. The owner may redeem the dog upon reimbursing the Animal Control Officer for maintenance, and on licensing the dog if it is unlicensed. Any dog so impounded and unredeemed after seven days may be disposed of as provided in M.G.L. Chapter 140, §151A.

**Section 6. Non-Criminal Disposition of Violations**

The owner of a dog who violates any section of this bylaw shall be subject to a fine for each offense as specified in Appendix A of the Regulations for the Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D and the Bylaw for Non-Criminal Disposition of Violations adopted under Article 47 of the 1984 Town Meeting, as amended. The Enforcement Agency may issue a separate and additional fine each day for a continuing or recurring violation.

**Section 7. Definition of Owner**

As used herein, the word "owner" includes the owner of the dog or a person who has the care and custody of the dog (even temporarily). The latter includes a commercial dog walker or other person engaged in the business of exercising or handling dogs owned by another, using public land, and who receives compensation for this work.

(end of Dog Bylaw)

and to determine whether the Town will vote to amend Appendix A of the Regulations for the Enforcement of Town Bylaws and the Bylaw for Non-Criminal Disposition of Violations by changing the "Enforcement Agency" for the Dog Bylaw to read as follows:

Animal Control Officer, Police Officers or other Designees of the Town Manager

or take any other action relative thereto.

**Changes to Concord's Dog Bylaw are being jointly proposed by the Cemetery Committee and the Recreation Commission to address issues about disposal of dog waste and dogs running freely on town property. Further information about the proposed changes is available on the Town's web site – [www.concordma.gov](http://www.concordma.gov) – click Town Meeting Info, then 2014 Annual Town Meeting.**

Hereof fail not and make due return of this Warrant with your doings thereon, to the Town Clerk, at or before the time of meeting aforesaid. Given under our hands this 10<sup>th</sup> day of February in the year two thousand-fourteen.

\_\_\_\_\_  
Jeffrey S. Wieand

\_\_\_\_\_  
Alice Kaufman

\_\_\_\_\_  
Steven Ng

\_\_\_\_\_  
Carmin C. Reiss

\_\_\_\_\_  
Elise F. Woodward

BOARD OF SELECTMEN

Commonwealth of Massachusetts Middlesex, ss.

Concord \_\_\_\_\_  
*Date*

By virtue of this warrant I have notified the legal voters of the Town of Concord to meet at the times and places and for the purposes within named as directed.

\_\_\_\_\_  
Constable of Concord

## ATTENTION CITIZENS

The Town of Concord depends upon the immense talent pool possessed by our citizens and we are always seeking interested townspeople to serve on citizen boards and committees, and also to carry out short-term projects. If you are willing to serve your Town on a voluntary basis and desire to participate in shaping the Town's future, please indicate your interest by filling out a "Green Card". Green cards are short forms for listing your areas of interest and any skills relevant to committee or project participation. The form is reproduced on the following page. You may fill it out, and return it to the Administrative Assistant to the Board of Selectmen in the Town House. Additional copies of the form are also available at the Town House, or will be mailed upon request (call 978-318-3001 or 978-318-3000).

You will find the Town Report useful for information on specific activities and responsibilities of the various boards and committees. For further information or to discuss your participation in town government in more detail, please feel free to talk with any member of the Board of Selectmen.

Please understand that, happily, we often have more interested citizens than vacancies on particular committees. For that reason, you may find that you may not be matched up immediately or matched up with a committee that is your top priority. Nonetheless, your indication of interest is strongly encouraged and appreciated.

### COMMITTEE LISTING

- KEY:** + APPOINTED BY MODERATOR  
 = APPOINTED BY BOARD OF SELECTMEN  
 # APPOINTED BY TOWN MANAGER WITH APPROVAL OF THE BOARD OF SELECTMEN  
 \* APPOINTED BY TOWN MANAGER

