

**TOWN OF CONCORD
SELECT BOARD
AGENDA**

May 6, 2019 – 6:30 p.m. – Select Board Room – Town House

1.	Call to Order
2.	Executive Session for the purposes of discussing employee contracts (Town Manager), litigation (Estabrook Road), Open Meeting Law Complaint dated April 23 from R. Nislick, and to review draft Executive Session minutes
3.	7 p.m. – Reconvene in Open Session
4.	<p>Consent Agenda:</p> <ul style="list-style-type: none"> • Town Accountant Warrants • Minutes – 4/1, 4/8, 4/9, 4/10 • Proclamations <ul style="list-style-type: none"> · Public Works Week • Gift Acceptance <ul style="list-style-type: none"> · Rotary Club of Concord \$10,000 Bicycle Program Gift Account (Recreation Department) · Anonymous \$1,000 Middlesex Jazz Festival Gift Account • One Day Special Licenses <ul style="list-style-type: none"> · Chamber of Commerce 5/14 6pm-9pm 200 Strawberry Hill Rd All Alcohol · Alice Kaufman 5/16 5pm-9pm 54 Walden Street Wine & Malt · Verrill Farm 5/12 10am-1pm 11 Wheeler Road Wine Only · Concord Orchestra 5/17-18-19 7pm-11pm 51 Walden Street All Alcohol · The Umbrella 5/9-10-11, 5/16-17-18 6pm-11pm 57 ORNAC Wine & Malt · The Umbrella 5/12, 5/19 2pm-6pm 57 ORNAC Wine & Malt · Concord Country Club 5/10, 5/17, 5/31, 6/1, 6/14, 6/22, 6/23 12pm-8pm 246 ORNAC All Alcohol • Sunday Entertainment Licenses <ul style="list-style-type: none"> · Concord Country Club 6/23, 9/8 1pm-5pm 246 ORNAC Golf tournament · Concord Orchestra 5/19 1pm-5pm 51 Walden Street Pops concert • Silent Fund Camp Scholarships
5.	Approve Executive Session Minutes
6.	Town Manager's Report
7.	Chair's Remarks
8.	Review and Approve White Pond Associates Gift Agreement
9.	Review draft letters to legislators re: affordable housing articles
10.	Discuss Affordable Housing Trust
11.	Review & approve Middle School Building Committee charge and nominate members
12.	Long Range Plan update
13.	Review draft 2019-2020 Board meeting schedule
14.	Review draft 2019-2020 Board liaison assignments
15.	Review draft 2019-2020 Board goals
16.	Approve HOME Consortium Sub-recipient Agreement for Concord concerning affordable housing
17.	Public Comments
18.	Committee Liaison Reports
19.	<p>Miscellaneous/Correspondence</p> <ul style="list-style-type: none"> · Letter of support to Board of Building Regulations and Standards re: Net Zero Stretch Code
20.	Committee Nominations: See page 2
21.	Committee Appointments: See page 2
22.	Committee Reappointments: See page 2
23.	Administrative Appointments: See page 2
24.	Town Manager Committee Reappointments with Select Board Approval: See page 2
25.	Town Manager Administrative Appointments with Select Board Approval: See page 2
26.	Adjourn or reconvene in Executive Session (if necessary, see Agenda item #2)

CONTINUED ON PAGE 2

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

COMMITTEE NOMINATIONS

<u>Name</u>	<u>Address</u>	<u>Appointment</u>	<u>Expiration</u>
Melissa Maxwell	449 Barrett's Mill Rd.	Agriculture Committee (assoc./unexpired)	5/31/21
Ravi Faiia	169 Plainfield Rd.	Zoning Board of Appeals (assoc.)	5/31/22
Karl Seidman	93 Wright Rd.	West Concord Advisory Committee (full)	5/31/22
NMI-Starmet Re-use Planning Committee, Middle School Building Committee			

COMMITTEE APPOINTMENTS

<u>Name</u>	<u>Address</u>	<u>Appointment</u>	<u>Expiration</u>
Eugene Chang	3 Concord Greene #6	PEG Access Advisory Committee (unexpired)	5/31/20
Amy Kaiser	294 Comm. Ave.	West Concord Advisory Committee (full/unexpired)	5/31/17
Susan Mlodozeniec	392 Border Rd.	West Concord Advisory Committee (full)	5/31/22

COMMITTEE REAPPOINTMENTS

<u>Name</u>	<u>Address</u>	<u>Appointment</u>	<u>Expiration</u>
Lucy Rosborough	56 Elm St.	Hugh Cargill Trust Committee	5/31/22
Judy Terry	368 College Rd.	Hugh Cargill Trust Committee	5/31/22
Michael Lawson	1695 Lowell Rd.	Financial Audit Advisory Committee	5/31/20
2229 Main Street Advisory Committee			

ADMINISTRATIVE APPOINTMENTS

<u>Name</u>	<u>Appointment</u>	<u>Expiration</u>
Mary Barrett	Town Accountant	5/31/20

TOWN MANAGER COMMITTEE REAPPOINTMENTS WITH SELECT BOARD APPROVAL

<u>Name</u>	<u>Address</u>	<u>Appointment</u>	<u>Expiration</u>
Janet Miller	1647 Main St.	Comprehensive Sustainable Energy Committee	5/31/22
Jerry Frenkil	132 Jennie Dugan Rd.	Comprehensive Sustainable Energy Committee	5/31/22
Greg Higgins	228 Park Lane	Natural Resources Commission	5/31/22

TOWN MANAGER ADMINISTRATIVE APPOINTMENTS WITH SELECT BOARD APPROVAL

<u>Name</u>	<u>Appointment</u>	<u>Expiration</u>
Gabrielle White	Inspector of Animals	5/31/20
Patricia Clifford	Assistant Town Clerk	5/31/20
Kaari Tari	Town Clerk	5/31/20
Kerry Lafleur	Town Treasurer/Town Collector	5/31/20
Kerry Lafleur	Finance Director	5/31/20
Cheryl Robertson	Deputy Town Treasurer/Deputy Town Collector	5/31/20
Mina Makarious, Anderson & Krieger LLP	Town Counsel	5/31/20

PENDING

Monday	May 20	7 pm	Select Board Meeting	Town House
Monday	May 27	All Day	Memorial Day	Town Offices Closed
Monday	June 3	7 pm	Select Board Meeting	Town House
Tuesday	June 4	7 am – 7 pm	Special Municipal Election	All Precincts
Monday	June 17	7 pm	Select Board Meeting	Town House
Monday	July 1	7 pm	Select Board Meeting	Town House

COMMONWEALTH OF MASSACHUSETTS
TOWN OF CONCORD
SELECT BOARD

DRAFT

PROCLAMATION

“CONCORD PUBLIC WORKS WEEK”

WHEREAS Public Works services are an integral part of our citizens’ everyday lives and quality of life; and

WHEREAS The support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewer, engineering, streets, highways, solid waste & recycling, parks, athletic fields, fleet maintenance and cemeteries; and

WHEREAS The health, safety and comfort of Concord greatly depend on these services and facilities; and

WHEREAS The planning, design, construction and care of these facilities are dependent upon the effort, skill and commitment of the Concord Public Works Team; and

WHEREAS The efficiency of the qualified and dedicated Concord Public Works Team members is materially influenced by the citizen’s understanding of the importance of the work they perform;

NOW, THEREFORE We, as the Select Board of the Town of Concord, Massachusetts, do hereby proclaim the week of May 19 through May 25, 2019 as “*Concord Public Works Week*” and call upon all Concordians to acquaint themselves with the issues involved in providing our public works services and to recognize the contributions which Concord Public Works makes every day to our health, safety, comfort, and quality of life.

