

OLD NORTH BRIDGE

TOWN OF CONCORD

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

Select Board Agenda

May 15, 2023 at 6:00 PM

Town House, Select Board Room, 22 Monument Square

Join Zoom Meeting

<https://us02web.zoom.us/j/84786005522?pwd=cjhIQnRLSkp1c2piU1owR0s4TEpNZz09>

Meeting ID: 847 8600 5522

Passcode: 267140

Dial In Toll-Free: 888-475-4499

- I. Elect Chair and Clerk of Select Board – 6:00 PM
- II. Public Comment: Public Comment is limited to up to 15 minutes, with no more than 3 minutes allocated to any one speaker. Public Comment is limited to items that are not on the agenda. – 6:05 PM
- III. Consent Calendar – 6:20 PM
 - a. Approval of Minutes: April 3, 2023; April 10, 2023; April 30, 2023
 - b. One Day Liquor Licenses:
 - i. Wines and Malt Beverages Only for Megan Carroll for a 50th Anniversary Party to be held at the Concord Center for the Visual Arts at 37 Lexington Road on May 20, 2023 from 5:30 PM to 10:00 PM
 - ii. Wines and Malt Beverages Only for Erik Steinbrook for a Wedding Celebration to be held at Verrill Farm at 11 Wheeler Road on May 20, 2023 from 4:00 PM to 8:00 PM
 - c. Tour Guide Licenses: Marshall Moore; Philip Swain
 - d. Town Accountant Warrants: April 27, 2023; May 11, 2023
 - e. Committee Appointments: Corrective appointment for Francesca Cataldo of 40 Hosmer Road as an Associate Member of the Historical Commission for a term to expire May 31, 2024
- IV. Town Manager's Report – 6:35 PM
- V. Seasonal Outdoor Restaurant Seating Applications – 6:45 PM

- a. 80 Thoreau
- b. Nosh by Concord Market
Recommended Action: Recommend that the Select Board approve the applications with the proposed requirements by Town departments as outlined in the memorandums to the Board.

VI. Annual Town Meeting Debrief with Town Moderator, Carmin Reiss – 6:50 PM

VII. Adopt Town Manager Evaluation Timeline in accordance with the Schedule included in the Meeting Materials – 7:00 PM

Recommended Action: Recommend that the Select Board adopt the Town Manager Evaluation timeline as included in the packet.

VIII. Assignment of Board and Committee Liaisons – 7:10 PM

IX. Correspondence – 7:25 PM

X. Adjourn – 7:30 PM

* All times listed are approximate and subject to change

Upcoming Meetings:

Monday, May 22, 2023

Monday, June 5, 2023

Monday, June 26, 2023



The Town of Concord endeavors to make public meetings accessible to all members of the community. To request a meeting accommodation or modification, please contact our ADA Coordinator Megan Zammuto, mzammuto@concordma.gov or 978-318-3006. Please make any requests for accommodation or modifications at least two (2) business days prior to the scheduled meeting.

**Town of Concord
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Minutes
April 3, 2023**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both in-person at 22 Monument Square on the 2nd floor in the Select Board Room and via Zoom at 6:00 PM on April 3, 2023.

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

*All votes reflect a Roll Call Vote due to the members attending in a hybrid meeting format

Call to Order

Select Board Chair Matthew Johnson called the meeting to order at 6:00 PM.

Executive Session

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to enter an Executive Session under G.L. c. 30A, § 21(3) to discuss threatened litigation regarding the Town's Diversity, Equity, and Inclusion Commission where meeting in an open meeting may have a detrimental effect on the litigating positions of the Town (as the Chair so declares) and to resume Open Session at 6:30 PM.

Roll Call Vote:

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

Consent Agenda

- Meeting Minutes: March 27, 2023
- One Day Liquor License for Military Friends Foundation for Wine & Malt Beverages Only for the Tough Ruck Marathon on April 16, 2023 from 12:00 PM to 7:00 PM at the Fenn School, 580 Monument Street
- Town Accountant Warrant: March 30, 2023
- Proclamation for Ellen Garrison Day on April 14, 2023

Chair Johnson proposed an amendment to the meeting minutes for March 27, 2023 on page 6.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Consent Agenda with the amendment to the March 27, 2023 meeting minutes.

Roll Call Vote:

Chair Johnson – Aye

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

Town Manager’s Report

Town Manager Kerry Lafleur presented the Weekly Operations Report for the week ending March 31, 2023, which can be viewed [here](#). Ms. Lafleur highlighted the 2023 Town Election results, the Minuteman Bike Share that is to resume this April in partnership with Acton, and that the Visitor Center resumed a 7-day per week operation schedule on April 1st. Ms. Lafleur also announced that Megan Zammuto began her position as Deputy Town Manager and Mimi Graney began her position as Economic Vitality Manager today, April 3rd.

Ms. Ackerman noted that the Minuteman Bike Share partnership with Acton could be a good pilot program for planning transportation for the 250th American Revolution Anniversary Celebration.

Chair’s Report

Chair Johnson reported that he attended an event at the Concord-Carlisle High School on Sunday, April 2nd that featured a discussion with author Bill McKibben and that there was a compelling discussion about how Concord is a great town, but that residents could do more to push out of their comfort zones.

Concord Independent Battery – 2023 Approvals

Philip Kenney, President, Peter Myette, Captain, and John Thompson, Secretary of the Concord Independent Battery appeared before the Select Board to request permission to fire the Town of Concord cannons at 2023 celebrations and ceremonies. The full request and supplementary materials are included in the Select Board meeting packet.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Concord Independent Battery 2023 requests as included in the Select Board meeting packet.

Roll Call Vote:

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

Application for a Change of Manager for Concord Market at 77 Lowell Road

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Attorney Jim White, representing Concord Market and Steve Collins, proposed General Manager for Concord Market appeared before the Select Board to present the application for a Change of Manager. The full application is included in the Select Board meeting packet.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the application for a Change of Manager for Concord Market at 77 Lowell Road as included in the Select Board meeting packet.

Roll Call Vote:

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

**Joint Meeting with the Board of Assessors to Discuss Residential Exemption and
Review of Clause 41 C ½**

David Karr of 82 Laws Brook Road, Chair of the Board of Assessors and Meredith Stone, Town Assessor appeared before the Select Board to discuss the implementation of a residential exemption and to discuss Clause 41 C ½. The full presentation is included in the Select Board meeting packet.

Chair Johnson asked about the impact to residents who do not qualify for the residential exemption.

Mr. Karr responded that mainly absentee owners and renters are the residents who do not qualify.

Mr. Dane asked if residents can be pre-qualified by using available data, rather than residents being required to complete an application.

Mr. Karr responded that this would have to be confirmed with the Department of Revenue.

Ms. Ackerman noted that there is a claim that the town has chosen not to move forward with a residential exemption in the past because it creates a large amount of work for town staff.

Mr. Karr responded that the implementation would likely be time consuming to review for town staff, but that perhaps the town could hire some additional staff in anticipation of the increased work. Mr. Karr added that towns can implement their own regulations regarding how frequently residents' applications must be reviewed overtime.

Mr. Karr then shifted the discussion to Clause 41 C ½, which he noted has stricter restrictions.

Mr. Dane asked if the clause is a deferral or an exemption.

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Mr. Karr responded that it is an exemption. Mr. Karr noted that Clause 41 C ½ would replace Clause 41 C, which could no longer be granted. Mr. Karr continued by noting that Ashland is the only other town to have adopted Clause 41C ½.

Karlen Reed of 83 Whitts End Road noted that she does not think that now is the right time for the town to implement a residential exemption and urges there to be a closer look on data for how many seniors own property versus how many seniors rent property.

