

**TOWN OF CONCORD
SELECT BOARD MEETING
FEBRUARY 13, 2023 | 5:30 PM**

TOWN HOUSE, 22 MONUMENT SQUARE

Join Zoom Meeting

<https://us02web.zoom.us/j/87330177167?pwd=bVE0b2dmUHpOejY0c1ljVGtpLzFBZz09>

Meeting ID: 873 3017 7167

Passcode: 844243

Toll-Free Dial In: 877 853 5257

AGENDA

#	Time*	Agenda Item
1.	5:30 PM	<p><u>Executive Session</u> pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation regarding Estabrook Road (<i>Town of Concord v. Rasmussen et al.</i>), as the chair declares that an open meeting may have a detrimental effect on the litigating position of the Town</p> <p><u>Executive Session</u> pursuant to M.G.L. 30A, § 21(a)(3), to discuss strategy with respect to litigation regarding 615 Lowell Road (<i>Archstone Builders LLC v. Concord Historic District[s] Commission</i>) as the chair declares that an open meeting may have a detrimental effect on the litigating position of the Town</p>
2.	6:30 PM	Approve Signs for Estabrook Road
3.	6:40 PM	<p>Consent Agenda</p> <ul style="list-style-type: none"> • Meeting Minutes: <ul style="list-style-type: none"> - February 28, 2022 - April 4, 2022 - April 11, 2022 - August 29, 2022 - September 19, 2022 - December 3, 2022 - December 5, 2022 - December 19, 2022 - January 30, 2023 • Executive Session Meeting Minutes for approval but not to be released: <ul style="list-style-type: none"> - January 9, 2023 - January 30, 2023 • Town Accountant Warrant: February 2, 2023, February 9, 2023 • One Day Liquor Licenses: <ul style="list-style-type: none"> - One Day Liquor License for All Alcoholic Beverages for the Concord Museum at Concord Country Club, 246 ORNAC, for the 2023 Golf Tournament on Saturday, June 5, 2023 from 10:30 AM to 9:00 PM - One Day Liquor License for Wine and Malt Beverages for Emerson Health at 51 Walden Performing Arts Center at 51 Walden Street for a Concert Fundraiser for Emerson Health on Saturday, April 1, 2023 from 7:30 PM to 9:30 PM
4.		Town Manager's Report
5.		Chair's Report
6.	6:50 PM	Public Hearing for Grant of Location Requests from Comcast of Massachusetts
7.	7:10 PM	Comcast Contract Renewal Presentation with Sue Buske of the Buske Group and Karlen Reed, Chair of PEG Access Committee

8.	7:30 PM	Wireless Communications Update with Jason Bulger, Chief Technology Officer and Chris Carmody, Risk and Compliance Manager
9.	7:50 PM	Information Technology Departmental Update with Jason Bulger, Chief Technology Officer, Neill Fotheringham, GIS Program Manager, and Dale Hartling, Broadband Manager
10.	8:20 PM	Munis Implementation Update with Gail Dowd, Chief Financial Officer
11.	8:35 PM	Approve Letter regarding Hanscom Field Development
12.	8:50 PM	Committee Nominations: <u>Historic Districts Commission:</u> Kate Chartener of 888 Sudbury Road as a Full Member representative for the Concord Museum for a term to expire January 1, 2027
13.	8:55 PM	Committee Appointments: <u>Diversity, Equity, and Inclusion Commission:</u> Joe Palumbo of 90 Black Horse Place for a term to expire April 30, 2025 <u>Historic Districts Commission:</u> Timothy Whitney of 315 Lexington Road as an Associate Member to represent the Concord Museum for a term to expire January 1, 2027
14.	9:00 PM	Correspondence
15.	9:05 PM	Select Board Liaison Reports
16.	9:15 PM	Public Comment
17.	9:20 PM	Adjournment

**Times are approximate and subject to change*

Current Board and Committee Vacancies
Agricultural Committee – Associate Member
Bruce Freeman Rail Trail Advisory Committee
Cemetery Committee
Commission on Disability
Comprehensive Sustainability and Energy Committee
Concord 2025 Executive Committee
Conservation Restriction Stewardship Committee
Council on Aging
Financial Audit Advisory Committee
Historic Districts Commission – Associate Member
PEG Access Advisory Committee
Personnel Board
Planning Board
Pollinator Health Advisory Committee
Transportation Advisory Committee
Trustees of Donations
West Concord Advisory Committee
West Concord Junction Cultural District
Zoning Board of Appeals – Associate Member

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February 28, 2022**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on February 28, 2022 at 6:30pm.

Present were: Terri Ackerman, Chair; Matthew Johnson, Clerk; Henry Dane. Susan Bates, and Linda Escobedo. Also present was Interim Town Manager Kerry Lafleur

Call to Order

Select Board Chair Terri Ackerman called the meeting to order at 6:30pm

Consent Agenda

Amended as follows:

- Minutes: December 6, 2021 Executive Session Minutes (not to be released), and January 20, 2022 Regular Meeting Minutes
- Holocaust Remembrance Proclamation
- Gift Acceptance: Alcott Parent Teacher Group donation of \$1,500 (raised at the Turkey Trot) to the Concord Recreation Scholarship Fund

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to approve the consent agenda as amended

Public Hearing: Change of Manager – Colonial Inn, 48 Monument Square

Upon a motion duly made and seconded, by a margin of 4-0 with one member abstaining, it was **VOTED:** to open the Public Hearing for consideration of a Change of Manager at the Concord's Colonial Inn One Corp, DBA Colonial Inn, located at 48 Monument Square.

Applicant Anthony Scott presented his credentials to the Board in consideration of his application to be manager of the Colonial Inn. He confirmed that he is TIPS certified after being asked by Chair Ackerman. Ms. Bates asked if the fifty (50) hours he will be working as listed in the application is realistic and the applicant confirmed that number. Mr. Johnson asked about progress made since the recent incident at the Colonial Inn regarding alcohol. Mr. Scott explained that all staff has been recertified for TIPS and they have updated their policies and retrained staff on alcohol awareness and serving.

Upon a motion duly made and seconded, by a margin of 4-0 with one member abstaining, it was **VOTED:** to close the Public Hearing for consideration of a Change of Manager at the Concord's Colonial Inn One Corp, DBA Colonial Inn, located at 48 Monument Square.

Upon a motion duly made and seconded, by a margin of 4-0 with one member abstaining, it was **VOTED:** to approve the application for a Change of Manager at The Colonial Inn located at 48 Monument Square.

Public Hearing: Change of Manager – Concord Rod and Gun Club, 74 Strawberry Hill Road

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Upon a motion duly made and seconded, by a margin of 4-0 with one member abstaining, it was **VOTED:** to open the Public Hearing for consideration of a Change of Manager at the Concord Rod and Gun Club located at 74 Strawberry Hill Road.

Applicant Michael Albanese presented his credentials to the Board in consideration of his application to be manager of the Concord Rod and Gun Club. He confirmed that all staff are TIPS certified. Chair Ackerman asked if he will be working forty (40) hours per week as listed in the application and the applicant confirmed that would be his average hours worked per week. Ms. Bates asked if they were open seven (7) days a week and the applicant confirmed that they are.

Upon a motion duly made and seconded, by a margin of 4-0 with one member abstaining, it was **VOTED:** to close the Public Hearing for consideration of a Change of Manager at the Concord Rod and Gun Club, located at 74 Strawberry Hill Road.

Upon a motion duly made and seconded, by a margin of 4-0 with one member abstaining, it was **VOTED:** to approve the application for a Change of Manager at the Concord Rod and Gun Club, located at 74 Strawberry Hill Road.

Town Manager's Report

Interim Town Manager Kerry Lafleur reminded the public about the upcoming public hearings and also noted that the Police Department had taken possession of its new Tesla cruiser. She indicated that she had attended a community forum at MCI Concord and met the new Superintendent and that the Fire Department had participated in training this past week with neighboring towns.

Ms. Lafleur indicated that the mask mandate had been lifted, but reminded residents that masks are still required in certain public spaces. She also announced that there will be a Patriots Day parade and more information will follow. The Interim Town Manager stated that the first round of interviews for a new Health Director were conducted this past week. She also confirmed that the Town has extended its hours that it is open to the public to pre-pandemic levels. Chair Ackerman asked about the Clean Water note in the written report and Ms. Lafleur explained the State's State Revolving Fund Program for the Board.

Chair's Remarks

The Chair confirmed that with the mask mandate being lifted, the Board will be going back to meeting live and in person for future meetings.

Ms. Ackerman announced that nominations are being accepted for the Honored Citizen of the Year and that they are due by March 4th.

Committee Nominations

Mr. Johnson confirmed the following nomination for reappointment to the Zoning Board of Appeals:

- Theo Kindermans, 252 Fairhaven Road, term expiring April 30, 2025

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- Ravi Faiia, 169 Plainfield Road, for an associate term expiring April 30, 2025

Chair Ackerman confirmed that their appointments will be on the agenda for consideration at the next Select Board meeting.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Eric Macy of 225 Prairie Street to the Trustees of Town Donations for a term to expire on June 30, 2024

License Renewals

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the Tour Guide licenses for the individuals listed in the Select Board packet for tonight's meeting.

Brief Update on 250th Committee

Mr. Dane, who is serving as the Board liaison to the Committee provided a brief update and indicated that they had received twenty-six (26) applications from residents volunteering to serve on the Committee. There was some brief discussion on the process, timeline and charge of the Committee.

Miscellaneous Correspondence

The board has received one letter regarding The Bruce Freeman Rail Trail.

Public Hearing for Annual Town Meeting

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to open to the public hearing for annual town meeting.

Nancy Crowley, of 5 Concord Green, and member of the Personnel Board, gave presentations regarding Articles 4, 5, and 6 as printed in the warrant.

- Mary Hartman, of 16 Concord Green asked if there is an estimate of the cost of these changes, and secondly if these changes put Concord on par with peer communities, or if they're ahead or just catching up.
 - Amy Foley, Human Resources Director responded that there would be no new direct cost, and several other towns are taking similar action putting Concord on par.
- Nancy Beeuwkes of 1360 Monument Street asked a question that was then directed to the Personal Bylaw Study Task Force, as it was unrelated to this article.
- Anita Tekle of 260 Virginia Road asked whether flexible leave has been considered.
 - Ms. Foley responded that flexible leave has been under consideration, but it is still under review as there are some complications regarding mechanics.

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Beverly Bryant of 175 Conant Street gave a presentation about Article 16, the citizen petition extending the moratorium on establishing new turf fields.

- Mr. Johnson had a comment regarding the clarity on the renewal of the moratorium in the article.
- Ms. Escobedo had a question regarding the study cited in the presentation, asking if it is peer reviewed.
 - Ms. Bryant responded that the study was only in the early stages and indicated detection, of another study cited only part 1 was released.

Kate Kavanagh gave a presentation on Article 23, the citizen petition. Following the presentation there was rigorous discussion between the Ms. Kavanagh, Select Board members, and members of the public. The highlights of that discussion are noted below.

- The presentation did not provide many specific details about how rank choice voting works, and Ms. Ackerman commented that having specific examples would be helpful at Town Meeting. It was remarked that the majority of questions made would have been answered if there were detailed examples of the mechanics of ranked choice voting.
- There was then a question regarding the language of the article as it relates to procedure, specifically the language around the amendment of the Town Charter. Town Moderator Ms. Reiss responded that subsequent action may not be needed, as the article is asking the Select Board to petition the legislature to enact home rule. After continued discussion regarding the language pertaining to the Town Charter, it was concluded that Town Counsel may need to review the language of this article.
- Town Clerk Kaari Mai Tari noted that the term ‘overvote’ is used in the warrant article without reference, and then asked if the article will include detailed process language for scenarios that could occur. For example, if someone puts more than one person as their first choice or if a person skips a rank, how is that counted?
- Dee Ortner of 169 Thoreau Street suggested that a handout be disseminated rather than have all these detailed put into the presentation.
- Claire Gordon had a question about how precincts would affect rank choice voting, if precincts counted votes at different speeds.

Ms. Terri Ackerman gave a presentation on Article 36. A discussion between the Select Board and the public followed, with the highlights noted below.

- Mr. Johnson asked who would decide which statement for opponent or proponent is used, and Ms. Ackerman responded that Town Counsel would decide.
- Mr. Johnson then asked if a booklet were to be mailed out, would that would require additional funding. The answer was possibly yes.
- A member of the public then commented on the neutrality of Town Counsel to evaluate the proponent and opponent statements.
- Dee Ortner of 169 Thoreau Street asked if there would be any impact on the waiting time in voting lines. The Town Clerk Kaari Mai Tari responded that the extra statement provided in the ballot would only be one sentence for the proponent statement and opponent statement.

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- Town Clerk Kaari Mai Tari then commented that there is a 7-day minimum timeframe where the town can send out the information, quoting the article to respond to questions regarding Town Counsel's role in the article.
- Karlen Reed of 83 Whits End made a statement in favor of the article because as a poll worker in the last election, they witnessed many people struggle to vote for lack of information and explanation, saying this article would remedy that issue.
- Diane Proctor of 57 Sudbury Road also made a statement in support of the article.

Joseph Stein of 21 Thoreau Street gave a presentation on Article 37. A discussion between the Select Board and the public followed, with the highlights noted below.

- Mr. Johnson asked Mr. Stein if the revenue that stays with the retailer is tax exempt, Mr. Stein responded that he was unsure of the answer.
- Mr. Johnson asked if the similar petitions in Sudbury and Lincoln had been approved, Mr. Stein was also unsure about the current status of those petitions.
- Mr. Johnson asked if there was any indication that the state would create a statewide program for this topic that towns can opt in to.
 - Mr. Stein responded that having a statewide program has been suggested and said that the town could wait for the state to possibly make a statewide program, or Concord could move on its own accord.
- Dee Ortnor of 169 Thoreau Street asked if having the Board of Health enforce this Article would have economic impact. A discussion regarding enforcement then followed with no direct answer to this question.
- Pamela Dritt of 13 Concord Green Unit 4 voiced her support of this article because having it as a rule makes it a level playing field and allows everyone to do the same thing.
- Janet Rothrock of 618 Annursnac Hill Road commented that the Board of Health already enforces the plastic bag reduction bylaw enacted a few years ago; thus it is not entirely out of their purview. Ms. Rothrock then commented that while having a patchwork system for this across towns is unfortunate, the end result would encourage the state to create a uniform rule.
- Stephen Bader commented that the Board of Health already deals with plastic bags and polystyrene packaging. The delegation of responsibility makes sense.

Citizen petitioner Dean Banfield of 73 Walden Terrace, member of the Finance Committee presented as an individual citizen on Article 38. A discussion between the Select Board and the public followed, with the highlights noted below.

- Ms. Bates had a question regarding the capacity of storage batteries. Mr. Banfield then provided a detailed background on storage batteries, recent similar action in Sterling, and his coordination with the Concord Municipal Light Plant.
- A member of the public asked if there was any anticipated tree clearing, Mr. Banfield said yes, but that they would first consider and evaluate locations that wouldn't require additional clearing.
- Mary Hartman of 16 Concord Green had a question about coordinating with the Light Board and the Concord Municipal Light Plant (CMLP). Mr. Banfield then gave a detailed response to

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his work with those organizations, and integrating their strategic plan with the town's climate action plan.

- Karlen Reed of 83 Whits End asked if this article had received any endorsements, and Mr. Banfield responded that one committee had voted affirmative action on it, while others had yet to hear the presentation, including the CMLB.
- Pamela Dritt of 13 Concord Green voiced her support of this article for several reasons, the primary being the necessity to move quickly on installation in a thoughtful way.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to close the public hearing.

Adjournment

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to adjourn.

**Town of Concord
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April 4, 2022**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on April 4, 2022 at 6:30pm.

Present were: Terri Ackerman, Chair; Matthew Johnson, Clerk; Henry Dane, and Linda Escobedo. Also present was Interim Town Manager Kerry Lafleur

Call to Order

Select Board Chair Terri Ackerman called the meeting to order at 6:30pm

Moment of Silence

A moment of silence was held out of respect for Nancy Cronin, long-time Town Clerk and active volunteer in many Concord community groups who had recently passed away.

Consent Agenda

Amended as follows:

- Town Accountant Warrant: March 31, 2022
- Approval of revised November 22, 2021 Executive Session minutes
- Gift acceptance: \$100,000 from James B. Terry, Jr. for electrification of municipal vehicles and equipment

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda as amended

Town Manager's Report

Interim Town Manager Kerry Lafleur announced that absentee voting by mail was now available, and let the public know the upcoming deadlines for registering an absentee ballot online and in-person. The Town Manager also notified the Select Board of the retirement of Firefighter Arthur St. John, a life-long resident of Concord. In her report, Town Manager Lafleur reminded the public that April is Autism Awareness month, and that the Concord Police Department was planning activities and events to support and spread social awareness around autism.

The Town Manager announced that the Concord DPW was preparing to do line-striping and other road work around Hubbard Street later in the month. Other roadway improvements scheduled to take place around Commonwealth Avenue were anticipated to happen towards the end of April. Additionally, the Highway and Grounds Division opened the Town's compost site, which is available to all Concord residents for non-commercial purposes. Town Manager Lafleur also announced that rebates were now available for air source heat pumps for whole homes or partial home improvements. Lastly, the Town Manager stated that the Bike Share Program had kicked off on April 2, 2022 with bikes available at two locations.

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Chair's Remarks**

Select Board Chair Ackerman reminded the public that the Town Election would be held on April 12, 2022 and that the upcoming Town Meeting was scheduled for May 1, 2022 at the Concord Carlisle Regional High School Gymnasium. The Chair also announced that several Patriots Day activities were coming up later in the month (more information published on the Town's website). Chair Ackerman included an announcement for an upcoming forum organized by the Fiber Broadband Task Force, which would be held on April 14, 2022 at 7pm in the Town House in her remarks.

Request for Handout at Town Meeting – Concord for Ukraine

Concord for Ukraine is a group of concerned Concord citizens who have come together to raise money and provide medical equipment to those on the frontlines in Ukraine through a Boston-based organization called Ukraine Forward. The group has come forward to request the Select Board receive approval from the Town Moderator for the distribution of any handouts or other printed materials at the upcoming Town Meeting to be held on May 1, 2022.

Select Board Member Henry Dane prepared a proclamation on behalf of the Town to declare support for Ukraine in the context of Patriots Day. Matthew Johnson, Clerk voiced his personal support for the Ukrainian cause, and remarked that Concord is a beacon of great democracy. However, he was concerned that making a proclamation as a Town in support of Ukraine sets forth a precedent of weighing in on international affairs. Chair Ackerman recognized that the Select Board has voted in approval of other proclamations regarding various humanitarian efforts in the past, so she would agree to support the draft proclamation presented by Mr. Dane.

Upon a motion duly made and seconded, by a margin of 3-0 with one member abstaining, it was **VOTED:** to adopt the proclamation "Recognizing the Suffering and Heroism of the Ukrainian People, and the Struggle for Liberty and Independence: Patriots Day 2022"

Endorse Historical Commission letter re: Battle Road

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** that the Select Board endorse the letter drafted by the Historical Commission (dated March 28, 2022) as printed in the packet for the April 4, 2022 Select Board Meeting.

Update: Board and Committee Database

Town Clerk Kaari Mai Tari gave an update on the development of the board and committee member database. Chair Ackerman asked for a report of board and committee vacancies when it is possible; then, for a monthly update once the record-keeping mechanism in place is working autonomously. Select Board member Henry Dane asked for a compilation of the charges for all committees, along with membership data.

Take positions on Town Meeting Articles: Articles 18, 31, 34, 35

Article 18 – Concord Public Schools Budget

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REPORT AT TOWN MEETING.

Article 31 – Zoning Bylaw Amendment – Additional Dwelling Unit

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to take affirmative action on Article 31 as amended on April 4, 2022.

Article 34 – Industrial Park B Zoning District Boundary

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to take affirmative action on Article 34 as printed in the Warrant.

Article 35 – Citizen Petition: Zoning Bylaw Section 10 Planned Residential Development Update

REPORT AT TOWN MEETING.

Select Board Clerk Matthew Johnson asked if the Planning Board had deliberated on this matter before the vote for this evening. The rest of the Select Board agreed that they would rather take a position after the Planning Board’s next meeting.

Discuss and take position on CPC Article 26

Article 26 – Community Preservation Committee Appropriation Recommendations

Upon a motion duly made and seconded, by a margin of 3-1 with one member opposed, it was

VOTED: to recommend affirmative action on Article 26 as it appears in the Warrant.

Chair Ackerman asked what would happen if the Bruce Freeman Rail Trail improvements were not funded. Marcia Rasmussen, Concord Director of Planning & Land Management stated that for \$30K in funding, tasks included installing signage for safety and other amenities along the rail trail (including a connection to the Department of Corrections Prison Cemetery) that are currently not available. Regarding the Assabet River Pedestrian Bridge, Chair Ackerman also asked if anyone has approached the businesses in West Concord or on Baker Avenue to see if they would donate to this effort. Elizabeth Hughes answered that Planning & Land Management has not approached businesses yet. It was also stated that the project cost was going up because of the public bid process and prevailing wage requirements required to get on the State’s FY23 Transportation Improvement Program list. Elizabeth Hughes added that the project has been in the Planning phase for the last five (5) years.

Regarding the Assabet River Bluff project funding, Select Board member Henry Dane voiced a concern about the amount of housing that would be provided, but he recognized that was not necessarily in control of the CPC.

Select Board Clerk Matthew Johnson asked if more funding from the total \$12M project cost could be put towards increasing the number of housing units and allocation of land. Select Board Member Linda Escobedo reinforced that over the course of many meetings and conversations, the Board has been trying to meet dual Town goals between housing and maintaining green space while organizing multiple sources of funding and unique funding methods through neighborhood initiatives.

Discuss and take position on Articles: 25, 29, 32, 33, 36, 37, 38, 45

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**Article 25 – Assabet River Bluff Preservation Project
REPORT AT TOWN MEETING.**

While observing the MOU for the Assabet River Bluff Preservation Project, Chair Ackerman asked how much of the funding is coming from the Town, and how much is from fundraising groups. Lee Smith, Chair of the CHDC stated that many entities were helping fund the acquisition of the project, including the Concord Housing Foundation and several open space and conservation groups. Between the CPC and Concord Affordable Housing Municipal Trust, approximately \$1.65M in cost, with various state grants contingent to reduce the amount of funding requested from the Town. Discussion between the Select Board and CPC members ensued around the topic of potential dealing with a surplus of fundraising monies, where they could be allocated in context of the project, and how to reimburse the Town and CPC in the event the fundraising goal is surpassed. There was also dialogue about the number of whether the amount units included in the project could be adjusted without affecting funding mechanisms.

Article 29 – Annual Appropriation of Parking Meter Receipts

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to take affirmative action on Article 29 as it appears in the Warrant.

After discussion regarding what may happen if Article 29 was not funded, it was suggested by Interim Town Manager Kerry Lafleur that the Town could look into negotiating a one-year extension of the parking meter contract to perform an analysis, and provide an opportunity for the public to weigh in.

**Article 32 – Zoning Bylaw Amendment – Formula Business
REPORT AT TOWN MEETING.**

Select Board Member Henry Dane voiced opposition to the Formula Business Zoning Bylaw Amendment and recommended repealing it. Select Board Clerk, Matthew Johnson also voiced concerns about compromising the constitutional integrity of the Town's existing formula-based business district regulations if they were extended to the only major remaining business district in town.

Article 33 – Zoning Bylaw Amendment – Zoning Map & Thoreau Depot Business District

Upon a motion duly made and seconded, by a margin of 3-1 with one member opposed, it was
VOTED: to take affirmative action on Article 33 as it appears in the Warrant.

Article 36 – Adopt Local Ballot Option Pursuant to Mass. Gen. Laws 53

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to recommend affirmative action on Article 36 as it appears in the Warrant.

Chair Ackerman answered questions that were raised about the cost of printing and mailing absentee ballots and subcommittee involvement prior to the Select Board voting on adopting local ballot option pursuant to Mass. Gen. Laws 53.

**Article 37 – Checkout Bag Charge
REPORT AT TOWN MEETING.**

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A motion was made to recommend affirmative action on Article 37 as amended and distributed at the April 4, 2022 Select Board meeting, but it was not seconded. Another motion was made to take no action on Article 37; it was seconded, but failed by a margin of 1-3 with three members opposed.

Article 38 – Citizen Petition: Development Plan for Municipal Solar Generation

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to recommend affirmative action on Article 38 as printed in the Warrant.

Wendy Rovelli, Chair of the Concord Light Board announced that the Light Board voted in favor Development Plan for Municipal Solar Generation, but had concerns about the workload, and may need additional resources and time to implement this initiative.

Article 45 – Beede Swim & Fitness Center Enterprise Fund Expenditures

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to recommend affirmative action on Article 45 as printed in the Warrant.

Discuss and take position on the Reformatory Branch Articles 46 & 47

Article 46 – Citizen Petition: Reformatory Branch Trail Feasibility Study

REPORT AT TOWN MEETING.

Article 47 – Citizen Petition: Preserve Concord’s Reformatory Branch Trail

Upon a motion duly made and seconded, by a margin of 3-1 with one member opposed, it was

VOTED: to recommend affirmative action on Article 47 as it appears in the Warrant.

Interim Town Manager Kerry Lafleur spoke to other sources of funding available from unused funds from the Concord Fire Department, however, she recommended to raise and appropriate funding for Article 46. Discussion ensued regarding the topics that the study should focus on in the event affirmative action is taken on Article 46. Select Board member Linda Escobedo asked what channels of review the study passed through. Chair Ackerman acknowledged that the Transportation Committee voted to take no action on the Reformatory Branch Trail Feasibility Study. Nick Pappas, Chair of the Transportation Committee remarked that the Town has never stated what the purpose of the Reformatory Branch Trail should be; thus, the position of the Committee was that broad outreach was needed as a part of a public open meeting law disclosure process to make this determination before a feasibility study should be endorsed and funded.

Resident Wayne Lobb gave a presentation with 16 slides of information and data as presented to the Concord Trails Committee on March 29, 2022. Several residents voiced opinions about the stewardship, inter-connectivity and needs for the trail. Nick Pappas, commented that the Reformatory Branch Trail is unique to other trail systems in Town because it is not located on a conservation easement, thus making the Town the proprietor of the land.

Discuss and take position on Article 23, Kate Kavanaugh, Petitioner

Article 23 – Citizen Petition: Ranked Choice Voting for Concord Elections

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Upon a motion duly made and seconded, by a margin of 3-1 with one member opposed, it was **VOTED:** to take affirmative action on Article 23 as amended with the Clerk's recommendation.

Chair Ackerman asked the Town Clerk, Kaari Mai Tari if her office would implement ranked choice voting (RCV) if Article 23 passes. The Clerk stated that she would request an amendment to wait sixty-four (64) days to implement ranked choice voting for Concord elections because it would not be feasible to execute for the upcoming Town Election to be held on April 12, 2022. A brief presentation on RCV was presented to the Select Board prior to voting on Article 23. Select Board member Linda Escobedo asked about how the Town envisions educating the public about RCV, and also what costs are associated with implementing this new system. Town Clerk Kaari Mai Tari answered that there is a tabulation mechanism to purchase for \$5K or rent for approximately \$1.5K. Ballot printing costs would not change, but ballot coding would be contingent to extra charges.

Assign motion makers, writers, speakers for various articles

Susan Bates: Articles 4,5,6,46,47

Terri Ackerman: Articles 7,8,9,10,13,14,17,18,19,20,21,22,27,28,36,48,49

Matthew Johnson: Articles 11,12,16,23,29,31,33,37,45

Linda Escobedo: Articles 24,25,26,30,32,34,35

Henry Dane: Articles 40,41,42,43,44

Committee Nominations

Select Board Clerk Matthew Johnson confirmed the following nomination for reappointment to the Planning Board:

- Mark W. Giddings of 474 Barretts Mill Road, with a term of June 1, 2022 - May 31, 2027

Chair Ackerman confirmed that their appointments will be on the agenda for consideration at the next Select Board meeting.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint James Bartlett Littlefield of 523 Bedford Street to the Board of Registrars for a term to expire on April 30, 2025

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Ha Richmond of 144 Nashoba Road to the Cultural Council for a term to expire on April 30, 2025

Liaison Reports

Tabled to next meeting.

Miscellaneous Correspondence

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Leading up to the April 12, 2022 Select Board meeting, a great deal of miscellaneous correspondence was received from community stakeholders regarding the Town Meeting Warrant Articles.

Public Comment

One comment was made by a resident that a Comprehensive Parking Study had been completed in 2013 which could be a helpful reference for background on data when taking a position on parking meters if the information is not outdated.

Adjournment

Chair Ackerman adjourned the meeting.

**Town of Concord
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Pursuant to a notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting in the Second Floor Meeting Room and via Zoom on April 11, 2022 at 6:00 PM.

Present were Terri Ackerman; Chair, Matthew Johnson; Clerk, Henry Dane, Linda Escobedo, and Susan Bates. Also present was Kerry Lafleur, Interim Town Manager.

Call to Order

Chair Ackerman called the meeting to order at 6:00 PM.

Executive Session – Litigation: Estabrook Woods

Chair Ackerman declared that an open session discussion of the Estabrook Woods litigation could have a detrimental effect on the litigating position of the Town.

Upon a motion duly made and seconded, it was

VOTED: to adjourn to executive session to discuss Estabrook Woods litigation pursuant to MGL c. 30A, Section 21(a) Paragraph 3, to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Kay-Read v. Town of Concord). The Select Board will convene in open session immediately after the adjournment of executive session.

Roll Call Vote

Ms. Ackerman: Aye
Ms. Bates: Aye
Mr. Dane: Aye
Ms. Escobedo: Aye
Mr. Johnson: Aye

Consent Agenda

- Minutes to approve: September 27, 2021
- Eagle Scout recognition letters (2)
- Gift acceptance:
 - Concord-Carlisle Youth Baseball donation of backstop padding and carpet worth approximately \$9,000.00 for Rideout Field.
 - Approve request from the Concord Recreation Commission for field lining to establish an outfield boundary where a fence normally would exist. Concord Public Works has agreed to paint the playing field boundary line.
- Request to Extend Alcohol Serving Hours:
 - by Colonial Inn, for Easter Sunday, April 17, 2022, to start serving at 10:00am
- One Day Liquor License
 - Annabel Winterberg, Concord Museum, for Concord Museum Annual Gala at Concord Country Club on May 14, 2022, 5:30-11:30pm
 - Annabel Winterberg, Concord Museum, for Concord Museum golf tournament, at Concord Country Club on June 20, 2022, 12noon-8pm
 - One Day Special Liquor Licenses for the Sale of All Alcoholic Beverages at Concord Country Club, 246 Old Road to 9 Acre Corner on the following dates

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(22 total):

- 4/30/2022 at 5:00pm-11:30pm
- 5/6/2022 at 5:00pm-11:30pm
- 5/10/2022 at 5:00pm-11:30pm
- 5/13/2022 at 12:00pm-6:00pm
- 6/3/2022 at 1:00pm-5:00pm
- 6/4/2022 at 8:00am-3:00pm
- 6/17/2022 at 12:00pm-6:00pm
- 6/23/2022 at 12:00pm-6:00pm
- 6/25/2022 at 8:00am-6:00pm
- 6/26/2022 at 8:00am-6:00pm
- 7/21/2022 at 7:00am-5:00pm
- 7/22/2022 at 7:00am-5:00pm
- 7/29/2022 at 12:00pm-6:00pm
- 8/5/2022 at 11:00am-9:00pm
- 8/6/2022 at 11:00am-9:00pm
- 8/26/2022 at 12:00pm-6:00pm
- 9/8/2022 at 11:00am-10:00pm
- 9/9/2022 at 11:00am-10:00pm
- 9/10/22 at 11:00am-10:00pm
- 9/23/22 at 12:00pm-6:00pm
- 10/13/22 at 12:00pm-6:00pm
- 11/4/22 at 5:00pm-11:30pm

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to approve the consent agenda.

Interim Town Manager's Report

Ms. Lafleur reviewed the Town Manager's Report which was included as part of the Select Board meeting packet. Ms. Lafleur also thanked the Town's dispatchers for their work, as that week was National Public Safety Telecommunicators Week. Ms. Lafleur also announced the hiring of a new Health Director, Melanie Dineen.

Ms. Bates asked about the interview panel for the new Health Director, and whether a member of the Board of Health had participated in the interviews. Ms. Lafleur stated that a member of the Board of Health had been included in the interviews.

Mr. Johnson asked if the \$25,000 per year settlement figure from the Opioid litigation, referenced in the Town Manager's report, would be appropriated to the Health Department and used to battle the substance abuse epidemic. Ms. Lafleur stated that while there no official plans for the funds, the money would be used to mitigate substance abuse and addiction issues facing the Town. Mr. Dane asked if the funds would be used to purchase Narcan carried by the Police Department, and Ms. Lafleur stated that the Town would look at that as an option.

Chair's Remarks

Chair Ackerman reminded residents of the upcoming election, Town Meeting, and Patriots Day

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parade. Chair Ackerman also noted the next Select Board meeting would be held on April 25, 2022.

Ms. Escobedo asked if the Board would be asked to march in the Patriots Day parade. Mr. Dane stated that had not had an opportunity to reach out to the Committee which organized the parade, but that he would ask the committee.

Public Hearing—Petition by National Grid for Gas Main on Commonwealth Avenue

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to open the Public Hearing on the petition for a grant of location filed by National Grid for gas mains located at 75-135 Commonwealth Avenue.

Mary Mulrone, a representative from National Grid, reviewed the Grant of Location Petition submitted to the Select Board.

Chair Ackerman asked about the timeline to perform the work presented in the Grant of Location petition. Justin Richardson, the Town's Assistant Engineer, stated that he would like to revise the date of completion in the petition to May 27, 2022. Mr. Johnson also voiced concerns regarding the proposed work timeline. The Board and Mr. Richardson discussed the need to complete the work prior to September 30 so the Town could perform work related to the Complete Streets program. Mr. Richardson requested that the work by National Grid be completed by the end of May.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to close the public hearing.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the petition as included in the Board packet for this meeting with the exception of the completion date in Section 2 that all work must be completed by May 27, 2022, and for the weekend of May 21 & 22 that all equipment needs to be removed, all trenches filled, and the area made accessible for participants in the Spring into West Concord Junction Day.

Draft of the 5G Small Cell Policy

Jason Bulger, the Town's Chief Information Officer, reviewed the presentation regarding the 5G Small Cell Policy as included in the Select Board meeting packet, including the draft of the policy.

The Board and Mr. Bulger discussed some of the court challenges faced by other communities regarding 5G, the need for Town Counsel to review the policy, and some proposed changes to the policy. Mr. Dane suggested that the Board not need to require 10 copies of plans to be delivered by applicants. The Board also discussed the need to ensure that these installations are aesthetically appropriate for Concord. The Board and Mr. Bulger also discussed the possibility of creating an online application

Karlen Reed, of 83 Whits End, asked which Board in Town would hold the hearings, and which Board was best equipped to handle this. Mr. Johnson noted the Planning Board reviews the applications, and that the applications should be well circulated in Town. Ms. Lafleur suggested a

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30-day public comment period on each application.

Review Speakers for Various Articles, Take Position on Articles 18 & 35, Discuss and Take Positions on Articles 25, 32, 37, 46

The Board reviewed their speaking responsibilities for Town Meeting. The Board also discussed which articles should be included in their Town Meeting handout. Chair Ackerman stated that she would work with Carmin Reiss, the Town Moderator regarding the Select Board's speaking responsibilities. Chair Ackerman requested that the Select Board send their comments for each article to Robyn Lafrance, the Senior Administrative Assistant in the Town Manager's Office, who would then forward them to Chair Ackerman for compilation.

Article 18

The Board discussed Article 18, Concord Public Schools Budget, and Chair Ackerman explained that there was a \$312,000 gap between the Finance Committee guideline and the School Committee budget vote. Chair Ackerman stated that the two committees met on Thursday April 8, 2022, and had a productive discussion. Dr. Laurie Hunter stated at the April 8 meeting that the school had made several cuts. The Finance Committee stated that salaries were up 4.8% per year, and they had reservations about the budget in subsequent years. Chair Ackerman stated that the Finance Committee would be submitting a proposal to the School Committee to close the budget gap. Ms. Bates shared her opinion that the salary increases were likely not sustainable, especially when other portions of the school budget were being cut. The Board agreed not to take a position on the Article until the two committees had come to an agreement.

Article 35

Chair Ackerman explained that the Planning Board unanimously voted to take a position of "No Action" on Article 35, Residential Development Update. Chair Ackerman suggested the Board defer to the expertise of the Planning Board and take a position of "No Action" on Article 35.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to take a position of "No Action" on Article 35.

Article 25

Chair Ackerman thanked the public for their letters of support for Article 25, Assabet River Bluff Preservation Project, and noted that she had not received one letter of opposition to the project. Mr. Johnson asked about the funding for the project. Liz Rust, the Director of the Regional Housing Services Office, stated that if the Town was able to exceed the fund raising, or are awarded a grant, the surplus funds would be used for the stewardship of the project. Mr. Johnson was concerned that the stewardship fund was not described in the Memorandum of Understanding (MOU). Ms. Rust further explained that she anticipated knowing more about the award of the grant prior to Town Meeting. Ms. Bates asked about the two different grants the Town had applied for, and the stipulations for each, and if the funds could be used for the same purposes. Delia Kaye, the Town's Natural Resources Director, stated that the Town had applied for a Land and Water Conservation Funds grant in the amount of \$500,000 for the acquisition, and if that grant was not awarded the Town anticipated applying for the MVP grant for the land acquisition. She added that the MVP

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grant would also provide for things like an ADA compliant trail construction and invasive species removal. Ms. Kaye added that the Town would only be able to receive funding for one of those grants. Ms. Kaye stated that the Land and Water Conservation Funds grant would be for the open space acquisition only. Ms. Kaye further explained that the Concord Land Conservation Trust would be creating the stewardship fund for the project. Mr. Dane asked if the pledges received were conditional or unconditional, and Ms. Rust explained that they were conditional pledges. Ms. Rust also stated that the closing date for the project was July 29, 2022. Ms. Lafleur explained that if the Town received the grant, then the Town would not need to access the funds from Article 25. Mr. Johnson explained that his goal was propel the affordable housing aspects of this project forward. Ms. Rust explained that this project was feasible because it had an affordable housing component and an open space component. Mr. Johnson stated that in the absence of an affordable housing plan; he would not want to pass on the opportunity to secure two units of affordable housing. Ms. Escobedo thanked the many different groups that collaborated to make this project possible. Ms. Kaye added that even if a grant was awarded the Article 25 funds would still be needed as a bridge loan and would then be refunded to the Town. Ms. Lafleur stated that the Town wouldn't be borrowing funds on a short-term basis to cover funds from a grant the Town knew was forth coming.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to recommend affirmative action on Article 25 as written in the warrant.

