

**TOWN OF CONCORD
SELECT BOARD
AGENDA
December 2, 2019 – 7:00PM – REGULAR MEETING
Select Board Room – Town House**

1.	Call to Order
2.	<p>Consent Agenda:</p> <ul style="list-style-type: none"> • Town Accountant Warrants • Minutes to approve: November 4 • Gift Acceptance: <ul style="list-style-type: none"> -Concord-Carlisle Community Chest \$3,812.50 Volunteer Coordinator Account -Concord-Carlisle Community Chest \$8,686.00 Outreach Worker Account -Concord-Carlisle Community Chest \$5,115.50 Social Services Coordinator Account -Concord-Carlisle Community Chest \$291.50 Benefit Costs Account • One Day Special Licenses <ul style="list-style-type: none"> · Concord Museum 12/6/19 6-10pm 53 Cambridge Turnpike All Alcoholic Beverages · Concord Youth Theatre 1/4/20 7-11pm 53 Church Street Wines & Malt Beverages Only · Concord Film Project 12/4/19 6:30-10pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/6/19 7-11pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/7/19 7-11pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/8/19 2-6pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/12/19 6:30-10:30pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/13/19 7-11pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/14/19 2-11pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/15/19 2-6pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/17/19 6:30-10:30pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/19/19 7-11pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/20/19 2-11pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/21/19 2-6pm 40 Stow Street Wines & Malt Beverages Only · Concord Film Project 12/22/19 6:30-8pm 40 Stow Street Wines & Malt Beverages Only · Saltbox Catering 12/12/19 6-9pm 40 Westford Road Wines & Malt Beverages Only
3.	Town Manager's Report
4.	Chair's Remarks
5.	7:10 p.m. Public Hearing – Change of Manager Trails End Cafe, LLC d/b/a Trails End Cafe, located at 97 Lowell Road
6.	7:15 p.m. Public Hearing – Change of Manager Concord Market, LLC d/b/a Concord Market, located at 77 Lowell Road
7.	Discussion of Crucolo Day Proclamation
8.	Review Proclamation Process
9.	Review 2019 Town Meeting – Town Moderator
10.	Concord Housing Authority Request
11.	Review Potential Warrant Articles for 2020 Town Meeting
12.	Grant of Easement by MassDOT for Bruce Freeman Rail Trail
13.	Committee Liaison Reports
14.	Miscellaneous/Correspondence
15.	Committee Nominations:
16.	Committee Appointments: Lisa Evans of 91 Witherell Drive to the West Concord Junction Cultural District Committee for a term to expire May 31, 2022. Sue McCrory of 59 Lee Drive to the Public Ceremonies and Celebrations Committee for a term to expire May 31, 2024.
17.	Public Comments
18.	Adjourn

PENDING

Monday	December 16	7 pm	Select Board Meeting	Town House
Monday	December 30	7 pm	Select Board Meeting	Town House
Monday	January 13	7 pm	Select Board Meeting	Town House
Monday	January 27	7 pm	Select Board Meeting	Town House
Monday	February 10	7 pm	Select Board Meeting	Town House
Monday	February 24	7 pm	Select Board Meeting	Town House
Monday	March 9	7 pm	Select Board Meeting	Town House
Monday	March 23	7 pm	Select Board Meeting	Town House

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

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Minutes
November 4, 2019

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in the Select Board Room of the Town House on November 4, 2019 at 7PM.

Present were Michael Lawson, Chair; Linda Escobedo, Clerk; Terri Ackerman, Susan Bates, and Jane Hotchkiss. Also present was Stephen Crane, Town Manager.

1. CALL TO ORDER

Chair Michael Lawson called the meeting to Order and announced that it was being recorded for broadcast.

2. CONSENT AGENDA

- Town Accountant Warrants
- Minutes to approve: October 7th, October 21st
- Support for H.3976, Sewage Spill Notifications
- Proclamation
 - Little Women Week December 15th to December 22nd
- One Day Special Licenses
 - Saltbox Farm 11/5 6pm-9pm Wine and Malt Only
 - Saltbox Farm 11/12 6pm-9pm Wine and Malt Only
 - Concord Education Fund 11/16 6pm-9pm All Alcoholic Beverages
 - The Concord Market 11/9 6pm-11pm All Alcoholic Beverages
 - The Concord Market 11/10 6pm-11pm All Alcoholic Beverages
 - The Concord Market 12/27 6pm-11pm All Alcoholic Beverages
 - Concord Players 12/7 7pm-11:59pm Wines and Malt Only

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the Consent Agenda as read.

3. SELECT BOARD AND TOWN MANAGER CITIZEN RECOGNITION

Mr. Crane commended Concord resident and Town employee, Malysa Simard, for her actions in response to a fire at her neighbor's house. Mr. Crane read the proclamation by the Town Manager on behalf of the Select Board for Ms. Simard's commendable actions to assist her neighbors. Mr. Lawson extended his thanks and congratulations from the Select Board to Ms. Simard.

4. TOWN MANAGER'S REPORT

1. Mr. Crane noted the rail crossing in West Concord by Commonwealth Avenue would be closed for repairs from November 8th to 10th. Notifications have been sent out to businesses. The work will mostly take place at night. The Town requested that the area be reopened during the day, but the MBTA will be unable to accommodate that request. The repairs should be complete by Sunday evening, November 10th. If anyone has any questions about the project, they can call the Town Manager's Office or the Concord Public Works Department.

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2. A notice will be going out about a Bromate exceedance from Concord Public Works. Mr. Crane ensured residents that they do not need to take any actions and that it is a small exceedance. If certain compounds go above the limit, there is a notification requirement. There is additional information on the Town website, and residents can call the Water & Sewer Department with any questions. Mr. Crane stressed that it is not a public health emergency, but if residents have questions about how their health could be impacted they should consult their physician.

3. Mr. Crane was approached by a resident, Keith Bergman, who is involved with MAPC, who noted that there was a vacant role for the Concord representative to MAPC. Mr. Bergman recommended that Mr. Crane appoint himself and Mr. Crane agreed, as it would help him familiarize himself with regional planning challenges.

4. Mr. Crane made note of the Middle School Sustainability Report in the meeting packet.

5. Mr. Crane made note of the Regional Services Housing Office quarterly status report in the meeting packet. Ms. Ackerman asked if Concord will need more hours in their budget for next year. Mr. Crane has not yet met with the Director of RSHO regarding this issue and was unable to comment.

6. Mr. Crane mentioned the delegation from our Sister City, Nanae, Japan, visited Concord last week. Mr. Crane stated that it was an excellent visit and thanked the translator for doing an excellent job. Mr. Crane had the opportunity to give a senior official from Nanae a tour of the town. Mr. Crane stated that he is looking forward to more meetings with them.

5. CHAIR'S REMARKS

Mr. Lawson recognized the passing of town resident and former Select Board member Nancy Beecher. Mr. Lawson recognized her extensive community service and extended the Select Board's thoughts and good wishes to her family.

Mr. Lawson indicated that the Concord-Carlisle High School band will have a benefit concert on November 7th at 7pm. The funds will go to the Fisher House Foundation which supports housing and transportation for military veterans. Mr. Lawson also noted that the Veteran's Day celebration will take place at Sleepy Hollow Cemetery at 745 on Monday, November 11th.

Mr. Lawson stated that there was a successful educational program on effective governance for board and committee members this past Saturday at the Town House. Mr. Lawson thanked Ms. Hotchkiss, Ms. Taari, and members of town staff who helped to make that event successful. Ms. Hotchkiss noted that the video of this meeting is on the Town Clerk's website.

Mr. Lawson stated that in addition to Mr. Crane's remarks about the delegation visit, there was a farewell dinner at the Colonial Inn, and a meeting where they gave gifts to

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the Select Board. Mr. Lawson passed out some of the snacks that were gifted to the Town.

6. IT EQUIPMENT AND DATA ISSUE – TOWN MANAGER

Mr. Crane stated that we are aware of an issue with some IT equipment in town that we are tracking, and he will follow up with the Board as soon as possible with additional updates.

7. TOWN MANAGER PRESENTATION ON FY'21 BUDGET REQUESTS

Mr. Lawson explained for residents that the Town is at the beginning of the budget process and that the Town and Schools prepare budgets and share them with the Finance Committee. The Finance Committee deliberates and sets guidelines for the Town and School budgets.

Mr. Crane presented requests that the Town Manager's Office has received for the F'21 budget. Mr. Crane stated that he is beginning to work with the Finance Director, Ms. Lafleur, to prepare a budget for Select Board review. Mr. Crane stated that the Finance Committee Guideline, approved on October 24th, is a 2.5% increase in the budget. They FY'20 budget that they are applying that increase to \$28,760,648, with the FY'21 budget guideline currently being \$29,424,314. The difference in the guideline and the request is \$791,635. Mr. Crane noted that while this is a lot of money, in the context of a \$30 million budget it is something that can be achieved without a reduction in services. There is \$1.2 million in new requests, with \$400,000 in capital that is funded by the general fund as opposed to borrowing. There is a \$164,000 reduction in transfers or credits that was scheduled as part of initiatives implemented over the last year.

Mr. Crane stated that a notable change was that they were consolidating building maintenance line items. Each department currently has maintenance line items. The Town has built a stand-alone Facilities Department, which Mr. Crane stated was functioning excellently. In order to accommodate this development, the Town is putting all maintenance line items under the Facilities Department budget. Custodial and utility costs will remain in the department's budget. Mr. Crane believes we can meet the Finance Committee Guidelines, though they will review existing expenditures. The list of major requests amounts to approximately \$1.2 million. The Human Resources Department has submitted a request for \$40,000 to do an analysis of our current compensation plan.

Mr. Crane listed the requests for new positions in the budget. The Fire Department is interested in elevating a few positions to refine their command structure, which would cost about \$44,000. The IT Department has requested a new position for approximately \$71,000. In addition, we are carrying a \$10,000 appropriation in the budget for the 250th Celebration. The FY'21 budget will include the November 2020 Presidential Election. Planning and Land Management has requested additional positions. In addition, there is a \$199,000 request for additional technical support at Town Meeting. The Town Moderator wants to implement electronic voting.

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Mr. Crane stated that each department's budget request was reasonable. He thinks we will be able to meet guidelines and accommodate outstanding services. Mr. Lawson noted that in previous budgets, the single biggest item has been salary increases. Mr. Crane stated that we are carrying an appropriation for the salary reserve account for \$500,000. The Select Board will discuss the budget further on the November 18th.

8. REVIEW WASTEWATER MANAGEMENT PLAN AND HOUSING DEVELOPMENT ON GEROW LAND

Mr. Crane referred to the memo in the meeting packet, which stated plans to build an affordable home at the former Gerow land adjacent to the existing CHA home at 365 Commonwealth Avenue. One of the issues in creating these units is a costly septic systems vs a connection to the sewer system. The Public Works Commission is meeting on November 14th to consider whether or not to connect these properties. They are looking for input and potentially endorsement from the Select Board.

Marcia Rasmussen, Director of Planning and Land Management, introduced herself and explained the issue. The Public Works Commission is considering this project because their policies state that the construction of affordable housing is a valid reason to grant waivers of typical practices. The land has been subdivided, the appraisal is done, we are going through the process of advertising in Central Register, and the value has been established at \$22,000. It is a unique situation because it is an existing lot served by town sewer, and they are expanding the area of the lot in order to build an additional two-bedroom house. Ms. Rasmussen said they would be tying into the existing sewer that serves 365 Commonwealth Avenue. The Select Board had previously supported the allocation of the land to the Housing Authority. In addition, the Concord Housing Authority is seeking \$300,000 for construction of a house from the Community Preservation Committee. The CPC needs to make their decision before the warrant period closes because they make a formal recommendation for Town Meeting.

Mr. Lawson questioned what the argument for opposing this development would be. Ms. Rasmussen explained that we adding land to an existing lot to increase the number of bedrooms is not within the Public Works Commission policy, but they have granted waivers in the past. Ms. Rasmussen provided examples of those previous waivers. Mr. Lawson asked about the precedent that granting approval would set. Ms. Rasmussen said that the Public Works Commission is concerned about the precedent of increasing the size of a lot to add extra bedrooms. Ms. Hotchkiss noted that this approval would only be made to accommodate the need for additional affordable housing in the community. Mr. Crane noted that the sewer system has the capacity to handle this development. Ms. Bates discussed that she looked at the integrated policy planning statement and said she believes this project meets the stated criteria, and that she would be supportive of the project. Ms. Escobedo said citizens spoke about this issue at 2019 Town Meeting, and stated that it would be unfortunate to see this project not be supported. Ms. Ackerman and Ms. Hotchkiss stated their support for the project. Mr. Lawson suggested that we draft a letter of support for this project.

Upon a motion duly made and seconded, it was UNANIMOUSLY

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VOTED: to draft a letter of support for the Wastewater Management Plan and construction of an affordable housing unit on former Gerow land at 367 Commonwealth Avenue, and to authorize the Select Board Chair to sign a letter of support.

9. COMMITTEE LIAISON REPORTS

Ms. Bates attended the Planning Board on October 22nd, where they discussed 1440 Main Street. The developer had submitted information, but the Board didn't have enough time to review it before the meeting. The Planning Board will revisit that issue on November 26th. The Planning Board also discussed 13b Commonwealth Ave, where they are proposing to put a two-story mixed-use building. Ms. Bates also attended the Conservation Restrictions Stewardship Committee which met on 22nd, and they continue to monitor the conservation land parcels in town. Ms. Bates attended the Trails Committee meeting, where they discussed bike access on trails, and talked about developing a code of conduct for bike access. On October 24th the Middle School Finance Committee met, and on October 28th the Building Committee met, and reviewed 18 proposals for schematic design. They have narrowed it down to 5 proposals. The committee will begin interviewing each of the five firms on Thursday, November 7th at the Ripley building. West Concord Advisory Committee is seeking two members. The Economic Vitality Committee is also seeking two reps from historic or cultural institutions, two at large members, as well as a Planning designee.

Ms. Escobedo and Mr. Lawson addressed the Joint Committee on Revenue at the State House for Article 25, and Ms. Escobedo also addressed the Joint Committee on Housing for Article 26. In addition, Ms. Escobedo also attended the CPC meeting. The CPC has completed the initial round of interviews with all the applicants. There are a number of unique issues this year, with two projects submitted from faith groups. These applications have been preliminarily reviewed by town council. Two members on the CPC have already had to recuse themselves due to conflict of interest while applications were being presented. A question remains regarding their continued participation in the deliberation process for grant awards. Ms. Ackerman noted that the school committee has had to deal with this issue in the past. Mr. Crane stated that the members in question should contact the attorney of the day for advice. Ms. Escobedo added that a ruling will be helpful as there is still an additional potential concern about the appearance of a conflict of interest. Ms. Hotchkiss said that this is likely a reoccurring problem in other communities as well, and someone must have come up with an approach to handle it. In addition to the CPC, Ms. Escobedo attended Hanscom Area Towns Committee. Bedford has adopted the Burlington 5G policy in order to give them time to study it further. The Burlington policy was to give the town a process for working with vendors who wanted to add 5G capacity to telecommunications in town. The Superintendent of Minuteman National Park also attended the HATS meeting. The park has seen a 9.3% increase in the number of people who have attended the park over attendance of \$1.4 million visitors in 2018. The park is also revving up for the 2025 celebration. Ms. Escobedo also attended the Housing Development Corporation meeting, where they spoke about the work they are doing for the 930 Main Street project including the land lease agreement. Ms. Escobedo attended the League of Women Voters CPA panel, where Acton and

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Lexington were represented. Our towns' bylaws for CPA agreements are mostly similar but do have small differences. Acton is increasing their focus on community housing due to the housing shortage across the state. Lexington commented that open space applications must also include community housing or other municipal projects. Ms. Escobedo attended the Effective Governance training, and commented on how the guidance and issues talked about have evolved over time, pointing out the nuances in discussing open meeting law and conflict of interest. Ms. Escobedo encouraged committee chairs and members to watch the video of this meeting if they didn't have the chance to attend.

Ms. Ackerman attended the Local Cultural Council meeting. The Cultural Council had 32 applications for cultural grants. Ms. Ackerman went to the Comprehensive Sustainability and Energy Committee meeting, where the library came up as a point of concern. Ms. Ackerman noted that there are several capital projects that have to do with sustainability, where the costs are in one bucket and savings are in another. Ms. Ackerman stated that there was a question of how to look at payback on energy sustainability, because the financial benefits are prorated over a long period of time, making it hard to measure. Ms. Ackerman also attended the Nanae delegation meeting, and was a speaker at the CPA meeting that Ms. Escobedo described. Ms. Ackerman stated that the Capital Planning Task Force is beginning to meet.

Ms. Hotchkiss attended the PEG Access committee meeting, where they are requesting guidance from the Select Board, and are trying to further determine what their role is. Their goal is to focus on advising the Select Board and Town Manager on content that could be enhanced. There is concern that there is a lot of timely airing of government pieces of broadcast, and the public and educational pieces are lapsing. The committee asked if the Select Board can think about the goals they put forward and see how the Select Board can provide greater guidance to the committee in order to think through their approach. Ms. Hotchkiss also reported that she heard the White Pond Advisory Committee is making progress on septic issues in the neighborhood and the impact this has on the pond's health. There are older homes not currently being captured with the data that exists right now, and they are going to try to have the data collected so it can be added. As moderator of the recent Town Effective Governance Training, Ms. Hotchkiss commented how impressed she was with the content, new information, and questions from the participants. She wishes attendance by every new committee member was required. She strongly encouraged committee members to watch the video that was posted online. Ms. Hotchkiss attended the Ride and Drive EV event, as well as the school event on vaping. Ms. Hotchkiss noted that in conflict with the next Select Board meeting on November 18, the Board of Health will be holding a meeting regarding potential regulations on tobacco products.

Mr. Lawson reminded the Select Board that on Thursday, November 7th at 7PM the Finance Committee is meeting to discuss long-term fiscal sustainability. Mr. Lawson noted that the League of Women Voters is having a meeting at Harvey Wheeler on November 16 from 10-11:30AM to discuss how to run for public office.

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10. MISCELLANEOUS / CORRESPONDENCE

None.

11. COMMITTEE NOMINATIONS:

Gavin Morrissey of 38 Aurora Lane to the Trustees of Town Donations for a term to expire May 31, 2022. Dawn Rennert of 39 Revolutionary Road to the Economic Vitality Committee for a term to expire May 31, 2022. Court Booth of 144 Wright Road (Concord-Carlisle Regional School District representative, per committee charge) to the Financial Audit Advisory Committee for a term to expire May 31, 2020.

12. COMMITTEE APPOINTMENTS:

On a motion made and duly seconded, it was:

VOTED: to appoint Hugh Lauer of 100 Keyes Road, Cynthia Rainey of 80 Hunters Ridge Road (School Committee Designee, per committee charge), and Elise Woodward of 379 Garfield Road to the Capital Planning Task Force for a term to expire April 7, 2020. Cato Anderson of 14 Park Lane, Mark Martines of 66 Alford Circle, Debra Stark of 98 Commonwealth Avenue, John Boynton of 72 Chestnut Street, and Stephen Verrill of 415 Wheeler Road to the Economic Vitality Committee for a term to expire on May 31, 2022.

13. PUBLIC COMMENTS

Nick Pappas of 300 Virginia Road attended to speak about the budget and transportation. Mr. Pappas noted that the *Envision Concord Plan* recognized the need for a focus on transportation. Mr. Pappas stated that he hopes the town is going to have some resources in this budget devoted to transportation in order to collect data and bring in consultants to help the town figure out what to do to address transportation issues.

Paul Jameson of 419 College Road attended to speak about the emotional aspects of the Estabrook Road lawsuit and why pursuing it is important to character of the town. Mr. Jameson stated that all citizens are equal in town, but when one looks at Estabrook Road, he feels equality goes away. Mr. Jameson stated that he thinks that some wealthy residents feel they can control other residents' access to the road. Mr. Jameson stated that residents have lost half their rights to Estabrook Road already by losing half the parking spaces which he realizes represented a compromise that did not work. Mr. Jameson urged the Town to keep pursuing the Estabrook Road lawsuit on behalf of the citizens.