Proclaimed this 6th day of May 2019

CONCORD SELECT BOARD

Gift Acceptance Log – May 6, 2019

Gift Received From	For Gift Account	Total Amount
Anonymous	Middlesex Jazz Fest Gift Account	\$1,000.00
Rotary Club of Concord	Bicycle Program Gift Account	\$10,000.00

Weekly One Day License Log – May 6, 2019

Applicant Name & License Number	Phone Number	Date	Location	Type of Alcohol	Event Details
19-55 Concord Chamber of Commerce	978 369-3120	5/14	200 Strawberry Hill Road	All	Event Coordinator: Jane Obaggy Bartenders: Chris Saia, Max Klinoff, Joe Saia, Barbara Cloonan, Liz Woodall, Mark Colantonio, Daniel Gregoire Under 21: No First License in Concord: No
19-56 Alice Kaufman	508 517-5079	5/16	54 Walden Street	Wine & Malt	Event Coordinator: Alice Kaufman Bartenders: Leo Lafarge Under 21: No First License in Concord: No
19-57 Verrill Farm	617 946-5197	5/12	11 Wheeler Road	Wines Only	Event Coordinator: Jennifer Verrill Bartenders: Leo Lafarge Under 21: Yes First License in Concord: Yes
19-58 The Concord Orchestra	978 369-4967	5/17	51 Walden Street	Wine & Malt	Event Coordinator: Jane Bailey Bartenders: Carole Wayland Under 21: Yes First License in Concord: No
19-59 The Concord Orchestra	978 369-4967	5/18	51 Walden Street	Wine & Malt	Event Coordinator: Jane Bailey Bartenders: Carole Wayland Under 21: Yes First License in Concord: No
19-60 The Concord Orchestra	978 369-4967	5/19	51 Walden Street	Wine & Malt	Event Coordinator: Jane Bailey Bartenders: Carole Wayland Under 21: Yes First License in Concord: No
19-61 The Umbrella	978 371-0820	5/9	57 ORNAC	Wine & Malt	Event Coordinator: Brian Boruta Bartenders: Brian Boruta Under 21: No First License in Concord: No
19-62 The Umbrella	978 371-0820	5/10	57 ORNAC	Wine & Malt	Event Coordinator: Brian Boruta Bartenders: Brian Boruta Under 21: No First License in Concord: No
19-63 The Umbrella	978 371-0820	5/11	57 ORNAC	Wine & Malt	Event Coordinator: Brian Boruta Bartenders: Brian Boruta Under 21: No First License in Concord: No
19-64 The Umbrella	978 371-0820	5/12	57 ORNAC	Wine & Malt	Event Coordinator: Brian Boruta Bartenders: Brian Boruta Under 21: No First License in Concord: No
19-65 The Umbrella	978 371-0820	5/16	57 ORNAC	Wine & Malt	Event Coordinator: Brian Boruta Bartenders: Brian Boruta Under 21: No First License in Concord: No
19-66 The Umbrella	978 371-0820	5/17	57 ORNAC	Wine & Malt	Event Coordinator: Brian Boruta Bartenders: Brian Boruta Under 21: No First License in Concord: No
19-67 The Umbrella	978 371-0820	5/18	57 ORNAC	Wine & Malt	Event Coordinator: Brian Boruta Bartenders: Brian Boruta Under 21: No First License in Concord: No

Weekly One Day License Log – May 6, 2019

19-68 The Umbrella	978 371-0820	5/19	57 ORNAC	Wine & Malt	Event Coordinator: Brian Boruta Bartenders: Brian Boruta Under 21: No First License in Concord: No
19-69 Concord Country Club	978 371-1089	5/10	246 ORNAC	All	Event Coordinator: Jessica Eftink Bartenders: Kali Aquaro, Sara Killelea, Alliso Rusch, Taryn O'Neil, Under 21: No First License in Concord: No
19-70 Concord Country Club	978 371-1089	5/17	246 ORNAC	All	Event Coordinator: Jessica Eftink Bartenders: Kali Aquaro, Sara Killelea, Alliso Rusch, Taryn O'Neil, Under 21: No First License in Concord: No
19-71 Concord Country Club	978 371-1089	5/31	246 ORNAC	All	Event Coordinator: Jessica Eftink Bartenders: Kali Aquaro, Sara Killelea, Alliso Rusch, Taryn O'Neil, Under 21: No First License in Concord: No
19-72 Concord Country Club	978 371-1089	6/1	246 ORNAC	All	Event Coordinator: Jessica Eftink Bartenders: Kali Aquaro, Sara Killelea, Alliso Rusch, Taryn O'Neil, Under 21: No First License in Concord: No
19-73 Concord Country Club	978 371-1089	6/14	246 ORNAC	All	Event Coordinator: Jessica Eftink Bartenders: Kali Aquaro, Sara Killelea, Alliso Rusch, Taryn O'Neil, Under 21: No First License in Concord: No
19-74 Concord Country Club	978 371-1089	6/22	246 ORNAC	All	Event Coordinator: Jessica Eftink Bartenders: Kali Aquaro, Sara Killelea, Alliso Rusch, Taryn O'Neil, Under 21: No First License in Concord: No
19-75 Concord Country Club	978 371-1089	6/23	246 ORNAC	All	Event Coordinator: Jessica Eftink Bartenders: Kali Aquaro, Sara Killelea, Alliso Rusch, Taryn O'Neil, Under 21: No First License in Concord: No

Sunday Entertainment Log – May 6, 2019

Applicant Name	Phone Number	Date of Event	Location of Event	Type of Entertainment
Concord Orchestra	978 369-4967	5/19	51 Walden Street	Orchestra Pops Concert
Concord Country Club	978 371-1089	6/23	246 ORNAC	Golf Tournament
Concord Country Club	978 371-1089	9/8	246 ORNAC	Golf Tournament



Town of Concord

Office of the Town Clerk
22 Monument Square
Concord, Massachusetts 01742-0535

ANNUAL TOWN MEETING APRIL 8, 9, and 10, 2019

AUTHORIZATION TO ACCEPT M.G.L. c. 44, § 55C - MUNICIPAL AFFORDABLE HOUSING TRUST FUND

ARTICLE 24.

WARRANT ARTICLE

To determine whether the Town will vote to accept Massachusetts General Laws c. 44 § 55C, to authorize the creation of a Municipal Affordable Housing Trust Fund, or take any other action relative thereto.

VOTE

Upon a **MOTION** made by Mr. Lawson and duly seconded, the following was **VOTED**:

That the Town accept Massachusetts General Laws c. 44, §55C, to authorize the creation of a Municipal Affordable Housing Trust Fund to support the development of affordable housing in Concord.

Passed by a majority vote

April 9, 2019

A True Copy Attest:

Kari Mai Tari
Town Clerk



Town of Concord

Office of the Town Clerk
22 Monument Square
Concord, Massachusetts 01742-0535

ANNUAL TOWN MEETING APRIL 8, 9, and 10, 2019

AUTHORIZE SPECIAL LEGISLATION - REAL ESTATE TRANSFER TAX FOR AFFORDABLE HOUSING

ARTICLE 25.

WARRANT ARTICLE

To determine whether the Town will authorize the Select Board to petition the General Court for special legislation substantially in the form below that that would impose a real estate transfer fee to be used by the Town for the purposes of acquiring, creating, preserving, rehabilitating, restoring and supporting affordable housing in the Town, or take any other action relative thereto:

“An act establishing a real estate transfer fee upon the transfer of property in the Town of Concord.”

SECTION 1. There is hereby imposed a real estate transfer fee, hereafter “the fee,” equal to 1 per cent of the purchase price upon the transfer of (i) any real property interest in any residential property situated in the Town of Concord, or (ii) a controlling interest in a trust, limited liability company, or other entity that directly or indirectly holds an interest in any class residential real property situated in the Town of Concord. The fee shall be the liability of the purchaser of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the liability for the fee shall not affect such liability of the purchaser to the Town. The Town may define by bylaw what constitutes a controlling interest and the calculation of the fee.

SECTION 2. The following transfers of real property interests shall be exempt from the fee established in Section 1:

- (i) purchases by first time buyers that reside in the residential property for at least 5 years, provided that a lien shall accompany the deed equal to 1 per cent of the purchase price, plus accumulated interest and penalties, and provided further that the lien shall run with the land until such time as all conditions of this subsection are met;
- (ii) transfers to the federal government, the commonwealth, the Town, and any of their instrumentalities, agencies or subdivisions, including the Concord Housing Authority;
- (iii) transfers to the Concord Housing Development Corporation;
- (iv) transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made;
- (v) transfers with consideration under \$100.00;
- (vi) transfers to a charitable organization, as defined in clause Third of section 5 of chapter 59 of the General Laws, or a religious organization, provided, however, that the real property interests so transferred will be held solely for public charitable or religious purposes; and

- (vii) transfers between family members, including spouses, parents and children, grandparents and grandchildren, step-parents and step-children, siblings or step-siblings.

SECTION 3. The fee shall be paid to the Town. The Town shall have such remedies to collect the fee as provided by law with respect to the collection of real property taxes. The Town may, by bylaw, adopt additional requirements, exemptions, and regulations to implement or enforce said fee, consistent with this act. The Town may not, by bylaw or otherwise, eliminate or reduce any exemption set forth in this act.

SECTION 4. All fees received pursuant to this act shall be dedicated to the Concord Housing Development Corporation established by the Town or deposited in the Concord Affordable Housing Trust Fund established pursuant to section 55C of chapter 44 of the General Laws.