Article 32

Chair Ackerman reviewed the previous discussions the Board held on Article 32, Zoning Bylaw Amendment—Formula Business. Mr. Johnson explained that the Board had decided to wait until the Planning Board had taken a position on the Article, and that the Planning Board had recently voted 4-1 to recommend affirmative action on the Article. Mr. Johnson stated that he would like to hear from Town Counsel regarding the Article. He further stated that his biggest concern was preserving the Formula Business regulations already in place in Town. Ms. Escobedo stated that Town Counsel would be reviewing all the motions prior to Town Meeting.

Upon a motion duly made and seconded, it was 3-2

VOTED: to recommend affirmative action on Article 32 as printed in the warrant.

Ms. Escobedo asked Mr. Johnson for an article that he had referenced in a prior discussion. Ms. Reiss added that she and Elizabeth Hughes, the Town Planner, had discussed the article referenced by Mr. Johnson with Town Counsel.

Article 37

Chair Ackerman stated that the Board had discussed Article 37, Impose a Checkout Bag Charge, twice with the petitioner and asked if the Board was ready to take a position on the Article. Chair Ackerman stated that she believed the idea was a good concept, but that it may not be ready for implementation. Mr. Johnson stated that bylaws like this were already in place in other municipalities, like Sudbury. Ms. Escobedo reminded the Board of her concerns regarding the impact of the bylaw on smaller businesses versus larger ones. Mr. Dane asked that in the absence of legislation, did the Town have the authority to require merchants to charge a fee for any service? Mr. Johnson explained that the Town would only be asking for a Special Act of the Legislation.

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Upon a motion duly made and seconded, it was 3-2

VOTED: to recommend affirmative action on Article 37 as amended and distributed to the Board on April 4.

Following the vote, the Board determined that they would like to take up their position on this article again at a future meeting.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to rescind the vote taken on Article 37.

Article 46

Chair Ackerman reminded the Board that during their last conversation they were discussing the funding source for the Article 46, Citizen Petition: Reformatory Branch Trail Feasibility Study. Ms. Lafleur explained that her concern regarding the Article was that the project had not gone through the public capital improvement planning process. She explained that the project had not gone through that vetting process, and that she had to cut some requests that had gone through the capital improvement planning process. Ms. Lafleur also explained that it was mentioned that one or two existing capital articles that could serve as a funding source for the project proposed in Article 46, and that the departments whose jurisdiction the existing capital articles fall under were not inclined to fund Article 46. Ms. Lafleur explained that she would recommend raising and appropriating to fund this article, should it be moved at Town Meeting. Ms. Reiss explained the proposed funding from the perspective of the Citizen Petitioner.

Ms. Escobedo expressed concern about the project as it had not been reviewed by the appropriate departments and committees. Mr. Johnson also shared his concerns regarding the funding mechanism for the project. Chair Ackerman stated that the project was one she could support, but that it needed to be vetted properly.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to recommend no action on Article 46

Chair Ackerman informed the Board that at their next meeting they would discuss Articles 18 and 32.

Liaison Reports

Ms. Bates reported that the Personnel Study Task Force met and were reviewing the results of the recent employee survey and began putting together a draft proposal with possible personnel bylaw and procedures changes. Ms. Bates also reported on the White Pond Advisory Committee and stated that the Committee was concerned about fencing the Bruce Freeman Rail Trail to avoid further degradation to White Pond. Ms. Bates added that the West Concord Junction Cultural District Committee was seeking another member, and that the Council on Aging was losing three members and were in danger of losing their quorum. Ms. Bates further stated that the Concord Commission on Disability met and heard proposals from citizen petitioners who had proposed articles at Town Meeting and that the Commission voted to take no position on those articles. She concluded by stating that the Natural Resources Commission had met. Ms. Bates also stated that

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the Economic Vitality Committee was seeking a new member.

Ms. Escobedo reported that she had attended a Concord Business Partnership meeting on Economic Development where a panel from Lexington, Burlington, and Bedford presented. She found that some of the groups had websites and departmental cooperation that bolstered their economic development. She added that streamlined permitting was also discussed. Ms. Escobedo also reported on the Cemetery Committee who were looking at ground cover issues and would be setting up testing plots. She added that the Committee was also reviewing their stone wall assessment. Ms. Escobedo also reported on the Concord Housing Authority who were hoping to close on the HUD repositioning by the end of April. She added that the request for proposals (RFP) for the construction of the new Commonwealth Avenue house had been published and that the Housing Authority would be meeting with the one respondent within the next month. Ms. Escobedo added that the Housing Authority needed to divide two lots they had combined in error. Ms. Escobedo also stated that four communities would be pooling resources to hire a residential coordinator. Ms. Escobedo also reported on the Planning Board and the Historic Districts Commission.

Mr. Johnson reported that the Recreation Commission was going through a process to review a request from Concord-Carlisle Baseball to install a fence at Rideout Park. He added that following a public meeting with the Natural Resources Commission, Concord-Carlisle Baseball withdrew their request and had requested to paint the field, install a backstop, and batting cage carpet, which was much more positively received. Mr. Johnson added that the Bruce Freeman Rail Trail Committee held a meeting where they discussed the short-term options for Junction Park and came to an agreement regarding an option which they would pursue. Mr. Johnson added that the Bruce Freeman Rail Trail Advisory Committee would be making a presentation to the Board at a future meeting.

Mr. Dane reported that the Civil War Monument Task Force met and discussed the restoration work of the Civil War Monument with vendors. He also reported on the Celebrations Committee and the Patriots Day celebrations. He added that he would be reading the Town's proclamation on Arbor Day with the Garden Club. The Board discussed inviting the Civil War Monument Task Force to present to the Board at a Select Board meeting following Town Meeting.

Chair Ackerman reported on the School Committee, noting that a new business manager would begin working for the district. She added that the Schools DEI Director, Andrew Nyamekye, had presented on the assessment for DEI, and that he would begin implementing the next step in the schools' DEI efforts, which was developing a strategic plan. She added that there were several parents who objected at the meeting, stating that no action had been taken, the schools needed to commit more resources to DEI efforts, and that METCO parents should be allotted a seat on the School Committee. Chair Ackerman also reported on the MMA Fiscal Policy Committee where Town Staff and Committee members presented on the Town's Senior Means Exemption. Chair Ackerman also reported on the Fiber Broadband Completion Task Force and the Regional Emergency Communications Center (RECC).

The Board also discussed the closing of MCI Cedar Junction, and there was some concern that some inmates may be transferred to MCI Concord. Ms. Lafleur explained that she believed those inmates would be transferred to the prison in Shirley.

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Committee Nominations
Committee Appointments**

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to appoint Mark W. Giddings, 474 Barrett's Mill Road, to Planning Board, term June 1, 2022 - May 31, 2027

Miscellaneous Correspondence

There was correspondence submitted by residents in support of Article 25.

Public Comment

Mary Hartman, of 16 Concord Greene and member of the Finance Committee, stated that she had attended the Economic Vitality Committee, and shared her beliefs that the Town needed to work to make Concord more of a welcoming community for businesses.

Adjourn

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to adjourn.

Meeting Materials: <https://concordma.gov/DocumentCenter/View/35992/April-11-2022-updated-packet>

Minuteman Media Network Coverage: <https://youtu.be/sq-2frvGWfc>

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Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on August 29, 2022 at 6:30pm.

Present were: Matthew Johnson, Chair; Terri Ackerman, Clerk; Henry Dane, Mary Hartman and Linda Escobedo. Also present was Town Manager Kerry Lafleur.

Call to Order

Select Board Chair Matthew Johnson called the meeting to order at 6:30pm

Consent Agenda

Accepted as follows:

- Town Accountant Warrant: August 11, 2022; August 18, 2022
- One Day Special Liquor License Applications:
 - Indignant Brewing Co LLC dba Winter Hill Brewing/The Outpost Beer Garden, 105 Keyes Road, on September 17, 2022, from 12:00-5:00pm, Wine & Malt Beverages Only
 - Indignant Brewing Co LLC dba Winter Hill Brewing/The Outpost Beer Garden, 105 Keyes Road, on October 1, 2022, from 12:00-5:00pm, Wine & Malt Beverages Only
 - Indignant Brewing Co LLC dba Winter Hill Brewing/The Outpost Beer Garden, 105 Keyes Road, on October 15, 2022, from 12:00-5:00pm, Wine & Malt Beverages Only
- Sunday Entertainment License Application
 - The Concord Players, Inc, of 51 Walden Street, from 2:00-5:00pm on:
 - November 13, 2022
 - February 19, 2023
 - April 30, 2023
 - May 7, 2023
- Gift Acceptance:
 - \$26,424 from the Trustees of Town Donations to the Beede Center Capital Reserve Account
 - \$5,000 from the Concord Carlisle Community Chest to the Concord Recreation Summer Camp Scholarship Gift Account
 - \$2,500 from Plug Power Inc. to the West Concord Mural Project o \$1,000 from Mark & Terry Robertson to the Council on Aging
 - \$17,945 from the Concord-Carlisle Community Chest, Inc. to the Council on Aging Gift Accounts

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda.

Town Manager's Report

Town Manager Kerry Lafleur opened her report by stating that the Police Department begun assigning officers to traffic enforcement around schools in order to remind people to obey speed limits as children will soon be returning to the schools. Town Manager Lafleur reported Fire Prevention staff were on-hand for the acceptance testing of a residential 40KW electrical battery storage system (solar

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power) – the first installation of its size in Concord. The Town Manager stated that the Minuteman Media Network held a state representative candidate forum at the Harvey Wheeler Community Center earlier in the month and also cited interesting metrics from YouTube provided by the Minuteman Media Network. Town Manager Lafleur stated that the Concord Public Library is pleased to announce the upcoming dedication of the Goodwin Forum, which is a multiuse programming space which fosters civic engagement, historic scholarship, intellectual growth, and a love of learning. The Town Manager went on to announce the appointment of Paul Creedon as the Building Commissioner.

In her report, Town Manager Lafleur covered that National Grid completed work on the gas service lines to businesses and that work on providing water and sewer connections for a future development at 13B Com Avenue was completed during the night of Wednesday, August 22, 2022. The Town Manager read through the *Drought and Water Supply Management Update*.

Chair's Remarks

Select Board Chair Johnson announced that he recently tried using the online permitting system (for building permits) and stated that it was a well-developed solution, encouraging the public to visit the Town's website. In his remarks, Chair Johnson also brought up the scheduling of agenda topics regarding discussions about Junction Village/ Christopher Heights.

Public Hearing: Application for Transfer of Liquor License, Pledge of Inventory, and Pledge of License from Dinos GMAA, LLS DBA Dino's Kouzina & Pizzeria located at 1135 Main Street to RK Earth Corp DBA Dino's Kouzina Corp

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to open the Public Hearing for consideration of an application for Transfer of Liquor License, Pledge of Inventory, and Pledge of License from Dinos GMAA, LLS DBA Dino's Kouzina & Pizzeria located at 1135 Main Street to RK Earth Corp DBA Dino's Kouzina Corp.

Applicant Rafael Klipp Borges was present at the public hearing when Select Board Chair Johnson pointed out that the Select Board was lacking necessary documentation to assess the application in-full at this particular meeting. The Select Board Chair asked the applicant and the rest of the Board if it would it be appropriate to extend this public hearing to September 12th, that way everything could be approved at once, rather than conditionally.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to move the Public Hearing for consideration of an application for Transfer of Liquor License, Pledge of Inventory, and Pledge of License from Dinos GMAA, LLS DBA Dino's Kouzina & Pizzeria located at 1135 Main Street to RK Earth Corp DBA Dino's Kouzina Corp to Monday, September 12, 2022 at 6:45pm.

Appointment of Town Treasurer

Town Manager Kerry Lafleur advised the Select Board of the appointment of Gail Dowd to the position of Chief Financial Officer effective September 5, 2022. Ms. Lafleur continued that Ms. Dowd will also be assuming the duties of Town Treasurer/Collector, a position that has been held on an

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interim basis by Deputy Treasurer/Collector Colleen Rhinhart. Ms. Lafleur noted that the appointment of the Treasurer/Collector is made by the Town Manager with Select Board approval.

Select Board Clerk, Terri Ackerman asked if Ms. Dowd's schedule would increase to a full-time, five-day work week with this appointment. The Town Manager confirmed the CFO would be available Monday through Friday. Clerk Ackerman also asked if Ms. Dowd would be staffing the Finance Committee too.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the appointment Gail Dowd to the position of Treasurer/Collector, effective October 1, 2022.

Public Hearing: Application for a Storage of Inflammable Fluids License for the storage of liquefied petroleum gas from Heritage Pool & Racquet Club located at 155 Old Bedford Road

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to open the Public Hearing for consideration of an Application for a Storage of Inflammable Fluids License for the storage of liquefied petroleum gas from Heritage Pool & Racquet Club located at 155 Old Bedford Road.

Applicant Dawn McCullough, President of Heritage Pool and Racquet Club stated that during a routine inspection, the Concord Fire Department had pointed out that a license was required for the club's existing storage tanks which hold above 2,000 gallons of aggregate. Upon learning that the Heritage Pool and Racquet Club was not in compliance, Ms. McCullough filed an application thereafter. Select Board Chair Johnson asked what the gas is used for at the club. Ms. McCullough answered that the largest tank is used to heat the pool, and the other tanks are used to heat the paddle courts and grills located around the facility. Select Board member, Mary Hartman asked if the Heritage Pool and Racquet Club had a liquor license. Ms. McCullough replied that they did not.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to close the Public Hearing for consideration of an application for a Storage of Inflammable Fluids License for the storage of liquefied petroleum gas from Heritage Pool & Racquet Club located at 155 Old Bedford Road.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the application for a Storage of Inflammable Fluids License for the storage of liquefied petroleum gas from Heritage Pool & Racquet Club located at 155 Old Bedford Road.

Update on Concord Middle School Building (CMSBC) Project

Dawn Guarriello and Pat Nelson, Co-Chairs of the Concord Middle School Building Committee were present to provide details on whether another debt exclusion ballot question would be needed should the Town vote at a future Special Town Meeting to increase the borrowing authorization and project budget for the Middle School Building Project. Dawn Guarriello stated that the Concord Middle School Building Committee recently voted for the Select Board's consideration to initiate a Special

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Town meeting process between August 24th and September 14th to address the budget and provided more information on what would be required in the requested warrant.

CMSBC Co-Chair Nelson referenced the most recent Concord Middle School Building Committee meeting and pathways to address budget challenges and the timeline included the following options:

1. To value manage the project back to the last approved budget voted on by the Town.
2. To keep the project at the design level and go back to the Town for the additional funds necessary to complete the project design they voted on at the Town Meeting.
3. To do a hybrid approach and go back to the Town for additional funds between these two options.

CMSBC Co-Chair Nelson framed the status of the budget challenges facing the CMSBC and the project at large, encouraging the Select Board to authorize a Special Town Meeting for Concord residents to decide whether to approve increased funding for the middle school building project due to extreme inflationary factors. Select Board members expressed concern regarding the lack of clarity with respect to the financial goal of the Value Management process and the timeline to achieve that goal.

Update on Fossil Free Fuel Pilot

Town Manager Lafleur reported that the Town submitted a request letter to the Department of Energy Resources on August 23, 2022 asking to participate as one of the ten (10) communities chosen to be included in this pilot program. Concord Administrative Manager, Chris Carmody made a brief presentation on the information regarding the fossil fuel ban on new construction in Concord included in the August 29, 2022 Select Board meeting packet. Select Board member, Linda Escobedo asked what the eligibility factors were for being selected to participate in the program. Mr. Carmody was not clear of criteria, however, noted that Concord was well-positioned to be selected.

Brian Foulds, Chair of the Light Board remarked (speaking on his own behalf) that the increased load of electric energy needed by the Town would likely be welcomed by the Light Plant. He suggested that the distribution network already existed, and putting more kilowatt hours over the distribution network should reduce costs.

**Discussion of Additional Handicapped Parking Spots in the Stow Street Parking Lot
— Concord Free Public Library**

Emily Smith, Concord Library Director and Justin Richardson, P.E., Assistant Town Engineer appeared in front of the Select Board for deliberation on the need for an additional handicapped space to service the overall needs of the library. Ms. Smith reported that collaboration with the CPW Engineering Division to include a third space next to the existing two handicapped spaces at the northwest corner of the lot has taken place in accordance with the American with Disabilities Act.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to move to allow a total of five handicapped spaces and amend Schedule XVI Handicapped Parking of the Traffic, Parking and Pedestrian Rules & Regulations for Stow Street

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(Library/Emerson) as detailed in the memo dated August 19, 2022 included in the Select Board meeting packet.

Vote to Approve Election Worker Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to move to appoint the following 29 voters (list of appointees follows) as Election Officers for terms to expire July 31, 2023.

Arena, Josephine; 167 Fairhaven Road	Boyle, Gerard; 164 Central Street
Boyle, Susan; 78 Forest Ridge Road # 101	Boyle, Yvette; 164 Central Street
Crowell, Joanne; 55 Woodland Rd	Davis, Joyce; 54 Loring Rd
Dinardo, Josephine; I320 Old Marlboro	Doane, Irmingard; 242 Lexington Road
Dunn, Cosette; 131 Ministerial Dr	Eagan, Joan; 1544 Main St
Granato, Dolores; 312 Virginia Road	Hacker, Patricia; 30 Shagbark Road
Hallion, Morgan; 4th St, Westford, MA 01886	Jarnryd, Susanne; 61 Hubbard St
Johnson, Rita; 58 Shagbark Road	Kaplan, Claudine; 109 Seymour St
King-Harris, Brooke; 20 Hawthorne Vlg	Laneri, Margaret; 65 Attawan Rd
Levinson, Betsy; 124 Nashoba Road	Levinson, Richard; 124 Nashoba Rd
Miller, Dorcas; 75 White Ave	Nobile, Peter; 73 Coburn Hill Rd
Phalen, Elizabeth; 65 Attawan Road	Rankin, Carrie; 95 Upland Rd
Richards, Nicki; 1755 Monument Street	Ryan, Matthew; 109 Stone Root Ln
Schelzi, Sandra; 9 Edmonds Rd	Steinberg, Rochelle; 70 Beharrell St
Touw, Leslie; 111 Laws Brook Road	

Discussion of the Concord 2025 Executive Committee Charge

Select Board member, Henry Dane wanted to revise a minor part of the Concord 2025 Executive Committee Charge. Mr. Dane reported that the Executive Committee had been filled, and that there were forty-five (45) members serving on subcommittees. Mr. Dane recommended increasing the amount of people serving on the Executive Committee by five (5) members for more connection and stakeholder representation from within the community. Secondly, Mr. Dane remarked that he wanted to appoint honorary members to the committee, without any significant change in substance or function. Select Board Chair Matthew Johnson asked what the requested five new roles would entail. Mr. Dane replied with some individuals that were sought to fill the roles, but had not specified membership duties/responsibilities.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to amend the Concord 2025 Executive Committee Charge to increase the authorized number of members on the Executive Committee from twelve (12) to seventeen (17).

Public Hearing: Grant of Location Petition(s) by National Grid

Select Board Chair, Matthew Johnson reported that National Grid is willing to withdraw the four (4) Grant of Location Petitions listed below, and will resubmit them later, as conditions are still being negotiated between the Town of Concord and National Grid.

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1. Grant of Location Petition by National Grid to relay approximately 470 feet of 2- inch Coated Steel (1930) gas main with 470 feet of 2-inch Plastic in Davis Court from Bedford Street to end at #47 Davis Court. Applicant has requested a continuance.
2. Grant of Location Petition by National Grid to relay approximately 250 feet of 4- inch Plastic main in Lowell Road with approximately 250-feet of 8-inch Plastic main from the existing 8- inch plastic main to house #925 Lowell Road. Applicant has requested a continuance.
3. Grant of Location Petition by National Grid to extend its existing 2-inch plastic main in Simon Willard Road approximately 480 feet to serve an existing residence located at #398 Simon Willard Road. Applicant has requested a continuance.
4. Grant of Location Petition by National Grid to relay approximately 805 feet of 2- inch, coated steel (1930) and approximately 150 feet of 2-inch, plastic (2013) with approximately 955 feet of 2-inch, plastic in Crescent Rd from #42 Crescent Rd to the end of main at #138 Crescent Rd; and to relay approximately 735 feet of 2-inch, coated steel (1930) with approximately 735 feet of 2-inch, plastic in Hosmer Rd from Nashoba Rd to Crescent Rd; and to relay approximately 710 feet of 2-inch, coated steel (1930) with approximately 710 feet of 2-inch, plastic in Garland Rd from Crescent Rd to Nashoba Rd; and to relay approximately 465 feet of 2-inch, coated steel (1957) with approximately 465 feet of 2-inch, plastic in Wilson Rd from Nashoba Rd to end of main at #59 Wilson Rd; and to relay of approximately 860 feet of 2- inch, coated steel (1957) with approximately 860 feet of 2- inch, plastic in Nashoba Rd from Hosmer Rd to end of main at #321 Nashoba Rd; and to relay of approximately 480 feet of 2- inch, coated steel (1930) with approximately 480 feet of 2- inch, plastic in Nashoba Rd from Garland Rd to the existing 2- inch, coated steel at #144 Nashoba Rd. Applicant has requested a continuance.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to move to allow National Grid to withdraw the four (4) Grant of Location Petitions included in the August 29, 2022 Select Board meeting packet.

Committee Nominations

Select Board Clerk, Terri Ackerman confirmed the following nomination for appointment to the Commission on Disability:

- Robert Andrews, 32 Staffordshire Lane, term expiring April 30, 2025

Select Board Chair Johnson confirmed that Mr. Andrew's appointment will be on the agenda for consideration at the next Select Board meeting.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to appoint Dr. Robert Munro of 1400 Lowell Road to the 2025 Executive Committee for a term to expire December 31, 2026

Upon a motion duly made and seconded, it was UNANIMOUSLY

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VOTED: to appoint Helene Clayton, of 31 Black Birch Lane, to the West Concord Junction Cultural District Committee for a term to expire April 30, 2025

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Farhanah Sheets, of 69 Riverside Avenue, to the Library Committee for a term to expire April 30, 2025

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Lucy Rosborough, of 56 Elm Street, to the Hugh Cargill Trust Committee for a term to expire April 30, 2025

Select Board Liaison Reports

Select Board member, Mary Hartman reported that the Recreation Commission hired a new Aquatic Program Manager and General Manager for the Beede Center. Unfortunately, they have had no responses for the RFP which was issued for their Strategic Plan. Ms. Hartman stated that she attended her first meeting with the West Concord Junction Cultural District, which have a lot of public events upcoming in September. Select Board member Hartman remarked the CMLP are having productive meetings with the Middle School Building Committee for solar integration.

Select Board member, Linda Escobedo stated that the Commission on Disability met to discuss accessibility issues in the Concord Market area. She went on to describe how the Concord Housing Trust has been formulating a response to the Housing Production Plan which has generated a lot of discussion for strategy and support around the Christopher Heights capital improvement project. Select Board member Escobedo reminded the public that the Housing Production Plan Steering Committee meeting was upcoming on August 30, 2022.

Select Board Clerk, Terri Ackerman reported that the Personnel Study Task Force will host a public forum on September 12th at 1pm.

Select Board member, Henry Dane reported that he facilitated filling two vacancies on the Library Committee and also that he attended the Community Leaders breakfast event at the Concord Hilton.

Select Board Chair Johnson mentioned that he had attended the most recent Financial Advisory Audit Committee meeting and cited some of the recent deliberations which revolved around cyber security.

Public Comment

Members of the public voiced concern about the final report of the Personnel Study Task Force and asked that the Select Board support better management of Concord's municipal employment field.

Adjournment

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to adjourn.

**Town of Concord
Select Board
Minutes
September 19, 2022**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on September 19, 2022 at 6:30 PM.

Present were: Matthew Johnson, Chair; Terri Ackerman, Clerk; Henry Dane, Mary Hartman and Linda Escobedo. Also present was Town Manager Kerry Lafleur.

Call to Order

Chair Johnson called the meeting to order at 6:30 PM.

Consent Agenda

Amended as follows:

- Minutes: July 25, 2022 and August 15, 2022 (regular meetings)
- Town Accountant Warrant:
 - One Day Special Liquor License Applications:
 - The Umbrella Arts Center, 40 Stow Street, Wine and Malt Beverages Only, for events (“Dracula”) on the following dates:
 - September 30, 2022, 7PM to 10PM
 - October 1, 2022, 7PM to 10PM
 - October 2, 2022, 2PM to 6PM
 - October 6, 2022, 7PM to 10:30PM
 - October 7, 2022, 7PM to 10:30PM
 - October 8, 2022, 7PM to 10:30PM
 - October 9, 2022, 2PM to 6:30PM
 - October 13, 2022, 7PM to 10:30PM
 - October 15, 2022, 7PM to 10:30PM
 - October 16, 2022, 2PM to 6:30PM
 - October 20, 2022, 7PM to 10:30PM
 - October 21, 2022, 7PM to 10:30PM
 - October 22, 2022, 7PM to 10:30PM
 - October 23, 2022, 2PM to 6:30PM

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda

Town Manager’s Report

Town Manager Kerry Lafleur stated that Governor Baker has signed into law H.3731, ‘*An Act to make permanent a senior means tested property tax exemption in Concord*’. Ms. Lafleur also stated that the Town Manager’s Office has been updated by the Division of Local Services that the second and final ARPA tranche of funds will be distributed to Concord, on or around September 23, 2022.

Regarding public safety, Town Manager Lafleur welcomed Patrol Officer Corey Lopez to the Police Department, and that the Fire Department had responded to ninety-four (94) calls last week. The Town

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Manager went on to remark that Thursday, September 15th, the Visitor Center celebrated its 20th anniversary at its current location with a ribbon cutting. Ms. Lafleur reported to the Board that out of an abundance of caution, water use status at White Pond has been changed to “Swim at Your Own Risk” and a “Pet Advisory” has been issued and that water samples will be taken again next week to continue to monitor cyanobacterial populations.

Town Manager Lafleur gave an update that the Planning Board heard presentations from applicants for 3 different projects during their September 13th meeting - the 48Y Fitchburg Turnpike Planned Residential Development, the Concord Middle School project and the Concord Academy Centennial Arts Center project. Ms. Lafleur noted that all applications were still currently under review. Finally, the Town Manager shared that CPW’s own, Alan Cathcart provided perspective on the current challenges facing water utilities on WBUR’s Morning Edition. The story highlighted supply chain issues, aging infrastructure and drought as serious factors impacting municipal water systems.

Chair’s Remarks

In his report, Chair Johnson shared that Liz Rust, Director of the Regional Housing Services Office (RHSO) requested that the Select Board divide the Christopher Heights discussion into two parts. It was determined that it would be more expeditious for the Select Board to receive the project update at this evening’s meeting, and to move the subsequent “consideration of additional financial commitment” to a later meeting. The rest of the Select Board was amenable to that consideration.

Project Update for Christopher Heights Project

Chair Johnson recused himself from any deliberation regarding this topic and moved to appoint Select Board Clerk, Terri Ackerman as the temporary Chair for the Christopher Heights Project discussion.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to appoint Select Board Clerk, Terri Ackerman as the temporary Chair for the discussion of the Christopher Heights Project

Serving as temporary Chair, Terri Ackerman stated that the Select Board was familiar with the background of the Christopher Heights Project and Select Board members had many questions. In the interest of conserving time, she recommended reopening the discussion of this project with questions from the Select Board.

Select Board member Mary Hartman asked what the differences were between connecting to the Town’s sewer system, and on-site sewerage. Developer Walter Ohanian explained some of the alternative (state) funding sources and reclassification of certain line-items in the *funding sources* table that was included in the packet for the September 19th Select Board meeting.

Select Board member, Mary Hartman also asked about the design features that would make the building sustainable. Through discussion, it was summarized that the total projected cost of Christopher Heights has increased from \$17,000,000 in 2016 to \$28,000,000 in 2022. Some \$7,000,000 in additional state funds could be available for this project, but only with a firm commitment of \$1,000,000 in additional local funds.

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Lee Smith, Chair of the Concord Housing Development Corporation (CHDC) voiced that it is important to clarify for the public that the request for additional funding for the project was coming from the DHCD. Mr. Smith noted that there are 34 other projects across the state facing similar budget shortfalls, and that developers were being urged to reapply with substantial financial commitments from the communities they are working for. Mr. Smith remarked that regardless of whether or not the developer could fulfill the scope of work with the funding already in place, the state would still be seeking financial commitment from the Town.

Select Board member, Henry Dane cited that according to contract, there is a legal obligation for the developer to finish the project. Mr. Dane also pointed out that there is a need for the Town to meet the Housing 40B requirement, and not developing the 83 units of assisted-living housing will put the Town in a tough position. Select Board member, Terri Ackerman had several questions relating to the breakdown of costs included under the line-item “CPC, Trust, Town of Concord Funds” for the cost of \$2,000,000.00.

Select Board member, Linda Escobedo asked if there is any assurance that the state would allocate any ARPA funding into the project. Mr. Ohanian responded that there was no dedicated ARPA allocation promised for Christopher Heights. Ms. Escobedo also asked how the contractor is appraising updated construction costs. Mr. Ohanian had said that he could not proceed with the project without this additional funding, required largely due to COVID-era supply line cost increases. In response, the Select Board took no vote on the funding request itself, but to refer to Town Counsel the matter of the enforceability of the Town’s agreements with the developer.

Upon a motion duly made and seconded, with 3-1, one member opposed, one abstaining, it was **VOTED:** to refer to Town Counsel the matter of the enforceability of the Town’s agreements with the developer

Select Board member, Matthew Johnson re-entered the room and resumed his role as Chair after the vote was taken.

Update on Housing Production Plan and on Regional Housing Services Office Activities
Tabled until next meeting.

Update on Middle School Building Project

- *Request to call Special Town Meeting*
- *Review Draft Special Town Meeting Calendar*

Dawn Guarriello and Pat Nelson, Co-Chairs of the Concord Middle School Building Committee (CMSBC) and several other members were present to give a brief progress update on the value engineering for the project. Ms. Guarriello commented that at their last meeting, the CMSBC was able to come to a consensus on how to value engineer \$640K adjustments to the budget and design. Ian Parks, Project Director at Hill International, Inc. presented a few slides to compare Option A (current cost), Option B (SBC cost proposal), and Option C (“back to budget cost” – significant scope cuts).

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Select Board Chair, Matthew Johnson stated that there exists a likely need to go back to a special Town Meeting to see if there is a will of the community to seek additional funding for the project to achieve another design option followed by a town-wide vote. Mr. Johnson noted that the CMSBC seems to be coming to consensus that option B is the only really option to pursue depending on what the price of the estimate comes back as. Conversation ensued about the schedule and cost impacts and implications of delaying a town-wide vote until the 90% design estimate. Mr. Parks presented a design budget decision tree to introduce several scenarios that were centric to potential redesign. Mr. Parks proposed a parallel process to inform voters for a town-wide vote before the 90% estimate would be received.

Select Board member, Henry Dane stated that he did not feel comfortable going into a special town-meeting for a vote on this issue until there was a final price estimate which would be meaningful to the voters as a “worst-case scenario”, not-to-exceed amount. Select Board Chair, Matthew Johnson voiced that those kinds of commitments are difficult to enforce, and that the Town would need to still authorize the designers to move forward with known risks.

The Board discussed potential STM dates at length and sought input from members of the CMSBC. The discussion had the following takeaways:

- Preference of the Select Board would be to have the 90% CD estimate in hand before going to a Town vote.
- Delaying a Town vote until after the 90% CD estimate might constrain the design and overall project schedule.
 - Due to a tight timeline, construction documents might be going to completion before there is a townwide vote.
 - Should the vote fail, there would be an additional cost for the design.

Select Board Chair, Matthew Johnson noted that the Board received over fifty (50) pieces of correspondence on this issue included in this evening’s packet, and that some themes have been well-socialized; asking that the public please comment on themes that have not been covered yet. Carmen Reiss, the Town Moderator opined that a Special Town Meeting to be held on January 13, 2023 would need to be vetted before voting, as not to impact the Town staff negatively.

Upon a motion duly made and seconded, with 4-1, one member opposed, it was **VOTED:** to open up a warrant for Special Town Meeting

Review Draft Correspondence Policy

Tabled until next meeting.

Vote to Approve Early Voting Hours for November 4th General Election

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to Approve Early Voting Hours for November 4th General Election as included in the September 19, 2022 Select Board meeting packet.

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Committee Nominations

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Eve Isenberg, of 833 Old Road to 9 Acre Corner, to the Community Preservation Committee for a term to expire May 31, 2023

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Carlene Hempel, of 50 Highland Street, as Town representative to the River Stewardship Council for a term to expire on September 18, 2025

Select Board Liaison Reports

Select Board member, Ms. Escobedo reported on:

- Attended the Housing Production Plan forum
- Attended the Personnel Study Taskforce September 19th meeting.
- Represented the Select Board at the community celebration for the Assabet River Bluff acquisition.

Select Board member, Ms. Hartman reported on:

- The DPW Commission met and put together a draft of the Scenic Roads bylaw, the Planning Board has put together a strategy on implementation. The DPW is also working on a 5-year Capital Improvement Budget.
- Mentioned that she attended the Ribbon Cutting Ceremony for the Visitor Center.
- Attended CMLB meeting and discussed rate increases in FY23. The CMLB also had a discussion about Article 38, (generating more solar power on municipal-owned property).

Select Board Clerk, Ms. Ackerman reported on:

- Attended a meeting between seven towns to display consistent signage written rules at the Bruce Freidman Rail Trail.

Select Board member Mr. Dane did not have a report.

Select Board Chair, Mr. Johnson reported on:

- School travel programs are restarting.
- Strategic planning process for the district is beginning. Mr. Johnson has been invited to the strategic planning workshops that will be held in the spring of 2023.

Public Comment

Pamela Dritt of 1304 Concord Greene asked if it would be possible to provide a video link to this evening's meeting in the posted packet.

Adjournment

Chair Johnson adjourned the meeting.

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November 14, 2022**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on November 14, 2022 at 6:30 PM.

Present were: Matthew Johnson, Chair; Terri Ackerman, Clerk; Henry Dane, Mary Hartman and Linda Escobedo

Call to Order

Select Board Chair Matthew Johnson called the meeting to order at 6:30 PM.

Consent Agenda

- Town Accountant Warrant: November 10, 2022
- Sunday Entertainment License for the Concord Orchestra Inc. on January 29, 2023 at 51 Walden Street for an orchestra concert performance
- Proclamation of Small Business Saturday on November 26, 2022

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda

Town Manager's Report

Town Manager Kerry Lafleur began her report with news that the Main Library will be reopening on Sundays, starting in December and is anticipated to operate at a full schedule beginning in May 2023. Town Manager Lafleur announced that Donna McIntosh had been hired as Communications Manager to take on the role of internal and external outreach for the Town, and also that Assistant Senior Services Director, Lauren Barretta, was appointed as Acting Director. The Town Manager provided an update that she will be presenting the FY24 budget to the Finance Committee the week of November 13, 2022. Town Manager Lafleur also notified the Select Board that an offer had been made to a candidate for the position of Sustainability Director. Ms. Lafleur's final update was that Concord Municipal Light Plant staff had a kickoff meeting with a vendor for the Smart Metering project.

Chair's Report

In his report, Select Board Chair Matthew Johnson noted that he signed a congratulatory letter to Lee Autumn Greenberg for her recent achievement of the rank of Eagle Scout. Mr. Johnson also mentioned that he had outlined a feedback process for other Select Board members to review and identify content on the Town's website which should be updated. Finally, Chair Johnson stated that a major objective of the Board would be to take a leadership role on the topic of affordable housing in regard to the discussion of the Town's Housing Production Plan on this evening's agenda.

Bruce Freeman Rail Trail Signage Recommendation(s)

Bruce Freeman Rail Trail Advisory Committee (BFRTAC) Co-Chair, Nat Welch, updated the Board that a multi-town meeting took place in September 2022 in which the purpose of the meeting was to

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identify regional stakeholders and create uniform signage for the whole trail network. Mr. Welch provided the Select Board with printouts of current signage and stated that it would be useful to have uniform messaging and symbology along the trail.

Mr. Welch highlighted that the BFRTAC recommends directives printed on the new signage. The proposed messaging would remain simple, yet significant for the vitality of the trail system. Some examples include:

1. Yield to pedestrians (keep to the right, and pass left)
2. Wear a helmet when riding.
3. Leash pets and carry out waste.

Mr. Welch informed the Select Board that posting trail hours or rules about E-bikes would be tabled by the BFRTAC until their next meeting. Mr. Welch also mentioned that the BFRTAC would front the costs of printing and installing signage.

Select Board member, Henry Dane asked if all of the old signage would be removed and noted that there were requests for some special signage (while citing a few examples) in certain areas. Mr. Welch replied that the BFRTAC is only asking the Select Board to approve format and wording of the signage that was presented at this evening's meeting. Select Board member, Linda Escobedo asked who determines placement of the new signage, and if that task would involve collaboration with the Wayfinding Committee. Marcia Rasmussen, Concord Director Planning & Land Management added that new signage would replace some of the signage at the Commonwealth Avenue and Powder Mill Road parking lots.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the placement of the Bruce Freeman Rail Trail signage recommendations as included in the Board packet for the November 14, 2022 meeting.

Discuss Affordable Housing

Peer Communities

Liz Rust, Director of the Regional Housing Services Office (RHSO) appeared in front of the Board to what peer communities are doing to implement affordable housing, and what the Concord community can learn from them.

There are many different strategies which other communities implement, but three major areas:

1. Improving existing infrastructure
 - a. Seek available grants and additional funding sources (ARPA, MassWorks).
2. Leveraging land assets (For example, Sudbury had a land swap with a private developer to install new sewerage).
3. Use public funding for deeper affordability; creating subsidies for residents (Acton is an example of a community which took this approach).

Infrastructure and Utility Requirements

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Alan Cathcart, Concord Public Works Director led the discussion on the most significant infrastructure needs/challenges in Town. Citing how the Christopher Heights project brought recent awareness to issues in Concord with wastewater capacity. Mr. Cathcart gave a detailed overview of how the Town's management of municipal-owned wastewater systems has limited housing development, in a tertiary sense. Select Board member, Henry Dane asked what happens when the Town hits its top limit for wastewater capacity. Director Cathcart replied that it has happened in the past before, but it took place during a "wet season", so many communities had exceeded capacity. If Concord were to exceed wastewater capacity, the State would impose a moratorium, then employ a consent order for the Town to correct itself. The Public Works Director explained how the sewer improvement fee is a mechanism voted on in 1989 Town Meeting which is triggered by a need to invest into a fund which is dedicated to be set aside for expansion, saving the ratepayer a surge when new infrastructure is being constructed.