Marcia Schloss of 86 Hillside Road attended to propose that the town no longer renew the Crucolo Cheese Day proclamation. Ms. Schloss stated that funding this event is antithetical to the citizen-backed demand for ecological sustainability and climate action, and the proclamation sends the wrong message. Ms. Schloss noted that while

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the Town has made progress on other areas of sustainability, we are falling short with addressing food sustainability. Ms. Sloss stated that animal agriculture is one of most significant contributors to climate change. Ms. Schloss is asking that the Select Board not issue the proclamation and don't spend tax dollars (for police presence) in support of this event.

Diane Proctor of 57 Sudbury Road commented that it would have been helpful for the FY'21 budget memo to be online in advance of the meeting.

14. ADJOURN

Upon a motion duly made and seconded, it was UNANIMOUSLY

Voted: to adjourn.

Respectfully Submitted,

Linda Escobedo, Clerk

Approved:

Meeting Documents: <https://concordma.gov/DocumentCenter/View/22127/November-4-2019>

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=2BTvvg2DF4M&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=3&t=1s>

Town of Concord
Finance Department
memorandum

TO: Stephen Crane, Town Manager
FROM: Kerry A. Lafleur, Finance Director
SUBJ: Concord – Carlisle Community Chest Gift
DATE: November 21, 2019

Please place on the Select Board's agenda the following donation to the following **Council on Aging** Gift accounts:

Concord – Carlisle Community Chest, Inc.
19 Main Street, Suite 2
Concord, MA 01742

Volunteer Coordinator 23-520-541-944-4850-0	\$ 3,812.50
Outreach Worker 23-520-541-680-4850-0	\$ 8,686.00
Social Services Coordinator 23-520-541-586-4850-0	\$ 5,115.50
Benefit Costs 23-520-541-219-4850-0	\$ 291.50

Total \$ 17,905.50

This is the second of two installments of the Community Chest's gift for fiscal year 2020.

Accepted: _____
Clerk

Date: _____



TOWN OF CONCORD
Office of the Town Manager
Town House
P.O. Box 535
Concord, Massachusetts 01742

TEL: 978-318-3000
FAX: 978-318-3002

Stephen Crane, Town Manager

MEMORANDUM

To: Chairman Lawson and Members of the Board

From: Stephen Crane, Town Manager
Kate Hodges, Deputy Town Manager

Date: December 2, 2019

Re: Town Manager Report

CPA Counsel Review

Attached for your review is Town Counsel's opinion on FY21 CPA projects.

IT/CPW Theft Update

The criminal investigation into the matter is ongoing and the administrative investigation is nearing completion. The Town is working with an independent data specialist to determine what personal information may be compromised so notices can be sent to affected parties, if necessary. While this process is time-consuming, it is a necessary step in the Town's response to this incident. Once the administrative investigation is complete, needed changes to Town processes will be made and, if appropriate, personnel actions will be taken. Personnel actions generally need to be kept confidential but the Town will ensure proper accountability.

MMA Award

The Town received notice this week that Concord is the recipient of the Kenneth E Pickard municipal innovation award. The award is given to communities within the Commonwealth that demonstrate dedication, commitment and ability to increase the effectiveness of local government by successfully implementing unique and creative programming. Concord is being recognized for its use of social media specifically for several of the online forums that were conducted relating to the general and white pond acquisitions and projects. Concord used online mediums such as Facebook live and Twitter in order to engage citizens both at home or on the go allowing people to comment in real time without having to be in the actual audience. MMA had several submissions for the award this year and Concord is one of two communities in being honored. The award will be given on January 25 at the conclusion of the annual MMA conference and tradeshow.



MEMORANDUM

To: Town of Concord, Community Preservation Committee

cc: Stephen Crane, Town Manager
Heather Gill, Senior Planner

From: Mina S. Makarios and Kevin Batt
Anderson & Kreiger LLP

Re: FY2021 Community Preservation Act Funding Applications

Date: November 25, 2019

The following project summaries provided to us describe the applications received this year by the Concord Community Preservation Committee (“CPC”). Following each project summary are Anderson & Kreiger’s (“A&K’s”) comments on each application. Please note that several of the projects below are proposed by private parties, rather than the Town. We recommend the Town enter into a grant agreement with any such party in connection with the disbursement of Community Preservation Act (“CPA”) funds.

1-19 Commonwealth Avenue Project, Concord Housing Authority (\$300,000)

The Concord Housing Authority requests funds to design and construct a single family affordable housing unit as part of the development of the Town-owned Gerow parcel.

A&K Comments: Section 5(b)(2) of the CPA authorizes funding for the “creation” of community housing (defined as low and moderate income housing). This project falls squarely within such authorization and is therefore eligible for CPA funding.

2-19 Gerow Park Improvements – Phase I, Town of Concord (\$500,000)

The Town of Concord requests funds to construct a composting toilet facility and additional access paths on Gerow Park, previously acquired by the Town partly with CPA funds. This proposal follows on the proposal in fiscal year 2019 for Gerow Park improvements.

A&K Comments: Section 5(b)(2) of the CPA authorizes funding for the “creation” and “rehabilitation” of land for recreational use. The definition of such recreation use includes trails, such as the access paths proposed in this application. A composting toilet may be considered an accessory structure to the recreational use of Gerow Park, and would qualify as rehabilitation. The definition of rehabilitation includes making land for recreational use functional for its intended use. The addition of the toilet facility would make the land more functional for its recreational purposes. Consistent with our opinion on Gerow Park improvements last year, this year’s project is eligible for CPA funding.



3-19 Staff and Technical Services, Town of Concord (\$40,000)

The Town of Concord seeks funds for administrative expenses related to the CPC.

A&K Comments: Section 6 of the CPA authorizes up to 5% of annual CPA revenues to be used for administrative expenses. The amount requested falls well under 5% of the annual revenues in years past and the anticipated revenues in FY 2020. This proposal is eligible.

4-19 Regional Housing Services Program, Town of Concord (\$20,000)

As in years past, the Town of Concord requests funds for the Town's participation in the Regional Housing Services Office, an inter-municipal organization which provides professional housing staff for the administration of the affordable housing programs in Concord and seven neighboring communities.

A&K Comments: Support for RHSO is generally eligible for funding as "support of community housing," which, pursuant to G.L. c. 44B, § 2, includes programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable." RHSO engages in resident assistance, project development, and program administration, among other functions, for the purpose of supporting affordable housing, and is therefore eligible for CPA funding.

5-19 58 Monument Square: Roof Replacement, Concord Masonic Corporation (\$53,975)

The Concord Masonic Corporation requests funds to repair the roof and related structural elements of 58 Monument Square located in the North Bridge/Monument Square Historic District. According to the application, rain is leaking into the building, risking deterioration of the roof and structure. The project is intended to restore the roof to its historic conditions.

A&K Comments: Section 5(b)(2) of the CPA authorizes funding for "preservation" of historic resources – defined in Section 2 as "protection of . . . real property from injury, harm or destruction" – and "rehabilitation and restoration" – defined as "making extraordinary repairs" --of historic resources. The project falls under either authorized activity and therefore is eligible for CPA funding.

6-19 Warner's Pond Dredging, Town of Concord (\$500,000)

The Town of Concord requests funds for limited dredging of Warner's Pond and for boat access improvements. The dredging project is intended to improve wildlife habitat while also providing improved recreational opportunities for swimming, boating and fishing. Boat access



improvements include improving a dirt access road, delineating limited parking spaces and improving the beach surface.

A&K Comments: Last fiscal year, we provided our opinion that a preliminary study to better estimate Warner’s Pond dredging costs was eligible for CPA funding. Consistent with that opinion, we view the dredging project as an “extraordinary repair[]” to the pond that qualifies as “rehabilitation” or “restoration” of land for recreational use. Alternatively, it qualifies as the “creation” of recreational or open space. The boat access improvements make recreational land use more functional and therefore also qualify as “rehabilitation” or “restoration” of land for recreational use. Accordingly, this project is a permissible use of CPA funds.

7-19 Restoration, Repaint and Gild Belfry, First Parish in Concord (\$75,000)

The First Parish of Concord seeks funds to restore the church clock tower/belfry and the Town-owned clock and bell housed within the tower.

A&K Comments: We have previously provided a memorandum dated October 4, 2019 with our opinion approving the eligibility of this project.

8-19 Assabet River Pedestrian Bridge Construction Drawings and Permitting, Town of Concord (\$250,000)

The Town of Concord seeks funds to complete construction drawings and complete the federal, state and local permitting processes for a pedestrian bridge crossing the Assabet River, designated as a “wild and scenic river.”

A&K Comments:

The original application for this project that we received provided insufficient detail on how the CPA purposes of creation of land in recreational use or open space access would be served by this project.

In *Mauch, et al. v. Town of Norwell*, Mass. Super Ct. PLCV2015-00517 (Dec. 18, 2015 Plymouth, ss), the Superior Court disallowed CPA funding for a paved pedestrian and bicycle pathway installation along a highway that connected with other existed paths to schools, recreation areas, sport fields, open space areas, a community farm, historic properties and Norwell’s town center.” Norwell sought to justify CPA funding as providing recreational opportunities for jogging and walking. *Id.* at 2. The court focused on the use of “trail” in the definition of “recreational use,” and determined that the path proposed was more in the nature of a sidewalk and was not consistent with the recreational use contemplated by the Legislature in the CPA.



Upon request, the Director of Planning and Land Management provided us with supplemental information in a memo to the CPC dated November 22, 2019. As reported in the memo, the project will allow planned trails on the easterly side of the river to connect with existing trails on the westerly side of the river. These trails run through open space restricted or to be restricted for conservation purposes. The pedestrian bridge will also connect with the Bruce Freeman Rail Trail. The pedestrian bridge also improves accessibility to proximate boat launch areas and will offer views of the wild and scenic Assabet from the proposed bridge.

Based on this supplemental information, we think the project would survive a court challenge such as the Norwell taxpayer suit in the *Mauch* case.

9-19 Emerson Field Improvements, Town of Concord Public Works (\$500,000)

Having substantially completed master planning and design of Emerson Field improvements funded with CPA funds in previous years, the Town now requests funds to continue infrastructure upgrades at Emerson Field, including improvements to the irrigation system, the baseball and softball fields, and the spray fountain. The project encompasses the installation of a path, ADA-compliant improvements, and potential upgrades to the winter skating rink.

A&K Comments: Consistent with our opinion in previous years, the Town may use CPA funds for the “rehabilitation” or “restoration” of recreational land. Substantial infrastructure improvements and measures to ensure compliance with the ADA qualify as “rehabilitation” under the CPA. Accordingly, this is a permissible use of CPA funds.

10-19 White Pond Beach Improvements, Phase I, Town of Concord (\$20,000)

The Town seeks funds for site preparation, vegetation management and invasive species removal along a planned pathway to White Pond beach. This activity is part of a project previously funded with CPA funds for accessibility improvements to White Pond beach area, including the creation of a sloped and accessible walking pathway connecting the parking area to the waterfront.

A&K Comments: Consistent with our previous approval of funding for this project, the proposal consists of extraordinary repairs and/or capital improvements to trails resulting in greater ADA compliance. Both capital improvements and extraordinary repairs, as well as measures to ensure compliance with the ADA, qualify as “rehabilitation” under the CPA. This is a permissible use of CPA funds.



11-19 Holy Family Parish Rectory Renovation, Holy Family Parish (\$150,000)

Holy Family Parish asks for funding to assist in rehabilitation of the current rectory, located at 70 Monument Square in the North Bridge/Monument Square Historic District, to repurpose the building for church offices.

A&K Comments: We have previously provided a memorandum dated October 4, 2019 with our opinion questioning the eligibility of this project based on a recent case calling into question the use of CPA funds by churches as a violation of the Massachusetts Anti-Aid Amendment. Holy Family Parish has submitted supplemental information and requests that we re-visit that opinion. We noted in our previous opinion that no budget itemization provided detail as to how the requested funding of \$150,000 would be allocated within the overall project budget of \$4 million, with the remainder funded by other sources.

The supplementary information provided by Holy Family Parish indicates that the \$150,000 CPA grant would fund about ¼ of the cost of roof replacement of the historic building on Monument Square, now a rectory and to be converted to church offices. The cost of the roof replacement (as well as other site improvements covered by other items in the budget) is likely increased by the requirement that it conform to Historic District requirements for restoration. The incremental cost driven by historic preservation requirements serves solely a public, not a private religious purpose. The supplement also notes that the conversion of the rectory to church office spaces opens up the current location of offices to a meeting space open to the public without discrimination for public meetings.

With the clarification provided by the supplement, this project likely falls within the constitutional protection for government grants required to be given on an equal basis to churches as to other non-denominational organizations, as recently addressed by the Supreme Court in *Trinity Lutheran Church of Columbia v. Comer*. Like grant for playground resurfacing in *Trinity Lutheran* and unlike the stained glass windows at issue in the Supreme Judicial Court decision of *Caplan v. Town of Acton*, the roof replacement proposed has no denominational or sectarian significance. The grant funding does not appear to supplant other church funds used for religious purposes, but instead serves a public purpose both by enhancing funding needed for accurate historic preservation in accordance with Historic District requirements and by opening up more public meeting space. Thus, we think that funding of this project could survive a *Caplan* challenge under the Massachusetts Anti-Aid Amendment.

It must be noted, however, that the project may be challenged nonetheless. As one concern, the crosses on each side of the door of the rectory are iconographic elements that could be seen, to identify the entirety of the building as religious. Although we think the



better position is that the project does not violate the Massachusetts Anti-Aid Amendment under *Caplan*, that position is not without risks.

12-19 Accessible Outdoor Oasis Recreation Park for People with Disabilities, Minute Man Arc for Human Service, Inc. (\$100,000)

Minute Man Arc for Human Services, Inc. seeks funds to assist in building an accessible park for persons with disabilities, including a trail from Minute Man Arc property connecting to the Concord Trail System, wheelchair accessible picnic tables, and recreational equipment.

A&K Comments: This project involves creation and/or rehabilitation of land for recreational use. Accordingly, the project is eligible for CPA funding.

13-19 Buttrick House Gardens Hardscape Rehabilitation (\$100,000)

The Friends of Minute Man National Park seek funds to rehabilitate the hardscape surrounding the historic Buttrick House, located within Minute Man Historic National Park, as well as the North Bridge/Monument Square Historic District. The improvement include stabilizing brick and stone paths, installing handrails and other improvements to ensure safety and accessibility. The House and surrounding gardens are both listed on the National Register of Historic Places.

A&K Comments: Section 5(b)(2) of the CPA authorizes funding for “preservation” of historic resources – defined in Section 2 as “protection of . . . real property from injury, harm or destruction” – and “rehabilitation and restoration” – defined as “making extraordinary repairs” --of historic resources. The project falls under these authorized activities and therefore is eligible for CPA funding.



Massachusetts
Municipal
Association

One Winthrop Square, Boston, MA 02110
617-426-7272 • 800-882-1498 • fax 617-695-1314
www.mma.org

November 25, 2019

Stephen Crane
Town Manager
Town of Concord
22 Monument Square
Concord, MA 01742

Dear Mr. Crane,

Congratulations! The Town of Concord is a recipient of the Kenneth E. Pickard Municipal Innovation Award. Your submission, *Using Social Media to Increase Citizen & Voter Participation*, has demonstrated your dedication, commitment and ability to increase the effectiveness of local government by successfully implementing a unique and creative program.

We will present the award plaques to the award winners at the Closing Session of the MMA's 2020 Annual Meeting and Trade Show at the Hynes Convention Center and Boston Sheraton Hotel. The awards ceremony will be on Saturday, January 19, 2019 at 4:00 p.m. in Ballroom A of the Hynes Convention Center. This ceremony will also recognize the winners of the Town Report Contest and Municipal Website Award.

We hope that you will be able to join us at this ceremony honoring your community's achievement. Please contact Alandra Champion at 617-426-7272 x121 or achampion@mma.org if you are able to attend, and let her know which representatives from your community will be there to accept the award.

Again, we congratulate you on an outstanding innovative project and look forward to seeing you at the Annual Meeting and Trade Show. If you have any questions or ever need assistance, please do not hesitate to call us at any time.

Best wishes for a happy and healthy holiday.

Sincerely,

Geoffrey C. Beckwith
Executive Director & CEO

CONCORD POLICE DEPARTMENT

MEMORANDUM

TO: Select Board

FROM: Joseph F. O'Connor, Chief of Police

DATE: November 25, 2019

SUBJECT: ***CHANGE OF MANAGER OF RECORD-TRAILS END CAFÉ LLC, d/b/a TRAILS END CAFÉ***

Select Board:

The following memo is in response to your request as the Town of Concord's Alcohol Licensing Board to review the records of the request to change the position of Manager of Record for Trails End Café LLC, d/b/a Trails End Café. Detective Keith Harrington, the Department's Alcohol Licensing Officer, was assigned to the matter to investigate. The name and position is as follows:

Marisa Limoli – Manager of Record

The investigation did not reveal any information, which would prohibit Marisa Limoli from assuming the role of Manager of Record. Please feel free to contact me if you need further information.

Respectfully,



Joseph F. O'Connor
Chief of Police

cc: Stephen J. Crane, Town Manager
Detective Keith Harrington

CONCORD POLICE DEPARTMENT

MEMORANDUM

TO: Select Board
FROM: Joseph F. O'Connor, Chief of Police
DATE: November 25, 2019
SUBJECT: ***CHANGE OF MANAGER OF RECORD-CONCORD MARKET LLC, d/b/a
CONCORD MARKET***

Select Board:

The following memo is in response to your request as the Town of Concord's Alcohol Licensing Board to review the records of the request to change the position of Manager of Record for Concord Market LLC, d/b/a Concord Market. Detective Keith Harrington, the Department's Alcohol Licensing Officer, was assigned to the matter to investigate. The name and position is as follows:

Manuel G. Rodriguez – Manager of Record

The investigation did not reveal any information, which would prohibit Manuel Rodriguez from assuming the role of Manager of Record. Please feel free to contact me if you need further information.

Respectfully,



Joseph F. O'Connor
Chief of Police

cc: Stephen J. Crane, Town Manager
Detective Keith Harrington

COMMONWEALTH OF MASSACHUSETTS
TOWN OF CONCORD
SELECT BOARD

PROCLAMATION

“Crucolo Day”

WHEREAS The Concord Cheese Shop, founded in 1967, is known throughout the Town as a purveyor of fine cheeses, foods and wines and is emblematic of outstanding local and independent businesses in the Town; and

WHEREAS At 3:30 p.m. on December 9, 2019, the Concord Cheese Shop will receive delivery of a wheel of Crucolo, an artisanal cow’s milk cheese from Rifugio Crucolo in Trentino, Italy; and

WHEREAS This wheel of cheese will reportedly be the largest wheel of Italian cheese anywhere in the Western Hemisphere; and

WHEREAS This historic event should not go unrecognized; and

NOW THEREFORE We, the Concord Select Board, do hereby proclaim December 9, 2019 to be “Crucolo Day” in the Town of Concord, and authorize the Town Crier to read this proclamation at the parade.

Proclaimed this 2nd day of December 2019

CONCORD SELECT BOARD

Summary of 2019 Annual Town Meeting Questionnaire Results

The Moderator asked 2019 Annual Town Meeting attendees to complete a questionnaire to provide their views on various aspects of Town Meeting. Voters were asked to indicate on a five-point scale the degree to which they agreed or disagreed with various statements on conduct of Town Meeting. The questionnaire aimed to gather a “sense of the meeting” on the topics included, not to generate scientifically valid statistics. There were labeling errors on the rating scale for two questions in the on-line version of the questionnaire which were noted in a comment or two, but the likelihood of confusion for respondents was low in light of the otherwise consistent labeling. We received 127 completed 2019 Town Meeting questionnaires, 59 submitted on paper and 68 submitted electronically. The questionnaire response rate represents 21% of the average number of attendees (616) for the three nights of 2019 Town Meeting. A summary of views expressed in the questionnaires follows.

Town Meeting start and finish times

1. Town Meeting begins at the optimal time: 7:00 pm.
2. Town Meeting should begin earlier: 6:45 pm.
3. Town Meeting should take up no new business after 10:00 pm, even staying in session until 11:00 or 11:30 would avoid an additional session.

