



OLD NORTH BRIDGE

TOWN OF CONCORD

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

Select Board Agenda

August 28, 2023 at 6:00 PM

Town House, Select Board Room, 22 Monument Square

Join Zoom Meeting

<https://us02web.zoom.us/j/86851285802?pwd=bW9lWEhJODBXWGZ0bjZtb3QzVWY4UT09>

Meeting ID: 868 5128 5802

Passcode: 676204

Dial In Toll-Free: 888-475-4499

#	Time*	Agenda Item
I.	6:00 PM	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.
II.	6:15 PM	<p>Consent Agenda</p> <ul style="list-style-type: none"> a. Meeting Minutes: August 7, 2023 b. One Day Liquor Licenses: <ul style="list-style-type: none"> i. Wines & Malt Beverages Only for Richard D. Briggs Jr. of Provisors for the Provisors New England Annual Golf Outing at Concord Country Club, 246 ORNAC, on Monday, September 11, 2023 from 11:00 AM to 7:00 PM ii. Wines & Malt Beverages Only for Jen Verrill of Verrill Farm for the Vegetarian Farm to Table at Verrill Farm, 11 Wheeler Road, on Wednesday, September 13, 2023 from 6:00 PM to 8:00 PM iii. Wines & Malt Beverages Only for Robin Wagher of Keros Therapeutic & Jennifer Verrill of Verrill Farm for a Company Outing at Verrill Farm, 11 Wheeler Road, on Thursday, September 28, 2023 from 1:00 PM to 4:00 PM iv. All Alcoholic Beverages for Donald E. Hearn of Golf Course Superintendents Association of New England for the Scholarship and Benevolence Tournament at Concord Country Club, 246 ORNAC, on Tuesday, October 10, 2023 from 11:00 AM to 7:00 PM c. Gift Acceptances: <ul style="list-style-type: none"> i. From the Concord-Carlisle Community Chest to the following Council on Aging Gift Accounts: <ul style="list-style-type: none"> - Outreach Worker Account - \$12,712.00 - Social Services Coordinator - \$5,905.50

		<ul style="list-style-type: none"> ii. From the Concord-Carlisle Community Chest to the Beede Center General Gift Account in the amount of \$1,514.00 iii. From the Concord-Carlisle Community Chest to the Beede Center General Gift Account in the amount of \$4,029.00 iv. From the Concord-Carlisle Youth Baseball to the Ripley Baseball Field Gift Account in the amount of \$7,700.00 v. From the Friends of the Concord Free Public Library to the Library Staff Gift Account in the amount of \$6,000.00 <p>d. Town Accountant Warrant: August 3, 2023; August 10, 2023; August 17, 2023</p> <p>e. Committee Nominations:</p> <ul style="list-style-type: none"> i. Irwin Hipsman of 49 Seymour Street for a term to expire May 31, 2026 to the PEG Access Advisory Committee ii. Marianna Hill of 574 Harrington Avenue for a term to expire May 31, 2026 to the Transportation Advisory Committee
III.	6:20 PM	<p>Appointments</p> <p><u>Committee Appointment</u></p> <ul style="list-style-type: none"> a. Elizabeth Leonard of 23 MacMillan Drive as an Associate Member to the Zoning Board of Appeals for a term to expire May 31, 2026 <p><u>Election Officer Appointments</u></p> <ul style="list-style-type: none"> a. Request on behalf of the Board of Registrars to appoint 93 voters as Election Officers for terms to expire on July 31, 2024 (full list of officers included in the Select Board meeting packet)
IV.	6:25 PM	<p>In order to implement the vote taken by the Select Board at its last meeting to withdraw from the Acton-Concord Regional Emergency Communications Center, to authorize the Town Manager to engage the firm of Burns & Levinson, LLP under the terms of a letter dated August 18, 2023, to provide legal services in connection therewith</p> <p>Presenter: Kerry Lafleur, Town Manager</p>
V.	6:30 PM	<p>Disclosure by Non-Elected Municipal Employee of Financial Interest as required by M.G.L. c. 268A, Section 19</p> <ul style="list-style-type: none"> a. Sue Felshin, Planning Board b. Jennifer Scheunemann, Economic Vitality Committee and Concord 2025 Executive Committee – Communications and Publicity Subcommittee
VI.	6:35 PM	Town Manager's Report
VII.	6:45 PM	Chair's Report
VIII.	6:50 PM	Select Board Liaison Reports
IX.	7:00 PM	<p>Public Hearing for a Grant of Location Request for the Department of Corrections at 1238 Elm Street to 999 Barretts Mill Road</p> <p>Presenter: Tony Adams, Vice President of Engineering at Comm-Tract on behalf</p>

		of the Department of Corrections
X.	7:15 PM	Request to disband the Tax Relief Committee and amend the Hugh Cargill Trust Committee charge to absorb the responsibilities Presenter: Shannon McAndrew, Executive Assistant to the Select Board
XI.	7:20 PM	Review and Approve Request for Special Parking Designations Presenter: Mimi Graney, Economic Vitality Manager
XII.	7:30 PM	Review and Approve Request to Site Food Truck on Public Property Presenter: Mimi Graney, Economic Vitality Manager
XIII.	7:45 PM	Review and Approve Spending Priorities to Implement the Housing Production Plan Presenter: Keith Bergman, Chair of the Concord Municipal Affordable Housing Trust
XIV.	8:00 PM	Report on further revisions to letter to the Governor regarding Hanscom North Airfield Expansion Presenter: Terri Ackerman, Select Board Member See June 26, 2023 Select Board Meeting Packet for more information
XV.	8:10 PM	Discuss Fiscal Year 2024 Town Manager Goals and Fiscal Year 2024 Town Departmental Goals Presenter: Kerry Lafleur, Town Manager
XVI.	8:30 PM	Communications and Documents of Interest for Information but Not Discussion
XVII.	8:30 PM	Adjournment

**Times are approximate and subject to change*

Upcoming Meetings:		
Monday, September 18, 2023	Tuesday, October 10, 2023	Monday, October 23, 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](tel:978-318-3006). Please make any requests for accommodation or modifications at least two (2) business days prior to the scheduled meeting.

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Select Board
Minutes
August 7, 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 August 7, 2023.

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

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

Call to Order

Select Board Chair Henry Dane called the meeting to order at 6:00 PM.

Ms. Hartman confirmed that the members present were Mr. Dane, Ms. Ackerman, Mr. Howell, and Ms. Escobedo (via Zoom).

Public Comment

Karlen Reed, 83 Whits End, appeared before the Select Board to comment on the proposal of a property rental assistance program, like the property tax relief program administered by the Hugh Cargill Trust Committee that is only available to property owners. Ms. Reed asked that the Select Board support the use of \$50,000.00 from the Municipal Affordable Housing Trust to start a program for rental assistance.

Consent Agenda

- a. Meeting Minutes: July 24, 2023
- b. One Day Liquor Licenses:
 - i. Retroactive approval for Verrill Farm & True West Brewery for Wine & Malt Beverages Only for Sunday, August 6, 2023 from 5:30 PM to 8:30 PM for a Corn & Lobster Dinner to be held at Verrill Farm, 11 Wheeler Road
 - ii. Verrill Farm for Wine & Malt Beverages Only for Wednesday, August 9, 2023 from 6:00 PM to 8:00 PM for the Cornell Club Annual Dinner to be held at Verrill Farm, 11 Wheeler Road
 - iii. Verrill Farm for Wine & Malt Beverages Only for Thursday, August 17, 2023 from 6:00 to 8:00 PM for the Farm to Table Dinner to be held at Verrill Farm, 11 Wheeler Road
 - iv. Kimberly Scott for Wine & Malt Beverages Only for Saturday, August 26, 2023 from 3:00 PM to 7:00 PM for a Memorial Service to be held at Verrill Farm, 11 Wheeler Road
 - v. Elizabeth Monaghan on behalf of the Concord-Carlisle Class Reunion for Wine & Malt Beverages Only for Saturday, September 30, 2023 from 6:00 PM to 11:00 PM for the Class Reunion to be held at Concord Country Club, 246 ORNAC
- c. Sunday Entertainment Licenses:
 - i. The Concord Players on Sunday, November 12, 2023 from 2:00 PM to 6:00 PM

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- for a play performance to be held at 51 Walden Performing Arts Center, 51 Walden Street to be held at 51 Walden Performing Arts Center, 51 Walden Street
- ii. The Concord Players on Sunday, February 18, 2024 from 2:00 PM to 6:00 PM for a play performance to be held at 51 Walden Performing Arts Center, 51 Walden Street
- iii. The Concord Players on Sunday, April 28, 2024 from 2:00 PM to 6:00 PM for a musical performance to be held at 51 Walden Performing Arts Center, 51 Walden Street
- iv. The Concord Players on Sunday, May 6, 2024 from 2:00 PM to 6:00 PM for a musical performance to be held at 51 Walden Performing Arts Center, 51 Walden Street
- d. Town Accountant Warrant: July 27, 2023
- e. Committee Nominations:
 - i. Elizabeth Leonard of 23 MacMillan Drive to the Zoning Board of Appeals for a term to expire May 31, 2026

Ms. Escobedo asked that a statement made by herself be clarified in the July 24, 2023 meeting minutes during the discussion with the developers for the NOVO Riverside Commons 40B Application.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Consent Agenda with the amendment discussed to the July 24, 2023 meeting minutes.

Roll Call Vote:

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

Disclosure by Non-Elected Municipal Employee of Financial Interest as required by M.G.L. c. 268A, Section 19

- a. Abigail Flanagan, Planning Board – Section 19 A

Ms. Flanagan appeared in front of the Select Board and explained that the State Ethics Commission gave her advice that conflicts with the advice of Town Counsel, meaning that she wished to continue with the filing of the disclosure, within Section 19 A, which is the broad financial disclosure, in relation to the Planning Board’s discussion on the MBTA Communities Zoning.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** as the appointing officials, as required by G.L. c. 268A, § 19 A, the Select Board

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has reviewed the particular matter and the financial interest identified above by Abigail Flanagan. The Select Board determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.

Roll Call Vote:

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

- b. Sue Felshin, Planning Board designee to the Community Preservation Committee
Ms. Felshin appeared in front of the Select Board and explained that following Ms. Flanagan’s explanation, she also thinks that she may need to file disclosure under Section 19 A in relation to the Planning Board’s discussion on the MBTA Communities Zoning. Ms. Felshin continued that the original disclosure that she filed for the Select Board this evening is in regard to the Warners Pond application as her property abuts the Warners Pond property.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** as the appointing officials, as required by G.L. c. 268A, § 19 B, the Select Board has reviewed the Warners Pond matter and the financial interest identified above by Sue Felshin. The Select Board determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.

Roll Call Vote:

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

- c. Jennifer Scheunemann, Economic Vitality Committee and Concord 2025 Executive Committee – Communications and Publicity Subcommittee
Item C tabled until the next meeting on Monday, August 28, 2023.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

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voted: to correctively appoint James Vahey of 1544 Main Street to the Library Committee for a term to expire on May 31, 2026 to restore staggered terms of committee membership; to correctively appoint Holly LeGault of 242 Monsen Road to the Public Ceremonies and Celebrations Committee for a term to expire on May 31, 2028.

Roll Call Vote:

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

Town Manager’s Report

Town Manager Kerry Lafleur presented the Weekly Operations Reports for the weeks ending July 28, 2023 and August 4, 2023. The full reports can be viewed [here](#).

Chair’s Report

Chair Dane commented on the vacancies on the Zoning Board of Appeals and noted that it is important that people with specific experience in the field be considered for appointment to this Board. Chair Dane continued and noted of the importance of boards and committees meeting in person when agenda items require deliberations.

Select Board Liaison Reports

Ms. Hartman reported on:

- Planning Board – Discussed the project proposal for mixed use building at 166 Commonwealth Avenue in which the Board members asked good questions of the developer
- MBTA Communities Zoning Forum – Attended and had a great breakout room session where the group started looking at areas within Town where the zoning would be appropriate
- West Concord Junction Cultural District Committee – Members working hard to make West Concord a vibrant community through events such as the Porch Fest, special shop sale days, etc.
- Board of Assessors – Will discuss further when discussing the adoption of the Residential Tax Exemption

Ms. Ackerman reported on:

- MBTA Communities Zoning Community Form – Excellent meeting and looking forward to the next forum
- Acton-Concord RECC – Will discuss further when discussing the update on the Acton-Concord RECC

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- PEG Access Advisory Committee – The negotiating team has begun meeting and the team is getting organized with the upcoming negotiations with Comcast
- 2229 Main Street Advisory Task Force – Member from the EPA attended their last meeting and announced that there will be a public forum on the status of the cleanup at the property on October 11, 2023; the Task Force will then host a public forum to receive public input on what the public’s ideas are for the property, their concerns for the property, etc.

Ms. Escobedo reported on:

- Board of Assessors – Attended to learn more about the Residential Tax Exemption
- White Pond Task Force – Discussing survey options with the Town Manager’s Office
- Thank Chris Carmody for his work on drafting a letter of support to the Joint Committee on Revenue for H. 2529 – An Act Establishing a Building Permit Surcharge Fee for Affordable Housing
- Concord Housing Authority – Determine whether or not they are going to apply for the provisions of a small FMR
- Attended the MBTA Communities Zoning Community Forum
- Affordable Housing Trust – Preparing for upcoming Housing Roundtable meeting and compiling comments for the NOVO Riverside Commons 40B application

Mr. Howell reported on:

- Recreation Commission – Working toward the Recreation Facilities Strategic Plan
- DEI Commission – Identified two initiatives that they’ll be working on this year which are black, indigenous, and people of color (BIPOC) and the lesbian, gay, bisexual, transgender, and queer (LGBTQ+) communities, so they will be developing programming for these initiatives
- Climate Action Committee – Breaking up into teams of specific areas to assess the progress that has been made in the Climate Action Plan
- MBTA Communities Zoning Community Forum – Attended and thought it was a good session; next Community Forum will be on August 23, 2023 at 6:30 PM via Zoom

**Discuss and finalize comments compiled for letter for the
NOVO Riverside Commons 40B Application**

Chair Dane opened the discussion regarding the comments compiled for the NOVO Riverside Commons 40B application and highlighted main points in the letter to be sent to Mass Housing.

Ms. Ackerman asked a question regarding the letter that was previously drafted by town staff.

Mr. Dane felt that it was better that points raised in the letter previously drafted by town staff be used during the Zoning Board of Appeals review of the project and felt further that many of the comments in that letter were incorporated into the letter under discussion.

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Ms. Ackerman asked that the Board's general support for the project be expressed more clearly in the letter.

Ms. Hartman concurred.

Ms. Ackerman noted of a few grammatical and spelling errors to be fixed. Ms. Ackerman continued and asked that Section C on Page 3 be struck regarding the number of affordable housing units that the Town needs.

Mr. Howell concurred.

Deputy Town Manager Megan Zammuto voiced concern regarding citing a funding request for the pedestrian bridge, as funding from the Department of Transportation may be available for this bridge in connection with the Transportation Implementation Program (TIP).

Town Planner Elizabeth Hughes noted that the project has already received a project notification, but it has not yet been specifically programmed yet as the TIP is a 5-year revolving document. Town still does not want to jeopardize funding from the TIP.

Mr. Dane noted that this request is not something that would be imposed, but that it could be a negotiated concession.

Ms. Ackerman voiced concern regarding alerting one state agency that it may seek funding for a project rather than a different state agency.

Ms. Hartman concurred with Ms. Ackerman's concern and emphasized suggestions by Mr. Howell and Ms Escobedo that a more general statement about decreasing congestion and increasing ease of commuter and pedestrian access would be more appropriate.

Parashar Patel, Chair of the Finance Committee, appeared before the Select Board and commented on a letter that was sent to the Select Board Chair last night from himself on behalf of the Finance Committee regarding specific financial questions to the developer.

Town Manager Kerry Lafleur suggested that the Select Board draft a second letter to the developer that includes negotiable concessions. Ms. Lafleur continued that it would also be more fitting for the Finance Committee's asks to be included in a letter to the developer, as these questions would not be answered by the state.

Keith Bergman, Chair of the Concord Municipal Affordable Housing Trust, appeared before the Select Board and commented that a Host Community Agreement is a separate document that is not subject to the comprehensive permit process, but that it is a signed agreement between the Town and the developer on various items that the two parties can voluntarily agree on that are outside of the Zoning Board of Appeals jurisdiction.

Ms. Hartman asked how the Town initiates this discussion with the developer.

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Mr. Bergman responded that this is one of the reasons why the Municipal Affordable Housing Trust provided its memorandum to the Select Board last week, and that a copy of the memorandum should be provided to the developer, as the Board intends to provide a copy of the letter to Mass Housing, and that a conversation would likely be well invited with the developer.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the comments compiled for the NOVO Riverside Commons application with the five (5) amendments discussed and authorize the Select Board Chair to sign letter on behalf of the Select Board.

Roll Call Vote:

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

Report on further revisions to letter to the Governor regarding Hanscom North Airfield Expansion and discuss retaining Special Counsel

Select Board member Ms. Ackerman reported that she does not have any further revisions to the letter to the Governor regarding the Hanscom North Airfield proposed expansion at this time.

Town Manager Kerry Lafleur presented a memorandum regarding retaining Special Counsel on behalf of the Town to review and monitor the proposed North Airfield Hangar development at Hanscom Field. A full copy of the memorandum is included in the Select Board meeting packet.

Attorney McGregor appeared before the Select Board to comment on the proposal using the public records law to obtain all information that Hanscom Airfield has on the proposal for a comprehensive environmental review.

Ms. Hartman asked about budget available for legal services in Fiscal Year 2024.

Town Manager Kerry Lafleur responded that the budget for legal services for Fiscal Year 2024 is \$425,000.00 and that during the regular course of business and existing legal commitments, the Town can expect to spend \$300,000.00-\$360,000.00, leaving about \$60,000.00-\$125,000.00 available. Ms. Lafleur continued that because specific funds were not contemplated for this item when discussing the Fiscal Year 2024 legal services budget, it makes sense that the Select Board weigh in on this now and keep in mind that other unplanned expenses generally come up throughout the year.

Ms. Hartman asked about the timelines for the phases included in the proposal.

Attorney McGregor estimated about a month or two months for Phase 1A, but that this is ultimately dependent on the response time for the public records request.

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Diane Proctor, 57 Sudbury Road, appeared before the Select Board and commented that it is her understanding that the Environmental Review Board is not a deciding body, but only makes a recommendation to Massport and asked if this colors the determination to gather this information.

Mr. McGregor confirmed Ms. Proctor's assessment but felt the dialogue through the MEPA process was worth pursuing since it does influenced the outcome.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to recommend that the Town Manager retain counsel with McGregor, Legere, and Stevens, PC to perform a public records request to Hanscom, otherwise known as Phase 1A, for a fixed fee of \$7,500.00.

Roll Call Vote:

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

**Report on consultation with Acton counterparts on modifications to the Acton-Concord
Regional Emergency Communications Center**

Select Board member Ms. Ackerman presented an update on the Acton-Concord Regional Emergency Communications Center, in which the Acton Select Board voted unanimously to consider a neutral site location for the center and to consider adding additional towns to the regional agreement to be accomplished within 3 months. She also stated that the relationship between the two town demonstrated a lack of good communication.

Town Manager Kerry Lafleur noted of the previous conversations that the Concord Select Board has had in the past regarding the RECC but continued that the issues are not shared by Acton and that communications in previous meetings with Acton have been extremely difficult.

Chair Dane asked if the Chief of Police and Fire Chief also express the Town Manager's opinion.

Chief of Police Tom Mulcahy and Fire Chief Tom Judge were both in agreement with the Town Manager's decision, as a six-month request of time from Concord was reasonable and that a different RECC can be explored down the line.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** having determined that participation in the Acton-Concord Regional Emergency Communications Center is no longer in the best interests of the Town, the Town Manager is directed to take all necessary actions in consultation with Town Counsel to terminate

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the Regional 911 Emergency Communications District Agreement with the Town of Action dated May 27, 2021.