Select Board member, Mary Hartman noted that the 2002 Master Plan outlines what neighborhoods can and can't be served by the sewer – and asked how difficult would it be to add neighborhoods, or make an exception, if there was an affordable housing element added to the project. Select Board Clerk, Terri Ackerman asked if another permit would be needed for a groundwater discharge site. Other than spending a significant investment on a side stream groundwater discharge site, the Director of Public Works asserted that solutions with the EPA need to be sought out.

Near Term Projects

The Select Board reviewed the subsidized housing inventory status and pipeline, included in the Select Board meeting packet, and had a discussion on potential efforts for short-term development. It was noted that analysis and discussions with owners could start prior to expiration to explore options – an expanded discussion of this issue is included in the Goals and Strategies section of the Housing Production Plan.

Select Board member, Mary Hartman asked what could be done to accelerate the acquisition of certain properties, specifically Assabet River Bluff.

Housing Production Plan

The RHSO Director announced the first draft of the Housing Production Plan was released last week, and that a public forum was being scheduled to review.

Select Board member, Terri Ackerman asked if the Climate Action Advisory Board (CAAB) and Transportation Advisory Committee (TAC) could be involved with taking lead and implementation on specific tasks outlined in the Housing Production Plan. Ms. Ackerman also asked what the pros and cons of inclusionary zoning are for the Town, stating that it would be good for the Select Board to develop a better understanding on this issue. The RHSO Director stated that the Town needs to prioritize the strategies and goals identified in the Housing Production Plan so new housing entry points can be created in a five-year span. The Select Board came to the consensus that quarterly updates would help them to stay apprised of the planning process.

Committee Nominations

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Select Board Chair, Matthew Johnson reported that some of the committee nominees on the agenda for this evening's meeting had not been notified properly, thus, the Board felt it would be appropriate to table the following nominations until the next meeting:

- Nicholas Purinton of 32 Cressbrook Road and Margaret (Peggy) Laneri of 65 Attawan Road to the Public Ceremonies and Celebrations Committee
- Evan Ricker of 104 Bolton Street to the White Pond Task Force

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Amy Beamer of 383 Pope Road to Concord Cultural Council for a term to expire April 30, 2025

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Karl Liebich of 12 Deer Grass Lane, Jen Keegan of 60 Highland Street, Beth Kelly of 39 White Avenue, and Jennifer Parker of 247 Laws Brook Road to the White Pond Task Force for a term to expire December 2023, upon the completion of their final report to the Select Board

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Gail Dowd, Chief Financial Officer, as the Town of Concord's Representative to the Concord Retirement Board

Select Board Liaison Reports

Select Board member, Ms. Escobedo reported:

- It may be worth consideration to add an item to the Select Board agenda to have discussion about the charge of committees and how authority for decisions ultimately falls on the Select Board for committee recommendations.

Select Board member, Ms. Hartman reported:

- DPW Commonwealth Avenue project will be delayed until next year due to drainage issues.
- Signage on Hubbard Street has been installed.
- Recreation Commission is experiencing high enrollment in their programs.
- Unfortunately, the Beede Center has reduced operating hours through the end of November because there is a shortage of lifeguards on staff.
- The Concord Municipal Light Board is progressing towards a schedule for generating 20MW of solar electricity on eligible municipal-owned properties.
- She has received excellent response of applicants who are looking to volunteer for the White Pond Task Force.

Select Board Clerk, Ms. Ackerman reported:

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- Attended the Bruce Freidman Rail Trail Committee meeting last week. Recommendations about Junction Park were made, and there was significant public participation.
- Attended the FinCom Capital Planning forum.

Select Board member, Mr. Dane reported:

- Attended the Veterans Day breakfast that took place earlier in the week.
- Attended the Flag Retirement Ceremony.
- Met with a working group to develop branding for the upcoming 250th Committee event.

Select Board Chair, Mr. Johnson reported:

- Met with Richard Feely of the Affordable Housing Foundation to inform him of this evening's discussion on affordable housing.
- Attended this week's Finance Committee meeting – the focus of the meeting was on the capital planning process for the new middle school, with a presentation on potential tax impacts and correlation between the increase in rates and scope of the project.

Correspondence

Letter to Select Board Regarding Planters in Junction Park Redesign – November 6, 2022

Letter from Ms. Beth Williams, Economic Vitality and Tourist Manager – November 7, 2022

Public Comment

Stephen Stasheski of 76 Jennie Dugan Road asked to please increase continuity and collaboration with other boards and commissions across Town to clearly communicate progress of the new middle school building project to improve transparency with the community.

Nancy Brown of 96 Forest Ridge Road read correspondence on behalf of the Diversity, Equity, and Inclusion Commission included in the November 28, 2022 Select Board meeting packet.

Pamela Dritt of 13 Concord Greene asked if it would be possible to provide a video link to this evening's meeting in the posted packet.

Adjournment

Chair Johnson adjourned the meeting.

Meeting Materials: <https://concordma.gov/DocumentCenter/View/39746/Select-Board-Meeting-Packet-November-14-2022>

Meeting Recording: <https://www.youtube.com/watch?v=Sm7PmN-rCV8&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=7>

**Town of Concord
Select Board
Minutes
December 3, 2022**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in-person at 22 Monument Square on December 3, 2022 at 9:00 AM.

Present were: Matthew Johnson, Chair; Terri Ackerman, Clerk; Henry Dane, Mary Hartman and Linda Escobedo

Call to Order

Chair Johnson called the meeting to order at 9:00 AM.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to open the Annual Town Meeting warrant today, December 3, 2022 at 9:00 AM
and to close the warrant on January 4, 2023 at 4:00 PM.

Town Manager's Office

- Previously Appropriated Town Meeting Housing Funds

Town Manager Kerry Lafleur appeared before the Select Board to discuss the reappropriation of housing funds. Ms. Lafleur stated that this article will be to determine whether the Town will vote to transfer \$1,000,000.00 that was appropriated at the 2017 Annual Town Meeting for the Christopher Heights at Junction Village project to the Concord Municipal Affordable Housing Trust for affordable and community housing purposes, as the project is no longer moving forward.

Community Preservation Committee

- CPC Housing Reserve Funds

Diane Proctor of 57 Sudbury Road and Chair of the Community Preservation Committee appeared before the Select Board to discuss CPC housing reserve funds. Chair Proctor stated that at the Special Town Meeting scheduled for Thursday, January 19, 2023, the CPC has an article to determine whether the Town will vote to rescind prior appropriations in the amount of \$1,044,255.76 from the Community Preservation Fund that were for the Christopher Heights at Junction Village project back to the Community Housing Reserve Fund. Chair Proctor continued that the article at Annual Town Meeting would then be to appropriate the same mentioned funding from the Community Housing Reserve Fund to the Concord Municipal Affordable Housing Trust, simply moving it from one fund to another. Chair Proctor then noted that very similarly, the CPC had appropriated money at the 2022 Annual Town Meeting for open space for the Christopher Heights at Junction Village project, which then will be reappropriated back to the Community Preservation Reserve Fund for open space.

Elizabeth Hughes, Town Planner, appeared before the Select Board and noted that the CPC will have a third article at Annual Town Meeting, which is their annual funding article.

Finance Department

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- Opioid Settlement Fund

Gail Dowd, Chief Financial Officer, appeared before the Select Board to discuss the Opioid Settlement Fund, in which the state has been awarded \$500,000,000.00 in abatement funds over the next 18 years to be shared between cities and towns. Ms. Dowd stated that Concord has received \$77,000.00 to date and expects to receive an additional \$290,000.00 but that there is a strict list of permissible uses of the funding.

Ms. Ackerman asked if Ms. Dowd could share some of the ideas of the permissible uses that have been discussed to use the funds.

Ms. Dowd noted that she can add this going forward, but that she and Chris Carmody of the Town Manager's Office are working with the Board of Health to discuss a plan.

Chair Johnson noted that the funding equates to about \$12,000.00 per year.

CSEC/CAAB

- Net Zero Specialized Energy Code changes

Courtney Eaton of 141 Monsen Road and Chair of the Climate Action Advisory Board appeared before the Select Board to discuss a Net Zero Specialized Energy Code. Chair Eaton noted that there are updates coming to the Stretch Energy Code from the Department of Energy Resources beginning in January 2023, but that there will also be a Net Zero Specialized Energy Code with the goal of achieving net zero by 2050. Chair Eaton continued that the proposal for the Annual Town Meeting warrant article would be for the Town to adopt the Specialized Energy Code to work toward the Town's climate goals.

Ms. Escobedo asked if the regulations for the Specialized Energy Code are available.

Chair Eaton responded yes, the regulations became available in December.

Ms. Escobedo asked if the Planning Board has reviewed the regulations yet.

Elizabeth Hughes, Town Planner, responded that the Planning Board has not yet reviewed the regulations.

Ms. Hartman asked if the Fossil Fuel-Free Infrastructure would still be necessary with the adoption of this code.

Chair Eaton responded that while they are similar, the Specialized Energy Code would still permit some forms of fossil fuel infrastructure construction moving forward, so the Town should work to adopt both.

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Rich Feeley of 247 Lexington Road appeared before the Select Board and asked what the exemption for partial rehabilitation is, voicing concerns regarding affordable housing units.

Chair Eaton responded that she would have to look into this.

Planning Board

- Zoning Bylaw Amendment – 4.2.3 – Combined Business/Residence

Elizabeth Hughes, Town Planner, explained that the Zoning Bylaw Amendment for Combined Business/Residence will define affordable housing, similar to the amendment for Planned Residential Development.

Ms. Hartman asked if this amendment would make it easier for a developer to create affordable housing in Town.

Chair Johnson responded that he believes the intention of this amendment is to make the requirements for the development of affordable housing clearer for developers.

Ms. Hartman asked if the Town speaks to developers when making amendments as such to see if it would in fact incentivize a developer to be more willing to create affordable housing in Town.

Ms. Hughes responded that currently, the Planning Board has been working with one developer in this process.

Carol Savoy of 61 Belknap Street appeared before the Select Board and echoes Ms. Hartman's question on if this will incentivize more affordable housing in Town.

Chair Johnson responded that as a former Planning Board member, the Board cannot compel developers to build buildings in Town and that while the Chapter 40 B numbers are important to meet, creating a total additional number of units is more important.

Pamela Dritt of 13 Concord Greene noted that there is a misconception that buildings that are constructed with all-electric utilities are more expensive.

Toby Chaudhuri of 100 Keyes Road appeared before the Select Board and asked who is the developer that the Planning Board has been working with throughout this process.

Ms. Hughes clarified that the Planning Board has not received any input from the developer on the actual writing of the bylaw amendment.

Mr. Chaudhuri asked if Ms. Hughes can disclose who the developer is.

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Ms. Hughes responded that it is the current developer for 13B Commonwealth Avenue with a proposed combined business/residence project, though they are not able to move forward with the project for financial reasons.

- Zoning Bylaw Amendment – 5.4.6 – Mobile Food Establishment

Elizabeth Hughes, Town Planner, explained that currently, mobile food establishments, or food trucks, are not permitted in the Zoning Bylaw. Ms. Hughes continued that this amendment would permit food trucks to travel to permanent establishments in Town, and that if there were to be more than one food truck sought at the establishment, waivers could be completed to permit this.

Ms. Ackerman noted that perhaps there could be a better approval process for waivers for additional food trucks, as this may be a problem when preparing for the 250th celebration and anticipating more than a few food trucks.

Ms. Hughes responded that for the 250th celebration, there could be one special permit that approves the total number of food trucks.

- Zoning Bylaw Amendment – 4.5.4 – Fast-Food Restaurant

Elizabeth Hughes, Town Planner, discussed the removal of the ban of fast food restaurants, explaining that this would be for walk-up fast food establishments that are not required to meet the seating requirements, though drive-thru fast food restaurants would still not be permitted.

Historical Commission

- General Bylaw Amendment – Demolition Review Bylaw

Elizabeth Hughes, Town Planner, discussed the current Demolition Review Bylaw, in which the Historical Commission has 45 days to review a demolition review application to demolish a structure that is 50 years or older. Ms. Hughes continued that the current 45-day review process is not sufficient for the application to be reviewed, researched, and process the legal advertisements in the Concord Bridge, so the Commission would like to amend the bylaw to 60 days.

Citizens Petitions

Sven Weber of 50 Belknap Street appeared before the Select Board with two citizen petitions. Mr. Weber stated that the first petition is regarding the current Construction Noise Bylaw, which focuses on only noise produced by construction, which he would like to amend to a more general noise bylaw. Mr. Weber continued that the second petition is regarding the phasing in the prohibition of gas-powered hand-held leaf blowers.

Elizabeth Hughes, Town Planner, commented on the enforcement issues surrounding noise complaints and recommended that the petitioner speak with the Building Commissioner regarding this.

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Susan Felshin of 19 Sunnyside Lane appeared before the Select Board and commented that the citizen petitioner of the general noise bylaw article should be prepared to answer individualized noise complaint questions during the Annual Town Meeting public hearing and that the article itself should be written clearly to address these complaints.

Adjournment

Chair Johnson adjourned the meeting.

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Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on December 5, 2022 at 5:30 PM.

Present were: Matthew Johnson, Chair; Terri Ackerman, Clerk; Henry Dane, Mary Hartman and Linda Escobedo. Also present were Town Manager Kerry Lafleur, Senior Administrative Assistant Shannon McAndrew, and Town Counsel Mina Makarious and Melissa Allison.

Call to Order

Select Board Chair Matthew Johnson called the meeting to order at 5:30 PM.

Executive Session pursuant to G.L. c. 30A, § 21(a)(3) Upon a motion duly made and seconded, it was **voted:** to enter an Executive Session pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation regarding Estabrook Road (Town of Concord v. Rasmussen et al.), as the chair declares that an open meeting may have a detrimental effect on the litigating position of the Town.

Roll Call Vote:

Chair Johnson – Aye
Terri Ackerman – Aye
Henry Dane – Aye
Linda Escobedo – Aye
Mary Hartman – Aye

Town Manager's Report

Town Manager Kerry Lafleur reported that the Diversity, Equity, and Inclusion Commission and the Police Department are hosting an informal coffee gathering on Wednesday, December 7, 2022 at 2:00 PM at the Concord Free Public Library. Ms. Lafleur continued that the Town had a successful Tree Lighting Ceremony yesterday, Sunday, December 4, 2022.

Ms. Ackerman asked a question regarding the Centennial Arts Center.

Ms. Lafleur confirmed that this is the construction that will be taking place at Concord Academy.

Ms. Ackerman asked if anyone has looked into the increased parking capacity that will be needed on Main Street to accommodate the construction.

Ms. Lafleur responded that this is being reviewed by the Planning Board.

Chair Johnson noted of the successes of the Concord Trolley pilot project but that the Town still needs to find a more financially viable solution for increased transit in Town.

Chair's Report

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Chair Johnson did not have a report this evening.

Joint Meeting with the School Committee to Discuss Tier 3 Capital Planning

Alexa Anderson, School Committee Chair, called the School Committee meeting to order.

Ms. Hartman commented that moving forward in the capital planning process, she would like for there to be an ongoing discussion of debt smoothing.

Cynthia Rainey, School Committee member, noted that one of the projects the School Committee has been discussing further is for the installation of solar energy at the Middle School.

Bob LeLacheur, Interim Finance Director, and Sandy Smith appeared before the Select Board to present on the Middle School debt sale preparation and impact on median household. The full presentation is included in the Select Board meeting packet.

In response to a question about alternative channels for selling municipal bonds, Mr. Smith stated that if the Town wanted to pursue a mini bond program, they would work with the Town's Financial Advisor on this.

Mr. Dane asked how will the debt strategy be managed going forward.

Chair Johnson responded that the Town Treasurer will manage the bond strategy and confirmed that the Town Manager is working on Town Meeting articles for this.

Alexa Anderson, School Committee Chair, asked what the assessed value of Peabody Middle School is.

Chair Johnson responded that it has been valued under \$10,000,000.00.

Intergovernmental Agreement with Plymouth County

Gail Dowd, Chief Financial Officer, appeared before the Select Board to present an Intergovernmental Agreement with Plymouth County regarding parking tickets. The full agreement is included in the Select Board meeting packet.

Chair Johnson asked if there is any potential confusion that the recipient of the parking ticket would experience from receiving a notice from Plymouth County for a parking ticket from the Town of Concord.

Ms. Dowd stated that the Town would add a notice to the website that notes that the parking ticket bill would be coming from Plymouth County but that the tickets are still to be paid on the Town's website. Ms. Dowd noted that this service is very cost effective.

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Ms. Ackerman asked if the Town would still need this service even if the parking meters are no longer being used.

Ms. Dowd responded yes because there can still be parking violations that are not in relation to metered parking.

Ms. Escobedo asked if in addition to a notice on the website stating that the parking ticket bill would be coming from Plymouth County if there is a way to include a notice on the bill itself.

Ms. Dowd responded that she can ask Plymouth County if there is an option to do so or how this could be better communicated.

Upon a duly made motion and seconded, it was UNANIMOUSLY
voted: to approve the Intergovernmental Agreement with Plymouth County as included in the Select Board meeting packet.

**Joint Meeting with the Personnel Board to discuss the
Personnel Study Task Force Final Report**

Bill Mrachek, Personnel Board Chair, called the Personnel Board meeting to order. The Personnel Board members present, Elizabeth Cobbs and Katherine Ryan, introduced themselves to the Select Board. Interim Assistant Town Manager, Kellie Hebert, also appeared before the Select Board as staff support for the Personnel Board. Mr. Mrachek introduced the Personnel Board's presentation and Ms. Cobbs presented on four areas of focus for the Board including communication, governance, human resources, and employee relations. The full presentation is included in the Select Board meeting packet.

Ms. Hartman asked if some of the subjects to be addressed in the first area of focus, communication, are data not being collected or if it is being collected and not being shared with the Personnel Board.

Ms. Cobbs responded that it is her understanding that it is being collected though not shared with the Personnel Board.

Ms. Hartman asked who modifies the Personnel Board's charge.

Town Manager Kerry Lafleur responded that the Personnel Board is in the Town Charter and Bylaw, and there are some duties that the Board must perform outlined in the Bylaw, and that the charge has not always been updated when the Bylaw is updated.

Chair Johnson asked if the Personnel Board planned to bring any articles forward for Annual Town Meeting in 2023.

Ms. Cobbs responded yes and that they are preparing to submit their draft articles on December 16th.

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Interim Assistant Town Manager Kellie Hebert noted that the Board identified 9 housekeeping items that were recommended by the Personnel Study Task Force and further agreed upon by Town Staff.

Chair Johnson suggested that the Boards host another joint meeting in March 2023 to discuss progress on their goals.

Amy Foley, Human Resources Director, provided a personnel update, explaining how the Town's growth has been significant by adding positions in-house that formerly were contracted and how the Town continues to add more services to residents.

Chair Johnson noted that an aspect of the Personnel Study Task Force Final Report that concerned him were that it stated that job descriptions and personnel policies may not have been up to date which was not leaving Town Staff with the tools they needed to perform their job duties.

Ms. Foley agreed and stated that there are aspects that need to be improved. Ms. Foley continued that they are working to make personnel policies more understandable moving forward as there has been confusion between them.

Chair Johnson recommended the Human Resources Department make their Strategic Goals, listed in the memorandum from the Human Resources Director, more concrete.

Housing Production Plan Presentation

Marcia Rasmussen, Director of Planning and Land Management, appeared before the Select Board with Liz Rust, Office of Regional Housing Services and Laura Smeed, Planning Consultant with JM Goldson LL to present the latest draft version of the Housing Production Plan.

Ms. Smeed noted that the Planning Board is going to be voting on the Housing Production Plan at their next meeting on December 13, 2022 and that the Planning Board's comments have already been incorporated in the draft being reviewed at tonight's Select Board meeting. Ms. Smeed continued that after tonight's discussion, it is their hope that the Select Board will be ready to vote on the Housing Production Plan at their next meeting on December 19, 2022.

Chair Johnson opened the floor for questions regarding the "Strategies" section of the plan.

Ms. Ackerman suggested in Strategy #3, it should state "*and* the Peabody Middle School". Ms. Ackerman asked why former Strategies #7 and #21 have been struck from the plan.

Ms. Rasmussen responded that #7 was struck because it has already been implemented and that #21 was incorporated with a different strategy.

Chair Johnson asked if Strategy #5 is new.

Ms. Rasmussen responded that it was included in the original draft of the plan.

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Ms. Rust commented that once the Housing Production Plan has been approved by the Town, and further the Department of Housing and Community Development, the Town will form a group to implement the plan.

**Vote Recommendations on Special Town Meeting Warrant Articles and Vote
Recommendations for Special Town Meeting Consent Calendar for
Special Town Meeting Scheduled on January 19, 2023**

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend favorable action on Special Town Meeting Warrant Article 1: Fossil Fuel Infrastructure: Confirm Authorization To Apply For Participation In Fossil Fuel-Free Demonstration Project.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend favorable action on Special Town Meeting Warrant Article 2: Reauthorize Special Legislation Petition – Real Estate Transfer Fee for Affordable Housing.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend favorable action on Special Town Meeting Warrant Article 3: Reauthorize Special Legislation Petition – Building Permit Fee Surcharge for Affordable Housing.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend favorable action on Special Town Meeting Warrant Article 4: Community Preservation Act Community Housing Reserve Fund.

Upon a motion duly made and seconded, it was
voted: to recommend favorable action on Special Town Meeting Warrant Article 5: Concord Middle School Building Project. The motion passed 4-1-0.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend Special Town Meeting Warrant Articles 1: Fossil Fuel Infrastructure: Confirm Authorization To Apply For Participation In Fossil Fuel-Free Demonstration Project and 4: Community preservation Act Community Housing Reserve Fund to the Consent Calendar.

Status Update on Annual Town Meeting Scheduled for April 30, 2023

Town Manager Kerry Lafleur noted that this agenda item was added in the event the Select Board wanted to discuss any anticipated Annual Town Meeting Warrant Articles following the Annual Town Meeting Preview Meeting that was held last Saturday, December 3, 2022. Ms. Lafleur continued that at this point in time, we are expecting a number of routine articles.

Committee Nominations

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Ms. Ackerman noted the following committee nominations:

- John Colman of 65 Central Street to the White Pond Task Force for a term to expire December 30, 2023, upon completion of their final report to the Select Board
- Peter Blau of 135 Partridge Lane for a term to expire April 30, 2025

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to correctively appoint Stanley Lucks of 165 Indian Spring Road to the Pollinator Health Advisory Committee for June 1, 2020 through May 31, 2023; to correctively appoint Arthur Fulman of 64 Annursnac Hill Road for a second term to the Financial Audit Advisory Committee for April 30, 2021 through May 31, 2024; to correctively appoint William Mrachek of 64 Rollingwood Lane for a second term to the Personnel Board for April 30, 2021 through May 31, 2024 and Joe Emerick of 611 Old Bedford Road to the Personnel Board for a term to expire April 30, 2025; to appoint Elissa Brown of 5 Concord Greene, Unit 1 to the White Pond Task Force for a term to expire December 2023, upon the completion of their final report to the Select Board.

Select Board Liaison Reports

Chair Johnson did not have a report.

Ms. Ackerman reported on:

- Bruce Freeman Rail Trail Advisory Committee – Going to need two members due to current members moving out of Town and the Committee is going to do a site walk of Junction Park after the planters are installed
- Personnel Board – Regarding the appeal from CMLP, the Personnel Board agrees with the Town’s administrative decisions but encourages better communication with employees moving forward
- PEG Access Committee – Working on a contract with Comcast and a consultant will be attending a Select Board meeting with the Committee in the future
- MMA Fiscal Policy Committee – Proposed a resolution supporting an enduring fiscal partnership between cities, towns, and the Commonwealth in Fiscal Year 2024 which will be voted on at the Annual Conference in January 2023

Mr. Dane reported on:

- 2025 Executive Committee, Communication Subcommittee – Group of people working on logos and taglines for the 250th Celebration
- 2025 Executive Committee, Finance Subcommittee – Collecting budget estimates on a standardized form from all 10 subcommittees which should be processed this week

Ms. Escobedo reported on:

- Groundbreaking Ceremony for the Habitat for Humanity house on Commonwealth Avenue
- Concord Municipal Housing Authority – Looking into the next house that could be added to the SHI, which could potentially be an existing CHA property at 1031 Main Street

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- Concord Housing Development Corporation – Working on their application for the Assabet River Bluff project that will be going to the CPA
- Community Preservation Committee – Has made their preliminary recommendations for applications received and the final vote will take place at their meeting this coming week
- Planning Board – Concord Academy project is moving forward to the Zoning Board of Appeals

Ms. Hartman reported on:

- Trails Committee – Bedford did not vote to pass the project to pave their section of the Reformatory Trail branch that extends to the Concord town line
- Recreation Commission – Challenges at the Beede Center
- Regional Water Services – Municipalities are facing challenges with PFAS in drinking water and looking toward solutions

Correspondence

Chair Johnson acknowledged correspondence from the Concord Retirement Board notifying the Select Board of the election of Peter J. Fulton to the Concord Retirement Board.

Public Comment

Diane Proctor of 57 Sudbury Road and Chair of the Community Preservation Committee appeared before the Select Board and noted that the Bruce Freeman Rail Trail Advisory Committee will not be able to perform their site visit of the planters at Junction Park until the Town votes to have the CPC funding allocated to place the planters.

Ned Perry of 362 Bedford Street appeared before the Select Board and asked that the memorandum that Amy Foley, Human Resources Director, was referring to during her presentation will be added to the Select Board packet.

Mark Gailus of 62 Prescott Street appeared before the Select Board and thanked the staff working on the Housing Production Plan and further commented that he does not believe that there should be aspects including in the plan that are left open to interpretation, but should be concrete.

Toby Chaudhuri of 100 Keyes Road appeared before the Select Board and commented on issues that he has experienced this year with the Concord Police Department.

Adjournment

Chair Johnson adjourned the meeting.

Meeting Materials: <https://concordma.gov/DocumentCenter/View/40030/Select-Board-Meeting-Packet-December-5-2022v2>

Meeting Recording:

<https://www.youtube.com/watch?v=Upuctrzechg&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=3>

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Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on December 19, 2022 at 6:30 PM.

Present were: Matthew Johnson, Chair; Terri Ackerman, Clerk; Henry Dane, Mary Hartman and Linda Escobedo

Call to Order

Select Board Chair Matthew Johnson called the meeting to order at 6:30 PM.

Consent Agenda

- Meeting Minutes:
 - October 17, 2022
 - November 7, 2022
 - November 28, 2022
- Transportation Bond Bill Support Letter
- Sunday Entertainment License for 51 Walden, Incorporated for “The Marriage of Figaro” (Mozart Opera) on December 18, 2022 – Retroactive Granting of License
- Proclamation Honoring Chief Joseph O’Connor’s Retirement from the Concord Police Department
- Gift Acceptance from Concord-Carlisle Community Chest of 19 Main Street, Unit #2 in the amount of \$5,000.00 for Concord Recreation School Year Childcare Scholarships

Ms. Hartman noted of a correction to be made to Peggy Briggs’ address listed in the October 17, 2022 meeting minutes.

Ms. Escobedo noted of a correction to be made to the funding amount to be requested by the Middle School Building Committee through a warrant article at Special Town Meeting referenced in Chair Johnson’s Select Board Liaison Report in the November 7, 2022 meeting minutes.

Ms. Ackerman read a proclamation honoring Chief Joseph O’Connor’s retirement from the Concord Police Department.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Consent Agenda with the discussed amendments to the meeting minutes.

Town Manager’s Report

Town Manager Kerry Lafleur thanked the Select Board for their proclamation honoring Chief O’Connor. Ms. Lafleur highlighted that Town staff are working to improve cellular service within the downtown and hope to bring a presentation forth to the Select Board in early 2023, that the Department of Public Works has been busy preparing their vehicles and equipment for

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winter, and that the Facilities Department has completed its move to 37 Knox Trail from 55 Church Street, which the Town is looking to move a more forward-facing department to, as it is an easily accessible building for residents. The full Town Manager's Report is available [here](#).

Chair's Report

Chair Johnson reported on the threat of physical harm to the Town's School Superintendent, Dr. Laurie Hunter, strongly discouraging any discourse that is rooted in threats.

Vote to Approve Hours of Operation for West Village Tavern

Chair Johnson opened the discussion on the hours of operation for West Village Tavern.

Ms. Escobedo asked the intended hours of operation on Sundays.

Rich Abbott, Partner at West Village Tavern, responded that they intend to serve alcohol beginning at 12:00 PM on Sundays, while the rest of the week would begin at 10:00 AM.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to approve the hours of operation for West Village Tavern as included in the Select Board meeting packet.

Common Victualler License Application for New Leaf Café at 561 Virginia Road

Shannon McAndrew, Senior Administrative Assistant, presented the application for a Common Victualler License for New Leaf Café at 561 Virginia Road. The full application is included in the Select Board meeting packet.

Upon a motion fully made and seconded, it was UNANIMOUSLY
voted: to approve the Common Victualler License application for New Leaf Café at 561 Virginia Road.

**Massachusetts 250th American Revolution Anniversary Commission
Update from Mike Lawson**

Michael Lawson of 1695 Lowell Road appeared before the Select Board to provide an update on the Massachusetts 250th American Revolution Anniversary. Mr. Lawson noted that the Commission is divided into four subcommittees, in which he is a member of the Finance Subcommittee. Mr. Lawson continued that the Finance Subcommittee has not yet met but will be working on how they are to raise money, through appropriations or basic fundraising, the uses of the funds, etc. Mr. Lawson suggested that the Town begin to prepare a budget for this event and to consider Town Meeting articles to appropriate funds.

Chair Johnson responded that the Select Board will be discussing a potential warrant article for this event for Annual Town Meeting later in tonight's meeting.

Ms. Hartman asked when will events begin to take place in Concord.

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Mr. Lawson responded that he does not believe that the state's Commission will be planning any events specifically in Concord and if so, they will be notified.

Ms. Escobedo asked if neighboring towns were still meeting.

Mr. Lawson responded no but that neighboring towns are working on forming a Battle Road Caucus, formed of the towns on Battle Road, to meet and have a common view moving forward regarding funding and more.

Joint Meeting with the Diversity, Equity, and Inclusion Commission

The Diversity, Equity, and Inclusion (DEI) Commission appeared before the Select Board and introduced themselves: Josh Lee of 64 Everett Street, Co-Chair, Rose Cratsley of 79 Hillcrest Road, Co-Chair, Andrea Foncerrada of 41 Commonwealth Avenue, Clerk, Robert Munro of 1400 Lowell Road, Jimi Two Feathers of 303 Commonwealth Avenue, Kristen Hagerty of 95 Revolutionary Road and Ji Orloff of 34 East Circle. Mr. Lee continued and presented the memorandum to the Select Board, which is included in the Select Board meeting packet. Mr. Lee presented a table that lists descriptions of action items, the Commission's recommendations, and the proposed timeline. He highlighted the completion of the baseline assessment of DEI in Town through the survey, hiring a full-time DEI Town staff member, an online incident reporting system, and large-scale implementation of processes.

Mr. Dane noted that economics are only one piece of the puzzle for increasing DEI in the community, as neighboring communities such as Acton and Lexington with similar economic backgrounds are more diverse than Concord.

Chair Johnson added that he encourages all members of the community to take the DEI survey.

Ms. Hartman asked if the Police Department would monitor the incident reporting system.

Mr. Lee noted that the incidents being reported are not always incidents of criminal nature, so it may not be the Police Department.

Ms. Foncerrada noted that if the Town used an online incident reporting system, the incidents reported would be monitored and further channeled to an appropriate response party, such as if it was a school related incident, it could be forwarded to the Superintendent's Office.

Ms. Escobedo asked if the Commission has consulted with the Human Rights Council on the incident reporting system.

Ms. Cratsley responded that the Human Rights Council is a great community partner, but that the best monitoring body of the system could be a different party, such as the Health Department, as many incidents reported are a matter of public health.

Ms. Ackerman asked about DEI Training for the Select Board.

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Ms. Foncerrada responded that DEI Training will be included in the Commission's roadmap for Town staff and other relevant stakeholders.

Chair Johnson asked how can the Select Board help implement the Commission's goals and asked when the Commission would like to meet with the Select Board for a check-in.

Mr. Lee responded that this will depend on when the Commission closes the survey, but likely sometime in the second quarter of the year.

Mr. Dane asked if the survey is available to students in the Town's private and public schools.

Mr. Lee responded yes and that it would be helpful for the School Department to help advocate the survey.

Ms. Escobedo noted that the survey may be challenging for people to complete if they are not comfortable with computers.

Chair Johnson suggested the possibility of someone being able to facilitate the survey for people that may not be comfortable with computers.

Ms. Ackerman further suggested the Council on Aging to help with this.

Town Manager Kerry Lafleur discussed the potential of working with a consultant or hiring a designated town staff member to work in tandem with the DEI Commission.

Joe Palumbo of 90 Black Horse Place appeared before the Select Board and acknowledged that he understands that Town processes can take time such as allocating funding, hiring Town staff members, but asked that the Select Board act with urgency on the matter.

Vote to Approve Housing Production Plan

Liz Rust, Director of the Regional Housing Services Office, appeared before the Select Board.

Chair Johnson asked what edits have been made to the Housing Production Plan since their last discussion.

Ms. Rust noted that there was input included from the DEI Commission to emphasize family housing and a few additional wording edits.

Ms. Hartman asked what should the Town expect to change with the implementation of this report.

Keith Bergman of 61 White Avenue and Chair of the Concord Municipal Affordable Housing Trust appeared before the Select Board and responded that he believes this is dependent on their last conversation with the Select Board, in which the Board explained its goals for implementation, to remain engaged with the community and other housing entities, and to work cooperatively toward its goals.

Upon a motion duly made and seconded, it was UNANIMOUSLY

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voted: to approve the Housing Production Plan.

Amend Public Ceremonies and Celebrations Committee Charge

Chair Johnson opened the discussion on the amendment of the Public Ceremonies and Celebrations Committee charge. Chair Johnson asked a question regarding the total number of committee members.

Mr. Dane, Select Board Liaison to the committee, explained that while an even number of members is proposed, this was the result of a more general compromise with the existing members so there could be new members on the committee and if there were to be a vote with a tie, the vote will simply not pass.

Chair Johnson asked a question regarding the proposed inclusion of Associate Members.

Mr. Dane noted that the proposed inclusion of Associate Members would be to serve for a specific event or task in which volunteers are needed, terms expiring following the event or task.

Ms. Escobedo noted that Board of Selectmen should be corrected to Select Board in a few spots throughout the charge and asked if item I, which refers to the Assistant Town Manager, is accurate.

Town Manager Kerry Lafleur noted that it would be more appropriate for the charge to refer to the Town Manager.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to approve the Public Ceremonies and Celebrations Committee charge with the discussed edits.

**Fiscal Year 2024 Budget Overview; Fiscal Year 2024 ARPA Priorities;
Fiscal Year 2024-2028 CIP Overview**

Gail Dowd, Chief Financial Officer, and Bob LeLacheur, Interim Finance Director, appeared before the Select Board to join the Town Manager on the discussion of the Fiscal Year 2024 budget overview, Fiscal Year 2024 ARPA priorities, and Fiscal Year 2024-2028 CIP overview.

Town Manager Kerry Lafleur opened the discussion on the Fiscal Year 2024 budget, which she states is a total of around \$33,000,000.00, which is about a 5% increase from the previous year and meets the Finance Committee guideline. The full presentation is included in the Select Board meeting packet.

Chair Johnson asked if this amount includes ARPA funding.

Ms. Lafleur noted that this is exclusive of the ARPA funding. Ms. Lafleur continued and stated that the Town is looking to use ARPA funding selectively for staffing, such as for a temporary GIS position to help update data in the Town's GIS system. Ms. Lafleur noted that a larger budgetary item being added is an additional Assistant Fire Chief to evaluate and prepare for

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change to offer Advanced Life Support ambulance service, which the Town currently has through a 3rd party. Ms. Lafleur noted that the Fire Department has been struggling with retaining staff members that are also trained as paramedics, because the Town currently does not offer this and these staff members move to a different department where they can practice at this level. Ms. Lafleur continued that an additional initiative that the Town is looking to shift to in Fiscal Year 2024 are to centralize technology and facilities costs to the Information Technology and Facilities budgets, rather than each department have their own line items for the costs.

Ms. Hartman asked a question regarding the revision of the Wastewater Management Study from 2002.

Ms. Lafleur responded that if this is included in the Fiscal Year 2024 budget, it would be in the Sewer Enterprise budget, rather than the General Fund, and that the review process for enterprise funds will begin in January 2023. Ms. Lafleur shifted the discussion to ARPA priorities, beginning with a presentation of the allocations of ARPA funding for Fiscal Year 2023, followed by proposed allocations of ARPA funding for Fiscal Year 2024. Pages 222 and 223 of the Select Board meeting packet present the complete lists.

Vote to Approve Annual Local License and Liquor License Renewals

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve all annual local license and liquor license renewals for calendar year 2023 as included in the Select Board meeting packet.

Vote to Submit Annual Town Meeting Warrant Articles

Chair Johnson opened the discussion on the Annual Town Meeting warrant articles to be submitted by the Select Board.

Town Moderator Carmin Reiss appeared before the Select Board.

Chair Johnson asked a question regarding the article to request funds for the 250th Celebration as there is not a specific amount listed at this time.

Mr. Dane, Select Board Liaison to the 250th Executive Committee, responded that the committee just received its budget proposals from each subcommittee, but that he does not have a finalized amount at this time.

Chair Johnson noted that the Select Board does not have a meeting before the warrant closes on Wednesday, January 4, 2023, so there will not be a later time to discuss the amount for the article.

Ms. Reiss added that the Select Board could approve the article to be added to the warrant with the amount to be supplied before the warrant closes.

Ms. Hartman noted that she would like to understand the magnitude of the request before approving it.

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Mr. Dane responded that he does not anticipate the amount of funding to exceed \$750,000.00 in for the next fiscal year.

The Select Board concurred that they are comfortable with adding an amount not to exceed \$750,000.00.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to submit the following warrant articles to the Annual Town Meeting – Adopt the DOER Specialized Stretch Energy Building Code, Choose Town Officers, Transfer of Housing Funds, Hear Reports, and 250th Celebration as included in the Select Board meeting packet.