A significant majority of voters (71%) agreed or strongly agreed that Town Meeting currently begins at the optimal time (7:00 pm), with 10% disagreeing or strongly disagreeing, and 18% neutral.

Voters were evenly divided (31% to 31%) as to whether they agreed/strongly agreed, or disagreed/strongly disagreed, that Town Meeting should begin earlier (at 6:45 pm), with 37% neutral. Comments included: the Meeting never actually starts at 7:00 pm due to preliminaries and tributes, all of which take too long.

Just under half of responding voters (49%) agreed or strongly agreed that Town Meeting should take up no new business after 10:00 pm, even if that means that the Meeting will go to another night. Just under a third (31%) disagreed or strongly disagreed, and 20% were neutral.

Comments included: Warrant presentations need to be tightened up; Tributes take too long; Tributes should occur before the Meeting starts or at another time and place; Time limits need to be enforced; The Moderator needs to move the meeting along; Time limits for speakers from the floor should be shorter; Questions should be bunched into groups; When the meeting goes on too long, many voters leave and too few voters make decisions on articles.

Pro and Con Microphones

4. Town Meeting should use PRO and CON microphones for every session.

5. Town Meeting should use PRO or CON microphones only in sessions including high interest articles.

More than a third of responding voters (35%) were neutral on the question whether PRO/CON microphones should be used at every Town Meeting session, while slightly more disagreed or strongly disagreed (34%) than agreed or strongly agreed (31%).

An larger segment of responding voters (41%) were neutral on the question whether PRO/CON microphones should be used only at Town Meeting sessions with “high interest” articles, with more voters disagreeing or strongly disagreeing (33%) than agreeing or strongly agreeing (26%).

Comments included: Use of PRO and CON mics results in voters having to walk too far to get to the appropriate mic; no need for PRO and CON mics, voters can figure out where the speaker stands; microphone signs should be more visible.

Acceptance of E-mailed Questions and Comments at Town Meeting

6. Town Meeting should accept pertinent and non-duplicative questions and comments submitted by email from verified voters observing the proceedings remotely.

A quarter of responding voters (26%) were neutral on the question whether Town Meeting should accept emailed questions and comments, while slightly more voters agreed or strongly agreed (39%) than disagreed or strongly disagreed (35%).

Comments included: who would determine whether an emailed question or comment is “pertinent and non-duplicative?”; Losers [whose questions or comments are not deemed “pertinent and non-duplicative”] will feel ignored, resulting in ill will, contention, or worse; priority should be reserved for voters present at the Meeting; taking email questions and comments would prolong the Meeting; remote questions and comments should not be taken unless there is remote voting also; Questions/comments from remote observers should be allowed if, and only if, all voters present have finished their comments.

Electronic Voting

7. Town Meeting should use e-voting by clicker to take votes only when (1) votes are too close for the Moderator to call by viewing raised paper voting slips or (2) the vote requires a 2/3 quantum for passage, to maximize time saved, but minimize impact on Concord’s tradition of transparent voting.
8. Town Meeting should use e-voting by clicker at the Meeting for all votes
9. Town Meeting should use electronic voting at the Meeting by distributed clickers transmitting on a secure network for all votes, but only if voters are asked to stand and click in favor, and then against, the pending motion in order to preserve Concord’s tradition of transparent voting.
10. Town Meeting should not use electronic voting by any means at any time.

11. Using the Turning Technologies clicker to register my vote was easy.
12. I have a smart phone or tablet and would prefer to vote at Town Meeting using an app downloaded to my smart phone or tablet and operating on a secure network, instead of a clicker.
13. I do not have a smart phone or tablet, or would prefer not to use it to vote at Town Meeting, but would be willing to vote using roving iPads, operating on a secure network, provided at the Meeting, instead of a clicker.

A majority of responding voters (53%) agreed or strongly agreed that Town Meeting should use electronic clickers only for counted and 2/3 votes, with 27% disagreeing or strongly disagreeing, and 20% neutral.

More responding voters agreed or strongly agreed (40%) than disagreed or strongly disagreed (35%) that electronic clickers should be used for all Town Meeting votes, while a quarter (25%) were neutral.

A significant majority (80%) disagreed or strongly disagreed that Town Meeting should not use electronic voting by any means at any time, with a minority agreeing or strongly agreeing (7%) and 13% neutral.

Two thirds of responding voters disagreed or strongly disagreed that they would prefer to use an app downloaded to their smartphone or tablet to vote at Town Meeting (67%) or that they would prefer to use a roving tablet to vote if they did not own or wish to use their own a smartphone or tablet (66%). A minority agreed or strongly agreed that they would prefer to use a smartphone or tablet app (17%) or roving tablet (9%).

Comments included: E-voting was a great experience and a time-saver; Strongly agree that Concord should use newer voting methods rather than holding up a piece of paper; Although the benefits of e-voting are frequent and obvious..., the detriments are hidden and rare, we should NOT trade the security of physical voting ... for ANY risk of false ballot counting due to incompetent, malicious, or hacked software; Like the clickers – good step in seeing the actual numbers of votes on both sides of the issues; Uneasy about introducing smart phones and tablets because they could be hacked; The questions [on e-voting] were worded such that I could not provide an answer that accurately expresses my preference; Really like the clicker and think it should be used in all voting; Voters should be allowed to pre-vote or vote from home, especially parents of young children; For me as the voter, the best part [of e-voting] was seeing the results expressed in the graph; Love clickers, however, do not want to move to a purely anonymous (secret ballot)system...any legislature must have accountability; Town Meeting is much outdated, we should move to a more representative form of Town government in which we elect those who would serve for different Town districts to make decisions; I would suggest allowing residents watching remotely to vote by logging into a secure network instead of having to be physically present at the Town Meeting; Electronic voting elsewhere has been hacked, this cannot be ruled out; Voting by apps would be a nightmare, roving iPads would be another management nightmare; Great experiment with clickers, thank

you; E-voting with clickers ...offers a great improvement on counted votes...seeing the vote tally quickly after the vote saves time, promotes accuracy, and enhances the credibility of the count; Using clickers is probably a waste of money... looks like a veiled attempt to promote participating in Town Meeting from our living rooms ... that is not a legislature.

Moderator's Conclusions and Recommendations

1. Town Meeting should continue to start at 7:00 pm. A significant majority of voters consider 7:00 pm to be the optimal start time; voters are largely neutral or evenly divided on the desirability of beginning Town Meeting slightly earlier, at 6:45 pm.
2. The Select Board should consider making at the start of every session of Town Meeting a motion to take up no new business after 10:15 pm. Although more voters agree or strongly agree that Town Meeting should take up no new business after 10:00 pm even if remaining in session until 11:00 or 11:30 pm would obviate the need for another session, they are short of a majority; a significant minority (31%) disagree or strongly disagree and 20% of voters are neutral. Adjusting the "no new business" motion to add fifteen minutes, but making the motion every night, would represent a compromise approach responsive to all voters.
3. The Moderator should discontinue the use of PRO and CON microphones at Town Meeting. Voters who are in favor of the use of PRO and CON microphones, whether at all Town Meeting sessions or only those including "high interest" articles, are in the minority. Other means of ensuring that speakers on both sides of an issue have an opportunity to speak are available, such as asking for a show of hands by those waiting at microphones to speak on the side opposite that we've been hearing from.
4. The Moderator should not take email questions and comments from authenticated voters watching Town Meeting remotely. There is no mandate from voters to continue this practice, with a large percentage being neutral on its desirability and the rest divided in favor or against. This conclusion and recommendation has no bearing on the desirability of continuing to take questions and comments at pre-Town Meeting Hearings from voters watching remotely. Far fewer voters attend or watch the Hearings, making receipt of e-mailed questions and comments likely more useful and less time-consuming.
5. The Select Board should consider, as a matter of policy, whether the benefit of using electronic clickers to tabulate Town Meeting votes requiring a 2/3 quantum or a count is worth the cost of approximately \$9,000, in view of the Town's other priorities and the Finance Committee's budget guidelines. A majority of voters is in favor of the use of clickers for 2/3 quantum and counted votes, but the majority is not so large that it represents a mandate.

2019 Annual Town Meeting Questionnaires
Summary of Results

QUESTION	1 Strongly Disagree	2	3 Neutral	4	5 Strongly Agree
1. Town Meeting begins at optimal time (7 pm)	3	10	23	29	60
2. Town Meeting should begin earlier (6:45 pm)	14	26	47	22	18
3. TM should take no new business post 10pm, even if 1hr to fin	15	24	25	17	44
4. TM should use PRO/CON mics every session	22	20	43	24	14
5. TM should use PRO/CON mics only in high interest sessions	23	18	51	20	13
6. TM should accept pertinent, non-duplicative email Q's	28	16	33	28	22
7. TM should use clickers only for counted & 2/3 votes	16	18	25	29	38
8. TM should use clickers for all votes	28	16	31	20	31
9. TM should use clickers for all votes, "stand and click for/agair	39	21	26	23	10
10. TM should never use clickers	86	13	16	3	6
11. Using TT clickers was easy	1	0	15	18	77
12. I have smart phone/tablet and would prefer voting by app	60	22	20	10	11
13. I have no smart phone/tablet but prefer voting by roving iPa	53	15	26	5	4
59 Paper Surveys					
68 On-line Surveys					
127 Surveys in Total					

2019 Annual Town Meeting Voter Questionnaire
Narrative Comments

1. Town meeting is archaic and caters to those WITHOUT young children. All with school aged children must hire and pay for sitters bc it runs so late into the night. I would suggest allowing pre-voting or virtual voting for those who cannot attend the meeting during the evening
2. It is very difficult for families of small children to make town meetings. It would be helpful to be allowed to let those of us who need to be at home vote on these items as well
3. It is nearly impossible for me - a mother of three children 9, 13, and 15 - to attend town meetings. I cannot hire enough babysitters to cover my driving and bedtime duties for three nights in a row. This makes no sense when so many of the things being discussed are about and for the children, schools, parks, etc. I watched online in a car at soccer practice in Newton last night, but had no ability to cast a vote. It's very discouraging and it's biased against parents, especially single parents, traveling parents, and parents with many children.
4. I would want to use the clicker at home. My hope is we really start to figure out a way to get more people to participate in this process that can't get out for 9-16 hours in a week. And watching/voting from home should be the next step. Particularly parents of little kids. And elderly/affirmed who cannot sit for that long in that room. It's not democratic if it's exclusionary. Also, as someone who serves in numerous volunteer capacities around town, I am on board with honoring those who have given their time to the town. But Town Meeting is not the place to do this. The grand total of time we spent on honoring retirements and exiting volunteers was unacceptable, given how few warrant articles we got through in the first two nights. Have a separate ceremony, or send a blast email to the town with a link to a video we can watch. Thank you for your consideration of these comments.
5. [On-line Survey] Questions 9 & 13 have "Strongly Disagree" at both ends of the range
6. Electronic voting should be limited to close calls and 2/3rd voting, but voters should be asked to stand when voting in favor (seated people would be voting against). Please do not ask for immediate responses to each question from the floor, but save up several questions and have them answered together. This saves much time and helps prevent dialogue between speaker and person answering.
7. I'm uneasy about introducing smart phones and tablets because they could be hacked. But I also am not a regular user of a smart phone. I'm an old fogey on that issue.
8. ABOUT THE QUESTIONS The suite of questions about when to use e-voting does not seem well designed, to me. Question 7 does not allow me to provide an answer that accurately expresses my preference; Question 8 is ambiguous; and Question 9 does not seem to have been thoroughly thought through. Question 7 seems to want to funnel me into a logical chute that will make my answer appear to support a preconception of the committee. The obligate pairing of conditions (1) and (2) would constrain me to answer for both conditions in the same way, but I do not have the same preference for both of them. Question 8 could be saying that we would do away with all paper voting in all cases, which I am strongly against, and I chose my answer accordingly. However, it might instead be saying that we would use both paper and e-voting in every case, which would be fine with me. Question 9 seems to ignore the obvious possibility of people clicking covertly while not standing. Not being at all sure how the committee would interpret the various answers, I decided to give no answer. THE OPTIONS The tool does not allow you to erase an answer, only to choose a different one. In this case a survey designer should beware of over-confidence that all of the choices a respondent might want are provided. Each question should

have a "don't know" or "no answer" flavor of option. By happenstance I found that I could slip out a side door and start over, by belatedly signing in.

9. Town meeting as a format for representative government is much outdated. From watching online from Mon to Wed - the # in attendance declined from ~740 to < 100. This represents 1-10% of the voting citizens of the Town. The Town Meeting format provides a forum for the vocal minority to express their views (often on relatively off-topic points). It is not a format that really engages the majority of our citizens. I suggest we move to a more representative form of Town government in which we elect those who would serve as alderpersons representing different Town districts to make decisions under the guidance of the Select Board, FinCom and Town Manager. For important financial and policy issues, such as affordable housing discussed in this Town Meeting, these issues should be put to an open electoral vote.
10. Please discontinue (or strictly limit) the eulogies for departing committee members. It feels like these speeches have gotten longer and pushed us into more days or painfully long session that few people hang on for. The long-servicing town manager is a different case.
11. a) I don't see how you could enforce the stand-and-click process. What's to stop someone from standing 'for' and then clicking 'against?' (b) I think that a hard-stop of 11p for no new items is appropriate. (c) Not sure how to deal with this, but it seems unfair to have a long line at one mic and a short line at another, and then take the mics in order. Maybe there could be a 'spotter' who could note who got in line when, and make sure s/he gets called in that order. Having three of the five mics 'neutral' made it possible for people to advocate for pro/con positions from those mics, which effectively undid the value of the pro/con mics. Perhaps 2 Pro mics, 2 Con mics, and one clearly labeled 'Neutral' for folks who just had questions and weren't pontificating. (d) It's too bad that the clicker buttons weren't simply labeled "Yes" and "No." Or "Pro/Con."
12. #3: I think articles anticipated to present controversy should be not taken up after 10. Is the moderator allowed to evaluate where we are at 9 and adjust the order or does this motion have to come from the floor? #9: You probably already know question 9's results will be invalid due to typo. Can the moderator discourage repetitive comments earlier in the meetings? It can be so frustrating listening to prepared (and spontaneous) statements that repeat what's already been said. For example, can people be encouraged to edit prepared statements on the spot?
13. Discussions should be more moderated and not go on and on tangential subjects and wasting time. sure everyone should have their 2 minutes but it can be guided and curated. It was painful to listen to comments that were not on subject and caused the meeting to run down to a handful of people.
14. We must try harder to keep speakers to their allotted limit and, perhaps, to limit allotted time limits. Voters should be reminded that hearings before Town Meeting have substantially explored issues on the warrant articles. The microphones should all be given designations, even the ones for the questions/comments that are not pro/con. The signs should be higher so more easily viewed by voters.
15. The above questions do not begin to cover the range of issues related to TM 2019, so I am listing some of my concerns below: -- too much time was taken the first night for farewells and thank you (the meeting did not really start until close to 8) -- maybe those should begin at 6:30 if they are needed -- on Tuesday night, the housing articles should have been completed: they had been especially scheduled and people concerned made an effort to be there -- no reason not to end the third night at 10 -- the audience shrinks after that, and some issues are passed/not passed with very little support or interest (I understand we had already paid for a fourth night anyway!) --

having beverages and some snacks available in the cafeteria would make the entire experience more pleasant -- some concern about the slow speed with which the Moderator moved the evenings along

16. Somehow TM has to move along more quickly. I have been a faithful TM attendee over many years, and I am losing patience with the pace of the debates and the late nights.
17. Please allow residents at home to participate in voting, by whatever means, as soon as possible.
18. E-voting was a great experience and a time saver.
19. Please offer electronic voting, especially via smart phone or tablet for all town meeting voting !
20. When motions were put up on the screen, I found it difficult to see changes made in red against the blue background of the screen.
21. I thought the clickers worked well. They were simple, the results were immediate and the lanyard preventing them from getting lost. Letting people vote via personal smartphone or iPad would introduce a LOT of technical variables-- how would you ensure people had compatible devices in advance, who would be available for technical support, how quickly would technical issues be handled on the fly? The Town already seems to have added a lot of technology in the past ten years --there must be ten people now on computers in the front, from the 1-2 in the past. I would advise caution on adding personal citizen devices to the mix -- technical staff would have no way to prepare in advance and it could bog down the Town Mtg process considerably. "Roving iPads" sounds 1. expensive and 2. slow. Would people be lining up to use them? Other: Carmin Reiss does a terrific job as Town Moderator! We are blessed to have her.
22. I found using the clicker easy. I would also use an app, however, i imagine this would be a limitation for many other attendees. To future moderators - please consider limited comments to 1 minute, rather than 2 minutes. In 1 minute you can make a concise point, but avoid rambling.
23. Might want to explore automating vote counting using image recognition algorithms for counting ballots in real time.
24. Is it necessary to add new amendments at town meeting? It delays the meeting and there's not much time to fully think about the impact of the new amendments.
25. I recommend the Town Moderator enforce the 2 minute comment rule from the floor, and go to a 1-minute time frame after 10 p.m.
26. The moderator allows some people to speak pro and/or con on practically every issue. They are very tiresome individuals who just like to hear themselves talk. Can she suggest at the outset that, in order to be fair to everyone, an individual should speak on just one issue per night. Also, the time limit should be 1 or 1 1/2 minutes, not two, for pro and con comments. There is no argument that needs 2 whole minutes to make.
27. Any means to allow all town registered voters to vote during town meeting is a far better than only a few voters deciding Concord's future. I strongly agree that Concord should use newer voting methods rather than holding up a piece of paper.

28. where possible, we should use an app instead of the clicker, due to cost and obsolescence. We could use clickers for voters that do not have their own smart phone or tablet.
29. 2019 Town Meeting served as a great example of why this system is antiquated and should be reformed. We continue to decide important issues that impact our tax \$ with a minority of our voting population present. People cannot participate if they are traveling for business or have family responsibilities or are ill. People who have strong opinions or do not agree with our elected/appointed town boards should go to the hearings and voice their opinions. Town Meeting should minimize the length of each comment (2 minutes is way too long) and continue to ask people to not be repetitive. We should not be taking an hour to have repetitive comments on a single article. We need to figure out how to allow people to watch the discussion remotely and vote remotely and get as many of our citizens as possible involved in making these town-wide decisions. I like the clickers - a good step in seeing the actual numbers of votes on both sides of the issues.
30. The biggest issue is seating and accommodations. The bleachers are NOT an acceptable option for town meeting seating. How is there no question here about accommodating voters. Many votes didn't return for subsequent nights because they couldn't sit in the bleachers again. We have a beautiful new auditorium that can accommodate spill over as well as a cafeteria. We can easily conduct secure voting with electronic voting and not use the bleachers. It's truly unacceptable that we expect our voters to be stuffed into those wretched seats for hours night after night. It acted as a deterrent and decreased the voter turnout for subsequent nights. This is actually voter suppression.
31. I wish there was a way to include more people in town meeting especially people who work in the evening or do not have childcare.
32. Having the meeting go past 10 is fine, but not past 11:30; better to run another evening or reduce length of accolades for departing staff and officers. Having more information on the slides than can be absorbed in the time they were on the screen was frustrating; advise presenters to avoid doing this.
33. The clickers were easy and quick. I really liked seeing the percentage results.
34. Set up the gym to have more tables to sit at or allow residents in the cafeteria to vote from there. Reduce the number of minutes spent thanking volunteers, retiring folks, etc. 30-40 minutes for thanking each night seems excessive. I'm happy for folks to receive thanks, but with so many people, it's taking too much time away from the meeting's business.
35. Although the benefits of electronic voting (if the voting system has a good user interface) are frequent and obvious in terms of convenience and time saved, and the detriments are hidden and rare, we should NOT trade the security of physical voting, with hands, standing counts, and paper ballots, for ANY risk of false ballot counting due to incompetent, malicious, or hacked software. I don't care how sincerely anyone claims their software is 100% accurate, honest, and secure. It is not, and it never will be. Plus, I don't want to lose the transparency of seeing how my fellow citizens vote in open democracy. In the deeply unfortunate even that Town Meeting might ever cease to meet Concord's needs, then we should vote ourselves a city and abandon direct democracy rather than debasing it or risking false vote counts.