2022 Hazard Mitigation Plan

Walter Latta, Assistant Fire Chief appeared before the Select Board and presented the 2022 Hazard Mitigation Plan for approval. The full 2022 Hazard mitigation Plan is included in the Select Board meeting packet.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted:

WHEREAS the SELECT BOARD recognizes the threat that natural hazards pose to people and property within the Town of Concord; and

WHEREAS the Town of Concord has prepared a multi-hazard mitigation plan, hereby known as TOWN OF CONCORD HAZARD MITIGATION PLAN – UPDATED 2022 in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the TOWN OF CONCORD HAZARD MITIGATION PLAN – UPDATED 2022 identifies mitigation goals and actions to reduce or eliminate long term risk to people and property in the Town of Concord from the impacts of future hazards and disasters; and

WHEREAS adoption by the Select Board demonstrates their commitment to the hazard mitigation and achieving the goals outlined in the TOWN OF CONCORD HAZARD MITIGATION PLAN – UPDATED 2022.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF CONCORD, MA, THAT:
Section 1. In accordance with (local rule for adopting resolutions), the Select Board adopts the TOWN OF CONCORD HAZARD MITIGATION PLAN – UPDATED 2022.

Roll Call Vote:

Chair Johnson – Aye

Ms. Ackerman – Aye

Mr. Dane – Aye

Ms. Escobedo – Aye

Ms. Hartman – Aye

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**Continued Discussion and Vote Recommendations of Annual Town Meeting Warrant
Articles and Assign Speakers for Various Articles**

Town Manager Kerry Lafleur presented a memorandum on behalf of Melanie Dineen, Health Director regarding Warrant Article 14 – Appropriation of Opioid Settlement Funds Received from the State Settlement Fund. The full memorandum is included in the Select Board meeting packet.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend affirmative action on Article 14 – Appropriation of Opioid Settlement Funds Received from the State Settlement Fund.

Roll Call Vote:

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

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend affirmative action on Article 18 – Concord Public Schools Capital Budget.

Roll Call Vote:

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

Upon a motion duly made and seconded, it was
voted: to recommend affirmative action on Article 23 – Adopt Specialized Stretch Energy Code. The motion passed 4-1-0.

Roll Call Vote:

Chair Johnson – Aye
Ms. Ackerman – Aye
Mr. Dane – No
Ms. Escobedo – Aye
Ms. Hartman – Aye

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend affirmative action on Article 30 – 162 Plainfield Road Easement.

Roll Call Vote:

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

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend affirmative action on Article 31 – Beede Swim & Fitness Center
Enterprise Fund Expenditures.

Roll Call Vote:

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

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend affirmative action on Article 33 – Zoning Bylaw Amendment –
Restaurant – Prohibited Uses – Parking.

Roll Call Vote:

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

Upon a motion duly made and seconded, it was
voted: to recommend affirmative action on Article 35 – Zoning Bylaw Amendment –
Combined Business/Residence. The motion passed 4-0-1.

Roll Call Vote:

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

Upon a motion duly made and seconded, it was
voted: to recommend affirmative action on Article 37 – Citizen Petition – Prohibition of
Gas-Powered Leaf Blowers. The motion passed 3-2-0.

Roll Call Vote:

Chair Johnson – Aye

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Ms. Ackerman – No
Mr. Dane – No
Ms. Escobedo – Aye
Ms. Hartman – Aye

The assignment of speakers for Warrant Articles was tabled to the next Select Board meeting.

Committee Nominations

Ms. Ackerman confirmed the following nominations:

- Brian Crouse of 49 Indian Pipe Lane for a term to expire May 31, 2026 to the Bruce Freeman Rail Trail Advisory Committee
- Bernice Fousek of 115 Stow Street at Peter Bulkeley Terrace for a first term as the Tenant Member from May 1, 2023 to May 31, 2028 to the Concord Housing Authority

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to appoint Nancy Nelson of 1695 Lowell Road for a second term from May 1, 2023 to May 31, 2026 to the Battle Road Scenic Byway Committee, Brendan O'Neill Kemeza of 30 Davis Court for a second term from May 1, 2023 to May 31, 2026 to the Board of Assessors, Adrienne Boardman of 110 Hillcrest Road for a second term from May 1, 2023 to May 31, 2026, Dorcas Miller of 75 White Avenue for a second term from May 1, 2023 to May 31, 2026, and Nathaniel Welch of 1141 Stow Street for a second term from May 1, 2023 to May 31, 2026 to the Bruce Freeman Rail Trail Advisory Committee, Arthur Rogers of 30 Elsinore Street for a second term from May 1, 2023 to May 31, 2026 to the Concord Cultural Council, Lee Smith of 1836 Main Street for a second term from May 1, 2023 to May 31, 2026 to the Concord Housing Development Corporation, and Annemarie Altman of 247 Laws Brook Road for a second term from May 1, 2023 to May 31, 2026 to the Conservation Restriction Stewardship Committee.

Roll Call Vote:

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

Correspondence

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

Select Board Liaison Reports

Agenda item tabled to the next Select Board meeting.

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Public Comment**

Mari Weinberg of 26 Hillside Avenue appeared before the Select Board and voiced concern regarding the Middle School building project. Ms. Weinberg continued and asked that the town research a tax stabilization plan.

Marianne Mauer of 45 Bruce Road appeared before the Select Board and voiced concern regarding Annual Town Meeting Warrant Article 37 and noted that not enough research has been performed on the cost of the ban that the implementation would pose.

Janet Rothrock of 618 Annursnac Hill Road appeared before the Select Board and voiced concern regarding the Public Ceremonies and Celebration Committee's parade criteria.

Mark Howell of 668 Annursnac Hill Road appeared before the Select Board and commented on flooding and the removal of the dam at Warner's Pond in connection with the 2022 Hazard Mitigation Plan.

Pamela Dritt of 13 Concord Greene appeared before the Select Board and urged the Board to support Annual Town Meeting Warrant Article 22 for the Municipal In-Town Solar Generation Task Force.

Adjournment

Chair Johnson adjourned the meeting.

Meeting Packet: <https://concordma.gov/3311/April-3-2023>

Meeting Recording:

<https://www.youtube.com/watch?v=vFuWAFxSLC4&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=3>

**Town of Concord
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April 10, 2023**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both in-person at 22 Monument Square on the 2nd floor in the Select Board Room and via Zoom at 6:30 PM on April 10, 2023.

Present were: Matthew Johnson, Chair; Henry Dane, Linda Escobedo (via Zoom), and Mary Hartman, Clerk pro-tempore

*All votes reflect a Roll Call Vote due to the members attending in a hybrid meeting format

Call to Order

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

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to appoint Mary Hartman as Clerk pro-tempore.

Roll Call Vote:

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

Consent Agenda

- Meeting Minutes: September 27, 2022
- Executive Session Meeting Minutes for release: June 6, 2022, June 13, 2022, June 16, 2022
- One Day Liquor License for All Alcoholic Beverages for Gaining Ground Incorporated at 341 Virginia Road on Thursday, June 8, 2023 from 5:00 PM to 7:00 PM for the June Donor Party
- Gift Acceptance from James Terry in the amount of \$100,000.00 to the QCD Gift Account
- Proclamation honoring Ken Miller’s commitment to the Concord trail system
- Proclamation for Days of Remembrance for the victims of the Holocaust

Ms. Hartman asked for clarification on the QCD Gift Account.

Town Manager Kerry Lafleur responded that the account is dedicated to sustainability efforts.

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

Roll Call Vote:

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

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Ms. Hartman – Aye

Town Manager’s Report

Town Manager Kerry Lafleur introduced the newly hired Deputy Town Manager Megan Zammuto. Ms. Lafleur also highlighted that Thomas Mulcahy was sworn in as Chief of Police, that the Concord Municipal Light Plant is celebrating its 125th anniversary, and noted two upcoming meetings, On Tuesday, April 11, 2023 the Diversity, Equity, and Inclusion Commission will review their survey results and on Wednesday, April 12, 2023, the Regional Housing Services Office will host a Housing Roundtable Discussion.

Chair’s Report

Chair Johnson presented a second draft of the Town Manager Evaluation Form, which will be finalized at the Select Board meeting on April 24, 2023. The full form draft is included in the Select Board meeting packet.