Committee Nominations

Ms. Ackerman read the following nominations:

- Walter Clay of 675 Sudbury Road as an Associate Member to represent the Planning Board for a term to expire January 1, 2024, Katherine Mast of 38 Blueberry Lane as a Member to represent the Concord Free Public Library for a term to expire January 1, 2028, William Huyett of 1123 Monument Street as an Associate Member to represent the Concord Free Public Library for a term to expire January 1, 2028 to the Historic Districts Commission
- Nicole Hammond of 76 Prairie Street for a term to expire April 30, 2025 to the West Concord Advisory Committee
- Timothy Taylor of 14 Concord Greene, Unit 8 as an Associate Member to the Public Ceremonies and Celebrations Committee

Mr. Dane stated that in regards to the Historic Districts Commission nominations, he would like the opportunity to review the qualifications of the nominations before they are appointed as the Select Board Liaison to the commission. Mr. Dane noted that he would like the Select Board Liaisons to be more involved in the process of committee nominations and appointments for all boards and committees.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to appoint Tom Martin of 32 Lowell Road for a retroactive corrective appointment and to be exempted from term limits set out in APP #10, Section VII(b), from June 1, 2021 through May 31, 2024 and Hillary Taylor of 336 Baker Avenue (business address) for a retroactive corrective appointment and to be exempted from the residential requirements of APP #10, Section VII(e), from June 1, 2021 through May 31, 2024 to the Concord Cultural Council; to appoint Cato Anderson of 14 Park Lane for a second term to expire April 30, 2025, Marie Foley of 8 Lakeview Drive for a second term to expire May 31, 2024, Mark Martines of 66 Alford Circle for a second term to expire April 30, 2023, Jan Turnquist of 106 Kenney Lane for a second term to expire April 30, 2025, Jennifer Schuenemann of 63 Cedar Way for a second term to expire May 31, 2024,

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Steven Verrill of 415 Wheeler Road for a second term to expire April 30, 2023, Dawn Rennert of 39 Revolutionary Road for a second term to expire April 30, 2025, and Beth Williams as Town Staff Member for a second term to expire April 30, 2023 to the Economic Vitality Committee; John Colman of 65 Central Street for a term to expire December 2023, upon completion of their final report to the Select Board to the White Pond Task Force; Peter Blau of 135 Partridge Lane for a term to expire April 30, 2025 to the Conservation Restriction Stewardship Committee; Margaret (Peggy) Laneri of 65 Attawan Road to complete an unexpired term to conclude on May 31, 2025 and Nicholas Purinton of 32 Cressbrook Road for a term to expire on May 31, 2027 to the Public Ceremonies and Celebrations Committee.

Select Board Liaison Reports

Chair Johnson reported on:

- Climate Action Advisory Board and Comprehensive Energy and Sustainability Committee – Not able to achieve quorum at their last joint meeting
- Middle School Building Committee – Made a list of items in the design of the middle school that could potentially be removed if necessary to meet the budget

Ms. Ackerman did not have a report.

Mr. Dane did not have a report.

Ms. Escobedo reported on:

- Attended a number of housing meetings to finalize the Housing Production Plan
- Planning Board – Plans to submit a few warrant articles for Annual Town Meeting
- Zoning Board of Appeals – Attended to follow-up on a Planning Board issue regarding the Concord Academy project and the parking issue at this project in which a compromise was reached and the project was approved

Ms. Hartman reported on:

- Public Works Commission – Department of Public Works hired a 3rd party firm to conduct a pavement evaluation and recommended that the Town allocated \$3,000,000.00 to \$4,000,000.00 per year on road improvements, and the Town currently has \$2,650,000.00 allocated for the next fiscal year
- Municipal Light Board – Concord Municipal Light Plant approved their rates for the 2023 calendar year

Correspondence

Chair Johnson acknowledged the correspondence included in the Select Board meeting packet.

Public Comment

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Karlen Reed of 83 Whits End Road appeared before the Select Board and thanked the Select Board members that attended the Clerk's Reception. Ms. Reed continued and noted that for Vote by Mail applications, households will have to request that the applications be mailed to their household, which can be indicated on their Census Form and more information can be viewed on the Town Clerk's webpage.

Adjournment

Chair Johnson adjourned the meeting.

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Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on January 30, 2023 at 5:30 PM.

Present were: Matthew Johnson, Chair; Terri Ackerman, Clerk; Henry Dane, Mary Hartman and Linda Escobedo

Call to Order

Select Board Chair Matthew Johnson called the meeting to order at 5:30 PM.

**Executive Session pursuant to G.L. c. 30A, § 21(a)(3) to Discuss
Strategy with Respect to Litigation regarding Estabrook Road**

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to enter an Executive Session pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation regarding Estabrook Road (Town of Concord v. Rasmussen et al.), as the chair declares that an open meeting may have a detrimental effect on the litigating position of the Town.

Roll Call Vote:

Chair Johnson – Aye
Ms. Ackerman – Aye
Mr. Dane – Aye
Ms. Escobedo – Aye
Ms. Hartman – Aye

Meet with State Representatives Carmine Gentile and Simon Cataldo

Representative Simon Cataldo appeared before the Select Board and introduced himself. Rep. Cataldo noted that he is working on many pieces of legislation already and highlighted the home rule petitions that are being refiled for Concord, a bill regarding public safety for the 250th Celebration, and a bill regarding standards of renewable energy for municipal light plants. Rep. Cataldo continued and noted of the new precincts that he and Rep. Gentile are working in, but that it has already proved beneficial for the Town as neighboring communities are working closely together, especially with constituent services.

Ms. Ackerman asked a question regarding the bill for public safety for the 250th Celebration.

Rep. Cataldo responded that there are two aspects of timing for this bill, first being when the disbursement would occur and the second being when the Town could spend the disbursement. Rep. Cataldo noted that the wording of the bill currently states that it is for events to occur in 2025 and 2026, but can work on including 2024 moving forward too.

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Mr. Dane noted that most of the events that are in need of public safety assistance will be occurring in 2025.

Ms. Escobedo noted that there are two state enabling bills that have been filed in relation to the real estate transfer fee, which the Select Board has typically supported. Ms. Escobedo continued that the Town could use assistance in trying to secure funds to make the MBTA stations accessible. Ms. Escobedo then asked if there has been an update regarding remote participation in public meetings past the March 31, 2023 expiration date of the provision.

Rep. Cataldo responded that he does not yet have an update on the continuance of remote participation in public meetings. Rep. Cataldo did note that legislators are expected to be in person throughout this session, but does not know of the effect that this could have on remote meetings for municipalities.

Representative Carmine Gentile appeared before the Select Board and introduced himself. Rep. Gentile noted that before this provision was enacted in response to COVID-19, the law permitted for hybrid meetings, though not fully remote meetings. Rep. Gentile continued and noted that he is aware of the need for increase funding for the 250th Celebration, along with increased public transportation in the region for this.

Ms. Hartman stated that she attended that Annual MMA Conference this month and that the Governor and Lieutenant Governor both spoke in detail about provisions for economic development and affordable housing. Ms. Hartman noted that in relation to these efforts, Concord is constrained by both water and wastewater, so the Town has an application to increase wastewater capacity and asked if the Representatives could advocate for the application.

Rep. Gentile asked for the Town to send its application documents over to him and Rep. Cataldo and he will work to get this application moving.

Rep. Cataldo added to send the application documents to Senator Barrett too.

Chair Johnson noted that the Town voted to reauthorize home rule petition at Special Town Meeting on January 19, 2023 for the Fossil Fuel-Free pilot program, but that there are draft regulations for the program circulating that look like the Town may have to do further updates to the bylaw and that the Town does not want to be left out of the program due to varying terminology. Chair Johnson gave both representatives the opportunity to make closing comments.

Rep. Cataldo asked the Board to continue to bring forth legislation that they wish to be advocated for and when resources are needed for capital projects to try to quantify the resources as much as possible.

Rep. Gentile added for the Board to keep him updated on any grants that the Town applies for.

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Chair Johnson adjourned the meeting for the Town Caucus, taking place in the Public Hearing Room at the Town House, 22 Monument Square at 7:00 PM.

Consent Agenda

- Meeting Minutes:
 - September 12, 2022
 - January 19, 2023

- Executive Session Meeting Minutes for Approval but Not to be Released:
 - December 5, 2022

- Terminate the TIF Agreement with Junction Village ALF Limited Partnership

- Gift Acceptances:
 - Garden Club of Concord to the Natural Resources Division in the amount of \$523.50
 - Diana and Jack Clymer to the Beede Center of a personalized oil painting to be created by artist Kat O'Connor with an estimated value of \$11,050.00

- Town Accountant Warrant: January 19, 2023

- One Day Liquor License Application All Alcoholic Beverages for Kerem Shalom for “What Makes Me Tic: Comedy and Storytelling” at Kerem Shalom at 659 Elm Street on Saturday, February 4, 2023 from 7:00 PM to 9:00 PM

- Late License Renewals
 - Tour Guide:
 - Abigail Russel
 - Elisabeth Parise
 - Dave Macintosh
 - Douglas Ellis
 - Donna C. White
 - Jeanmarie Williams

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to approve the Consent Agenda.

Town Manager’s Report

Town Manager Kerry Lafleur highlighted several personnel updates for the Town, including the hiring of Eileen Blanchette for the second administrative support position in the Town Manager’s Office who is starting on Monday, February 6, 2023. Ms. Lafleur continued that an announcement of the Deputy Town Manager candidate will be issued tomorrow, January 31, 2023. Ms. Lafleur noted that first-round interviews for a new Economic Vitality Director will

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begin this Friday, February 3, 2023. Ms. Lafleur continued and congratulated Captain Curran of the Fire Department on his retirement and thanked him for his dedicated service to the Town. The full Town Manager's Report is included in the Select Board meeting packet.

Chair's Report

Chair Johnson congratulated Town Staff on a successful Special Town Meeting and noted that the Annual Town Meeting Warrant has now been published on the Town's website.

**Conceptual Overview of Junction Village with the
Concord Housing Development Corporation**

Chair Johnson recused himself from the discussion as an abutter of the property.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to elect Terri Ackerman as Chair pro-temp.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to elect Henry Dane as Clerk pro-temp.

Lee Smith, Chair of the Concord Housing Development Corporation, appeared before the Select Board to introduce the discussion on potential developments at the Junction Village site. Also present were resident Todd Benjamin of 333 Sudbury Road and Julie Cramer of Preservation of Affordable Housing (POAH).

Ms. Hartman asked how long the process of community feedback will take.

Mr. Smith responded that the interested team of developers has expressed interest in moving quickly, but that it will still be a competitive process in choosing the developer for the project.

Mr. Dane noted that he has researched the team of developers and is pleased with their background.

Mr. Benjamin introduced himself to the Select Board and noted that he is interested in affordable housing and has professional experience in the field. Mr. Benjamin continued that when the Grantham Corporation decided to no longer move forward with the project at Junction Village, he reached out to Julie Cramer of POAH as a colleague to see if they would be interested in the site.

Julie Cramer of POAH introduced herself to the Select Board and provided background on POAH. Ms. Cramer stated that POAH owns about 13,000 units of affordable housing, which are managed through POAH Communities. Ms. Cramer explained that POAH submitted an RFP years ago when the Junction Village project started, so that they are familiar with the site. Ms. Cramer stated that if chosen as the developer moving forward, the project would be funded through a subsidy from the Town, POAH's own equity, and mortgage and proceeds from the

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operation of the project. Ms. Cramer noted that she is aware of the Town's concerns with wastewater but stated that POAH has experience with unique wastewater situations with units in Cape Cod.

Ms. Hartman asked how far the site from the MBTA stations is.

Mr. Smith responded that he believes it is in close enough proximity to the MBTA station to help with the MBTA Communities quota.

Ms. Hartman asked if there are TIF requirements.

Ms. Cramer responded that POAH primarily uses TIFs for their work in Chicago, but that an assessment based on the rental restrictions at this site would be made, like a real estate tax abatement, rather than a TIF.

Ms. Hartman noted that the proposal currently is for 40 to 50 units at the site and asked how much could POAH scale back the number of units and the project still be attractive for them.

Ms. Cramer responded that 40 to 50 units is a good number for their management group, and if they start lowering the number of units, they cannot support the 24/7 type of management that they recommend..

Mr. Dane asked if 40 to 50 units is too many for the site.

Ms. Cramer responded that septic and wastewater need to be evaluated, which generally dictates how many bedrooms can be built. Ms. Cramer continued that POAH would prefer a sewer line at the site, but that this is not always the most cost-effective option.

Ms. Ackerman noted that the rough price estimates per unit at this time are \$485,000.00.

Ms. Cramer added that this price would include a Title V septic system for the units.

Mr. Dane asked if there is any preference in demographics for the rental candidates.

Ms. Cramer responded that POAH will look at the Town's Housing Production Plan and likely build a mix of 1-, 2-, and 3-bedroom units.

Mr. Dane noted that he would have a preference of family housing at the site, which helps promote a diverse community.

Ms. Escobedo asked if Mr. Benjamin has a financial interest in the project. Ms. Escobedo also asked if Ms. Cramer could speak more about the relationship between POAH and the Town moving forward with the project.

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Mr. Benjamin responded that he would have both a professional/financial and community interest in the project.

Ms. Cramer noted that POA typically either owns the property that their units are on or joins a 99-year lease with the host community of their units.

Ms. Escobedo noted that the conceptual plan includes guidelines between 80% to 150% and asked if there will be a lottery placement for 80% units.

Ms. Cramer responded that there will be a lottery for these units but noted that the Town can request a local preference as part of the lottery process.

Ms. Ackerman noted that the project would likely require a \$4,000,000.00 to \$5,000,000.00 contribution from the Town and asked what would happen if the Town could not make this entire contribution.

Ms. Cramer responded that there would be many conversations that would take place before a decision would be made and that there is also a potential for state funding for the project.

Ms. Ackerman asked if this project would enable the Town to remain in compliance with the SHI within the required timeframe.

Ms. Cramer explained that the Project Eligibility Application is due mid-April, and once the application is received, the Department of Housing and Community Development issues the Project Eligibility Letter. Ms. Cramer continued that the Town only needs a Chapter 40 B permit for the units to show up on the SHI and as long as the building permits are secured for the units within the year, the units could be counted on the SHI.

Rich Feeley of 347 Lexington Road and a member of the Concord Housing Foundation appeared before the Select Board and noted that he believed that the conditions in which the Town acquired the property required 100% affordability.

Ms. Hartman responded that this is not required.

Mr. Feeley asked if CHDC has the staff available to work on the project and asked what the Town can do to get the community input moving.

Liz Rust, Director of the Regional Housing Services Office, noted that their staff is able to support the proposed time frame.

Marcia Rasmussen, Director of Planning and Land Management, noted that Town staff mostly serves as a reviewing entity, such as supporting the Zoning Board of Appeals in the process.

Diane Proctor of 57 Sudbury Road asked if the Town requests proposals, then what would happen if only 1 bid were received.

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Mr. Smith explained that this would not be a sole source procurement and that the RFP would likely include provisions for CHDC to accept or reject all bids. Mr. Smith noted that the Select Board should also be prepared for an upcoming funding request for the Assabett River Bluff project, creating a total of 5 units.

Peter Fulton of 31 Winthrop Street raised concerns that the property could potentially be a hazmat site. Mr. Fulton continued that as an abutter, the neighborhood felt that they had a bad experience with the Grantham Corporation and would like to avoid the same situation moving forward. Mr. Fulton also requested that the developer chosen to move forward considers alternative access to the property, such as from the Bruce Freeman Rail Trail.

**Beede Center – Fiscal Year 2022 Unaudited Results;
Fiscal Year 2023 Budget Status**

Anna McKeown, Recreation Director, appeared before the Select Board to present on the Beede Center. The full presentation is included in the Select Board meeting packet. Ms. McKeown highlighted that Fiscal Year 2022 was the first net positive year since Fiscal Year 2018, which is a result of a small amount of investment income, membership and program enrollment up by 45%, and non-operating expenses down by 22%. Ms. McKeown noted that with operating costs down, the Beede Center was struggling with staffing shortages, especially with lifeguards and front-desk staff, so the Recreation Department has been working on creative ways to attract new applicants.

Ms. Hartman noted that the Beede Center has been working to attract members of all ages and asked if they have been marketing more toward younger age groups.

Ms. McKeown responded that other age groups are not being neglected, but it has been beneficial to attract younger members for group programming and updating Beede Center policies. Ms. McKeown noted that the Center does not have much in-house capacity to increase marketing, but the Center is working to add special events for all ages.

Chair Johnson noted that group exercise classes seem to be lagging.

Ms. McKeown responded that the Center is still working to pinpoint the problem with the lagging return to group exercise classes since COVID-19, but it is also challenging with virtual group exercise classes haven expanded so greatly since the pandemic.

Chair Johnson asked which area of the Center is the most popular.

Ms. McKeown stated that memberships at the Center allow for use of all spaces, so it is hard to track which areas are the most popular at which times, but that the natatorium is most popular overall.

Chair Johnson asked about energy costs at the Center.

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Ms. McKeown responded that with the facilities running for 24 hours per day for 7 days a week, the energy costs are very high. Ms. McKeown noted that the Center is to perform a solar feasibility study, which will be funded by operating revenues and that the Center is also looking to replace the roof in coming years which will improve energy efficiency. Ms. McKeown continued her presentation, noting that for Fiscal Year 2023, the Center is preparing for a small loss, as staffing costs and energy costs increased.

Ms. Escobedo asked a question regarding swimming lessons that take place at White Pond throughout the summer.

Ms. McKeown responded that the Beede Center lifeguards perform the lessons at White Pond, and should the pond need to close, there is always back-up time reserved for the lessons at Emerson Pool or at the Beede Center so that the lessons do not have to be fully cancelled.

Ms. Hartman noted that it would be beneficial to see a Capital Plan for the Beede Center in the future.

Ms. McKeown agreed and noted that the Recreation Department would also like to produce a Capital Plan in the near future.

Sustainability Committee Charge

Chair Johnson opened the discussion on the new proposed Sustainability Committee charge. Chair Johnson continued that both the Climate Action Advisory Board and the Comprehensive Sustainability and Energy Committee have unanimously voted to condense their committees into one, sustainability focuses committee with the proposed charge. The full proposed committee charge is included in the Select Board meeting packet.

Mr. Dane and Ms. Ackerman noted that some of the wording and paragraph structure could flow better.

Ms. Escobedo noted that the charge should include the template for an approval date.

Vote to Refile Home Rule Petitions Approved at Special Town Meeting

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to refile requests for Special Legislation with the Massachusetts State Legislature: Article 1: Fossil Fuel Infrastructure – Confirm Authorization to Apply for Participation in Fossil Fuel-Free Demonstration Project, Article 2: Reauthorize Special Legislation Petition – Real Estate Transfer Fee for Affordable Housing, and Article 3: Reauthorize Special Legislation Petition – Building Permit Fee Surcharge for Affordable Housing approved at Special Town Meeting on Thursday, January 19, 2023.

Committee Nominations

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Ms. Ackerman read the following nominations:

- Joe Palumbo of 90 Black Horse Place to the Diversity, Equity, and Inclusion Commission for a term to expire April 30, 2025
- Timothy Whitney of 315 Lexington Road as an Associate Member to the Historic Districts Commission for the Concord Museum for a term to expire January 1, 2027

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the appointment of Ryan Hanley of 77 Lexington Road to complete an unexpired term to expire May 31, 2025 and Nancy Fresella-Lee of 140 Walden Street as an Associate Member to complete an unexpired term to expire May 31, 2023 to the Historical Commission; to correctively appoint John Cratsley of 10 Edmonds Road for a term to expire June 1, 2025, correctively appoint Burton Flint of 1643 Main Street for a term to expire June 1, 2026, appoint Diane Proctor of 57 Sudbury Road for a second term to expire June 1, 2027, and appoint Eve Isenberg of 833 ORNAC for a term to expire June 1, 2028 to the Community Preservation Committee; to correctively appoint Nicole Hammond of 76 Prairie Street for a term to expire May 31, 2026 to the West Concord Advisory Committee; to appoint Julie McClure of 2128 Main Street for a term to expire May 31, 2026 to the Concord Housing Development Corporation.

Correspondence

Chair Johnson acknowledged two pieces of correspondence regarding 615 Lowell Road included in the Select Board meeting packet.

Select Board Liaison Reports

Select Board Liaison Reports were tabled until the next meeting.

Public Comment

Virginia McIntyre of 26 Simon Willard Road appeared before the Select Board and encouraged the Select Board to work toward solutions to relieve low and moderate income taxpayers from some of the anticipated increase in taxes, should the Middle School Building Project funding increase pass at the Special Town Election scheduled for Thursday, February 16, 2023.

Adjournment

Chair Johnson adjourned the meeting.

TOWN OF CONCORD
APPLICATION FOR ONE DAY SPECIAL LICENSE
FOR THE SALE OF WINES & MALT BEVERAGES/ALL ALCOHOLIC BEVERAGES

Fee: **\$75.00/per day - One Day All Alcoholic and/or Wines & Malt Beverages Only** Amount Paid \$ **15.00**

The undersigned hereby applies for a One Day Special License in accordance with the provisions of the Statutes relating hereto:

NAME: (please print) Jennifer Craig, Director of Advancement
COMPANY or organization: Concord Museum/Concord Antiquarian Society
ADDRESS: 53 Cambridge Turnpike/PO Box 146, Concord MA 01886
TELEPHONE: (978) 369.9763 x228
DATE(S) APPLIED FOR: Saturday, June 5, 2023
EVENT: 2023 Golf Tournament
HOURS OF OPERATION: 10:30 am - 9pm
PREMISES TO BE LICENSED: Concord Country Club
ADDRESS OF PREMISE LICENSED: 246 Old Rd to 9 Acre Corner, Concord, MA 01742

License is for the Sale of:

All Alcoholic Beverages	<input checked="" type="checkbox"/>
Wines & Malt Beverages Only	<input type="checkbox"/>
Wines Only	<input type="checkbox"/>
Malt Beverages Only	<input type="checkbox"/>

The Licensed Activity or Enterprise is:

For Profit	<input type="checkbox"/>
Non-Profit	<input checked="" type="checkbox"/>

Are the bartenders TIPS or equivalently trained? Yes No

Will there be people in attendance that are under the age of 21? Yes No

Is this the first one day special license secured by this organization? Yes No

If no, number of consecutive years licensed? _____

Will there be more than 100 people in attendance? Yes No

If yes, the applicant agrees to contact the Police Department to determine whether traffic control coverage is necessary. The traffic control coverage is provided at the expense of the applicant.

By exercising the privileges of this license in serving persons with alcoholic beverages, the licensee is potentially exposed to significant liability for injuries and damages to the persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this license will be deemed to be acknowledgment that you are aware of this potential liability. You are encouraged to discuss the risks associated with exercising your privileges of the license and the precautions appropriate to avoid injuries, damage and liability to others with your legal advisor. The Town of Concord, and the Board of Selectmen, acting as the Local Licensing Authority, shall not be liable to the licensee or others if injury or damage shall result from the exercise of the license.

Signature of Applicant: Jennifer Craig for Concord Museum Date: 1-19-23

**TOWN OF CONCORD
Board of Selectmen**

One Day Special Licenses

TIPS TRAINING (OR EQUIVALENT)

Applicant Name:	Concord Museum/Concord Antiquarian Society
Location of Event:	Concord Country Club
Date of Event:	Saturday, June 5, 2023

The Board of Selectmen require that any event for which they issue a One Day Special License the alcohol must be served by a TIPS trained or equivalent bartender.

TIPS training cards or the equivalent must accompany this application. These must show the photo and name of the bartender and must be current. If a photo is not on the TIPS training card, then a copy of a valid driver's license with a photo should be included as well. Proof of TIPS credential must be provided before this application is voted on by the Board of Selectmen.

NOTE: The Town of Concord should have all the current TIPS training certification documents from the Concord Country Club.

**TOWN OF CONCORD
Board of Selectmen**

One Day Special Licenses


Under 21 Policy

The Town of Concord Board of Selectmen assumes that there may be guests or attendees under 21 at any event. Therefore this policy must be adhered to for all events.

Applicant Name:	Jennifer Craig
Location of Event:	Concord Country Club
Date of Event:	Saturday, June 5, 2023

Applicants agree to check the ages of all guests at the door. If a person is under the age of twenty-one, his/her hand will be stamped to indicate that the person is underage to the bartender.

I certify that Concord's Under 21 policy requirement for the event stated in this application will be followed.

Signature of Applicant:	
--------------------------------	--



eTIPS On Premise 3.1

CERTIFIED

Issued: 04/28/2022

Expires: 04/28/2025

ID#: 5703795

Sara Killelea

Concord Country Club

246 Old Road To 9 Acre Cor

Concord, MA 01742-4163 USA

No Online Use Only
Valid if Printed
Printed

MASSACHUSETTS

DRIVER'S LICENSE

NOT FOR FEDERAL ID



Sara P. Killelea



4a ISS
03/29/2021

4b EXP
03/31/2026

9 CLASS
D

12 REST
NONE

4d NUMBER
[REDACTED]

3 DOB
03/31/1980

9a END
NONE

1 KILLELEA

2 SARA P

8 [REDACTED]

Sara Killelea

18 EYES BLU
15 SEX F 16 HGT 4'-11"
5 DD 03/30/2021 Rev 02/22/2016

03/31/80

[Save Progress](#)

One Day Special Liquor Licenses

* indicates a required field

Company or Organization*

EMERSON HEALTH

Applicant Name*

Cynthia Kelly (Kappy)

Email Address*

[Redacted]

Applicant's Email Address

Applicant Address*

[Redacted]

City*

State*

Zip Code*

[Redacted]

Phone Number*

[Redacted]

Number applicant may be reached at.

Name of Event*

EMERSON

If event is unnamed, please give short description such as 'wedding' or 'bar mitzvah'

Activity Is*

-- Select One --

Musical concert

Event Type*

-- Select One --

Emerson Health Fundraiser

Event Date & Start Time*

mm/dd/yyyy

hh:mm am/pm

04/01/2023

5:00 pm setup

End Time*

hh:mm am/pm

11:00 pm ^{exit} ^{breakdown}

event 7:30-9:30

Premises to be Licensed*

51 WALDEN STREET.

Legal Name of Venue

City*

CONCORD

Venue Address

State

MA

Zip Code

01742

License is for the Sale of:*

- All Alcoholic Beverages
- Wines & Malt Beverages Only
- Wines Only
- Malt Beverages Only

Bartenders TIPS trained?*

- Yes
- No

Under 21 Attendees?*

- Yes
- No

1st one-day license for Organization?*

- Yes
- No

If NO, number of years licensed?

2020 last event

More than 100 in attendance?*

If YES, applicant must contact the Police Dept. to determine whether traffic control coverage is necessary. The traffic control coverage is provided at the expense of the applicant.

- Yes *approx. 200*
- No

By exercising the privileges of this license in serving persons with alcoholic beverages, the licensee is potentially exposed to significant liability for injuries and damages to the persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this license will be deemed to be acknowledgement that you are aware of this potential liability. You are encouraged to discuss the risks associated with exercising your privileges of the license and the precautions appropriate to avoid injuries, damage and liability to others with your legal advisor. The Town of Concord, and the Select Board, acting as the Local Licensing Authority, shall not be liable to the licensee or others if injury or damage shall result from the exercise of the license.

I acknowledge and accept the above statement of liability*

Cephus Kelly

E-signature, legally binding.

APPLICATION FEE \$75.00

Please forward to: Town Manager's Office PO Box 535 Concord, MA 01742 Applications cannot be processed until payment is received.

Acknowledgements *

- I attest the information contained in this form is true and accurate.
- I acknowledge that I must pay an application fee of \$75 and will mail my payment.
- I acknowledge that no action will be taken, or scheduled, regarding my application until payment is received.

IMPORTANT NOTICE

Board & Committee Meeting Calendar

Applications for licenses are due no later than fourteen (14) calendar days before the next Select Board Meeting.

TIPS TRAINING

The Select Board require that for any event which they issue a special permit, the alcohol provided must be served by a TIPS trained (or equivalent) bartender. TIPS training cards, or their equivalent, must accompany this application. Additionally, each certification must show a photo and name of the bartender(s) and must be current. If a photo is not on the TIPS training cards, a copy of a valid driver's license with a photo should be included. Proof of TIPS credentials must be provided before any application may be voted on by the Select Board.

I acknowledge and agree to the Town of Concord's TIPS Training Policy as outlined above.*

- Copies of cards have been included with this application
- Copies of card(s) will be mailed separately to the Town Manager's Office

Applicant, in choosing an option above, indicates the applicant's acceptance of TIPS terms.

UNDER 21 POLICY

The Town of Concord Select Board assumes that there may be guests or attended under 21 y ears of age at any event. therefore, this policy must be adhered to for all events. Applicants agree to check the ages of all guests at the door. If a persons under the age of 21 are present, his or her hand shall be stamped to indicate the he/she is underage for the bartender

I certify that Concord's Under 21 Policy, as outlined above, will be followed.

- A legal adult, over 21 years of age, shall check the ages of all guests to ensure compliance.
 - All bartenders shall be made aware of the Under 21 Policy terms before the event's commencement.
- Applicant, in checking the boxes above, indicates acceptance of the Under 21 Policy terms as outlined.

CD Kelly

Receive an email copy of this form.

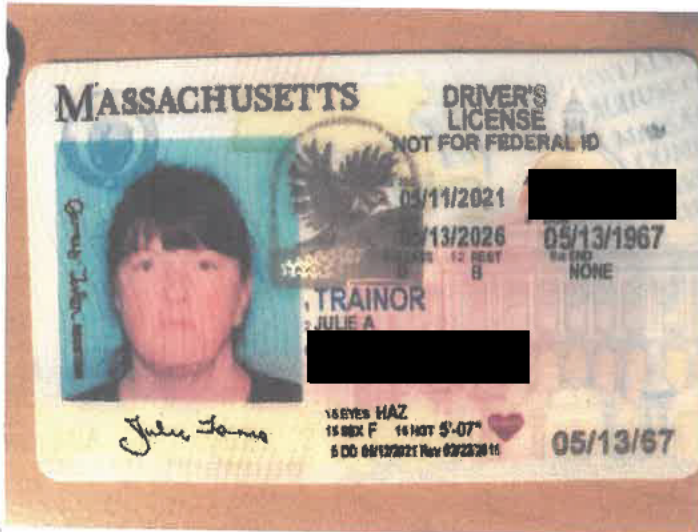
Email address

Kappykelly@gmail.com

This field is not part of the form submission.

Submit

Submit and Print





A 360TRAINING COMPANY

CERTIFICATE OF COMPLETION

This certifies that

David Tillman

is awarded this certificate for

TIPS On-Premise Alcohol Server Training



Hours
3.00



Completion Date
01/31/2023



Expiration Date
01/30/2026



Certificate #
ON-000027618204

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.881.2235 | www.360training.com

(CUT HERE)

(CUT HERE)

CERTIFIED

On-Premise

Issued: 01/31/2023
Certificate #: ON-000027618204

Expires: 01/30/2026

David Tillman
28 Matawanakee Trl
Littleton MA 01460



Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____

MASSACHUSETTS

DRIVER'S
LICENSE



ISS
09/03/2019

EXP
07/11/2024

CLASS
NONE

NUMBER
[REDACTED]

DOB
07/11/1969

SEX
NONE

TILLMAN
DAVID SCOTT

[REDACTED]

David Scott Tillman

HAZ *MEYERLN
SEX M HGT 6-00"
DOB 07/11/1969

07/11/69



TOWN OF CONCORD

Office of the Town Manager

Operational Status Reports & Departmental Updates

For the Week Ending February 10, 2023

General Administration

Family Shelter

The Town Manager's office developed an [FAQ](#) to address questions raised by the community in response to DHCD's plan to partner with the Best Western to stand up an emergency family shelter in March. The DHCD plan supports the Healey administration's goal of addressing affordable housing and homelessness as a priority. The emergency shelter program is exceeding capacity; stand-alone facilities dispersed throughout the state will help to address capacity issues and provide rapid response capabilities for transitional temporary shelter to families as more long-term housing is identified. DHCD and the Best Western are working with current long-term residents at the Best Western to resolve housing issues. The Town is prepared to provide support for individuals who cannot reach a satisfactory solution with the DHCD and Best Western. No one currently at the Best Western will be left unhoused by the DHCD's plan.

Emerson Hospital Addiction Treatment Program

On Friday, February 10, Emerson Hospital Community Relations Office released the following statement relative to its addiction treatment program:

"It is important to know, and to share with patients and the community, that our behavioral health and addiction recovery programs are **not** closing.

Emerson Health is committed to pediatric and adult behavioral health care. We continue to offer emergency care, and inpatient and outpatient addiction rehabilitation programs, and support groups for patients working to overcome substance use disorders. We are one of a few hospitals in Massachusetts with an inpatient behavioral health unit for psychiatric and substance use disorders.

Emerson also offers outpatient MAT services, a program we created three years ago for substance use disorders. We currently offer this service at our main campus, with a limited number of patients seen once a week in Groton. Demand for MAT at Emerson is lower than we expected, so we are carefully evaluating the future of our MAT program but continue to see patients.

We understand the impact of substance use disorder on individuals and families and are fully committed to ensuring access to treatment moving forward. *Outpatient MAT currently remains available at Emerson.* We will notify patients if and when any changes occur and work together to provide a personalized plan for their continued treatment. **Every patient will have access to care.**"

Personnel News

The Town Manager's office is pleased to welcome Eileen Blanchette to the position of Executive Assistant. Eileen will provide organizational and administrative support the TMO. Eileen brings municipal experience from her time with the Towns of Bedford and Carlisle as well as project

management experience from the private sector. Her experience and organizational skills will be an asset to the organization. Stop by the Town Manager's office to say hello.

Recreation Program

General Recreation Department Updates

- The next Recreation Commission meeting will be on 2/28/23 at 7:00P at the Hunt Recreation Center. We welcome Matt Boger as our newest Commission member and look forward to the work he will do with our active, committed Commissioners.
- Upcoming Recreation Events:
 - 2/11/23 Winter Wonderland
 - 2/14/23 Parents Night Out
 - 3/10/23 Symphony Swim @ Beede
 - 3/11/23 Shamrock Ball
 - 4/1/23 Underwater Egg Hunt @ Beede
 - 4/7/23 Egg Hunt
- The Recreation Department has worked hard to formalize a robust, Town Employee Discount program for various memberships and programs. To learn more, employees are encouraged to reach out to Concord Recreation at 978-287-1050 or ConcordRec@concordma.gov. Details on the discount program can be found [here](#).
- The Recreation Facilities Strategic Plan will host its first public meeting on 3/8/23 at the Hunt Recreation Center from 5:00P-7:30. Childcare will be available for those that need it to assure residents can participate in the conversation. To learn more about the event and project, please visit our website by clicking [this link](#).

January 2023 Employee of the Month: Mark Ryder

Location: Beede Swim and Fitness Center

Position Title: Head Lifeguard

Time with Concord: 16 years

Programs: Beede Safety Management, Aquatics

Mark has been working for the Beede Center since it opened, first as a personal trainer and now as a full-time head lifeguard. Mark opens the building Monday-Friday morning arriving at work around 4:30A to assure our early morning swimmers can get in the water at exactly 5:30A. Mark is incredibly dependable, takes the safety of



our members seriously, and serves as a role model for other lifeguards. Mark's professionalism radiates through everything he does from tending to the pool mechanics to checking lifeguard schedules. He has made great connections with many members and guests, most of whom he knows by first name, always greeting them with a smile. Members and staff alike cannot imagine the Beede Center without Mark Ryder. Thank you for everything you do, Mark!



Hunt Recreation Center Updates

- Applications for summer camp staff are coming in at a steady pace (currently 14 applications for general counselors). We have a pending offer for a seasonal camp director in the pipeline as well as we work to fill our vacant Recreation Supervisor position.
- Registration for summer camps at 2/8 at 7:30 am for regular camps, 3/1 at 7:30A for half day summer program.
- Working with Concord Public Schools to enroll 10 kids in camp via their Extended School Year plans.
- Working with the METCO Coordinator to support more students from Boston at camp this year.
- Registration for 2022 White Pond members opened on 2/1/23. Registration for nonmember residents will open on 2/8/23 and nonresident, nonmembers on 2/15/23.



Beede Center Updates

- Lifeguard classes will begin this term at a reduced rate, rather than free. The \$41 certification fee paid to American Red Cross will now be charged to participants. Classes are available for registration online.
- The Beede Center hosted its first annual "Rock" the New Year Family Challenge Night. The event was held on Saturday, Jan 15th from 6:30p-8p. It is part of a monthly family fun series to encourage Beede's accessibility to families for unstructured, open swim. The event sold out with 83 participants. Participants attempted to complete the timed challenge course to ascend the inflatable "rock" structure. All participants who completed the challenge were able to take a victory photo in the department's inflatable Snow-Globe.
- The Center continues to have issues with nonmembers using the parking lot. We will now begin to label parking passes with the unique account ID#. This will allow staff to contact households who are improperly utilizing Beede's parking lot and track repeat misuse. Beede has also designated staff parking zones and issued a different parking pass color than those given out to members.



- We are working with the Town’s IT department to strengthen the WIFI throughout the building.
- The Beede Center partnered with Household Goods Inc. for a day of service to honor MLK day this month. (Household Goods, Inc. provides a full range of donated furniture and household items, free of charge, to help people in need make a home.) Staff volunteered their time for 4-hours on 1/31/2023 to give back to the community.

Police Department

Activity Log February 2 – February 8

Log items	891
Traffic Enforcement	67
Motor Vehicle Stops	104
MV Crashes and/or Paper Exchanges	12
Arrests	2

Training/Professional Development

- Detective Paladino and Detective Rodriguez completed a two weeklong training with the Domestic Violence Services Network (DVSN).

Community

- Officers stopped by Cousin’s Field to attend a neighborhood bonfire and meet residents.
- Sergeant Manchuso coordinated the participation of officers in the Polar Plunge to benefit the Special Olympics. The event took place at the lake in Nara Park, Acton.
- Interim Chief Mulcahy and Lieutenant Goldman presented to a Concord women’s group about the department and changes in policing in Lexington.

Fire Department

Call for Service

The Fire Department responded to 124 calls for service over the week. Mutual aid was provided to other communities ten times received from other communities four times. On Saturday, Lt. Niemi responded as part of the State Hazardous Materials to the New England Sports Center in Marlboro for an ammonia leak. The weekend freezing temperatures was the cause of approximately 40 frozen fire sprinkler systems; fire companies were busy responding to broken sprinkler systems and domestic water problems starting early on Saturday and continuing through Monday.



past and 2/4/23, Team leak.