36. Pro and Con microphones should not be used as many that attend can't get up and cross the room in time. Let them go to the closet mic to ask a question. Also I don't like the idea of using an app on an iPad. This will become dated very quickly. A clicker will be a better investment.
37. Town meeting 2019 was an absolute disgrace. It was run by special interests. Extremely important decisions were made by a very small group. Article 29 was a terribly sad outcome and brought up after 10 pm. We had been told the article would be taken up on Thursday—many people who were prepared to vote no were all prepared to come on Thursday. This was terrible that their voices were not heard. People were hurt financially. We have, in my opinion, outgrown the open town meeting and should go to the limited town meeting like Lexington has. We have simply outgrown the old-fashioned town meeting form of government. It is very unfair and just plain wrong to have such important things decided by so few people.
38. As you can see I really like using the clicker and think it should be used in all voting.
39. I would suggest allowing residence watching remotely to vote by logging into a secure network instead of having to be physically present at the town meeting.
40. I think sometimes we need to move the discussion along more efficiently. Some of the discussions this year went on too long. The clickers were easy and a good solution for electronic voting.
41. The screen with the spoken words needs to be set higher because we can't see it due to the heads of people in the rows ahead of us. The Moderator called on speakers at mics 1, 2 and 3 more often than pro mic 4 on the housing and school parking issues resulting in 3 articulate "pro" persons not being heard and the vote on Article 16 being tilted toward the opposition.
42. Too tedious. Too much talky talky talk such that the quorum shrinks and by late in the evening too few voters decide. How can we increase participation? Limit the discussion? Vote from home?
43. Electronic voting elsewhere has been hacked. This cannot be ruled out, avoided or prevented in Concord. Paper ballots alone provide reliable records.
44. It was difficult to hear some speakers at the (non-moderator) podium. This was speaker-dependent. Please instruct speakers on the use of the microphone and monitor and assist speakers who are not successful.
45. Instead of using PRO and CON microphones, let folks go to the nearest microphone. We're smart/alert enough what the speaker intends.
46. Voting by apps would be a nightmare! All those different phones and operating systems – Murphy's Law – "If it can go wrong, it will." How could this be managed? Roving iPads would be another management nightmare.
47. Great experiment with clickers. Thank you.

48. Tributes go too long. When speakers go over their time, they should get off. The TM actually is going on too long. I understand that we need to hear everyone, but keep to the Rules on speaking limit. This town meeting went too long.
49. Please keep Moderators language shorter. Allow for 1 minute stretch at 9 pm. Please tell town Selectmen etc. to keep their comments shorter. Less talk, more questions. We can read the articles. We do not use everything verbally repeated. Thanks for all the work!
50. Do ceremonial things before TM!
51. Questions 7 & 8 are worded poorly and won't generate useful data. I think using clickers is probably a waste of money. How many counted votes (i.e., used tellers) have there been in each of the last 10-20 years of Town Meeting? And how many times has Town Meeting gone to 4 nights in the last 10-20 years? Without that data, arguing that it costs "only" \$9,000 to use clickers is pointless. Promoting clickers looks like a veiled attempt to promote participating in Town Meeting from our living rooms ...that is not a legislature.
52. (6) Someone would have to decide which email is pertinent and non-duplicative and which are not, losers will feel ignored and discriminated, resulting in ill will and contention or worse.
53. (7-13) Security is paramount. We cannot have people lose faith in the process. Tread carefully! The fact that the representative of the clicker vendor did not understand the technically valid question from the floor tells me he does not understand even basic security, which bodes poorly for this system used for the demo. Someone, presumably an ad hoc committee, should define the requirements of such a system, and someone, the same or another committee should evaluate that there is no solution available at a reasonable cost. I expect that we have numerous experts in relevant technologies in town. My opinion is that the electronic system should simulate the current paper system. That is, every resident in the meeting room gets one vote, which can be yes, no, or abstain. I do not yet have an opinion whether the electronic system should maintain transparency, but in any case, I have qualms about all the architectures suggested in these questions. I do not want this effort to turn into an expensive software development procurement.
54. The e-voting with the clickers was very easy and offers a great improvement on counted votes. To be able to see the tally quickly after the vote saves time, promotes accuracy, and enhances the credibility of the count. Expand their use!
55. Have more "sense of the meeting" or "straw votes" to help determine if it is possible to end discussion sooner, e.g., when it has gone on for over 30-45 minutes on an article. Remind speakers at the meeting more often that if their point has already been raised by someone else, they might reconsider whether they need to take time at the meeting to make the same point again.

56. The Moderator needs to be more firm in moving the discussions along. It was a mistake to not continue onto Article 26 on Tuesday. I missed having a 3 minute break to stand up.
57. Love clickers! However, I do not want to move to a purely anonymous (secret ballot) system that clickers enable. I feel that any legislature must have accountability – so I favor the use of a mixed mode of standing plus clickers. This should also accommodate those who wish to continue with manual ballots.
58. I think clicking was easy and very efficient. For me as the voter, the best part was seeing the results expressed in the graph.
59. To speed things up, I'd like the Moderator to be stricter about the times and not let people go over the timeclock without explicit permission to continue. A difficult job! Very good timekeeping on Wednesday night. I'd like electronic voting for 2/3 votes and votes that the Moderator cannot determine from looking at the paper ballots.
60. E-voting took way longer! Too long, a number of seconds. Please don't spend money on electronic devices.
61. All presentations need to be tightened including warrant article presentations. [illegible] Closed caption availability is a plus. Are citizens aware this is available or is this published in the front of the Warrant Articles booklet? While difficult to predict, there were not enough handouts for some items. Any way for these to get posted electronically? Hear concerns about difficulty of finding closely situated handicap parking. Need to use all tools available to balance "citizen airtime" with TM effectiveness. Easier said than done, I realize.
62. Transparency is good in some ways, not in others. Where schools or sports are involved it can be hard, even detrimental, to vote against the pack. Being able to vote privately with a clicker may create more personal responsibility. The clicker we used in Town Meeting could be better it was confusing: (1) Because there were too many redundant buttons; (2) the A/1 B/2 buttons only stayed on the screen briefly so left the impression that the vote hadn't worked; (3) the buttons and screen were too small". Overall, I would prefer the clicker but would also be sad to lose the sheets. Polling people at home would need more discussion. If you are not in the room, are you paying attention to the speakers and do you hear all the arguments? Yet also people with children are poorly represented at Town Meeting. I was unable to access this survey from the Town's website.
63. Please limit the long accolades of retiring officials. The Moderator should speed things along better, and not allow too many duplicate arguments during debate. Can the time at the mikes during debate be limited to a shorter time? Participants can state their positions in much fewer words without going on and on.

64. There should be some sort of back-up/alternate procedure available (maybe paper ballot?) to allow for a challenge/dispute of the “clicker” result, if a sufficient # of voters request an “old style” vote. Questions/comments from remote observers should be allowed if, and only if, all voters present have finished their comments – in other words, only when nobody in the session is at a microphone.

Concord Housing Authority
34 Everett St.
Concord, MA 01742
978-369-8435

November 8, 2019

Mr. Michael Lawson, Chair
Town of Concord, Select Board
22 Monument Square
Concord, Ma 01742

Dear Mr. Lawson:

The Concord Housing Authority would like to be placed on an upcoming agenda to discuss additional appropriation for affordable housing for the 2020 town meeting.

We understand the deadline for warrant article submission is mid -January.

Thank you for your consideration.

Sincerely,



Marianne Nelson
Executive Director

Middle School Stabilization Fund

To determine if the Town will vote to appropriate the sum of \$2,000,000, or any other sum from Free Cash to create a stabilization fund for the purpose of deferring future property tax increases in the Town subsequently approves a Middle School Building project. The funds will be held by the Town Manager. Disbursement of funds will require a vote at a future Town Meeting.

ARTICLE

To determine whether the Town will vote to ensure that any new leases or license agreements allocated by the Town for agricultural or retail use will prohibit the use of neonicotinoids.

Additional context:

This article is a proposal recommended by the Pollinator Health Advisory Committee, which is concerned about the use of neonicotinoids in our community. Neonicotinoids, such as acetamiprid, clothianidin, dinotefuran, imidacloprid and thiamethoxam are systemic pesticides which are absorbed by plants by way of the vascular system and can end up in the soil and waterways, all to the detriment of the health of pollinators.

A PROPOSED HOME RULE PETITION TO GRANT
ADDITIONAL LIQUOR LICENSES FOR THE SALE OF WINES
AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES

SECTION 1. (a) Notwithstanding sections 11 and 17 of chapter 138 of the General Laws, the licensing authority of the town of Concord may grant not more than six (6) general on-premises licenses for the sale of wines and malt beverages pursuant to section 12 of said chapter 138. The licenses shall be subject to prior approval of the Alcoholic Beverages Control Commission. The licenses shall be subject to all of said chapter 138, except said section 17.

(b) Notwithstanding any general or special law to the contrary, the licensing authority shall not approve the transfer of the licenses after they are granted to any other location but it may grant any of the licenses to a new applicant at the same location as the original license if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the applicant is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If a license granted pursuant to this act is cancelled, revoked, or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges, and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

Home Rule Petition

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

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

SECTION 1. With respect to each qualifying parcel of real property classified as Class 1, residential, in the town of Concord there shall be an exemption from the property tax equal to the total amount of tax that would be assessed if no part of the tax were exempted (the "total tax") less 10 per cent of gross income, except that this exemption shall not be more than 50 per cent of the total tax, nor shall this exemption cause more than 90 per cent of the total tax to be exempted when combined with other exemptions. The percentage of total annual qualifying income may be raised by section 3. The exemption shall be applied to the domicile of the taxpayer only. For the purposes of this act, a "parcel" shall be a unit of real property as defined by the board of assessors under the deed for the property and shall include a condominium unit.

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

(i) the qualifying real property is owned and occupied by a person whose prior year's gross income is no greater than the published income limit of the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws;

(ii) the qualifying real property is owned by a single applicant who is 65 years of age or older at the close of the previous year or owned jointly if 1 of the joint applicants is 65 years of age or older at the close of the previous year and the other joint applicant is 60 years of age or older;

(iii) the qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;

(iv) the applicant or not less than 1 of the joint applicants has been domiciled in the town of Concord for not less than 10 consecutive years before filing an application for the exemption;

(v) the maximum assessed value of the domicile is not more than the town's median single-family residential assessed value of the prior fiscal year; and

(vi) the board of assessors has approved the application for the exemption.

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

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant's income and assets as

described in the application. The application shall be filed each year for which the applicant seeks the exemption.

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

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

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

ARTICLE XX
BY PETITION: Mothers Out Front

To see if the town will amend the General By-Laws by adopting a new article x.xx entitled:

“Prohibition on Expansion of Fossil Fuel Infrastructure for New Construction and Significant Rehabilitation” as set forth below.

x.xx.1 Purpose

This By-Law is adopted by the Town of Concord, under the authority granted by Article 89, § 6, of the Amendments to the Massachusetts Constitution, and by Mass. Gen. Laws, ch. 40, § 21(1) and (18), § 21D, and ch 43B, § 13, to protect the health, safety and welfare of the inhabitants of the town from fuel leaks and explosions and from the effects of air pollution, including carbon emissions.

x.xx.2 Definitions

“On-Site Fossil Fuel Infrastructure” is defined as fuel gas or fuel oil piping that is in a building, in connection with a building, or otherwise within the property lines of premises, extending from a supply tank or from the point of delivery behind a gas meter.

“New Building” is defined as a new building or new accessory building (a building devoted exclusively to a use accessory to the principal use of the lot) that is associated with a valid building permit application on or after the effective date of this article.

“Significant Rehabilitation” is defined as a renovation in which the work area, not including any added space, is more than 50% of the total building floor area prior to the project, and that is associated with a valid building permit application on or after the effective date of this article.

x.xx.3 Applicability

A. The requirements of this article shall apply to all permit applications for New Buildings and Significant Rehabilitations proposed to be located in whole or in part within the Town.

B. The requirements of this article shall not apply to the use of portable propane appliances for outdoor cooking and outdoor heating) or to fuel pipes whose exclusive purpose is to fuel backup electrical generators.

C. The requirements of this article shall not apply to utility service pipe connecting the grid to a meter, or to a gas meter itself.

x.xx.4 Limitation on the Issuance of Town Permits; Effective Date

Effective mm/dd, 2020, no **building** permits shall be issued by the Town for the construction of New Buildings, or Significant Rehabilitations that include the installation of On-Site Fossil Fuel Infrastructure, except as otherwise provided in section x.xx.3.

x.xx.5 - Severability

Each provision of this by-law shall be construed as separate to the extent that if any section, sentence, clause or phrase is held to be invalid for any reason, the remainder of the by-law shall continue in full force and effect. Or act on anything relative thereto.

APPROPRIATE FUNDS FOR AFFORDABLE HOUSING DEVELOPMENT

Mr. Lawson moves that the Town appropriate and transfer from the Certified Free Cash Balance of June 30, 2018 the sum of **\$500,000**, for the purpose of developing affordable housing within the Town, said funds to be expended under the direction of the Town Manager on such terms and conditions as the Select Board may determine.

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:

- (i) transfers to the federal government, the Commonwealth, the Town, and any of their instrumentalities, agencies or subdivisions, including the Concord Housing Authority;
- (ii) transfers to the Concord Housing Development Corporation;
- (iii) transfers of real property subject to an affordable housing restriction;
- (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 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 to 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.

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.

ALLOWING 17 YEAR OLDS TO VOTE IN TOWN ELECTIONS & TOWN MEETINGS

To see if the Town will petition the Massachusetts General Court for permission to adopt a Town Bylaw to define a “qualified voter” as follows, or take any action thereon: Any citizen seventeen years of age or older, so long as they are a resident of Concord at the time they register to vote and are otherwise eligible under all provisions beside age set for voters in M.G.L. Chapter 51, Section 1, is a qualified voter of the town and is entitled to vote in all Town elections, participate and vote in all Town Meetings, participate in Town Caucus and sign all nominating, warrant and other petitions authorized by Town bylaws. Persons wishing to serve in elected positions must be registered voters of at least 18 years of age; or act in relation thereto.

Bill S.2317

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 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. 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.

Bill S.2318

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: (i) transfers to the federal government, the Commonwealth, the Town, and any of their instrumentalities, agencies or subdivisions, including the Concord Housing Authority; (ii) transfers to the Concord Housing Development Corporation; (iii) transfers of real property subject to an affordable housing restriction; (iv) transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made; (v) transfers with consideration under \$100,000; (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 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.

Bill H.663

Notwithstanding section 1 of chapter 51 of the General Laws or any other general or special law to the contrary, any citizen who; (i) is 17 years of age or older, (ii) meets the qualifications to be registered as a voter pursuant to section 1 of chapter 51 of the General Laws except that of age, and (iii) is a resident of the town of Concord at the time they register or pre-register to vote pursuant to said chapter 51 may vote therein in all town elections, participate and vote in all town meetings, participate and vote in town caucus and sign all nominating, warrant and other petitions authorized by town bylaws. A person shall be a registered voter of at least 18 years of age to be eligible to serve in elected town offices or positions.

**THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
GRANT OF EASEMENT FOR USE OF
HIGHWAY PROPERTY IN CONCORD**

The Easement

The Massachusetts Department of Transportation, a body politic and corporate created pursuant to, and acting under the authority of, Chapter 6C of the Massachusetts General Laws, as amended, having a principal place of business at Ten Park Plaza, Boston, Massachusetts 02116 (“Grantor”), hereby, grants to the Town of Concord, a Massachusetts municipality with offices at 22 Monument Square, Concord, MA 01742 (“Grantee”), its successors and assigns, a permanent and non-exclusive right and easement to operate, repair and maintain a shared use path as further described herein below (the “Shared Use Path”).

Permitted Use:

This easement is for the purpose of permitting Grantee to operate, repair and maintain the Shared Use Path, and for use by the general public as a walking and bicycling path for which the use of motorized vehicles of any kind shall be prohibited. Notwithstanding the foregoing, motorized wheelchairs and scooters used to accommodate individuals with disabilities shall be permitted.

Grantor shall be responsible, at its sole cost and expense, for the construction of Bridge No. C-19-039 crossing Union Turnpike (Routes 2 and 111) as shown on that certain plan entitled “PS&E Submission” dated June, 2019 by Greenman-Pedersen, Inc. (the “Improvements Plan”) attached hereto as Exhibit “A”. Grantor shall also be responsible, at Grantor’s sole cost and expense, for the construction of the Shared Use Path, as shown on the Improvements Plan, which will run over and through Bridge No. C-19-039 (together, the “Improvements”). Grantor shall diligently construct the Improvements in a good and workmanlike manner, using new or like-new materials. Grantor shall use diligent, good faith efforts to substantially complete the Improvements on or before April 30, 2022. As used herein, “substantially complete” shall mean that the Improvements are substantially complete, as certified in writing by Grantor’s architect, consistent with the Improvements Plan.

The herein grant of easement shall not be construed as creating or vesting in Grantee any estate in the Shared Use Path or the Premises (as defined below), but only non-exclusive easement rights for use and improvement as herein described. Grantor shall retain the right to use the Premises, if needed, for public safety purposes provided that such access shall be upon at least seven (7) days advance written notice to Grantee unless necessary to address a public safety emergency.

Premises:

The easement area (the “Premises”) is shown as Parcel 11-EG-1 on plan entitled “Massachusetts Department of Transportation Plan of Road in the Town of Concord Middlesex County Altered and Laid Out as a State Highway by the Massachusetts Department of Transportation, Highway Division, Scale: 20 Feet to the Inch (Except as Noted)” dated August 21, 2019 by Greenman-Pedersen, Inc., 181 Ballardvale Street, Suite 202, Wilmington, Massachusetts 01887 recorded with Middlesex County South District Registry of Deeds, Plan Book 2019, Page 704, and further bounded and described as follows:

Beginning at a point on the southerly location line of the November 14, 1950 State highway alteration (Layout No. 3804) of Union Turnpike (Routes 2 & 111), said point bearing S. 16° 20' 35" W. and being 130.95 feet distant from station 269+34.11 of the baseline location of said 1950 layout;

Thence, along said location line, N. 73°29'06" W. 89.59 feet to a point;

Thence, leaving said location line, northwesterly by a curve to the right having a radius of 1,917.08 feet, an arc distance of 365.91 feet with a chord bearing of N. 40°17'44" W. and a chord distance of 365.36 feet to a point on the northerly location line of said 1950 layout;

Thence, following said location line, S. 73°29'06" E. 65.14 feet to a point;

Thence, leaving said location line, southeasterly by a curve to the left having a radius of 1,877.08 feet, an arc distance of 386.74 feet with a chord bearing of S. 42°16'58" E. and a chord distance of 386.06 feet to the place of beginning.

Containing about 15,036 square feet.

Being a portion of the November 14, 1950 State highway alteration (Layout No. 3804) of Union Turnpike (Routes 2 & 111).

Premises Unwarranted:

Except as expressly provided in this instrument, Grantee acknowledges and agrees that it accepts the Shared Use Path in its “as is” condition, that Grantor is under no obligation to make any repairs, renovations or alterations to the Premises, other than the construction of the Improvements as described above, and that Grantor has made no representations or warranties regarding the fitness of the Premises for Grantee’s intended purpose of use. The Premises are subject to any and all easements, restrictions and encumbrances of record and to any existing licenses and permits granted to public or private utilities or cable companies.

Maintenance of Premises:

From and after the substantial completion of the Improvements, Grantee shall be responsible, at its sole cost and expense, to operate, repair and maintain the Shared Use Path in

good order and safe, sanitary and clean condition in accordance with all applicable codes and ordinances of the Town of Concord and maintain all fixtures and safety measures installed by Grantor (including, without limitation, all improvements installed by Grantor) on the Shared Use Path necessary to ensure its fitness for the permitted use. Grantor shall be responsible, at its sole cost and expense, to operate, repair and maintain Bridge No. C-19-039 over and through which the Shared Use Path runs.