SECTION 5. A copy of the deed or other instrument evidencing such transfer shall be provided to the Town and shall be accompanied by (i) an affidavit signed under oath or under the pains and penalties of perjury by the purchaser and seller attesting to the purchase price; (ii) the applicable fee owed or, if applicable, an affidavit of intent to seek one of the permissible exemptions, as described in Section 2, for that property by the purchaser; and (iii) the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from said fee. Upon receipt of the transfer fee or satisfactory evidence of exemption, the Town or its designee shall promptly thereafter issue a certificate indicating that the fee has been paid or that the transfer is exempt from the fee. The Middlesex South Registrar of Deeds shall not record or register a deed unless the deed is accompanied by such certificate.

SECTION 6. The Town Manager or designee shall prepare and issue an annual report that (i) identifies fee receipts; (ii) quantifies affordable housing programs funded, including type and purpose; and (iii) evaluates the impact of said affordable housing programs, including but not limited to, to the extent reasonably possible and permitted by applicable law, the number and demographics of individuals and families served as well as measures of housing stability and wealth generation in the community.

SECTION 7. This act shall take effect upon its passage.

HANDOUT

ARTICLE 25

AUTHORIZE SPECIAL LEGISLATION - REAL ESTATE TRANSFER TAX FOR AFFORDABLE HOUSING

Mr. Lawson moves: that the Town authorize the Select Board to petition the General Court for special legislation substantially in the form below that that would impose a real estate transfer fee to be used by the Town for the purposes of acquiring, creating, preserving, rehabilitating, restoring and supporting affordable housing in the Town:

“An act establishing a real estate transfer fee upon the transfer of property in the Town of Concord.”

SECTION 1. There is hereby imposed a real estate transfer fee, hereafter “the fee,” equal to 1 per cent of the portion of the purchase price exceeding \$600,000 upon the transfer of (i) any real property interest in any residential property situated in the Town of Concord, or (ii) a controlling interest in a trust, limited liability company, or other entity that directly or indirectly holds an interest in any class of residential real property situated in the Town of Concord. The fee shall be the liability of the purchaser of such property interest, and any agreement between the purchaser and the seller or any other person with

reference to the allocation of the liability for the fee shall not affect such liability of the purchaser to the Town. The Town may define by bylaw what constitutes a controlling interest and the calculation of the fee.

SECTION 2. The following transfers of real property interests shall be exempt from the fee established in Section 1:

- (viii) transfers to the federal government, the Commonwealth, the Town, and any of their instrumentalities, agencies or subdivisions, including the Concord Housing Authority;
- (ix) transfers to the Concord Housing Development Corporation;
- (x) transfers of real property subject to an affordable housing restriction;
- (xi) transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made;
- (xii) transfers with consideration under \$100.00;
- (xiii) transfers to a charitable organization, as defined in clause Third of section 5 of chapter 59 of the General Laws, or a religious organization, provided, however, that the real property interests so transferred will be held solely for public charitable or religious purposes; and
- (xiv) transfers between family members, including spouses, parents and children, grandparents and grandchildren, step-parents and step-children, siblings or step-siblings.

SECTION 3. The fee shall be paid to the Town. The Town shall have such remedies to collect the fee as provided by law with respect to the collection of real property taxes. The Town may, by bylaw, adopt additional requirements, exemptions, and regulations to implement or enforce said fee, consistent with this act. The Town may not, by bylaw or otherwise, eliminate or reduce any exemption set forth in this act.

SECTION 4. All fees received pursuant to this act shall be deposited in the Concord Affordable Housing Trust Fund established pursuant to section 55C of chapter 44 of the General Laws.

SECTION 5. A copy of the deed or other instrument evidencing such transfer shall be provided to the Town and shall be accompanied by (i) an affidavit signed under oath or under the pains and penalties of perjury by the purchaser and seller attesting to the purchase price; (ii) the applicable fee owed or, if applicable, an affidavit of intent to seek one of the permissible exemptions, as described in Section 2, for that property by the purchaser; and (iii) the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from said fee. Upon receipt of the transfer fee or satisfactory evidence of exemption, the Town or its designee shall promptly thereafter issue a certificate indicating that the fee has been paid or that the transfer is exempt from the fee. The Middlesex South Registrar of Deeds shall not record or register a deed unless the deed is accompanied by such certificate.

SECTION 6. The Town shall prepare and issue an annual report that (i) identifies fee receipts; (ii) quantifies affordable housing programs funded, including type and purpose; and (iii) evaluates the impact of said affordable housing programs, including but not limited to, to the extent reasonably possible and permitted by applicable law, the number and demographics of individuals and families served as well as measures of housing stability and wealth generation in the community.

SECTION 7. Acceptance of this act by the Town of Concord shall be first by vote of approval at an annual Town Meeting, to be followed by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot. Sections 1 to 6, inclusive shall take effect 30 days after such acceptance by the Town.

VOTE

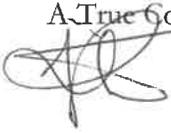
Upon a **MOTION** made by Mr. Lawson and duly seconded, the following was **VOTED**:

That the Town take affirmative action on Article 25 as printed in the handout applicable to this Article.

Passed by a majority vote

April 9, 2019

A True Copy Attest:



Kaari Mai Tari
Town Clerk



Town of Concord

Office of the Town Clerk
22 Monument Square
Concord, Massachusetts 01742-0535

ANNUAL TOWN MEETING APRIL 8, 9, and 10, 2019

AUTHORIZE SPECIAL LEGISLATION - BUILDING PERMIT FEE SURCHARGE FOR AFFORDABLE HOUSING

ARTICLE 26.

WARRANT ARTICLE

To determine whether the Town will authorize the Select Board to petition the General Court for special legislation substantially in the form below that permits the Town to enact a bylaw charging a building permit surcharge to be used by the Town for the purposes of acquiring, creating, preserving, rehabilitating, restoring and supporting affordable housing in the Town, or take any other action relative thereto:

“An act establishing a building permit surcharge in the Town of Concord.”

SECTION 1. The Town of Concord, hereafter referred to as “the Town,” may, by bylaw, require the payment of an affordable housing surcharge for any construction that (i) requires a building permit and (ii) exceeds a minimum number of square feet to be determined from time to time by the Select Board of the Town. The bylaw shall specify the amount of said affordable housing surcharge, the method by which the surcharge may be increased from time to time, and any types of construction or uses to which the affordable housing surcharge shall not apply.

SECTION 2. All fees received pursuant to this act shall be dedicated to the Concord Housing Development Corporation established by the Town or deposited in the Concord Affordable Housing Trust Fund established pursuant to section 55C of chapter 44 of the General Laws.

SECTION 3. For the purposes of this act, “affordable housing” shall mean as defined under section 1 of chapter 60 of the General Laws.

SECTION 4. This act shall take effect upon its passage.

HANDOUT

ARTICLE 26

AUTHORIZE SPECIAL LEGISLATION – BUILDING PERMIT FEE SURCHARGE FOR AFFORDABLE HOUSING

Mr. Lawson moves that the Town authorize the Select Board to petition the General Court for special legislation substantially in the form below that permits the Town to enact a bylaw charging a building permit surcharge to be used by the Town for the purposes of acquiring, creating, preserving, rehabilitating, restoring and supporting affordable housing in the Town:

“An act establishing a building permit surcharge in the Town of Concord.”

SECTION 1. The Town of Concord, hereafter referred to as “the Town,” may, by bylaw, require the payment of an affordable housing surcharge for any construction that (i) requires a building permit and (ii)

exceeds a minimum construction value to be determined by the Select Board of the Town. The bylaw shall specify the amount of said affordable housing surcharge, the method by which the surcharge may be increased from time to time, and any types of construction or uses to which the affordable housing surcharge shall not apply.

SECTION 2. All fees received pursuant to this act shall be deposited in the Concord Affordable Housing Trust Fund established pursuant to section 55C of Chapter 44 of the General laws.

SECTION 3. For the purposes of this act, “affordable housing” shall mean as defined under section 1 of chapter 60 of the General Laws.

SECTION 4. Acceptance of this act by the Town of Concord shall be first by vote of approval at an annual Town Meeting, to be followed by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot. Sections 1 to 3, inclusive shall take effect 30 days after such acceptance by the Town.

VOTE

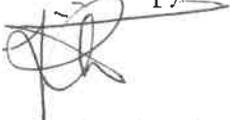
Upon a **MOTION** made by Mr. Lawson and duly seconded, the following was **VOTED**:

That the Town take affirmative action on Article 26 as printed in the handout applicable to this Article, except that “dedicated to the Concord Housing Development Corporation established by the Town or” is reinserted in Section 2 of the proposed Special Legislation.