Roll Call Vote:

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

Discuss Adoption of Residential Tax Exemption

Chair Dane opened the discussion on the adoption of the Residential Tax Exemption. Chair Dane explained that the Residential Tax Exemption allows the Select Board by a majority vote to designate a percentage, in which the Board is considering ten (10) %, of the value of the average home as exempt from taxation.

Ms. Ackerman noted that the Select Board can vote annually to change the percentage of the value of the average home as exempt from taxation.

Mr. Howell asked if the Select Board is required to have a public hearing on this.

Ms. Ackerman responded that the Select Board holds a tax classification public hearing annually, typically in November, so that the official percentage would be voted on by the Select Board at this hearing.

Ms. Escobedo asked how many residents that are above the percentage exemption apply for abatements. Ms. Escobedo continued and noted that the Residential Tax Exemption does not apply to commercial property, e.g., apartments, and is concerned regarding the ~ 900 resident renters that will be negatively affected by the implementation of the exemption.

Chair Dane responded that rental agreements generally do not have tax escalator clauses in them the way that some commercial rental agreements do and that rent charged is typically determined by the rental market and not the costs to the landlord and real estate taxes are 100% deductible to the landlord.

Ms. Hartman asked Ms. Escobedo why she is asking about abatements as she does not see a link between the two topics.

Ms. Escobedo clarified that she is asking because she is trying to understand how many residents that do not qualify for the exemption will try to apply for an abatement to lower their home's assessed value.

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David Karr, member of the Board of Assessors, noted that the Assessors Office can send out applications for the exemption before January 1st, which is beneficial for the Town to receive applications as early as possible to set the annual tax rate.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: That, in accordance with Massachusetts General Law Chapter 59 Section 5C, the Select Board hereby votes to exercise its option under the statute to provide that there shall be an exemption equal to ten (10) % percent of the average assessed value of all Class One 1 residential parcels within the Town for Fiscal Year 2024 and successive years; provided, however, that such exemption shall be applied only to the principal residence of a taxpayer as used by the taxpayer for income tax purposes; and that the details of implementing the foregoing and establishing eligibility for such exemption shall be determined by the Chair of the Select Board and Town Manager in consultation with the Town Assessor.

Roll Call Vote:

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

Review Town Manager Evaluation Composite Results

Chair Dane opened the discussion on the Town Manager Evaluation composite results and reviewed the narrative comments from the results.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** that the Select Board, having completed its annual review of the Town Manager's performance and having provided her with a written summary of the findings of the Board regarding the review evaluation criteria, all in accordance with Section 11 of her Employment Agreement, has determined that she had performed her duties in a manner deemed to be outstanding, and that pursuant to Section 6C of the agreement, she is entitled to receive a merit bonus of five (5) % of her base salary. Said merit bonus shall not be added to the following year's base salary.

Roll Call Vote:

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

Upon a motion duly made and seconded, it was UNANIMOUSLY

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voted: that, in addition to all other compensation or bonus received by the Town Manager, she shall receive a Cost of Living Adjustment to her annual base salary in the second year of her employment effective as of July 1, 2023, in an amount equal to the such adjustment provided to other non-union employees in accordance with Section 6B of her Employment Agreement.

Roll Call Vote:

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

Adjournment

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to adjourn the meeting.

Roll Call Vote:

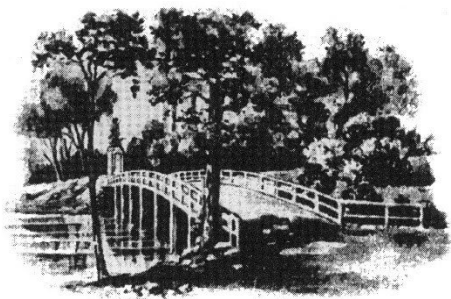
Chair Dane – Aye
Ms. Hartman – Aye
Ms. Ackerman – Aye
Ms. Escobedo – Aye
Mr. Howell – Aye

The meeting adjourned at 9:30 PM.

Meeting Materials:

[Select Board Meeting Packet for August 7th](#)

[Select Board Meeting Recording for Augst 7th](#)



OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: August 28, 2023

Re: One Day Liquor License – Richard D. Briggs Jr. of Provisors

Included in your packet is a One Day Liquor License application for Wines & Malt Beverages for a license for Richard D. Briggs Jr. of Provisors. Mr. Briggs is applying for a license for the Provisors New England Annual Golf Outing to be held at Concord Country Club at 246 ORNAC on Monday, September 11, 2023 from 11:00 AM to 7:00 PM. Mr. Briggs' application is complete with TIPS Certifications and payment. The Town Manager's Office works with the General Manager of Concord Country Club to maintain an up-to-date file of TIPS Certifications for their bartenders.



PAID

Shannon McAndrew

From: noreply@civicplus.com
Sent: Tuesday, July 25, 2023 6:30 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	Provisors
Applicant Name	Richard D. Briggs Jr.
Email Address	rdbriggsjr@gmail.com
Applicant Address	253 Elm Steet
City	Concord
State	MA
Zip Code	01742
Phone Number	6175716305
Name of Event	Provisors New England Annual Golf Outing
Activity Is	Non-Profit
Event Type	Private Event in Rented Facility
Event Date & Start Time	9/11/2023 11:00 AM
End Time	7:00 PM
Premises to be Licensed	Concord Country Club
City	Concord
State	MA
Zip Code	01742
License is for the Sale of:	Wines & Malt Beverages Only
Bartenders TIPS trained?	Yes
Under 21 Attendees?	No

1st one-day license for Organization? No

If NO, number of years licensed? 3

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 Richard D. Briggs Jr.

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

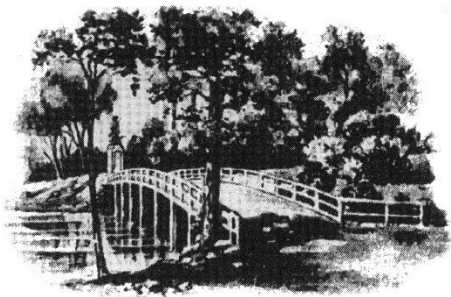
Board & Committee Meeting Calendar

(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



OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: August 28, 2023

Re: One Day Liquor Licenses – Jennifer Verrill of Verrill Farm

Included in your packet is a One Day Liquor License for Wine & Malt Beverages Only for Jennifer Verrill of Verrill Farm, located at 11 Wheeler Road. The application is for the Vegetarian Farm to Table event to be held on Wednesday, September 13, 2023 from 6:00 PM to 8:00 PM. The application is complete with TIPS Certifications for six bartenders from Simply Serve and payment.



PAID

RECEIVED
AUG 15 2023

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

Fee: \$75.00/per day - One Day All Alcoholic and/or Wines & Malt Beverages Only Amount Paid \$ 75

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

NAME: (please print) Jen Verrill
COMPANY or organization: Verrill Farm
ADDRESS: 11 Wheeler Rd, Concord MA 01742
TELEPHONE: 978-369-4494
DATE(S) APPLIED FOR: Sept. 13, 2023
EVENT: Vegetarian Farm to Table
HOURS OF OPERATION: 6-8 pm
PREMISES TO BE LICENSED: Verrill Farm
ADDRESS OF PREMISE LICENSED: 11 Wheeler Rd

License is for the Sale of:

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

The Licensed Activity or Enterprise is:

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

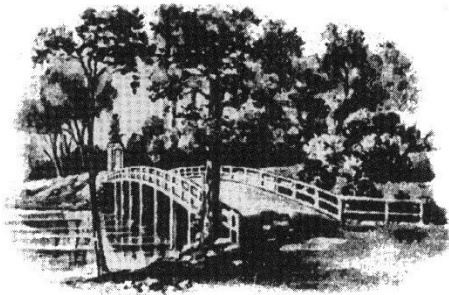
If no, number of consecutive years licensed? _____

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: Jen Verrill Date: 8/14/2023



OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: August 18, 2023

Re: One Day Liquor Licenses – Robin Wagher, Keros Therapeutic & Jennifer Verrill, Verrill Farm

Included in your packet is a One Day Liquor License for Wine & Malt Beverages Only for Robin Wagher of Keros Therapeutic and Jennifer Verrill of Verrill Farm, located at 11 Wheeler Road. The application is for a Company Outing to be held on Thursday, September 28, 2023 from 1:00 PM to 4:00PM. The application is complete with TIPS Certifications for six bartenders from Simply Serve and payment.

RECEIVED
JUL 26 2023

PAID

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

TOWN OF CONCORD
TOWN MANAGER'S OFFICE

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) Robin Wagner / Jennifer Verrill
COMPANY or organization: Xeros Therapeutic
ADDRESS: _____
TELEPHONE: 508 380 5096
DATE(S) APPLIED FOR: 9/28/23
EVENT: Company Outing
HOURS OF OPERATION: 1-4 pm
PREMISES TO BE LICENSED: Verrill Farm
ADDRESS OF PREMISE LICENSED: 4 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

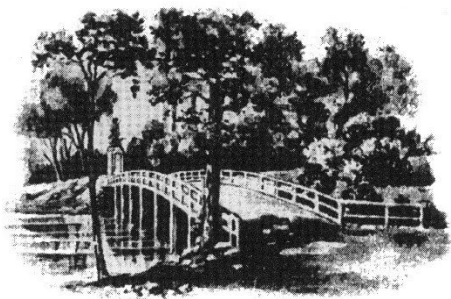
If no, number of consecutive years licensed? _____

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: 7/15/23



OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: August 28, 2023

Re: One Day Liquor License – Donald E. Hearn of Golf Course Superintendents Association of New England

Included in your packet is a One Day Liquor License application for All Alcoholic Beverages for a license for Donald E. Hearn of Golf Course Superintendents Association. Mr. Hearn's is applying for a license for the Scholarship and Benevolence Tournament to be held at the Concord Country Club at 246 ORNAC on Tuesday, October 10, 2023 from 11:00 AM to 7:00 PM. Mr. Hearn's application is complete with TIPS Certifications and payment. The Town Manager's Office works with the General Manager of Concord Country Club to maintain an up-to-date file of TIPS Certifications for their bartenders.

617-930-0729

RECEIVED
AUG - 9 2023



PAID

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

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) Donald E. Hearn
COMPANY or organization: Golf Course Superintendents Association of New England
ADDRESS: 300 Arnold Palmer Blvd, Norton, MA 02766
TELEPHONE: 774 430 9040
DATE(S) APPLIED FOR: October 10, 2023
EVENT: Scholarship and Benevolence Tournament
HOURS OF OPERATION: 11:00 AM - 7:00 PM
PREMISES TO BE LICENSED: Concord Country Club
ADDRESS OF PREMISE LICENSED: 246 ORNAC

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: Donald E Hearn Date: July 11, 2023

Town of Concord
Finance Department
memorandum

TO: Kerry A. Lafleur, Town Manager
FROM: Steve Daly, Interim Finance Director 
SUBJ: Concord – Carlisle Community Chest Gift
DATE: August 4, 2023

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

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

Outreach Worker 23-520-541-680-4850-0	\$ 12,712.00
Social Services Coordinator 23-520-541-586-4850-0	\$ 5,905.50
	Total \$ <u>18,617.50</u>

Accepted: _____
Clerk

Date: _____



Town of Concord
Finance Department
22 Monument Square
P.O. Box 535
Concord, Massachusetts 01742

August 4, 2023

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

Re: Council on Aging Gift Accounts

This will acknowledge your gift totaling \$18,617.50 made to the following Council on Aging Gift Accounts:

Outreach Worker	\$12,712.00
Social Services Coordinator	\$ 5,905.50
	<hr/>
	\$18,617.50

Thank you for your generous contribution.


Sincerely,

Steve Daly
Interim Finance Director

cc: Town Manager

This gift is deductible for federal income tax purposes to the extent allowed by law. No goods or services were provided in return for this gift. The Town's Tax Exempt ID number is 04-6001121. Gifts made to the Town are deductible in accordance with IRC section 170(c)(1).

Town of Concord
Finance Department
memorandum

TO: Kerry A. Lafleur, Town Manager
FROM: Steve Daly, Interim Finance Director 
SUBJ: Beede Center Donation - Lifeguard Swim Lesson Trainings
DATE: July 31, 2023

Please place on the Select Board's agenda the following gift made to the Beede Center Gift Account to be used for the funding of lifeguard swim lesson trainings.

Concord-Carlisle Community Chest
19 Main St. #2
Concord, MA 01742

\$1,514.00

23-650-650-304-4850-0

Accepted: _____
Clerk

Date: _____



Town of Concord
Finance Department
22 Monument Square
P.O. Box 535
Concord, Massachusetts 01742

July 31, 2023

Concord-Carlisle Community Chest
19 Main St. #2
Concord, MA 01742

Re: Beede Center Donation - Lifeguard Swim Lesson Trainings

This will acknowledge your gift totaling \$1,514.00 made to the Beede Center General Gift account for the purpose of Lifeguard Swim Lesson Trainings. Thank you for your generous contribution.


Sincerely,

Steve Daly
Interim Finance Director

cc: Town Manager

This gift is deductible for federal income tax purposes to the extent allowed by law. No goods or services were provided in return for this gift. The Town's Tax Exempt ID number is 04-6001121. Gifts made to the Town are deductible in accordance with IRC section 170(c)(1).

Town of Concord
Finance Department
memorandum

TO: Kerry A. Lafleur, Town Manager
FROM: Steve Daly, Interim Finance Director 
SUBJ: Beede Center Donation - Wellness on Wheels
DATE: July 31, 2023

Please place on the Select Board's agenda the following gift made to the Beede Center Gift Account to be used for the funding of Wellness on Wheels.

Concord-Carlisle Community Chest
19 Main St. #2
Concord, MA 01742

\$4,029.00

23-650-650-304-4850-0

Accepted: _____
Clerk

Date: _____



Town of Concord
Finance Department
22 Monument Square
P.O. Box 535
Concord, Massachusetts 01742

July 31, 2023

Concord-Carlisle Community Chest
19 Main St. #2
Concord, MA 01742

Re: Beede Center Donation - Wellness on Wheels

This will acknowledge your gift totaling \$4,029.00 made to the Beede Center General Gift account for the purpose of Wellness on Wheels. Thank you for your generous contribution.

Sincerely,

Steve Daly
Interim Finance Director

cc: Town Manager

This gift is deductible for federal income tax purposes to the extent allowed by law. No goods or services were provided in return for this gift. The Town's Tax Exempt ID number is 04-6001121. Gifts made to the Town are deductible in accordance with IRC section 170(c)(1).



Town of Concord
Finance Department
22 Monument Square
P.O. Box 535
Concord, Massachusetts 01742

July 31, 2023

Concord Carlisle Youth Baseball Softball
P.O. Box 703
Concord, MA 01742

Re: Ripley Baseball Field Gift – Annual Maintenance

This will acknowledge your gift of \$7,700.00 to the Ripley Baseball Field Gift Account for FY2024 maintenance. Thank you for your generous contribution.

Sincerely,

Steve Daly
Interim Finance Director

cc: Town Manager

This gift is deductible for federal income tax purposes to the extent allowed by law. No goods or services were provided in return for this gift. The Town's Tax Exempt ID number is 04-6001121. Gifts made to the Town are deductible in accordance with IRC section 170(c)(1).



Aiyana Currie
President

Matt Boger
Vice-President

Faith and Stephan Bader
Co-Treasurers

Erin Piro
Clerk

Nancy Lyons

Richard Fahlander

Anne Irza-Leggat

Janet Kaminstein

Betsy Levinson

E. Glenn Mitchell

Town of Concord
22 Monument Square
Concord, MA 01742

August 4, 2023

Re: Donation from the Friends of the Concord Free Public Library, Inc. to the
"Library Staff Gift Account"

Please accept our enclosed check # 3825 in the amount of \$6,000 as a donation to the Town for the expedient payment of expense reimbursements to Library staff (Town employees) who have themselves paid for items and materials used in library programs sponsored, in part, by the Friends. These funds may also be used for expenses incurred by Library staff, related to professional development activities and conference attendance, for which there might otherwise not be sufficient unrestricted municipal funding available.

The Friends of the Concord Free Public Library continue to directly fund many different programs, events, and materials in connection with the programming and activities at our Libraries. Several years ago, we were advised that we should not pay or reimburse town employees directly; accordingly, this mechanism was established. This is the sixth installment of similar donations, which have in the past been credited to the "Library Staff Gift Account."

Should there be any questions about this gift, please call me (617.217.1923 m) or e-mail friends@concordlibrary.org Also, if this gift is not accepted by the Select Board at their meeting on August 28th, please advise both me and Emily Smith. Thank you,

Stephan Bader

Treasurer

P.O. Box 644
Concord, MA 01742
friends@concordlibrary.org
www.cfplfriends.org

610-610-229



Town of Concord
Finance Department
22 Monument Square
P.O. Box 535
Concord, Massachusetts 01742

August 14, 2023

Friends of the Concord Free Public Library
P.O. Box 644
Concord, MA 01742

Re: Library Staff Gift Account

This will acknowledge your gift of \$6,000.00 made to the Library Staff Gift Account for the purpose of expedient payment or reimbursements to Library staff who have paid for library items themselves, as well as professional development and conference attendance. Thank you for your generous contribution.

Sincerely,

Steve Daly
Interim Finance Director

cc: Town Manager

This gift is deductible for federal income tax purposes to the extent allowed by law. No goods or services were provided in return for this gift. The Town's Tax Exempt ID number is 04-6001121. Gifts made to the Town are deductible in accordance with IRC section 170(c)(1).



Town Clerk's Office
22 Monument Square
Concord, MA 01742

Memo

To: Select Board
Cc: Kerry Lafleur, Town Manager
Board of Registrars
From: Kaari Mai Tari, Town Clerk
Date: August 17, 2023
Re: Election Officer Appointments

Pursuant to MGL Chapter 54: Section 12, I would like to request, on behalf of the Board of Registrars, appointment of the following **93** voters (list of appointees follows) as Election Officers for terms to expire July 31, 2024.

Party distribution among 93 Election Workers
Democrat: #45 / 48%
Republican: #8 / 9%
Unenrolled: #40 / 43%

Thank you for your consideration.