On Wednesday, Feb. 8, 2023, during the Brockton ten-alarm fire at Brockton Hospital, Engine 3, and C1 responded as part of a Structural Task Force (six pumpers, two ladder trucks, three chief officers) to a staging area in the Town of Whitman. This task force is part of the Massachusetts' Statewide Mobilization Plan. The District 14 task force was made up of fire companies from Concord, Acton, Boxborough, Lincoln, Sudbury, Wayland, Hudson, and Natick were staged in

Whitman at the Brockton line providing fire protection to the area as local fire companies were not available.

Emergency Management

Emergency Management was prepared to open the town shelter as a warming center if the need arose. Thank you to all the town employees who signed up to be available to take a shift staffing the center if it was needed.

Training

- Lieutenant McGloughlin spent the week at the National Fire Academy in Emmitsburg, Maryland attending the course Command and Control of Incident Operations. This is a six-day course for fire officers where they study proper command techniques for control and extinguishment of fires ranging from small, residential structures to multioccupancy, commercial complexes.
- Firefighter Kaminski-Miller and Firefighter Black continued their training this week. They worked with other new Firefighters in Lexington at a home slated to be torn down. They were able to practice a variety of skills including search and rescue, wall breaching (to escape a room if trapped), roof ventilation and working from ladders.
- Lt. Ostroskey and Asst. Chief Latta attended EV training hosted by Newton Fire. Newton FD is the first in the northeast to have an EV plug which puts the vehicle in a safe mode "neutral".
- Despite the temperature on Saturday, Lieutenant Cotoni taught a scheduled driving class to new Firefighters Black and Kaminski-Miller. This hands-on training includes a DOT course for handling trucks. Thank you to School Transportation for letting us use the parking lot at Forest Ridge to set up the course.

Community Services

- Community Services Coordinator, Bonny Wilbur, attended a **Public Benefits Advocacy Training**, offered by the Massachusetts Law Reform Institute, on the end of the extra SNAP (food stamps) emergency allotment benefits created during the pandemic to help individuals and families buy food. Massachusetts residents with a SNAP card will receive their last extra COVID SNAP payment on March 2nd. The state has launched a new website – [Mass.gov/ExtraCOVIDSNAP](https://www.mass.gov/ExtraCOVIDSNAP) to help residents plan for the end of these temporary federal benefits.
- Bonny spoke to the library staff about her role as **Community Services Coordinator**, and about the assistance available to town residents who might be struggling to pay bills,

confronting domestic violence, living with mental illness, facing food insecurity, etc. She also discussed the various support programs she manages throughout the year to help Concord families in need.

- Concord residents have begun to register their children for **summer camp**, and many are reaching out to the Community Services Coordinator for assistance. In many households, camp is a necessity and serves as childcare while parents are at work, yet many low-income families struggle to afford the cost. There are many local camp and summer program options, and there is financial assistance with camp fees through the town, and through a camp scholarship program from the Concord-Carlisle Community Chest.

Planning and Land Management

Economic Vitality & Tourism

- EVT Manager Beth Williams attended “**Managing Multi-Generational Staff**” on Wednesday February 9th. Sponsored by the Town of Concord, this workshop provided some great tips on how different generations have very different expectations, experiences, and needs when it comes to management. The EVT staff span from mid-twenties to mid-eighties and provide both unique talents and challenges.
- **First Friday at the League of Women Voters (LWV):** On Friday, February 3rd, EVT Manager Beth Williams and Senior Planner (for transportation) Erin Stevens attended the LWV monthly program. Erin highlighted current and proposed projects for transportation and connected those to Beth’s tourism summary. The response from the group was very positive and promoted a great conversation about Concord’s accessibility (and some lack thereof) for visitors and residents alike.

Health

- **Concord Middle School (CMS) Food Plan Review:** Architects of the CMS have submitted the Food Plan Review documents to the Health Division. Staff has been in communication with the architects and the Head of Concord Food Service and continues to review the plans as submitted.
- **Emergency Response to extreme cold:** Health Division staff responded to two calls from the Concord Fire department regarding Food Establishments that experienced water line breaks due to the extreme cold on February 3-4. Shutdowns of food service operations were established at the Colonial Inn and the Concord Cheese Shop. The Health Division worked with the Building Division over the weekend and continues to work to ensure operations are safe and sanitary prior to reopening.
- The **State’s Public Health Council approved** changes to the Housing Code in October 2022, which go into effect in April 2023. Staff attended a day-long training on the amended housing code (105 CMR 410.00: Minimum standards of fitness for human habitation (State Sanitary Code, chapter II)).

Planning

- **Planning Board meeting of February 7th:** The Board reviewed an application for 59 Walden St. for a second story addition and relief from the parking and the parking design

requirements. The Board is required to make a recommendation to the Board of Appeals. The Board did not have any significant issues or concerns but continued discussion to February 21st to allow the Applicant to address some minor changes and for the Town Planner to draft a positive recommendation letter. The Board continued to work on their presentations and FAQ sheets on Articles 33, 34 and 35 for the Annual Town Meeting Public Hearing on March 7th.

- **Hanscom ENF for North Airfield**

Development: DPLM staff from Planning, Natural Resources and Health attended a site visit on Monday, February 6th and the public information forum held that night to learn more about the proposed project to construct 27



hangars to house private and corporate aircraft and the associated support systems at L.G. Hanscom Field. Comments from Town staff will be compiled into a memorandum for the Town Manager for further discussion/consideration by

Technology

Personnel News

- The GIS Division would like to welcome our newest GIS Analyst, Tristan Boyd. Tristan just made the move to Concord from Stockton, California, having previously worked as a GIS Analyst for the City of Stockton. Tristan has a bachelor's degree in Geography, Political Science, and Spanish with a certificate in GIS from the University of Colorado, Denver. Welcome, Tristan!

Minuteman Media

- Matt Beren and Tory Wesnofske are submitting videos to the "Hometown Media Awards," an industry group that works to promote PEG access businesses and advocate for PEG access in the federal government. Good luck Tory and Matt!
- The Ripley Conference room 4 is in the last few tweaks that will finish a new control room for Joint School Committee meetings recorded by MMN and on Zoom. This is the huge step in getting this room upgraded. The install will be setup with a system that will be replicated all over Concord and Carlisle.
- Speaking of new systems. Carlisle's Town Hall is in the last days of an upgrade to the main meeting room. New large screen monitors, and new MMN switches for recording equipment has been installed. This site is the 2nd to follow the updated standard for the MMN team. Learn this system once and you can move from place to place with little to no training.
- We are at 1,000 subscribers on MMN YouTube Page.

133 Keyes Road
Concord, MA 01742



DATE: 12/14/2022

MEMORANDUM

TO: Shannon McAndrew, Senior Administrative Assistant
VIA: Alan Cathcart, Director of Public Works
FROM: Stephen Dookran PE, Town Engineer
PREPARED BY: Justin Richardson, PE, Assistant Town Engineer
SUBJECT: Petition of Comcast of Massachusetts III, Inc. to install new coaxial cable.

This memorandum is to provide comments to the Select Board on the petition for a Grant of Location filed by Comcast of Massachusetts III, Inc. on portions of Plainfield Road, Powder Mill Road, Sudbury Road and Old Road to 9 Acre. The applicant proposes new coaxial cable to be over-lashed to the existing Comcast network utility pole #18 Plainfield Road to utility pole #60 Old Road to Nine Acre Corner for the purpose of network enhancement. This route encompasses the following sections of roadway:

- Old Rd to 9 Acre Corner: pole 60 (near Williams Rd) to pole 93 (Int. with Sudbury Rd)
- Sudbury Rd: pole 111 (Int. with ORNAC) to pole 116 (Int. with Powder Mill Rd)
- Powder Mill Rd: pole 1 (Int. with Sudbury Rd) to pole 23 (Int. with Plainfield Rd)
- Plainfield Rd: pole 36 (Int. with Powder Mill Rd) to pole 18 (600 ft south of Alden Rd)

Concord Public Works (CPW) Engineering Division and Concord Municipal Light Plant (CMLP) have reviewed the attached Grant of Location petition dated May 27, 2022 and recommend approval of the petition with the following conditions.

1. Prior to construction, the applicant must complete a pre-Hearing site visit with the Concord Municipal Light Plant to review work to be completed.
2. The new aerial cable shall be installed using common industry standards, and shall be set substantially at the points indicated on the plan filed with the petition. Specifically the new aerial cable must be over-lashed to the existing Comcast infrastructure installed between utility pole 60 Old Rd to 9 Acre Corner and utility pole 18 Plainfield Rd.
3. Minimum separation and clearance requirements as described by the most recent National Electric Safety Code must be maintained between Comcast infrastructure and existing overhead facilities.
4. The applicant must remove any infrastructure deemed obsolete as a result of this project.
5. As applicable, existing Comcast pole transfers and low hanging wires shall be addressed during said installation. Should any issues or safety concerns arise during installation it is the responsibility of Comcast to contact CPW and CMLP.

6. As-built plans must be provided to the Concord Public Works Engineering Division and Concord Municipal Light Plant Engineering Divisions prior to the final closeout of the project.
7. The Applicant will remove the new coaxial cable upon completion of its service life.
8. A ROW Permit application shall be submitted to CPW with stamped construction plans if any alteration of surface features in the ROW is being performed. A ROW permit shall also be applied for if obstructions will be left in the ROW when no work is being performed. If a ROW permit is required, no work shall commence until CPW has completed its review and provides ROW Permit approval to the Applicant.
9. A traffic management plan shall be submitted to the Concord Police Department Traffic Safety Officer and the CPW – Engineering Division for approval.
10. The Applicant and its Contractor, if applicable, shall adhere to the CPW Construction and Tree Protection Standard Operating Procedures including the protection of public shade trees: “No person may plant, trim, cut, or remove a public shade tree without the prior permission of the Tree Warden and Engineering Division. This control includes the cutting of roots during construction.” The contractor shall be responsible for installing wooden tree guards with orange snow fencing on public shade trees located within the work zone.
11. The Applicant shall notify emergency services, the school district, the post office, CPW Solid Waste for trash pickup services via email one week prior to the start of construction. The applicant shall also notify neighborhood residents with door hangers of the planned work and schedule two weeks prior to the start of construction.



241 West Central Street
Natick, MA 01760
Phone: 617-862-8437 (c)

May 27, 2022

Michael Gibbons
Senior Administrative Assistant
Town Manager's Office
Town of Concord, MA

RE: Petition for Grant of Location, Plainfield Road

Dear Michael:

Enclosed please find Comcast's Petition for Aerial Installation of Coaxial Cable along Plainfield Road. I have also enclosed a draft Order. Please advise when the Board will be able to hear us on this matter.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have any questions, comments or concerns regarding any aspect hereof.

Sincerely,

Gregory Franks

Greg Franks, Senior Manager of Government & Regulatory Affairs
Comcast

PETITION FOR AERIAL INSTALLATION OF COAXIAL CABLE

Concord, Massachusetts

5/27/2022

To the Select Board of Concord, Massachusetts:

Comcast of Massachusetts III, Inc. requests permission to install coaxial cable to be owned and used by the petitioner, along and across the following public way or ways:

- *Plainfield Road*
- *Old Road to Nine Acre Corner*
- *Powder Mill Road*
- *Sudbury Road*

Wherefore they pray that after due notice and hearing as provided by law, they be granted permission to install coaxial cable over lashed to existing underground strand coaxial cable as they may find necessary and in accordance with the plan filed herewith.

1. **Comcast of Massachusetts III, Inc.**

By: *Gregory Franks*

Print name: Gregory Franks

Title: Sr. Manager of Government and Regulatory Affairs

Telephone or e-mail contact info: (617) 862-8437 cell ph
Gregory_Franks@comcast.com

ORDER FOR INSTALLATION OF AERIAL COAXIAL CABLE

In Select Board of the Town of Concord, Massachusetts

Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED: that **Comcast of Massachusetts III, Inc.** be and is hereby granted permission to install coaxial cable as it deems necessary, in the public way or ways hereinafter referred to, as requested in the said petition and accompanying plan.

All construction under this order shall be in accordance with the following conditions:

The new coaxial cable shall be over-lashed to the existing Comcast network from utility pole #18 Plainfield. to utility pole #60 Old Road to Nine Acre Corner to provide for a network enhancement, using common industry standards, and shall be set substantially at the points indicated upon the plan accompanying said petition. There may be installed by said Comcast of Massachusetts III, Inc. such coaxial cables as are necessary in its business, and all said coaxial cables shall be placed in a manner that complies with the National Electrical Safety Code.

The following are the public ways or parts of ways along which the above referred to may be installed thereon under this order:

- *Plainfield Road*
- *Powder Mill Road*
- *Sudbury Road*
- *Old Road to Nine Acre Corner*

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Concord, Massachusetts held the _____ day of _____, 2022.

Clerk of Select Board

We hereby certify that on _____, at _____ O'clock _____, at

Concord, Massachusetts, a public hearing was held on the petition of **Comcast of Massachusetts III, Inc.**

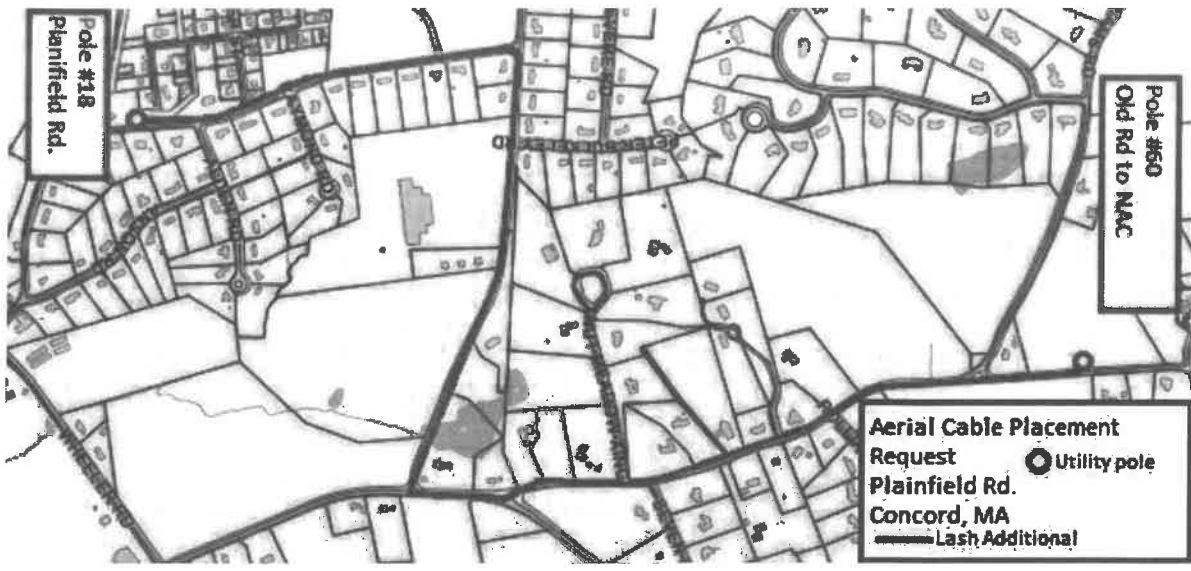
permission to install coaxial cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install coaxial cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Select Board of the Town of Concord, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of Hearing with notice adopted by the Select Board of the Town of Concord, Massachusetts, on the _____ day of _____, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and additions thereto or amendments thereof.

Attest: _____
Town Clerk



**133 Keyes Road
Concord, MA 01742**



DATE: 12/14/2022

MEMORANDUM

TO: Shannon McAndrew, Senior Administrative Assistant
VIA: Alan Cathcart, Director of Public Works
FROM: Stephen Dookran PE, Town Engineer
PREPARED BY: Justin Richardson, PE, Assistant Town Engineer
SUBJECT: Petition of Comcast of Massachusetts III, Inc. to install new coaxial cable.

This memorandum is to provide comments to the Select Board on the petition for a Grant of Location filed by Comcast of Massachusetts III, Inc. on Laws Brook Road and Pond Street. The applicant proposes new coaxial cable to be over-lashed to the existing Comcast network from utility pole #1 Pond Street to utility pole #29 Laws Brook Rd for the purpose of network enhancement. This route encompasses the following sections of roadway:

- Pond St: from pole #1 to Laws Brook Road
- Laws Brook Road: pole #11 (Int. with Pond Street) to pole #29 (near Crabtree Road)

Concord Public Works (CPW) Engineering Division and Concord Municipal Light Plant (CMLP) have reviewed the attached Grant of Location petition dated May 27, 2022 and recommend approval of the petition with the following conditions.

1. Prior to construction, the applicant must complete a pre-Hearing site visit with the Concord Municipal Light Plant to review work to be completed.
2. The new aerial cable shall be installed using common industry standards, and shall be set substantially at the points indicated on the plan filed with the petition. Specifically the new aerial cable must be over-lashed to the existing Comcast infrastructure installed between utility pole #1 Pond Street and utility pole #29 Laws Brook Road.
3. Minimum separation and clearance requirements as described by the most recent National Electric Safety Code must be maintained between Comcast infrastructure and existing overhead facilities.
4. The applicant must remove any infrastructure deemed obsolete as a result of this project.
5. As applicable, existing Comcast pole transfers and low hanging wires shall be addressed during said installation. Should any issues or safety concerns arise during installation it is the responsibility of Comcast to contact CPW and CMLP.
6. As-built plans must be provided to the Concord Public Works Engineering Division and Concord Municipal Light Plant Engineering Divisions prior to the final closeout of the project.

7. The Applicant will remove the new coaxial cable upon completion of its service life.
8. A ROW Permit application shall be submitted to CPW with stamped construction plans if any alteration of surface features in the ROW is being performed. A ROW permit shall also be applied for if obstructions will be left in the ROW when no work is being performed. If a ROW permit is required, no work shall commence until CPW has completed its review and provides ROW Permit approval to the Applicant.
9. A traffic management plan shall be submitted to the Concord Police Department Traffic Safety Officer and the CPW – Engineering Division for approval.
10. The Applicant and its Contractor, if applicable, shall adhere to the CPW Construction and Tree Protection Standard Operating Procedures including the protection of public shade trees: “No person may plant, trim, cut, or remove a public shade tree without the prior permission of the Tree Warden and Engineering Division. This control includes the cutting of roots during construction.” The contractor shall be responsible for installing wooden tree guards with orange snow fencing on public shade trees located within the work zone.
11. The Applicant shall notify emergency services, the school district, the post office, CPW Solid Waste for trash pickup services via email one week prior to the start of construction. The applicant shall also notify neighborhood residents on the proposed work and schedule with door hangers two weeks prior to the start of construction.



241 West Central Street
Natick, MA 01760
Phone: 617-862-8437 (c)

May 27, 2022

Michael Gibbons
Senior Administrative Assistant
Town Manager's Office
Town of Concord, MA

RE: Petition for Grant of Location, Laws Brook Road

Dear Michael:

Enclosed please find Comcast's Petition for Aerial Installation of Coaxial Cable along Laws Brook Road. I have also enclosed a draft Order. Please advise when the Board will be able to hear us on this matter.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have any questions, comments or concerns regarding any aspect hereof.

Sincerely,

Gregory Franks

Greg Franks, Senior Manager of Government & Regulatory Affairs
Comcast

PETITION FOR AERIAL INSTALLATION OF COAXIAL CABLE

Concord, Massachusetts

5/27/2022

To the Select Board of Concord, Massachusetts:

Comcast of Massachusetts III, Inc. requests permission to install coaxial cable to be owned and used by the petitioner, along and across the following public way or ways:

- *Laws Brook Road*
- *Pond Street*

Wherefore they pray that after due notice and hearing as provided by law, they be granted permission to install coaxial cable over lashed to existing underground strand coaxial cable as they may find necessary and in accordance with the plan filed herewith.

1. **Comcast of Massachusetts III, Inc.**

By: *Gregory Franks*

Print name: Gregory Franks

Title: Sr. Manager of Government and Regulatory Affairs

Telephone or e-mail contact info: (617) 862-8437 cell ph
Gregory_Franks@comcast.com

ORDER FOR INSTALLATION OF AERIAL COAXIAL CABLE

In Select Board of the Town of Concord, Massachusetts

Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED: that **Comcast of Massachusetts III, Inc.** be and is hereby granted permission to install coaxial cable as it deems necessary, in the public way or ways hereinafter referred to, as requested in the said petition and accompanying plan.

All construction under this order shall be in accordance with the following conditions:

The new coaxial cable shall be over-lashed to the existing Comcast network from utility pole #18 Plainfield. to utility pole #1 Pond St. to utility pole #29 Laws Brook Rd. to provide for a network enhancement, using common industry standards, and shall be set substantially at the points indicated upon the plan accompanying said petition. There may be installed by said Comcast of Massachusetts III, Inc. such coaxial cables as are necessary in its business, and all said coaxial cables shall be placed in a manner that complies with the National Electrical Safety Code.

The following are the public ways or parts of ways along which the above referred to may be installed thereon under this order:

- *Pond Street*
- *Laws Brook Road*

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Concord, Massachusetts held the _____ day of _____, 2022.

Clerk of Select Board

We hereby certify that on _____, at _____ O'clock _____, at

Concord, Massachusetts, a public hearing was held on the petition of **Comcast of Massachusetts III, Inc.**

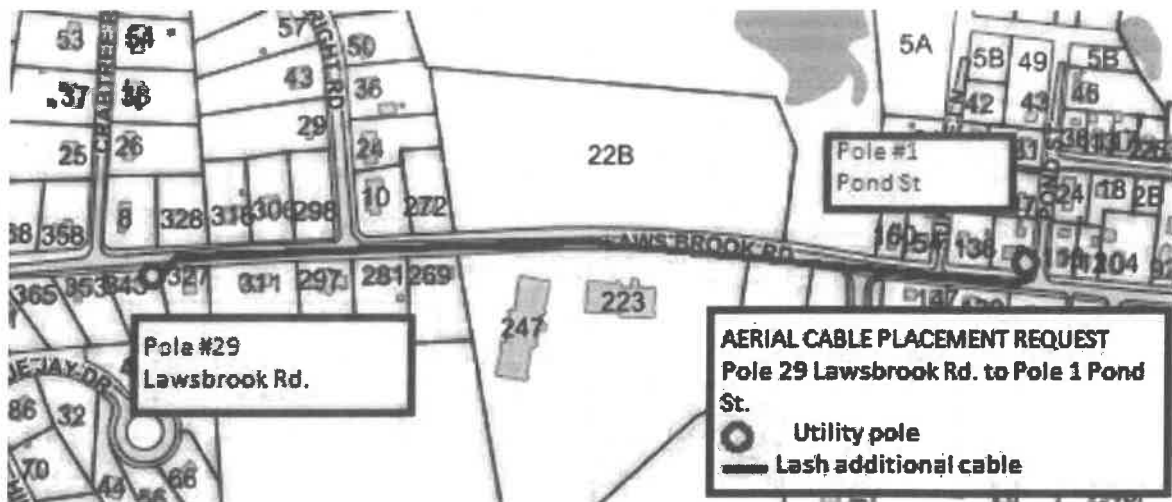
permission to install coaxial cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install coaxial cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Select Board of the Town of Concord, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of Hearing with notice adopted by the Select Board of the Town of Concord, Massachusetts, on the _____ day of _____, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and additions thereto or amendments thereof.

Attest: _____
Town Clerk



133 Keyes Road
Concord, MA 01742



DATE: 12/14/2022

MEMORANDUM

TO: Shannon McAndrew, Senior Administrative Assistant
VIA: Alan Cathcart, Director of Public Works
FROM: Stephen Dookran PE, Town Engineer
PREPARED BY: Justin Richardson, PE, Assistant Town Engineer
SUBJECT: Petition of Comcast of Massachusetts III, Inc. to install new coaxial cable.

This memorandum is to provide comments to the Select Board on the petition for a Grant of Location filed by Comcast of Massachusetts III, Inc. on Court Lane to provide service to 30 Monument Street. The applicant proposes new coaxial cable to be over-lashed to the existing Comcast network from utility pole #1 Court Lane to utility pole #3 Court Lane.

Concord Public Works (CPW) Engineering Division and Concord Municipal Light Plant (CMLP) have reviewed the attached Grant of Location petition dated August 26, 2022 and recommend approval of the petition with the following conditions.

1. Prior to construction, the applicant must complete a pre-Hearing site visit with the Concord Municipal Light Plant to review work to be completed.
2. The new aerial cable shall be installed using common industry standards, and shall be set substantially at the points indicated on the plan that accompanied the petition. Specifically the new aerial cable must be over-lashed to the existing Comcast infrastructure installed between utility pole #1 Court Lane and utility pole #3 Court Lane.
3. Minimum separation and clearance requirements as described by the most recent National Electric Safety Code must be maintained between Comcast infrastructure and existing overhead facilities.
4. The applicant must remove any infrastructure deemed obsolete as a result of this project.
5. As applicable, existing Comcast pole transfers and low hanging wires shall be addressed during said installation. Should any issues or safety concerns arise during installation it is the responsibility of Comcast to contact CPW and CMLP.
6. As-built plans must be provided to the Concord Public Works Engineering Division and Concord Municipal Light Plant Engineering Divisions prior to the final closeout of the project.
7. The Applicant will remove the new coaxial cable upon completion of its service life.

8. A ROW Permit application shall be submitted to CPW with stamped constructions plans if any alteration of surface features in the ROW is being performed. A ROW permit shall also be applied for if obstructions will be left in the ROW when no work is being performed. If a ROW permit is required, no work shall commence until CPW has completed its review and provides ROW Permit approval to the Applicant.
9. A traffic management plan shall be submitted to the Concord Police Department Traffic Safety Officer and the CPW – Engineering Division for approval.
10. The Applicant and its Contractor, if applicable, shall adhere to the CPW Construction and Tree Protection Standard Operating Procedures including the protection of public shade trees: “No person may plant, trim, cut, or remove a public shade tree without the prior permission of the Tree Warden and Engineering Division. This control includes the cutting of roots during construction.” The contractor shall be responsible for installing wooden tree guards with orange snow fencing on public shade trees located within the work zone.
11. The Applicant shall notify emergency services, the school district, the post office, CPW Solid Waste for trash pickup services via email one week prior to the start of construction. The applicant shall also notify abutters on the proposed work and schedule with door hangers two weeks prior to the start of construction.



241 West Central Street
Natick, MA 01760
Phone: 617-862-8437 (c)

August 26, 2022

Michael Gibbons
Senior Administrative Assistant
Town Manager's Office
Town of Concord, MA

RE: Petition for Grant of Location, Court Lane

Dear Mike:

Enclosed please find Comcast's Petition for Aerial Installation of Coaxial Cable along Court Lane. I have also enclosed a draft Order. Please advise when the Board will be able to hear us on this matter.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have any questions, comments or concerns regarding any aspect hereof.

Sincerely,

Gregory Franks

Greg Franks, Senior Manager of Government & Regulatory Affairs
Comcast

PETITION FOR AERIAL INSTALLATION OF COAXIAL CABLE

Concord, Massachusetts

8/26/2022

To the Select Board of Concord, Massachusetts:

Comcast of Massachusetts III, Inc. requests permission to install coaxial cable to be owned and used by the petitioner, along and across the following public way or ways:

- *Court Lane*

Wherefore they pray that after due notice and hearing as provided by law, they be granted permission to install coaxial cable over lashed to existing underground strand coaxial cable as they may find necessary and in accordance with the plan filed herewith.

1. **Comcast of Massachusetts III, Inc.**

By: *Gregory Franks*

Print name: Gregory Franks

Title: Sr. Manager of Government and Regulatory Affairs

Telephone or e-mail contact info: (617) 862-8437 cell ph
Gregory_Franks@comcast.com

ORDER FOR INSTALLATION OF AERIAL COAXIAL CABLE

In Select Board of the Town of Concord, Massachusetts

Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED: that **Comcast of Massachusetts III, Inc.** be and is hereby granted permission to install coaxial cable as it deems necessary, in the public way or ways hereinafter referred to, as requested in the said petition and accompanying plan.

All construction under this order shall be in accordance with the following conditions:

The new coaxial cable shall be over-lashed to the existing Comcast network from utility pole #1 Court Ln. to utility pole #3 Court Ln. to provide service to the occupants of #30 Monument St., using common industry standards, and shall be set substantially at the points indicated upon the plan accompanying said petition. There may be installed by said Comcast of Massachusetts III, Inc. such coaxial cables as are necessary in its business, and all said coaxial cables shall be placed in a manner that complies with the National Electrical Safety Code.

The following are the public ways or parts of ways along which the above referred to may be installed thereon under this order:

- *Court Lane*

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Concord, Massachusetts held the _____ day of _____, 2022.

Clerk of Select Board

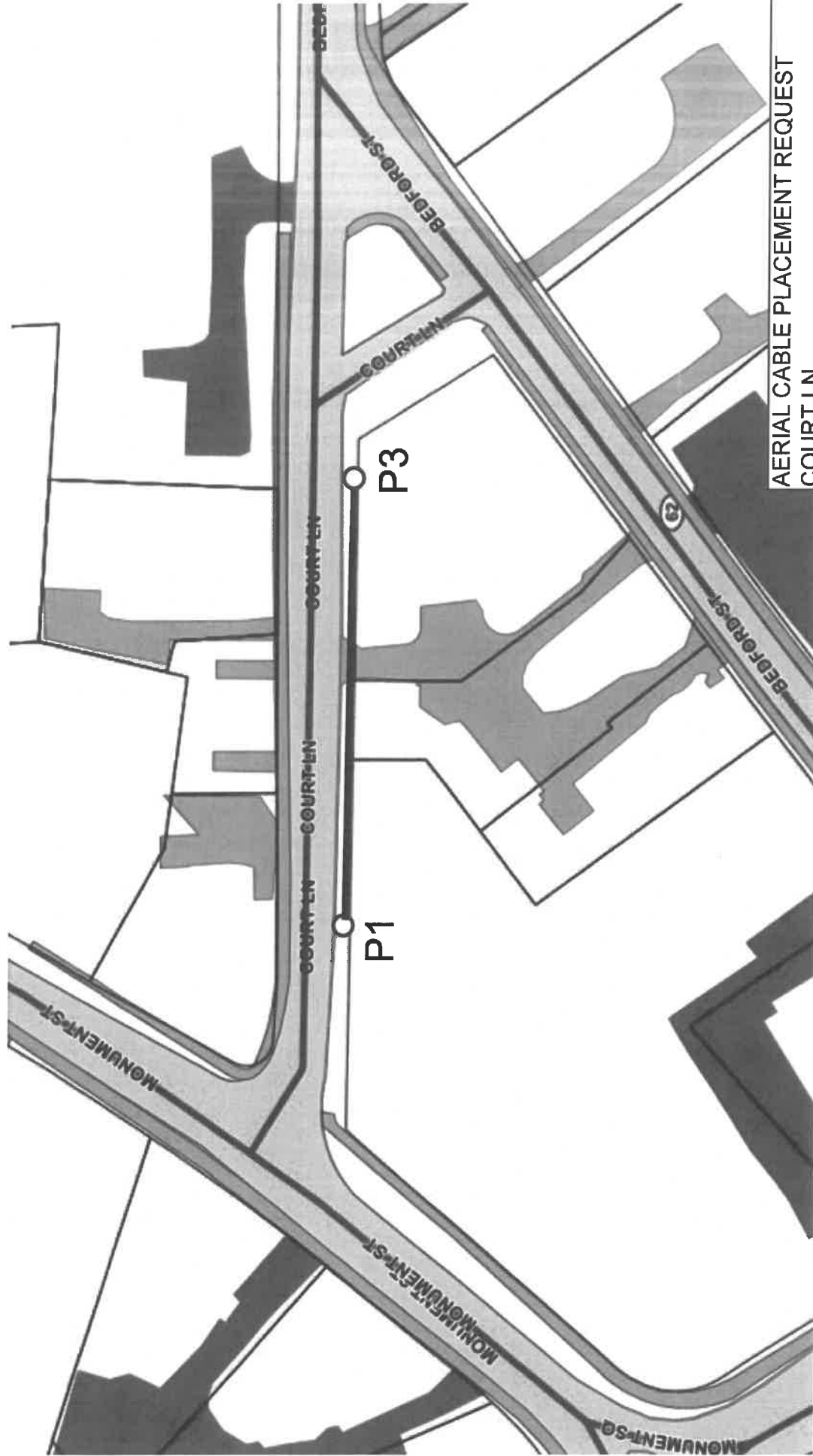
We hereby certify that on _____, at _____ O'clock _____, at Concord, Massachusetts, a public hearing was held on the petition of **Comcast of Massachusetts III, Inc.** permission to install coaxial cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install coaxial cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Select Board of the Town of Concord, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of Hearing with notice adopted by the Select Board of the Town of Concord, Massachusetts, on the _____ day of _____, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and additions thereto or amendments thereof.

Attest: _____
Town Clerk



**AERIAL CABLE PLACEMENT REQUEST
COURT LN.
CONCORD, MA**

Overlash additional cable from pole 3 Court Ln.
to pole 3 Court Ln.

133 Keyes Road
Concord, MA 01742



DATE: 12/14/2022

MEMORANDUM

TO: Shannon McAndrew, Senior Administrative Assistant
VIA: Alan Cathcart, Director of Public Works
FROM: Stephen Dookran PE, Town Engineer
PREPARED BY: Justin Richardson, PE, Assistant Town Engineer
SUBJECT: Petition of Comcast of Massachusetts III, Inc. to install new coaxial cable

This memorandum is to provide comments to the Select Board on the petition for a Grant of Location filed by Comcast of Massachusetts III, Inc. on portions of Barretts Mill Road, Commonwealth Avenue, Laws Brook Road and Pond Street for the purpose of network enhancement. The applicant proposes new coaxial cable to be over-lashed to the existing Comcast network from utility pole #63 Barretts Mill Road to utility pole #1 Pond Street. This route encompasses the following sections of roadway:

- Barretts Mill Road: pole #63 (500 ft northeast of Grove Street) to pole #84 (Intersection. at Route 2 rotary)
- Route 2 rotary: pole #140/3 (Intersection at Barretts Mill Rd) to pole #8 (Intersection at Commonwealth Avenue)
- Commonwealth Avenue: pole #40 (Intersection with Route 2 rotary) to pole #14 (Intersection at Laws Brook Road)
- Laws Brook Road: pole #2 (Intersection at Commonwealth Avenue) to pole #11 (Intersection at Pond Street)
- Pond Street: from Laws Brook Road to pole #1

Concord Public Works (CPW) Engineering Division and Concord Municipal Light Plant (CMLP) have reviewed the attached Grant of Location petition dated May 27, 2022 and recommend approval of the petition with the following conditions.

1. Prior to construction, the applicant must complete a pre-Hearing site visit with the Concord Municipal Light Plant to review work to be completed.
2. The new aerial cable shall be installed using common industry standards, and shall be set substantially at the points indicated on the plan that accompanied the petition. Specifically the new aerial cable must be over-lashed to the existing Comcast infrastructure installed between utility pole #63 Barretts Mill Rd and utility pole #1 Pond St.
3. Minimum separation and clearance requirements as described by the most recent National Electric Safety Code must be maintained between Comcast infrastructure and existing overhead facilities.
4. The applicant must remove any infrastructure deemed obsolete as a result of this project.

5. As applicable, existing Comcast pole transfers and low hanging wires shall be addressed during said installation. Should any issues or safety concerns arise during installation it is the responsibility of Comcast to contact CPW and CMLP.
6. As-built plans must be provided to the Concord Public Works Engineering Division and Concord Municipal Light Plant Engineering Divisions prior to the final closeout of the project.
7. The Applicant will remove the new coaxial cable upon completion of its service life.
8. A ROW Permit application shall be submitted to CPW with stamped constructions plans if any alteration of surface features in the ROW is being performed. A ROW permit shall also be applied for if obstructions will be left in the ROW when no work is being performed. If a ROW permit is required, no work shall commence until CPW has completed its review and provides ROW Permit approval to the Applicant.
9. A traffic management plan shall be submitted to the Concord Police Department Traffic Safety Officer and the CPW – Engineering Division for approval.
10. The Applicant and its Contractor, if applicable, shall adhere to the CPW Construction and Tree Protection Standard Operating Procedures including the protection of public shade trees: “No person may plant, trim, cut, or remove a public shade tree without the prior permission of the Tree Warden and Engineering Division. This control includes the cutting of roots during construction.” The contractor shall be responsible for installing wooden tree guards with orange snow fencing on public shade trees located within the work zone.
11. The Applicant shall notify emergency services, the school district, the post office, CPW Solid Waste for trash pickup services via email one week prior to the start of construction. The applicant shall also notify neighborhood residents on the proposed work and schedule with door hangers two weeks prior to the start of construction.
12. A MassDOT permit to work in the State’s right-of-way must be obtained prior to performing any work within the State’s ROW.



241 West Central Street
Natick, MA 01760
Phone: 617-862-8437 (c)

May 27, 2022

Michael Gibbons
Senior Administrative Assistant
Town Manager's Office
Town of Concord, MA

RE: Petition for Grant of Location, Barretts Mill Road

Dear Michael:

Enclosed please find Comcast's Petition for Aerial Installation of Coaxial Cable along Barretts Mill Road. I have also enclosed a draft Order. Please advise when the Board will be able to hear us on this matter.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have any questions, comments or concerns regarding any aspect hereof.

Sincerely,

Gregory Franks

Greg Franks, Senior Manager of Government & Regulatory Affairs
Comcast

PETITION FOR AERIAL INSTALLATION OF COAXIAL CABLE

Concord, Massachusetts

5/27/2022

To the Select Board of Concord, Massachusetts:

Comcast of Massachusetts III, Inc. requests permission to install coaxial cable to be owned and used by the petitioner, along and across the following public way or ways:

- *Barretts Mill Road*
- *Pond Street*
- *Laws Brook Road*
- *Commonwealth Avenue*

Wherefore they pray that after due notice and hearing as provided by law, they be granted permission to install coaxial cable over lashed to existing underground strand coaxial cable as they may find necessary and in accordance with the plan filed herewith.

1. **Comcast of Massachusetts III, Inc.**

By: *Gregory Franks*

Print name: Gregory Franks

Title: Sr. Manager of Government and Regulatory Affairs

Telephone or e-mail contact info: (617) 862-8437 cell ph
Gregory_Franks@comcast.com

ORDER FOR INSTALLATION OF AERIAL COAXIAL CABLE

In Select Board of the Town of Concord, Massachusetts

Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED: that **Comcast of Massachusetts III, Inc.** be and is hereby granted permission to install coaxial cable as it deems necessary, in the public way or ways hereinafter referred to, as requested in the said petition and accompanying plan.

All construction under this order shall be in accordance with the following conditions:

The new coaxial cable shall be over-lashed to the existing Comcast network from utility pole #1 Pond St. to utility pole #63 Barretts Mill Road to provide for a network enhancement, using common industry standards, and shall be set substantially at the points indicated upon the plan accompanying said petition. There may be installed by said Comcast of Massachusetts III, Inc. such coaxial cables as are necessary in its business, and all said coaxial cables shall be placed in a manner that complies with the National Electrical Safety Code.