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

Mike Lawson of 1695 Lowell Road appeared before the Select Board to provide an update on the 250th American Revolution Anniversary Commission. Mr. Lawson noted that the leadership of the Commission recently changed to Representative Mindy Domb of the Hampshire District and Senator Paul Mark of the Berkshire, Hampshire, Hampton, and Franklin Districts. Mr. Lawson continued that the Commission is focused on a “cross-Commonwealth celebration” and promoting underrepresented voices. Mr. Lawson noted that Representatives Simon Cataldo and Michelle Ciccolo are working hard to secure funding for the community and that Senator Mike Barrett has also been working on this as the Chair of the Finance Subcommittee, but it is unclear how funds from the Commonwealth would be administered at this time. Mr. Lawson also noted that the Commission should receive more information soon on whether distinguished people will be invited to events.

Ms. Hartman asked a question about public safety and potential disruptions at upcoming events.

Mr. Dane responded that this is something the Concord 2025 Executive Committee has been considering and that they plan to review presentations in advance so that there are no surprises in the content.

Chair Johnson asked a question regarding the \$500,000.00 that has currently been allocated for public safety.

Mr. Lawson responded that this funding was not routed through the Commission.

Chair Johnson then asked if the \$2,000,000.00 that Senator Barrett mentioned will be used solely for the purpose of hiring consultants to raise money from philanthropic organizations.

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Mr. Lawson responded that there are many large philanthropic corporations in Boston that hopefully will be willing to donate to the efforts when contacted.

Chair Johnson asked if other neighboring communities are dedicating Town funds for events.

Town Manager Kerry Lafleur responded that she will check in with other communities.

**Discuss Minute Man National Historic Park Plans for Old North
Bridge Site with Superintendent Simone Monteleone**

Superintendent Simone Monteleone appeared before the Select Board to provide an update on the plans for the Old North Bridge site. Superintendent Monteleone stated that Phase 1 was contracted in September for buildings and facilities for \$14,000,000.00, Phase 2 was contracted in March for trail improvements for \$5,800,000.00 with the goal to have revised drawings within the next few months and work completed Fall 2024, and that Phase 3 for landscaping is currently in the Request for Proposal process, with the goal to award by the end of Fiscal Year 2023.

Chair Johnson asked about trail closures.

Superintendent Monteleone responded that the boardwalks will have to be replaced, so the work will be performed in sections so that there will only be partial trail closures.

Chair Johnson asked who owns the Old North Bridge.

Superintendent Monteleone responded that the Town owns the bridge, which is to be reviewed by engineers for safety this year, but it is in good condition. Superintendent Monteleone noted that there may be refinements to the drainage around the bridge included in the conceptual drawings. She further notes that any changes to the bridge area and the trails leading to/from the bridge require review by Concord NRC and Concord Selectboard approval.

**Minuteman Technical Update from Superintendent Dr. Kathleen Dawson and Concord
Representative to the Minuteman District School Committee Steven Ledoux**

Superintendent Dr. Kathleen Dawson and Minuteman District School Committee representative Steven Ledoux appeared before the Select Board to provide an update.

Mr. Ledoux stated that there are 4 towns that are interested in joining the district, which would require all towns' Town Meeting approval.

Dr. Dawson noted that situations have changed and that towns would face much greater costs to build new buildings than joining the district. Dr. Dawson continued and noted that the career-technical education provided by Minuteman Technical is beneficial for students and that the new Minuteman Technical building brought in new students in a fast rate, but that there are a certain number of seats allocated for each district town.

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Ms. Hartman asked if Minuteman Technical is already at capacity, why would the district incorporate new towns now.

Dr. Dawson responded that there is an East Campus that could be utilized for about 4 classrooms or 80 students.

Ms. Hartman asked a question regarding out-of-district tuition.

Mr. Ledoux responded that tuition is set by the state, and it does not necessarily cover costs.

Chair Johnson asked about OPEB liability and hopes that previous district towns would inherit the liability, as they were able to get of their responsibility to contribute.

Dr. Dawson noted that Minuteman Technical is presenting to the district towns but is not ready to proceed. For now, they are looking to keep towns informed should a decision come up down the line. Dr. Dawson also noted that adding a town to the district would lower Concord's assessment.

Assign Speakers to Annual Town Meeting Warrant Articles

The following Annual Town Meeting Warrant Articles were assigned to Select Board members for statements:

- Article 5 – New Classification and Compensation Plan for Regular-Status Positions – Ms. Ackerman
- Article 10 – DEI Director – Chair Johnson (if needed)
- Article 17 – Concord Public Schools Budget – Mr. Dane
- Article 19 – Concord Public Schools Capital Projects – Fields and Landscaping – Chair Johnson (if needed)
- Article 22 – Citizen Petition – Municipal In-Town Solar Generation Task Force – Ms. Hartman
- Article 23 – Adopt Specialized Stretch Energy Code – Chair Johnson
- Article 25 – Appropriation for 250th Anniversary Celebration – Mr. Dane
- Article 26 – Community Preservation Commission Appropriation Recommendations – Ms. Escobedo (Chair Johnson as back up)
- Article 34 – Zoning Bylaw Amendment – Mobile Food Establishment – To be determined at Town Meeting
- Article 37 – Citizen Petition – Prohibition of Gas-Powered Leaf Blowers – Ms. Hartman

Schedule May 2023 Select Board Meetings

The Select Board scheduled Monday, May 15, 2023 and Monday, May 22, 2023 as their May meetings.

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Committee Nominations**

There were no Committee Nominations.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to appoint Brian Crouse of 49 Indian Pipe Lane for a term to expire May 31, 2026 to the Bruce Freeman Rail Trail Advisory Committee; Bernice Fousek of 115 Stow Street at Peter Bulkeley Terrace for a first term as the Tenant Member from May 1, 2023 to May 31, 2028 to the Concord Housing Authority; and Robert Munro of 1400 Lowell Road for a second term from May 1, 2023 to May 31, 2026 to the Diversity, Equity, and Inclusion Commission.

Roll Call Vote:

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

Correspondence

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

Select Board Liaison Reports

Chair Johnson reported on:

- Diversity, Equity, and Inclusion Commission – Will present the Community Survey results on Tuesday, April 11, 2023
- School Committee – Discussion regarding the Food Service program which has had an increase in participants; the Youth Risk Behavior Survey results showed some improvement, but also still reflect struggles with mental health; a new capital plan for the public school suggested that sustainability efforts should be the responsibility of the Town and not the school district

Mr. Dane reported on:

- The first 2025 Executive Committee sponsored event will be held at the Town House on Friday, April 14, 2023 for Ellen Garrison Day
- Public Ceremonies and Celebrations Committee – Will perform a walk through at the Old North Bridge with the Minuteman National Park on Wednesday, April 12, 2023

Ms. Escobedo reported on:

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- Concord Housing Authority – Authority has made great progress with getting additional voucher opportunities and the conversion of federal properties to local properties

Public Comment

Pamela Dritt of 13 Concord Greene asked a question about the criteria for being permitted to march in the Public Ceremonies and Celebration Committee’s parades.

Adjournment

Chair Johnson adjourned the meeting.

Meeting Packet: <https://concordma.gov/DocumentCenter/View/41766/Select-Board-Meeting-Packet-April-10-2023>

Meeting Recording:

<https://www.youtube.com/watch?v=GWWg5u3fRS0&list=PL1TTzrWEKOOkHKXNLQprEz0f0ofHYKj8-&index=2>

**Town of Concord
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April 30, 2023**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting in-person at Concord-Carlisle High School in the Cafeteria at 500 Walden Street at 12:15 PM on April 30, 2023.

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

*All votes reflect a Roll Call Vote due to the members attending in a hybrid format

Call to Order

Select Board Chair Matthew Johnson called the meeting to order at 12:15 PM.