Kaari

Last Name	First Name	Voting Precinct	Party	Address
Arena	Josephine	4	U	167 Fairhaven Road
Bader	Stephan	1	D	7 River Street
Baker	Kristin	2	D	37 Shirley St
Baryiames	Beth	2	U	149 Central St
Bearse	Carol	1	D	127 Nashoba Rd
Bell	David	5	U	1657 Monument Street
Benn	Michael	3	R	747 Old Marlboro Rd
Biller	Beverly	n/a	U	116H Broadmeadow St, Marlborough
Bode	Maryl	4	D	180 Thoreau St
Boger	Matthew	1	D	121 Baker Ave
Boyle	Gerard	2	R	164 Central Street
Boyle	Susan	2	U	78 Forest Ridge Road # 101
Boyle	Yvette	2	D	64 Central St

Callahan	Pamela	1	D	53 Garland Road
Clark	Maura	1	D	85 Walden Street
Covalucci	Renee	1	D	858 Main Street
Cratsley	Holly	4	D	10 Edmonds Rd
Cross	Patricia	4	U	18 Edmonds Rd
Crowell	Joanne	3	U	55 Woodland Rd
Crowley	Kelly	3	D	25 Jennie Dugan Rd
Davis	Joyce	3	D	54 Loring Rd
Dunn	Cosette	3	U	131 Ministerial Dr
Eagan	Joan	2	U	1544 Main St
Feshbach-Meriney	Devra	3	D	208 Old Marlboro Road
Finan	Barbara	4	D	28 Peter Buckley Rd
Fitzpatrick	Arlene	n/a	U	239 Ayer Rd, Littleton
Fivek	Barbara	1	U	96 Whittemore St
Foulds	Brian	1	U	33 Riverdale Road
Francisco	Brian	n/a	D	22 Fourth Street, Westford
Gardella	Mary Elizabeth	4	D	14 Edmonds Road
Garvey	Mark	2	U	25 Damon Street
Gibson	Jill	5	U	242 Silver Hill Rd
Giddings	Colleen	5	D	474 Barretts Mill Road
Giddings	Mark	5	U	474 Barretts Mill Road
Girolimetti	Lisa	3	U	895 Old Rd to 9 Acre Cor
Granato	Dolores	4	R	312 Virginia Rd
Hackett	James	2	R	70 Beharrel St
Hagerty	Kristen	4	D	218 Thoreau St
Haut	Tricia	4	U	627 Old Bedford Rd
Hayes	Faye	2	R	1450 Main Street PO Box 1262
Hilsinger	Robert	2	D	102 Central St
Holdorf	Lise	5	U	449 Barretts Mill Rd
Hopkins	Kathryn	5	D	444 Strawberry Hill Rd
Hult	Mary	3	D	20 S. Meadow Road, G
Jancourtz	Susan	1	D	30 Court Lane
Jarnryd	Susanne	1	D	61 Hubbard St
Johnson	Rita	1	U	58 Shagbark Rd
Jones	Marya	2	D	70 Beharrell Street, # 223
Kane	Patricia	4	U	62 Lexington Rd
Katz	Cynthia	2	U	20 Conant St
Kaufman	Alice	5	D	1615 Lowell Rd
Kerr	Nancy	3	D	25 Upland Rd
Knight	Suzanne	2	I	64 Bayberry Rd


Laneri	Margaret	1	D	65 Attawan Rd
Lang	Melissa	4	U	16 Edmonds Rd
Levinson	Betsy	1	D	124 Nashoba Road
Levinson	Richard	1	D	124 Nashoba Rd
Lott	William	3	U	1011 Main Street
Mardis	Heather	4	D	22 Monsen Road
Marsh	Abby	5	U	707 Barretts Mill Rd
McDonnell	Craig	n/a	R	26 Spencer Street, Lexington
Mullaney	Anne	2	D	138 North Branch Rd
Nardi	Jean	5	U	29 Academy Ln
Nichols	Carol	4	U	58 Brister's Hill Road
Olson	Jean	5	U	8 Wright Farm
ONeill	Laurie	4	D	4 Chestnut St
Pettyjohn	Karen	3	U	143 Ministerial Drive
Phalen	Elizabeth	1	U	65 Attawan Road
Plodzik	Kevin	1	D	98 Baker Ave
Quackenbush	Ellen	2	D	206 Prairie St
Quimby	David	2	D	32 Center Village Dr
Reed	Karlen	5	D	83 Whits End Road
Richards	Nicki	5	U	1755 Monument Street
Ring	Jamie	1	D	80 Riverdale Road
Ropeik	David	1	U	21 Baker Ave
Rust	Elizabeth	2	D	201 Commonwealth Avenue
Sandeen	Jill	4	D	232 Virginia Rd
Sheff	Desiree	5	D	1400 Lowell Rd
Smith	Laura	2	U	18 Central St
Sparta	Dan	4	R	63 Prescott Rd
St. Croix	Susan	2	D	32 Center Village Drive
Sullender	Dean	2	U	64 Bayberry Rd
Ten-Hove	Moira	2	U	187 Oak Hill Circle
Teylouni	Hany	3	U	55 Crest St
Touw	Leslie	2	U	111 Laws Brook Road
Venesy	Lora	4	D	558 Bedford Street
Wargelin	Margaret	2	D	97 Hillside Ave
Webster	Scott	1	R	314 Elm Street
Williams	Sally	2	U	113 Hillside Ave
Wine	Abigail	3	U	106 Alden Rd
Wold	Charmarie	2	U	247 Laws Brook Rd, Unit 209
Young	Karen	3	D	49 Crest Street
Zavolas	Nicholas	3	D	10 Crest St



Town of Concord
Office of the Town Manager
22 Monument Square
P.O. Box 535
Concord, Massachusetts 01742-0535

Page 1 of 2

MEMORANDUM

To: Select Board
From: Kerry A. Lafleur, Town Manager 
Date: August 18, 2023
Re: Appointment of Special Counsel

This brief memorandum outlines a request to engage Special Counsel on behalf of the Town of Concord to review the Regional 911 Emergency Communications District Agreement <https://concordma.gov/DocumentCenter/View/32025/2021-5-24-RECC-Governance-Agreement-SIGNED> and related documents for the purposes of providing formal notification of withdrawal by the Town of Concord, under said agreement.

Background and Project Overview

On May 27, 2021, the Town of Concord entered into the above referenced agreement with the Town of Acton for the purpose of standing up a two-member regional dispatch center. Since that time, the two communities have worked toward that effort, though only nominal progress has been made. A comprehensive project overview was provided to the Select Board at its meeting on June 26, 2023, after which, the Board agreed as follows, <https://concordma.gov/AgendaCenter/ViewFile/Minutes/06262023-10831>:

- Take the next 6-months to identify additional community partners and search for a neutral location; and
- Have A-C RECC liaison Terri Ackerman contact her Acton counterpart to ascertain Acton's interest in the above, and report back at the next meeting.

At the next meeting on July 10, Ms. Ackerman reported that the Acton Select Board would not be discussing Concord's request until its meeting on July 26, 2023. At the following Concord Select Board meeting, on August 7, members were advised that Acton was willing to allow an additional 3-month period to identify additional partners and a neutral location, though it didn't understand why a non-neutral location was an issue. Further, it was reported that Acton was concerned that by moving the location of the RECC, Acton would bear an additional expense for reception services at its public safety facility, and that Acton was concerned about being "held hostage" by Concord's timetable.

The Town Manager, Fire Chief and Police Chief expressed significant concern with Acton's lack of understanding of the issues laid out in great detail in the June 22, 2023 memorandum, and over continuing with this partnership. After some discussion, the Select Board voted unanimously to direct the Town Manager to initiate the process to withdraw from the district.

As the Board may recall, Town Counsel also serves as General Counsel for the Town of Acton. After considering the issues, Town Counsel advised that it could not serve as counsel to Concord in this matter. It further advised that Acton had retained special counsel to represent its interests.

Recommendation

In this instance, the recommendation is that the Town appoint *Burns & Levinson, LLP*, as special counsel to represent it in the matter of withdrawal from the A-C RECC. Peter F. Durning, would be the managing partner assigned to this engagement. Attorney Durning most recently represented the Town of Concord in the Nagog proceedings and as such is generally familiar with the Town's relationship and history with the Town of Acton. Note: the firm of Mackie Shea Durning, the firm at which Attorney Durning was a partner during the Nagog proceedings, has since been acquired by Burns & Levinson, LLP

Requested Action

Appoint *Burns & Levinson, LLP* as Special Counsel in the matter of withdrawal from A-C RECC. The source of funding for this engagement is within the Town's FY24 appropriation for legal services.

ANDERSON KREIGER

MEMORANDUM

To: Megan Zammuto, Deputy Town Manager, Town of Concord
From: Mina S. Makarious, Anderson & Kreiger LLP, Town Counsel
Re: Application of the State Ethics Act to Planning Board Members
Date: July 31, 2023

You asked whether there were any concerns about a conflict of interest in certain members of the Concord Planning Board participating in the development of zoning proposals pursuant to the mandates of G.L. c. 40, § 3A to increase the amount of land available for multi-family zoning as-of-right in so-called “MBTA Communities”. Specifically, you asked whether Planning Board Members who own or rent property within a half mile of the Town’s two Commuter Rail Stations may participate in the development of these proposals for consideration by Town Meeting given that G.L. c. 40A, § 3A mandates multi-family housing to be located in that area.

As explained further below, such members of the Planning Board may participate in developing zoning proposals without the need for State Ethics Act disclosures or approvals by their appointing authority (*i.e.*, the Select Board). However, to the extent certain members wish to seek the Select Board’s approval as a precaution, it would be appropriate for the Select Board to grant that approval.

Analysis

Pursuant to the State Ethics Act, G.L. c. 268A, § 19, a municipal employee¹ may not participate as such “in a particular matter in which to his knowledge he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner or employee...has a financial interest.” However, § 19(b) includes three exceptions to this prohibition:

(b) It shall not be a violation of this section **(1) if the municipal employee first advises the official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial**

¹ Planning Board members are considered “municipal employees” for the purposes of the State Ethics Act. See G.L. c. 268A, § 1(g) (a municipal employee includes any “person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, **appointment**, contract of hire or engagement, **whether serving with or without compensation...**) (emphasis added).

Megan Zammuto, Deputy Town Manager, Town of Concord
Application of G.L. c. 268A to Planning Board Members
July 31, 2023

interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee, or (2) if, in the case of an elected municipal official making demand bank deposits of municipal funds, said official first files, with the clerk of the city or town, a statement making full disclosure of such financial interest, or (3) if the particular matter involves a determination of general policy and the interest of the municipal employee or members of his immediate family is shared with a substantial segment of the population of the municipality.

(Emphasis added). The third exemption (interest shared by a substantial segment) applies to the Planning Board members at issue. In addition, the first exemption (prior approval that interest is not substantial) may also be properly applied.

In [EC-COI-92-34](#), the State Ethics Commission (the “Commission”) explained that the third exemption under § 19(b) would apply, for example, where a Selectman owned land in the Town and was asked to participate in a decision regarding property taxes that would affect more than 10% of the population of the Town. The Commission held that in that case, the Selectman could participate in the decision under exemption (b)(3) above. Since then, the Commission has consistently used the 10% standard established in that case to permit local officials to participate in matters of interest to 10% or more of a town. *See e.g., [State Ethics Commission Advisory Opinion 05-02: Voting on Matters Affecting Abutting or Nearby Property, \(June 2, 2005\)](#):*

An additional exemption is available to municipal employees. It allows a municipal employee to act provided that the particular matter is one of general policy and provided further that the issue affecting the private financial interests of the municipal official and his immediate family members also affects a “substantial segment” of the municipality's population. The Ethics Commission has advised that at least 10% of a municipality's population is a “substantial segment” for the purposes of the conflict of interest law; therefore, a municipal employee may act on matters affecting his own financial interests, or the interests of immediate family members, if the financial interest also affects at least 10% of his municipality's residents (as determined by the most recent federal census).

See also [State Ethics Commission, Conflict of interest law explanation for Board of Selectmen Members](#).

By design, G.L. c. 40A, § 3A asks MBTA Communities to rezone significant portions of their towns to permit multi-family housing. In fact, Concord, as a “Commuter Rail Community” is mandated under the Executive Office of Housing and Livable Communities’ § 3A guidelines to zone 15% or more of housing units in the Town for multi-family units. This exceeds the 10% threshold the Commission has applied for conflict analysis purposes. In addition, at this point the Planning Board has not settled on which areas of the Town it may rezone, which means that every area of the Town shares a general interest in the Planning Board's policy.

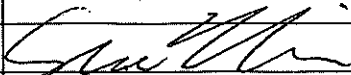
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Application of G.L. c. 268A to Planning Board Members
July 31, 2023

Conclusion

Under these facts, the exemption in § 19(b)(3) applies to Planning Board members whose *only* connection to the zoning proposals is that they live or own property in areas that may be considered for rezoning. Accordingly, at this point no disclosure by Planning Board members under the State Ethics Act is required prior to working on the development of rezoning pursuant to MBTA Housing Choice.

Notwithstanding the foregoing, if based on independent legal advice obtained from the State Ethics Commission's Attorney of the Day (or private counsel) a Planning Board member may decide to seek an exemption under § 19(b)(1) out of an abundance of caution. I would recommend that the Select Board approve those requested exemptions on the basis that (1) there is no evidence the Planning Board members have any distinct financial interest in the rezoning that would make it difficult for them to carry out their position in good faith (as described above); and (2) to avoid any appearance that the Select Board may be attempting to control the Planning Board in the exercise of its purview pursuant to G.L. c. 40A to propose zoning.

**DISCLOSURE BY NON-ELECTED MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L. c. 268A, § 19**

	MUNICIPAL EMPLOYEE INFORMATION
Name:	Sue Felshin
Title or Position:	Member, Planning Board
Municipal Agency:	Planning Board
Agency Address:	141 Keyes Rd. Concord, MA 01742
Office Phone:	N/A
Office E-mail:	N/A
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
	PARTICULAR MATTER
Particular matter E.g., a judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, or finding.	See attached.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	See attached.
	FINANCIAL INTEREST IN THE PARTICULAR MATTER
Write an X by all that apply.	<input checked="" type="checkbox"/> I have a financial interest in the matter. <input type="checkbox"/> My immediate family member has a financial interest in the matter. <input type="checkbox"/> My business partner has a financial interest in the matter. <input type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter. <input type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.
Financial interest in the matter	Please explain the financial interest and include a dollar amount if you know it. See attached.
Employee signature:	
Date:	19 July 2023

DETERMINATION BY APPOINTING OFFICIAL

APPOINTING AUTHORITY INFORMATION	
Name of Appointing Authority:	
Title or Position:	
Agency/Department:	
Agency Address:	
Office Phone:	
Office E-mail	
DETERMINATION	
Determination by appointing authority:	As appointing official, as required by G.L. c. 268A, § 19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.
Appointing Authority signature:	
Date:	
Comment:	

Attach additional pages if necessary.

The appointing authority shall keep this Disclosure and Determination as a public record.

Please describe the particular matter.

The Planning Board is currently undertaking extensive efforts in relation to the MBTA Communities Zoning Requirement, also known as Zoning Act Section 3A. Under Section 3A, the Planning Board has been tasked with developing at least one zoning district, of which at least 50% shall be located not more than 0.5 miles from the Concord or West Concord MBTA Commuter Rail stations, that will allow for multi-family housing by right.

Please describe the task you are required to perform with respect to the particular matter.

As a member of the Planning Board, I am required to participate in all aspects of developing the required zoning district as set forth in Zoning Act Section 3A. This includes helping to determine where the district or districts shall be located, what properties will be included within the districts, what type of zoning requirements will be in place within the zoning district or districts, and various other related matters. This work will be accomplished through community meetings, roundtable discussions, Planning Board meetings, consultations with experts and consultants hired by the Town, and various other means. Ultimately the proposed zoning district or districts will be presented for a vote at Town Meeting. As a member of the Planning Board, I will be involved in most of these efforts.

Please explain the financial interest and include a dollar amount if you know it.

I reside at 19 Sunnyside Lane, Concord MA 01742. The dwelling located at 19 Sunnyside Lane is my primary residence. 19 Sunnyside Lane is located just over 0.5 miles of the Concord MBTA Commuter Rail Station. As such, it is possible that my primary residence will be included in the proposed zoning district. There is a presumption that because the zoning district could potentially include my property that I have a financial interest in the matter. It should be noted that it is not clear whether the inclusion or exclusion of my property in any proposed zoning district would increase or decrease the value of the property. I firmly believe that this presumed financial interest will not influence my participation in this matter but I am filing this disclosure to comply with all relevant regulations and to avoid even the appearance of impropriety in this important matter.

ANDERSON KREIGER

MEMORANDUM

To: Megan Zammuto, Deputy Town Manager, Town of Concord
From: Mina S. Makarious, Anderson & Kreiger LLP, Town Counsel
Re: Application of the State Ethics Act to Ms. Jennifer C. Schunemann
Date: July 31, 2023

You asked whether there are potential conflict of interest issues with Ms. Jennifer Schunemann's activities as chair of the Economic Vitality Committee ("EVC") and Concord250 Sub-Committee on Publicity and Communications ("Concord250") given that she also the Co-Founder of *Discover Concord* magazine, a private publication. *Discover Concord* relies on advertising revenue to cover the costs of publication. Ms. Schunemann has disclosed that various town entities connected with the EVC and Concord250 have or may advertise in *Discover Concord*.

Ms. Schunemann is considered a "municipal employee" for the purposes of the State Ethics Act by virtue of her role on the EVC and Concord 250. G.L. c. 268A, § 1(g). As such, she must be mindful of restrictions on her activity under G.L. c. 268A, §§ 17, 19, and 20. As discussed in further detail below, at the very least, such restrictions include recusal from any participation in discussions concerning advertising in *Discover Concord* in the event that she maintains a financial interest in *Discovering Concord* that is impacted by ad sales.

ANALYSIS

Sections 17 and 20

Section 17 prohibits municipal employees from receiving or seeking compensation from any entity other than the Town for particular matters in which the municipality has a substantial interest or acting as an agent for anyone other than the Town with respect to such matters. Section 20 similarly prohibits municipal employees from maintaining a financial interest in contracts in which the municipality has a financial interest. G.L. c. 268A, § 20(a).

The analysis for Ms. Schunemann under these sections turns on her designation in her roles for the EVC and Concord250. As a municipal employee, Ms. Schunemann would be barred under both of those sections from receiving any compensation from *Discovering Concord* that results, directly or indirectly, from the Town's placing an advertisement in the magazine. However,

Megan Zammuto, Deputy Town Manager, Town of Concord
Application of the State Ethics Act to Ms. Jennifer C. Schunemann
July 31, 2023

sections 17 and 20 apply less stringently to individuals designated as “special municipal employees”.

Under Section 17, a special municipal employee is only forbidden from receiving or requesting compensation from, or acting as an agent for, an entity other than the Town with respect to such matters *if* (a) they participated in the same matter as a municipal employee; (b) the matter is, or was within one year, the subject of their official municipal responsibility; or (c) is pending in the municipal agency in which they are serving.

Accordingly, under Section 17, Ms. Schunemann may receive compensation from *Discover Concord*, even if the Town has placed an ad in the magazine, if (1) she did not participate in the placement of the ad in either of her municipal positions, and (2) neither the EVC or Concord 250 participate, or participated in the past year, in the placement of the advertisements. If, however, the EVC or Concord250 participate or make decisions concerning the placement of advertisements in local publications going forward, Ms. Schunemann may not participate without running afoul of the State Ethics Act. Under Section 20, if Ms. Schunemann is a special municipal employee, she may be permitted to have an interest in a contract between the Town and *Discovering Concord* if, in addition to the foregoing, she also files a disclosure with the Town Clerk of her interests in the Contract. At this point, based on the information provided by Ms. Schunemann, it is not clear whether any such contract exists between the Town and *Discovering Concord*.

Section 19

Section 19 prohibits municipal employees (including special municipal employees) from participating in matters in which they, any of their immediate family members, or any entities with which they have a business relationship, have a financial interest. G.L. c. 268A, § 19(a). However, § 19(b) includes three specific exceptions to this prohibition:

(b) It shall not be a violation of this section (1) if the municipal employee first advises the official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee, or (2) if, in the case of an elected municipal official making demand bank deposits of municipal funds, said official first files, with the clerk of the city or town, a statement making full disclosure of such financial interest, or (3) if the particular matter involves a determination of general policy and the interest of the municipal employee or members of his immediate family is shared with a substantial segment of the population of the municipality.

Given Ms. Schunemann’s unique role as co-founder of *Discovering Concord* and presumably with a continuing financial interest in the same, only the first exemption is potentially available to her. Ms. Schunemann could seek an exemption to participate in matters before the EVC or

Megan Zammuto, Deputy Town Manager, Town of Concord
Application of the State Ethics Act to Ms. Jennifer C. Schunemann
July 31, 2023

Concord250 involving *Discovering Concord* if the Select Board, as her appointing authority, determines that her interest is not “so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.” Given the information available at this point, it is not clear that such a conclusion would be justified. In addition, even if the Select Board could reach this conclusion, it could not grant this exemption under § 19(b)(1) if doing so causes Ms. Schunemann to run afoul of the limitations under § 17. Thus, in reality, this exemption is only available if Ms. Schunemann receives no income from *Discovering Concord* in her capacity as co-founder of the magazine.