The following are the public ways or parts of ways along which the above referred to may be installed thereon under this order:

- *Barretts Mill Road*
- *Pond Street*
- *Commonwealth Avenue*
- *Laws Brook Road*

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Concord, Massachusetts held the _____ day of _____, 2022.

Clerk of Select Board

We hereby certify that on _____, at _____ O'clock _____, at

Concord, Massachusetts, a public hearing was held on the petition of **Comcast of Massachusetts III, Inc.**

permission to install coaxial cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install coaxial cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Select Board of the Town of Concord, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of Hearing with notice adopted by the Select Board of the Town of Concord, Massachusetts, on the _____ day of _____, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and additions thereto or amendments thereof.

Attest: _____
Town Clerk

133 Keyes Road
Concord, MA 01742



DATE: 12/14/2022

MEMORANDUM

TO: Shannon McAndrew, Senior Administrative Assistant
VIA: Alan Cathcart, Director of Public Works
FROM: Stephen Dookran PE, Town Engineer
PREPARED BY: Justin Richardson, PE, Assistant Town Engineer
SUBJECT: Petition of Comcast of Massachusetts III, Inc. to install new coaxial cable.

This memorandum is to provide comments to the Select Board on the petition for a Grant of Location filed by Comcast of Massachusetts III, Inc. on Monument Street. The applicant proposes new coaxial cable to be over-lashed to the existing Comcast network from utility pole #38 Monument Street to utility pole #58 Monument Street to provide service to 695 Monument Street. This route encompasses the following sections of roadway:

- Monument Street: pole #38 (in front of house #444) through pole #40 (Intersection of Monument Street and Liberty Street) to pole #58 (in front of house #676)

Concord Public Works (CPW) Engineering Division and Concord Municipal Light Plant (CMLP) have reviewed the attached Grant of Location petition dated October 6, 2022 and recommend approval of the petition with the following conditions.

1. Prior to construction, the applicant must complete a pre-Hearing site visit with the Concord Municipal Light Plant to review work to be completed.
2. The new aerial cable shall be installed using common industry standards, and shall be set substantially at the points indicated on the plan filed with the petition. Specifically the new aerial cable must be over-lashed to the existing Comcast infrastructure installed between utility pole #38 Monument Street and utility pole #58 Monument Street.
3. Minimum separation and clearance requirements as described by the most recent National Electric Safety Code must be maintained between Comcast infrastructure and existing overhead facilities.
4. The applicant must remove any infrastructure deemed obsolete as a result of this project.
5. As applicable, existing Comcast pole transfers and low hanging wires shall be addressed during said installation. Should any issues or safety concerns arise during installation it is the responsibility of Comcast to contact CPW and CMLP.
6. As-built plans must be provided to the Concord Public Works Engineering Division and Concord Municipal Light Plant Engineering Divisions prior to the final closeout of the project.

7. The Applicant will remove the new coaxial cable upon completion of its service life.
8. A ROW Permit application shall be submitted to CPW with stamped constructions plans if any alteration of surface features in the ROW is being performed. A ROW permit shall also be applied for if obstructions will be left in the ROW when no work is being performed. If a ROW permit is required, no work shall commence until CPW has completed its review and provides ROW Permit approval to the Applicant.
9. A traffic management plan shall be submitted to the Concord Police Department Traffic Safety Officer and the CPW – Engineering Division for approval.
10. The Applicant and its Contractor, if applicable, shall adhere to the CPW Construction and Tree Protection Standard Operating Procedures including the protection of public shade trees: “No person may plant, trim, cut, or remove a public shade tree without the prior permission of the Tree Warden and Engineering Division. This control includes the cutting of roots during construction.” The contractor shall be responsible for installing wooden tree guards with orange snow fencing on public shade trees located within the work zone.
11. The Applicant shall notify emergency services, the school district, the post office, CPW Solid Waste for trash pickup services via email one week prior to the start of construction. The applicant shall also notify neighborhood residents on the proposed work and schedule with door hangers two weeks prior to the start of construction.



241 West Central Street
Natick, MA 01760
Phone: 617-862-8437 (c)

October 6, 2022

Christopher Carmody
Interim Senior Administrative Assistant
Town Manager's Office
Town of Concord, MA

RE: Petition for Grant of Location, Monument Street

Dear Chris:

Enclosed please find Comcast's Petition for Aerial Installation of Coaxial Cable along Monument Street. I have also enclosed a draft Order. Please advise when the Board will be able to hear us on this matter.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have any questions, comments or concerns regarding any aspect hereof.

Sincerely,

Gregory Franks

Greg Franks, Senior Manager of Government & Regulatory Affairs
Comcast

PETITION FOR AERIAL INSTALLATION OF COAXIAL CABLE

Concord, Massachusetts

10/6/2022

To the Select Board of Concord, Massachusetts:

Comcast of Massachusetts III, Inc. requests permission to install coaxial cable to be owned and used by the petitioner, along and across the following public way or ways:

- *Monument Street*

Wherefore they pray that after due notice and hearing as provided by law, they be granted permission to install coaxial cable over lashed to existing underground strand coaxial cable as they may find necessary and in accordance with the plan filed herewith.

1. **Comcast of Massachusetts III, Inc.**

By: *Gregory Franks*

Print name: Gregory Franks

Title: Sr. Manager of Government and Regulatory Affairs

Telephone or e-mail contact info: (617) 862-8437 cell ph
Gregory_Franks@comcast.com

ORDER FOR INSTALLATION OF AERIAL COAXIAL CABLE

In Select Board of the Town of Concord, Massachusetts

Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED: that **Comcast of Massachusetts III, Inc.** be and is hereby granted permission to install coaxial cable as it deems necessary, in the public way or ways hereinafter referred to, as requested in the said petition and accompanying plan.

All construction under this order shall be in accordance with the following conditions:

The new coaxial cable shall be over-lashed to the existing Comcast network from utility pole #38 Monument St. to utility pole #58 Monument St. to provide service to the occupants of 695 Monument St., using common industry standards, and shall be set substantially at the points indicated upon the plan accompanying said petition. There may be installed by said Comcast of Massachusetts III, Inc. such coaxial cables as are necessary in its business, and all said coaxial cables shall be placed in a manner that complies with the National Electrical Safety Code.

The following are the public ways or parts of ways along which the above referred to may be installed thereon under this order:

- *Monument Street*

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Concord, Massachusetts held the _____ day of _____, 2022.

Clerk of Select Board

We hereby certify that on _____, at _____ O'clock _____, at

Concord, Massachusetts, a public hearing was held on the petition of **Comcast of Massachusetts III, Inc.**

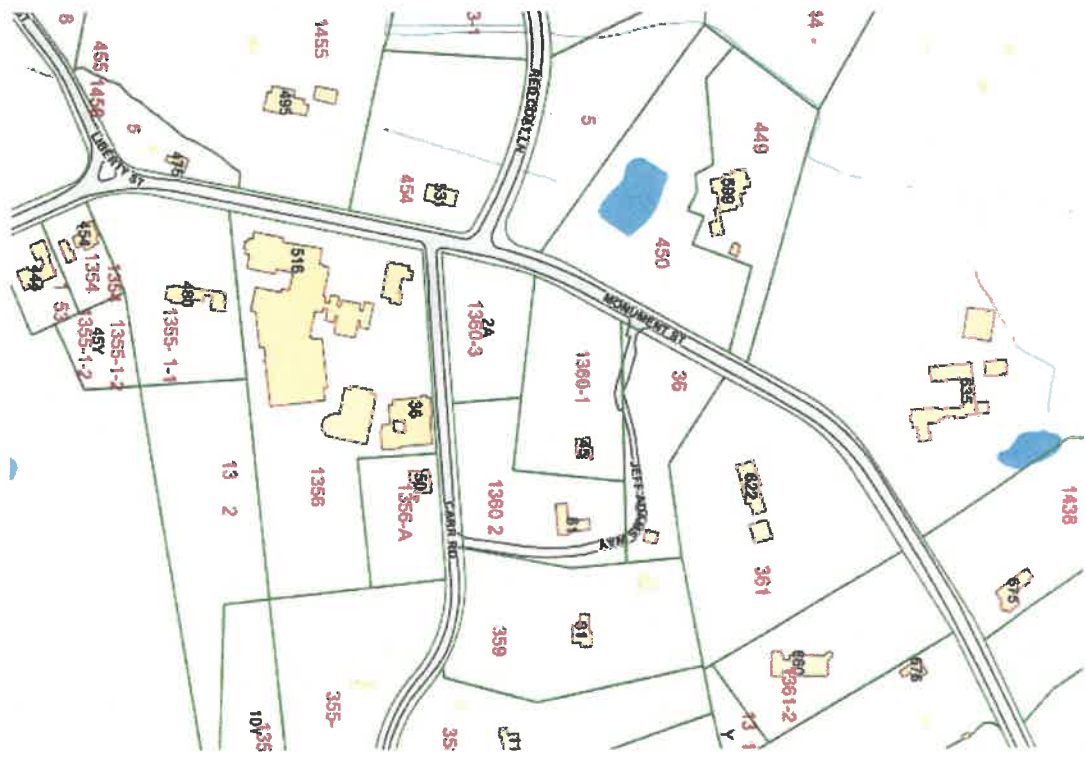
permission to install coaxial cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install coaxial cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

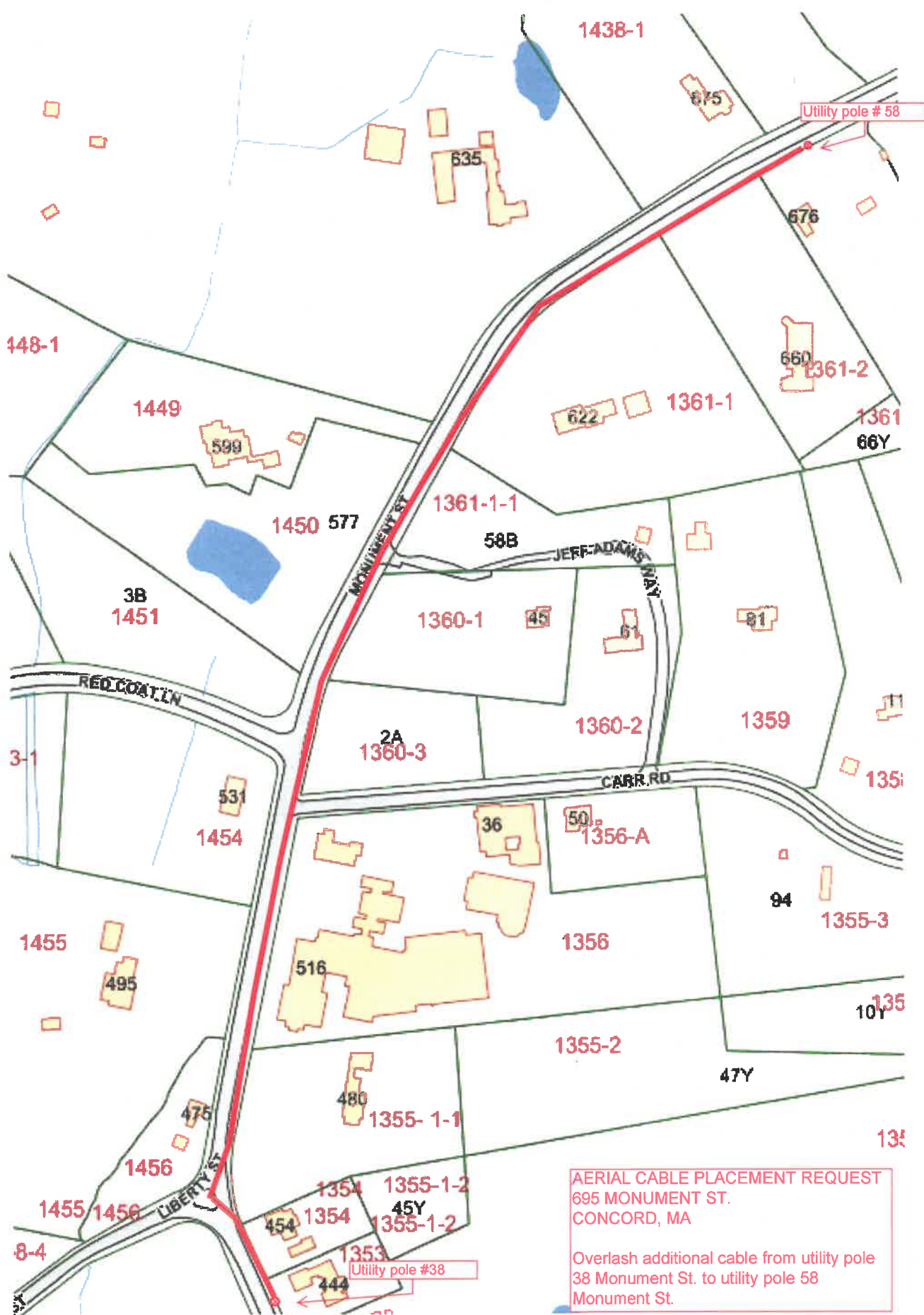
Select Board of the Town of Concord, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of Hearing with notice adopted by the Select Board of the Town of Concord, Massachusetts, on the _____ day of _____, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and additions thereto or amendments thereof.

Attest: _____
Town Clerk





AERIAL CABLE PLACEMENT REQUEST
 695 MONUMENT ST.
 CONCORD, MA

Overlash additional cable from utility pole
 38 Monument St. to utility pole 58
 Monument St.

**TOWN OF CONCORD
SELECT BOARD
PUBLIC HEARING NOTICE**

Notice is hereby given that a public hearing will be held at the Town House in the Select Board Hearing Room on the 2nd floor, 22 Monument Square, Concord, MA on February 13, 2023 at 6:30 PM, upon the petition of Comcast of Massachusetts III, Inc.:

- to install coaxial cable to be over-lashed to the existing network from utility pole #18 Plainfield to utility pole #60 Old Road to Nine Acre Corner in accordance with the Grant of Location Petition dated May 27, 2022, filed with the Select Board
- to install coaxial cable to be over-lashed to the existing network from utility pole #18 Plainfield to utility pole #1 Pond Street to utility pole #29 Laws Brook Road in accordance with the Grant of Location Petition dated May 27, 2022, filed with the Select Board
- to install coaxial cable to be over-lashed to the existing network from utility pole #1 Court Lane to utility pole #3 Court Lane to provide service to the occupants of utility pole #30 Monument Street in accordance with the Grant of Location Petition dated August 26, 2022, filed with the Select Board
- to install coaxial cable to be over-lashed to the existing network from utility pole #1 Pond Street to utility pole #63 Barretts Mill Road in accordance with the Grant of Location Petition dated May 27, 2022, filed with the Select Board
- to install coaxial cable to be over-lashed to the existing network from utility pole #38 Monument Street to utility pole #58 Monument Street to provide service to the occupants of 695 Monument Street in accordance with the Grant of Location Petition dated October 6, 2022, filed with the Select Board

By Order of the
Select Board

**LEGAL NOTICE
Board of Appeals
Public Hearing**

A virtual online public hearing of the Concord Zoning Board of Appeals will be held on Thursday, February 9, 2023, at 7:00 P.M. on an application by WH Walden LLC, for a Special Permit with Site Plan Review under Zoning Bylaw Sections 7.7.2.12, 7.7.3.13, 11.6, and 11.8 for a 2,367 sq. ft. second story addition and relief from parking and parking design standards at 59 Walden Street (Parcel# 0115). The agenda for the meeting with instructions for how to participate will be online at <https://www.concordma.gov/AgendaCenter/Zoning-Board-of-Appeals-46>. Application materials may be reviewed online at <https://www.concordma.gov/1439/ZBA-Current-Meeting-Documents>.



Cable Franchise Renewal:



What's at Stake for Concord?



Concord Cable Facts

- Comcast has been operating under a 10-year franchise that is due to expire in April 2024
- Many community benefits -- including local channels, equipment, and funding -- are results of the existing franchise agreement
- Comcast has asked Concord to renew its franchise agreement
- Concord wants to make sure that any renewed franchise agreement with Comcast includes elements needed to meet local communications and community programming needs for the next 10 years

Cable Basics

- A franchise is a land use agreement
- Cable operators must pay rent for their commercial use of public property (franchise fees, PEG channels & support)
- Franchise defines the type, level, and quality of service provided by cable operator(s)
- Local governments must abide by Federal and State laws when conducting a franchise renewal process
- Franchise compliance review is important to the renewal process
- Public input is a critical part of franchise renewal process
- Renewal process is central to determining what future services citizens will receive

Concord Cable Facts:

- Renewal of the Concord cable TV franchise agreement is very valuable to Comcast
- Conservative estimate of Comcast's revenues over the next 10 years of a renewed Franchise agreement (excluding rate increases and Internet & telephone revenues):
 - 4,400 subscribers x \$120 per month/per subscriber x 12 months x 10 years = \$63,360,000
- Comcast can leverage their cable TV franchise to triple the above estimated earnings through broadband and telephone service revenues

Comcast Franchise Fee and PEG Access Obligations

- The value of the existing Comcast franchise to Concord and the community includes:
 - Three (3) channels for local Public, Educational, and Government (PEG) access programming
 - Franchise fee -- 5% of gross annual cable revenues
 - PEG Annual Support – 4.8% of gross cable revenues (which are a portion of the 5% franchise fees)
 - PEG Capital Grant -- \$353,440 over 10-year franchise
 - Fiber link for PEG signal transport from High School to Comcast headend

Franchise Renewal Presents Opportunities To:

- Guarantee provision of state-of-the-art communication services throughout the term of the renewal franchises (until 2034, if a 10-year renewal is issued)
- Assure quality customer service
- Assure support for PEG Access channels, community media, and local community uses of the cable system
- Assure that Comcast pays adequate rent for their commercial use of public property
- Undertake a *communications planning process* that can result in improved community media

Key Elements of the Franchise Renewal Process

- Starts 30-36 months before current franchise expires
- Requires a past performance review of cable operator
- Community needs assessment
- Determine renewal goals and prepare a draft franchise agreement
 - Must be based on needs assessment and past performance review
- Conduct an informal process -- Negotiations
 - Negotiations can take a year or more
- If negotiations reach an impasse, move forward with the issuance of a RFP

Renewal: Past Performance/ Compliance Review

- **Past Performance Review activities include:**
 - **A review of Comcast's compliance with its obligations under the existing franchise agreement**
 - **Public input gathered during needs assessment process**
 - **Reports that document the findings**

Needs Assessment Process For the Concord Area

- Needs Assessment activities to identify future community needs and interests will include:
 - Three community focus group workshops
 - Two Zoom “coffee” meetings
 - Community online survey
 - Evaluation of current PEG access equipment, facilities, and services
 - Identify and recommend upgrades in facilities and services
 - Reports that document the findings of all activities and make recommendations

Town of Concord Cellular Coverage Update

+

February 13, 2023

Not if, but how

- + We don't need maps to know that cellular coverage is bad in large parts of Concord (but we have them!)
- + Carriers and the Town have historically attempted to gain positive traction in improving service, but those efforts have failed.
- + Any effort that is to succeed needs broad support from Town boards, the public, and the carriers.

Motivations

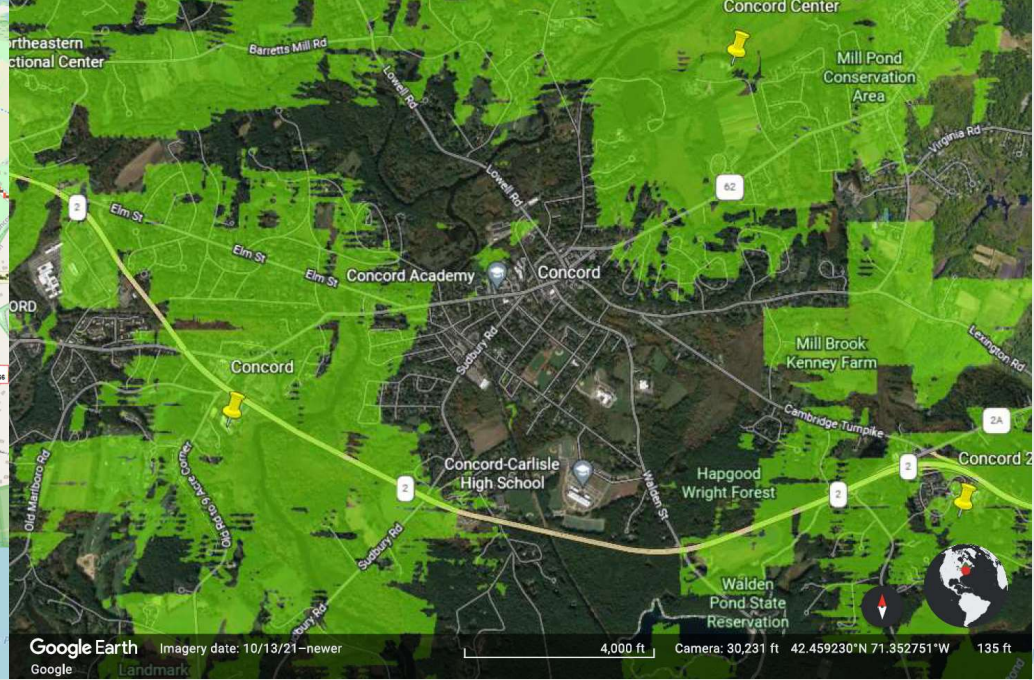
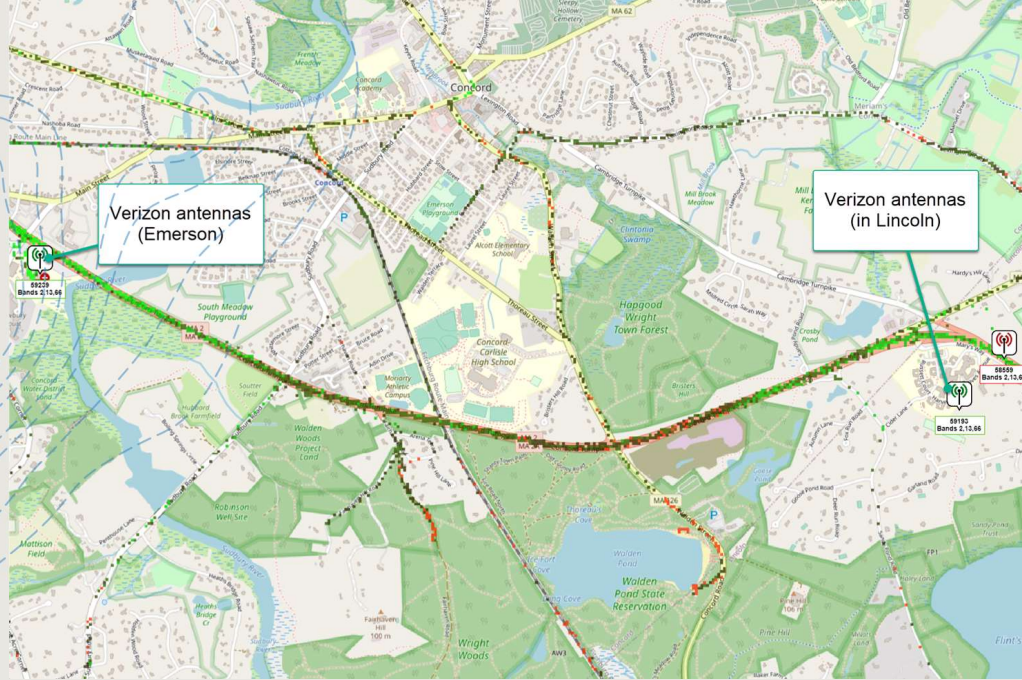
- + Public safety
- + Economic impact
- + Town operations
- + Quality of life



Select Board Goals (2022-2023)

- + [Priority] Review the town's wireless communications policies and provide a definitive plan for addressing the priority safety and access concerns of town center cellphone coverage.





Current Verizon coverage

- + Left: real-world (4G) data
- + Right: 700MHz coverage analysis (projected)

Impact Statements

"I personally had an emergency at my house and individuals could not get a hold of me while in the parking lot of Crosby's."

"I have a standard phone greeting when calling from my car in Concord and it is 'Hey, I am in Concord and may lose you!'"

I have had so many important phone calls drop because I entered into downtown Concord. I am a Verizon user and for a town that is so well "covered" in so many ways it is surprising and discouraging that our coverage in our town is so poor.

"I was parked outside Hunt Gym on a dark and rainy night in September and discovered I couldn't send a text or make a call from there. What would I do if my car had a flat tire or I felt ill?"

"Concord Police staff are faced with daily challenges conducting day-to-day operations due to this ongoing problem with poor cellular service. Staff have been unable to make cell phone calls or stay connected on cell calls in the Concord center area, impacting effective communication, and limiting communication during major events in and around Concord center and during emergency operations."

Current Two-Pronged Approach



General Town-wide analysis



Targeted focus on critical
coverage areas (downtown
and CCHS)

Town-wide Analysis

+ Work conducted by:

- + Internal working group including IT, GIS, TMO, and Planning
- + Multiple RF consultants
- + Crowd-sourced cell coverage data
- + Carrier-provided dropped call lists

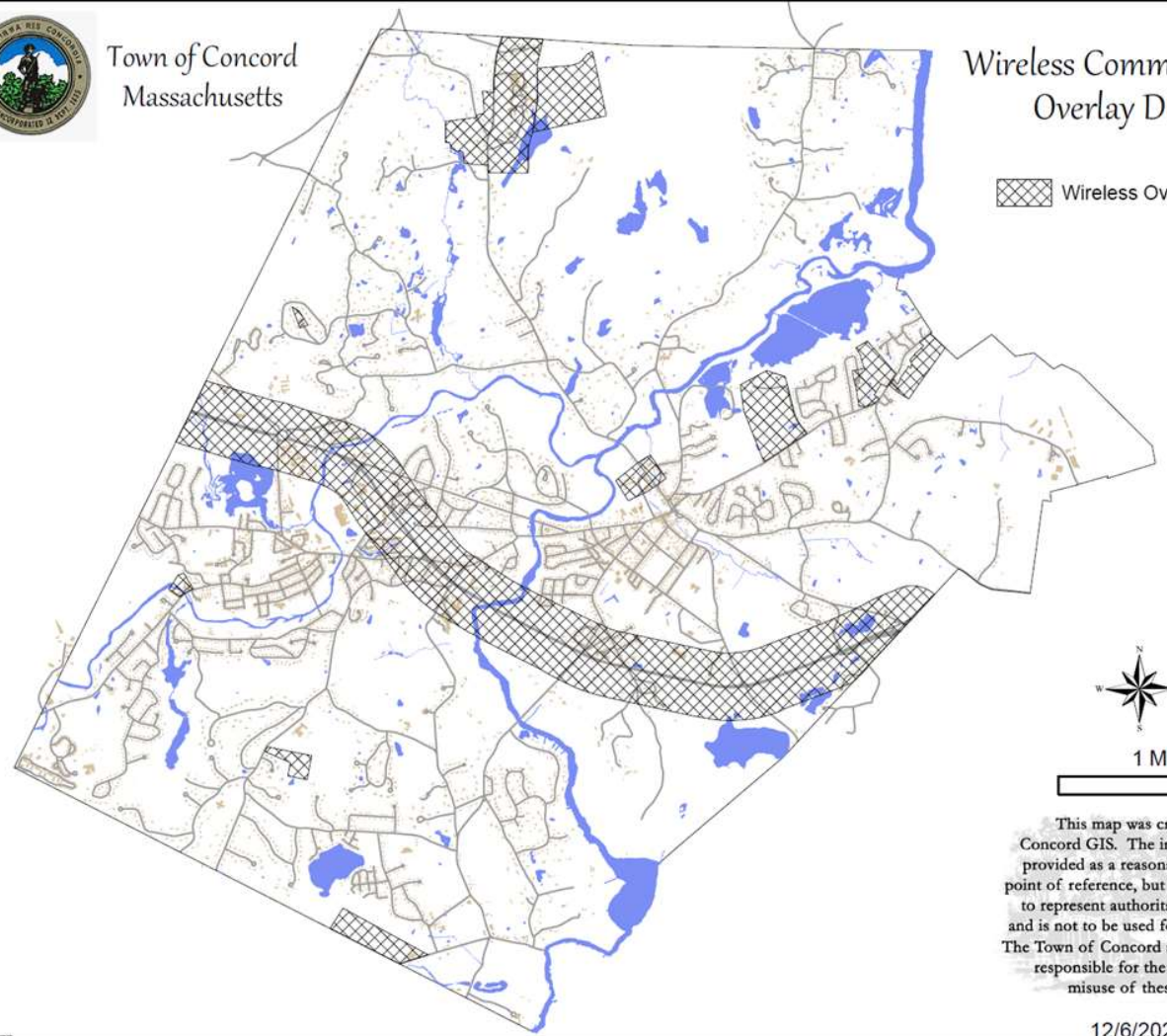
What makes Concord unique?

- + Historic character
- + Concord's Personal Wireless Communications Bylaw (7.8) and Overlay District
- + Municipalities rarely lead initiatives on cellular coverage projects
- + Many issues identified by an expert in 2003 still exist today


Wireless Overlay District



Town of Concord
Massachusetts



Wireless Communications
Overlay District

 Wireless Overlay District



1 Mile

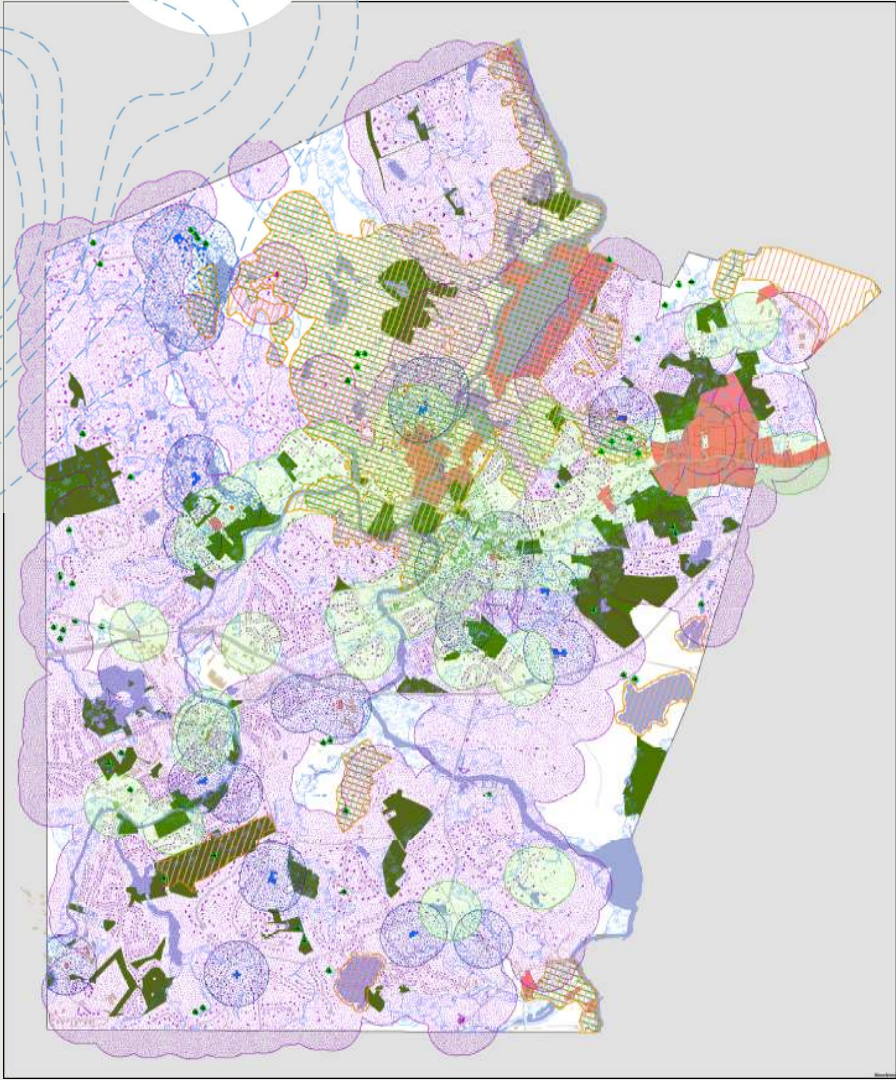


This map was created by Concord GIS. The information is provided as a reasonably accurate point of reference, but is not intended to represent authoritative location, and is not to be used for conveyances. The Town of Concord shall not be held responsible for the accuracy or misuse of these data.

12/6/2022

Bylaw-approved Locations

- + White space represents limited area outside the Overlay District that would comply with the Bylaw offset requirements



Wireless Location Analysis

0 0.5 1 Miles



Daycare Building	Daycare/School Buffer	Certified Vernal Pool
School Building	Historic Building Buffer	Wetland
Historic Building	Single-Family Dwelling Buffer	Priority Habitat
Single Family Dwelling		Estimated Habitat
Other Structure		Town Conservation Lands
		Federal Parcels

Concord-Carlisle High School

- + Superintendent and School Committee have engaged with Verizon
- + They are exploring within the Wireless District
- + There is an agreement in place to allow Verizon to conduct engineering research
- + No decision has been made by the District or Committee
- + A tower here will not improve reception downtown



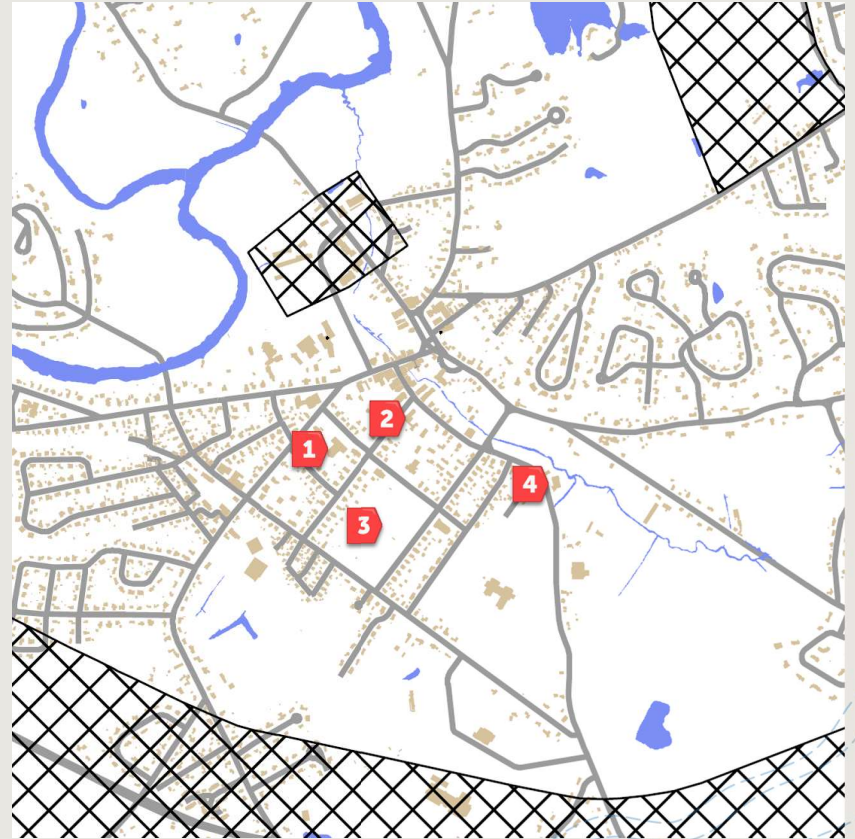
Concord Downtown Options

1. Umbrella Arts Center

2. Trinitarian Congregational Church

3. Emerson Park

4. Public Safety Building



Umbrella Arts Center

- + The Town issued RFP #376 in 2017 and Verizon was selected for the award (pending contract negotiations and permits).
- + After discussion at the January 22, 2018 Select Board meeting:
 - + “Ms. Hotchkiss advised that the current meeting wasn’t the appropriate forum for a final decision on the proposal. **However, based on discussion and public comments, it was clear that alternate sites need to be reviewed before any further action could be taken.**” *(from the approved meeting minutes)*



Umbrella Arts Center

- + This (covered) location is ideal for carriers
- + Using this site would need to be a Town-led initiative
- + Areas of potential concern:
 - + Ground-mount requirements (network and power)
 - + Impact on lessees and program participants
 - + Community and abutter concerns

Umbrella coverage impact



Tricon Church

- +Held Sprint wireless facility for 25 years (recently vacated)
- +Could require a special permit application
- +Process is controlled by negotiations between the church and Verizon

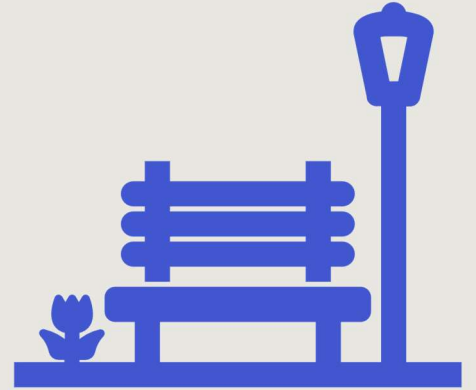


Tricon coverage impact



Emerson Park & Public Safety Building

- + Town-owned land
- + New, visible structures required
- + Will affect the character of the Town
- + Longer review, design and construction process



Alternative Locations

- + Local partners - members of the Concord Business Partnership – have reached out to the Town to offer their site as a possible location for a tower or antenna
- + The Commonwealth - Concord District Court is possible but communications have stalled
- + Other options?

Staff Impact Statements



OLD NORTH BRIDGE

TOWN OF CONCORD FIRE DEPARTMENT

209 WALDEN STREET
CONCORD, MASSACHUSETTS 01742

To: Kerry Lafleur
From: Thomas Judge, Fire Chief
Date: December 20, 2022
Re: Poor Cell Coverage in Town

Dear Kerry,

This letter is regarding the poor cell coverage in Town including the downtown area. Town staff have been aware of the cellular coverage issue for several years. The lack of reliable cell service has a negative impact on the operation of the Fire Department.