Consent Agenda

- Proclamation honoring Marcia Rasmussen, Director of Planning and Land Management, 37 years of service to the Town
- One Day Liquor Licenses
 - Runway for Recovery – Love Local event for Wine and Malt Beverages Only on May 25, 2023 from 6:30 PM to 8:30 PM to take place on Walden Street between Main Street and Hubbard Street
 - Think Give, Incorporated – 10th Anniversary event for All Alcoholic Beverages on May 12, 2023 from 7:00 PM to 10:00 PM to take place at the Nashoba School Discovery Barn at 200 Strawberry Hill Road

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

Roll Call Vote:

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

Seasonal Outdoor Dining License for Fiorella’s at 24 Walden Street

Mr. Dane recused himself from the agenda item.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Seasonal Outdoor Dining License for Fiorella’s at 24 Walden Street.

Roll Call Vote:

Chair Johnson – Aye
Ms. Ackerman – Aye

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Ms. Escobedo – Aye
Ms. Hartman – Aye

**Discuss Annual Town Meeting Warrant Articles and Review
Draft Select Board Statements**

The Select Board discussed and reviewed the draft statements for Annual Town Meeting Warrant Articles 17 – Concord Public Schools Budget, 22 – Light Plant Solar Expansion – Middle School, and 26 – Community Preservation Committee Appropriation Recommendations, specific to Item E – Warner’s Pond Restoration Project.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to appoint Paul Boehm of 11 Ridgewood Road, Gary Kleiman of 57 Central Street, Pamela Hill of 15 Whittemore Street, David Ropeik of 21 Baker Avenue, Carrie Flood of 1289 Main Street, Karl Seidman of 93 Wright Avenue, Kurt Herman of 86 Whittemore Street, Frank “Rich” Feeley of 347 Lexington Road, and Court Booth of 144 Wright Road for terms to expire May 31, 2026 or at the completion of their work on the 2229 Min Street Advisory Task Force; to appoint Robert Gross of 401 Main Street for a term to expire May 31, 2026 to the Concord Cultural Council; to appoint Nancy Brown of 96 Forest Ridge for a term to expire May 31, 2026 to the Diversity, Equity, and Inclusion Commission; to appoint Francesca Cataldo of 40 Homer Road as an Associate Member for a second term to expire May 31, 2026, Nancy Nelson of 1695 Lowell Road for a third term to expire May 31, 2026 with an exemption from APP #10 Section VII(b), and Melissa Saalfield of 7 Concord Greene, Unit 7 for a third term to expire May 31, 2026 with an exemption from APP #10 Section VII(b) to the Historical Commission; to appoint Hester Schnipper of 631 Main Street for a term to expire May 31, 2026 to the Hugh Cargill Trust Committee; and to appoint Megan Carroll of 277 Old Bedford Road to complete an unexpired term to expire on May 31, 2024 to the PEG Access Advisory Committee.

Roll Call Vote:

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

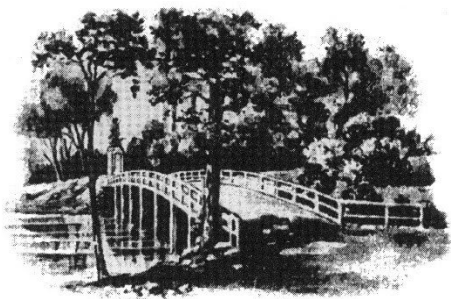
Appoint Concord Middle School Building Committee Select Board Member

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to appoint newly elected Select Board member, Mark Howell of 668 Annursnac Hill Road, as the Concord Middle School Building Committee Select Board member.

**Town of Concord
Select Board
Minutes
April 30, 2023
Relocate to the Gymnasium at Concord-Carlisle High School for
Annual Town Meeting**

Meeting Packet: <https://concordma.gov/DocumentCenter/View/42252/Select-Board-Meeting-Packet-April-30-2023>

Meeting Recording: This meeting was not recorded.



OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Senior Administrative Assistant

Date: May 15, 2023

Re: One Day Liquor License – Megan Carroll

Included in your packet is a One Day Liquor License application for Wine and Malt Beverages Only for Megan Carroll of 277 Old Bedford Road. Ms. Carroll is applying for a license for a 50th Anniversary Party to be held at the Concord Center for the Visual Arts at 37 Lexington Road on May 20, 2023 from 5:30 PM to 10:00 PM. Ms. Carroll's application is complete with TIPS Certification and payment.

Shannon McAndrew

From: noreply@civicplus.com
Sent: Tuesday, April 25, 2023 2:00 PM
To: licensing board; Town Manager's Office; jromanul@concordma.gov
Subject: Online Form Submittal: One Day Special Liquor Licenses

One Day Special Liquor Licenses

Company or Organization	Leo and Michele's 50th Anniversary Party
Applicant Name	Megan Carroll
Email Address	megancarroll80@hotmail.com
Applicant Address	277 Old Bedford Road, Concord, MA 01742
City	Concord
State	MA
Zip Code	01742
Phone Number	6177671477
Name of Event	Megan E Carroll
Activity Is	Non-Profit
Event Type	Private Event in Rented Facility
Event Date & Start Time	5/20/2023 5:30 PM
End Time	10:00 PM
Premises to be Licensed	Concord Center for the Visual Arts
City	37 Lexington Road Concord
State	MA
Zip Code	01742
License is for the Sale of:	Wines & Malt Beverages Only
Bartenders TIPS trained?	Yes
Under 21 Attendees?	Yes

1st one-day license for Organization? Yes

If NO, number of years licensed? *Field not completed.*

More than 100 in attendance? 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 Megan Elizabeth Carroll

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

(Section Break)

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 card(s) will be mailed separately to the Town Manager's Office

(Section Break)

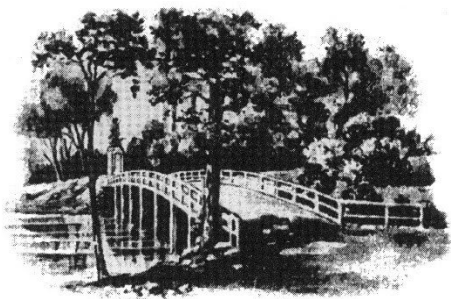
UNDER 21 POLICY

The Town of Concord Select Board assumes that there may be guests or attendees under 21 years 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.

Email not displaying correctly? [View it in your browser.](#)



OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Senior Administrative Assistant

Date: May 15, 2023

Re: One Day Liquor License – Erik Steinbrook

Included in your packet is a One Day Liquor License application for Wine and Malt Beverages Only for Erik Steinbrook. Mr. Steinbrook is applying for a wedding party to be held at Verrill Farm at 11 Wheeler Road on May 20, 2023 from 4:00 PM to 8:00 PM. Mr. Steinbrook's application is complete with TIPS Certifications for six bartenders from Simply Serving and payment.



PAID

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 \$ 75.00

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

NAME: (please print) Erik Steinhbrook
COMPANY or organization: _____
ADDRESS: _____
TELEPHONE: 308 641 1147
DATE(S) APPLIED FOR: 5/20/23
EVENT: Wedding Party
HOURS OF OPERATION: 4 pm to 8 pm
PREMISES TO BE LICENSED: Verrill Farm
ADDRESS OF PREMISE LICENSED: 11 Wheeler Rd, Concord, MA

License is for the Sale of: All Alcoholic Beverages
Wines & Malt Beverages Only
Wines Only
Malt Beverages Only

The Licensed Activity or Enterprise is: For Profit
Non-Profit

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: [Signature] Date: 5/20/23

**TOWN OF CONCORD
Board of Selectmen**

One Day Special Licenses

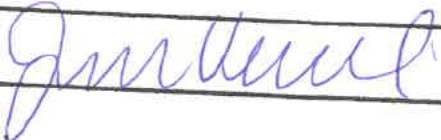
Under 21 Policy

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:	Jen Verrill / Steinbrook
Location of Event:	11 Wheeler Rd.
Date of Event:	5/20/23

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:	
--------------------------------	--

**TOWN OF CONCORD
Board of Selectmen**

One Day Special Licenses

TIPS TRAINING (OR EQUIVALENT)

Applicant Name:	Jen Vernill / Steinbrook
Location of Event:	11 Wheeler Rd.
Date of Event:	5/20/23

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.