**DISCLOSURE BY NON-ELECTED MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L. c. 268A, § 19**

	MUNICIPAL EMPLOYEE INFORMATION
Name:	Jennifer C. Schunemann
Title or Position:	Volunteer
Municipal Agency:	Economic Vitality Committee
Agency Address:	Concord Town House 22 Monument Square Concord, MA 01742
Office Phone:	978-318-3080
Office E-mail:	townclerk@concordma.gov
	My duties require me to participate in a particular matter, and I may not participate because of a potential financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
	PARTICULAR MATTER
Particular matter	As Chair of the Economic Vitality Committee, I interact with many stakeholders in the community. I am also the co-founder of <i>Discover Concord</i> magazine – which routinely publishes content about upcoming activities and events in the town and highlights the history and unique cultural heritage of Concord.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	The Economic Vitality Committee works with a wide range of other committees and with town staff. I do not see a direct conflict at this time. But I would like to disclose for the record that I am the co-founder of <i>Discover Concord</i> magazine. I would simply like the record to show that I am aware that perhaps, someday, there could be a conflict if the Town were to interact with the publication to produce content that could potentially be considered part of a plan to meet the mission and goals of the Economic Vitality Committee.
	FINANCIAL INTEREST IN THE PARTICULAR MATTER
Write an X by all that apply.	<input type="checkbox"/> I have a financial interest in the matter. <input type="checkbox"/> My immediate family member has a financial interest in the matter. <input type="checkbox"/> My business partner has a financial interest in the matter. <input checked="" type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization could one day have a financial interest in the matter. <input type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.

Financial interest in the matter	One division of the Town – the visitor center – orders advertising in <i>Discover Concord</i> magazine
Employee signature:	
Date:	July 26, 2023

DETERMINATION BY APPOINTING OFFICIAL

	APPOINTING AUTHORITY INFORMATION
Name of Appointing Authority:	
Title or Position:	
Agency/Department:	
Agency Address:	
Office Phone:	
Office E-mail	
	DETERMINATION
Determination by appointing authority:	As appointing official, as required by G.L. c. 268A, § 19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.
Appointing Authority signature:	
Date:	
Comment:	

Attach additional pages if necessary.

The appointing authority shall keep this Disclosure and Determination as a public record.

**DISCLOSURE BY NON-ELECTED MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L. c. 268A, § 19**

	MUNICIPAL EMPLOYEE INFORMATION
Name:	Jennifer C. Schunemann
Title or Position:	Volunteer
Municipal Agency:	Concord250 Sub-Committee on Publicity and Communications
Agency Address:	Concord Town House 22 Monument Square Concord, MA 01742
Office Phone:	978-318-3080
Office E-mail:	townclerk@concordma.gov
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
	PARTICULAR MATTER
Particular matter	Potential contract with <i>Discover Concord</i> magazine to expand the scope of its normal operations to strategically align with the Town on communication planning to reach visitors who may be planning to attend the 250 th celebrations in Concord in the time leading up to the 250 th anniversary of the first battles of the American Revolution. While there would be no request for funding to continue with Discover Concord's regular development of content and printing of its normal number of copies, the surge of interest in Concord in the lead-up to the 250 th celebration could potentially require many more copies to be printed and distributed – or custom content may need to be developed. Should this occur, funding may be necessary – either from the Town, or from an outside source.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	Create a strategy to reach out to potential visitors to the area, notify them of special events/celebrations/concerts/lectures etc. surrounding the buildup to the 250 th anniversary celebration on April 19, 2025. Leverage tools available to reach a wide audience. In support of the 250 th celebration of the events of April 19, 1775, determine a strategy of where/how to communicate the stories of Concord's history – including the untold stories of indigenous people, enslaved persons, freedmen, women and children, and others who also participated in the events leading up to and surrounding the events of April 19, 1775. Leverage that history to create a 'bridge' of stories into Concord's modern-day achievements and contributions to our cultural heritage. Create an inviting and inclusive series of communications to encourage engagement with the town's cultural history, tourism sites, retail/restaurant/lodging businesses, and to support the work of the Town in proactively managing crowd control by communicating about attractive visitor experiences before and after the 'big celebrations'. Reach a wide audience in both print and remotely (digitally) to help visitors plan appropriately.
	FINANCIAL INTEREST IN THE PARTICULAR MATTER
Write an X by all that apply.	<input type="checkbox"/> I have a financial interest in the matter. <input type="checkbox"/> My immediate family member has a financial interest in the matter. <input type="checkbox"/> My business partner has a financial interest in the matter. <input checked="" type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter. <input type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.

Financial interest in the matter	<p>Voyager Publishing (publisher of <i>Discover Concord</i> magazine) would like to offer to produce additional print copies of <i>Discover Concord</i>— a magazine created to support tourism in the Town of Concord, and to connect visitors with logistical and historical information about Concord to support their planning - available to a larger audience than it would normally reach on its own. That expanded audience could include concierges of Boston area hotels, visitors who arrive at Logan airport, and at surrounding visitor centers such as on the Mass Pike, to tour bus operators, and to meet an anticipated increased need of copies at the National Parks as tourism increases in the coming 48 months.</p> <p>Regular advertising from the shops and restaurants in town will not be sufficient to support the paper, printing, and delivery costs associated with this need. There is not currently a contract between Concord and Voyager Publishing. For estimation of the potential financial interest in the matter, a program could include ramping up over time (scaling the need to meet the anticipated increase in visitors) and would potentially mean a maximum of:</p> <ul style="list-style-type: none"> • \$32,000 in calendar year 2023 to meet the required 18,800 additional printed copies and their distribution • Up to \$100,000 in calendar year 2024 to meet an anticipated need of 54,000 additional printed copies and their distribution • Up to \$123,000 in calendar year 2025 to meet the anticipated need of 73,700 additional printed copies and their distribution <p>Programs can be adjusted, scaled, and shared with other municipalities if that makes sense. Funding could also be requested via a grant that could flow through the town committee, if appropriate. This estimate is only to support the discussion around a potential conflict of interest. There is no current agreement.</p> <p><i>Discover Concord</i> has a financial interest in that the direct costs of paper, printing, and delivery are marked up to cover overhead and a small profit margin (Voyager Publishing, the company that produces <i>Discover Concord</i> is a for-profit LLC). <i>Discover Concord</i> routinely offers non-profit discounts to municipalities and would do so if permitted to interact with the Concord250 committee.</p>
Employee signature:	
Date:	April 27, 2023

DETERMINATION BY APPOINTING OFFICIAL

	APPOINTING AUTHORITY INFORMATION
Name of Appointing Authority:	
Title or Position:	
Agency/Department:	
Agency Address:	
Office Phone:	
Office E-mail	
	DETERMINATION
Determination by appointing authority:	As appointing official, as required by G.L. c. 268A, § 19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.

Appointing Authority signature:	
Date:	
Comment:	

Attach additional pages if necessary.

The appointing authority shall keep this Disclosure and Determination as a public record.

Form revised February, 2012



TOWN OF CONCORD

Office of the Town Manager

Operational Status Reports and Departmental Updates
For the week ending August 18, 2023

Council on Aging

Ping Pong...

Or table tennis, whichever you call it, works up a healthy sweat for senior residents on Tuesdays at the COA!



Police Department

Activity Log:

- Log items: 649
- Traffic enforcements: 54
- Motor vehicle stops: 54
- Motor vehicle crashes and/or paper exchanges: 4
- Arrests: 1

Community

- Officer Mailloux and Dispatcher Pagnotta participated in the “Touch-a-Truck and Tunes” event at the Nashoba Brooks School. They brought one of the department motorcycles and the mobile command post for display at the event.

Tourism

Business Post, Ireland Press Story

Wonderful Press story from a writer we hosted in March 2023. Below is a snippet of the press story. Full article can be found here: [Mary Kate O’Flanagan article](#) Business Post, Ireland.

“Travel: Born-again Boston – proof of the power of stories to change the world”



The city is putting overlooked narratives to the fore as its inhabitants choose a more inclusive identity for their future, retelling their story with a fresh look at the past, writes Mary Kate O’Flanagan.

Down the road is Concord, where those Redcoats were repelled. Their ignominious retreat to Boston foreshadowed the final outcome of the Revolutionary War. Rich as it is in colonial history, Concord’s main appeal is as home to an extraordinary concentration of authors. Ralph Waldo Emerson, Nathaniel Hawthorne, and Henry Thoreau (Walden Pond is here, where you can visit a recreation of the cabin he built, removing himself from the everyday “to live deliberately”). I’m fulfilling a childhood dream to come here because it’s also where Louisa May Alcott lived and wrote Little Women.....

Local historians don’t flinch from the uglier part of New England’s history despite the bloodshed, slavery and iniquity. The legacy that survives is that of the generous, the open-minded, the Alcotts, Emerson and Thoreau, the transcendentalists, the abolitionists, the homes on the underground railroad.

Department of Planning and Land Management

Planning Board

Next week, August 23rd from 6:30 pm to 8:30 pm, is the third public workshop on the MBTA Communities Zoning. This is a virtual event that will focus on the development of the MBTA Communities Zoning Bylaw language. There will again be breakout rooms to get input from participants on the various aspects of the potential zoning as well as a robust question and answer session. Please go to www.concordma.gov\mbtacommunities to get the Zoom link for the workshop.

MBTA Communities Zoning

Town Planner Elizabeth Hughes attended a League of Women Voters Committee Chairs meeting at the Concord Free Public Library on August 16th to discuss the MBTA Communities Zoning. The League hopes to use this as a kick-off for collaboration among the various committees and deliberate on how the League can best help folks to understand the MBTA Communities requirements. On August 17th, the Town Planner and Senior Planner Erin Stevens held an MBTA Communities Connection Hour at Nashoba Brook Bakery. There were 10 people who came to learn more about the requirements and ask questions about developing the draft zoning language and the district boundary. There was discussion about specific potential sites and what types of incentives could be included in the zoning.

Community Preservation Committee

Senior Planner Ann Clifford submitted, on behalf of the Concord Community Preservation Committee, the required annual online Community Preservation Projects Report to the MA Community Preservation Coalition. This report provides an update to the Coalition on all of the open CPA projects. After a year-long effort, Ann was able to work with recipients to close out 31 projects so that this year the report listed only 38 active projects.

Natural Resources

Natural Resources Commission

Six new applications were received for the August 30th Natural Resources Commission including a Request for Determination of Applicability (RDA) for replacement of underground cables at Concord Greene: a Notice of Intent (NOI) for construction of an addition at 256 Bedford Road, a NOI for replacing a shed and constructing a patio at 241 Barrett's Mill Road, a NOI for construction of an addition at 103 Pilgrim Road, a NOI for redevelopment of a commercial site at 768 Elm Street, and a NOI for construction of an addition at 460 Garfield Road. Two applications have been continued to October including a NOI to redevelop a commercial site at 166 Commonwealth Ave and a NOI for construction of an addition at 154 Southfield Road.

Community Preservation Act

Division staff are working on CPA applications for submission this fall. The first is to rebuild a 70-foot section of stone wall at Heywood Meadow; the second is for survey, design, and permitting to replace failing steps to the Hillcrest conservation land, and the third under consideration is to construct an addition to the 1-bedroom apartment at the Barrett's Mill farmhouse.



Conservation Land Property Signs

Conservation Crew Shelby Guinard and Mike Murray have worked over the last few weeks to construct new wood routed property signs as well as restore older signs for conservation lands around town. Sign building for conservation lands is typically done in-house through a multi-step process: routing, priming, painting, mounting, and installation on site. Three new signs have been built along with two older signs restored, and an additional three signs were built for sensitive restoration areas at White Pond. Keep an eye out for new installations around town!



West Concord Park Trail Erosion

Natural Resources Division staff and volunteers worked to install 2 new water bars at West Concord Park along a steep eroded trail to divert water runoff from rain events. Additionally, trail regrading was done to establish a proper out slope for drainage as well. This project helped to restore a damaged trail surface and ensure long term trail resiliency.



Public Works- Engineering



CC High School Access Road

The paving of the asphalt binder layer on the entire access road is complete. Curbing from the Walden St intersection to the Beede Center is complete and sidewalk work has started. Electrical conduit for new sidewalk lighting was installed along the football field side of the access road.

Commonwealth Ave Improvements

The paving of the asphalt binder layer has been completed and the contractor is preparing to start curb and sidewalk work in sections approximately 200 feet long to minimize impacts to abutting businesses.



Main Street Sewer Manholes

The replacement of frames and covers on six sewer manholes between 122 Main Street and Elm Street is scheduled for Tuesday, August 22nd and the following morning. In order to maintain two-way traffic in the work area, parking will be eliminated on the north side of Main Street from Sudbury Rd to Thoreau St.

Crack Sealing of Town Streets

The crack sealing of streets that are to be re-striped has been completed so that the pavement marking project can proceed. The remaining crack sealing work will resume in September.



TOWN OF CONCORD

Office of the Town Manager

Operational Status Reports and Departmental Updates
For the week ending August 24, 2023

Police Department

Activity log:

- Log items: 695
- Traffic enforcements: 58
- Motor vehicle stops: 87
- Motor vehicle crashes and/or paper exchanges: 4
- Arrests: 1

Community

- Officers assisted with the New England Tour De Cure charity bike ride, ensuring cyclists and vehicular traffic along the route were able to travel safely together.
- Lieutenant Landers attended a meeting with the staff at the Middlesex School to discuss our partnership with them and to tour the campus.
- Inspector Holsinger and Lieutenant Goldman attended a planning meeting for the upcoming Mighty Moose 5K race on September 9th.
- Chief Mulcahy and Lieutenant Goldman had an introductory meeting with members of the newly formed DEI Commission.

Tourism

The Concord Pass

Beginning in September, the first Group Attraction tickets for Concord will be sold! The Concord pass (tentatively titled) will include admission to the Concord Museum and a daily walking tour through the Concord Visitor Center. This is a pilot program and will be marketed as such by both organizations. Future plans include reaching out to other attractions who may be interested in partnership programs similar to other cities like "Go Boston".

FY24 Advertising plan includes a focus on Regional Travelers that plan day and overnights to Concord



*Exploring historic Concord?
Begin with the Concord Museum!*



CONCORD
MUSEUM

www.concordmuseum.org



Out and About with Berkshire Edge-premiere magazine for Berkshire County

25,000 copies of each issue of the print magazine are distributed for free, and restocked regularly, to 160+ high-traffic locations in Berkshire County, Litchfield County (Conn.), Columbia County (N.Y.) and southern Vermont along with over 100k monthly website users. Going Live August 1st online, this has already risen into our top 10 for referrals to our website and a click through rate far above average. Image included is the cover and we had a 6 page advertorial with a paid ad. ([attached here](#)) – total spent \$1k.

Municipal Utilities- Broadband

Concord Broadband

Concord Broadband is pleased to share the following updates and information from the past month. Please do not hesitate to contact us at broadband@concordma.gov should you have any questions, concerns, or feedback.

Operations

Our new Network Engineer started on the last day of July but sadly left us two weeks later for a growth opportunity in the private sector. We have the job advertised again and are hopeful with the number of applicants we are seeing. The reality of the job market is that many network engineers are in high demand and can usually negotiate fully or mostly remote work. Our position requires regular attendance in the workplace, so our applicant pool is smaller. The private sector also routinely pays 15-50% more than we do, despite a restructured compensation plan, on-call pay, and other benefits not offered by the private sector.

Broadband Data

It's time to complete our bi-yearly filing with the FCC, which includes a new rate survey. This filing is due on September 15, 2023. More information about all broadband submissions can be found here: <https://www.fcc.gov/BroadbandData>

Upcoming Maintenance

There was no scheduled maintenance in July, but we are anticipating a maintenance window coming in the next couple months. During a routine examination of network settings, we found there were a handful of changes that needed to be made. While most are not service-impacting, there are a number of customers whose service will be degraded until a reboot of their ONT. We will schedule this maintenance and issue the command to reboot these ONTs during the maintenance window. We will try to provide at least a week's worth of notice, and any work scheduled will take place between 1-4am.

Steady Uptake in Faster Speeds

In January of this year, Concord Broadband began offering faster speeds to customers. To date, 28 customers have taken advantage of these new plans, and it has kept operations competitive with other service providers. So far, we have not had to take measures to alter hardware or initiate system design changes to achieve these faster speeds, but we are planning on rolling out new equipment in early 2024 that will be capable of at least 5 times the speed. It is possible to run a utilization report for customers to determine if they are good candidates for an upgrade. Those interested in such a service can email us at broadband@concordma.gov or call customer service at (978) 318-3101. There is no commitment required to receive such analysis.

Town Networking Upgrades

In addition to supporting customers, some Concord Broadband staff support the Town's fiber network. This connection of sites supports all Town connectivity, including public safety radio systems and other municipal functions. We happen to be at the tail end of a rather large network upgrade that includes a topology change – the way that data flows from building to building – among the Town's 17 wired buildings. Hourly Technician time is billed to the Town and includes data center work, cabling, splicing and fiber tracing. Network Engineers and the Broadband Manager support the Town's Chief Technology Officer in overseeing and upgrading equipment and creating new and more resilient paths for data to flow.

As demonstrated by the current and new topologies, it is easy to see the two primary benefits: every location is just one hop from the location that has our internet connection, and every site has at least 3 methods to get to another location. This means that damaged fiber in multiple areas would not likely impact these primary sites' ability to connect to each other and the internet. We are also taking advantage of this opportunity to clean up data centers, which includes installing new management switches and battery backups as well as re-cabling where necessary and utilizing cable management to ensure a cleaner look. This project has been ongoing for quite a while, and we wish to thank the several staff members who have spent time working on it. We anticipate using the new design some time in September or October.

Department of Planning and Land Management

MBTA Communities Zoning

The third public community workshop was held virtually on August 23rd. Even though it is the unofficial last week of summer, 40 people attended the workshop to learn from Town staff and the consultant the details about the creation of compliant MBTA zoning, provide their opinions on various options for dimensional requirements, and discuss what type of incentives might be incorporated into the zoning to encourage mixed-use in certain locations. On the afternoon of August 23rd, the Town Planner Elizabeth Hughes held a virtual MBTA Communities Connection hour that was attended by ten people.

Planning Division

Working with the Mass Historical Commission, Concord Historical Commissioner, and help from the Finance Department, Senior Planner Ann Clifford just released a Request for

Quotes (RFQ) for consultants to develop a Community-wide Historic Preservation Plan to support the integrated, cross-disciplinary goals of *Envision Concord: Bridge to 2030* and reflect state and national preservation priorities as the Town approaches the 250th anniversary of the Battle of Lexington and Concord in 2025 and the founding of the United States in 2026. The upcoming 250th anniversary presents an opportunity for the Town of Concord to engage an international audience, share a more inclusive national story, and celebrate the field of historic preservation. Quotes are due on September 19th and the approximate start date for the year-long project is October 1st.

Grant Drafts

Senior Planner Erin Stevens is working on drafting a grant to advance the completion of the Plans, Specifications and Estimates for the Assabet River Bridge and Trail and another grant to explore whether there is a long-term solution for a safe pedestrian crossing of Route 2. She is also working on creating easy to understand graphic “one-pager” documents for the MBTA Communities process to help explain complicated zoning topics just released by the State this week.

Transportation Advisory Committee

The TAC met this week and discussed the MBTA Communities zoning and options for transportation, the upcoming Comprehensive Transportation Study, and expressed interest in the Zoning Bylaw Parking Analysis that is currently being conducted by a consultant for the Planning Board. The Chair attended an initial meeting with Town staff and the Comprehensive Transportation Study consultant, Stantec. Town staff and the consultant will be working on holding a public kick-off event.

Public Works

Administration

Public Works welcomes Jennifer Mills to the Public Works Team. Jennifer fills the role of the Environmental Health & Safety Manager. She will be managing all aspects of Public Works, like working on environmental health and safety (EHS) programs including maintaining EHS permits & licenses, and performing required inspections and investigations. She will be analyzing data and providing & developing training. We all look forward to working with Jen both in the office and in the field.



Engineering

2023 Roadway Paving

CPW Engineering has received bids for its annual paving of streets and a contract valued at about \$3.5 million is being executed with Lazaro Paving Corp. of Shirley, MA for work to begin this summer. Fog sealing of streets will be performed under a different contract.

Culvert Replacement Grant

The State's Division of Ecological Restoration (DER) has informed the Town that it was unsuccessful in its application to receive funds for the FY2024 Culvert Replacement Municipal Assistance Grant. CPW Engineering will continue to seek resources to address the most pressing needs in the Town's drainage system.