=	BOARD OF APPEALS
#	BOARD OF ASSESSORS
=	CABLE TV COMMITTEE
*	CEMETERY COMMITTEE
=	COMMUNITY PRESERVATION COMMITTEE
#	COMPREHENSIVE SUSTAINABLE ENERGY COMMITTEE
=	CONCORD CULTURAL COUNCIL
*	CONCORD MUNICIPAL LIGHT BOARD
*	COUNCIL ON AGING BOARD
+	FINANCE COMMITTEE
=	HANSCOM FIELD ADVISORY COMMISSION REPRESENTATIVE & ALTERNATE
*	BOARD OF HEALTH
#	HISTORICAL COMMISSION
=	HISTORIC DISTRICTS COMMISSION
=	HUGH CARGILL TRUST COMMITTEE
=	LIBRARY COMMITTEE
*	MAPC REPRESENTATIVE
=	MBTA REPRESENTATIVE
+	MINUTEMAN REGIONAL TECHNICAL HIGH SCHOOL REPRESENTATIVE
#	NATURAL RESOURCES COMMISSION
=	PERSONNEL BOARD
=	PLANNING BOARD
=	PUBLIC CEREMONIES & CELEBRATIONS COMMITTEE
*	PUBLIC WORKS COMMISSION
=	RECORDS & ARCHIVES COMMITTEE
*	RECREATION COMMISSION
=	BOARD OF REGISTRARS
*	RETIREMENT BOARD
=	TRUSTEES OF TOWN DONATIONS
=	WHITE POND ADVISORY COMMITTEE

<b>LAST NAME:</b>	<b>FIRST NAME:</b>	<b>PRECINCT #:</b>	<b>TOWN OF CONCORD COMMITTEE INTEREST</b>		
<b>STREET ADDRESS:</b>			<b>INDICATE COMMITTEE PREFERENCE</b>		
<b>E-MAIL ADDRESS:</b>			1.		
<b>PHONE – HOME:</b>		<b>OFFICE:</b>	2.		
<b>FAX #:</b>		<b>CELL#:</b>	3.		
<b>PLACE OF EMPLOYMENT:</b>			<b>DATE APP'T</b>	<b>COMMITTEE</b>	<b>TERM EXPIRED</b>
<b>PROFESSION/TITLE:</b>					
<b>RELEVANT EXPERIENCE, EDUCATION:</b>					
<b>RELEVANT DEGREES, PROFESSIONAL CERTIFICATES:</b>					

PLEASE CHECK THE ANNUAL TOWN REPORT FOR A COMPLETE LISTING OF COMMITTEES AND COMMITTEE REPORTS, THEIR APPOINTIVE AUTHORITIES, AND TERMS OF OFFICE.

ADDITIONAL COMMENTS:

CARDS WILL BE IN ACTIVE FILE FOR 5 YEARS.

MAIL COMPLETED CARD TO: ADMINISTRATIVE ASSISTANT  
BOARD OF SELECTMEN  
TOWN HOUSE  
PO BOX 535  
CONCORD, MA 01742

# **TOWN ELECTION**

## **Tuesday, March 25, 2014**

### **POLLS OPEN 7AM TO 8PM**

**The deadline for unregistered residents to register to vote for the Annual Town Election is Wednesday, March 5, 2014.**

**The deadline for unregistered residents to register to participate in and vote at the Annual Town Meeting is Monday, April 14, 2014.**

In addition to regular office hours, the Town Clerk's Office will hold special evening voter registration sessions on Wednesday, March 5, 2014 and Monday, April 14, 2014 from 4:30 to 8:00 pm at the Town Clerk's Office, 22 Monument Square.

Voter registration may be done either by mail or in person.

A mail-in registration form may be downloaded from the Town's Web Site ([www.concordma.gov](http://www.concordma.gov) – click "Elections & Voting") or call the Town Clerk's office and ask that a form be mailed.

For in-person registration, visit the Town Clerk's office at the Town House

22 Monument Square – 978-318-3080.

Open Mondays-Fridays 8:30 AM - 4:30 PM

## **TOWN MEETING**

**BEGINS SUNDAY, MAY 4, 2014**

**2:00 PM**

**Concord-Carlisle Regional High School**  
**500 Walden Street**

**Adjourned sessions start at 7:00 PM - if necessary**

Monday	May 5, 2014
Tuesday	May 6, 2014
Wednesday	May 7, 2014
Thursday	May 8, 2014