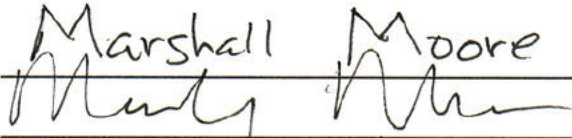
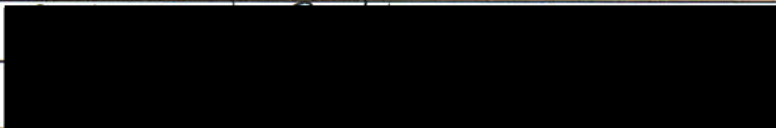
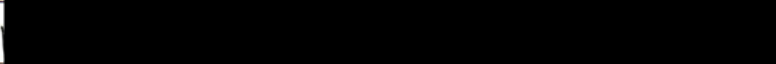
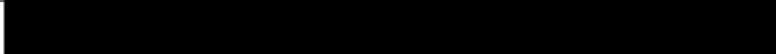
TOWN OF CONCORD
Application for Tourist Guide License

To offer Guide Service within Concord

New License: \$35.00

Mail application and fee to: Town of Concord
Select Board
Attn: Tour Guide License
PO Box 535
Concord, MA 01742

The undersigned hereby applies for a Tourist Guide License in accordance with the provisions of the Statute thereto:

Print Name: Marshall Moore
Signature: 
Address: 
Email Address: 
Telephone Number: 

In accordance with the rules and regulations made under authority of said Statute.

For Office use only

Paid: Check Cash
Date: 05/09/2023

Check # 

License expires on ~~May 31, 2024.~~
December 31, 2023.

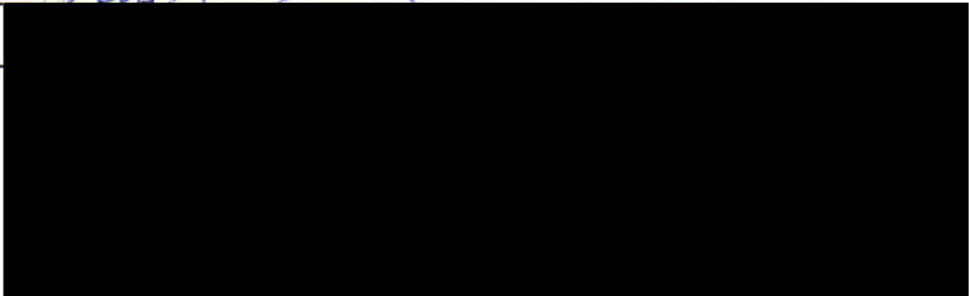
TOWN OF CONCORD
Application for Tourist Guide License

To offer Guide Service within Concord

New License: \$35.00

Mail application and fee to: Town of Concord
Select Board
Attn: Tour Guide License
PO Box 535
Concord, MA 01742

The undersigned hereby applies for a Tourist Guide License in accordance with the provisions of the Statute thereto:

Print Name: Philip C. Swain
Signature: Philip C. Swain
Address: 

Email Address:
Telephone Number:

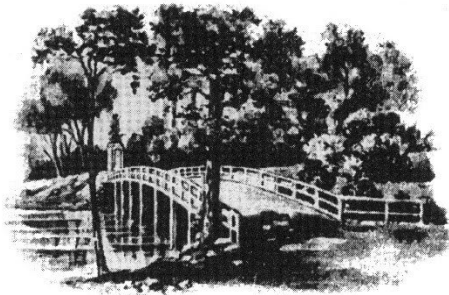
In accordance with the rules and regulations made under authority of said Statute.

For Office use only

Paid: Check Cash
Date: 4/25/2023

Check # 

License expires on ~~May 31, 2024.~~
December 31, 2023.



OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Senior Administrative Assistant

Date: May 15, 2023

Re: Seasonal Outdoor Restaurant Seating License for 80 Thoreau at 80 Thoreau Street

Included in your packet is a Seasonal Outdoor Restaurant Seating application for 80 Thoreau at 80 Thoreau Street submitted by Ian Calhoun, Owner. On March 30, 2023, the Alcoholic Beverages Control Commission announced the extension of the patio service and takeaway/delivery of alcohol by on-premise licensees provision through April 1, 2024, which otherwise was slated to conclude on April 1, 2023.

80 Thoreau's application is complete and has been reviewed and approved by the following Town departments:

- Deputy Town Manager
- Building Commissioner
- Health Director
- Public Works – Engineering
- Chief of Police
- Fire Chief
- Planning Department
- Public Works – Highway

Their application also includes a narrative and proposed seating plan. This application proposal is the same proposal that has been approved for 80 Thoreau by the Select Board since the provision began in 2020.

Should you have any further concerns or questions, please reach out to me.

**TOWN OF CONCORD
SEASONAL OUTDOOR RESTAURANT SEATING
APPLICATION**

The undersigned hereby applies for the addition of seasonal outdoor restaurant seating in accordance with the Town's policies and regulations.

Name of Applicant: Ian Calhoun

Name of Business: 80 Thoreau

Business d/b/a: _____

Address: 80 Thoreau St.

Business Phone: 978-318-0008 **Home/Cell Phone:** 617-909-3144

Email Address: ian@80thoreau.com

Applicant Signature: I Calhoun

of seats: 20 outdoor seats

APPROVAL: Prior to the addition of seasonal outdoor restaurant seating, the applicant must receive final approval from the Select Board. Please return your completed application to Shannon McAndrew at smcandrew@concordma.gov or mail to the following address:

Town of Concord
ATTN: Shannon McAndrew
P.O. Box 535
Concord, MA 01742

RECEIVED
MAY - 8 2023

TOWN OF CONCORD
TOWN MANAGER'S OFFICE

REQUIRED MATERIALS

Applications will not be accepted without each of the following items. Please include this completed checklist with your application.

- A completed copy of the outdoor seating application.
- A written description of what the restaurant is proposing for outside seating, operating hours, serving alcohol, and any entertainment.
- A floor plan showing the existing inside seating and the number of seats.
- A plan for the proposed outdoor seating showing the location, spacing and number of seats, tables, umbrellas, tents, barriers, planters, and adjacent features. A drawing of the proposed seating to scale (such as ¼-inch equals 1-foot). Staff will evaluate the plan for pedestrian accessibility, access for fire and emergency response and sight lines for pedestrians and vehicles. Use of parking lots will show the impact on existing parking spaces and that proper circulation is retained.
- Comprehensive written COVID Safety plan. In addition to the standard template checklist, the applicant must submit Massachusetts COVID-19 Restaurant Checklist information that specifically relates to outdoor food service, provision of additional handsinks, service table material and placement, and routes for patrons to use to access bathrooms.
- Plan to address cleaning of high touch areas and surfaces.
- Describe plan to clean public spaces occupied and remove trash.
- Any new signage being proposed. Additional signage must comply with existing zoning regulations. Signs in the right-of-way must be limited to menu boards. Advertising of products and services other than those provided by the establishment are prohibited in the public space occupied.
- Written authorization from the owner of the property approving the applicants plan for outdoor restaurant dining.
- A proposed traffic flow plan, and any safety barriers that would be put in place (if requesting use of the public right of way or parking lots).
- Insurance/bond certificate (if using public land).
- A signed Hold Harmless Agreement (on page 4).

Additional Resources

[Safety standards for Massachusetts Restaurants](#)

[Massachusetts COVID-19 Restaurant Checklist](#)

[Alcoholic Beverages Control Commission Guidelines for Extension of Premises to Patio and Outdoor Areas](#)

TOWN OF CONCORD
Hold Harmless Agreement
For Seasonal Outdoor Restaurant Seating

In consideration of being issued a permit for the use of the public right-of-way (hereinafter referred to as the "property" for an outdoor restaurant, the undersigned applicant (hereinafter referred to as the "permittee") agrees to indemnify, defend, save, and hold harmless the Town of Concord (hereinafter referred to as the, "Town") its officers and employees, from any and all claims, lawsuits, damages, and cause of action, which may arise out of the permittee's activity on the outdoor premises, and for any loss or damage arising out of the use, or the discontinuance of any use.