Water and Sewer

Butternut Circle Neighborhood 2023 Water Systems Improvements

Gravity Construction has continued to make good progress on the water main replacement project being performed within the Butternut Circle neighborhood. Despite the slight delay in mobilization earlier this summer, they are on schedule for substation completion in mid-October.

Recreation Department

Summer Camp

Summer camps ended on Friday, August 18th. In total, we served 616 individual campers in our Camp Three Rivers program (up from 480 in summer 2022) who reserved 2,011 camper slots. Our 50+ staff supported these campers for 9 weeks in what was the hottest, rainiest summer we've had in a long time! We were also excited to support 22 campers of Town employees this summer for a combined 125 camper slots.



White Pond Beach

White Pond Beach closed for seasonal operation on Sunday, August 20. We sold 477 memberships comprising 1560 individuals. 1353 individuals were residents, and 207 individuals were non-residents. In total, we had 2,080 scan-ins this summer, 1563 resident scan-ins, and 517 non-resident scan-ins. Saturdays were the most popular day for use followed by Thursdays and then Sundays.

Summer Concert

We've hosted a very successful summer concert series at Rideout Park that will conclude next Thursday, August 29th with the Reminiscents.



Upcoming Rec Events

- 9/16- Mermaid Swim at Beede (sold out)
- 9/29- [Outdoor movie night](#) at Emerson Park
- 10/28- [Sleepy Hollow 5K](#) at Beede
- 10/29- [Trunk or Treat](#) at Beede
- 11/4- [Diwali Festival of Lights Celebration](#) at Beede
- 11/18- [Craft Fair](#) at Hunt Recreation Center
- 12/3- [Tree Lighting and Parade](#)
- 12/15- [Swimming with Santa](#) at Beede

The next recreation commission meeting will be 9/27/23 at 6:30P, location TBD.

Help at Beede Center Appreciation

Shout out to the Facilities Team and Public Works team for their help at the Beede Center during our annual shutdown week this August. Lots of great updates were made including a reorganization of the strength room, fixes to the men's and women's locker room, new paint throughout the facility, removal of overgrown garden beds, and more. These two Departments support the Recreation Department with a 'can do' attitude and their help does not go unnoticed.

Employees of the Month

For the August employee of the month, we want to give thanks to two amazing seasonal employees who brought energy and joy to their job each day making this summer a true success in their respective program areas!

Lisle Allen, White Pond Head Lifeguard



Lisle was *always* a team player, showing initiative to pick up shifts, staying late when the beach was busy, and coming in early when necessary all while having a smile on her face and a positive attitude. She was a role model for all staff at White Pond, always leading by example and keeping a watchful eye on our patrons. Lisle and our team of lifeguards supported over 2,000 visitors at the pond this summer. A collegiate swimmer for Bowdoin College, we've been lucky to have Lisle working for Concord Recreation for more than 3 summers.



Jenna Rigon, Camp Three Rivers Director.

Jenna was a role model for over 50 staff that supported *hundreds* of students, entering grades K-10, each week. In this capacity, Jenna coordinated all parts of the camp experience from staff training to field trips. This was Jenna's first summer as a Camp Director and she truly thrived! Jenna and her team of counselors supported over 600 individual campers this summer, registering for over 2,000 camper weeks. Jenna just finished her degree in School Counseling, a role that she will step into in the near future.



Date: August 9, 2023
To: Shannon McAndrew, Town Manager's Office, Senior Administrative Assistant
Via: David Wood, CMLP Director
Via: Joe Repoff, CMLP Assistant Director 
From: Jeffrey Cosgrove, CMLP Lead Electrical Engineer 
Cc: Steven Dookran, CPW Town Engineer
Cc: Justin Richardson, CPW Assistant Town Engineer
Subject: Petition of the Commonwealth of Massachusetts Department of Corrections Fiber Optic Cable

This memorandum is to provide comments to the Select Board on the petition for a Grant of Location filed by the Commonwealth of Massachusetts Department of Corrections (applicant) on portions of Elm Street (Route 2A), Rt 2 Rotary, and Barretts Mill Road. The applicant is proposing to install new overhead fiber optic cable on the existing utility poles encompassing the following sections of roadway as noted below; reference plan titled "Commonwealth of Massachusetts, Department of Corrections Fiber Optic Campus Connections" dated July 7, 2022, and prepared by Comm-Tract Corp. Please note the pole numbers surrounding the Rt 2 Rotary vary between recorded records and plans.

- Elm St (Route 2A): Pole #96A Elm St to Pole #104-6/86 Elm St (Intersection Route 2 Rotary & Elm St)
- Route 2 Rotary: #104-6/86 Elm St (Intersection Route 2 Rotary & Elm St) to Pole #104-2 (located along the Rt Rotary near #999 Barretts Mill Rd)

The Concord Municipal Light Plant (CMLP) has reviewed the attached Grant of Location petition 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. A pole survey shall be performed by a third party at the applicant's expense noting existing and proposed utility attachments and heights including any applicable make ready work required to meet code requirements. As these utility poles are joint owned by the Town of Concord & Verizon, Verizon may elect to perform their own survey. All proposed make ready work must be performed by each existing utility prior to the installation of said fiber optic cable and shall be paid for by the applicant.
3. 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 installed between utility poles #96A Elm St and #104-2 (Rt 2 Rotary). Minimum separation and clearance requirements as described by the most recent National Electric Safety Code must be maintained between the proposed fiber optic cable and existing overhead facilities.



CONCORD MUNICIPAL LIGHT PLANT

ELECTRIC | BROADBAND | ENERGY MANAGEMENT

4. The applicant must remove any infrastructure deemed obsolete as a result of this project.
5. As-built plans must be provided to both the Concord Public Works and Concord Municipal Light Plant Engineering Divisions prior to the final closeout of the project.
6. The applicant will remove the new Fiber Optic Cable upon completion of its service life.

**133 Keyes Road
Concord, MA 01742**



DATE: 08/14/2023

MEMORANDUM

TO: Shannon McAndrews, 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 the Commonwealth of Massachusetts Department of
Corrections Fiber Optic Cable.**

This memorandum is to provide comments to the Select Board on the petition for a Grant of Location filed by the Commonwealth of Massachusetts Department of Corrections (applicant) on portions of Elm Street (Route 2A), Rt 2 Rotary, and Barretts Mill Road. The applicant is proposing to install new overhead fiber optic cable on the existing utility poles encompassing the following sections of roadway as noted below; reference plan titled "Commonwealth of Massachusetts, Department of Corrections Fiber Optic Campus Connections" dated July 7, 2022, and prepared by Comm-Tract Corp. Concord Public Works (CPW) Engineering Division has reviewed the Grant of Location and recommends approval of the petition with the following conditions and any condition stipulated by Concord Municipal Light Plant (CMLP) in their accompanying letter.

1. The Applicant must file for and receive all necessary permits from Massachusetts Department of Transportation (MassDOT) for working within the Concord Turnpike (Route 2) or Elm Street (Route 2A) rights-of-way (ROW). Copies of all permit approvals must be sent to Concord Public Works, Engineering Division prior to the commencement of work.
2. As-built plans must be provided to the Concord Public Works Engineering Division prior to the final closeout of the project.
3. A ROW Permit application shall be submitted to CPW with stamped constructions plans if any alteration of surface or underground features in the Town's 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.
4. A traffic management plan shall be submitted to the Concord Police Department Traffic Safety Officer and the CPW – Engineering Division for review. Any traffic management controls required by MassDOT must be included in this plan.
5. 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.

6. 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.



PETITION FOR INSTALLATION OF Overhead Fiber Optic Cable on existing poles.

Concord, Massachusetts
05/31/2023

To the Select Board of Concord, Massachusetts:

The COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF CORRECTION request permission to install fiber optic cable on existing utility poles to be owned and used by your petitioner, along and across the following public way or ways:

- *Elm Street from pole 96A (1238 Elm Street) to Barretts Mill Road*
- *Barretts Mill Road from Elm St to 999 Barretts Mill Road*

Wherefore they pray that after due notice and hearing as provided by law, they be granted permission to install *fiber optic cables, together with anchors, guys and other such sustaining and protecting fixtures* as they may find necessary and in accordance with the plan filed herewith marked- **COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF CORRECTIONS FIBER OPTIC CAMPUS CONNECTION** Dated **07/07/2022**.

Also for permission to lay and maintain *aerial and/or underground fiber optic laterals cables* in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioner may desire for distributing purposes.

1. **Company Name**

By: Commonwealth of Massachusetts Department of Corrections

Print name: John D. Rose

Title: Deputy Director

Telephone: 508-422-3665

Email: john.d.rose.iii@state.ma.us

ORDER FOR INSTALLATION OF OVERHEAD (*insert example -- Fiber Optical, Cable, pole installation, etc.*)

In the Town of Concord, Massachusetts

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

IT IS HEREBY ORDERED: that the COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF CORRECTION be, and they are hereby granted permission to install fiber optic cable as said they deem necessary, in the public way or ways hereinafter referred to, as requested in the petition plan of said marked-
COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF CORRECTIONS FIBER OPTIC CAMPUS CONNECTION Dated **07/07/2022**.

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

The new fiber optic cable shall be attached to the poles using common industry standards and shall be set substantially at the points indicated upon the plan marked **COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF CORRECTIONS FIBER OPTIC CAMPUS CONNECTION** Dated **07/07/2022**. - filed with said petition. There may be attached to said poles by said COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF CORRECTION such fiber cables and fixtures as are necessary in its business and all of said fiber cables shall be placed at a height that is in compliance of 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:

- *Elm Street from pole 96A (1238 Elm Street) to Barretts Mill Road*
- *Barretts Mill Road from Elm St to 999 Barretts Mill Road*

Also that permission be and hereby is granted to the said Company to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire distributing purposes.

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

Clerk of Select Board

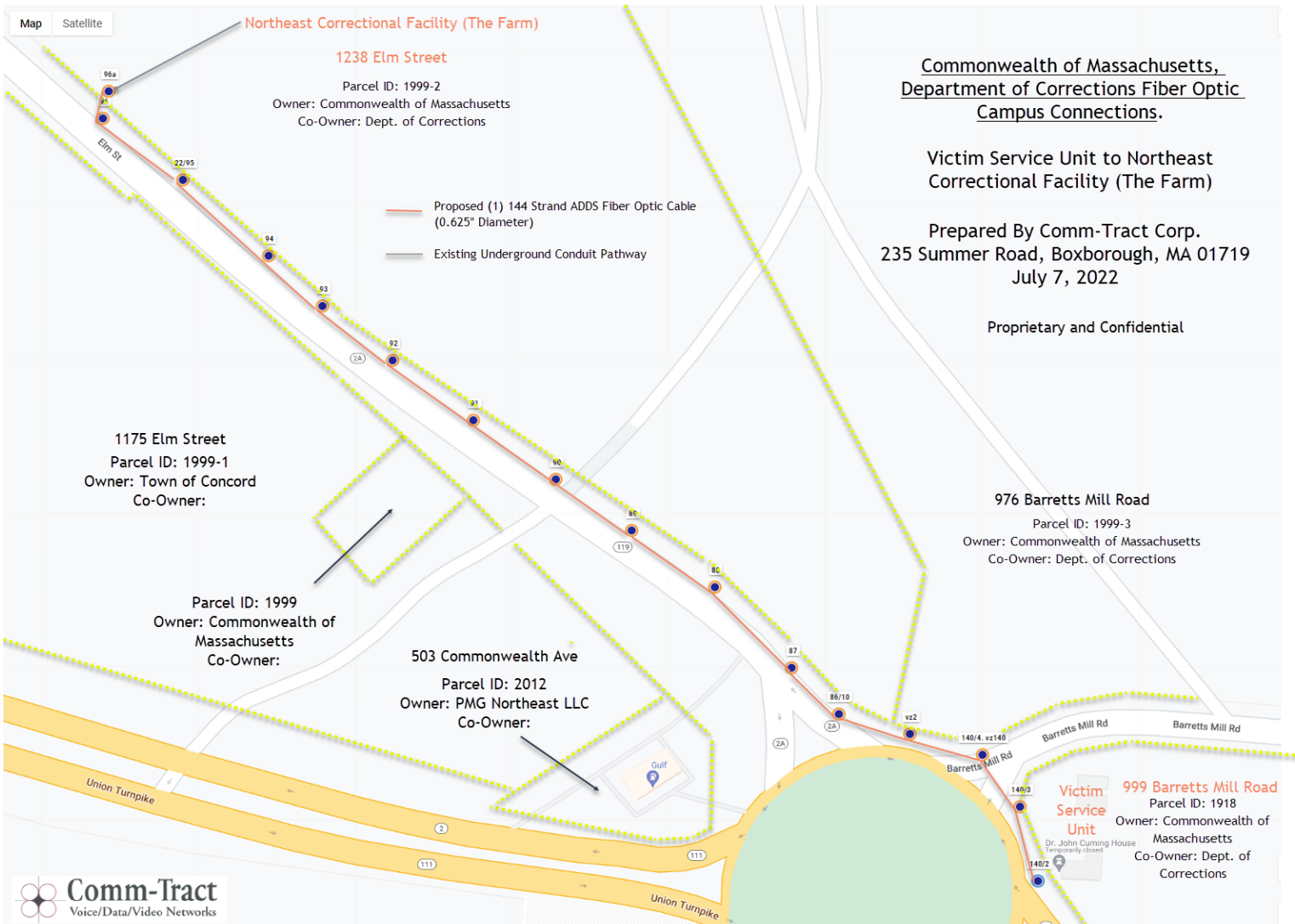
We hereby certify that on _____, at _____ O'clock _____, at Concord, Massachusetts, a public hearing was held on the petition of the (*insert* Company Name) permission to install (*insert* example: fiber optic) cables, fixtures and connections described in the order herewith recorded, and that we mailed 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 (*insert* example: fiber optic) 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



**Commonwealth of Massachusetts,
Department of Corrections Fiber Optic
Campus Connections.**

**Victim Service Unit to Northeast
Correctional Facility (The Farm)**

Prepared By Comm-Tract Corp.
235 Summer Road, Boxborough, MA 01719
July 7, 2022

Proprietary and Confidential

Map Satellite

Northeast Correctional Facility (The Farm)

1238 Elm Street

Parcel ID: 1999-2
Owner: Commonwealth of Massachusetts
Co-Owner: Dept. of Corrections

- Proposed (1) 144 Strand ADDS Fiber Optic Cable (0.625" Diameter)
- Existing Underground Conduit Pathway

1175 Elm Street
Parcel ID: 1999-1
Owner: Town of Concord
Co-Owner:

Parcel ID: 1999
Owner: Commonwealth of
Massachusetts
Co-Owner:

503 Commonwealth Ave
Parcel ID: 2012
Owner: PMG Northeast LLC
Co-Owner:

976 Barretts Mill Road
Parcel ID: 1999-3
Owner: Commonwealth of Massachusetts
Co-Owner: Dept. of Corrections

999 Barretts Mill Road
Parcel ID: 1918
Owner: Commonwealth of
Massachusetts
Co-Owner: Dept. of
Corrections

**Victim
Service
Unit**

Dr. John Cuming House
Temporarily closed





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

MEMORANDUM

To: Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: August 28, 2023

Re: Tax Relief Committee and Hugh Cargill Trust Committee

This memorandum outlines a recommendation on behalf of the Tax Relief Committee for the disbandment of their committee and for their responsibilities to be absorbed by the Hugh Cargill Trust Committee.

The Tax Relief Committee was established by the Select Board in 2011 and charged with soliciting donations for property tax relief for Concord residents in need, with the funds to be disseminated by the Hugh Cargill Trust Committee.

Since, the Tax Relief Committee and Hugh Cargill Trust Committee have worked collaboratively on the Annual Appeal, which takes place every fall, to solicit donations for both committees. Because the Tax Relief Committee does not review applications for property tax relief nor disseminate the funds for property tax relief, it has been agreed upon by the members of the committee that their responsibility of soliciting donations could be absorbed by the Hugh Cargill Trust Committee as one additional formal duty to be included in their charge. The Hugh Cargill Trust Committee is also in agreement and voted to approve an amended Hugh Cargill Trust Committee charge to include this responsibility at their meeting on August 8, 2023.

Please see enclosed amended Hugh Cargill Trust Committee charge, with amendments included in **red font**. If you have any questions or concerns, please reach out.

Recommended action: A vote of the Select Board to disband the Tax Relief Committee and to approve the amended Hugh Cargill Trust Committee charge as included in the Select Board meeting packet.

Effective: September 6, 1977
Amended: December 19, 1988
November 20, 2000
May 21, 2012
July 11, 2016
November 8, 2022
August 28, 2023

HUGH CARGILL TRUST COMMITTEE CHARGE

1. Background

The Select Board has the responsibility, either partially or totally, for the administration of certain trusts left to the Town for the purpose of assisting Concord residents in need. The investment management of these trusts rests with the Trustees of Town Donations, but the Select Board, sometimes with others, as in the case of the Silent Fund, or singly, as in the case of the Hugh Cargill Trust, are responsible for the proper distribution of the income of the trusts in accordance with the trust terms.

2. Purpose

This Committee is established to actively assist the Select Board in receiving, investigating, and screening applications for funds by Concord residents with temporary or emergency financial needs. The source of these funds is the income from the Hugh Cargill Trust, the Silent Fund and various public and private donations. All information, applications, and awards, are confidential.

3. Policy

The policy of the Committee shall be to disburse funds to Concord residents in need without regard to the race, sex, age, color, religion, marital status, national origin, sexual orientation, or disability of the applicants. The Committee shall maintain a reserve for general administrative expenses and a reasonable balance to ensure availability of funds for emergency needs.

In no instance shall any of the principal of the Trust be disbursed without a majority vote of the Select Board.

4. Membership and Officers

The Committee shall have five (5) members, who shall be appointed for terms of three (3) years by the Select Board. In order to provide staggered terms, two of the initial appointees shall be appointed to three-year terms, two others to two-year terms, and the remaining appointee to a one-year term.

The chairperson, a clerk, and a treasurer shall be selected from within the membership by the members.

Upon appointment to the Committee, each member shall be sworn by the Town Clerk to the faithful performance of their duties.

5. Powers and Duties

- 5.1 The Committee shall actively seek to identify cases of need which fall within the guidelines of the following section. The work of the Committee shall be brought to the attention of the community through appropriate means.
- 5.2 The Committee shall review and investigate all requests in a confidential manner to determine:
 - (a) whether the purpose of the Trust encompasses the need;
 - (b) the extent of the need in terms of amount of funds requested; and
 - (c) whether the assistance is of a short- or long-term duration.
- 5.3 The Committee, by majority vote, is authorized to disburse, in the name of the Select Board, up to five hundred dollars (\$500) per request from one household (street address), and a detailed report of such action shall be made to the Select Board. No more than one thousand dollars (\$1,000) per fiscal year per household (street address) is the recommended limit, independent of who or how many people live at the residence, although at times this limit may be exceeded at the discretion of the committee based on compelling circumstances.
- 5.4 The Committee shall review and investigate all requests for tax assistance and manage the distribution of Tax Relief Funds to eligible residents on a quarterly basis. Tax relief shall be allocated according to the following protocols:
 - (a) same amount awarded to each recipient regardless of the assessed house value
 - (b) only owner occupier shall receive assistance
 - (c) resident who receives assistance shall own no other property, unless it is used solely to produce additional income
 - (d) resident's income and assets are considered in award decision
- 5.5 The Committee shall solicit donations for the Hugh Cargill Trust Fund and the Property Tax Relief Fund. The Committee shall educate the public and advertise the need for such funds throughout the year. The Committee will be aware of other fundraising efforts in Town and, as possible, avoid seasonal competition.

6. Guidelines

- 6.1. The Committee's first priority shall be to meet the urgent needs of individual Concord residents of limited income. No funds shall be disbursed without approval by the Committee, including requests from community organizations acting on behalf of individual clients.

