



TOWN OF CONCORD

Planning Division

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**To: Select Board
Stephen Crane, Town Manager**

**From: Planning Board
Elizabeth Hughes, Town Planner**

Re: Planning Board FY 2020-2021 Update & FY 2021-2022 Goals & Projects

Date: July 28, 2021

The following memo provides an update on the Planning Board's goals and projects for 2021-2022 and identifies goals and project that the Planning Board will develop for FY 2022-2023. The Board has provided a priority level for each task and an estimate on the level of time the Board and Town Planner will need to spend on each item.

2020-2021 Goals and Projects Status

1. 2021 Annual Town Meeting Zoning Bylaw Amendments - Completed

The Planning Board had four Zoning Bylaw amendments on the warrant for June 13th: Two-family dwellings by special permit in Residence C, required Floodplain Conservancy District updates, Exempt Restaurant Seasonal Outdoor Seating Parking Requirement, and Earth Removal Bylaw updates.

2. Thoreau Depot Business District Redevelopment – Partial Completion - Ongoing

The Planning Board has continued to work with MAPC on the development of draft zoning and design guidelines for the Thoreau Depot Business District. A public forum was held on June 22nd with 62 citizens participating. The MAPC Planner and Town Planner will begin to prepare final draft Zoning Bylaw amendments and design guidelines for consideration for the Board and the community for a fall or spring Town Meeting.

3. Concord's CrossTown Connect Shuttle - Cancelled

The Town was awarded a Workforce Transportation Grant to implement a shuttle that was sadly taken back by the State due to the COVID pandemic.

4. Neighborhood Conservation Districts – Not Implemented

The Board discussed the potential to Neighborhood Conservation Districts and determined that this type of zoning tool was one that needs to be a grassroots neighborhood initiative due to the property owner acceptance for there to be any success in implementation.

5. 2018 Envision Concord-Bridge to 2030 Comprehensive Plan - Completed

The 2018 Comprehensive Plan Section 5 Implementation Action Chart that has a total of 188 Action Items with the Planning Division referenced in 140 and the Planning Board referenced in 54 Items. The Board reviews these Action Items on an annual basis, identified timing, whether the Board should take the lead in moving forward and develops a list of Goals & Projects for the next 2 to 4 years.

6. Research effectiveness of Zoning Bylaw Section 6.2.13 (FAR Bylaw) and Section 7.1.5 (expansion of a nonconforming dwelling by more than 50%) – On-going

In support of the Envision Concord Plan, the Town's sustainability goals, and in response to resident input, the Board began researching special permits for expansions greater than 50% granted by the ZBA since the FAR bylaw was adopted and any special permits granted for going over the maximum FAR. The Board met with the ZBA to discuss the effectiveness of the two bylaws and Planning Board member Ms. McEaney began researching potential ways to amend the FAR to slow the continued mansionsization in the community.

7. Subdivision Rules & Regulations – On Hold

The Subdivision Rules & Regulations have not been updated since 2007. Since then Low Impact Development (LID) measures for stormwater drainage have been developed, the new MS4 Permit requirements under the EPA's National Pollution Discharge & Elimination System (NPDES) Program are now in effect, and the Town has adopted sustainability goals that are not reflected in the roadway construction standards. The consultant working with the Public Works Department on the Town's MS4 Plan has identified required updates to the Subdivision Rules & Regulations. Additionally, the Board has determined there are other sections of the Regulations that require significant updates. Town staff has determined that the level of updates will require the assistance from an outside consultant. Funding will likely not be available until FY23 (July 1, 2023).

8. Research Site Plan Rules & Regulations – Limited Progress – On-going

Zoning Bylaw Section 11.8.4 states that a Site Plan application shall be submitted in accordance with the rules and regulations. However, the Board has not adopted any. This is not a simple task given all of the elements and variables that go into a well thought out and successful site plan. The Town Planner has begun researching other communities that have adopted similar regulations. The Board needs to develop a list of elements they believe are characteristics of a good site plan, such as landscaping islands in parking lots, EV charging stations, maximum exterior light levels, or minimum tree caliper.

9. Tree Preservation Bylaw

The Board had a General Bylaw amendment for the Tree Preservation Bylaw following recommendations from the Town's Reviewing Agent, which were adopted by Town Meeting. The next step will be amendments to the Tree Preservation Rules & Regulations.

2021-2022 Goals and Projects

1. 2022 Annual Town Meeting Zoning Bylaw Amendments

In August, the Town Planner and Building Commissioner will present a list of potential bylaw amendments for discussion by the Board to determine if the Board wishes to move forward with a warrant article. The Board will continue to evaluate various Green Zoning and Sustainability measures that may be implemented within the Zoning Bylaw. The Town Planner will prepare draft bylaw amendments, presentations for the Board's public hearing and materials on the Articles that are moved forward.

Estimated Board time: High

Estimated Town Planner time: High

Implementation Priority: High

2. Thoreau Depot Business District Redevelopment

The Planning Board will continue to work with MAPC, property and business owners and the community on developing potential draft Zoning bylaw amendments and design guidelines. The MAPC planner will work with the Board to refine the visual graphics for the design guidelines. The Board will continue the public outreach on the final development of bylaw amendments for either a Fall Town Meeting if there is one or the 2022 ATM. The adoption of the design guidelines does not require Town Meeting approval but requires a noticed public hearing.