Without limiting any of Grantee's obligations under this easement, Grantee agrees that it shall comply with the Massachusetts Environmental Policy Act (MEPA) requirements and that it shall not cause any hazardous materials to be used, generated, stored or disposed of on, under or about or transported to or from the Premises, except in strict accordance with all Environmental Laws (as hereinafter defined). For the purpose of this easement, "Hazardous materials" shall include, but not be limited to, substances defined as "hazardous substances", "toxic substances", "hazardous wastes", or "hazardous materials" in any Federal or State statute concerning hazardous materials now or hereafter enacted, including all regulations and policies adopted or publications promulgated thereunder (collectively, "Environmental Laws").

Grantee shall neither cause nor suffer any waste on the Premises and shall maintain the Shared Use Path in good order at all times. Grantee's responsibilities shall include, but not be limited to, repair of any and all damage or breakage resulting from acts of vandalism or acts of the Grantee or others (excluding only damage or breakage caused by the intentional acts or negligence of the employees or agents of Grantor).

Compliance with Laws:

Grantee, its employees, contractors, servants and agents shall comply with all applicable federal, state, county, municipal and other governmental statutes, laws, rules, orders, regulations, procedures, policies and ordinances governing the Premises or Grantee's use thereof.

Assignment:

Grantee shall not, without the prior written consent of Grantor, not to be unreasonably withheld, conditioned, or delayed, transfer or assign the easement or any part thereof.

Access for MassDOT Employees

Grantee, hereby, acknowledges and agrees that Grantor, its employees, agents, consultants and contractors shall be permitted access with vehicles and equipment on the Premises for purposes as delineated under the paragraph entitled "Permitted Use" hereinabove.

Indemnification

By acceptance of this easement grant, the Town of Concord covenants and agrees, for itself and its successors and assigns, to indemnify and hold harmless the Commonwealth of Massachusetts and the Massachusetts Department of Transportation and their directors, members, officers, employees and agents from and against any and all liabilities, claims,

demands, causes of action, suits, losses, damages, costs, fines, fees, and expenses of any kind or nature, whatsoever, (including attorneys' fees, court costs, and costs of investigation and litigation) for personal injury or death to persons or destruction of or damage to property caused by or arising out of or relating to the violation of any applicable law, regulation or ordinance or any act or omission of or by the Town of Concord, or its employees, agents, consultants or contractors relating to the exercise of the rights granted herein, except to the extent resulting from the negligence or willful misconduct of the Commonwealth of Massachusetts or the Massachusetts Department of Transportation or their directors, members, officers, employees, agents, consultants or contractors.

Notices:

All notices, demands, requests, consents, approvals and other instruments required or permitted to be given pursuant to the terms hereof shall be in writing and shall be deemed to have been properly given when deposited in registered or certified United States mail, postage prepaid, return receipt requested, addressed if intended for Grantor, to the Right of Way Director, Massachusetts Department of Transportation, Ten Park Plaza, Boston, MA 02116, and if intended for Grantee, to the Town Manager of the Town of Concord, 22 Monument Square, Concord, MA 01742. Grantee and Grantor shall, at any time and from time to time, have the right to specify its proper address or addresses giving fifteen (15) days written notice thereof to the other party.

Severability:

This easement contains the entire agreement of the parties and there are no other agreements or undertakings between the parties regarding the subject matter of this easement. If any provision of this easement or portion or application thereof to any person or circumstance is held to be invalid, the remainder of the easement exclusive of such provision and the application thereof to other persons or circumstances shall remain in full force and effect.

Captions:

The captions in this easement are inserted for convenience of reference only and in no way describe or limit the scope or intent of this easement or any provisions hereof.

Note that with respect to all references, if any, to the Department of Public Works, Chapter 552 of the Acts of 1991 changed the name of the Department of Public Works to the Department of Highways. Pursuant to Chapter 25 of the Acts of 2009, as amended by Chapter 26 of the Acts of 2009 and Chapter 120 of the Acts of 2009, as of November 1, 2009, the Massachusetts Department of Transportation is the successor to the Department of Highways.

[Signature Page Follows]

IN WITNESS WHEREOF, the Massachusetts Department of Transportation has caused these presents to be signed, sealed, acknowledged and delivered in its name and behalf by Jonathan L. Gulliver, Highway Administrator of the Massachusetts Department of Transportation, this _____ day of _____, 20__.

Jonathan L. Gulliver
Highway Administrator
Massachusetts Department of Transportation

THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss _____, 20__

On this ____ day of _____, 20__, before me, the undersigned Notary Public, personally appeared Jonathan L. Gulliver, in his capacity as Highway Administrator of the Massachusetts Department of Transportation, who proved to me through satisfactory evidence of identification, which was his personal identity known to me to be the person whose name is signed on the herein document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of the Massachusetts Department of Transportation.

Print Name
Notary Public
My Commission Expires:

ACCEPTANCE

The Town of Concord, acting by and through its Select Board pursuant to the vote taken under Article 13 of the October 1, 2018 Special Town Meeting, a certified copy of which is attached hereto, hereby, accepts the foregoing easement from the Massachusetts Department of Transportation, for the purpose of a shared use path, on this ____ day of _____, 20____.

TOWN OF CONCORD
By its Select Board



Michael Lawson, Chairman

Linda Escobedo

Jane Hotchkiss

Susan Bates

Terri Ackerman

THE COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

_____, 20__

On this ____ day of _____, 20__, before me, the undersigned Notary Public, personally appeared _____, members of the Town of Concord Select Board, who proved to me through satisfactory evidence of identification, which was their personal identities known to me to be the persons whose names are signed on the herein document, and acknowledged to me that they signed it voluntarily for its stated purpose on behalf of the Town of Concord.

Print Name
Notary Public
My Commission Expires:



Pursuant to the provisions of Section One of Chapter 64D of the Massachusetts General Laws, as amended by Chapter 198 of the Acts of 1978, and Chapter 133 of the Acts of 1992, no excise stamps are affixed.

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TOWN OF CONCORD
By its Select Board



Michael Lawson, Chairman

Linda Escobedo

Jane Hotchkiss

Susan Bates

Terri Ackerman

THE COMMONWEALTH OF MASSACHUSETTS

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EXHIBIT A

[See Attached]

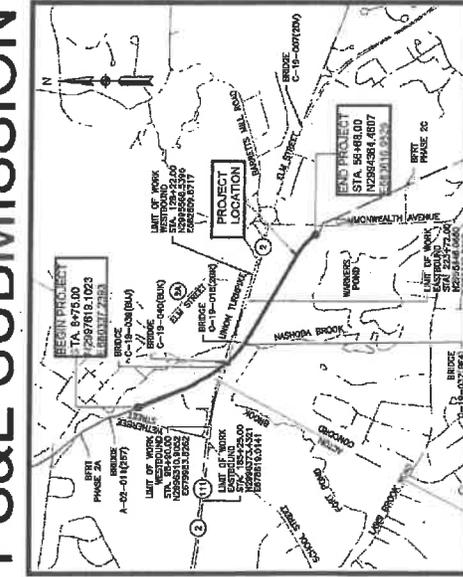
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION

PLAN AND PROFILE OF
BRUCE FREEMAN RAIL TRAIL PHASE 2B
(BRIDGE NOS. C-19-039 (BUJ), C-19-040 (BUK) & C-19-037 (BF4))

IN THE TOWNS OF
ACTON & CONCORD
MIDDLESEX COUNTY

PS&E SUBMISSION

SHEET NO.	DESCRIPTION
1	TITLE SHEET & INDEX
2	LEGEND & ABBREVIATIONS
3	KEY PLAN & BORING LOCATIONS
4-8	BORING LOGS
9-11	TYPICAL SECTIONS
12-30	CONSTRUCTION BASELINE TIES
31-34	CONSTRUCTION PLANS & PROFILES - SHARED USE PATH
35-40	CONSTRUCTION PLANS - ROUTE 2
41-49	CURB TIE & GRADING PLANS
50	TRAFFIC SIGN & PAVEMENT MARKING PLANS
51-62	TRAFFIC SIGN SUMMARY SHEET
63-68	CONSTRUCTION STAGING PLANS
69-78	LANDSCAPE PLANS & DETAILS
79-83	DRAINAGE DETAILS
84	BRIDGE PLANS
85-141	CROSS SECTIONS
152-160	CROSS SECTIONS - MEDIAN CROSSOVERS



DESIGN DESIGNATION

DESIGN SPEED	19 MPH
MINIMUM HORIZONTAL CURVE RADIUS	60'
MINIMUM LENGTH OF CURVE	25'
MAXIMUM GRADE FOR LEVEL TERRAIN	4.5%

THE MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 1995, AS AMENDED, THE SUPPLEMENTAL SPECIFICATIONS DATED APRIL 1, 2019, AND THE CONCORD AND ACTON STANDARD SPECIFICATIONS FOR BRIDGE FACILITIES, 2012 EDITION, AND THE LATEST STANDARD DRAWINGS FOR BRIDGES, THE LATEST STANDARD DRAWINGS FOR TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, THE LATEST MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, THE LATEST STANDARD DRAWINGS FOR SIGN AND SIGNPOSTS, THE LATEST STANDARD DRAWINGS FOR LIGHTING, AND THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, WILL GOVERN.

ADDITIONAL STANDARDS: "BRIDGE MANUAL" - 2013 EDITION, "ASHTO GUIDE FOR THE PLANNING, DESIGN AND OPERATION OF PEDESTRIAN FACILITIES" - 1ST EDITION, AND THE GUIDE FOR THE DEVELOPMENT OF BICYCLE FACILITIES - 2012 EDITION, WILL GOVERN.

ACTON & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B

DATE	REVISED DRAWING	BY	TOTAL
MA		1	100
PROJECT FILE NO. 000023		TITLE SHEET & INDEX	

JUNE 2019

GPI Greenman-Pedersen, Inc.
Engineering & Construction Services
191 Sachinwala Street, Suite 202, Wintrop, NC 28677
704.879.4000 Fax 704.879.8300
gpi@greenman-pedersen.com

#	DATE	DESCRIPTION	REV #
1	05/29/19	20% DESIGN SUBMISSION	0
2	05/29/19	75% DESIGN SUBMISSION	1
3	05/29/19	100% DESIGN SUBMISSION	2

RECOMMENDED FOR APPROVAL

massDOT
Highway Division

CHIEF ENGINEER _____ DATE _____
APPROVED

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

DIVISION ADMINISTRATOR _____ DATE _____
HIGHWAY ADMINISTRATOR _____ DATE _____



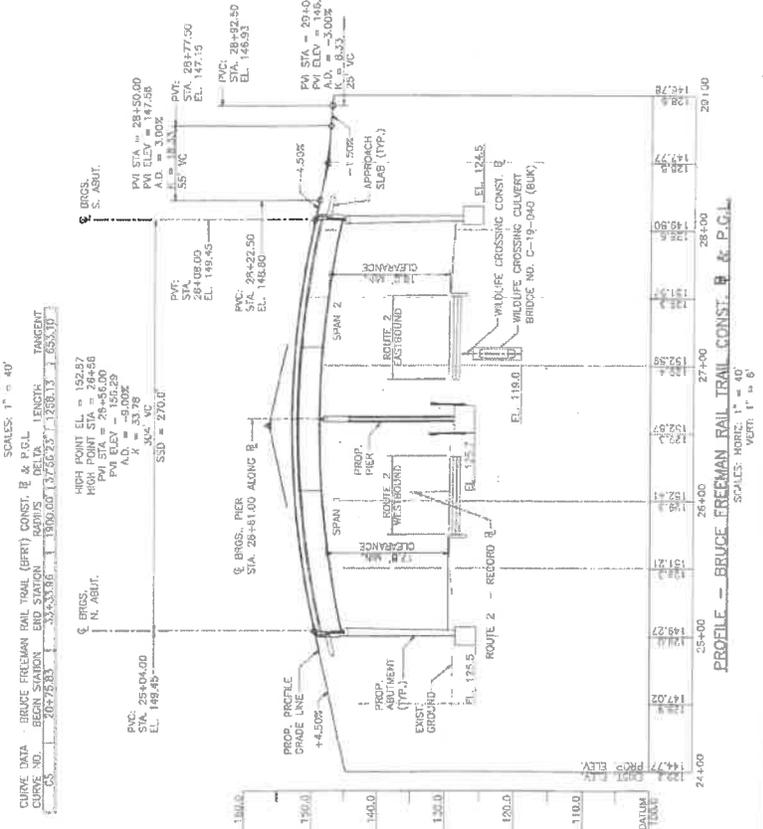
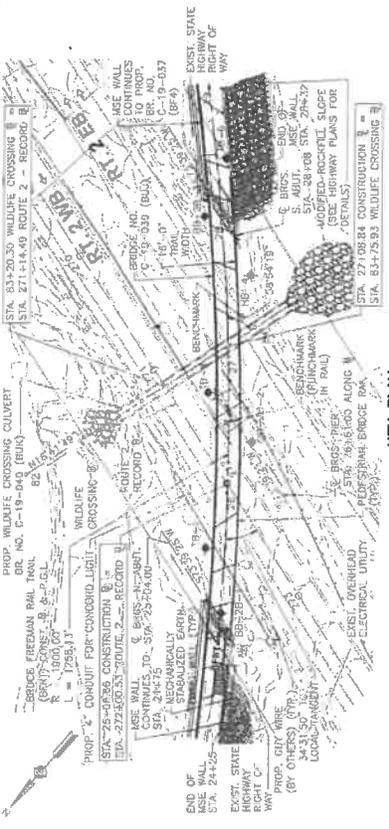
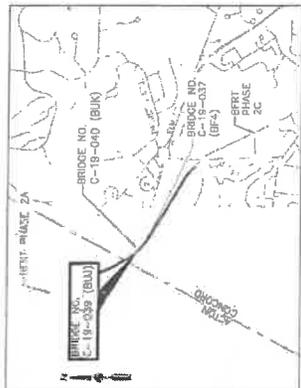
LENGTH OF PROJECT = 4646 FEET = 0.860 MILES

ACTION & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B

PROJECT FILE NO. 606223

KEY PLAN, LOCUS MAP,
 PROFILES AND QUANTITIES

- INDEX OF BRIDGE SHEETS:**
1. KEY PLAN, LOCUS MAP, PROFILES AND QUANTITIES
 2. GENERAL NOTES AND ESTIMATED QUANTITIES
 3. BORING LOGS (2 OF 3)
 4. BORING LOGS (2 OF 3)
 5. BORING LOGS (3 OF 3)
 6. PLAN AND ELEVATION OF MAIN ELEVATION AND SECTION
 7. SOUTH ABUTMENT PLAN, ELEVATION, AND SECTION
 8. SOUTH ABUTMENT WALL AND DETAILS (1 OF 2)
 9. END OF DECK, WINDOWS, AND FOUNDATION DETAILS
 10. CURTAIN WALL PLANS AND DETAILS (1 OF 2)
 11. CURTAIN WALL SECTIONS AND DETAILS (2 OF 2)
 12. SEE WALL SECTIONS
 13. SEE WALL SECTIONS
 14. SEE WALL SECTIONS
 15. ACUTE CORNER & APPROACH SLAB PLANS AND DETAILS
 16. END DIAPHRAGM PLAN, ELEVATION, AND SECTION
 17. END DIAPHRAGM WALL AND DETAILS
 18. FRAMING PLAN AND SECTION
 19. STRUCTURAL STEEL DETAILS
 20. TOP ELEVATIONS AND GAMBER TABLE
 21. BEARING DETAILS
 22. BEARING DETAILS
 23. RAILING AND PROTECTIVE SCREEN DETAILS
 24. TIMBER RAIL TRANSITION



ISSUED FOR CONSTRUCTION

PROPOSED BRIDGE
CONCORD

BRUCE FREEMAN RAIL TRAIL
 OVER MA 2 (UNION TURPIKE)
 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
 10 PARK PLAZA BOSTON, MASS

DATE: 08/14/18
 DRAWN BY: [Name]
 CHECKED BY: [Name]

Greenman-Pedersen, Inc.
GPI
 140 WASHINGTON ST. 02108
 TEL: [Phone Number]

ACTION & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B

DATE	ISSUED FOR	BY
11/25/19	CONSTRUCTION	BLJ

PROJECT FILE NO. 602223

GENERAL NOTES AND ESTIMATED QUANTITIES

GENERAL NOTES:

DESIGN: IN ACCORDANCE WITH THE 2014 SPECIFICATIONS OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS WITH CURRENT INTERIM REVISIONS THROUGH 2016. FOR MID LOADING. DESIGN ALSO IN ACCORDANCE WITH AASHTO LFD CURB SPECIFICATIONS FOR THE DESIGN OF PEDESTRIAN BRIDGES FOR PEDESTRIAN LOADING.

BENCH MARK:
 STA. # CORNO (SAC #40)
 PLUMBLINE IN RAIL
 ELEVATION 142.400
 BENT 2B (S) STA. 274+00.00
 2.0845' LT ELEV. 128.80

STA. #14 SSM SET
 20' FROM CENTERLINE
 681184.150
 BENT 2B (S) STA. 274+00.02
 11.6417' RT ELEV. 129.13

ELEVATIONS:
 ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.
 MASSDOT SURVEY MONUMENTS:
 COPIES OF ELECTRONIC SURVEY FILLS MAY BE OBTAINED FROM MASSACHUSETTS DEPARTMENT OF TRANSPORTATION - HIGHWAY DESIGN

SCALES:
 SCALES NOTED ON THE PLANS ARE NOT APPLICABLE TO REDUCED SIZE PRINTS.
 DIM. SCALES BY 2 FOR HALF-SIZE PRINTS (A3).

FOUNDATIONS:
 FOUNDATIONS MAY BE ALTERED, IF NECESSARY, TO SUIT CONDITIONS ENCOUNTERED DURING CONSTRUCTION, WITH THE APPROVAL OF THE ENGINEER.

UNSATURABLE MATERIAL:
 ALL UNSATURABLE MATERIAL SHALL BE REMOVED WITHIN THE LIMITS OF THE FOUNDATIONS OF THE STRUCTURE, AS DIRECTED BY THE ENGINEER.

SEISMIC-GROUND-SHAKING HAZARD:
 DESIGN RETURN PERIOD: 1000 YEARS
 DESIGN ACC. 0.12g
 S_{MS} = 0.25g
 S_{1/2} = 0.08g

SITE CLASS: C-08B
SEISMIC DESIGN CATEGORY (SDC): A

ANCHOR BOLTS:
 ALL ANCHOR BOLTS SHALL BE SET BY TEMPLATE BEFORE THE CONCRETE IS PLACED.

REINFORCEMENT:
 REINFORCEMENT SHALL CONFORM TO THE REQUIREMENTS OF AASHTO M 31, GRADE 60 EPOXY COATED, UNLESS OTHERWISE NOTED ON THE CONSTRUCTION DRAWINGS. ALL BARS SHALL BE LAPPED AS FOLLOWS:

MODIFICATION CONDITION

1. NONE	#4 BARS	#5 BARS	#6 BARS
2. 2" OF CONCRETE BELOW BAR	21"	26"	31"
3. 1" OF CONCRETE BELOW BAR < 50#L OR CLEAR SPACING < 90#L	29"	36"	43"
4. COATED BARS, ALL OTHER CASES	31"	39"	46"
5. CORNER 2, AND 3.	25"	31"	37"
6. CORNER 2, AND 4.	35"	44"	53"
	34"	43"	51"

IF THE ANCHOR BOLTS ARE PLACED AT THE CENTER OF THE LAP LENGTH, THEY SHALL BE SET ON THE LAP LENGTH COVER BARS. ALL OTHER BARS SHALL BE LAPPED AS SHOWN ON THE CONSTRUCTION DRAWINGS.

CONCRETE BARS

(1)	(2)	(3)	TO BE USED IN CONSTRUCTION OF:
4000	1	585	ABUTMENTS, FOOTINGS, APPROACH SLABS, WINDOWLES, CURTAIN WALLS
4010	1	610	ABUTMENT BACKWALLS, KEEPER BLOCKS
4000	1	585 HP	DECK, END DIAPHRAGMS, PIER CAP, PIER COLUMN, SAFETY CURBS, WINDOW WALL CAPS

(1) 28 DAY COMPRESSIVE STRENGTH (PSI)
 (2) MAXIMUM AGGREGATE SIZE (IN.)
 (3) CEMENTITIOUS CONTENT (POUND/CU.Y.)

UTILITIES:
 THE CONTRACTOR SHALL LOCATE AND PROTECT FROM DAMAGE ALL EXISTING UTILITIES.