The undersigned agrees and understands that the use of the property is temporary for the season (April 1 through October 31 unless otherwise extended by the Select Board); that the undersigned does not acquire any right, title, or interest in such property, that the undersigned may be required by the Town at any time to vacate all or any part of the property that the undersigned has been given permission to use; that upon demand to vacate such property, the undersigned agrees to properly remove any personal property placed thereon by the undersigned and to return the property to the same condition that it was in prior to commencement of such use or to reimburse the Town for the cost of removing such property and restoring the property to its prior condition and that the undersigned has no recourse against either the Town or its officers, employees or agents; either for any loss or damage occasioned by his or her being required to vacate all or any part of the property which the undersigned has been granted permission to use.

The undersigned further agrees at all times hereafter to comply with all municipal ordinances, rules, and regulations of the Town of Concord, Massachusetts.

Name of Business: 80 Thoreau

Signature of Permittee: 

Printed Name of Permittee: _____

Date: Ian Colton 5/7/23

TOWN STAFF USE ONLY

**Deputy Town
Manager:**

Megan Zammuto

Recommend
Approval:

Recommend
Additional Town
Staff Review:

Remarks: _____

**Building
Commissioner:**

Paul Creedon

Approved:

Disapproved:

Number of Approved Seats 20

Remarks: Total occupancy not to exceed 95

Public Health Director: Melanie Dineen

Approved:

Disapproved:

Remarks: _____

**CPW – Asst Town
Engineer:**

Justin Richardson

Approved:

Disapproved:

Remarks: The tables/seating do not appear to be in any vehicular drive isle. If moved, the site will need to be re-evaluated.

CPW – Highway:

Aaron Miklosko

Approved:

Disapproved:

Remarks: _____

Police Chief: Chief Mulcahy

Approved:

Disapproved:

Remarks: _____

Fire Chief: Chief Judge

Approved:

Disapproved:

Remarks: _____

Planning:

Elizabeth Hughes _____

Approved:

Disapproved:

Remarks:

80 Thoreau Outdoor Seating Application Appendix

For 80 Thoreau's outdoor seating area, the dining area will adhere to all parameters of 80 Thoreau's current indoor operations. Hours of operation will be Tuesday – Saturday from 5 – 10:45pm. Alcohol will be served, as it is indoors and has been served outdoors in 2020 and 2021. There will be no entertainment. The dining area is a 30' x 15' space on the raised platform area spanning the front of the Concord Depot (only using one side of the platform). The dining area allows full, unobstructed access to other businesses in the building, and is handicap-accessible. No public space will be occupied.

The outdoor dining area will be cleaned and broken down/put away at the end of every dinner service. As a full-service restaurant, staff handles all trash that may be created during the meal – guests have no waste to be responsible for.

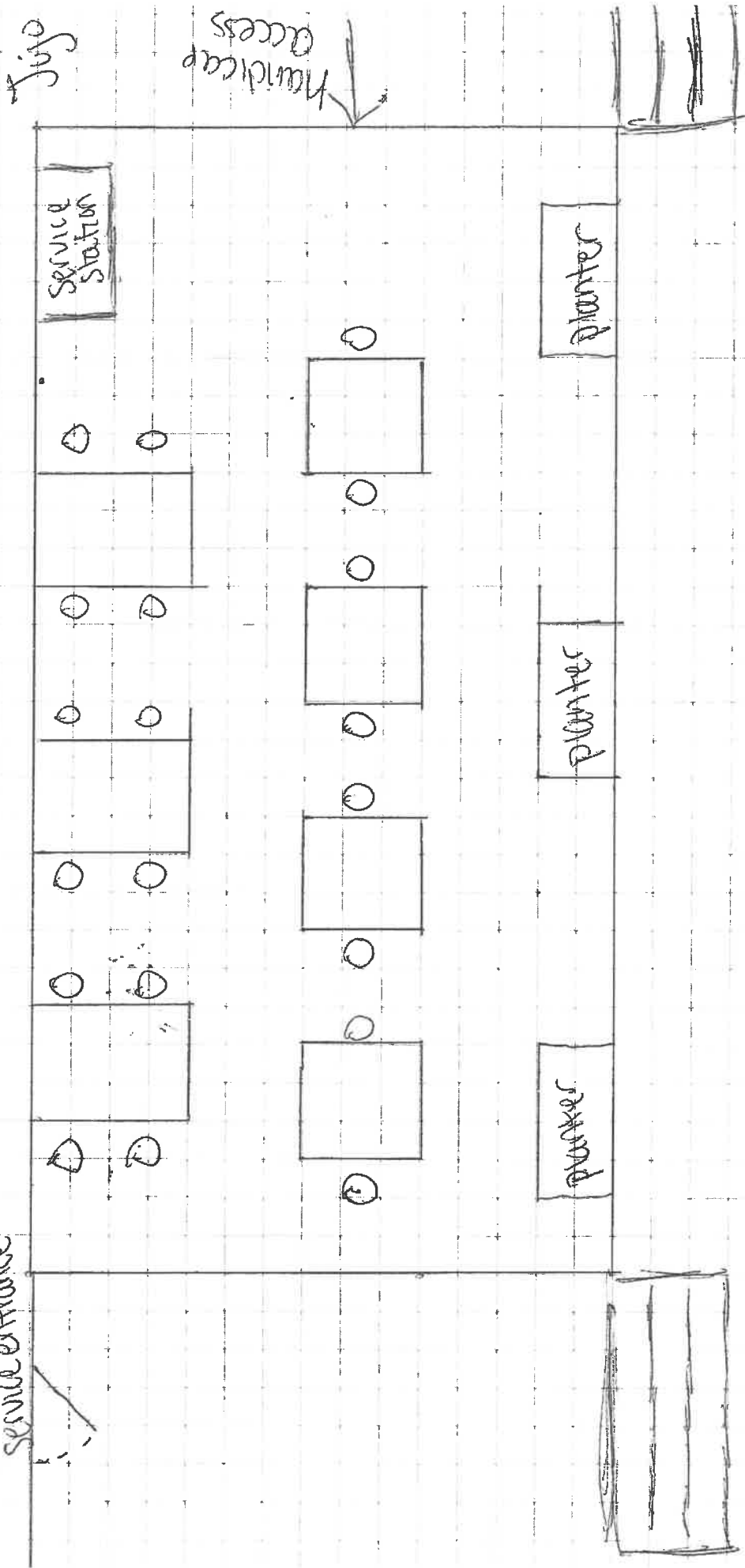
No new signage will be involved in the outdoor seating area, and no traffic plan is required, as there are no parking lots or driveways being used.

Request - 20 outdoor seats

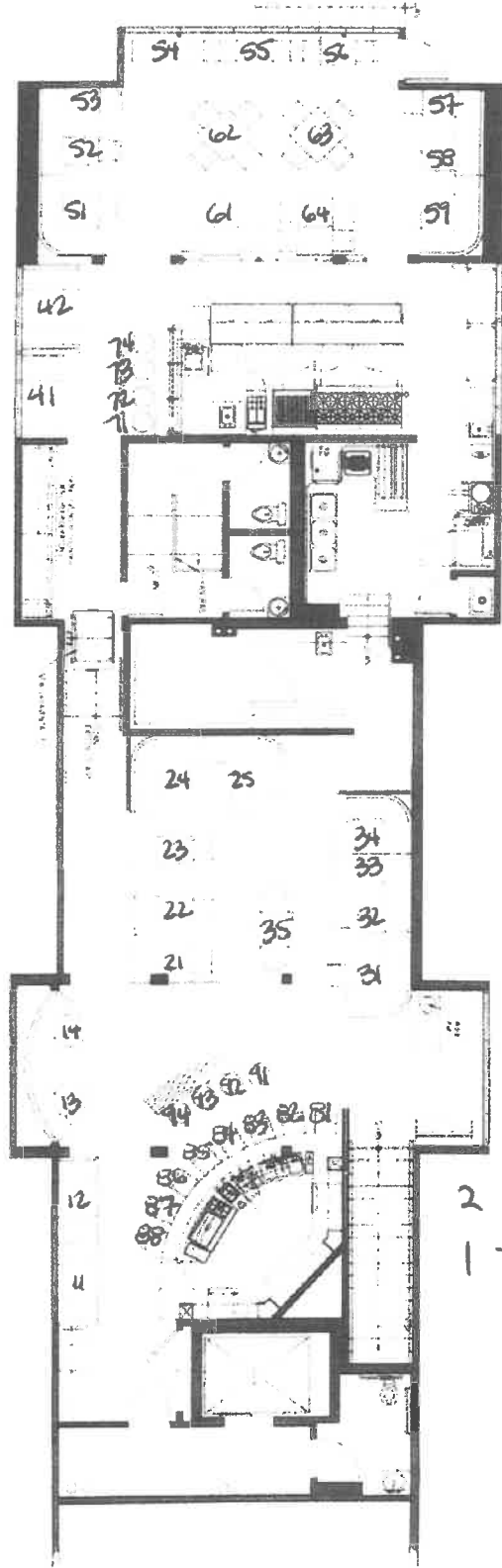
□ = 1'