Passed by well more than a majority vote

April 10, 2019

A True Copy Attest:



Kaari Mai Tari
Town Clerk

ADD COMMENTS FOR FINAL DRAFT

Town of Concord
CONCORD MIDDLE SCHOOL BUILDING COMMITTEE
Committee Charge

A. Purpose

The Concord Middle School Building Committee is charged by the Select Board to undertake a Feasibility Study to explore the construction of a single new Middle School Building to replace the two existing facilities. The Committee is also charged to begin the schematic design process for a new school building based on the findings of the Feasibility Study. Funding for the Feasibility and Schematic Design was approved under Article 14 at the 2019 Annual Town Meeting. It is anticipated that the Town will be asked at a later time to approve full design and construction funding for the new school and, should such funding be approved, the Committee shall anticipate serving as the construction oversight body as well. The Committee has final authority on all design decisions and will make recommendations to the Town Manager on all financial, contractual and schedule matters. The Middle School Building Committee shall be the point of contact for all community groups for all issues regarding the project. The Committee shall ensure community engagement throughout the planning and execution of the final design and construction. It is the expectation that there will be multiple opportunities throughout the process to solicit community feedback.

B. Membership and Operations

The Middle School Building Committee shall be appointed by the Select Board to coordinate and facilitate the design and possibly the eventual construction of a new Middle School. The committee shall have **TBD** voting members. In accordance with Massachusetts School Building Authority requirements, which are subject to revision, the membership shall be as follows:

- Two members or designees of the School Committee
- One member of the Select Board
- Town Manager
- Town Finance Director or designated representative
- Superintendent of Schools
- School Director of Finance & Operations
- School Facilities Manager
- Middle School Principal
- One resident knowledgeable in field of sustainable building design and operation
- Five community residents at-large including at least one with a current school-age child
- Concord Sustainability Director

The community members shall bring as many of the following areas of expertise as possible: general or industrial construction; project management; HVAC, architectural, financial, recreation, environmental sustainability and/or education technology expertise; and a familiarity with green building design.

ADD COMMENTS FOR FINAL DRAFT

The Committee shall elect a chair, keep minutes of its deliberations, observe the Open Meeting and Public Records law, and comply with other laws and regulations fostering a free and open discussion of ideas.

Building Committee members shall serve through completion of the project. In the event that any Building Committee member is not able to serve through the completion of the project, the Select Board shall be notified, so an appropriate replacement can be found.

Staff assistance for the committee shall be coordinated through the Town Manager and the Superintendent of Schools.

Committee members will strive to avoid any conflict-of-interest or appearance of a conflict of interest. To this end, members are instructed to advise the Select Board immediately should they be considering employment with or a contract for services with any contractor or subcontractor working on the School project.

C. Powers and Duties

The Middle School Building Committee shall coordinate the feasibility study and design and eventually monitor the construction of the new Middle School building through occupancy, and including the demolition of the old Sanborn building, the construction of playing fields and landscaping, as appropriate. Specific duties will include:

During the Feasibility Study Phase:

- Develop a process for the selection of the Owner's Project Manager and recommend to the Town Manager the awarding of a contract to the selected OPM;
- Review and approve the RFP for the selection of a qualified professional or firm to conduct the Feasibility Study;
- Review the responses to the RFP, select the person or firm most qualified to perform the work, and recommend to the Town Manager the award of a contract to the selected firm;
- Review the draft Feasibility Study Report and suggest changes and refinements to incorporated in the Final Report;
- Implement a process for selecting a design firm to undertake schematic design for a new Middle School, based on the findings of the Feasibility Study. Interview firms responding to the RFP/RFQ for design services and recommend the selected firm for award of a contract by the Town Manager.

During Design Phase:

- Assist with the Selection of a Project Manager, who will serve as the Owner's Representative for the project, during both design and construction;
- Issue a Request for Proposals for Design services; interview several designers and make a recommendation to the Town Manager for a contract for design services;
- Review, with a lens of sustainability, the educational specifications as recommended by the School Committee;
- Solicit input from school staff, parents, neighbors of the school and the community as a whole concerning the design of the new building, including any public spaces;

ADD COMMENTS FOR FINAL DRAFT

- Foster a discussion of Net Zero construction, and educational and environmental sustainable building design concepts for schools and incorporate, to the extent possible , the Town's goals for Greenhouse Gas Emissions reductions;
- Consider any "lessons learned" or other useful experience gained from earlier school construction projects;
- Ensure the development of an accurate construction cost-estimate to be used when recommending construction funding to Town Meeting and the voters;
- Develop a projected construction schedule to include estimated completion and occupancy dates, timing for the demolition of the existing buildings, and full completion of the project.

During Construction Phase:

- Supervise architect(s) to prepare construction documents and all architectural services during construction;
- Assist the School and Finance Departments in development of documents for Massachusetts School Building Authority (MSBA) reimbursement, if appropriate;
- Review construction bids and recommend a general contractor or contractors to the Town Manager who will approve and execute all contracts;
- Monitor the construction of the building;
- Evaluate for cost and effectiveness all proposed change orders and recommend to the Town Manager approval of change orders;
- Recommend to the Town Manager the payment of contractor requisitions;
- Manage the work of the architectural firm and its consultants and recommend action by the Town Manager as it relates to the firm's contract with the Town, including payments, negotiations and change-orders or contract modifications;
- Ensure that the project comes in on schedule, within budget, and minimizes the expenditure of contingency funds;
- Serve as the point of contact for all individuals and community groups for all issues regarding the project, including but not limited to safety policies and procedures for building and site users, an occupancy plan, communication, etc.;
- Establish regular communication channels with the Town, Middle School families, and neighbors regarding the project progress through periodic notices and public meetings. Actively solicit the comments of neighbors and interested parties by dedicating one meeting early in the design phase to hearing the concerns of neighbors and other interested individuals;
- Provide these same services as they relate to Phase 2, if any, for the removal of the existing Middle School, as appropriate;
- Make a final report to the Select Board and School Committee upon substantial completion of the project. The report shall include information concerning final costs for the project; the status of MSBA reimbursement applications, if any; a list of unfinished projects not included in the as-built plan with an estimated cost and timeline; and any recommendations the Committee may have concerning on-going operation and maintenance of the building. The report may also include any recommendations from the Committee concerning lessons learned from this project that may be applicable to future Town construction projects.

ADD COMMENTS FOR FINAL DRAFT

D. Other Considerations

The Committee will comply with the provisions of the Open Meeting Law, the Public Records Law, the Conflict of Interest Law and all other applicable laws and regulations of the Commonwealth, as well as all relevant Bylaws and Administrative Policies of the Town.

Communications

In order to ensure a successful building project, the Committee will work with the following individuals and groups:

The Town Manager

The Town Manager has final approval regarding all financial matters and is responsible for all contracts related to the project. The Middle School Building Committee shall have primary responsibility for making decisions and recommendations related to the project. Therefore, the Committee will:

- Engage the Town Manager throughout project as needed.
- Recommend approval of all changes to schedule and cost to the Town Manager.
- Recommend the payment of all contractor requisitions to the Town Manager.
- Review construction bids and make recommendation of a general contractor to the Town Manager.
- Solicit bids and recommend appropriate consultants/contractors to the Town Manager, including Project Manager and owner representatives.
- Although the Town Manager is the official spokesperson for the Town, the Middle School Building Committee will speak about the building project on behalf of the Town Manager by agreement and where appropriate.
- Expect the Town Manager through the Town Finance Director to maintain and monitor total project cash flow, balance sheet, and budget projections.
- Expect that the Town Manager will designate appropriate channels of communication between Town and School Departments regarding safety, operational, and other issues.
- Ensure that the Project Manager and architect maintain careful records of project activities in order to maximize the opportunity for the Town to secure State funding for a portion of the project costs if possible.
- Maintain regular contact with the Finance Department to ensure proper accounting of all expenditures and maximum opportunity to secure State reimbursement.

Elected Officials and appointed Committees

The Committee will:

- Report on progress (i.e. budget, schedule, important decisions) to the Select Board and School Committee on a quarterly basis.
- Confirm the School Committee's recommendation on items such as the technology plan where appropriate and within the established budget.
- Update the Finance Committee concerning the financial aspects of the project from time to time. The Committee anticipates that a Finance Committee observer will regularly attend meetings.

ADD COMMENTS FOR FINAL DRAFT

Town and School Staff

The Committee will:

- Expect that the School Superintendent will identify an appropriate interface between the school department and the construction project. The representative of the School Department will be present at Middle School Building Committee meetings and will attend construction meetings where appropriate.
- Expect that the Middle School Principal will attend Committee meetings and construction meetings where appropriate. The Principal will relay problems and issues from staff, families and neighbors for Committee consideration and resolution.
- Expect that the School Department will maintain an organized central file of original and substantive documents throughout the project sufficient to satisfy SBA auditing, if appropriate, as well as Town audit requirements.