ESTIMATED QUANTITIES
 (NOT GUARANTEED)

ITEM DESCRIPTION	QUANTITY	UNIT
BRIDGE EXCAVATION	1445	CY
BRIDGE FOUNDATION	1000	CY
GRAVEL BORROW FOR BRIDGE FOUNDATIONS	320	CY
CRUSHED STONE FOR BRIDGE FOUNDATIONS	30	LS
BRIDGE STRUCTURE, BRIDGE NO. C-19-039 (BLJ)	1	SY
MECHANICALLY STABILIZED EARTH WALL	750	DAY
SEE WALL MANUFACTURER'S REPRESENTATIVE	9	

ISSUED FOR	CONSTRUCTION
DATE	11/25/19
DESIGNED FOR	CONSTRUCTION
DATE	11/25/19

**ACTION & CONCORD
 BRUCE FREEMAN RAIL TRAIL PHASE 2B**

BORING LOGS (1 OF 3)

STATE	NO. JOB	NO. DRAWING	DATE
MA	0607-23	BR-24 (3)	01/25/10

BORING NOTES:

1. LOCATION OF BORINGS SHOWN ON THE PLAN THIS IS TB-2
2. BORINGS ARE TAKEN FOR PURPOSE OF DESIGN AND SHOWN CONDITIONS AT BORING POINTS ONLY, BUT DO NOT GUARANTEE THE MATERIALS TO BE ENCOUNTERED DURING CONSTRUCTION.
3. WATER LEVELS SHOWN ON THE BORING LOGS WERE OBSERVED AT THE TIME OF BORING. WATER LEVELS DO NOT NECESSARILY SHOW THE TRUE GROUND WATER LEVEL.
4. FIGURES IN COLUMNS INDICATE NUMBER OF BLINDS REQUIRED TO DRIVE A 1 3/8" I.D. SPLIT SPOON SAMPLES & USING A 140 POUND WEIGHT FALLING 30".
5. BORING SAMPLES ARE STORED AT A STORAGE FACILITY LOCATED ON ROUTE 114 (218 WINDROP AVE.) IN LAWRENCE, MA. THE CONTRACTOR MAY EXAMINE THE SOIL AND ROCK SECTION AT 10 PARK PLAZA, BOSTON, MA.
6. ALL BORINGS WERE MADE IN OCTOBER 2009 AND NOVEMBER 2010.
7. BORINGS WERE MADE BY NEW HAMPSHIRE BORING, INC. LOCATED AT 12:15 WEST CHESTNUT STREET, BROCKTON, MA 01901.
8. THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988 IS USED THROUGHOUT.
9. THE DEPTHS AS SHOWN ON THE ORIGINAL BORING LOGS HAVE BEEN CONVERTED TO ELEVATIONS BY THE ENGINEER.

NOTE:
 FOR LOCATION OF BORINGS, SEE SHEET 1.

MONTH	YEAR	DATE

Station	Depth (ft)	Soil Description	Remarks	Notes
EL. 130.0	0-7	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 125.0	7-14	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 120.0	14-18	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 115.0	18-21	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 110.0	21-24	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 105.0	24-27	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 100.0	27-30	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 95.0	30-33	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 90.0	33-36	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 85.0	36-39	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 80.0	39-42	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 75.0	42-45	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 70.0	45-48	10' Sand, brown, fine sand, loose to medium dense.	10'	

Station	Depth (ft)	Soil Description	Remarks	Notes
EL. 130.0	0-7	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 125.0	7-14	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 120.0	14-18	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 115.0	18-21	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 110.0	21-24	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 105.0	24-27	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 100.0	27-30	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 95.0	30-33	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 90.0	33-36	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 85.0	36-39	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 80.0	39-42	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 75.0	42-45	10' Sand, brown, fine sand, loose to medium dense.	10'	
EL. 70.0	45-48	10' Sand, brown, fine sand, loose to medium dense.	10'	

BORING BB-2B-1

BORING TB-2

NEW HAMPSHIRE BORING, INC. 1000 Main Street Concord, MA 03301	BRUCE FREEMAN RAIL TRAIL PHASE 2B BRIDGE NO. C-19-039	BORING NO. BB-2B-1
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NEW HAMPSHIRE BORING, INC. 1000 Main Street Concord, MA 03301	BRUCE FREEMAN RAIL TRAIL PHASE 2B BRIDGE NO. C-19-039	BORING NO. TB-2
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**ACTON & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B**

DATE	REV.	BY	CHK'D
06/24/23	1	JK	JK
PROJECT FILE NO. 66472.3			

BORING LOGS (2 OF 3)

Stationing	Soils	Soil Description	Notes
EL. 130.0	8-1	0-2'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 125.0	8-2	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 120.0	8-3	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 115.0	8-4	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 110.0	8-5	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 105.0	8-6	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 100.0	8-7	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 95.0	8-8	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 90.0	8-9	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 85.0	8-10	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 80.0	8-11	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 75.0	8-12	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 70.0	8-13	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 65.0	8-14	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 60.0	8-15	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")

Stationing	Soils	Soil Description	Notes
EL. 130.0	9-1	0-2'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 125.0	9-2	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 120.0	9-3	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 115.0	9-4	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 110.0	9-5	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 105.0	9-6	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 100.0	9-7	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 95.0	9-8	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 90.0	9-9	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 85.0	9-10	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")

Stationing	Soils	Soil Description	Notes
EL. 130.0	10-1	0-2'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 125.0	10-2	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 120.0	10-3	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 115.0	10-4	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 110.0	10-5	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 105.0	10-6	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 100.0	10-7	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 95.0	10-8	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 90.0	10-9	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")
EL. 85.0	10-10	0-7'	10' 0" - 10' 0" (10' 0" - 10' 0")

NOTES:
 1. FOR LOCATION OF BORINGS, SEE SHEET 1.
 2. FOR BORING NOTES, SEE SHEET 3.

ISSUED FOR CONSTRUCTION	DATE
USE ONLY PRINTS FOR LATEST DATE	

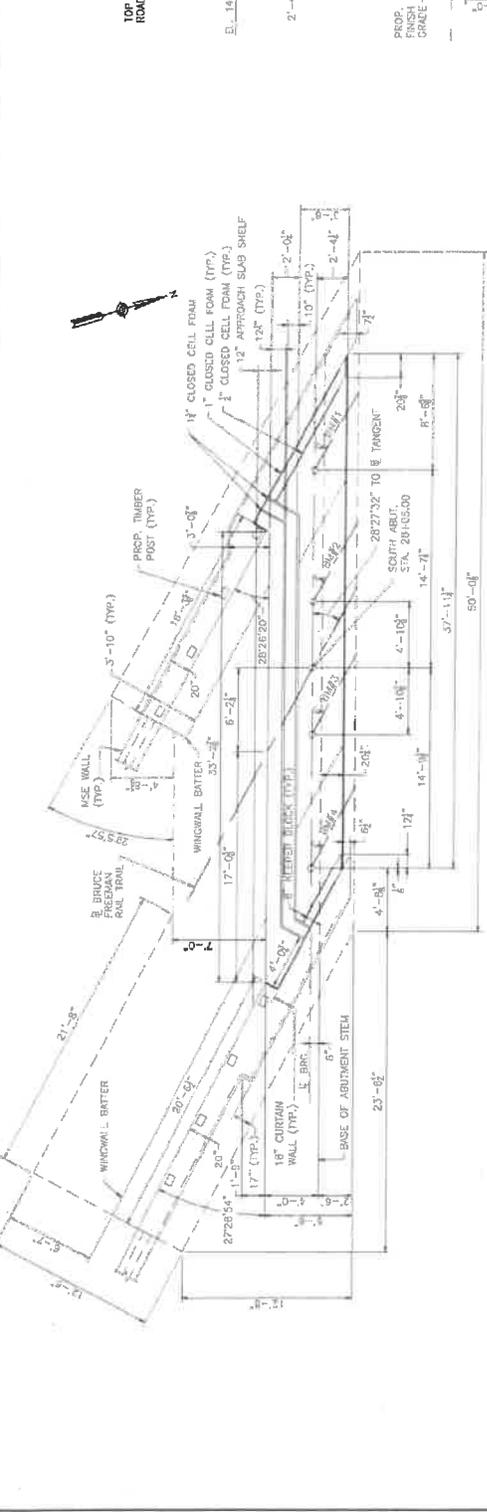
BORING_BB-28-2

BORING_IB-3

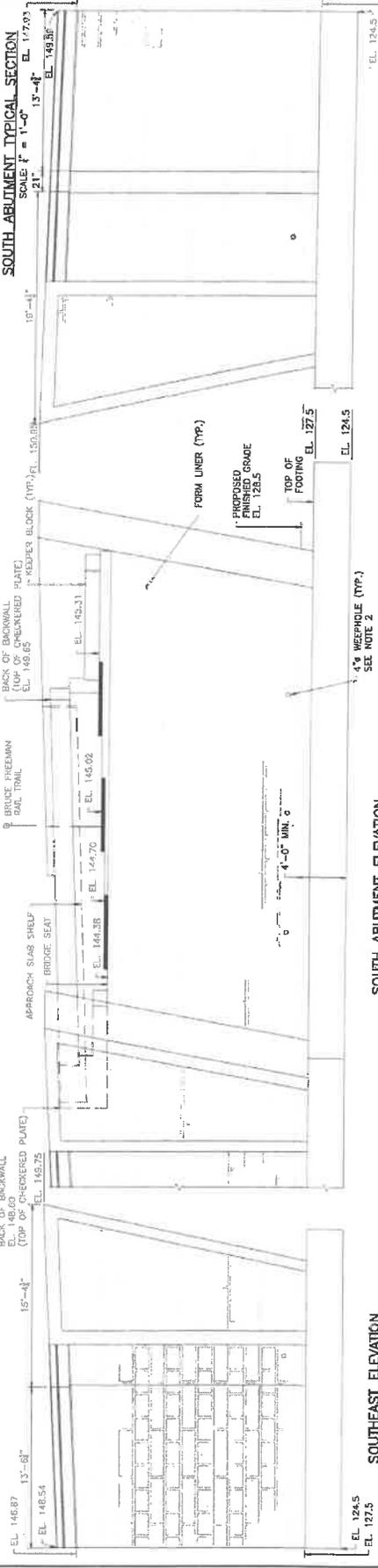
ACTION & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B

DATE	BY	CHKD	APP'D
03/03/2019

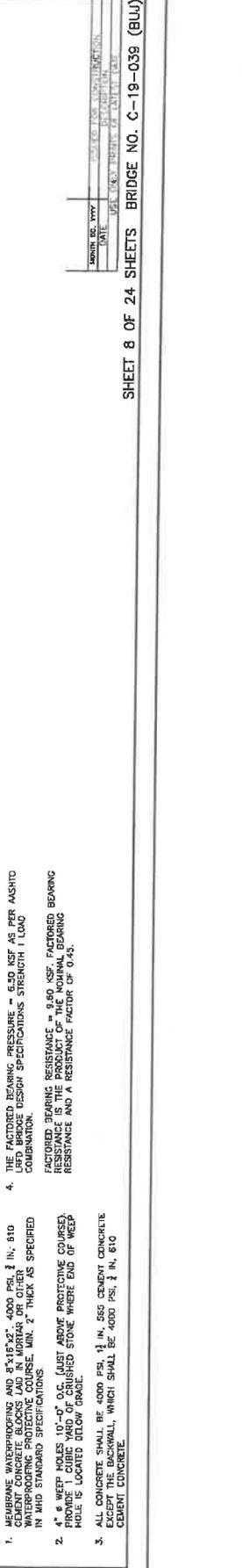
SOUTH ABUTMENT PLAN, ELEVATION, AND SECTION



SOUTH ABUTMENT TYPICAL SECTION
 SCALE: 1/4" = 1'-0"



SOUTHWEST ELEVATION
 SCALE: 1/4" = 1'-0"



- NOTES:**
- MEMBRANE WATERPROOFING AND 8"x16"x2", 4000 PSI, 3/4" IN. 610 CEMENT CONCRETE BLOCKS LAD IN MORTAR OR OTHER APPROVED JOINT FILLING MATERIAL SHALL BE USED IN ALL JOINTS IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
 - 4" WEEP HOLES 10'-0" O.C. (JUST ABOVE PROTECTIVE COURSE), PROTECTIVE COURSE SHALL BE 10'-0" O.C. (JUST BELOW GRADE). WEEP HOLES SHALL BE LOCATED BELOW GRADE.
 - ALL CONCRETE SHALL BE 4000 PSI, 3/4" IN. 610 CEMENT CONCRETE EXCEPT THE BACKWALL, WHICH SHALL BE 4000 PSI, 1/2" IN. 610 CEMENT CONCRETE.

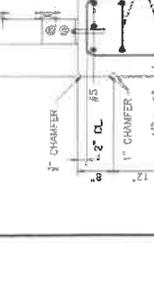
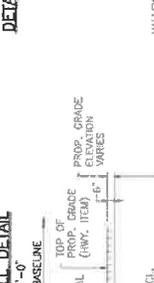
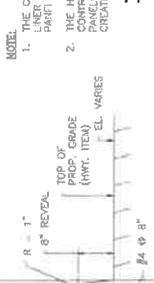
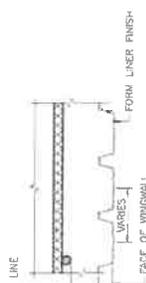
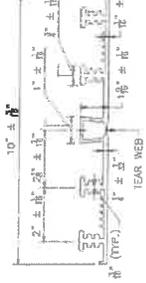
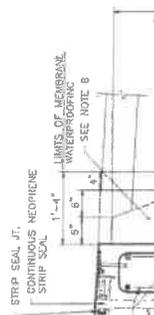
**ACTON & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B**

DATE	REV.	BY	APP.
03/11/14	1	JK	JK
03/11/14	2	JK	JK
03/11/14	3	JK	JK

PROJECT FILE NO. B06223
END OF DECK, WINGWALLS,
AND FOUNDATION DETAILS

ROADWAY/SIDEWALK SECTION NOTES:

1. ALL REINFORCEMENT SHOWN IN THIS DETAIL SHALL BE PARALLEL TO THE PROFILE GRADE.
2. TOP OF BACKWALL SHALL BE TROWELED SMOOTH BACKWALL BELOW CONSTRUCTION JOINT, KEAPER PLACED AND SUFFICIENTLY CURED PRIOR TO PLACING THE END DIAPHRAGM CONCRETE.
3. THE END DIAPHRAGM CONCRETE SHALL BE 4000 PSI, 3 IN. SBS HP CEMENT CONCRETE AND SHALL BE PLACED MONOLITHICALLY WITH THE DECK.
4. PRIOR TO PLACING THE END DIAPHRAGM CONCRETE, CLOSED CELL FOAM OF THE SPECIFIED THICKNESS CURTAIN WALLS AS SHOWN ON THE BLOCKS, AND EXPANDED POLYSTYRENE SHALL BE PLACED UNDER THE BEAM BOTTOM FLANGE AND THE BOTTOM OF THE END DIAPHRAGM CONCRETE SHALL BE PROTECTED. THE CONTRACTOR SHALL INSURE THAT ALL ADJUTMENT CONCRETE IS PROPERLY LINED. END DIAPHRAGM CONCRETE SHALL BE IN DIRECT CONTACT WITH THE ADJUTMENT CONCRETE.
5. AFTER THE END DIAPHRAGM HAS CURED SUFFICIENTLY, REMAINDER OF BACKWALL CONCRETE, THE BACKWALL TROUGH WALL, BE FORMED WITH CLOSED CELL FOAM TO PROTECT THE BACKWALL FROM THE DECK CONCRETE. THIS FOAM SHALL BE REMOVED PRIOR TO PLACING THE DECK CONCRETE TO ENSURE THAT CONCRETE DOES NOT ENTER THE TROUGH SWMP.
6. COVER THE BACKWALL TROUGH OPENING SECURITYLY WITH STRIP SEAL JOINT.
7. PROTECTIVE COURSE TO BE SET BY ASPHALT DENSE AND COMPACTED. FOUR BRIDGES, PLACED IN 2' SPACES WITHIN 12 HOURS AFTER PLACING MEMBRANE WATERPROOFING.



WINGWALL NOTES:

1. MEMBRANE WATERPROOFING SHALL BE 4000 PSI, 3 IN. SBS HP CEMENT CONCRETE BLOCKS Laid IN MORTAR OR OTHER WATERPROOFING PROTECTIVE COURSE, MIN. 2" THICK AS SPECIFIED IN AHD STANDARD SPECIFICATIONS.
2. 4" X 4" WEEP HOLES (15' ON CENTER) ABOVE PROTECTIVE COURSE; PROVIDE 1 CUBIC YARD OF CRUSHED STONE WHERE END OF WEEP HOLE IS LOCATED BELOW GRADE.
3. ALL CONCRETE SHALL BE 4000 PSI, 3 IN. SBS HP CEMENT CONCRETE.

END OF DECK DETAIL
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

10" WATERSTOP
NOT TO SCALE

END OF DECK DETAIL
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

END OF DECK DETAIL
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

NOT TO SCALE

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

END OF DECK DETAIL
SCALE: 1" = 1'-0"

NOT TO SCALE

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

END OF DECK DETAIL
SCALE: 1" = 1'-0"

NOT TO SCALE

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

END OF DECK DETAIL
SCALE: 1" = 1'-0"

NOT TO SCALE

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

END OF DECK DETAIL
SCALE: 1" = 1'-0"

NOT TO SCALE

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

END OF DECK DETAIL
SCALE: 1" = 1'-0"

NOT TO SCALE

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

END OF DECK DETAIL
SCALE: 1" = 1'-0"

NOT TO SCALE

LIMITS OF GRAVEL BORROW FOR ABUTMENTS
SCALE: 1" = 1'-0"

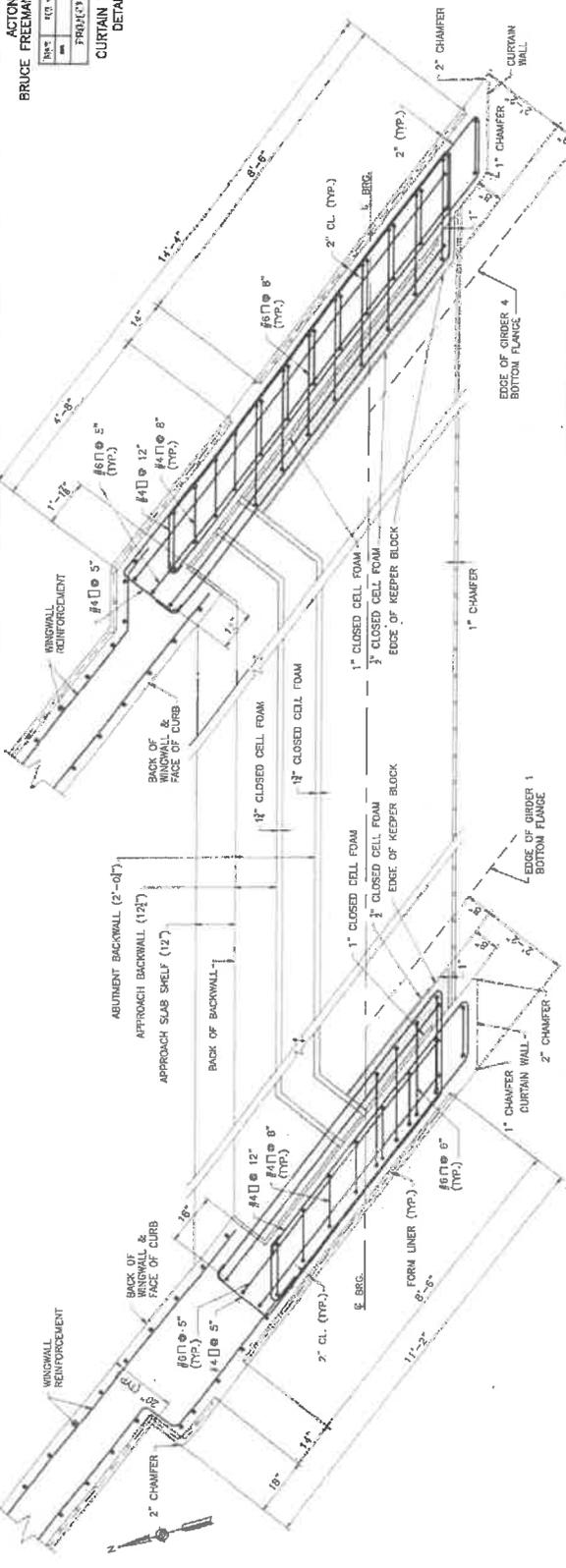
LIMITS OF GRAVEL BORROW FOR WINGWALLS
SCALE: 1" = 1'-0"

TOP OF WINGWALL DETAIL
SCALE: 1" = 1'-0"

TYPICAL WINGWALL DETAIL
SCALE: 1" = 1'-0"

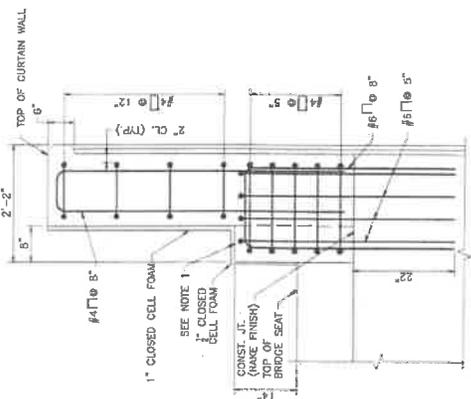
END OF DECK DETAIL
SCALE: 1" = 1'-0"

ACTION & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B
 PROJECT FILE NO. B07223
 CURTAIN WALL PLANS AND
 DETAILS (1 OF 2)

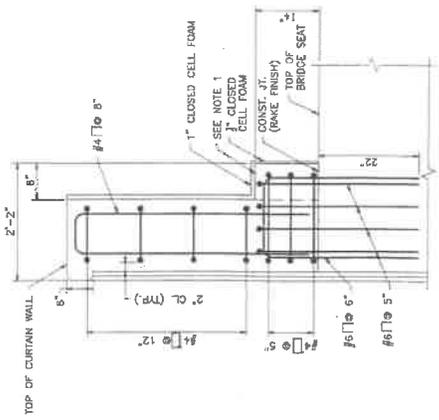


NORTHWEST CURTAIN WALL PLAN
 SCALE: 3/8" = 1'-0"

NORTHEAST CURTAIN WALL PLAN
 SCALE: 3/8" = 1'-0"



NORTHWEST CURTAIN WALL SECTION
 SCALE: 1/4" = 1'-0"



NORTHEAST CURTAIN WALL SECTION
 SCALE: 1/4" = 1'-0"

- NOTES:**
1. TOP OF KEEPER BLOCK SHALL BE TROWELED SMOOTH
 2. ABUTMENT REINFORCEMENT BELOW CONSTRUCTION JOINT HAS BEEN OMITTED FOR CLARITY.