(8) Thorsen St

Service Entrance



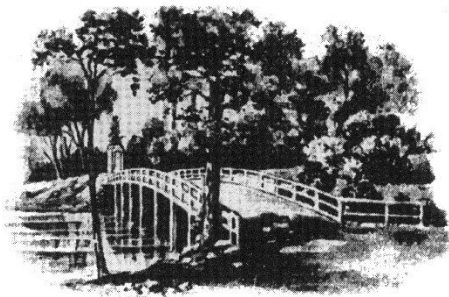
1 SECOND FLOOR PLAN RESTAURANT LEVEL
SCALE 1/4" = 1'-0"



Kitchen	Dining
2-10	20
4-5	20
1-4	4
	<hr/>
	44

2-14	28
1-12	12
	<hr/>
	40

84



OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Senior Administrative Assistant

Date: May 15, 2023

Re: Seasonal Outdoor Restaurant Seating License for Nosh by Concord Market at 97 Lowell Road

Included in your packet is a Seasonal Outdoor Restaurant Seating application for Nosh by Concord Market, submitted by Elizabeth Akehurst-Moore, Owner. On March 30, 2023, the Alcoholic Beverages Control Commission announced the extension of the patio service and takeaway/delivery of alcohol by on-premise licensees provision through April 1, 2024, which otherwise was slated to conclude on April 1, 2023.

Nosh by Concord Market's application is complete and has been reviewed and approved by the following Town departments:

- Deputy Town Manager
- Building Commissioner
- Health Director
- Public Works – Engineering
- Chief of Police
- Fire Chief
- Planning Department
- Public Works – Highway

Their application also includes a narrative and proposed seating plan. Because the proposal includes the use of outdoor seating within the parking lot, Megan Zammuto, Deputy Town Manager worked with the Department of Planning and Land Management on a solution to permit this proposal, with the understanding that the establishment's internal seating would be reduced by 33 seats to allow for the use of 11 parking spaces for outdoor seating. Additionally, Public Works has required that the use of barriers shown on the plan must be linked together and capable of stopping a vehicle travelling 15 miles/hour to protect outdoor seating patrons.

Should you have any further concerns or questions, please reach out to me.

RECEIVED
April 28, 2023
Town of Concord
Town Manager's Office

**TOWN OF CONCORD
SEASONAL OUTDOOR RESTAURANT SEATING APPLICATION**

The undersigned hereby applies for the addition of seasonal outdoor restaurant seating in accordance with the Town's policies and regulations.

Name of Applicant: Elizabeth Akehurst-Moore

Name of Business: Trail's End Café, LLC

Business d/b/a: Nosh by Concord Market

Address: 97 Lowell Road

Business Phone: 978-610-6633 **Home/Cell Phone:** 617-733-3083

Email Address: Elizabeth@theconcordmarket.com

Applicant Signature: 

APPROVAL: Prior to the addition of seasonal outdoor restaurant seating, the applicant must receive final approval from the Select Board. Please return your completed application to Shannon McAndrew at smcandrew@concordma.gov or mail to the following address:

Town of Concord
ATTN: Shannon McAndrew
P.O. Box 535
Concord, MA 0174

Outdoor Seating Narrative

We would like to expand our existing outdoor 10 seat patio down the eleven parking spaces running the length of our exterior wall as shown on the attached plan. Each parking space is 18' long by 9' wide. We intend to place two 3' tables in each parking space-as shown on the attached detail. Along this area we will place barriers to separate the seating area from the rest of the parking lot.

- Bathrooms are available inside.
- Trash service is unaffected.
- Deliveries and handicap parking access are unaffected.
- Traffic flow from/to the Keyes Road entrance is unaffected.

Hours:

- We would like to have the ability to operate Monday through Sunday, 9 AM to 11 PM, serving food, beverages, and alcoholic beverages.
- We would like to have live music available on the patio during operating hours.

All Federal, State and Local COVID regulations will be followed.

TOWN OF CONCORD
Hold Harmless Agreement
For Seasonal Outdoor Restaurant Seating

In consideration of being issued a permit for the use of the public right-of-way (hereinafter referred to as the "property" for an outdoor restaurant, the undersigned applicant (hereinafter referred to as the "permittee") agrees to indemnify, defend, save, and hold harmless the Town of Concord (hereinafter referred to as the, "Town") its officers and employees, from any and all claims, lawsuits, damages, and cause of action, which may arise out of the permittee's activity on the outdoor premises, and for any loss or damage arising out of the use, or the discontinuance of any use.

The undersigned agrees and understands that the use of the property is temporary for the season (April 1 through October 31 unless otherwise extended by the Select Board); that the undersigned does not acquire any right, title, or interest in such property, that the undersigned may be required by the Town at any time to vacate all or any part of the property that the undersigned has been given permission to use; that upon demand to vacate such property, the undersigned agrees to properly remove any personal property placed thereon by the undersigned and to return the property to the same condition that it was in prior to commencement of such use or to reimburse the Town for the cost of removing such property and restoring the property to its prior condition and that the undersigned has no recourse against either the Town or its officers, employees or agents, either for any loss or damage occasioned by his or her being required to vacate all or any part of the property which the undersigned has been granted permission to use.

The undersigned further agrees at all times hereafter to comply with all municipal ordinances, rules, and regulations of the Town of Concord, Massachusetts.

Name of Business: Trail's End Café, LLC, c/ba Nosh by Concord Market

Signature of Permittee:



Printed Name of Permittee: Elizabeth Akehurst-Moore,

Date: April 26, 2023

TOWN STAFF USE ONLY

Deputy Town
Manager:

Megan Zammuto

Recommend/
Approval:

Recommend
Additional Town Staff
Review:

Remarks: Reduction of internal seats by 33 will permit
for use of 11 parking spaces for outdoor seating.

Building Commissioner: Paul Creedon

Approved:

Disapproved:

Number of Approved Seats 43

Remarks: Total occupancy not to exceed 145

Public Health Director: Melanie Dineen

Approved:

Disapproved:

Remarks: _____

CPW – Asst Town Engineer: Justin Richards

Approved:

Disapproved:

Remarks: The barriers shown on the plan must be linked
& capable of stopping a vehicle traveling 15 MPH.