Estimated Board time: High

Estimated Town Planner time: High

Implementation Priority: Medium

3. Concord's CrossTown Connect Shuttle

If the State offers the Workforce Transportation Grant program again, the Town will submit another application to implement a shuttle from the two commuter rail stations to MCI-Concord Prison, Baker Ave. and Baker Ave. Ext., Emerson Hospital, Concord Center and employment sites on Virginia Rd. If awarded again, the DPLM Director, CrossTown Connect TMA and the Town's Visitor and Tourism Director will coordinate on the launch of the shuttle, including marketing and business support. When reviewing development applications, the Board will discuss with applicant' participation in CrossTown Connect TMA as a way to reduce traffic and further the Town's sustainability goals.

Estimated Board time: Low

Estimated Town Planner time: Low

Implementation Priority: Medium

4. 2018 Envision Concord-Bridge to 2030 Comprehensive Plan

The 2018 Comprehensive Plan Section 5 Implementation Action Chart that has a total of 188 Action Items with the Planning Division referenced in 140 and the Planning Board referenced in 54 Items. The Board will review these Action Items on an annual basis, identified timing, whether the Board should take the lead in moving forward and develop a list of Goals & Projects for the next 2 to 4 years.

Estimated Board time: Low

Estimated Town Planner time: Low

Implementation Priority: Medium

5. Analyze Measures to Address Mansionization

In support of the Envision Concord Plan, the Town's sustainability goals, and in response to resident input, the Board has been discussing the effectiveness of the Floor Area Ratio (ZBL Section 6.2.13) calculation to slow the continued mansionization in the community and preservation of smaller, more diverse housing stock. The Board will research possible amendments to the FAR calculation for preparation of a Warrant Article for the 2022 Annual Town Meeting. The Board will re-evaluate the potential for Neighborhood Conservation Districts.

Estimated Board time: Medium

Estimated Town Planner time: Medium

Implementation Priority: High

6. Subdivision Rules & Regulations

The Subdivision Rules & Regulations have not been updated since 2007 and the Board and Town staff have identified this as a high priority. The Board will work with the Town Planner and the Town Engineer on basic updates, drawing as much as possible on existing examples from other towns (e.g. Northampton), such as requiring the incorporation of Low Impact Development techniques for stormwater drainage in new subdivisions. However, a complete update to the construction standards requires significant coordination and consultation of many Town departments and assistance from an outside consultant. It is estimated that the cost for an outside consultant will be between \$65K to \$80K, depending on the level of involvement of the consultant in the public process. Funding for this has not been programmed into the Town Budget. The Town Planner will continue to look for ways to fund before FY 2023 the hiring of a consultant. If a funding source is found, the level of time will go from Low/Medium to High.

Estimated Board time: Low

Estimated Town Planner time: Medium

Implementation Priority: High, but budget constrained

7. Research Site Plan Rules & Regulations

The Board has not adopted Site Plan Rules & Regulations as required under Zoning Bylaw Section 11.8.4. The Town Planner has begun researching other communities that have adopted similar regulations. The Board will begin to develop a list of elements they believe are characteristics of a good site plan, such as landscaping islands in parking lots, EV charging stations, maximum exterior light levels, minimum tree caliper, implementation of LID measures and other sustainability methods. The Board will consider moving from a sustainability “check list” in site plan review to “requirements” – as allowed under MA law, especially as it relates to LID.

Estimated Board time: Medium

Estimated Town Planner time: High

Implementation Priority: Medium

8. Tree Preservation Rules & Regulations Update

The Board will review the memo from the Town’s Reviewing Agent consultant Davy Tree, which identifies recommendations for amendments to the Rules & Regulations and discuss changes with the Town’s new Land Manager, who is taking over the Reviewing Agent responsibilities. The Town Planner will draft proposed changes for discussion by the Board. The Board may wish to get feedback from local developers and certified arborist who have been working with the Tree Preservation Bylaw and Rules & Regulations. A noticed public hearing will be required to adopt any changes.

Estimated Board time: Medium

Estimated Town Planner time: Medium

Implementation Priority: Low

9. Update Parking Requirements

The Board believes that parking requirements drive many aspects of development in the community, some good and some bad if the requirements do not accurately reflect the needs for a particular use or the community. In July 2019, MAPC evaluated the Town’s zoning bylaw in comparison to industry parking standards (namely the Institute for Transportation Engineers, or ITE), policies in neighboring towns, and best practices for parking management and develop recommendations for zoning and policy changes to ensure the most efficient and effective use of existing parking resources, particularly around village centers. The Board will evaluate this report to determine if changes are required.

Estimated Board time: Low

Estimated Town Planner time: Medium

Implementation Priority: High

10. State Zoning Act; Chapter 40A, Section 3A – MBTA Community Zoning Requirement

With two commuter rail stations, Concord is a designated MBTA Community. The recently adopted Housing Choice legislation amended the Section 3A requiring MBTA communities to adopt zoning for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. The district of reasonable size shall have a minimum gross density of 15 units per

acre and be located not more than 0.5 miles from a commuter rail station. If an MBTA community fails to comply, it shall not be eligible for funds from the Housing Choice Initiative, the Local Capital Projects Fund and the MassWorks infrastructure program. Concord is not a designated Housing Choice community and has not received previous funds from the Local Capital Projects Fund or MassWorks program. Communities have not been informed by the State yet on when they will be required to meet this requirement, but spring of 2022 is still a possibility. The Town Planner will investigate whether the current by-right mixed-use business/residence provision in the Zoning Bylaw for the Thoreau Depot Business, West Concord Village and the West Concord Business Districts meets this new requirement.

Estimated Board time: Low

Estimated Town Planner time: Low

Implementation Priority: Medium