All disbursements shall be made for specific purposes and shall be made to the provider of the goods or services (except as described in Section 6.2, The Silent Fund). Such purposes shall include, but shall not be limited to, necessities of life, such as electricity, telephone,

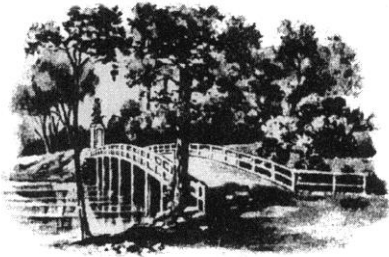
gas and fuel, food, heat, rent, clothing, medicines, medical services, special dietary needs, and special transportation connected with medical needs.

The assistance should be for a short-time duration, and the Committee should stand ready to refer those whose need will be ongoing to appropriate charitable groups or State or federal programs.

- 6.2 The Silent Fund – This fund was established in 1731 with a bequest by Concordian Peter Wright for the purpose of providing financial assistance for Concord residents, especially families with children. It is currently supporting summer camperships for children and holiday gifts for deserving families with young children and also Town seniors.

7. Reports and Meetings

- 7.1 The Committee shall hold regular meetings, a minimum of nine (9) times per year. Emergency meetings shall be held when necessary, but shall not be considered to be regular meetings.
- 7.2 The Committee shall keep records of all requests, investigations, and disbursements. In addition, approved minutes of all meetings shall be sent to the Town Clerk for posting on the website and for the Town archives.
- 7.3 To protect the rights and privacy of all applicants, records and minutes of meetings at which individual needs are discussed shall be held confidential, within the scope of the Massachusetts Open Meeting Law.
- 7.4 The Committee shall furnish to the Select Board all information in its possession which may be required by the Board to make accountings as prescribed by law as to the income and disbursement of funds from the Hugh Cargill Trust, the Silent Fund and various public and private donations.



OLD NORTH BRIDGE

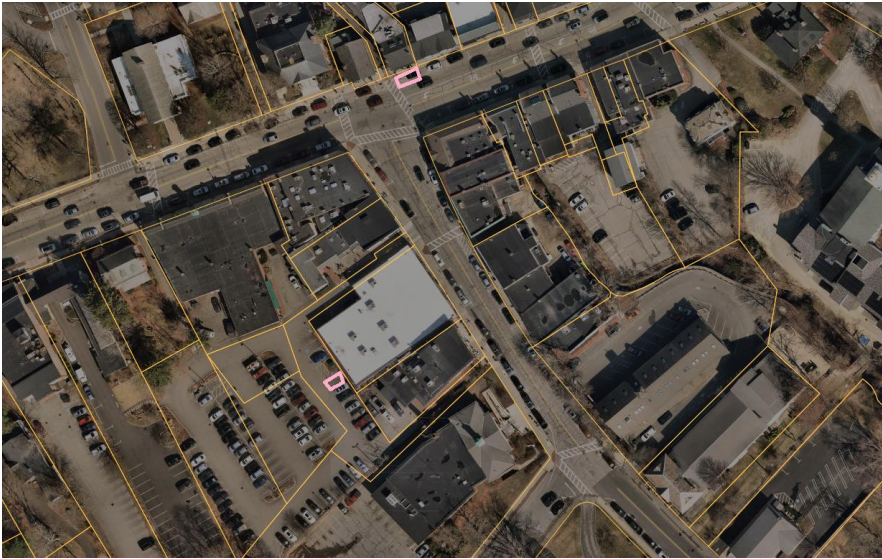
TOWN OF CONCORD

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

To: Select Board
From: Mimi Graney, Economic Vitality Manager
Date: August 14, 2023
Re: Special Parking Designations

I am submitting two requests for special designations of existing public parking spaces. Both of these requests are scheduled to be presented to the Traffic Advisory Group before review by the Select Board.

1. **15-Minute Parking Spaces:** At the request of nearby merchants, two short term parking spaces are requested to encourage higher turnover parking in areas where it is in highest demand.
 - Feedback from nearby businesses was universally in favor of the request.
 - These spaces would be available to anyone and not reserved for use by any specific business; noting of particular businesses in this request is for location identification purposes only.
 - Signage would be at the discretion of DPW (Highway and Grounds). Both spaces allow for installation of a standard aluminum sign. Roadway paint could emphasize the special designation.
 - No special traffic enforcement would be employed beyond what is already deployed by Concord Police for the district.
 - a. **One parking space in front of 18 R Walden Street** (Walden Liquors, in the parking lot behind Walden and Main Streets.) For a number of years there had been unauthorized signage at two spaces here designating these as 15-minute spaces. Those signs were removed by the Town. Walden Liquors and Haute Coffee are accessed only from the lot and both have customers that need only minutes to shop and go. The parking lot is used primarily for long term (3+ hour) parking which means there's typically no spaces available in the lot.
 - b. **One parking space in front of 42 Main Street** (Main Streets Market & Café). Under covid, this parking space had been previously approved to accommodate take out dining. The single parking space in front of 46 Main Street (Footstock) will be removed as part of crosswalk and sidewalk improvements in Concord Center. While not otherwise signed, that space had functioned as a quick turn-around parking space. This proposed space is centrally located to serve businesses at the heart of the business district of Concord Center.
2. **Veterans Parking:** Dominic Ingegneri, a veteran and Concord resident, wishes for Concord to follow the model he saw deployed in Maynard and to make a symbolic gesture of recognition of military service with the designation of one parking space reserved for veterans.
 - The proposed space in front of the Town House allows for an aluminum sign on the existing pole.
 - Enforcement of the use of veterans only would be on an honor system only.
 - The three-hour parking limit would still apply.
 - No special traffic enforcement would be employed beyond the existing deployment for district.



15-Minute Parking



18R Walden Street



42 Main Street

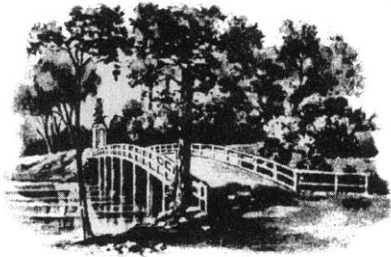
Veterans Parking



Site in front of the Town House. Signage can be installed on the pole nearest the corner.



Comparable signage



OLD NORTH BRIDGE

TOWN OF CONCORD

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

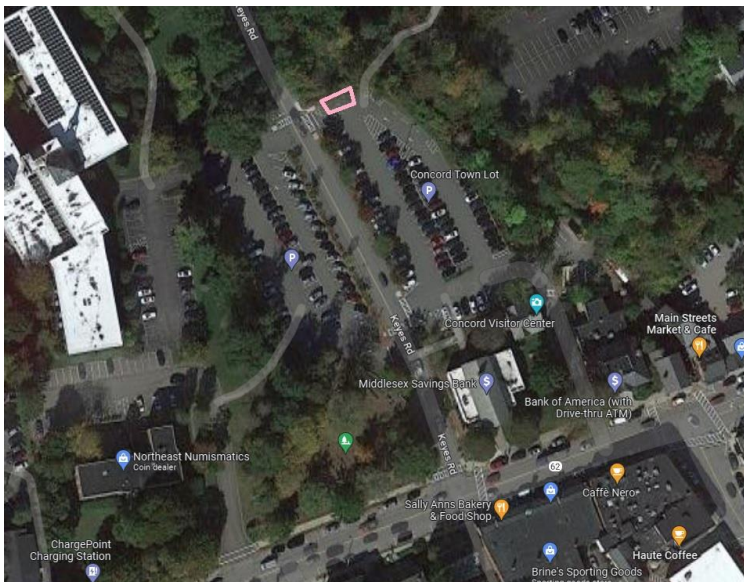
To: Select Board
From: Mimi Graney, Economic Vitality Manager
Date: August 14, 2023
Re: Food Truck Siting – Request to site Food Truck on Public Property

To accommodate the needs of visitors to Concord Center during times when brick-and-mortar establishments are not able to provide sufficient food options, the Visitor Center wishes to sponsor a food truck in the Concord Town Parking Lot on Keyes Road behind their facility for the following dates:

Thursdays, September 28, October 5, 12, 19 and 26, 2023
Vending would take place between 4 and 7 pm

As Economic Vitality Manager I will recruit a single vendor for the site as part of a Call for Food Trucks process. Selection among the respondents would be in cooperation with the Beth Williams, Tourism Manager, Deputy Town Manager Megan Zammuto, and Health Director Melanie Dineen. The vendor would be required to be in compliance with all local regulations as outlined in the draft Rules and Regulations Regarding Mobile Food Vendors and the Operation of Food Trucks.

The parking spot for the food truck would be the space typically reserved for tour businesses. Customers would be able to access the truck via the sidewalk on the north side of the site. Visitors could enjoy their meal at the tables in front of the Visitor Center or at Chamberlin Park on the other side of Mill Brook accessed by the wooden walkway.



CONCORD HOUSING ROUNDTABLE

Select Board, Planning Board & Concord's housing entities:

CHA

Concord Housing Authority, 1961
<ul style="list-style-type: none"> • State agency with 3 members elected, 1 gubernatorial appointee, & 1 CHA resident • Operates 228 subsidized units in public housing and Section 8 programs • Serves more than 375 people • Receives state funding

CHF

Concord Housing Foundation, 2001
<ul style="list-style-type: none"> • Private non-profit • \$1,000,000 in private donations for affordable housing • Annual funding appeals and special projects • Co-funder of Assabet River Bluff

CPC

Community Preservation Committee, 2004
<ul style="list-style-type: none"> • Town Board appointed by Select Board, others per bylaw • \$29.9-million appropriated in all CPA categories • 21.5% for community housing, per CPC • \$6.4-million for community housing thus far • Co-funder of Assabet River Bluff

CHDC

Concord Housing Development Corporation, 2007
<ul style="list-style-type: none"> • Non-profit established by State Statute • Appointed by Select Board • Owner of Assabet River Bluff, 5 affordable units • Owner of 12-acre Junction Village property acquired from the State, all housing units developed to be affordable as defined by CHDC

RHSO

Regional Housing Services Office, 2011
<ul style="list-style-type: none"> • Inter-municipal agreement to serve member towns and assist residents • Proactive monitoring, program administration, project development

CMAHT

Concord Municipal Affordable Housing Trust, 2021
<ul style="list-style-type: none"> • Town Board appointed by Select Board per bylaw • \$4.1 deposited in Trust fund so far • \$983,000 use for 10 affordable units, including \$650,000 for Assabet • \$3,123,140 balance • Funded by ATM transfers, CPC • Home rule petitions filed for real estate transfer fee, building permit surcharge

SB, PB, CPC, CHA, CHDC, CHF & CMAHT convened quarterly by RHSO to coordinate **FY 2023-2028 Housing Production Plan** implementation

Per assignments shown in HPP Action Plan Matrix¹ on HPP pp. 58-65

HOUSING PRODUCTION PLAN STRATEGIES

- HPP adopted by **Select Board & Planning Board** Dec. 2022.
- HPP approved by **State DHCD** Jan. 2023.
- HPP assigns **Leads** and **Supports** to coordinate implementation of plan's 24 strategies

	Select Bord	Planning Board	CMAHT	CHDC	CHA	CHF	CPC	Public Works Comm.	DEI Commission	Transportation A.C.	RHSO	Town Staff
1. Assabet River Bluff SHI units	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
2. Junction Village affordable units	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
3. Pursue other land to create units	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. SHI units in private developments	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
5. Reduce minimum lot size, frontage		<input checked="" type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>
6. Green building design, code	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>								<input type="checkbox"/>	<input type="checkbox"/>
7. Redevelopment near transit		<input checked="" type="checkbox"/>	<input type="checkbox"/>							<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. MBTA Communities zoning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. DEI planning, zoning, fair housing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Duplexes by right		<input checked="" type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>
11. Town-wide inclusionary zoning		<input checked="" type="checkbox"/>	<input type="checkbox"/>								<input type="checkbox"/>	<input type="checkbox"/>
12. By-right subdivisions/home rule	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>								<input type="checkbox"/>	<input type="checkbox"/>
13. Concord Housing Authority units			<input type="checkbox"/>		<input checked="" type="checkbox"/>			<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
14. Social services for seniors, etc.				<input checked="" type="checkbox"/>			<input type="checkbox"/>				<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Funding support for CHDC	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
16. Examine CPA borrowing			<input type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Funding support for CMAHT	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
18. Host, support RHSO	<input checked="" type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
19. Sewer, transit, infrastructure	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. MetroWest HOME Consortium	<input checked="" type="checkbox"/>										<input type="checkbox"/>	<input type="checkbox"/>
21. LOHA Coalition transfer fee	<input type="checkbox"/>		<input checked="" type="checkbox"/>								<input type="checkbox"/>	<input type="checkbox"/>
22. Concord Housing Roundtable	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
23. Outreach/income/seniors/BIPOC	<input checked="" type="checkbox"/>		<input type="checkbox"/>						<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
24. Public relations campaign	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

DRAFT WORKSHEET FOR ROUNDTABLE CONSENSUS: IDENTIFYING HPP PRODUCTION PROJECTS

- **Assabet River Bluff** (3 new units) - *CHDC will issue an RFP this fall*
- **Junction Village** property - *CHDC will issue an RFP this fall*
- **Acquire 1.4-acre surplus State property at 91B Main St.** from MassDOT for below market value, if Federal Highway Admin approves – *Town to pursue*
- **NOVO Riverside Commons 40B** at 300-310 Baker Ave. - *Select Board has indicated could be part of Host Community Agreement with developer*
- **Town:** Rental housing & emergency housing assistance

DRAFT FUNDING WORKSHEET – Projects by HPP Strategy - funded to date, proposed for FY 2024 & Beyond

HPP Strategy (HPP pp.)	Project(s) [See end notes, below]	Project Amount	Previously funded	FY 2024	FY 2025	Beyond	Source(s); comment
1. Assabet River Bluff - 5 SHI units (pp. 28-29)	<input checked="" type="checkbox"/> Assabet River Bluff acquire land	\$1,000,000	\$1,000,000				CMAHT/CPA/CHF, 2022
	<input checked="" type="checkbox"/> Assabet – phase 2 funding	500,000	500,000				CPA 2023
	<input type="checkbox"/> Assabet – develop 3 units ⁱ	1,500,000	-	?	?		CMAHT and/or CPA
2. Junction Village (30-31)	<input type="checkbox"/> Junction Village pre-develop ⁱⁱ	50,000		?	?		CMAHT?
	<input type="checkbox"/> Junction Village development	?			?	?	
3. Other land to create SHI units (32, 35)	<input checked="" type="checkbox"/> 930 Main St. – 2 units	150,000	150,000				SB from TM funds, 2019
	<input type="checkbox"/> 300-310 Baker Ave 40B ⁱⁱⁱ	?	-	?	?	?	CMAHT?
	<input type="checkbox"/> 91B Main St. State surplus ^{iv}	?	-	?	?	?	
	<input type="checkbox"/> Feasibility: specific site(s)	100,000		?	?	?	CMAHT
	<input type="checkbox"/> Other (specify):	?		?	?	?	
4. SHI units in private developments (32-33)	<input checked="" type="checkbox"/> Preserve Emerson Avenue unit	95,000	95,000				SB from TM funds, 2021
	<input checked="" type="checkbox"/> Buy-down 135 Baker Ave. unit	38,000	38,000				CMAHT, 2023
	<input type="checkbox"/> Other (specify):	?		?	?	?	
13. Concord Housing Authority units (47-48)	<input checked="" type="checkbox"/> Gerow Feasibility	50,000	50,000				SB from TM funds, 2019
	<input type="checkbox"/> Other (specify):			?	?	?	
14. Services for seniors, low income (48-49)	<input type="checkbox"/> CHDC small grant program ^v	50,000	-	25,000?	25,000?	?	Not CPA-eligible
	<input type="checkbox"/> Town rental assistance ^{vi}	50,000		?	?	?	
TOTALS							

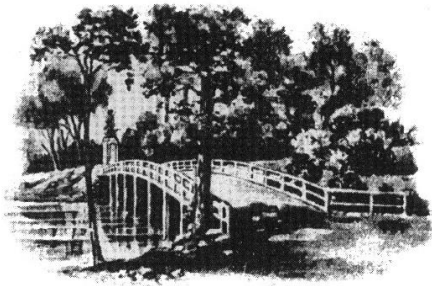


DRAFT WORKSHEET FOR ROUNDTABLE CONSENSUS: IDENTIFYING HPP PROJECT FUNDING SOURCES

- **Concord Municipal Affordable Housing Trust:** \$3,123,140 current balance
 - *Which projects should be invited to submit full applications to CMAHT to move forward this fiscal year?*
 - *What Trust funds should be reserved for projects ready to apply later?*
- **Free Cash** - \$0 for 2024 ATM, we're told
- **Community Preservation Fund:**
 - *What sum can CPC make available for housing in upcoming round?*
 - *What applications should be made to CPC for funding at 2024 ATM?*
- **Town ARPA Funds?** *Can Select Board make any sum available for HPP?*
- **State or Federal grants?** *What opportunities can the Town pursue for HPP?*
- **State Legislation?** Real estate transfer fee & building permit surcharge home rule petitions, statewide local option bills for transfer fee filed - prognosis uncertain.

<i>Sources of Funding</i>	<i>Available FY 2024</i>	<i>Projected FY 2025</i>	<i>Projected FY 2026</i>
CMAHT fund balance ^{vii}	\$3,123,140		
Free Cash ^{viii}		\$0	?
CPA CH annual appropriation ^{ix}		?	
Town ARPA funds? ^x	?	?	?
State grant opportunities? ^{xi}	?	?	?
Transfer fee, bldg. permit fee? ^{xii}			?





OLD NORTH BRIDGE

TOWN OF CONCORD

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

To: Concord Housing Roundtable partners— *Select Board, Community Preservation Committee, Concord Housing Development Corporation, Concord Housing Authority, Concord Housing Foundation, and Planning Board*

From: Concord Municipal Affordable Housing Trust c/o chair Keith Bergman

CC: Town staff, RHSO

Date: August 11, 2023

SUBJ: Reaching consensus at August 16th Housing Roundtable on spending priorities to implement Housing Production Plan production strategies – revised draft worksheet

Concord Municipal Affordable Housing Trust members look forward to meeting with our Housing Roundtable partners on [Wednesday, August 16, 2023 at 7 pm on Zoom](#) to jointly review progress on implementing strategies in the [Housing Production Plan](#). In preparation, the Trust has been compiling revenue and cost estimates for a revised draft HPP implementation funding plan worksheet (attached) as a suggested framework for Roundtable partners to try to reach consensus on spending priorities for Trust and other affordable housing funds, in order to put those funds to work. This updated draft worksheet seeks to identify:

- **Potential affordable housing projects which could proceed in the near future**—including CHDC’s Assabet River Bluff (3 new units) and Junction Village properties; 1.4-acre surplus State property at 91B Main Street; NOVO Riverside Commons 40B at 300-310 Baker Avenue; and feasibility of specific sites which may become available.
- **Potential funding sources available now or soon** – including
 - (1) CMAHT’s uncommitted fund balance of \$3,123,140;
 - (2) whatever sum the Community Preservation Committee makes available for community housing in its FY 2025 funding round—*for which applications are due September 8th*;
 - (3) whatever sum the Select Board makes available from remaining Town ARPA funds; and
 - (4) whatever State or Federal grant opportunities the Town can pursue.Free cash, we’re told, will not be available at the 2024 ATM. The Town has refiled home rule petitions with the State for a real estate transfer fee and a building permit surcharge to fund the Trust; however, until one or both is enacted, the Trust would need to go back to town meeting for any additional funding needed to act quickly as opportunities arise.
- **Proposed project selection criteria**, including being listed in the Housing Production Plan; adding units to the Subsidized Housing Inventory; leveraging non-Town funding, location on Town owned or acquired property; and availability of sewer.

Please let us know what questions you have about any of this. Thanks very much.