The Owners Project Management (OPM) Firm

On behalf of the Town Manager, the Committee shall be responsible to supervise the work of the Owners Project Manager. The Committee will have a designee available to receive questions and issues during site meetings and during normal working hours. Responsibilities for this task may rotate. The OPM will:

- Perform on a day-to-day basis the duties of an Owner's Representative including safety inspections, construction mitigation, dispute resolution, and move assistance.
- Represent the best interests of the Town of Concord and Middle School Building Committee on a day-to-day basis throughout the project.
- Keep the committee fully informed regarding all matters affecting the successful outcome of the building project, including change orders, missed dates, poor communications, etc., throughout the life of the project.
- Evaluate and make recommendations on requisitions and potential changes in cost and schedule.
- Organize and maintain construction records, shop drawings and files to supplement the Town files at the conclusion of the project. Upon completion, the OPM will provide a digitized set of as-built plans to the Building & Inspections Division, as well as a printed copy.
- Develop regular communications to the community.

The Architectural Firm

The Middle School Building Committee expects that the designer will:

- Attend all appropriate Middle School Building Committee meetings and communicate all necessary information on a timely basis to the Middle School Building Committee and OPM.
- Evaluate Change Order requests.
- Provide requisition approval, construction clarifications and construction observation, among other services, consistent with its contractual requirements.

Construction Reform

Key Design Principles¹ (Final) Middle School School Feasibility and Design Study

These Design Principles are a distillation of the key elements of the design approach that was referenced in the Town Meeting Amendment to the Feasibility and Design Study Article and was communicated to the Concord School Committee at Town Meeting. The purpose of these Principles is to provide a sustainability framework that should be followed in the design process.

Text of Amendment to Article 14 at Town Meeting and Implications for Design:

'The feasibility and resulting design specification shall be consistent with Concord's sustainability principles and with Concord's goals for reducing greenhouse gas emissions, requiring both an all-electric design and Zero Net Energy-ready building and site capabilities. While the Town urges the School Building Committee to conduct its feasibility study with all-electric/ZNE-ready as the preferred design, other alternatives may be considered. The third-party hired to perform this feasibility study and school design should have demonstrated competencies and experience in all-electric/ZNE building design.'

The implications are twofold: First, the new school building should be fossil-free (all electric). Second, the amount of energy consumed by the school building should be matched by an equivalent amount of energy produced on site ('Net Zero'). Annual kWh consumption on the site = annual PV production from the site (roof, parking lot canopies, etc.).

Best In Class Energy Efficiency:

Net Zero buildings meet the most stringent energy efficiency standards. As such, Net Zero buildings are in a class by themselves, performing significantly better than buildings that simply meet 'code' or which are designated as 'high-performance'. The Energy Use Index (EUI), which measures the energy consumption per square foot, should be used to establish metrics for the design process and distinguishes net zero from 'code' and high performance buildings.² The highest, best-in-class efficiency, *as measured by EUI*, is required in order to meet these fundamental Net Zero requirements in a cost effective way.

Efficiency Through Passive Solar Design:

While efficiency in the mechanical systems is important, efforts to reduce building energy requirements start with optimizing the building design to take advantage of the sun for day-lighting and passive heating/cooling. And, the building should be oriented and designed to maximize the exposure of the roof for PV.

High-End Building Envelop (Thermal Control Layer):

The envelope needs to incorporate the highest standards for doors, windows, slab, and roof. Minimizing heat loss is far less expensive than building additional PV capacity on-site to compensate for heat loss.

¹ Our Thanks to William Maclay, and Mcclay Architects, from whose concepts we have liberally borrowed.

² Maclay, William, *The New Net Zero*, Chelsea Green Publishing, 2014. Typical Existing 'pre-code' schools at 83 EUI, Code schools at 45-55 EUI, High-Performance at 25-45 EUI, and Net Zero at 10-25 EUI.

Heating:

In a fossil-free building, heating is accomplished through air-source and/or ground source heat pump technology.

Ventilation:

Given the high efficiency of the thermal control layer in a Net Zero building and the resulting lack of air infiltration, a ventilation system to provide fresh air to the building is required. In order to provide the desired fresh air while minimizing the heating load, the ventilation system needs to be separated from the heating system. This allows for the use of a heat/energy recovery system to conserve energy as air from the building is exchanged for outside air. This approach has the advantage of fine-grained control over the fresh air volume and allows for exceptional air quality, while conserving the energy in the building's heat.

Energy Loads:

In Net Zero design, energy loads (plug loads, heating/cooling, hot water heating, ventilation, and lighting) are modeled to achieve the EUI metric. This includes 100% reliance on outdoor light when it is available and sufficient control of fresh air ventilation to allow for adjustment to the level of occupancy expected for each room. As load increases, the PV requirement also increases.

Hot Water (and water in general):

Hot water is typically 4-5% of overall load for an educational facility. The best practices involve solar hot water collectors (i.e. roof-top Domestic Hot Water (DHW)) or electric resistance DHW with PV collector. But, as with many other of the Net Zero principles, reducing hot water demand is the first and most important requirement – high efficiency dishwasher, low flow faucets, and showers, and the use of heat recovery for gray water. Likewise, technology needs to be leveraged to reduce overall water consumption.

Site Design

The site design should allow for the reuse of storm-water runoff for irrigation.

Net Zero-Ready:

Net zero-ready allows for an end-to-end design of a 100% Net Zero building, including all of the PV capacity required for fully compliant net-zero building. However, this approach allows for a limited initial build-out of the PV system that includes roof-ready enhancements, conduits, and site improvements with a commitment to add the necessary capacity for 100% net-zero. Initial design and specification needs to include costing of both the PV infrastructure and the PV panels/arrays.

Embodied Energy

Embodied energy is the remaining energy required for the remaining elements of the lifecycle. Design should assume best practices in selecting use of low-carbon building materials (foundation, structural, windows, etc.). And, best low-carbon practices should be followed in disposing of the existing school buildings.

ENVISION CONCORD

SUMMARY OF SECTIONS BY MEMBERS OF THE SELECT BOARD

Section 4.1 Cultural and Historic Resources

Section 4.1, Cultural and Historic Resources (C&H), is an important start to the review of our Long-Range Plan's elements. The report reiterates the importance of Concord's history and culture central to its character, placing C&H third among the top reasons people chose to live in Concord next to schools and open space. That being said other town wide surveys demonstrate confusion as to what constitutes cultural or historic resources and how these actually impact daily life¹.

Many in Concord believe that these resources are in good condition without necessarily appreciating the effort that is embedded in the preservation and maintenance of our assets. Envision Concord highlights the lack of engagement residents have with this fundamental reason many chose to live here. The ambivalence toward C&H is at odds with the active pride in our town where 20% of buildings are protected in some way, we have adopted a demolition delay Bylaw to protect others, our three intersecting rivers boast National Wild and Scenic designation, we are home to Minute Man National Historic Park, and support 8 separate historic districts, two distinct Cultural Districts (Concord Central CD and West Concord Junction CD), and are consistently supportive of cultural expansion including our library, our museum, Emerson Umbrella, Concord Players, Concord Conservatory of Music, to name a few.

So, what do we do with the disconnect between the implicit value of our resources and ambivalence in residents' daily lives? How do we connect our community to its C&H to highlight aspects of our retail base, engage our students and seniors and further protect the town's character, critical to real estate values? Envision Concord offers four central educational and outreach goals:

1. Develop materials and activities targeted at engaging the widest range of residents possible
2. Use these materials, signage, and a cooperative collaborative initiative to disseminate cultural and historic information and events throughout Concord
3. Survey, investigate and identify cultural and historic assets that are not adequately protected
4. Review the town's entire regulatory structure (departments, boards and commissions) to ensure that missions align with the scope of preserving culture and history

¹ Envision Concord, p. 90.

These four goals and their many actions offer a comprehensive approach to connect and remind residents about the assets which surround them, assets often more directly appreciated by visitors than by the taxpayers who supports them. Envision Concord acknowledges the many boards, committees, private and public institutions which exist to support our history and cultural resources and challenges the town to better educate, coordinate and engage our citizens to enjoy these assets.

This section calls for a review and renewal of our understanding of Concord's commitment to stewardship of cultural and historic assets and inspires a myriad of small and large actions: all of which can be started with little budgetary impact; and all of which will benefit our retail and residential values. Given the central importance of our historic and cultural base, one would expect these recommendations to be well supported.