CPW – Highway: Aaron Miklosko

Approved:

Disapproved:

Remarks: _____

Police Chief: Chief Mulcahy

Approved:

Disapproved:

Remarks: _____

Fire Chief: Chief Judge

Approved:

Disapproved:

Remarks: _____

Planning:

Elizabeth Hughes

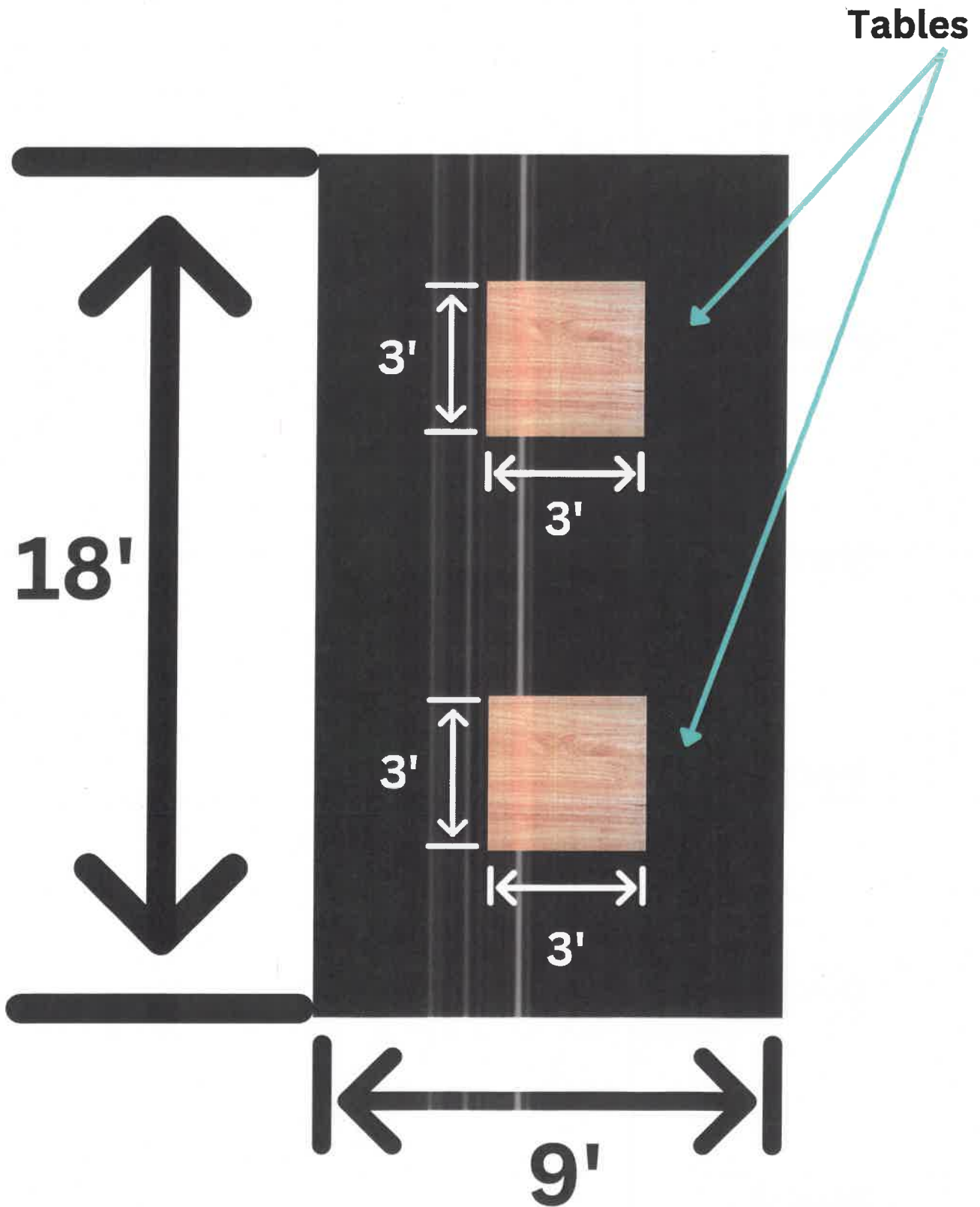
Approved:

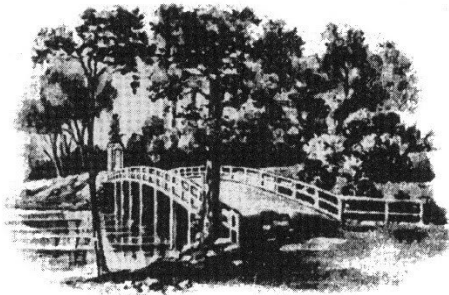
Disapproved:

Remarks:

Same as Deputy TM.

Detail of Tables in Parking Space





OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Senior Administrative Assistant

Date: May 15, 2023

Re: Town Manager Evaluation Timeline

At their meeting on Monday, April 24, 2023, the Select Board unanimously voted to approve the proposed Town Manager Evaluation Form. Below is a proposed timeline for the process and submission of the form.

Task	Deadline
Select designee to receive the completed forms	May 22, 2023
Town Manager Self-Evaluation completed	June 26, 2023
Town Manager Evaluation Forms completed by each member and submitted to designee	June 26, 2023
Discuss the compilation of results	July 10, 2023

Recommended action: Recommend that the Select Board adopt the Town Manager Evaluation timeline.

HJD 5/11/23					
COMMITTEE	TERRI	LINDA	MARY	MARK	HENRY
2025 EXEC					x
2229 OVERSIGHT	3				
2229 ADVISORY TF	3				
AGRICULTURE			x		
ASSESSORS			x		
BATTLE RD 250	7				
BATTLE RD SECNIC BYWAY	7				
BOARD OF HEALTH	6			x	
board of registrars	7				
BOARD OF REGISTRARS	6				
CIVIL WAR MONUMENT TF					x
CLIMATE ACTION				x	
COMM ON DISABILITY			6		
COMMUNITY PRESERVATION			3 x		
CHA			5		
CONC. HOUSING DEV CORP			2 x	x	
CONC. MUN AFFORD HSG TR.		x			
COUNCIL ON AGING				x	
DEIB					
FINANCE COMM					
FINANCIAL AUDIT ADVISORY	7		9	x	
HANSCOM FLD -SELCT REP	2		7		
HANSCOM FLD ADVISORY	2				
HDC					x
HISTORICAL COMM					x
LIBRARY					x
LOCAL EMERG. PLANNING	6				
MASSPT ADVISORY	2			x	
MIDDLE SCH BLDG COMM				x	
MULTI TWN GAS LEAK	7				
PEG ACCESS	4				
PERSONNEL BD				x	
PLANNING BD			4 x		
PUBLIC CEREMONIES					x
PUBLIC WORKS				x	
RECC	5				
TAX RELIEF	7				
TRANSPORTATION ADVIS	x				
TRUST TOWN DONATIONS			8		
WHITE POND TF			x		
ZBA			10		
NEEDED	CURRENT				
CLIMATE ACTION ADVIS					
DEI					
ECONOMIC VITALITY	MARY				
MBTA REPRESENTATIVE	HENRY				
MUNICIPAL LIGHT BOARD	MARY				
NRC	MARY				

Correspondence Index

Date

1. 5/2/2023
2. 5/3/2023

Author

Lisa Berland
Laurie O’Neill and Dr. George Lauder

Subject

Hanscom North Airfield Expansion
Hanscom North Airfield Expansion

Shannon McAndrew

From: Lisa Berland <berland.lisa@gmail.com>
Sent: Tuesday, May 2, 2023 4:35 PM
To: Shannon McAndrew
Subject: Hanscom expansion

[You don't often get email from berland.lisa@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Ms. McAndrew:

I ask the Select Board to urge Governor Healey to reject the expansion at Hanscom Airfield. It makes no sense to be urging private citizens to install heat pumps, buy electric cars, etc, and then to expand the use of luxury private jets, which are one of the greatest polluters of all. This is not a case of NIMBY—luxury private jet use should not be expanded anywhere.

Please share this with the select board members.

Thank you
Lisa Berland
537 Cambridge Tpke
Concord

5.3.23

Dear Select Board Members,

Please consider sending a letter to Gov. Maura Healey to express your concerns about the private jet expansion proposal at Hanscom.

If carried out, this plan will undercut our town, state, and national climate goals at a time when climate scientists are urging us to accelerate these goals.

Please tell Governor Healey that the protection of our climate comes first. And that we cannot stand by when the wishes of a privileged few to have a super-emitter project allow them to park their luxury jets here will endanger not only our town but the planet.

It is our duty as a town that has long represented freedom and justice to protect residents here and beyond and to make a difference.

Thank you,

Laurie O'Neill and Dr. George Lauder
4 Chestnut St.
Concord, MA 01742