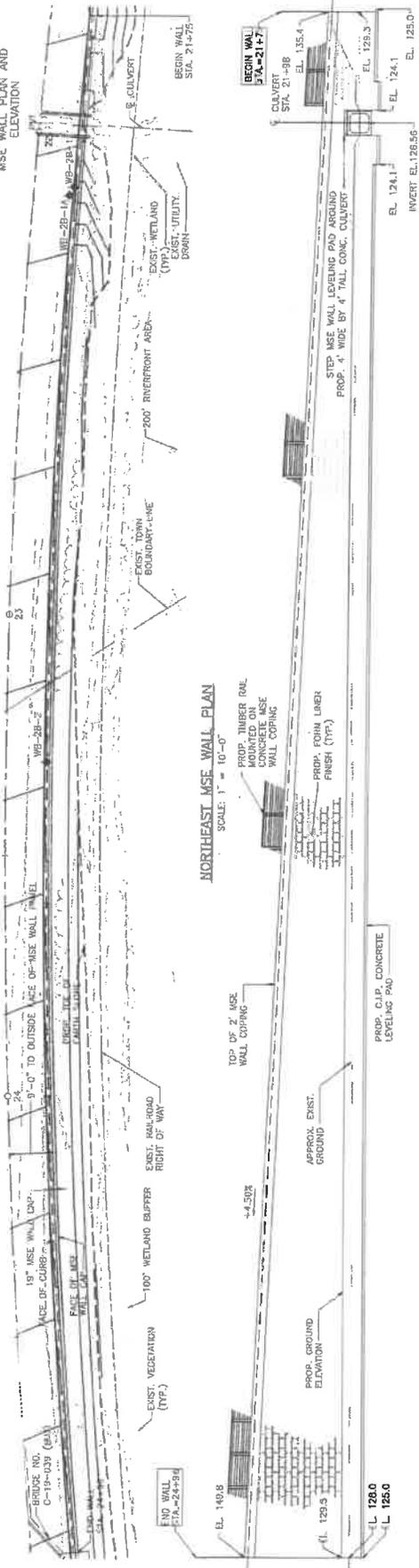
DATE	BY	CHKD	APP'D
07/17/14	JM	MM	MM
07/17/14	JM	MM	MM
07/17/14	JM	MM	MM

**ACTION & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B**

**MSE WALL PLAN AND
ELEVATION**

DATE	NO. OF REVISIONS	BY	CHKD.
10/1/18	1	WJ	WJ

PROJECT FILE NO. BR723

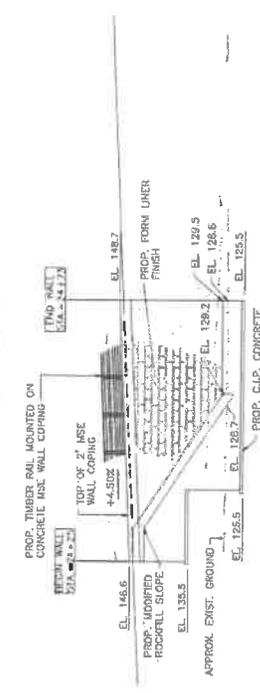
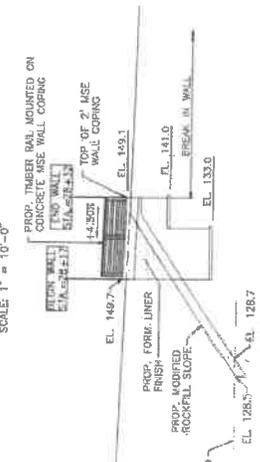


NORTHEAST MSE WALL PLAN
SCALE: 1" = 10'-0"

NORTHEAST MSE WALL ELEVATION
SCALE: 1" = 10'-0"

SOUTHWEST MSE WALL PLAN
SCALE: 1" = 10'-0"

NORTHWEST MSE WALL PLAN
SCALE: 1" = 10'-0"



NOTE:
FOR SOUTHEAST MSE WALL PLAN AND ELEVATION,
SEE BRIDGE C-19-037 (BFA) PLANS

USER OR TYPE	DESIGN FOR CONSTRUCTION
DATE	USE ONLY PARTS OF LABEL DATE

SOUTHWEST MSE WALL ELEVATION
SCALE: 1" = 10'-0"

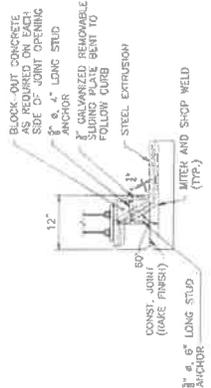
NORTHWEST MSE WALL ELEVATION
SCALE: 1" = 10'-0"

DATE	REV.	BY	APP.
PROJECT FILE NO. 608223			

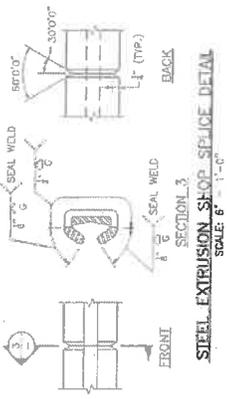
STRIP SEAL JOINT DETAILS

STRIP SEAL JOINT NOTES

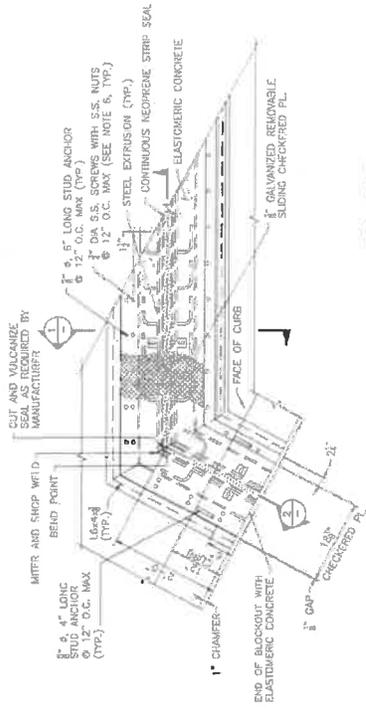
- THE DETAILS SHOWN HERE ARE INTENDED AS A GENERAL GUIDE FOR A TYPICAL ANGULAR TYPE STRIP SEAL JOINT SYSTEM. SHOP DRAWINGS MUST SHOW THE CURB SHAPE, STEEL EXTRUSION SHAPE, WELDING PROVISIONS, THE ANCHOR ARRANGEMENT, TEMPERATURE CORRECTION REQUIREMENTS, AND SUPPORT DETAILS SHALL BE SUBMITTED FOR APPROVAL OF THE ENGINEER ACCORDING TO THE STANDARD SPECIFICATIONS.
- ALL STRUCTURAL STEEL COMPONENTS SHALL CONFORM TO A570 GRADE 50 STEEL. ALL WELDING SHALL BE PERFORMED IN ACCORDANCE WITH THE WELDING OPERATIONS STEEL PLATE ASSEMBLIES SHALL BE A57-GR GALVANIZED.
- ELASTOMERIC CONCRETE IN CONTACT SHALL BE SANDGRADED, CLEANED WITH COMPRESSED AIR, AND PRIMED WITH BONDING COMPOUND PRIOR TO CASTING ELASTOMERIC CONCRETE.
- NEOPRENE STRIP SEAL SHALL BE BONDED TO STEEL EXTRUSION WITH APPROVED ADHESIVE.
- INSTALL CONTINUOUS NEOPRENE STRIP SEAL IN THE FIELD.
- SPACING OF SEAL IS NOT PERMITTED.
- PRIOR TO PLACEMENT OF SAFETY CURB CONCRETE LUBRICATE STAINLESS STEEL SCREWS WITH GRAPHITE AND SET SCREWS IN PLACE. MACHINE SCREWS TO BE TEMPORARILY REMOVED AFTER CONCRETE HAS ATTAINED FINAL SET.
- NO WELDING OF PORTIONS OF STEEL EXTRUSIONS IN DIRECT CONTACT WITH NEOPRENE. SEAL SHALL BE PERMITTED.



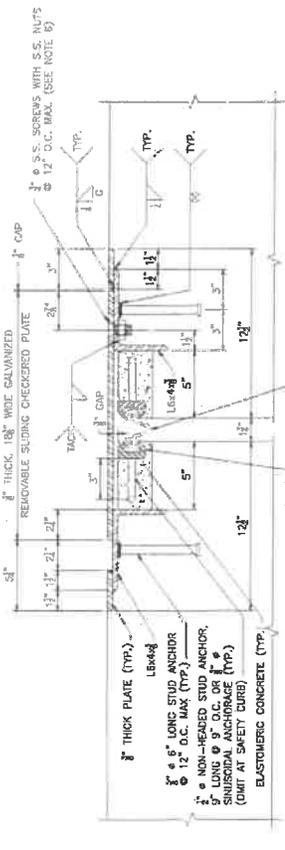
SECTION 2
SCALE: 1" = 1'-0"



SECTION 3
SCALE: 6" = 1'-0"



PLAN - TYPICAL STRIP SEAL JOINT
SCALE: 1" = 1'-0"



SECTION 1
SCALE: 3" = 1'-0"

ACCEPTABLE STRIP SEAL JOINT	
MANUFACTURER	NEOPRENE JOINT EXTRUSION STRIP SEAL MODEL
WATSON	TYPE A
D.S. BROWN	TYPE 5542
	ARR-100
	1 1/2"

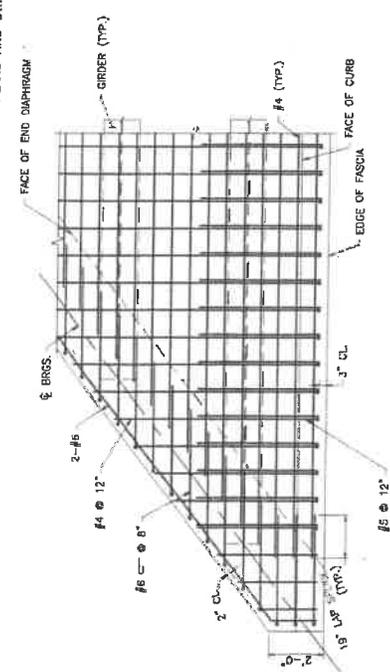
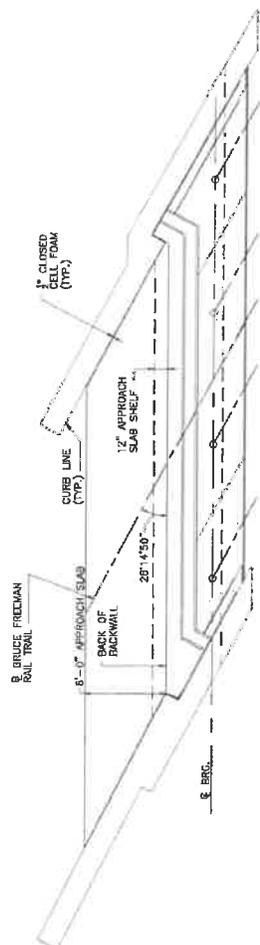
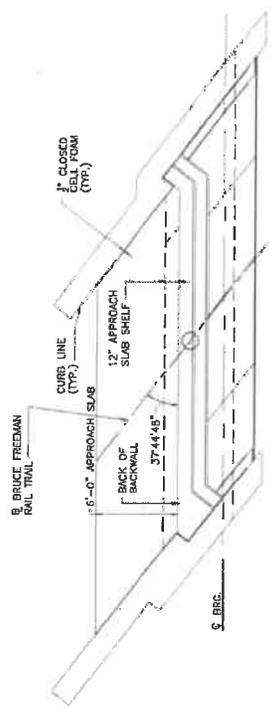
DATE	REVISION FOR
	CONSTRUCTION
	USE ONLY PORTIONS OF THIS SHEET

ACTION & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B

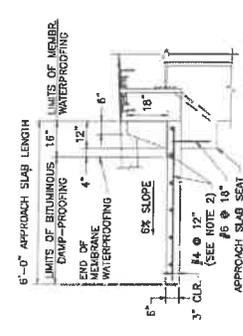
DATE	BY	CHKD	APP'D
15-14-12

PROJECT FILE NO. 602223

ACUTE CORNER & APPROACH SLAB PLANS AND DETAILS



NOTE:
 NORTHWEST CORNER SHOWN
 SOUTHEAST CORNER SIMILAR



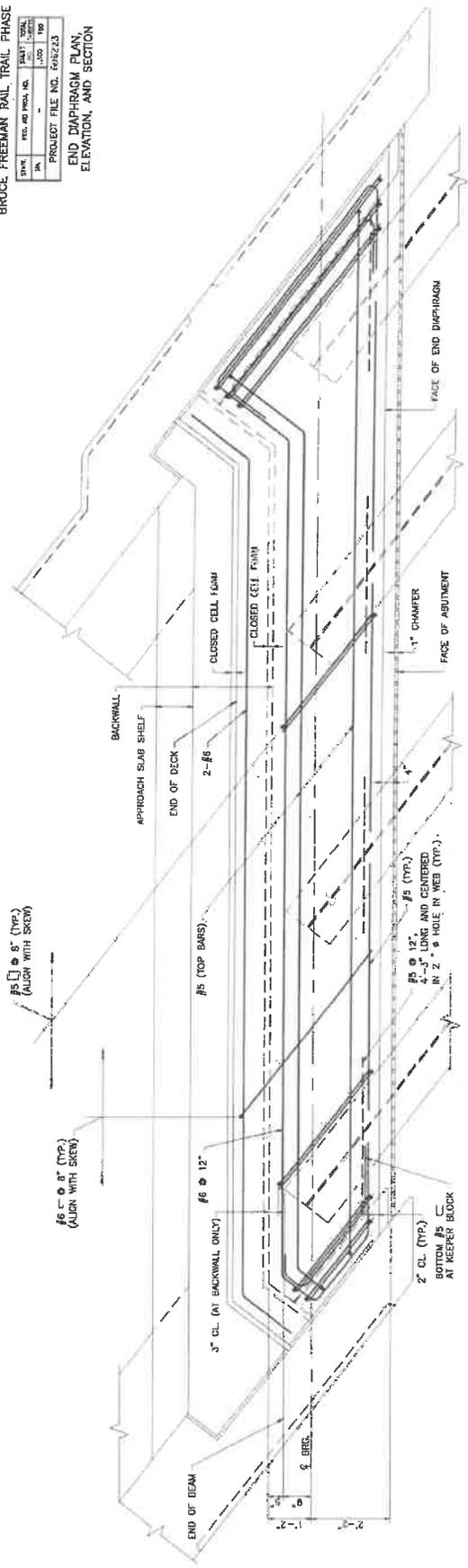
- NOTES:**
- APPROACH SLAB TO BE 4000 PSI, 1 1/2 IN. 565 CEMENT CONCRETE.
 - PLACE LONGITUDINAL REINFORCEMENT PERPENDICULAR TO ABUTMENT. PLACE TRANSVERSE REINFORCEMENT PARALLEL TO ABUTMENT.

APPROVED BY:	DATE:
DESIGNED BY:	DATE:
CHECKED BY:	DATE:
IN CHARGE:	DATE:

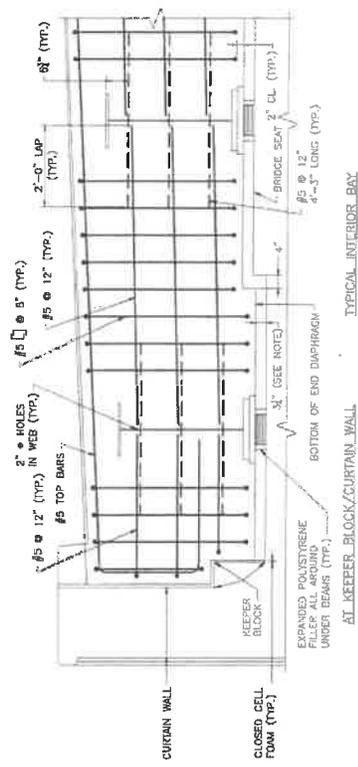
ACTION & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B

DATE	REV. AND PROJ. NO.	SCALE	TYPE
01/03/10		1/8" = 1'-0"	1/1
01/03/10		1/8" = 1'-0"	1/2
01/03/10		1/8" = 1'-0"	1/3

PROJECT FILE NO. 1001223
 END DIAPHRAGM PLAN,
 ELEVATION, AND SECTION

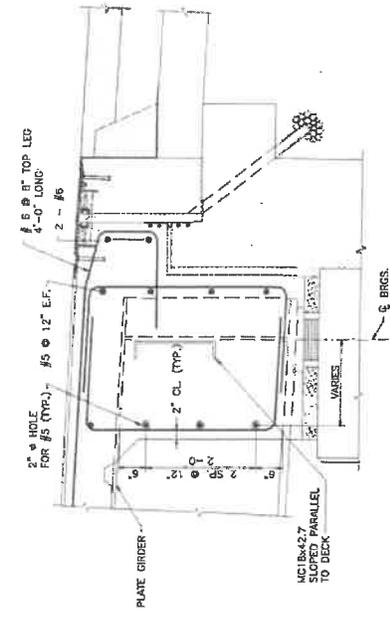


TYPICAL END DIAPHRAGM PLAN
 SCALE 1/8" = 1'-0"



TYPICAL END DIAPHRAGM ELEVATION
 SCALE 1/8" = 1'-0"

- NOTES:
- CONTRACTOR MAY USE EXPANDED POLYSTYRENE FILLER OR A REMOVABLE FORM TO FORM THE BOTTOM OF THE END DIAPHRAGM.