Sections 4.2 Economic Vitality

Section 4.2 Economic Vitality, as with others in the report, is quite significant. How this issue is address will likely have important consequences for the Town, it's citizens our overall economic wellbeing. It should not go without saying that economic vitality's importance is two-fold. First, vibrant town centers are important to the 'character' of the Town. Town character is always listed in our surveys, along with schools and taxes, as most important to citizens. Second a vibrant business sector is a source of tax revenue which, as the report mentions, can 'modulate increases in residential property taxes.'

A number of statistics are presented in the report that indicated that Concord, has not been as vibrant when compared to Middlesex County and the State. Concord has lost jobs over the period from 2005 to 2015 while both the county has the state have made gains following the 2008/09 recession. One bright spot for Concord has been the growth of education and health service positions which has significantly outstripped both the County and the State's growth rates in this section. And, for all three entities, health and education jobs has shown the largest growth of all sectors over the same period.

The report develops four interrelated goals. The first focuses on improving the village centers to make them more vibrant and pedestrian-friendly. The second calls out the issue of attracting a workforce as a particularly important issue. The third focuses on supporting entrepreneurship, both social and business, noting that Concord has a 12% self-employed, twice the state average. And, the four goal encourage building local civic and governments capacity for economic growth². The report states a number of actions that could be taken in furtherance of each goal, but the overarching point, I believe, is that the Town should hire a person that could spearhead the effort to promote economic and tourism developments.

The report states, 'Consider establishing a Town economic development staff position, this new staff person would oversee the implementation of the Economic Vitality

² We don't believe the report calls out tourism, specifically, as a focus of Economic Vitality. It should. Nor does it mention the National Park, a source of almost a million visitors to Concord each year. However, tourism can easily be encapsulated in Economic Vitality and the National Park as part of the public-private partnerships mentioned in the report.

component of Concord's long-term plan..." We believe this one action, along with creating an Economic Vitality Committee, would be the most important first step toward accomplishing the goals outlined in the report. The new staff position and the committee could work together to expand on actions mentioned in the report, develop priorities for implementation and serve as a method to increase citizen involvement in this important topic.

Section 4.3 Housing

The leading narrative for this section states "The Town seeks to balance the demands for a wider range of housing options with affordability for all residents". A variety of strategies are suggested requiring both town government action and private sector solutions for achieving more housing choice to allow Concord residents to remain in Concord and provide housing for a diversity of residents, including young professionals and families, empty nesters, seniors, and those increasingly squeezed out by high housing costs. Seriously addressing the issue of housing with a range of affordability has implications for local economic vitality and community cohesiveness including issues of diversity and equity, all of which contribute to a sustainable community.

In this section, *Envision Concord* includes developing realistic, achievable targets for preserving or creating housing of all types, bringing together private and public groups of a variety of disciplines and interests to identify solutions to meet housing needs. Developing additional, self-sustaining funding mechanisms to specifically support achieving some of the affordable housing goals is further recommended.

Renovation of existing single-family homes in all zoning districts is encouraged in addition to discouraging the demolition of smaller homes to be replaced with larger, more expensive homes. Zoning recommendations include creating accessory dwelling units within existing structures in all zoning districts; and allowing cluster development and cohousing in designated areas. Identifying regulatory tools and tax incentives to encourage developers to build housing near town centers in ways that reinforce existing historical character and support sustainable development practices might also be explored.

Appendix D Smart Growth Analysis Supplement of Envision Concord addresses Smart Growth development in detail with mixed use development proposed for areas close to Concord Center, The Thoreau Depot Area, and West Concord Center Area as targeted areas to help meet Concord's housing goals for a range of affordability and potential additional commercial development. "While development will occur outside of the focus areas, the intent of this analysis is to show potential capacity for additional housing and commercial space that is more environmentally and socially sustainable. Location, transportation accessibility, and walkability are significant factors for allowing appropriately denser projects to occur with fewer traffic and environmental impacts while increasing housing variety/choice and the overall market base for local businesses." 40R overlay districts and other zoning possibilities to explore are already being added to plan suggestions.

Political will and sustained Select Board leadership are needed to implement strategies that will result in real and timely progress on these goals - a growing concern for its citizens of all ages. An anticipated increase in Concord's population over the age of 60 (already at 32%) and the increasing tax burden on families and seniors for both current and future residents heightens the concern to address these issues with a sense of determined intention.

In addition to current warrant articles which will be debated at this year's town meeting, the following should be among next actions that the Select Board (SB) considers.

1. First, identify the Planning Department's and Planning Board's initiatives that are already in play or planned for this next fiscal year that meet identified housing needs for a range of affordability. Presumably, proposed zoning changes for next year's Town Meeting should be among these initiatives which the SB can support.
2. Continue to support the recommendations of the AHFC as still appropriate.
3. Further, working with the town manager, the SB can request an overlay map(s) of existing municipal properties and potential opportunity sites (privately owned or government surplus properties) that might be useful for town purposes, identifying multiple site uses whenever possible for housing, commercial and other municipal needs in addition to considerations for preservation of agricultural land, open space, recreation. This information should inform future proposed land acquisitions and SB priorities.
4. With or without the planned Junction Village project, a proportional percentage of affordable housing will also be required going forward. The SB can continue to identify and support actions to create revenue streams for this purpose.

Section 4.4 Land Use

Preservation and the stewardship of Concord's unique town character in this narrative includes reference to the town's features of historic and traditional town centers, concentrated commercial hubs surrounding train stations, and the extensive amount of rural agricultural fields and conservation land. Concord's commitment to protection of land and water resources and recognition of their role in maintaining and increasing community resilience is also highlighted. *Smart Growth* redevelopment suggests appropriately scaled upper-floor and infill mixed-use development in village centers. However, "The *Smart Growth Analysis* contained in section 4.4 explores the implications of certain development pathways but does not advocate that any specific pathway be followed."

Goals in this section include:

1. Preserve Concord's current mix of land uses and consider design standards that preserve the town's character.
2. Explore zoning alternatives that enable higher density, mixed-use, more walkable and economically diverse neighborhoods within/near village centers.
3. Encourage production of small-scale affordable and workforce housing.
4. Support the expansion of commercial and industrial uses within the existing zoned areas, to improve the Town's long-term financial sustainability through an expanded commercial tax base.

5. Require development/redevelopment to meet or exceed environmental and resilience criteria.

In the coming year, The Select Board (SB) should consider the following as next action steps:

1. Work with the Town Manager to identify the Planning Department's and Planning Board's near-term initiatives and known private sector development proposals to increase affordable and workforce housing and commercial development including proposed new zoning regulations beyond those approved at this year's upcoming town meeting and support these initiatives where possible.
2. (As suggested for the SB in the Section 4.3 Review above), Request from the town manager an overlay map(s) of existing municipal properties and potential opportunity sites (privately owned or government surplus properties) that might be useful for town purposes, identifying multiple site uses whenever possible for housing, commercial and other municipal needs in addition to considerations for preservation of agricultural land, open space, recreation. This information should inform future proposed land acquisitions and SB priorities.
3. Support the expansion of commercial and industrial uses within the existing zoned areas for the Town's long-term financial sustainability through its tax base.
4. Promote new energy and environmental sustainability initiatives that further Concord's established sustainability goals.

Section 4.5 Mobility and Transportation

This section of the CLRP seeks to balance modernizing our in-town transportation network of roads, streets and paths while preserving the town character. The recommendations in this section will improve the quality of life of Concord residents without overtly encouraging growth. Recommendations capitalize on the multi-modal means of transportation of complete streets that are pedestrian and bike friendly and that link West Concord and Concord Center without having to rely on individual cars.

Solutions to 'the last mile' to reduce barriers for residents reaching their destination -- school, commuter rail stations, shopping, and medical appointments. While improved transportation options may create a more dynamic and friendly community lifestyle that homebuyers may seek in their next purchase, these improvements would reap benefits for all residents.

Our conclusion is that the recommendations in this section represent smart planning and are not likely to result in local population growth.

Section 4.6 Open Space & Natural Resources

Envision Concord reiterates the inextricable linkage between our perceived character and our natural and rural space. And as a theme of our historic and present-day identity, we value protection and expansion of these assets annually.³ Residents not only list it as the #1 reason for moving here, but once here utilize our rivers, trails, farms and recreation land daily. Concord's 2013 survey, 2014 Recreation Facilities Plan and 2015 Open Space and Recreation Plan identified 60% of Concord as open space with 38% protected. Since then multiple properties have been added towards achievement of its seven-year plan⁴. Given Concord's longstanding stewardship of open space and nature, it is not surprising that in 2018, the goals set out by Envision Concord represent furtherance and refinements of previous priority actions:

1. Maintain and increase conservation and protected land
2. Protect rivers, wetlands, ponds, vernal pools, upland habitats and other natural resources
3. Further educate residents on the interconnections between conservation land and natural resources and the ecosystems they contain so as to encourage homeowner practices to further protect these resources
4. Continue responsible conservation land management.
5. Link ecosystem health and biodiversity to Concord's long-term sustainability and resiliency goals.
6. Protect and promote sustainable practices in local agriculture, land use and traditions.
7. Maintain and increase amount of open space
8. Educate Concordians about the importance of their open space and recreational amenities
9. Enhance access between trails and village centers connecting recreation to our businesses, institutions and organizations.
10. Responsibly manage all our recreational and open space assets.