Enclosure

TOWN OF CONCORD – HOUSING PRODUCTION PLAN – IMPLEMENTATION

DRAFT FUNDING WORKSHEET – Projects by HPP Strategy - funded to date, proposed for FY 2024 & Beyond

HPP Strategy (HPP pp.)	Project(s) [See end notes, below]	Project Amount	Previously funded	FY 2024	FY 2025	Beyond	Source(s); comment
1. Assabet River Bluff - 5 SHI units (pp. 28-29)	<input checked="" type="checkbox"/> Assabet River Bluff acquire land	\$1,000,000	\$1,000,000				CMAHT/CPA/CHF, 2022
	<input checked="" type="checkbox"/> Assabet – phase 2 funding	500,000	500,000				CPA 2023
	<input type="checkbox"/> Assabet – develop 3 units ⁱ	1,500,000	-	?	?		CMAHT and/or CPA
2. Junction Village (30-31)	<input type="checkbox"/> Junction Village pre-develop ⁱⁱ	50,000		?	?		CMAHT?
	<input type="checkbox"/> Junction Village development	?			?	?	
3. Other land to create SHI units (32, 35)	<input checked="" type="checkbox"/> 930 Main St. – 2 units	150,000	150,000				SB from TM funds, 2019
	<input type="checkbox"/> 300-310 Baker Ave 40B ⁱⁱⁱ	?	-	?	?	?	CMAHT?
	<input type="checkbox"/> 91B Main St. State surplus ^{iv}	?	-	?	?	?	
	<input type="checkbox"/> Feasibility: specific site(s)	100,000		?	?	?	CMAHT
	<input type="checkbox"/> Other (specify):	?		?	?	?	
4. SHI units in private developments (32-33)	<input checked="" type="checkbox"/> Preserve Emerson Avenue unit	95,000	95,000				SB from TM funds, 2021
	<input checked="" type="checkbox"/> Buy-down 135 Baker Ave. unit	38,000	38,000				CMAHT, 2023
	<input type="checkbox"/> Other (specify):	?		?	?	?	
13. Concord Housing Authority units (47-48)	<input checked="" type="checkbox"/> Gerow Feasibility	50,000	50,000				SB from TM funds, 2019
	<input type="checkbox"/> Other (specify):			?	?	?	
14. Services for seniors, low income (48-49)	<input type="checkbox"/> CHDC small grant program ^v	50,000	-	25,000?	25,000?	?	Not CPA-eligible
	<input type="checkbox"/> Town rental assistance ^{vi}	50,000		?	?	?	
TOTALS							

Sources of Funding	Available FY 2024	Projected FY 2025	Projected FY 2026
CMAHT fund balance ^{vii}	\$3,123,140		
Free Cash ^{viii}		\$0	?
CPA CH annual appropriation ^{ix}		?	
Town ARPA funds ^x	?	?	?
State grant opportunities ^{xi}	?	?	?
Transfer fee, bldg. permit fee ^{xii}			?

Include as project selection criteria?

<input type="checkbox"/>	Listed in Housing Production Plan
<input type="checkbox"/>	Adds to Subsidized Housing Inventory
<input type="checkbox"/>	Leverages non-Town funding
<input type="checkbox"/>	On property Town owns/acquired
<input type="checkbox"/>	Sewer availability
<input type="checkbox"/>	Offers deeper affordability
<input type="checkbox"/>	Other (specify):
<input type="checkbox"/>	Other (specify):

See Housing Production Plan pp. 28-57 for description of all 24 housing strategies

DRAFT - 8/11/2023

TOWN OF CONCORD – HOUSING PRODUCTION PLAN – IMPLEMENTATION

- ⁱ [Assabet River Bluff](#) is a one-acre parcel acquired for \$1,000,000 for 5 affordable housing units, with an existing 2-family structure and adjacent land on which 3 new units could be constructed. \$500,000 has been appropriated for phase 1 development, and CHDC seeks \$1.5- million in additional funding to complete development of 3 affordable ownership units. CHDC is preparing to issue an RFP for a developer. Listed in HPP as Strategy #1.
- ⁱⁱ [Junction Village](#) is a 12-acre parcel adjacent to MCI-Concord at the end of Winthrop Street. The property was acquired by CHDC from the state for affordable housing and open space purposes. CHDC seeks \$50,000 in pre-development funding. Additional funding would be sought after a developer is selected. Listed in HPP as Strategy #2.
- ⁱⁱⁱ [300-310 Baker Avenue 40B- NOVO Riverside Commons project](#) proposes 201 rental units, of which 51 (25%) would be deed-restricted at up to 80% of AMI, allowing all 201 units to count on Concord's Subsidized Housing Inventory. The developer told the Select Board on 7/24/23 that NOVO may ask the Town to defray the 51 affordable units' share of the \$1,500,000 sewer improvement fee for the project. 25% of that fee would be \$375,000. The Select Board has indicated its interest in negotiating a Host Community Agreement with the developer to explore this and other issues. Property listed in HPP Strategy #3.
- ^{iv} [91B Main Street surplus state property](#) is a 1.4-acre surplus state property appraised at between \$620,000 and \$690,000, with Town sewer availability. Town officials have been told by MassDOT that the property might be able to be acquired for less than market value for affordable housing purposes if the Federal Highway Administration concurs; and the Town is pursuing this through its legislative delegation. Property listed in HPP Strategy #3.
- ^v [CHDC Small Grant Program](#) – CHDC requests \$50,000 to fund its small grant program, which is depleted and not eligible for CPA funding. Listed in HPP Strategy #14.
- ^{vi} [Town rental assistance program](#) – The Town's Community Services Coordinator requests \$50,000 for a rental assistance program. The Hugh Cargill Trust may also be interested in a similar program. The Housing Production Plan does not include specific mention of a rental assistance program, although it would seem to fall under HPP Strategy #14, services for seniors and low-income households.
- ^{vii} [CMAHT Fund Balance](#) - \$4,106,140.35 has been deposited in the Trust since Town Meeting began setting aside funds in 2019— including \$2,044,255.76 transferred at 2023 ATM from prior appropriations for Christopher Heights. \$983,000 has been committed for creation and support of 10 affordable units, leaving a current uncommitted balance of \$3,123,140.35. Further Trust funding would require votes of town meeting, or State approval of home rule petition(s) noted below.
- ^{viii} [Free Cash](#) - \$500,000 annual appropriations for the Trust were transferred from certified free cash at the 2019, 2020, 2021, and 2022 ATMs—with 2022's sum back filled by ARPA funds. There was no appropriation from free cash at the 2023 ATM; and none is forecast for 2024 ATM.
- ^{ix} [CPA Community Housing annual appropriation](#) - The Administration reports that projected CPA revenues for the 2024 ATM (FY 2025) will become available in November 2023 from the Town of Concord's Finance Department. The CPA Act provides that a minimum of 10% must be allocated to each of the three categories: community housing, open space, and historic preservation. The [CPC Plan for 2023](#) reported that community housing accounted for 21% of total CPA funds distributed from 2006 through 2022 ATM. The 2023 ATM appropriated \$533,000 for community housing-- 28.9% of the total \$1,839,680 in CPA funds appropriated for FY 2024.
- ^x [Town ARPA Funds](#) - The Administration reports that \$30,000 has been committed from the Town's ARPA funds for "affordable housing - develop inventory of all potential units to be added to SHI." It is unclear whether additional Town ARPA funds would be available for affordable housing.
- ^{xi} [State Grant Opportunities](#) – The Town has applied for funding through the [Community One-Stop for Growth](#) for a wastewater feasibility study, to remove barriers to the production of affordable housing. Concord can obtain [Housing Choice Designation](#)-- with access to Housing Choice Community Grants and preferential treatment for many state grant and capital funding programs-- once it produces a 3% increase in new year-round housing units over the last 5 years—which NOVO Riverside Commons would help secure..
- ^{xii} [Real Estate Transfer fee / Building Permit Surcharge](#) – The Town has refiled home rule petitions with the State for two dedicated funding sources for the Trust-- [H.2729](#), for a local building permit fee surcharge; and [H.2730](#), for a real estate transfer fee. The former might raise between \$344,000 and \$574,000 per year; the latter, \$1,900,000 per year. Both bills are currently before the Joint Committee on Revenue. In addition, there are statewide local option bills also under consideration. One is the LOHA (Local Options for Housing Affordability) Coalition's [H.2747](#) and [S.1771](#), cosponsored by Concord's legislators; another is [S.1786](#), filed by Cape & Islands Senator Julian Cyr, which LOHA is reviewing.



The Honorable Governor Maura Healey
Office of Constituent Services
Massachusetts State House, 24 Beacon St.
Office of the Governor, Room 280
Boston, MA 02133

August 7, 2023

RE: Proposed North Airfield Expansion at Hanscom Airport and Contradiction to Commonwealth's Climate Goals

Dear Governor Healey,

We, the undersigned Select Boards of Bedford, Concord, Lexington, and Lincoln, extend our appreciation for the bold and ambitious Climate Goals you have set forth for our Commonwealth. We write to bring your attention to a pressing environmental concern regarding the proposed North Airfield Expansion at Hanscom Airport and its potential contradiction to the state's climate objectives.

At the forefront, we must address the critical issue of greenhouse gas emissions. While this expansion project may be in our backyards, we recognize that carbon emissions impact the atmosphere regardless of their origin. We respectfully request your support in opposing any private jet hangar expansion at Hanscom or elsewhere, emphasizing the urgent need for all sectors, in all locations, to work collaboratively towards reducing CO2 emissions.

Our towns have been diligently working hand-in-hand with the State government to achieve our greenhouse gas emission reduction targets by 2030, and we have made significant progress. However, the proposed North Airfield expansion would undermine these efforts, exacerbating greenhouse gas emissions and directly contradicting the climate goals pursued by our towns, the Commonwealth, and the nation. Furthermore, this expansion stands in stark contrast to Massport's own Master Plan of 1978 and the MAPC MetroCommon 2050 plan. It undermines Massport's goal of zero greenhouse gas impacts by 2031, a commitment acknowledged in the project's ENF. Although Massport doesn't regulate individual airplanes, excluding reduced carbon emissions goals from the airplanes using its facilities seems inconsistent with setting these goals.

In light of the above, we humbly appeal to your leadership and authority to limit the expansion of private jet capacity at Hanscom Airport or any other airport in the state. Taking such a stand would send a resolute message to Massport and other airport owners that these expansions are incongruent with the drastic and unprecedented steps we must take to reduce CO2 emissions.

To address this matter effectively, we respectfully request your attention to the following actions over the coming months:

- Ensure a comprehensive and accurate Environmental Impact Review (EIR) takes place, with specific focus on climate change and the carbon footprint. The EIR should incorporate a comprehensive public cost/benefit analysis, addressing noise levels, air quality, vehicle traffic, impacts on rare species, and effects on the local economy.
- Give serious consideration to the environmental justice implications of this project and, based on such considerations, exercise the full extent of your powers to halt Massport's expansion plans for private jet capacity at Hanscom Field.
- If additional hangars are to be constructed at Hanscom, we request that the proponent provides a concrete plan for a reduction in ferry flights, backed by specific and verifiable data. A comprehensive and enforceable strategy should be formulated, involving local authorities, to ensure that there is no increase in the number of flights, the size of the jets, or the cumulative carbon footprint. Collaboration with the relevant state and local agencies will be essential to establish regulations and a monitoring process to achieve these goals..

We, the undersigned Select Boards, stand ready to join forces with you in this crucial endeavor to combat climate change. Please inform us of specific actions we can collectively undertake to support this cause.

Sincerely yours,

Bedford Select Board

_____	_____	_____
BOPHA MALONE, CHAIR	SHAWN HANEGAN	MARGOT FLEISCHMAN
_____	_____	
EMILY MITCHELL	PAUL MORTENSON	

Concord Select Board

_____	_____	_____
HENRY DANE, CHAIR	MARY HARTMAN	TERRI ACKERMAN
_____	_____	
LINDA ESCOBEDO	MARK HOWELL	

Lexington Select Board

_____	_____	_____
JOSEPH N. PATO, CHAIR	SUZANNE E. BARRY	DOUGLAS M. LUCENTE
_____	_____	
JILL I. HAI	MARK D. SANDEEN	

Lincoln Select Board

_____	_____	_____
JAMES HUTCHINSON, CHAIR	JENNIFER GLASS	KIMBERLY BODNAR

CC:

Ms. Gina Fiandaca,
Secretary and CEO of MassDOT
MassDOT Board of Directors
10 Park Plaza
Boston, MA 02116

Secretary Rebecca Tepper
Executive Office of Energy and Environmental
Affairs
100 Cambridge St., 9th Floor
Boston, MA 02114

Lisa S. Wieland, CEO, Massport
Patricia Jacobs, Chair, Massport Board of Directors
Melissa Hoffer, Office of Climate Innovation and Resilience
Senator Elizabeth Warren
Senator Ed Markey
Congresswoman Katherine M. Clark
Congresswoman Lori Trahan
Congressman Seth Moulton
Sen. Cindy F. Friedman
Sen. Michael J. Barrett
Rep. Michelle L. Ciccolo
Rep. Kenneth I. Gordon
Rep. Simon Cataldo
Rep. Carmine Gentile
Rep. Tom Stanley
Town of Lexington, Town Meeting Members

----- Forwarded Message -----

From: Quiet Communities <info@quietcommunities.org>

Sent: Saturday, August 5, 2023 at 12:51:06 PM EDT

Subject: Important: Tell your story now to the FAA - The power of personal narrative

TELL THE FEDERAL AVIATION ADMINISTRATION (FAA) ABOUT YOUR LIVED EXPERIENCE WITH AVIATION NOISE

With the FAA under pressure to update its noise policies, **it is extremely important for the FAA to hear your personal “lived experience” with aviation noise. The FAA has clearly stated that it will use the information it receives through public comments to inform its updated noise policy and metrics for determining “significant impact” and appropriate land use going forward.**

- Submit online: <https://www.regulations.gov/commenton/FAA-2023-0855-0001>
- Details on submitting by fax and mail are below.
- Deadline: September 29, 2023 at 11:59 PM ET, but we strongly encourage submitting well before the deadline

Here are some components to consider including:

Provide detailed, information-rich comments. **The FAA states that “a constructive, information-rich comment that clearly communicates and supports its claims is more likely to have an impact on regulatory decision making.”**

Characterize the problem

- Types and number of flights (general aviation, commercial jets, helicopters, private jets, etc.)
- Proximity to airport
- Times of day of flights (day, night)
- Frequency of flights (how many per day & how many per hour, esp. during the busiest times)
- Altitude of flights (provide a range if known)
- Experience of noise inside the home as well as outdoors
- Concerns about emerging aircraft (e.g., drones, air taxis)

Describe the Impacts on you, your family, your neighborhood - PROVIDE SPECIFIC DETAILS

- Sleep interruption and/or disruption
- Physical and mental health and well-being
- Emotional impacts
- Work, learning, concentrating
- Effects on children – their ability to learn, concentrate, play

- Optional: Is the average annual sound level of 65 decibels (DNL 65) sufficient to protect you from the impacts you experience?

If you have tried to complain or get help:

- What has been the response?
- Was the response helpful
- How did it make you feel?

What would you like to see done to mitigate the problem?

EXTREMELY IMPORTANT: Conclude by stating that you hope and expect the FAA will adopt a new noise policy and new metrics that protect overflowed communities and near-airport communities from harm based on the lived experience of people like you!

The DEADLINE to send your comment is September 29, 2023 at 11:59 PM ET.

To submit online, or by mail or fax:

- Submit online: <https://www.regulations.gov/commenton/FAA-2023-0855-0001>
- Mail to: Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.
- Fax to: Docket Operations at 202-493-2251
- **Make sure your submission includes Docket Number FAA-2023-0855.**

Thank you – Quiet American Skies, a program of Quiet Communities

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QC, a nonprofit 501(c)(3) organization, is dedicated to helping communities reduce health and environmental harm from noise and pollution. [Join Us. Donate today.](#)

Town Manager Goals & Objectives - FY24

(Last Revised August 27, 2023)

CATEGORY	GOAL/OBJECTIVE	ACTION ITEMS	STATUS
Organizational Resilience	<i>Maintain a comprehensive compensation system that attracts and retains a highly competent municipal workforce.</i>	1. In conjunction with the Personnel Board, complete review of recommendations from Personnel Study Task Force report and finalize list of next steps and implementation timetable.	FY23 Carry Forward
		2. Develop a compensation strategy that aligns with the FY25 budget planning process and future years.	New
		3. Analyze the employee benefits package to identify gaps, strategies and programs that will help to attract and retain qualified personnel.	FY23 Carry Forward
		4. Analyze all Collective Bargaining Agreements, identify needed adjustments and prepare for upcoming negotiations for all CBA's expiring on June 30, 2024.	New
		5. Identify and document recruitment strategy and develop recruitment materials which highlight Concord as employer of choice, with a specific focus on inclusion. Establish employee task force to help.	New
	<i>Deliver high quality public services supported by a strong organizational structure that values efficient operations, effective management and sustainable practices.</i>	6. Fill staff vacancies; continue review organizational structure to determine if current alignment is optimal.	FY23 Carry Forward
		7. Review management and reporting structure to ensure efficient and effective operations; to enhance communications; to support optimal organizational performance; and to ensure the efficient delivery of public services.	FY23 Carry Forward
		8. Develop a long-term plan, including strategies for training, professional development and succession planning, that can guide future decision-making and supports a highly competent municipal workforce.	FY23 Carry Forward
	<i>Maintain a workforce that actively engages its knowledge, skill and talents to promote Concord's success and to deliver excellent municipal services.</i>	9. Provide regular in-house training opportunities for employees with topics that are in alignment with the Select Board's Statement of Vision and Values, promote exceptional customer service delivery model.	FY23 Carry Forward
		10. Finalize and implement "Remote Work Policy" designed to balance the provision of excellent public service and municipal operations with the needs and desires of a modern workforce.	FY23 Carry Forward
CATEGORY	GOAL/OBJECTIVE	ACTION ITEMS	STATUS
Diversity, Equity, Inclusion and Belonging	<i>Support, promote and engage economic, social, racial and cultural diversity and inclusion in the Town of Concord.</i>	11. Review May 2023 DEI Needs Assessment, develop a strategic plan that will move the Town from being (merely) EEO-compliant, to one that integrates and leverages differences to create business value; and begin implementation of plan.	New
		12. Complete a review and assessment of internal policies and practices; Identify opportunities to improve diversity, equity and inclusion efforts.	FY23 Carry Forward
		13. Continue monthly "Tea with Town Manager" providing employees with regular opportunity to connect with management outside of formal protocol.	New
		14. In conjunction with internal Professional Development Committee, institute monthly diversity training program for employees; utilize existing resources, including current employees. Rotate training venues and modalities.	New
		15. Work in collaboration with the DEI Commission to research and implement diversity, equity, and inclusion best practices for Town operations.	Ongoing
CATEGORY	GOAL/OBJECTIVE	ACTION ITEMS	STATUS
Effective Governance and Communications	<i>Support town governance by fostering effective meeting management methods.</i>	16. Evaluate automated agenda management systems to improve efficiency, functionality, and access to information; Identify resources to support Town volunteers with scheduling, facilities, compliance, training & access to information.	FY23 Carry Forward
		17. Institute monthly management team meetings, inclusive of SMT and division managers; work from formal agenda, providing specific opportunities for division managers to make presentations and be directly involved in problem solving.	New
	<i>Facilitate effective communications between Town departments.</i>	18. Coordinate a review of the website to ensure accuracy of information; inclusion of key documents; and that it meets our functionality, utility & communication needs.	FY23 Carry Forward
		19. Coordinate a review of Town information to confirm Committee charges, board membership, names of officers, and ensures that contact information is up to date.	Ongoing
	<i>Foster information sharing between the Town and Concord residents.</i>	20. Review all Select Board staff liaison assignments, volunteer terms, and vacancies to ensure accuracy with the Town Volunteer Database.	Ongoing
		21. Review Board and Committee operations to evaluate systems, ensure that efficient practices are in place, ensure each board and committee has a staff liaison, and recommend new procedures if needed.	Ongoing
CATEGORY	GOAL/OBJECTIVE	ACTION ITEMS	STATUS
Financial Resiliency	<i>Promote fiscal responsibility and financial sustainability.</i>	22. Plan and allocate remaining ARPA Funds; Ensure that FY25 ARPA Funds are included as a funding resource for the FY25 Budget and Capital Planning processes.	New
		23. Develop Five-Year Capital Plan for FY2025-FY2029; Include major projects, cost estimates, debt forecast and tax burden projections.	New
		24. Develop 5 and 10 Year Financial Forecasts of revenue and Non-Guidelines Expense and highlighting projection of "Available for Guidelines" to share with Finance Committee.	New
		25. In conjunction with the cross-departmental Risk Management Committee, develop a town-wide Risk Management strategy; work closely with CPS/ CCRSD to help identify and mitigate risk.	New
		26. Continue to aggressively monitor and track all grant opportunities, applying for those that meet agreed upon business need.	New
CATEGORY	GOAL/OBJECTIVE	ACTION ITEMS	STATUS
Regional and State Interests	<i>Advance Concord's interests in the region and the Commonwealth.</i>	27. Continue to develop relationships with state and federal legislative delegation & staff, state leaders and municipal colleagues.	New
		28. Continue work with MWRA and neighboring communities to investigate the feasibility of regional water.	New
CATEGORY	GOAL/OBJECTIVE	ACTION ITEMS	STATUS
Economic Vitality & Strategic Planning	<i>Promote the economic vitality of the Town. Ensure implementation of recommendations, goals and objectives of key planning documents.</i>	29. In conjunction with task force, research and report on the potential acquisition of 2229 Main Street, including insurance costs, risk implications and next steps.	FY23 Carry Forward
		30. Implement strategies, innovations & staffing models to streamline permitting and regulatory processes in support of businesses, residents and visitors of Concord.	FY23 Carry Forward
		31. Identify and develop strategy to ensure implementation of recommendations, goals and objectives of key planning documents and a mechanism to track the same.	New

Town Manager's Office

- Provide consistent high-quality services to the Select Board, residents, and community partners.
- Continue onboarding processes for new Town Manager's Office staff, which includes additional trainings and informational sessions relative to Concord's form of government, Bylaws, and the Town Charter.
- Develop further department-specific action plans to guide activities in various Town departments in a manner that is consistent with the missions and goals outlined in the Envision Concord strategic plan finalized in July of 2018.
- Support department work by providing guidance and clarity regarding varied missions, objectives, and priorities as well as collaborate with members of the Senior Management Team to tackle town-wide administrative and personnel policy updates as needed or dictated by statute.