Recently while working at the town's annual holiday event in Concord center, I was unable to communicate by phone with other staff working at the event, which necessitated face-to-face meetings. This example, while not very dramatic, illustrates the difficulty working in Concord center and in the event of an emergency in Concord center, Fire Department access to cell service is critical – like all emergency services we have become heavily reliant on reliable data for mission critical information. Pre-incident planning is stored in a cloud-based environment and access to that data is imperative to guide decision making. Examples of information contained in preplans includes unique occupancy hazards, structural hazards, storage hazards, building photos, sketches, unusual fire loads, fire sprinkler connections and sprinkler system information, fire alarm system information nearest hydrants, water main sizes, projected fire flow needed based on involvement in fire, utility shutoffs, emergency contact numbers

Another area of concern is the lack of reporting infrastructure around the centers, starting in the 1990's and extending into the early 2000's the fire department converted from a hardwired fire alarm box system to a radio fire alarm system. The impact of this in areas that do not have reliable cell service is that once familiar "street boxes" are no longer available. In the past, any emergency could be reported simply by pulling the hook on a fire box and waiting for the fire department to arrive. The cost of maintaining those systems and the prevalence of cell phone service caused the town to move to a radio system. The subsequent reduction in reliable cell phone service has now created the situation that there is no way to report an emergency other than moving to a spot that has cell service.

Thank you for asking my opinion on cell coverage in Town and whether and to what extent it has impacted town operations. We look forward to working together to improve this critical service for the Town.

Sincerely,

A handwritten signature in black ink that reads "Thomas M. Judge". The signature is written in a cursive style with a large, stylized initial 'T'.

Thomas Judge
Fire Chief



TOWN OF CONCORD MUNICIPAL UTILITIES

ELECTRIC | WATER | SEWER | TELECOMMUNICATIONS

To: Kerry Lafleur

From: Jason Bulger, Chief Technology Officer

Date: January 11, 2023

Re: Cellular Coverage in Town

Dear Kerry,

This letter is in regard to the poor cell coverage in the Town of Concord. Staff and residents have been aware of the cellular coverage issue for several years, but I wanted to take a moment to document the impact of this on our Broadband operations.

As you know, Concord Broadband offers high-speed internet through a fiber-to-the-home solution to residents and businesses throughout the municipality. This requires our staff visit every foot of Town to install or provide service calls to customers. In most of these locations, the customers do not yet have internet service, so our staff must rely on the cellular network to communicate with other staff and connect remotely to our software to make adjustments or provision accounts.

At times, unfortunately, our staff have to leave a customer's premises and drive to a location where they have adequate cellular coverage to make a software change or send a message, and then drive back to the customer. This results in slower service and unhappy customers. It also slows down our operations and directly impacts our revenue since a customer who has to wait for an installation often chooses other providers.

Here are a few additional impacts that elaborates on the overall sentiment:

1. Customers we visit or speak with on the phone, who are often people who just moved to Concord, lament the poor cellular coverage in Town and often ask staff why it's so bad and what is being done to fix it. They find this infrastructure lapse frustrating and impactful.
2. Concord Broadband has mobile devices on multiple carriers (incurring unnecessary monthly costs) in order to have a higher chance of success when it comes to provisioning new customers or contacting other staff.
3. In a given week, our Telecom Technicians report that up to 50% of the truck rolls result in a situation where they cannot adequately perform the essential functions of the job due to the poor cellular coverage.



TOWN OF CONCORD
MUNICIPAL UTILITIES
ELECTRIC | WATER | SEWER | TELECOMMUNICATIONS

4. Because Telecom Technicians cannot access a mobile data network almost daily, we need to keep other staff at a desk in the office to offer assistance after getting a call or text messages (which works more reliably than mobile data). If every location in Town had adequate cellular coverage, this would not be required.

I appreciate the effort to improve coverage in Concord. I know that you and many other staff have been engaged in a lengthy effort to gain momentum to effect positive change. If there's anything I can do to help, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Bulger". The signature is fluid and cursive.

Jason Bulger
Chief Technology Officer
Town of Concord
<https://concordma.gov/broadband>



CONCORD PUBLIC WORKS

135 KEYES ROAD
CONCORD, MASSACHUSETTS, 01742-1601

ALAN H. CATHCART
DIRECTOR

TEL: 978-318-3201
FAX: 978-287-4762

To: Kerry Lafleur
From: Alan Cathcart, Director
Date: January 13, 2023
Re: CPW – Cell Service Coverage Issues

Dear Kerry,

The memo is an update to long-standing communication challenges Concord Public Works (CPW) has endured while performing emergency services as well as day-to-day operations attributed to poor cellular service within the Town of Concord. Whereas, I appreciate your desire to understand CPW impacts in order to inform your understanding of broader community needs interests, I offer some specific examples of how such communication constraints have impacted our operations.

Sawmill Culvert - Emergency Response/Repair:

In the Spring of 2021, CPW responded to an emergency failure of a culvert running under Monument Street. While first responders attempted to mitigate imminent public safety threats, based on the location of this failure, field personnel and supporting managerial staff were unable to communicate using cell phones because of poor cellular service. The emergency response occurred over a period of several days with cellular communications being problematic throughout. Once the site was stabilized, the actual repair of the culvert required a multi-month effort involving specialized contractors, town operations support, traffic safety officers, and third-party inspectors. Again, the lack of cell coverage in this immediate area compromised communication efforts for all involved.

Winter Storm Response Operations:

Concord Public Works is responsible for maintaining the Town's transportation network, including streets, sidewalks, curb ramps, and parking areas during winter storm periods in a condition that allows for safe and convenient vehicular and pedestrian use by the general public, commerce, and emergency services. A sustained snow event will require mobilization of a large fleet of equipment and personnel, including municipal employees and third-party contractors. As conditions change and time-sensitive response needs arise,

there is a constant need for reliable communications between equipment operators, field supervisors, and CPW's snow response dispatch center. While two-way radio communications have historically supported such communications – not all equipment can be furnished with two-way radios and third-party contractors do not generally have such equipment. As such, the use of cell phone communications has become the standards default. As anyone familiar with the cell phone connectivity issues identified in specific areas of Town, operators assigned to specific routes do not have the ability to use their cell phones for time-sensitive communications.

Hubbard Street – Complete Street Construction Project:

Throughout the summer of 2021 and 2022, public works coordinated underground utility and roadway reconstruction efforts along Hubbard Street. Regrettably, this neighborhood is known to fall in an zone with very poor cellular service. Throughout this multi-year project, the lack of reliable cell service coverage introduced ongoing communication issues impacting a number of third-party construction contractors, field inspectors, traffic safety officers, and off-site support services routinely provided through their respective management and administrative groups, as well as vendors.

Water/Sewer Production Facilities:

Two of Concord's water supplies, the Jennie Dugan well and the Second Division well, are located in areas of Town where cell service is intermittent to poor. As these facilities require daily site inspections and routine and non-routine service to keep them operational, the lack of reliable cellular service routinely compromises communication needs between field personnel, supervisors, and specialized service providers (including mechanical, electrical, and instrumentation technicians).

As a manager responsible for assets located throughout Town, I routinely use my time while performing field inspections and site visits to engage in cell phone communications with staff, residents, third-party consultants, regulators... Hands-free technology enabled with cell phone use has been incredibly helpful while performing this work. I routinely find myself being disconnected from such calls.

While some may dismiss poor cell phone service encountered in certain areas of town as a mere inconvenience, I remain concerned that less than reliable service can and does have a more serious consequences for both CPW employees and the Town. I trust these few examples of service challenges identified within the operations of CPW can help you characterize the broader needs and interest of the community as you attempt to tackle this very real problem.

CONCORD POLICE DEPARTMENT

MEMORANDUM

TO: Kerry A. Lafleur, Town Manager

FROM: Thomas M. Mulcahy, Interim Chief of Police

DATE: January 17, 2023

SUBJECT: ***POLICE DEPARTMENT-CELL SERVICE COVERAGE ISSUES***

Dear Kerry,

This memo is to update you on the long-standing limited cell phone service in the downtown area and other areas throughout town, as it continues to be a public-safety issue in our community. Concord Police staff are faced with daily challenges conducting day-to-day operations due to this ongoing problem with poor cellular service. Staff have been unable to make cell phone calls or stay connected on cell calls in the Concord center area, impacting effective communication, and limiting communication during major events in and around Concord center and during emergency operations. The lack of reliable cellular service in Monument Square creates challenges for CPD staff who need to seek different, adjacent locations to communicate in a timely manner to Command Staff during certain operations, such as the Patriot's Day parade, Memorial Day exercises, and the Christmas tree lighting event. The lack of cellular service requires them to relocate in order to communicate and update staff regarding on-going matters or incidents. The inability to communicate in emergency situations is of great concern to this department and puts a strain on operations if emergencies arise in these areas. Not only does it create a challenge for staff in its response to calls, but also for the public in reporting emergency matters. Members of the public and police officers must seek out a better location, which is not always practical, to report an emergency or communicate updates in this area. Given the current climate, it's critically important that department staff have access to reliable cellular coverage for planning, communicating to other staff, and to Public-Safety Dispatchers, who disseminate information to Police Officers in the field.

Poor coverage zones in other areas of Town hamper effective communications for day-to-day operations as well. Access to critical information is limited in the Main Street, Walden Street, Keyes Road, Hubbard Street, Thoreau Street, and Sudbury Road areas. Poor cellular coverage in these areas also effect cruiser computers and department cell phones. Officers rely on good cellular service to obtain information for operations, such as vehicle registrations, information on individuals, and for issuing electronic citations.

Other areas of concern that have limited cellular service are the campus at Concord-Carlisle Regional High School, Sudbury Road by Seven Star Lane, Route 126 at Walden Pond, and Fairhaven Hill Road.

I appreciate the opportunity to provide some examples of the communication challenges our department faces daily, with hopes of improving the situation for better cellular service and coverage in the near future.

Community Impact Statements

January 25, 2023, 6:28AM, via email

Hi Chris,

I am a resident of Concord. Just wanted to chime in on the downtown cell coverage issue. The coverage is obviously terrible. It is a dead zone. To me, it is a deterrent to spending time downtown. It is mystifying to me why the situation is as it is. I heartily support improving the coverage downtown. My family uses Verizon for wireless and Concord Broadband for home.

Thank you!

Alan Harrington
59 Finigan Way

January 25, 2023, 9:08AM, via email

Good morning,

I saw a post on Facebook that you were gathering information on Concord's cell service. I am a resident of Maynard, on our Finance Committee, and I greatly appreciate you looking into this matter.

I frequent Concord for the beautiful downtown area and also for much of my healthcare needs. The cell service is dismal in the areas I go, which can be very challenging when, for example, during an Opera 51 performance I was assistant directing we needed to call in last minute assistance and I had to walk around the building until I found a spot of service. Or if I need to call a family member for assistance to help with a healthcare appointment and I can't get service at the medical building.

I know cell towers are not a particularly desirable visual addition in most places, but the service provided is a modern necessity.

Thank you

Alannah Gustavson

Maynard MA

January 26, 2023, 8:24AM, via email

Greetings,

I'm an Acton resident who drives through Concord a few times each day, 3 days a week, to get my kid to classes in Bedford. When we go through Concord, our calls are dropped, we can't use Google maps, and we have no internet connection on the cell phones generally. My other kid works full time at the Orchard House, and she has the same issues.

Thank you for reaching out for testimony as you make a determination on cell coverage improvement.

Alissa Nicol

February 8, 2023, 1:42PM, via email

Good Afternoon,

The Broadband Issues are very frustrating for the staff at Comina in Concord. The POS system is slow and often does not work. It takes longer to log in, process payments and access inventory. I would like to reiterate the Chamber of Commerce's letter as it is very problematic.

Thank you for your attention to this matter,

Amy Nichoals
President

January 27, 2023, 3:45PM, via email

Dear Chris,

I am writing to ask that our town increase the strength of cell phone coverage in Concord - in lots of places but most significantly in downtown Concord.

I have had so many important phone calls drop because I entered into downtown Concord. I am a Verizon user and for a town that is so well "covered" in so many ways it is surprising and discouraging that our coverage in our town is so poor.

Are you powerful enough to help? I think you are!!!

In Gratitude,

Anna Huckabee Tull
86 Farmer's Cliff Road

January 13, 2023, 11:09AM via email

Chris, in accordance with the below consideration and e-mail from Jennifer; the bank has major issues with cell service here on Sudbury Rd which includes our own WIFI that we have clients use while in the bank itself which is very slow and hit or miss.

I personally had an emergency at my house and individuals could not get a hold of me while in the parking lot of Crosby's. This in my opinion has a huge impact on businesses and consumers alike and the town needs to address it.

My information is below for your convenience.

Bill

William J. Lawler

Vice President & Senior Manager

617-441-7116 (o) | 954-234-8135 (m)

202 Sudbury Road

Concord, MA 01742

NMLS# 479421

wlawler@cambridgesavings.com



January 17, 2023, 4:43PM, via email

Good Afternoon Chris,

Thank you for reaching out to the business community for input on cell service issues in Town. I am writing to you as a member of the board of the Concord Business Partnership and I am grateful that you are asking for comments. Let's just start with the fact that it has been a long time since I felt good about the cell service in Concord. I think you would agree that this is unacceptable. The implications of poor unreliable cell service on our public safety puts all of us at risk.

We live off Lexington Road, my business is located in West Concord and 4 of our daughters live here in town with their families. We use our phones regularly all around Town and while Concord Center is a sure bet for a dropped call, none of these neighborhoods provide strong reliable service. Concord Center service is atrocious, West Concord service is poor and the service in our school neighborhoods is spotty. I honestly can't think of a time when I have driven through Town and not worried that my calls to clients, employees or my children will not be disconnected at any moment. I have a standard phone greeting when calling from my car in Concord and it is " Hey, I am in Concord and may lose you!"

We have been kicking this around for a long time and I am delighted we are now addressing our communication problem. I think I speak for many of my Concord Business Partnership members that we look forward to assisting you in any way we can to finally provide strong, reliable cell service for our town, our businesses and our families. Thank you Chris.

Best,
Carol Wilson

January 24, 2023, 9:58AM, via email

Dear Chris Carmody,

Thank you for the opportunity to contribute my voice to the many working people of Concord who depend upon our phones for every day life:

- as a Home Healthcare provider, my company requires me to login with an App on my phone, to write and submit Notes (documentation if day's activities)

- Maps for directions to the patient's home in Concord and Lincoln;

- communication with medical officials or lifesaving community agencies like Emerson, police, fire, etc

- daily communication with family and friends, support systems, etc

- purchasing necessary supplies

- getting necessary information from community businesses and services

These are just a few of my daily and weekly cellphone needs. Needless to say, when there are little to no cellphone reception with no other options it creates dire circumstances.

Thank you for your consideration on behalf of Concord residents who depend on our cell phones for daily life and "daily bread".

Sincerely,

Catherine Cantrell

Resident of Everett Gardens



CONCORD
CHAMBER OF COMMERCE
MASSACHUSETTS

February 6, 2023

Hi Chris,

I am writing on behalf of the Concord Chamber of Commerce concerning the issues for broadband usage in all sectors of Concord especially Concord Center, the Thoreau Street District, and West Concord. Let me outline a few examples in just the last month although this has been an issue for years for retailers and non-brick and mortar businesses located in these sectors along with residents and visitors attempting to pay a parking meter or conveniently shop locally.

- The week of Feb. 1st- Feb. 5th many retail POS systems (cash registers) and credit card terminals were down due to no connection. Every transaction needed to be done by calculator, credit card numbers written down and then entered into the POS systems when the connection was restored. This is a security factor potentially exposing the customer's credit card number along with a potential error factor for the business in writing down wrong information.
- This has been a longstanding issue for years that has become a chronic problem especially in the last year. This affects the livelihood of the business community!
- There are Concord resident's children that walk the town many afternoons and need to be picked, however cannot get a signal on their cellphones to inform their parents of a pick-up time. This is a personal safety issue for these kids.
- Visitors that travel here have had issues attempting to call their rental car company when there is an issue to be resolved with their car and they also cannot get the UBER or Lyft Applications to open on their phone. (I own Revolutionary Concord and more than 1 time I have had to drive a couple to Logan airport to make a flight on time and also a woman to Fitchburg whose rental car had broken down on the way to a funeral.)
- As we all know, the parking meters are a hassle due to the fact they do not work most of the time and visitors are concerned they will get a ticket therefore they leave Concord in frustration and tell businesses they will not be back.

These are just a few issues that not having a strong broadband affect the business community.

Thank you,

Marie Foley

President, Concord Chamber of Commerce
President@ConcordChamberofCommerce.org

TO: Christopher Carmody
Risk and Compliance Manager
Town Manager's Office
22 Monument Square
Concord, MA 01742

FROM: Christina Hill
59 Walden Street
Concord, MA 01742

RE: Cell Phone Service

DATE: 1/25/2023

I have lost cell phone coverage on numerous occasions in downtown Concord. The two most notable were when I was trying to coordinate picking up my grandchildren for my daughter when she was running late from work and trying to communicate a building issue with a vendor. Most concerning is the thought of a potential emergency without the ability to call for help.

Not having decent cell phone service is antiquated, inconvenient and unsafe. It impedes regular business, personal lives and emergency personnel.

I am available for further comment if needed.

February 6, 2023, 5:51PM, via email

Impact on retail business for COMINA/ #9 Walden Steet

- Customers cannot reach contacts, to discuss purchase decisions, in certain locations within the store
- Customers losing phone calls after initially connected
- Customers needing to leave the store to speak or send photos to contacts- sometimes returning/ sometimes not?
- Owner/manager & employees all relocate around the store when needing to find/hunt for cell service- a deterrent when trying to conduct business with one another, a vendor or customers

Thank you for the initial email and all the efforts being made to bring Concord's businesses to maximum communication efficiency

With appreciation,

Linda Duros
Store Manager
COMINA
9 WALDEN STREET

January 26, 2023, 2:50PM, via email

Hi Chris,

I live at 25 Orchard Rd, Concord. Fortunately the cell phone reception at our house is fine as we are near rt. 2 and a cell phone tower. The rest of the town is lacking proper cell coverage. High traffic areas such as Concord Center and West Concord Village are complete dead zones as well as the outskirts of town on Monument st. and Lowell rd.

I support the investment in additional cell towers to improve coverage. Looking forward to reading the plan the town comes up with to address this issue.

Thanks,
Dan Connolly

January 26, 2023, 11:27AM, via email

Chris,

I've heard that you are interested in feedback on Concord's spotty cell service. (I can't find anything about this on the Town website, though.)

I'm sure many have reported the continual call dropping in Concord Center, so I can only say "me too" on that.

However, I live in the Annursnac Hill area (in my case literally a hundred yards from the cell towers on the hill) and I've found that all too often calls drop as soon as I get outside the range of my own router/wifi. It is not predictable what causes this, unfortunately. Sometimes a long conversation goes just fine, other times it drops every minute or so.

Dave Lebling

January 25, 2023, 9:35AM, via email

Good morning Chris,

When planning varied events in town, from large fairs to small texting events, the frustration with the cell phone non-usage emerges continuously as a problem. I can provide numerous examples, but it would be grand if this issue could be resolved. As the Concord 250 celebration accelerates, the issue becomes particularly poignant.

Thank you for helping to correct this issue.

Diane Proctor

To:

Christopher Carmody

Risk and Compliance Manager

Town Manager's Office

22 Monument Square

Concord, Ma 01742

From:

Edith A Hill

Keller Williams Realty Boston Northwest

200 Baker Avenue

Concord, Ma 01742

Re Cell Service

Dear Chris,

As the owner of 59 Walden Street, I find it shocking that cell service is so poor in the downtown Concord area. Cell service is expected for basic communication throughout the world. Business is conducted through cell phones and laptops. As a woman, I walk with my cell in my hand for safety and light as needed.

I also use my cell for personal reasons. I need to be in contact with my office, clients, and family. My family tracks me on my phone in case of an emergency (I'm a 76 year old professional woman). After an evening meeting at a local restaurant, I tried to text my family that I was on my way home, no service. After a morning Planning Board meeting, I tried to check messages and confirm my next appointment, no service. Lack of service disrupts my efficiency, business and personal life. It is completely unacceptable and it's not safe.

Tourists use their cell phone to map, find attractions, make reservations, take pictures, work, etc. When I'm traveling and find myself in a no cell area, it is unlikely that I will return, often leaving early. Rather than saying what a wonderful time was had in Concord, it's referred to as that place with no service. It's a very negative experience. There are very few land lines and no pay phones, creating a dangerous environment.

The Town must do whatever is necessary to bring cell service to downtown Concord as quickly as possible. Local businesses are being hurt, people are in danger, and it's 2023. Everyone carries a cell phone and everyone expects excellent cell service.

Most sincerely,



Edith A Hill

February 8, 2023, 9:49AM

Dear Mr. Carmody,

I second every point made by Marie Foley with regard to the effects of limited broadband and cell service in Concord Center.

Additionally, as it relates to my specific business, our communications with clients and suppliers have suffered on numerous occasions, and on a regular basis, due to poor cell reception or lack of internet.

Some examples are:

- delays in pricing custom jobs because we can't access online resources, giving customers time to go elsewhere for quotes
- inability of clients to share pictures from their cellphones during design consultations
- inability of clients to Facetime with family members when selecting important gifts
- inability to access and update our website and online design archives promptly
- general emailing with clients as to the status of their projects

Approximately 85% of my business is custom work, and that work is heavily reliant on frequent and in-depth communication with clients. So although these examples may not sound urgent, they represent a significant and recurring obstacle to performing the core of our operation.

Thank you for reading. I look forward to hearing about how this matter is addressed.

Sincerely,
Geraldine Perry
Fairbank and Perry Goldsmiths
32 Main Street
Concord MA 01742

January 24, 2023, 10:21AM, via email

To: Chris Carmody, Town Administrative Manager

Mr. Carmody,

The town of Concord, particularly in the heart of Concord Center, West Concord, Train Stations, and Lowell Road, is desperately in need of coverage. I find myself avoiding all those areas while talking on phone (Bluetooth cars). I have several business clients in those regions, I am their computer consultant, who cannot use cell phones to transact business, in fear of losing the connection. Boosters are not a reliable answer, and universal cell boosters do not work well at all. You have real estate businesses in those areas struggling to use cell phones. They are 100% dependent on communications.

While out at restaurants, or other retail businesses, in these and other areas, my children cannot reach me via the phone. I find myself avoiding the restaurants and businesses here from time to time just because my family cannot reach me. In 2023, with all the technology, I should be reachable. My children are not children of the 1970-2000 time period, and have only known easy communications. I need them to be able to find me for emergencies, or important family information.

Please consider tower options, or other options, in these areas. Concord can no longer afford to lag behind in technology communications. The town may be losing foot traffic, retail traffic, and restaurant traffic because people just do not want to struggle to be available for cell use.

Thanks,
Gary Berlam
295 Independence Road

January 20, 2023

Re: Cell Tower location/needs in Concord

Chris,

I write to you, in your capacity as Risk and Compliance Manager for the town, with my personal thoughts regarding the poor cell service in the Town of Concord.

I am sure that we need additional cell tower service in Concord. Far too long we have been tempting fate, just hoping a catastrophe will not occur. I have personally seen and heard numerous times about incidents needing fire or police response being delayed due to a lack of cell service. These are not inconveniences, rather they can be life or death.

We often hear the phrase "abundance of caution" when we make decisions in governing each other. Many times, it is truly the prudent avenue going forward. This is most relevant when working with subjects that are lacking in historical data, study and debate. Those discussions have happened regarding cell service, and we must move on and find locations that provide acceptable service.

We are about to invite the world to Concord to celebrate liberty. We cannot duck our responsibility to resolve this short coming any longer.

Regards

Greg Higgins

January 13, 2022; 12:19PM, via email

Chris, I can give you such a statement, although given the constant flow of comment on the subject, particulars hardly seem necessary. As you know, half of our parking meters don't work because of it; in my office at the corner of Main and Walden Street (second floor), I have to go to a window to have a conversation on my cell phone and even then, calls get dropped half the time; and the situation is the same at my home on Everett Street near the corner of Stow. I assume it is the same in the Town House. It is not a time of day issue, it is all the time, and it is so bad and been going on for so long that people have given up complaining about it. We are a high tech, well educated and sophisticated town (for the most part), and our cell service is worse than in most third world countries. What more needs to be said?. I understand that we have hired a consultant to advise us on solutions, and I assume that they have the ability to drive around town and measure signal strength to give a more specific analysis. And for the people who are concerned about the health hazards, ask them if they have a cell phone and use it.

Henry J. Dane

Member Town of Concord Select Board
PO Box 540 Concord, Massachusetts 01742

hdane@concordma.gov

hdane@danelaw.com

Phone: 978-369-8333 Ext. 18

Fax: 978-369-3106

Unless otherwise indicated, the views expressed in this email are my own and not (necessarily) those of the Board.

January 26, 2023, 11:33AM, via email

Hi Chris,

I understand you are collecting thoughts about insufficient cell coverage in Concord.

Where to begin?

I live at the top of Annursnac Hill in view of the water reservoir and two cell towers yet my calls are frequently dropped. If I call from my house to another place in Concord the call is frequently dropped, sometimes multiple times in one not very long conversation. If I call home from outside Concord or call another town from Concord the call is occasionally dropped. If I call from outside Concord to another location outside Concord my phone works fine.

If I am near Concord Center there is spotty service so calls are guaranteed to drop if they can even be placed to start with.

And finally, I often walk from home into town for exercise and cannot listen to podcasts while walking along Lowell Road from the Lowell Road bridge into the center of town - no service.

What I have described are inconveniences but I shudder to think what would happen if someone had a heart attack in downtown Concord and there was no cell service to summon help.

I understand that there is resistance to siting a cell tower in the historic district or where residents (especially children) might be subjected to radiation. To the extent that these are legitimate concerns I have the following thoughts.

Concord is a living town and we should be able to find a way to accommodate our concern for an historical appearance and modern life. We established that back in the 1930's when John D Rockefeller came to Concord to see if he could establish it as a living museum. He was told Concord was a living town and didn't want to be "frozen in amber". Rockefeller went to Williamsburg, VA and established Williamsburg as the tourist site it is today - not a vibrant living town as Concord is today.

If radiation is a concern we should know about it and if it is not we should understand that as well. Perhaps some public education would be helpful.

Thanks and good luck addressing this problem.

-Janet Rothrock
618 Annursnac Hill Road

January 16, 2023, 4:57PM, via email

Hi Chris -

I understand you are looking for input on the deplorable state of cellular phone service in Concord. Thanks for asking!

It's no secret that Concord has some of the biggest gaps in coverage in eastern Massachusetts. I cannot drive from my house on Chestnut Street to my office in West Concord without having calls on cellular drop, *and often 2 or 3 times*. When it comes to an internet connection via my phone it's even worse. Areas that are particularly notable in my experience as a Verizon user:

- Concord Center and West Concord Village are both completely unreliable
- The Library on Main Street is a black hole - zero coverage for Verizon
- This continues down Stow Street to Alcott School - virtually no signal
- It continues down Sudbury Road to Crosby's - virtually impossible to receive a text to confirm the grocery list!
- It also continues from Concord center west on Rt. 62 - no internet and single bar cellular reception
- It improves *slightly* as you cross Rt. 2 and head into West Concord
- Cell service in West Concord village is 1 or, at best 2, out of 5 possible bars
- Jumping to another locale, the cell service on Chestnut Street is unreliable, too

These coverage gaps impact our community in two key ways:

- Convenience - citizens lose out on the convenience of reliable cellular service, and retail businesses suffer when customers cannot communicate while in their stores (and Concord Center is like a black hole)
- Safety - I can only imagine what I would do if I were in Concord Center or West Concord and had to make an emergency phone call from my cell phone. For example, if I were in the Library and somebody needed medical assistance.

I do a lot of work overseas and find myself apologizing to callers in emerging markets that have far more robust, reliable cell service than we have here in the United States!

On the solutions side, I have a fully engineered solution for West Concord that I would be delighted to share. About 5 years ago we were close to pursuing a project with Verizon that they shelved when 5G was on the horizon. I think we could revive that project fairly quickly.

Thanks,
John Boynton

January 26, 2023, 11:15AM, via email

Hi Chris, thanks for looking into this. I see the issue as being one of both public safety and lack of the simple convenience we are accustomed to elsewhere, so I would love to see our cell coverage improved.

Public safety: I was parked outside Hunt Gym on a dark and rainy night in September and discovered I couldn't send a text or make a call from there. What would I do if my car had a flat tire or I felt ill? We don't have public phone booths anymore. I couldn't call AAA or 911.

Convenience: Just one example of many... I parked at Crosby's and realized I couldn't call home or send a text to ask if any items should be added to my grocery list.

Thanks and regards,
Joyce Isen
21 Wright Farm

January 25, 6:42PM, via email

I sometimes choose not to go to Concord for food or coffee because I know my iPhone and iPad will not work while I relax for a little while. I have noticed this phenomenon for years and have even thought the town was deliberately jamming reception to keep people from hanging out. It is not just needing Wi-Fi service for fun but I am sure many of us need connectivity for work. Even if I turn off Wi-Fi and try to use satellite connection, nothing happens and I give up. I hope the town will improve this soon.

Judy Wong

February 3, 2023, 4:37AM, via email

Greetings Chris,

BTW - meant to say hello to you at the nominating caucus the other night. Hoping you're well.

I've been told you are seeking input on wi-fi coverage in Concord.

As you know, Concord for Ukraine sold raffle tickets at community events last year for a Concord Piecemaker Quilt. We decided to go with virtual (rather than physical) tickets to expedite the \$ transfer. Had NO IDEA what a headache this would provide to be in the Monument Square area! Whether it was Ag Day, FP Artisan Fair or the Xmas Tree Lighting - it was IMPOSSIBLE to execute the sale.. As we were asking people for a credit card number, they wanted to do the input themselves on their cell phones. No one could get through. So - people would end up giving us some cash they might be carrying.

I have also coordinated many protests/rallies/observances on Monument Square and First Parish lawn. We would like to show people cause information on our laptops - and take down their contact info for follow-up. Again - next to impossible.

In short - Concord Center is a VERY ACTIVE community gathering place... which is what we want. In these days of smart phones and laptops - not having the coverage needed is like tying one hand behind our backs. I realize we are historic, revolutionary Concord - but to flourish, we need to keep with the times.

Many thanks for your interest. Crossing my fingers

It takes a village - our village,
Kate Kavanagh

January 28, 2023, 8:45AM, via email

Dear Chris,

We hope you are well. Susan noted that you are soliciting feedback on cellular coverage in Concord.

Thank you for giving us the opportunity to share our views. In essence, we love Concord as our home, our kids are growing up here, and my wife's maternal family has been here for 6 generations (and in the area for much longer on her paternal side). We absolutely believe Concord needs to provide consistent and reliable cellular coverage for all.

Our rationale is as follows:

Safety - lack of coverage make us less safe.

A) We have three young children. When they are home alone, when we are in town without them (eg., Main Street) or when they are in town with friends, they can't call us and we can't call them from cell phones. While they are in school and we are in town, the schools have tried to call us and they could not get through. If an accident were to occur while walking our puppy or riding bikes, for example, they wouldn't be able to reach us or the Concord police easily depending on their location.

B) We've noticed, as have many friends, that we end up looking at phones when coverage drops which is unsafe while driving. This becomes more of an issue for visitors who are often surprised by poor cell coverage in Concord, particularly with carriers like Verizon and AT&T.

Safety alone should make better coverage a priority for the town.

Town revenue - lack of coverage hurts business and tourism opportunities.

A) Being in one of the prettiest town centers and being unable to access maps for directions or contact friends (who may be visiting various stores) has been frustrating for many. Technology (enabled by service) can and should enhance the experience and share more about the hidden gems within historical Concord; it shouldn't be a nuisance.

B) Lack of cell coverage is a reason other towns are chosen for business meetings (as I recently experienced). That is bad for Concord over time.

Equal access for all Concord residents - there shouldn't be affordability friction to access what is considered a basic public utility in most parts of the developed world.

Those that can afford it get cell boosters at home or for their cars. Those that can't afford it, suffer without it. This is bad for Concord over time.

I hope the summary above explains why we believe the town should prioritize improved cellular coverage.

Thank you, Chris.

Take care,
Lauren and Vijay

January 24, 2023, 10:55AM, via email

Hello Chris –

My name is Lisa Adamiak, and I am one of the owners of Nashawtuc Architects. Nashawtuc Architects has been operating in Concord for 35 years.

The CBP sent out an email asking for our experience was with cell coverage as a Concord business owner. We recently moved from the second floor of The Wright Tavern @ 2 Lexington Rd. We had spotty cell service there at best. However, we moved to 100 Main Street in August, and we don't have any cell service at this location.

Please contact me with any questions or comments.

Best,
Lisa

Lisa M.B. Adamiak, AIA
Principal | Nashawtuc Architects Inc
100 Main Street, Suite 420 | Concord, MA 01742

February 3, 2023, 9:06AM, via email

I saw that you are asking about cell coverage in Concord center. I live opposite the Scout House, three doors down from the Verizon building and I would be lost without WiFi calling. With cell service I can sometimes connect from one end of our couch, but get cut off if I lean towards the other. With Verizon the first thing I would do when calling from the house would be to make sure any agent at a company I called (doctors, boiler repair, etc) had my # and knew the call might cut out. Moving from the "good" spot to get a file or a glass of water while on hold was not an option. We have a neighborhood book group and often want to look up a suggestion for the next book to read; at houses up and down the block we get no service and have to ask for the host's WiFi password.

I would love to have consistent cell service at my house. Best of luck in securing it!

Lola Chaisson

77 Walden St

February 7, 2023, 10:36AM, via email

Chris,

I will echo Marie Foley's comments. Cell phone conductivity is a major problem. It impacts the staff, visitors and the operation of the Emerson House.

Marie

Marie Gordinier
Director of Visitor Services
Ralph Waldo Emerson House
28 Cambridge Turnpike

February 8, 2023, 7:34PM, via email

I met you briefly last Wednesday at our meeting in the Town House. Thank you for working on addressing our inadequate and frustrating cell coverage in the downtown areas.

I am a Board Member of the Concord Business Partnership, a member of the Town's Economic Vitality Committee, and an owner of a commercial building located at the corner of Thoreau and Middle Streets.

While at our building as well as while traveling in my car down Thoreau Street toward Sudbury Street and toward Main Street, my phone frequently drops call or fades in and out. Verizon is my carrier.

While at our building, I can't use Google or any Internet service or application, or send or receive texts. My cell coverage is spotty in the immediate area. As far as impacts, I can't text with or otherwise communicate reliably with tenants, brokers or my family. For example, I am not able to text with my kids on matters such as coordinating to pick them up or to ask about their day or regarding events they need to get to, unless I drive pass Emerson Fields. Further, I am not able to conduct business, including to check email or use other Internet applications. Simple tasks such as confirming meeting times with brokers, prospective tenants or service providers are challenging. If there were an emergency, including a medical emergency, at or near our building, my cell phone coverage could be a significant challenge and may require me to get in my car and drive far enough to acquire a stronger signal.

I would be happy to speak with you and/or provide further information as helpful.

Thank you.

Mark Martines

February 9, 2023, 4:05pm, via email

Chris,

We would like to express our support of the cell towers in Concord, not only as business owners but also as parents. We have two boys, aged 18 and 15 and we believe that their safety throughout town should be a top priority. There are many times where they can't be reached or can't reach us in an emergency situation, whether its downtown or at Walden pond. I am sure you have heard this from many other parents, so I won't take up too much of your time with this concern but wanted to add our support of cell towns in town for this reason.

Further, as a business owner we have concerns for our customers. It's quite frankly embarrassing for the town how often I must apologize and tell people that we just don't have coverage in Concord. Over 40% of our business comes in on the app, and it is very difficult for people to order while in town and difficult for them to pay. Although we have a public Wi-Fi many customers would rather not that that additional step in their order, as Dunkin is known for its fast service. Obviously, there are safety concerns as well.

While we understand the environmental concerns that the opposition is raising, we feel that the safety concerns far outweigh those.

Thank you,
Mark & Megan Pesce

Megan Pesce

Franchisee / Owner Operator
Dunkin' of Acton, Arlington,
Brighton, Brookline, Chestnut Hill,
Concord, Dover, Framingham,
Maynard, Natick, Needham,
Wayland, Wellesley

Phone: 781.820.0151

January 25, 2023, 11:37AM, via email

Chris:

I understand that you are soliciting input on cell phone coverage in Concord. I/we are residents at Wright Farm and my office is next to town hall. Among the spots I get spotty coverage is Lowell Road. I joke with folks I am talking to by cell that I am apparently way out in Wyoming somewhere...

My office tolerable but weak signal. Current carrier AT and T but I believe similar with other carriers. Welcome anything that can be done.

Best,

Michael P. Krupa, Ed.D.
CEO
TaraVista HealthPartners
[30](#) Monument Square
Suite 101
Concord, MA 01742

January 31, 2023, 9:09AM, via email

Hello Chris,

My name is Randy Kring, I am a resident at 615 Elm St. in Concord. I have heard that the town is looking for input to confirm the need to improve Concord's cell coverage.

I have lived in Concord for three years and was very surprised when I moved here that the cell service in the town is so poor. I am a runner and send my wife my GPS location while I run so she can track me for safety purposes. Because of the poor service in Concord this tracking only works in isolated parts of town. As soon as I disconnect from my house Wifi I am unable to stream music or make phone calls. This impacts my quality of life and safety.

I am strongly in favor of the town working to improve cell coverage. If there is any other information I can give you, please let me know.

Thank you so much for your consideration!

Best,
Randy

January 26, 2023, 7:57AM, via email

Hi, Chris,

I understand you're the go-to guy with feedback/requests regarding wifi access in and around Concord Center. Connectivity from Route 2 at 126 to the four-way stop at Lowell Road and Barretts Mill Road is abysmal. It's impossible to have a cellphone call, text, or access the internet within a mile of Monument Square. This makes it extremely difficult to perform everyday activities that are now an important staple of modern life.

I have also had no luck attempting to access Town wifi while in Concord Center. This is frustrating as a citizen, but I'm also a Town Tour Guide, and it's mortifying to explain to tourists that they won't have access to the internet while in Concord Center.

Our town is historic and it's especially endearing that the center looks as it did in the 19th century. But no one expects it to function as if we still lived then. I would love to know what the town's plans are with regards to improving wifi access in the very populous center.

If there is someone else I should be contacting with this concern, please let me know. I look forward to hearing from you.

Sincerely,

Stefanie Cloutier
109 Grove Street

January 24, 2023, 9:26AM, via email

Hello Chris,

I understand you are collecting information about Concord's lack of cell coverage. We use Xfinity as our carrier, and believe that it is on the Verizon network. My cell drops calls in Concord considerably more often than Acton where we moved from. Concord has such poor cell coverage even searching the web for directions and info when we are looking for sites of interest in Concord can be challenging as google search often gets stuck or fails. I try to use other people's phones on different networks if I can but often their cell phones do not work either.

Once I leave Concord my internet searching goes back to high speed normal. Sure this impacts tourists and I know it frustrates my husband too.

Thanks for looking into and hopefully improving Concord's cell coverage. As we draw larger crowds for big events such as our 250th celebration we are certain to have even bigger issues including public safety.