These ten goals require active management and professional oversight, public and private contributions, forward thinking and sometimes unpopular regulation. Preservation and enhancement of all three open space components of this section: conservation, agricultural and recreational lands, supports the town's real estate values, sustainability and resiliency goals, as well as quality of life. And, in this way, the interwoven planning embodied in this Section offers a microcosm of the sustainable planning approach adopted by Envision Concord.⁵

Section 4.7 Public Facilities and Infrastructure –

The Board should review the following actions:

1. Further develop the Town's expertise in the area of transportation systems, programs, services, funds, etc. (Section 4.5, Goal 1, Action 1c);

³ 2016-19 has seen the public and private preservation of over 275 acres of land.

⁴ Envision Concord, page 192-3

⁵ The Open Space + Natural Resources Systems Matrix on pages 204-207 does a very good job of laying out the interconnected value enhanced by all the planning and conservation activities articulated in the goals.

2. Improve coordination with regional partnerships for the purpose of reducing traffic volume from commuter through-traffic and regional ecosystems planning (Section 4.5, Goal 4);
3. Evaluate the cost-effectiveness of new or complete redevelopment of Town buildings and/or infrastructure (e.g., new middle school or integrated Town services building). (Section 4.7, Goal 2).

Section 4.8 Fiscal Planning

The report reiterates the goals of the 2005 Long-Range Plan and are worth repeating here:

1. Ensure that the distribution of the tax burden allows Concord residents to remain in Concord.
2. Provide high quality infrastructure through sustained, regular investment at the lowest reasonable cost.
3. Maintain stable operating budgets that consistently improve Town services and School programs that treat all Town and School employees fairly, and equitably distribute financial resources among Concord citizens.

Within these goals is the ever-present and explicit trade-off – improvements versus increased spending (taxes). The new goals added in the report are aimed at specific ways to help manage the trade-off. The first is to establish a ten-year fiscal projection tool aimed at long-term capital expenditures and department-by-department level of analysis⁶. The second calls for establishing a process for setting fiscal guideline for expenditures – without commensurate revenue generation. The third suggests the use of integrated planning principles to assist with the many multiple objectives outlined in the report. The four and final new goal urges better fiscal coordination between the Town and the Schools.

We should ask the Town Manager if he believes moving to a ten-year capital planning process would be constructive. The report suggests a ‘department by department illustration of anticipated level of service provision corresponding to three fiscal scenarios.’ We assume the three fiscal scenarios are those of the Finance Committee referred to earlier in the report. We don’t know whether or not the Finance Committee is still using these scenarios.

Goal 2 in the report – ‘Establish a process for setting fiscal guidelines for expenditures,’ should, we believe, be referred to the Finance Committee. They should be asked if their proposed new sustainability approach is in response to this goal and if not, how does the sustainability approach align with this Goal 2.

We don’t have a recommendation for Goal 3 about evaluating new spending opportunities. As for Goal 4, We would suggest that we ask the Town Manager to meet with the Superintendent of Schools to specifically address this goal and report back to the Select Board.

⁶ Currently the Town uses a five-year capital spending process.

July 1, 2019 to June 30, 2020 - DRAFT CALENDAR

Dates to Add:

- Joint Coordination Meeting in September 2019
- 2020 Holidays (Town Offices Closed/no evening meetings)
- 2020 Town Meeting Public Hearings
- 2020 Town Meeting Dates

TOWN OF CONCORD – SELECT BOARD				
2019-20 REGULAR MEETINGS, PUBLIC HEARINGS, & TOWN MEETING SCHEDULE				
DATE	DAY	TIME	EVENT	LOCATION
July 1	Monday	7 pm	Select Board Meeting	Town House
July 4	Thursday	All Day	Independence Day	Town Offices Closed
July 15	Monday	7 pm	Select Board Meeting	Town House
July 29	Monday	7 pm	Select Board Meeting	Town House
August 12	Monday	7 pm	Select Board Meeting	Town House
August 26	Monday	7 pm	Select Board Meeting	Town House
September 2	Monday	All Day	Labor Day	Town Offices Closed
September 9	Monday	7 pm	Select Board Meeting	Town House
September 23	Monday	7 pm	Select Board Meeting	Town House
October 7	Monday	7 pm	Select Board Meeting	Town House
October 8	Tuesday		Yom Kippur begins at sunset	No Evening Meetings
October 14	Monday	All Day	Columbus Day	Town Offices Closed
October 21	Monday	7 pm	Select Board Meeting	Town House
November 4	Monday	7 pm	Select Board Meeting	Town House
November 11	Monday	All Day	Veterans' Day	Town Offices Closed
November 18	Monday	7 pm	Select Board Meeting	Town House
November 28	Thursday	All Day	Thanksgiving	Town Offices Closed
November 29	Friday	All Day	Thanksgiving (observed)	Town Offices Closed
December 2	Monday	7 pm	Select Board Meeting	Town House
December 16	Monday	7 pm	Select Board Meeting	Town House
December 22	Sunday		Hanukkah begins at sunset	No Evening Meetings
December 25	Wednesday	All Day	Christmas	Town Offices Closed
December 30	Monday	7 pm	Select Board Meeting	Town House
January 1, 2020	Wednesday	All Day	New Year's Day	Town Offices Closed
January 13	Monday	7 pm	Select Board Meeting	Town House
January 27	Monday	7 pm	Select Board Meeting	Town House
February 10	Monday	7 pm	Select Board Meeting	Town House
February 24	Monday	7 pm	Select Board Meeting	Town House
March 9	Monday	7 pm	Select Board Meeting	Town House
March 23	Monday	7 pm	Select Board Meeting	Town House
April 6	Monday	7 pm	Select Board Meeting	Town House
April 20	Monday	7 pm	Select Board Meeting	Town House
May 4	Monday	7 pm	Select Board Meeting	Town House
May 18	Monday	7 pm	Select Board Meeting	Town House
June 1	Monday	7 pm	Select Board Meeting	Town House
June 15	Monday	7 pm	Select Board Meeting	Town House
June 29	Monday	7 pm	Select Board Meeting	Town House

2018-2019 Select Board Goals

Process

The Concord Select Board annually affirms its values and guiding principles to align its goals and objectives for improving government as it interacts with the Town Manager, committees, task forces, citizens and other units of government. In so doing, the Board aims to lead and establish strategic priorities, to provide support and guidance and encouragement where appropriate and to be collaborative, open and inclusive at all time.

Values and Guiding Principles

Governance: Effective, Responsive and Transparent Governance

Financial Stability: Fiscal Responsibility and Financial Stability/Sustainability

Infrastructure: Sufficient, Well-maintained and Reliable Infrastructure

Natural Resources: Protection and Enhancement of Natural Resources

Sustainability and Resilience: Sustainable Management of Energy and Resources and taking actions to regenerate our natural environment

Quality of Life: Maintaining a high level of Town services to Concord citizens

Historic and Cultural Heritage: Preservation and Promotion of Historic and Cultural Heritage

Diversity: Economic and Social Diversity

Balance and Equity: Balance and Equity among divergent individual, Neighborhood and Town-wide interest

Regional and State Interests: Advancement of Concord's Interest in the Region and the Commonwealth

Goals and Objectives

Specifically, the Board supports short and long-term goals and objectives in the following categories:

Effective Governance, Board Organization, and Communication

1. Provide leadership for the successful completion of the search process for a new town manager by June of 2019. This will involve the appointment of a Search Committee, retaining of a Consultant, providing a town manager job description.
2. Encourage and support the Town Manager, town departments and town committees to begin to incorporate goals and implementation action steps from the 2030 *Envision Concord* Comprehensive Long-Range Plan in their current year goals. Similarly, review, identify and prioritize goals and actions steps from the plan for the Select Board.
3. Provide guidance and resources for all Town volunteers serving on boards and commissions to improve consistency and efficiency of public meetings and hearings. Continue training for residents serving on boards and committees.
4. Promote open and transparent government through enhanced use of technology and increased public access television, and the work of the PEG Access Committee among other means.
5. Implement the recommendation of the Public-Private Partnership Committee to standardize a Memorandum of Agreement as part of the town's engagement in such partnerships.