DETAILS AT ABUTMENT - ROADWAY SECTION
 SCALE 1/4" = 1'-0"

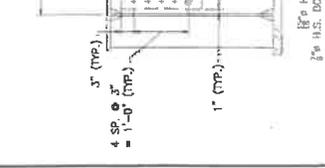
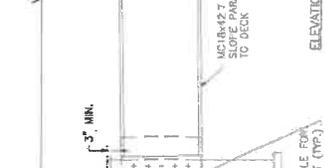
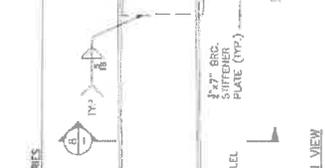
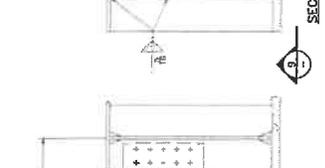
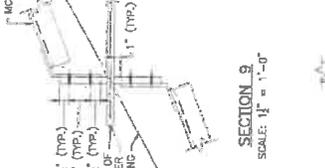
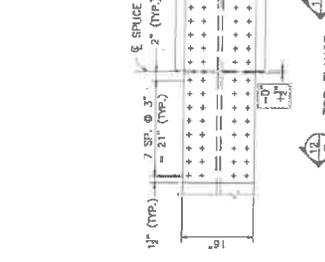
WORK NO. 1001223	PROJECT FILE NO. 1001223
DATE 01/03/10	USE ONLY FOR PROJECT IDENTIFICATION

**ACTON & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B**

DATE	REV. NO.	BY	CHKD	APP

PROJECT FILE NO. 00223

STRUCTURAL STEEL DETAILS



NOTES:

1. BOLTED FIELD SPLICES SHALL BE CONSIDERED SLIP-CRITICAL CONNECTIONS WITH CLASS C FAYING SURFACES.
2. + DENOTES 1" # ANSITO M 164 HIGH STRENGTH BOLT
3. ONE ROW OF STUD SHEAR CONNECTORS SHALL BE PLACED ALONG THE CENTERLINE OF THE TOP FLANGE SPLICE PLATE.

BOLTED FIELD SPLICE DETAILS
SCALE: 1" = 1'-0"

NOTES:

1. STUDS MAY BE SUBSTITUTED FOR 3" # STUDS BY INCREASING THE PITCH TO PROVIDE AN EQUIVALENT CROSS-SECTIONAL AREA PER FOOT.

STUD SHEAR CONNECTORS
N.T.S.

NOTES:

1. SEE CLIP DETAIL ON THIS SHEET.
2. END DIAPHRAGM CONNECTION SHALL BE WELDED TO BOTH SIDES OF FLANGE AND WELDED WITH 1/2" # FILLET WELDS BOTH SIDES OF FLANGE.
3. ALL PLATE ENDS.

END DIAPHRAGM DETAILS
SCALE: 1" = 1'-0"

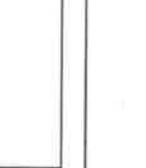
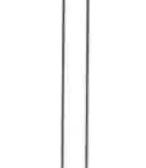
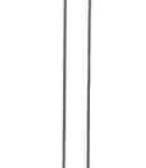
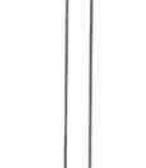
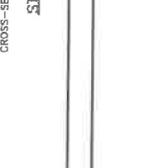
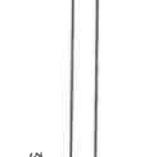
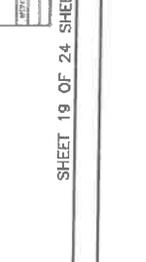
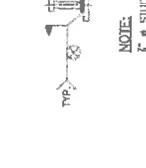
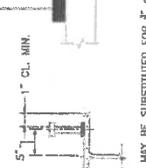
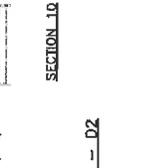
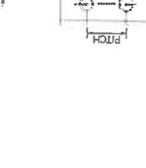
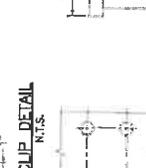
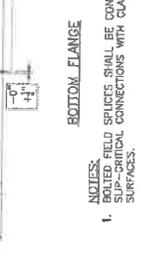
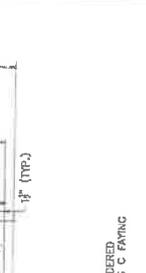
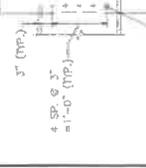
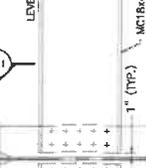
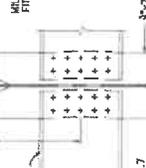
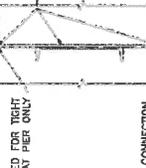
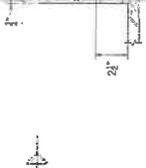
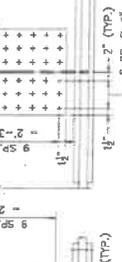
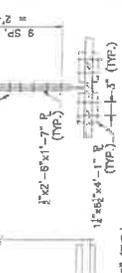
NOTES:

1. SEE CLIP DETAIL ON THIS SHEET.
2. END DIAPHRAGM CONNECTION SHALL BE WELDED TO BOTH SIDES OF FLANGE AND WELDED WITH 1/2" # FILLET WELDS BOTH SIDES OF FLANGE.
3. ALL PLATE ENDS.

INTERMEDIATE DIAPHRAGM DETAIL - D2
SCALE: 1" = 1'-0"

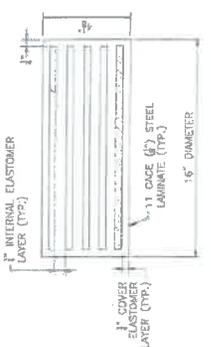
NOTES:

1. SEE CLIP DETAIL ON THIS SHEET.
2. END DIAPHRAGM CONNECTION SHALL BE WELDED TO BOTH SIDES OF FLANGE AND WELDED WITH 1/2" # FILLET WELDS BOTH SIDES OF FLANGE.
3. ALL PLATE ENDS.

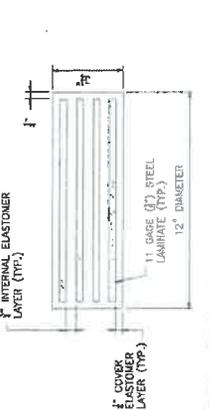


NOTES:

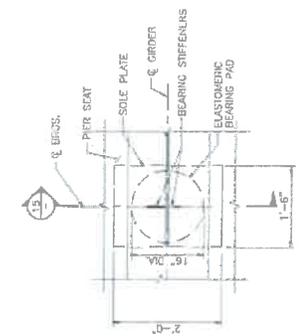
- ELASTOMER SHALL HAVE A HARDNESS OF 60 DUROMETER.
- STEEL LAMINATES SHALL CONFORM TO ASTM A 1011 GRADE 36.
- THE COMPRESSIVE DESIGN LOAD ON THE BEARING PAD LOCATED AT THE ABUTMENTS IS 121,300 KIPS. THE COMPRESSIVE DESIGN STRESS IS THE RESULT OF DIVIDING THE DESIGN LOAD BY THE AREA OF THE PAD AND IS EQUAL TO 1,073 KSI.
- THE COMPRESSIVE DESIGN LOAD ON THE BEARING PAD LOCATED AT THE PIERS IS 200,000 KIPS. THE COMPRESSIVE DESIGN STRESS IS THE RESULT OF DIVIDING THE DESIGN LOAD BY THE AREA OF THE PAD AND IS EQUAL TO 1,410 KSI.
- ELASTOMERIC BEARING PAD SHALL NOT BE VULCANIZED TO THE SOLE PLATE.



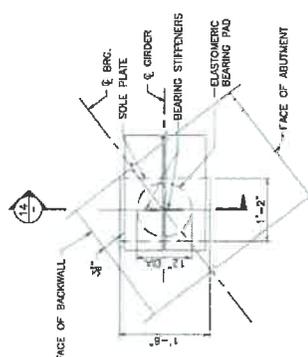
TYPICAL ELASTOMERIC BEARING PAD AT PIER
 NOT TO SCALE



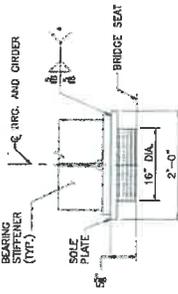
TYPICAL ELASTOMERIC BEARING PAD AT ABUTMENTS
 NOT TO SCALE



PLAN
 SCALE: 1" = 1'-0"

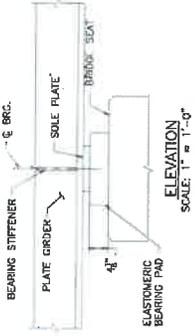


PLAN
 SCALE: 1" = 1'-0"



SECTION 14
 SCALE: 1" = 1'-0"

(*) - WELDS SHALL TERMINATE 1" FROM EDGE OF PLATE.



SECTION 15
 SCALE: 1" = 1'-0"

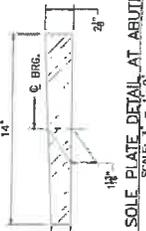
(*) - WELDS SHALL TERMINATE 1" FROM EDGE OF PLATE.

BRUCE FREEMAN RAIL TRAIL PHASE 2B
 PROJECT FILE NO. 656223

BEARING DETAILS



TYPICAL SOLE PLATE DETAIL AT PIER
 SCALE: 3/4" = 1'-0"

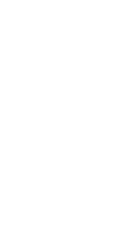
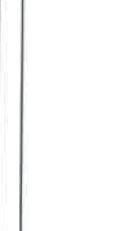
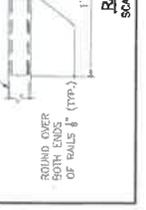
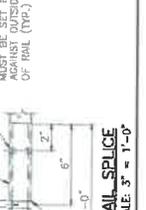
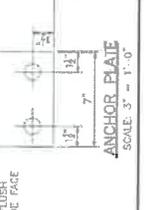
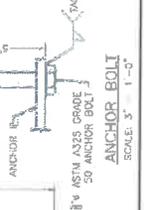
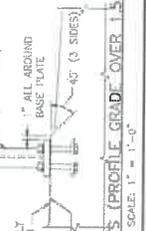
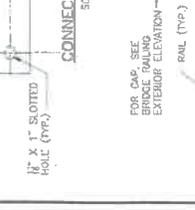
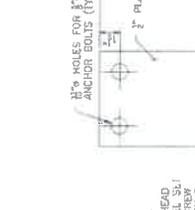
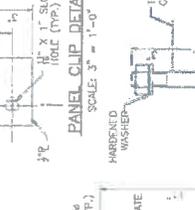
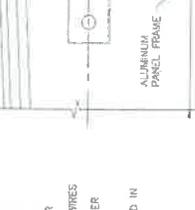
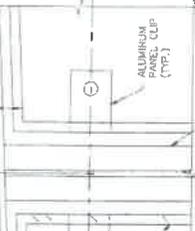
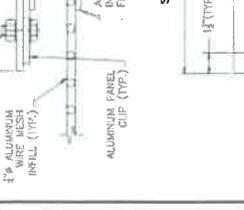
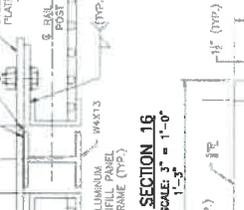
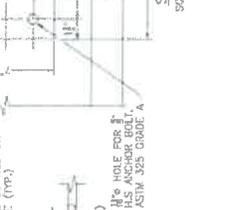
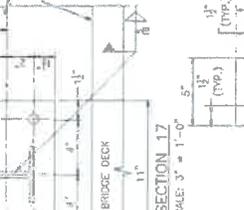
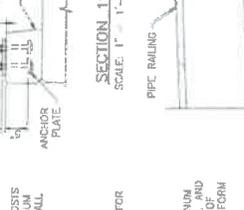
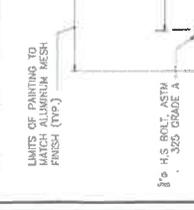
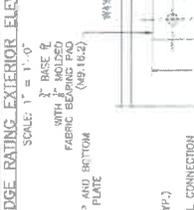
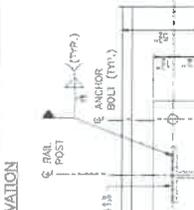
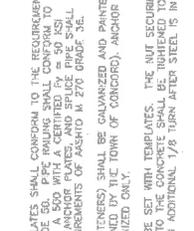
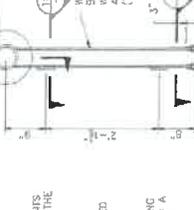
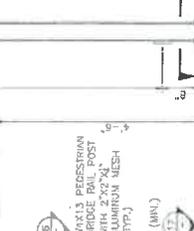
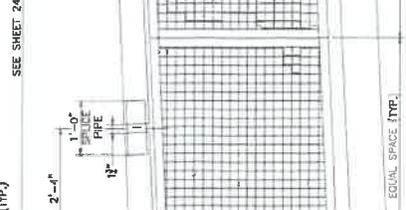
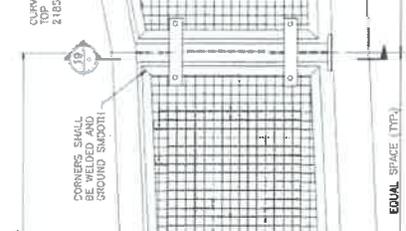
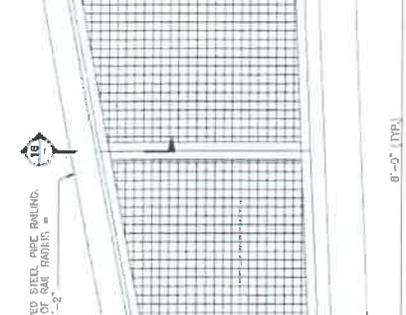
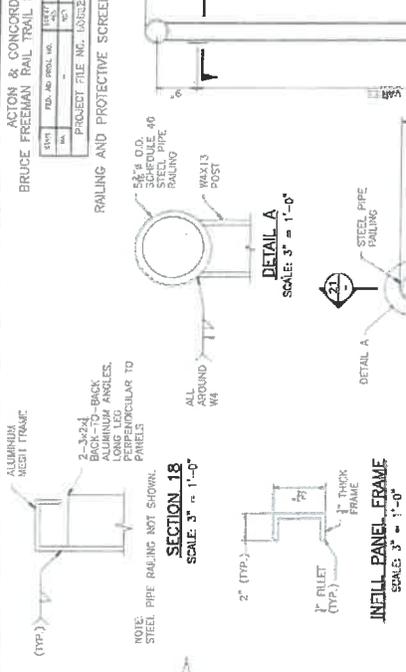


TYPICAL SOLE PLATE DETAIL AT ABUTMENTS
 SCALE: 3/4" = 1'-0"

- BEARING NOTES:
- STEEL SOLE PLATE SHALL CONFORM TO A513 M 270 GRADE 36 AND SHALL BE HOT-DIP GALVANIZED.
 - BEAM ERECTION SHALL BE CENTERED UNDER THE SOLE PLATE DURING BEAM ERECTION.
 - BEARS SHALL BE ERECTED WHEN THE AMBIENT TEMPERATURE IS BETWEEN 50°F AND 77°F. BEARS SHALL BE ERECTED AT AMBIENT TEMPERATURES. THEY WILL HAVE TO BE LOCKED AND THE ELASTOMERIC BEARINGS RECENTERED WHEN THE TEMPERATURE RETURNS TO THAT RANGE.

MONTH	DAY	YEAR	SCALE
			1" = 1'-0"
DATE			USE ONLY FOR THE PROJECT

BRUCE FREEMAN RAIL TRAIL PHASE 2B
 ACTION & CONCORD
 PROJECT FILE NO. 1010223
 DATE: 10/11/11
 DRAWN BY: [REDACTED]
 CHECKED BY: [REDACTED]
 ISSUED FOR: [REDACTED]

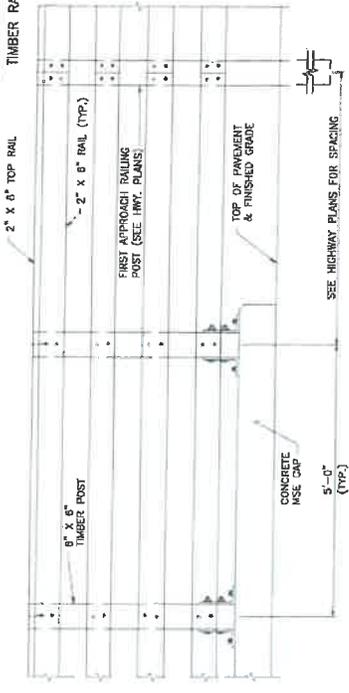


ACTON & CONCORD
BRUCE FREEMAN RAIL TRAIL PHASE 2B

DATE	REV. AND PROJ. NO.	BY	CHKD.

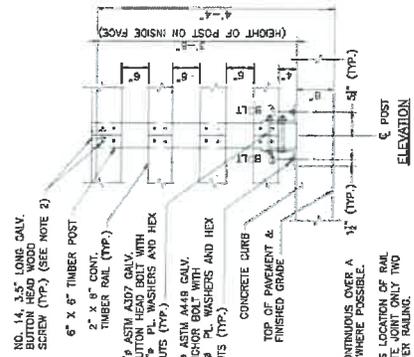
PROJECT FILE NO. 1092233

TIMBER RAIL TRANSITION



TIMBER BRIDGE RAILING TRANSITION TO APPROACH RAILING

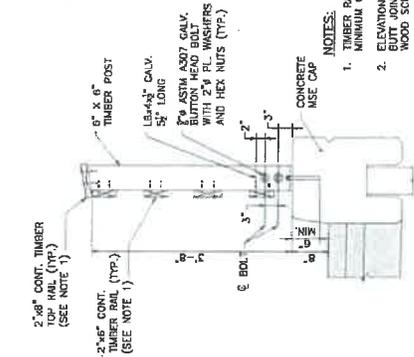
SCALE: 1" = 1'-0"



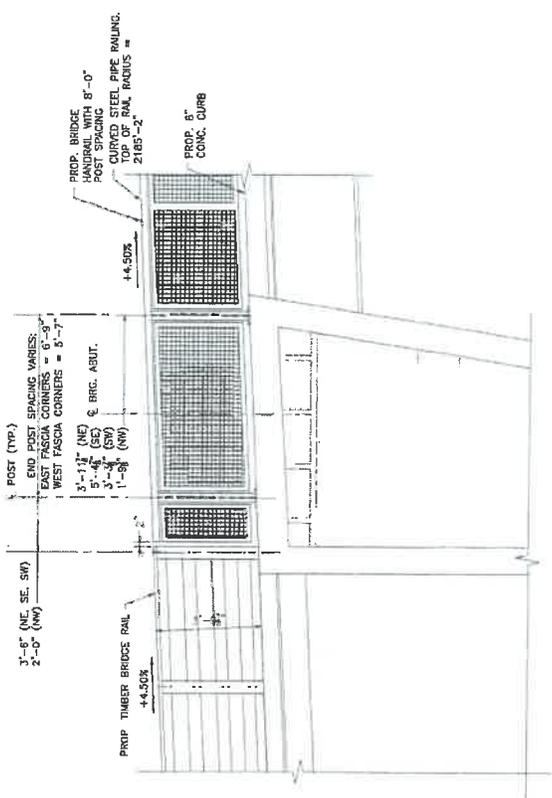
- NOTES:
- TIMBER RAILS SHALL BE CONTINUOUS OVER A MINIMUM OF THREE POSTS WHERE POSSIBLE.
 - ELEVATION SHOWN REFLECTS LOCATION OF RAIL BUTT JOINT, AT INTERMEDIATE JOINT ONLY TWO WOOD SCREWS REQUIRED PER RAILING.

TIMBER BRIDGE RAILING DETAILS

SCALE: 1" = 1'-0"



TRANSVERSE SECTION



PEDESTRIAN BRIDGE RAIL TO TIMBER RAIL TRANSITION

SCALE: 3/4" = 1'-0"

MONTH	YEAR	DATE	REVISION

USE ONLY BRIDGE NO. C-19-039