Thank you,
Susan C. Muller

February 7, 2023, 7:10pm, via email

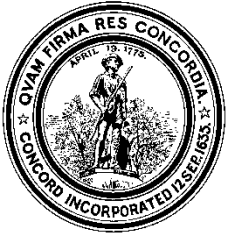
Thanks for asking. For years now our cell phone service here at our office location has been pretty terrible. Our primary business number a land line is fine however when clients in the office try to send or receive with their cell it fades in and out or does not work at all. Just earlier today a client had to go outside to get thru to a relative. Often my wife when calling me from right here in concord cannot get thru.

It is very common that we have to ask (or try to ask) someone on the other end to call back on a landline or we offer to do the same.

It certainly seems like in this day & age this should not have to be the case.
Glad to hear you are addressing this problem.

Tom Caldwell

Northeast Numismatics
100 Main Street, Ste. 330
Concord, MA 01742



TOWN OF CONCORD
Department of Planning and Land Management
141 Keyes Road, Concord, MA 01742
(978) 318-3290

To: Kerry Lafleur, Town Manager
From: Marcia Rasmussen, Director DPLM
Re: **EEA #16654: L.G. Hanscom Field North Airfield Development ENF**
Date: February 9, 2023

On Monday, February 6th, Town staff from the Department of Planning & Land Management attended the site visit to Hanscom Airfield to observe the proposed site for development and the public information meeting held that same night to hear a presentation from the project manager preparing the required Environmental Impact Report. This memorandum is a compilation of the comments and questions raised by Town staff.

Project overview: Proponents Runway Realty Ventures, LLC and North Airfield Ventures, LLC propose to construct 27 hangars and renovate the existing Navy Hangar building to provide a combined area of 495,470 square feet (sf) of hangar space. The project involves land transfers between the Proponents and Massport, including a 28.1 -acre Massport Ground Lease area and transfer of two parcels totaling 5.2 acres from Massport to the Proponents. In addition, the Proponents will transfer a 2.6-acre parcel to Massport to provide a Taxiway Object Free Area and a perimeter access road. The project will affect a total of 47 acres of land (altering 23.2 acres of land; and adding 23.9 acres of impervious area); construct 175 new parking spaces for a total of 240 spaces including existing spaces; generate an estimated 194 average daily vehicle trips, use 13,500 gallons per day (gpd) of water and generate 12,150 gpd of wastewater. The project site is located within an Environmental Justice population designated as Minority and within a mile of additional EJ populations.



Hanscom Airfield is within the four communities of Bedford, Concord, Lincoln, and Lexington. These four communities exhibit intrinsic qualities of scenic, historic, recreational, cultural, archaeological, and natural features that are recognized for their national significance and considered representative, unique, irreplaceable, or distinctly characteristic of this area. Greatly valued by residents, these intrinsic qualities draw visitors from around the world seeking connections and inspiration from the American story. The federally owned Great Meadows Wildlife Refuge, the Minute Man National Historical Park and the Battle Road Scenic Byway are on a direct path with the east-west runway, as well as many cultural resources and open spaces that bring visitors to this region. As Hanscom Airfield has grown and expanded over the years, the incremental increases in vehicular traffic, aircraft traffic, noise, air pollution and so forth, has eroded the quality of life for residents and wildlife and diminishes the visitor experience. The cumulative impact of these incremental increases adversely effects the natural, cultural, and historical resources of the communities.

The Draft Environmental Impact Report should include both qualitative and quantitative information that addresses questions of the incremental, direct, and cumulative impacts to the Concord community of not just the proposed development but the resulting increases in use at Hanscom resulting from the proposed development. It should include a comprehensive public cost/public benefit analysis, addressing quality of life issues such as:

Noise and Visual Intrusions – impacts to humans and to wildlife of increased air traffic numbers (both frequency and volume) and the disruption of biological rhythms, peace of mind, communication, foraging, navigation, and mating.

Vehicular Traffic – increased traffic volumes (and potentially, speeds) on Route 62, which may affect pedestrian and bicyclist safety along this road, particularly since there is no sidewalk for a major length of the road corridor.

Air Quality – increased aviation use at Hanscom may result in reduced air quality, particularly given changes in wind patterns resulting from climate changes. Also, the health impacts of lead added to the environment resulting from the use of leaded (aircraft) fuel should be quantified. What is the general direction of wind patterns in relation to sensitive receptors such as child-care facilities, affordable housing developments and similar sites?

Climate Change – the increase in impervious pavement and the resultant loss of the woodland and grassland areas in the area proposed for development will create a “heat-island” effect that may impact surrounding neighborhoods and businesses without mitigation measures taken. Additionally, what is the condition of the existing soils in the area and what will be the effect of recharging groundwater resources by retaining stormwater on site? How will groundwater be protected in the event of a fuel spill or similar occurrence.

Rare Species Impacts – the proposed development is immediately adjacent to mapped areas of Estimated and Priority Habitats, which may negatively impact rare wildlife. In addition, the

flight path crosses many other mapped rare species habitats. The DEIR should evaluate the effects of increased noise and air pollution on resident, migratory, and overwintering wildlife species that occur in Concord (rare and otherwise).

Carbon Footprint – The four communities encircling Hanscom are working to reduce their respective carbon footprints. The carbon footprint of the proposed use should be evaluated, including both direct impacts from new impervious surface, construction materials and heating/cooling required for the new buildings, as well as increased aircraft fuel usage.

Economic. Adverse effects of the increased air traffic diminish the very intrinsic qualities that attract tourists, impacting local economies.

Public Benefit(s) – The primarily private nature of the proposed development benefits a few users while the adverse impacts will be borne by the public. Statements made during the presentation on Monday indicated that these new hangars would be a benefit through the reduction in the number of “ferry flights”. This statement should be supported with accurate numbers (how many such flights per day/week/month) and requests/reservations for the proposed hanger space. Other public benefits (implied or stated) should be documented and supporting information provided.

At this point, the MEPA process is not a permitting process, but a means of assessing the environmental impacts of the proposed development. It is the responsibility of the proponents to provide complete and accurate information as part of the DEIR (Draft Environmental Impact Report) and FEIR (Final Environmental Impact Report) process, which will help inform those making decisions at different points in time. The questions and issues raised in this memorandum reflect the information obtained by staff during the site visit and public meeting presentation.



Correspondence

Date:

1. 1/11/2023
2. 2/8/2023
3. 2/7/2023
4. 2/5/2023
5. 2/5/2023
6. 2/6/2023
7. 2/7/2023
8. 2/8/2023
9. 2/9/2023
10. 2/10/2023
11. 2/10/2023
12. 2/2/2023

From:

Rich Feeley, Concord Housing Foundation
Town of Concord
Representative Simon Cataldo
Laura LeVan
Beth Cuttone
Victoria Klimkiewicz
Victoria Wyslouch
Chris Harris
Co-Presidents of Annursnac Hill Association
Mark and Tanya Gailus
Portia Keady
Anna West Winter, Save Our Heritage

Subject:

Action Items in Housing Production Plan
Emergency Shelter FAQs on Town Website
Emergency Shelter
Emergency Shelter
Emergency Shelter
Emergency Shelter
Emergency Shelter
Emergency Shelter
Hanscom Field North Airfield Development
Hanscom Field North Airfield Development
Emergency Shelter
Hanscom Field North Airfield Development



Concord Housing Foundation, Inc.

Working to Preserve Concord's Housing Diversity

January 11, 2023

Honorable Members of the Select Board

I write on behalf of the Concord Housing Foundation to urge the Select Board to take prompt action on two important items in the Housing Production Plan (HPP) recently approved by the Board.

Many of the recommendations in the HPP will be pursued by the housing entities in Concord, individually, or in collaboration. But there are two key elements of the Plan which require Select Board initiative.

1. Funding a study of ways in which the Town's sewage treatment capacity can be expanded. We know that one problem with the Junction Village project was that it could not be connected to the sewer. Therefore, it was required to build its own treatment plant, a costly (and environmentally questionable) aspect of that affordable housing plan. Testimony from the DPW at the Select Board indicated that there is some ability to expand the existing treatment plant, although capacity will still be constrained.

It is inevitable that Concord will see additional multi-unit housing projects over the next 10-15 years. Possibilities include a different project at Christopher Heights (included in the HPP), some added density under the new MBTA rules, or a 40B development. The costs of these projects would be lowered by providing Town sewerage. There may be long run environmental benefits to expanding the sewerage network to some residential areas not currently served. We recognize that any expansion is something that the Select Board will only approve after careful study. That study needs to begin now.

2. Working with the School System to develop a plan for administrative consolidation and reuse for School properties no longer needed for educational purposes. When the new Middle School is completed, Concord will have three school sites no longer used for instruction (Ripley, Peabody, Sanborn). One or more of these sites may provide an excellent opportunity for affordable housing. Even though no project can likely start until the new Middle School is completed, there are many actions that can be completed during the construction period. The first is to request the School Board to develop a plan for consolidation of any administrative functions currently located at these three sites. The next action is preliminary planning for a development that would occur on one or more of these sites, along with exploration of the legal steps required to

P.O. Box 751, Concord, MA 01742

free up these sites for housing. The Select Board must press the School Board to take these steps. If these preliminary actions are taken over the next three years while the new Middle School is built, we will be able to proceed much more quickly with a housing project after school construction is completed. We ask that you request the School Board to begin this planning now.

Frank (Rich) Feeley
Chair
Concord Housing Foundation
347 Lexington Road
Concord MA 01742

P.O. Box 751, Concord, MA 01742

FAQ - Emergency Shelter for Families Experiencing Homelessness



The Department of Housing and Community Development (DHCD) intends to locate an Emergency Family Shelter at the Best Western on 740 Elm St. in Concord. The family shelter meets a critical need of Massachusetts families experiencing homelessness. The Town of Concord is working with the DHCD to understand the impact on various town services and identify key supportive needs in preparation of welcoming these vulnerable families.

This FAQ was developed to address questions and concerns that have been raised because of this news. The FAQs will be updated as more information and details are developed. Rep. Simon Cataldo released a related statement on February 7, 2023, which may be of interest and can be found [here](#).

FAQ

When were Town officials contacted about locating a family shelter in Concord?

On January 23, the Town of Concord was notified that the Department of Housing and Community Development (DHCD) intends to establish an emergency family shelter at the Best Western in Concord, effective March 1, 2023.

What is “Right to Shelter”?

Massachusetts has a “right to shelter” law for families with children and pregnant women, which means that shelter must be provided.

What is the DHCD’s role in addressing family homelessness?

The Massachusetts family homelessness system is called the Emergency Assistance (EA) program and is operated by the DHCD. Emergency Assistance is a program that provides homeless families with children access to emergency shelter and help finding permanent housing. DHCD oversees all state-run family shelters, and that state-wide, there are only 3,600 shelter units in place.

Why is an emergency family shelter necessary?

There is a critical shortage of shelter beds, particularly in our area. Families waiting for housing are staying at Devens in barracks style accommodations on cots for an average of 3-5 days. Currently there are 25 families from Concord and the surrounding area housed at an emergency shelter in Devens.

What is DHCD’s plan in Concord?

DHCD intends to lease all 105 rooms directly from the Best Western on an annual basis, with the first lease term being March 1 – June 30, 2023. This a voluntary contract that Best Western management entered with the DHCD.

Who will be staying at the family shelter?

Families who have qualified for the Emergency Assistance program managed by DHCD.

How long will families stay at the shelter?

DHCD shelters meet three needs:

- Provide temporary housing for 3 - 5 days while more permanent housing is located.
- Provide temporary housing for 2 – 4 months when more permanent housing isn't readily available; and
- Provide temporary housing for pregnant women and infants.

How is the family shelter managed?

Every DHCD shelter has an on-site service provider. In this case, the on-site service provider is [MOC \(Making Opportunities Count\)](#). The on-site service provider will have a 24/7 presence and provide clients with case management, connections to resources, housing search assistance and the coordination of direct care.

How is the family funded shelter funded?

The Emergency Assistance program is fully funded by the state. Governor Healey has made affordable housing her first legislative priority. She filed H.47 with the legislature which seeks additional funds for emergency shelters across the state. For those interested, more can be read about this here: <https://www.wgbh.org/news/politics/2023/01/30/healey-emergency-aid-depleted-family-shelters-at-capacity>, or [her signing statement](#).

Will the children attend Concord Public Schools?

While some of them may, others will not. Some children at this family shelter site will not be school-age and others are already enrolled in other school districts in Massachusetts and will continue to attend those schools. The Concord Public School Department is working with the DHCD to be prepared to support any incoming students who are unhoused.

How will meals be provided?

DHCD is working with local vendors to provide food service for family shelter residents. Snacks and other necessities will be provided.

Does a municipality have the authority to refuse a shelter?

DHCD does not require local approval to site a shelter. On January 31, DHCD leadership met with representatives from the following Town departments to share an overview of the plan and evaluate the impact on town services: Human Services; Library; DPLM (Building, Health & Planning); Police; Fire; RHSO; and TMO. Dr. Hunter also participated in the meeting on behalf of the school department.

Are there local permit or zoning requirements that the Best Western must comply with for this purpose?

Town departments are assessing what requirements and permits are necessary for the Best Western to be operated as a shelter, including long term stay, health, and fire code requirements. Any issues identified will be addressed before the shelter is open for residents.

What can we do as a community to support these families?

The Town is working with DHCD to understand the best way for the community to provide support. More information will be shared with the community as well as with local non-profits, religious organizations, and others as we learn more and identify specific needs.

How is the community kept informed about this issue and others?

Sign-up for [News and Notices](#) for the latest information. Follow the Town of Concord on social media sites such as Facebook, Instagram, and Twitter.



The Commonwealth of Massachusetts

MASSACHUSETTS HOUSE OF REPRESENTATIVES

REPRESENTATIVE SIMON CATALDO

14th Middlesex

February 7, 2023

Like many of you, I recently learned that the Massachusetts Department of Housing and Community Development (DHCD) has entered an agreement to use up to 105 rooms at the Best Western on Elm Street in Concord as an emergency family shelter. The initial term of this arrangement is from March 1 until June 20, 2023, and DHCD plans to use the Best Western in this manner for at least one year.

Based on my conversations with DHCD, I have learned the following information. The information below is consistent with, and expands upon, the information in the Town of Concord's February 2, 2023, press release

(<https://www.concordma.gov/CivicAlerts.aspx?AID=1414>).

- The administration recently resumed the practice of using hotels as temporary family shelters. DHCD arrived at its decision to use the Best Western in Concord as an emergency family shelter in the context of a state-wide shortage of emergency shelter units for families. This shortage of beds is acute in the Concord area. Many of the families who are experiencing emergency housing needs are from this area, and some of the children who would be housed at the Best Western temporarily are already enrolled in nearby public schools.
- DHCD currently plans to use the Best Western to provide temporary housing for 3-5 business days at a time for families with children and pregnant women.
- Families experiencing homelessness seek services by visiting a DHCD field office or calling the agency's telephonic intake system. Additionally, some are referred from other systems of care.
- Families must establish Massachusetts residency to be eligible for this type of emergency shelter.
- DHCD has hired an on-site human services provider, Making Opportunities Count ("MOC"), <https://www.mocinc.org/>. MOC provides 24/7 services and is tasked with addressing the human services needs that residents may have while staying at the Best Western. Included among these services is the provision of security personnel.



The Commonwealth of Massachusetts

MASSACHUSETTS HOUSE OF REPRESENTATIVES

REPRESENTATIVE SIMON CATALDO

14th Middlesex

Over the past two days, I have been in communication with the School Superintendent, Town Staff, the DHCD's Legislative Liaison, and the other two members of Concord's legislative delegation. I have reached out to MOC and the owner of the Best Western for meetings, which I expect will occur soon.

As your State Representative and your neighbor in the Elm Street area, I share the concerns that many of you have expressed to me about the suitability of this location for this purpose, the preparedness of the service providers in our area to address the needs of the new prospective residents, and the impact that using the Best Western in this manner will have on various local resources and agencies. I have also heard from Concord residents who want to provide help to families in need and have asked how they can help. I am working diligently to gather more reliable information, and will be collaborating with the relevant stakeholders to communicate accurate information to the public.

Additionally, I am mindful that DHCD, and all state and local agencies addressing housing and homelessness, are operating amidst a severe housing shortage and with resources that are currently inadequate to address the gravity of the challenge. It is my understanding that the Governor's administration is using these temporary sites at hotels in 15 different municipalities around the Commonwealth, and the options are limited.

It is my expectation that whatever shape this process ultimately takes, and whoever is here for however long, the Concord community will rise to the challenge and will do so with grace. Our residents have already begun to exhibit that quality by raising well-founded concerns that demonstrate both empathy for our potential visitors and the insights of your lived experiences.

Sincerely,

Simon Cataldo
State Representative, 14th Middlesex District

Shannon McAndrew

From: Laura LeVan <lauralevan@yahoo.com>
Sent: Sunday, February 5, 2023 4:59 PM
To: Shannon McAndrew
Subject: Best Western to house homeless

You don't often get email from lauralevan@yahoo.com. [Learn why this is important](#)

Dear Selectboard,

I live in the Best Western neighborhood. And, I am delighted that Concord, and my neighborhood are going to be part of the solution to this terrible problem in our society! I will do all I can to help. Let me know.

Laura LeVan
58 Nimrod Dr.
Concord, MA 01742
978-371-0997

Shannon McAndrew

From: Beth <bethcuttone@hotmail.com>
Sent: Sunday, February 5, 2023 5:43 PM
To: Kerry Lafleur; Shannon McAndrew
Subject: Shelter at best western

[You don't often get email from bethcuttone@hotmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I am a long time resident of concord and I just found out that you will be turning the best western right next to me into a homeless shelter . I never received a letter or any notification that this was going to happen! This concerns me greatly because I have young children . I would like to know if concord will busing in illegals , refugees or families from other towns? I am not comfortable with that at all and feel it will increase crime in this neighborhood that has so many young kids. I worked very hard to be able to afford to live in this town for the good schools and the overall safety. This is not right. This should have been brought to a vote by those who abut the property and the town and notified by mail as to what was going on.

I would appreciate a reply
Sincerely
A very concerned resident
Bethcuttone@hotmail.com

Shannon McAndrew

From: Beth <bethcuttone@hotmail.com>
Sent: Monday, February 6, 2023 2:30 PM
To: Shannon McAndrew
Subject: Re: Shelter at best western

You don't often get email from bethcuttone@hotmail.com. [Learn why this is important](#)

Yes I would appreciate it if you added what I wrote below thank you .

I am a long time resident of concord and I just found out that you will be turning the best western right next to me into a homeless shelter . I never received a letter or any notification that this was going to happen! This concerns me greatly because I have young children . I would like to know if concord will busing in illegals , refugees or families from other towns? I am not comfortable with that at all and feel it will increase crime in this neighborhood that has so many young kids. I worked very hard to be able to afford to live in this town for the good schools and the overall safety. This is not right. This should have been brought to a vote by those who abut the property and the town and notified by mail as to what was going on.

Studies show that : The majority of crime surrounding homeless shelters involves loitering and its related issues, like vandalism, trespassing, theft or drug use.

Not to mention that state run shelters are never up kept and always run down which will effect our property values. I can also only assume this will raise our property taxes even more . Decreased property value, higher taxes for the new school and more taxes to pay for all these other people they are trying to bus in . Concord will eventually be left with very rich and a handful of homeless people because I feel like the town is trying to drive out the middle class .

I feel like I can speak for all the families in this neighborhood especially with young kids that this is very concerning.

Sincerely
A very concerned resident

On Feb 6, 2023, at 9:03 AM, Shannon McAndrew <smcandrew@concordma.gov> wrote:

Good morning Beth,

Thank you for your email. Would you like me to<klafleur@concordma.gov>; Shannon]

Shannon McAndrew

From: Victoria Klimkiewicz <klimkiewiczv@gmail.com>
Sent: Monday, February 6, 2023 5:00 PM
To: Simon.Cataldo@mahouse.gov; kyle.stapleton@mahouse.gov; Shannon McAndrew
Cc: ELM PARK Association
Subject: RE: Emergency family shelter to be located in Concord

You don't often get email from klimkiewiczv@gmail.com. [Learn why this is important](#)

I am writing to you as a concerned resident in the neighborhood boarding the Best Western on Rt 2. I am also writing to you as an immigrant whose family moved from Belarus to upstate NY in 1990, and lived in subsidized housing for several years. The plan to establish an emergency shelter at the Best Western in Concord by the DHCD does not sit well with me and many of my neighbors. This seems rushed, forced, and not well planned for. There has been no communication with “any” neighboring residents about the effects this will have on a very residential community and the resources/costs that the town/state will be providing to support this shelter.

We completely understand that emergency/temporary and more permanent housing for the homeless in MA is a priority for the current administration and fully support that effect since my family relied on state help for housing when we came to the United States. What made the support we received a success was the location - **access to public transportation, free healthcare, job training, available daycare, groceries, daily needs, and most importantly, close to people we knew lived. I believe this location does not support most of those needs.**

To my knowledge, there is a lack of resources and infrastructure established to support the planned set up of the temporary homeless shelter at the BW in Concord. No direct access to transportation, no grocery store or pharmacy located within walking proximity. How will “temporary” residents get food, prescriptions or even get around?

Some questions that I and others wish to be addressed as soon as possible are:

- How much will the DHCD pay for the “temporary” period March – June? Will this cover all operating expenses of BW?
- What resources will the town be responsible to provide versus the state?
- Is this truly “temporary” or potentially permanent? What is the current zoning for the area suggested? Will the location zoning be grandfathered?
- With PapaRazzi set to close, is the Town considering alternative uses for the sites?
- How much funding do we have available in our budget to support this influx of aid?
- What counseling and medical services will be available to people and individuals facing distress? Who will fund it? How will individuals get there?
- Safety measures for crossing Rt 2?
- What measures will/have been agreed on the volume of program participants to a manageable level?
- What security measures will be adopted to ensure the safety of residents and people staying in the facility?

- Who is responsible to implement and supervise sound management/supervision over the program?
- Will communication be provided to residents if “temporary” housing is provided to a registered offender?
- Will children be attending local public schools? What funds have the schools allocated for the influx of potential “temporary” school enrollment? How will this affect current class size and teacher contracted student loads? Will there be a need for additional ESL/or special education teachers, or additional counselors?
- What additional public works measures will be put in place for the influx of resistance.
- Has any study been done on impact to the neighborhood and the Concord community?

The lack of communication on a plan makes us think that there is no plan by the city or state to ensure that the location is operated with safe and appropriate measures in place. The hotel is located basically on a highway with nothing around it except dangerous traffic, a restaurant, a gas station, a Temple and all residential... no resources at all.

I think some communication and answers to our questions is urgently needed. Please take a look at the hotel owner's BW in Kingston MA and the hardship that the town faced with a similar unplanned influx.

We await your response,

Victoria Klimkiewicz & many other local residents of Concord, Nimrod Dr, Elm Street, Coburn Hill, Adams Rd and Baker Ave.

Shannon McAndrew

From: Victoria Wyslouch <vwyslouch@gmail.com>
Sent: Tuesday, February 7, 2023 10:26 AM
To: Simon.Cataldo@mahouse.gov; kyle.stapleton@mahouse.gov; Shannon McAndrew
Cc: ELM PARK Association; Victoria Klimkiewicz
Subject: more question on emergency family shelter

You don't often get email from vwyslouch@gmail.com. [Learn why this is important](#)

Dear Simon and All,

I'm aware of the letter my dear neighbor Victoria Klimkiewicz sent you yesterday. She expressed most of my concerns and worries in her email. I have some additional questions for you:

1. How are you planning to communicate with our neighborhood? Is this going to be weekly? What are your means of communication with us?
2. I would like to know the criteria for selecting locations for emergency family shelters in the State. I'm very disappointed that the State would choose such a place for the underprivileged and vulnerable. It looks to me that the State doesn't seem to care for these people enough, given that there is no infrastructure and resources for them in the Concord location.
3. We heard about similar arrangements in Kingston, MA, last Fall. I understand that the same person owns the hotels in Kingston, MA, and Concord, and they are probably not doing well as businesses. I want to know how exactly this facility will help those people. It looks like the State is setting them up for failure. Are we sure we are not simply trying to save somebody's business by exploiting the housing crisis?
3. Are you planning to reach out to Kingston town officials to estimate the cost and other issues the town has experienced after the State introduced a similar shelter at the end of last year? I'm particularly worried about increasing crime rates as our residential community has a lot of children and seniors.

Best regards,
Victoria Wyslouch
10 Nimrod Dr
Concord, MA

Shannon McAndrew

From: chris harris <chris.harris@mailfence.com>
Sent: Wednesday, February 8, 2023 2:56 PM
To: Simon.Cataldo@mahouse.gov
Cc: elmpark01742@gmail.com; Shannon McAndrew; Kyle.stapleton@mahouse.org
Subject: Issues with the Best Western conversion

You don't often get email from chris.harris@mailfence.com. [Learn why this is important](#)

Dear Representative Cataldo:

I'm writing to express my concerns about the State's plans to convert the Best Western in Concord into an emergency shelter. I find the nearly complete lack of transparency by the State unsettling. I've lived in both New York and Boston during this homelessness era, and have witnessed how a poorly run shelter can become an existential threat to a residential neighborhood.

While any sane person can see the dire need for housing the homeless in the Commonwealth, this particular site may prove very difficult for the people housed there, exacerbating the already nearly insurmountable problems people in their situation already face. The motel, while ostensibly right in the middle between Concord and West Concord, is actually quite distant from the services and public transport in Concord Center. West Concord is prohibitively dangerous crossing of Route 2 away. There are no services within walking or biking distance. For children, there is nowhere on the premises for play or recreation, and none nearby, and a very dangerous highway in front. While the need for housing is widely recognized, the isolation of this facility may make it problematic for people already dealing with many issues.

Additionally, how are several hundred people going to be fed? Will everyone housed have their own transportation? Will the services vendor be providing it? How are they going to get to medical services? Will they be attending Concord schools? 105 rooms may be housing several hundred children. Is there room for them in town schools, or transportation to get them there? Will the State be providing the Town assistance to deal with all the extra costs?

How about security? Concord is not a large town with a large police force. Hundreds of people, who are already dealing with myriad problems, cooped up in hotel rooms isolated from everything, could be a recipe for even more problems. Will the services provider MOC have sufficient staff and resources on site to deal with problems that will arise? How much staff?

So far, this proposal seems hasty, and either poorly thought out, and simply hopeful that it can be made to work out. If it doesn't, it potentially can add serious problems for those staying there and for the Town of Concord. It would reassure everyone in the area, if the State and the managing agency can demonstrate to that this shelter will be competently

run and that all the issues I mention have been well thought out. I've watched government officials in several places prevaricate on the issue of homelessness. I hope, with your help, they will demonstrate, for our sake and that of the future tenants, this project can and will be run well.

Sincerely,

Chris Harris
524 Elm St.
Concord, MA

-- Sent with <https://mailfence.com> Secure and private email
-- Sent with <https://mailfence.com> Secure and private email

February 9, 2023

Mr. Alexander Stryisky, Environmental Analyst
Massachusetts Environmental Policy Act Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Public Comment re: EEA #16654: L. G. Hanscom Field North Airfield Development ENF
Filed via email (alexander.stryisky@mass.gov) and via MEPA public comment portal

Dear Mr. Stryisky,

We are the Co-Presidents of the Annursnac Hill Association (AHA), a homeowners association covering roughly 75 homes located in Concord, MA within the Hanscom flight path. These comments are in response to the above Environmental Notification Form (ENF) regarding the proposed expansion of the North Airfield area at Hanscom Field in Bedford, MA, which borders our town, Concord.

On behalf of the AHA, we urge the Massachusetts Environmental Policy Act Office (MEPA) and Massport to listen openly to comments and questions presented pursuant to the ENF and to take these concerns to heart. We ask that MEPA and Massport require the proponents of this project, Runway Realty Ventures and North Airfield Ventures, respond to each and every recommendation and question offered as part of the draft environmental impact report (EIR).

As presented, we oppose the Hanscom Field expansion slated to begin construction in January 2024. Much of the adverse impact of the project will be felt in Concord, but Concord residents will not benefit from the project. This is unacceptable by any measure.

The project will add 27 hangars providing 500,000 square feet of hangar space, build an additional taxiway, build an additional service road, reconfigure Taxiway Romeo to support larger, heavier aircraft, and involve a land swap to create roughly 50 acres of development area. This project will add 194 vehicle trips per day, add 24 acres of new impervious area, consume 13,500 gallons of water per day, and generate over 12,000 gallons of wastewater per day. The project will also involve the creation of a solar array in an attempt to achieve a LEED gold net-zero energy use standard for the project.

Senator Michael Barrett noted during the February 6, 2023, Zoom public presentation that this project is extremely disappointing. He went on to say that it's a fundamentally misplaced project as it will have a profound negative environmental impact. We, the AHA, agree with Senator Barrett and we seek answers to the following questions: Why is this proposed expansion necessary? Who and what are adversely impacted? What efforts will be done to mitigate or compensate those who suffer because of this project? Why should Governor Healy approve the land-swap that is part of this project?

We are very concerned about the increased noise levels that will occur from this proposed project, as well as the number, frequency, and timing of more flights. What are the current restrictions regarding number, timing, frequency, and noise level of flights? Will these restrictions change after the proposed project is completed? Who will

monitor and enforce the restrictions, especially on those flights that occur before 7:00 a.m. and after 11:00 p.m.? What are the penalties for non-compliance with the flight rules? Are these meaningful, effective penalties? What fee schedule will be used for flights that occur before 7:00 a.m. and after 11:00 p.m.? Are these fees high enough to deter flights during these sleep-critical hours? How can Concord residents register their complaints about the air traffic noise and flights that will occur as a direct result of this proposed project?

Already, our residents hear and feel the rumble of air traffic as planes leaving Hanscom ascend to the sky. Our residents and their guests attempt to enjoy the outdoors in their back yards in historic Concord, at nearby Minute Man National Historical Park, and within Great Meadows National Wildlife Refuge, but conversations are often drowned out by the current noise from the planes. We can only conclude that more hangars mean more flights and more noise. The project includes upgrading taxiway Romeo to accommodate larger, heavier aircraft. Is this really necessary? Aren't there alternatives? Won't the noise level increase if larger aircraft are allowed to use Hanscom?

From the February 6, 2023 public meeting, which had over 140 attendees on very short notice, we learned that other impacts await Concord residents. Those impacts raise even more questions. What studies will be done to measure the adverse impacts on the wildlife in Great Meadows? How much will the increased air traffic degrade our air quality? Were traffic studies done to support the claimed vehicle traffic increase? Where will the stormwater flow that is generated by the increased impervious surface area? Can the electric facilities in the neighboring towns of Concord, Bedford, Lexington, and Lincoln handle the increased electricity load generated by the new solar array? Will there be battery storage on-site to handle that load? Will there be adequate performance bonds or other sureties posted with the four towns to guarantee clean-up of diesel spills and other accidents? How will the Hanscom expansion meet the sustainability goals of the four towns and Massport?

These are all broad but answerable questions that are appropriate for the EIR. We, the AHA, look forward to seeing these questions answered prior to any approvals or certificates being issued in this matter.

Thank you for your time and consideration.


Jen Hart and Michael MacClary, Co-Presidents
Annursnac Hill Association
Concord, MA 01742

JH/MM / kjr

Cc: State Senator Michael Barrett
State Representative Carmine Gentile (13th Middlesex House District)
State Representative Simon Cataldo (14th Middlesex House District)
Concord MA Select Board and Town Manager

Shannon McAndrew

From: tbarveyan <tbarveyan@yahoo.com>
Sent: Thursday, February 9, 2023 7:18 PM
To: Matthew Johnson; Terri Ackerman; Linda Escobedo; Henry Dane; Mary Hartman; Shannon McAndrew; Kerry Lafleur; Donna McIntosh; Mark Gailus
Subject: Hanscom Field Development Proposal

Dear Members of the Select Board and Town Manager Ms. Lafleur,

The Hanscom Field proposal in question will create tremendous environmental damage and air and noise pollution, in an Environmental Justice area to boot.

Instead of negotiating about details, is it possible to request a meeting with Governor Maura Healey to ask the Governor to object to this proposal in its entirety? Other Hanscom Area Towns may be invited to such a meeting or perhaps help host it also (though this need not be a requirement of the meeting.)

Thank you for considering,

Mark and Tanya Gailus

Shannon McAndrew

From: Portia Keady <PKeady@nutter.com>
Sent: Friday, February 10, 2023 10:13 AM
To: Shannon McAndrew
Cc: klimkiewiczv@gmail.com; Griffin Keady
Subject: Select Board Meeting 2/13 - Questions (Elm Street Resident)

You don't often get email from pkeady@nutter.com. [Learn why this is important](#)

Shannon,

Apologies for the delayed involvement here; however, I've been tied up on a number of work matters. That said, I want to echo the concerns that Victoria has noted in her various emails. As an attorney who has handled a number of public hearings that involve executive and local action, I am concerned that (i) the allotment for public comment is entirely insufficient to handle the concerns that residents have rightly expressed, and (ii) the level of information being provided to the public.

Accordingly, if the 5 minute public comment time is the only time that will be allotted for public comment, which I hope will be extended due to the unprecedented nature of such an important decision, I would like the meeting to address the following questions:

- (1) Given an executive agency is asserting jurisdiction over a private enterprise typically regulated by town governance, how long does the executive agency have to assert such jurisdiction and under what authority? I have not been able to find the regulations that allow the Governor's executive agency to indefinitely establish a state run facility in a zoning area authorized for a hotel.
- (2) To the extent there are no parameters around the timeline for extended stay, when will the town have a meeting to more formally address the concerns raised by residents and will there be further opportunity for comment as folks move into the neighborhood?
- (3) Will the zoning board be holding a meeting at any point to confirm that this executive action aligns with the town's zoning charter and will the zoning board be holding a public meeting?
- (4) Given the regulations promulgated by the Department of Housing note that mothers with children might be placed in facilities due to domestic abuse concerns, will Concord police maintain a consistent presence given children at the state run facility and children in the Concord community will be at a greater risk of threat?
- (5) Given the regulations promulgated by the Department of Housing note that mothers with children might be placed in facilities due to drug abuse issues, will there be sufficient medical resources on site to address potential issues relating to withdrawal symptoms or other ancillary issues related to drug abuse?
- (6) Given the regulations promulgated by the Department of Housing note that these stays may be 3-5 days to weeks, what transportation services will the third party providers offer residents? Will these transportation services be made publicly available such that Elm street neighborhood can be comfortable that the residents will have adequate access to necessities. If not, what is the plan to give access to these residents to services available at local pharmacies and grocery stores? As you know, the only place for them to go in walking distance is a gas station.

Lastly, I'd like to underscore that I have an enormous amount of empathy for the people who require housing needs. I am 6 months pregnant with a 3 year old and I can't imagine the stress that these mothers are undergoing. Moreover, I have two family members who have experienced homelessness due to mental illness and drug addiction so I have experience with state run facilities. That said, I don't think that the way the town or the executive agency is handling community communication is appropriate or professional given the limited amount of time available for public comment. The homeless crisis in our state is something that needs to be addressed; however, given there are real lives that are being impacted the families in our community would like assurance that the executives in charge of these

decisions are not rushing an executive action without sufficient consideration to the actions being taken. While I am not accusing anyone of this behavior, the lack of communication to our community is creating resentment, fear, and a sense of chaos where there need not be if appropriate communication channels are open.

I look forward to your response and I appreciate the time you have committed thus far to discussing these issues with our community.

Best,
Portia



Portia Keady
Nutter McClennen & Fish LLP
155 Seaport Blvd / Boston, MA 02210
Direct / 617-439-2138
PKeady@nutter.com

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Shannon McAndrew

From: Anna West Winter <anna@saveourheritage.com>
Sent: Thursday, February 2, 2023 7:48 PM
To: Shannon McAndrew
Subject: Important Hanscom Development

You don't often get email from anna@saveourheritage.com. [Learn why this is important](#)

Dear Shannon,

Could you please circulate the time-sensitive email below to the Members of the Select Board and to the Town Manager? A note confirming its receipt would be much appreciated.

Many thanks,
Anna Winter Rasmussen

Dear Members of the Select Board and Town Manager Lafleur,

We'd like to bring to your attention new plans at Hanscom Civil Airport that would substantially expand the infrastructure at the airport, with potential negative impacts for Concord, Minute Man National Historical Park, Great Meadows Wildlife Refuge, Walden Pond and Woods, and our neighboring Hanscom-host towns: Bedford, Lexington, and Lincoln. The developers' plans, called "[L.G. Hanscom North Airfield Development](#)" are posted on MEPA's website for public review.

As a time-sensitive matter: MEPA is holding **two public meetings next Monday, February 6 (details below)**, and we ask that a member of your Board or a Town representative attend these meetings to become informed of the magnitude of this project.

In the meantime, Save Our Heritage has generated an [overview](#) of the proposed plans as a starting point.

Sincerely,

Anna West Winter
Executive Director
Save Our Heritage
91 Main St., Suite 201
Concord, MA 01742

PROPOSED EXTENSIVE DEVELOPMENT AT HANSCOM CIVIL AIRPORT

From: Save Our Heritage
Contact: kati@saveourheritage.com

Plans for a proposed extensive development at Hanscom civil airport, owned by Massport, have recently come to light when developers submitted details of their plans to MEPA, with potentially

major implications for the four Hanscom-area host towns: Bedford, Concord, Lexington and Lincoln.

The proposed development includes --

- adding nearly 500,000 sq ft of hangar space on almost 50 acres of land to house and accommodate aircraft operators that wish to use Hanscom as their base
 - building an additional taxiway
 - building an additional service road
 - reconfiguring Taxiway Romeo to support larger, heavier aircraft
 - a Land Swap & Access Agreement between Runway Realty Ventures (the private owner of the former Navy parcel) and Massport
- Our full overview is [here](#).
 - Time-sensitive options available to Town representatives and the public, below:

MEPA is providing three opportunities for public comment and information on the proposed [North Airfield Development](#) submitted to MEPA.

1. Next Monday, 2/6/23 (two meetings):

3:00 pm: Public in-person site visit, accessed off Hartwell Road, across from Edge Sports Center, 191 Hartwell Rd. Bedford, and

6:30 pm: Public consultation session via Zoom

<https://vhb.zoom.us/j/84330574548?pwd=eThiOXY3a05YQWRzcGphKzZ0aFpYZz09>

2. Tues, 2/14/23: Public Comment period deadline

Comments may be submitted to alexander.strysky@mass.gov or via the [MEPA Public Comments Portal](#).

Please write this reference in the subject line of your Comment:

“ RE: EEA #16654: L.G. Hanscom Field North Airfield Development ENF “