Financial Stability

1. Instill integrated fiscal policies among the Select Board, the Finance Committee, and the School Committee to manage Concord citizen's tax burden.
2. Support management of Town services and budgets to maintain Concord's Aaa bond rating and to avoid Proposition 2-1/2 Overrides.
3. Oversee the implementation of Senior Means Tax Exemption.

Balance, Equity and Diversity

1. Review the recommendations of the Concord Affordable Housing Funding Committee and determine process for increasing affordable housing in Concord.
2. Prepare a warrant article for town meeting based on recommendations from the Affordable Housing Funding Committee final report to the Select Board.
3. Continue to work with business sector to establish retail diversity support systems.
4. Work with Police Department and other enforcement departments to demonstrate Concord's commitment to its Welcoming Community status.
5. Support proactive planning for wastewater infrastructure, water, telecommunications, energy, parking, traffic, and outdoor lighting.
6. Continue to apply Concord's Sustainability Principles in town decision-making, where appropriate, and seek economic, social and environmental resiliency in both public and private sector development.
7. Support the Sustainability Director and Asst. Town Manager in following through on recommendations of the Energy Future Task Force.

Maintaining Concord's Unique Character, Historic and Cultural Heritage, Agriculture and Natural Resources

1. Encourage collaboration among town departments among town departments on planning priorities, conservation and acquisition of land to preserve Concord's rural and agricultural culture.
2. Enhance accessibility to recreation and conservation resources in Concord for all citizens.
3. Review and implement recommendations for the recreational use and long-term protection of White Pond and the Gerow land and their ecosystems.
4. Work with the Natural Resources Committee on balancing dog friendly access and ecosystem protection on conservation lands.
5. Review and, if appropriate, pursue establishing dog-designated park/s.
6. Continue to engage Concord in implementing Estabrook Woods Access Study Committee Recommendations where possible, work with private land owners and abutters and resolve legal right-of-way concerns. Seek resolution to access and use of Estabrook Woods.
7. Pursue analysis of the condition of the Ball Benson barn and house, and work to identify potential relocation sites.

Regional and State Interests

1. Meet regularly with state legislators.
2. Participate in regional organization of which Concord is a member such as HATS, HFAC, MPO, MAPC, BRBSB, and MAGIC.
3. Maintain active relationship with Hanscom AFB.
4. Actively participate in MMA Fiscal Policy Committee and MMA Infrastructure and Public Works Committee.
5. Continue ongoing involvement with Minuteman High School.
6. Identify opportunities for Concord's two cultural districts and coordinate efforts across sectors and locations.

Bedford
Belmont
Brookline
Concord
Framingham
Lexington

WESTMETRO HOME CONSORTIUM

City of Newton, Representative Member
1000 Commonwealth Avenue
Newton, MA 02459-1449
(617) 796-1125

Natick
Needham
Newton
Sudbury
Waltham
Watertown
Wayland

April 17, 2019

To all WestMetro HOME Consortium Members

Re: HOME Subrecipient Agreements

Dear Consortium Members,



As you may recall, the U.S. Department of Housing and Urban Development conducted an on-site monitoring visit of WestMetro HOME Consortium projects, programs and management systems July 16-18, 2018. A noted finding in HUD's September 2018 Monitoring Report, was the absence of an executed subrecipient agreement between Newton and each Member Community of the Consortium. This finding is a new requirement due to the recent adoption of 2 CFR Part 200 Uniform Administrative Requirements and specifically addresses 2 CFR 200.331 relative to Requirements for Passthrough Entities. As such, no subrecipient agreement template previously existed from which the WestMetro Consortium agreement could be modeled. Newton, therefore, had to create a draft template with limited direction; and this, coupled with the government shutdown, created a long delay in obtaining HUD's comments on the draft.

The enclosed agreements incorporate HUD's feedback and have been reviewed by Newton's Legal Department. Overall, the Agreements set forth the terms and conditions under which each Member Community becomes the subrecipient of HOME funds, as well as outline the *General Provisions* and processes by which funds may be sub-awarded. It is important to note that Schedules A and B are specific to each Member Community based on the projects, programs and available resources outlined in the FY19 Annual Action Plan. Subsequent Subrecipient Agreements must be updated and executed for each Member Community annually moving forward.

Please review and execute all three original copies of the enclosed agreement within four weeks and return all to my attention. I will return one fully executed agreement back to you to maintain in your files. Should you have any questions or concerns, please do not hesitate to reach out at either (617) 796-1125 or rpowers@newtonma.gov.

Thank you all for your patience and attention to this matter.

Rachel Powers,
Community Development & HOME Program Manager

CC: Eamon Bencivengo, Housing Development Planner
Malcolm Lucas, Housing Planner

(via email and hardcopy)

Memo



To: Select Board
From: Kate Hanley
cc: Andrew Mara
Chris Whelan
Date: May 2, 2019
Re: Select Board sign-on to support

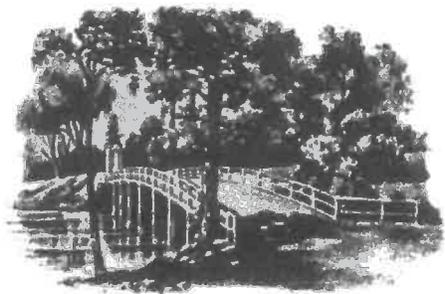
The Massachusetts BBRS (Board of Building Regulations and Standards) will hear testimony on Tuesday, May 7th about how a net zero stretch code would help communities and the state make progress toward reducing energy and emissions from buildings.

Given that 60% of Concord's GHG emissions come from buildings, the Climate Action Advisory Board has sent a letter of support for a net zero stretch code to the BBRS.

It would be great if the Select Board is willing to offer support as well. The BBRS meeting is the morning of May 7th, so I recommend that the Select Board add their signature to a [sign-on letter](#) organized by the Massachusetts Climate Action Network (MCAN) to be sure that the board receives notification of their support prior to the meeting.

Attached for your reference:

- Text of sign-on letter organized by MCAN
- Climate Action Advisory Board letter of support



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742

April 29, 2019

John Couture, Chair
Kerry Dietz, Vice-Chair
Massachusetts Board of Building Regulation and Standards (BBRS)

Dear Chair Couture and Board Members,

On behalf of the Town of Concord's Climate Action Advisory Board, I submit this letter of support for the development of a Net Zero stretch code for Massachusetts. Providing communities the option to adopt a Net Zero stretch code will help achieve our statewide energy efficiency and climate goals.

A Net Zero stretch code will also help the Town of Concord achieve its goal of reducing greenhouse gas emissions 80% by 2050. We know that 60% of Concord's GHG emissions come from buildings. A Net Zero stretch code will help us to achieve our GHG reduction goals and also ensure that new buildings are resilient, comfortable, and efficient for families in our community.

Thank you for all that you and the BBRS do to keep our building safe and efficient. We hope that you will consider a Net Zero stretch code and look forward to continued communication and partnership.

Sincerely,

Nick Pappas
Chair, Climate Action Advisory Board

Net Zero Stretch Code Sign On Letter

May 7, 2019

John Couture, Chair
Kerry Dietz, Vice-Chair
Massachusetts Board of Building Regulation and Standards (BBRS)

Dear Chair Couture, Vice-Chair Dietz, and members of the BBRS,

We, the undersigned organizations, are writing to urge the BBRS to update the current Massachusetts stretch energy code to a Net Zero stretch code. We believe that this reform will help achieve the energy efficiency goals we have as a Commonwealth, and encourage Massachusetts communities to develop better, safer, and more climate-friendly buildings.

As the Board is likely aware, many communities in Massachusetts are interested in Net Zero community planning and Net Zero buildings. A Net Zero stretch code will give those communities the opportunity to improve how buildings are built now, getting us closer to meeting our climate goals as outlined by Governor Baker and his administration.

The adoption of a Net Zero stretch energy code is necessary in order for the Commonwealth to reach Governor Baker's climate goals. Furthermore, an improved stretch code will help our buildings be more comfortable, help our communities be better places to live and work, and promote energy efficiency and public safety for all Massachusetts residents.

cc.
Governor Baker
House Speaker Robert DeLeo
Senate President Karen Spilka

Sincerely,

* Required

Email address *

Your email

First Name *

Your answer



Last Name *

Your answer

Organization *

Your answer

Town *

Your answer

Phone Number

Your answer

Are you interested in offering testimony at the May 7th BBRS Hearing? (<https://bit.ly/2G08eVc>)

Yes

No

SUBMIT

Never submit passwords through Google Forms.

This form was created inside of Massachusetts Climate Action Network. [Report Abuse](#) - [Terms of Service](#)

Google Forms