Town Meeting and Reports

- Produce high-quality reports for the citizens of Concord that are informative, approachable, and compliant with both statutory requirements and the Town's fiduciary responsibilities.
- Fulfill all local and statutory requirements related to Town meeting notifications, hearings, and processes.

Resource Sustainability

- Apply for grant funding and conduct research to assist with the implementation of the community-wide climate action and resilience plan.
- Host another University of New Hampshire Sustainability Fellow to expand community engagement capacity and effectiveness.
- Continue to electrify and reduce energy consumption in Town buildings and vehicle fleets.
- Track and report progress toward Town-wide sustainability goals.

Facilities Administration

- Ensure Town buildings are maintained in a manner that provides a safe working environment for staff and an accessible and inviting atmosphere for residents and guests to conduct business.
- Safeguard public recreational facilities by maintaining them to the highest standard of care while ensuring equal access for all persons regardless of age and ability.
- Continue to administer the Green Communities Program to aid the Town in its energy reduction goals while incorporating greening initiatives and programs for new and retrofitted construction within historical buildings.

FY24 DEPARTMENT GOALS

Town of Concord, MA

- Start work on improving resiliency by establishing strategic partnerships with regulatory and other funding agencies.

Human Resources

- Implement a new classification and compensation plan for regular-status, non-union positions.
- Update job descriptions for regular -status, non-union positions and implement system for accessibility and regular review by employees.
- Continue to evaluate and modify HR policies and practices to reduce biases and improve equity and inclusion.
- Support the Town Manager in continuing the organization’s diversity, equity, inclusion, and belonging journey.
- Improve upon methods of promoting the Town as an employer.
- Continue collaborations with CIO to identify and implement opportunities to streamline processes and workflows.

Information Systems

- Work on improving cellular coverage throughout the Town of Concord.
- Expand the onboarding resources available to new hires.
- Work with the Risk Committee to roll out a Town-wide policy management system.
- Conduct end-user trainings on best practices, cybersecurity, or basic business applications.
- Continue to support the technology needs of all Town departments.

Finance Department

- Preserve the Aaa credit rating from Moody’s Investors Service.
- Maintain a certified Free Cash level above the 5.0% annual threshold.
- Maintain a rate of collected taxes greater than 99% as of June 30th.
- Earn the GFOA’s Certificate of Achievement for Excellence in Financial Reporting (COA).
- Earn the GFOA’s Distinguished Budget Presentation Award.
- Receive clean audit opinion from an outside audit firm.
- Successfully administer federal, state, and local elections in Town.
- Manage \$5.6 million in American Rescue Plan Act (ARPA) funds.
- Complete the implementation and “go live” with Munis, the new ERP software, with the Financial Modules operational in April 2023 and the Tax Modules operational in May 2024.
- Explore whether the Town should implement Munis modules for processing payroll.
- Promote fiscal transparency.

- Sustain organizational excellence and customer service.

Long-Term Plans

- Continue sound fiscal management of the Town's finances.
- Maintain the Aaa credit rating from Moody's Investors Services.
- Continue to receive a clean opinion from an outside audit firm.
- Receive recognition for excellence for the audited financial statements and budget book.
- Implement Munis modules for processing payroll if feasible.

Planning

- Coordinate with the project consultant on the continued advancement of the 25% to 75% design and engineering plans and permitting for the Assabet River Bridge and Trail in West Concord.
- Work with Town staff, Transportation Advisory Committee members and other stakeholders on the development of a Comprehensive Transportation Study.
- Continue working with consultants to implement on-line applications and permitting. Work continues to implement e-permitting for Natural Resources, Select Board, Town Clerk, Water and Sewer, Planning Board, and Zoning Board of Appeals.
- Identify and work with a project consultant, Town staff and the Planning Board on updating the 2007 Subdivision Rules & Regulations to be better aligned with current construction practices and the Town's sustainability goals.
- Work with the Planning Board on developing new Site Plan Rules & Regulations to provide guidance to project proponents on meeting the Zoning Bylaw Site Plan Criteria.
- Identify and work with a project consultant and the Historical Commission (CHC) on the creation of a Concord's Historic Preservation Plan.
- Support the Historic Districts Commission (HDC) and CHC on researching the potential extension or creation of more Local Historic Districts.
- Work with the Concord Center and the West Concord Junction Cultural Districts to complete projects to support the arts, culture, and economic recovery through a grant from the Massachusetts Cultural Council.
- Continue to provide support to the Bruce Freeman Rail Trail Advisory Committee and local coordination of Phase 2D construction of the last ½ mile in Concord.
- Continue administrative support of the Regional Housing Services Office in the monitoring and promotion of affordable housing in the community.

Natural Resources

- Provide efficient and consistent regulatory guidance to the public.
- Work with stakeholders to pursue acquisitions of land prioritized for conservation purposes.
- Maintain and improve stewardship of conservation lands for current and future generations.
- Maintain and improve farming opportunities for local farmers.
- Engage local stewards to assist with land management and protection.
- Evaluate conservation trails to support appropriate uses.
- Continue to foster coalitions to develop and connect pollinator meadows.
- Continue local and regional invasive species removal efforts.
- Work with the Health Division to manage water quality testing and cyanobacteria treatment at White Pond.
- Evaluate additional opportunities for Warner’s Pond restoration, plan and implement a community-supported approach.
- Complete Conservation Restrictions over portions of R.W. Emerson Memorial Association land, Hatch Farm, Hosmer Meadow, Concord Millrun, and 2142 and 2160 Main Street.
- Prepare update of the Open Space and Recreation Plan.
- Undertake in-house improvements to Chamberlin Park bridge.
- Design and implement an All Persons Trail at the newly acquired Assabet River Bluff; install signage, coordinate invasives removal efforts.
- Establish a Biodiversity Committee to protect the region’s diversity of species, assist in conservation land planning and management, and to maintain life-supporting systems and essential ecological processes.
- Inspections
- Continue to support implementation of on-line permitting applications, which will help streamline the process of tracking other Town Departments’ requirements and special permit conditions.
- Initiate conversion of hard copies of street file paperwork to digital records.
- In a professional manner, continue to assist Concord residents, builders, architects, and others with their building code and zoning by-law questions.
- Enforce building, electrical, plumbing, gas, and mechanical codes, 521 CMR: Architectural Access Board Regulations, and all of Concord’s zoning and sign by-Laws.
- Review building plans, issue permits, and perform inspections on all residential and commercial projects.
- Respond to all zoning complaints and perform any necessary enforcement on such complaints.

FY24 DEPARTMENT GOALS

Town of Concord, MA

- Inspect all buildings that require a Certificate of Inspection in accordance with 780 CMR Chapter 1 of the Ninth Edition of Massachusetts State Building Code.
- Review and endorse all Zoning Board of Appeals (ZBA) applications while providing continued support to the ZBA.

Health

- Ensure compliance with all applicable local and state laws and regulations and Town Bylaws relating to Public Health.
- Work with Concord Public Schools and the community at-large on programs to address the mental health impacts of the pandemic including vaping and smoking education and prevention efforts, combatting stress, restorative sleep, and mindfulness, etc.
- Provide technical guidance and support to the Board of Health.
- Continue development of a robust Public Health Nursing Program to include Public Health Emergency Planning, an active Medical Reserve Corps, communicable disease response, and proactive health and wellness programming.
- Contribute to Town's sustainability and climate resilience efforts in areas where these relate to Public Health Emergency Planning.
- Work with Natural Resources staff, consultants, and the community to continue efforts to improve water quality at White Pond.
- Provide guidance, participation, and leadership with six neighboring communities in the "Great Meadows Regional Health Collaborative" as funded through a Massachusetts Public Health Excellence for Shared Services Grant.
- Continue to provide Public Health Inspectional Services via an intermunicipal contract with the Town of Lincoln.

Economic Vitality and Tourism

- Expand on the success of the past year by continuing to grow the Tour program, involving more Concord businesses and offering new and innovative approaches to Concord's diverse history.
- Create a meaningful and sustainable educational tour program by reaching out to more bus companies, hosting FAM (familiarization) tours, and working with various Convention and Visitor Bureaus in this region.
- Continue the successful program with the Minute Man National Historical Park to share staff and knowledge resources, with potential to expand tour efforts to include the Wayside.
- Support collaboration between cultural organizations, historical groups, and local businesses through creating programs and tours with multiple partners and supporting complementary events.

FY24 DEPARTMENT GOALS

Town of Concord, MA

- Promote education and awareness among residents, Town officials, and the business community relative to Concord's unique historical and cultural offerings by identifying resources that may be less familiar to residents and visitors.
- Continue to work with regional partners on marketing campaigns that increase visibility and awareness of all this region has to offer. Based on the success of a campaign with Lexington, continue to think creatively to leverage all cultural and historical resources.
- After the enthusiastic response to the Concord Trolley in 2022, continue efforts to identify funding for a sustainable transportation program as imagined in Envision Concord, a transit system that will benefit tourists/visitors, residents, employers, and employees that will address specific needs for first mile/last mile transportation, congestion reduction, and better access for persons with disabilities.
- Continue to offer a bike share program with locations in both Concord Center and West Concord to encourage fitness, recreation, and alternative local transportation.

141 Keyes Road

- Research options and seek approval to replace the doors at the main entry to improve heat retention (Historic Districts Certificate of Appropriateness required).
- Address building walkway and handicapped access to the main entrance.
- Consider renovations to the existing public restrooms.

Library

- Wrap up a yearlong celebration of the Library's sesquicentennial anniversary, with a re-dedication event planned for October 1, 2023, in collaboration with the Selectboard, Town Manager, Library Corporation, Friends of the Library and Library Committee.
- Work with the Library Committee to update the Library's Long-Range Plan and annual action plan.
- Continue to collaborate with the Library Corporation and the Friends of the Concord Free Public Library on programmatic initiatives such as a new speaker series in the Goodwin Forum and the Concord Festival of Authors.
- Continue to implement the recommendations outlined in the Library Corporation's Sustainability Plan.
- Open The Workshop, the Library's new makerspace designed to let Concord residents get hands-on experience with 3D printing, laser cutting, sublimation printing, sewing, embroidering, A/V editing, and more.
- Curate and host an art exhibit in collaboration with the Concord Museum, showcasing the holdings of Special collections and celebrating the Library's 150th Anniversary.

FY24 DEPARTMENT GOALS

Town of Concord, MA

- Relaunch a more robust Library of Things collection that will provide opportunities for patrons to take learning opportunities home in the form of non-traditional items.
- Evaluate layout and organization of library collections to better serve library users.

Senior Services (Council on Aging)

- Offer new and varied exercise programs to encourage physical activity.
- Support and promote volunteer opportunities for seniors.
- Collaborate with Town departments, non-profit partners and outside resources to identify and address the community's changing needs and gaps as they relate to our senior population.
- Survey the impact of age discrimination on seniors in Town.
- Endorse projects and programs that support and enable the inclusion of senior voices.
- Participate in town-wide public health focus group(s) to help identify, assess, and address post-pandemic community needs of Concord's current and future aging population, including mental health issues, wellness needs, substance misuse/abuse, public safety, etc.

Long-Term Plans

Library

- Collaborate with the Library Corporation and the Friends of the Concord Free Public Library on programmatic initiatives such as the speaker series for the Goodwin Forum, Concord Festival of Authors, and Diversity, Equity, and Inclusion.
- Work with the community, Town, Schools, Library Corporation, Library Committee, and Friends of the Library to incorporate diversity, equity, and inclusion priorities into the library's Long-Range Plan and operations.
- In close collaboration with community partners and the Library Corporation, implement recommendations outlined in the Library Corporation's Sustainability Plan.
- Identify ways to bring Special Collections to a broader audience within the community such as working with Concord Public Schools to explore ways to integrate local primary source material into the school curriculum.
- Support the Town 250th Committee by connecting members with appropriate Library resources.
- Plan special activities and programs at the Library in honor of the 250th anniversary of the historic battles of Concord and Lexington in 2025.

Public Safety

Police Department

- To initiate additional community policing initiatives.

FY24 DEPARTMENT GOALS

Town of Concord, MA

- Fully implement Professional Standards Software.
- Continue to work with the Town Manager to implement recommendations from the facilities study to replace the current Public Safety building.
- Attain accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA).
- Continue reducing fraud related crimes while identifying and assisting with successful prosecutions.
- Continue traffic enforcement initiatives throughout Concord while working with the Traffic Advisory Committee.
- Replace or improve department (RMS) Records Management System.

Fire Department

- Maintain readiness through high quality training.
- Continue to expand our fire prevention inspection program.
- Improve awareness of CPR and other life-saving techniques through public education.
- Conduct study to determine if our ambulance service should advance to the Advanced Life Support (ALS) level.

Emergency Management

- Continue to develop Emergency Operations Center model.
- Improve EOC technology.
- Conduct EOC trainings.
- Work with the Sustainability Director to update the Town's hazard mitigation plan. Long-Term Plans

Long Term Goals

Police Department

- Replace the current Police Fire Station with a contemporary facility to meet the needs of the Department and community.
- Continue recruiting, hiring, and retaining qualified candidates.

Fire Department

- Replace the current Fire Police Station with a facility that meets the needs of the community, the employees, and is appropriately designed with recruitment, retention and DEIB in mind.

Public Works

Public Works Administration

- Continue to evaluate tools and methodologies to augment and improve employee hiring, retainage, and diversity with due consideration of continuity and consistency.
- Ensure services provided by all Concord Public Works Divisions are appropriate, cost-effective, and of the highest quality.
- Update and educate community as to CPW capital improvement plans in accordance with the Selectboard's 5-year planning horizon.
- Complete CPW re-organization plan with attention placed on increased reliability and continuity of operations associated with the municipal solid waste and recycling program.
- Complete site access and security measures required around the Keyes Road municipal campus.
- Continue to adapt to evolving customer service needs in the wake of the post-pandemic expectations and routines. This will likely include ongoing reliance and augmentation of on-line services.
- Continue to track progress of work that is performed in concert with Envision Concord and Sustainability goals and principles.
- Continue to ensure Department participates in the early implementation of a Town-wide Permit Tracking system designed to improve customer service experiences while increasing inter-departmental coordination. Focus to be placed on Water/Sewer Division needs.
- Review and update the Department's occupational health and safety program to enhance awareness and compliance.
- Develop an Integrated Water Resource Management "framework" with consideration of community needs, values, and economic resources.
- Continue to evaluate long-term stormwater management needs for the community, including capital improvement budgets and potential funding sources.

Engineering

- Provide professional development for staff to stay current with industry standards and engineering tools and to obtain and maintain licensure.
- Issue street permits using Full Circle for work and occupancy in the public right of way.
- Continue updating the inventory and condition of street infrastructure in GIS.
- File "Year 5" annual MS4 report and complete tasks required for next period beginning July 1, 2023.

FY24 DEPARTMENT GOALS

Town of Concord, MA

- Review and refine multi-year plan for road pavement management program using updated data in StreetScan/Streetlogix.
- Develop public works FY24 infrastructure projects (roads, crack sealing, guardrails, traffic, drainage, striping, signing, etc.) through proper planning and design.
- Support the Department of Planning and Land Management and the Transportation Advisory Committee in the development of a Comprehensive Town Wide Transportation and Mobility Study.
- Provide contract administration on consultant and construction projects.
- Provide quality control on construction of public projects and permitted utility and private development work in the right-of-way.
- Continue managing work for the expansion of inter-department Work Order and Asset Management System.
- Continue to reassess GIS program in terms of completeness of data and how it serves Public Works and the public.
- Support other divisions and departments with engineering-related services that include surveying, project design, and plan and document reviews.
- Track and address requests from residents and from the general public.
- Prepare and present reports to boards, committees, and neighborhoods.
- Continue the development and refinement of capital plans. Apply for infrastructure grants.

Highway Maintenance

- Maintain and improve the Town's public ways, transportation infrastructure and storm water drainage system to protect the public way infrastructure and abutting environmental resources in an efficient, effective, and responsive manner.
- During winter weather events, maintain a level of service that keeps Concord's street system, which includes sidewalks and parking lots, passable and safe for pedestrian and vehicular traffic; especially for emergency vehicles such as Fire, Police, Ambulance or any other vital service as much of the time as possible within the limitations imposed by the extremes of nature and the resources available using methods that are efficient, effective and environmentally friendly.

Parks & Trees

- Preserve and enhance Concord's active and passive recreation areas, including its parks, park trees, athletic fields, municipal grounds, and Concord's streetscape of public shade trees and traffic islands.
- Plant a total of 100 new trees, including public shade trees, setback trees, and cemetery and park trees annually.

Cemetery

- Operate, maintain, and preserve Concord's three historic cemeteries and the Melvin Memorial with a commitment to quality, respect, compassion, and cost-effectiveness while striving to ease the process of lot purchase, interment, and historic burial research.

133 & 135 Keyes Road

- Complete needs assessment and initiate preliminary design for facilities improvements required to support Public Works Administration and Operations Center.
- Operate, maintain, and repair the Concord Public Works facilities at 133 and 135 Keyes Road.

Capital Assets

- Develop and execute pavement management contracts that include pavement preservation and rehabilitation/reconstruction with the goal of improving the average network PCI.
- Approach roads program in a more comprehensive manner in addressing other roadway needs as allowed by available resources.
- Continue accurate inventory of infrastructure and their condition towards the development of an asset management system.
- Construction of traffic signal improvements at Main St/Baker Ave intersection.
- Annual maintenance of town-wide traffic and pedestrian signal systems and electronic speed signs.
- Complete the tasks in the MS4 program of stormwater management outlined in the NOI for the next reporting period.
- Complete annual town-wide pavement markings project
- Complete annual town-wide crack sealing of roads.
- Complete the construction of the roadside safety (guardrail replacement) project.
- Complete construction of next parking lot(s) on priority list if funding allows.
- Complete design and construction as funding allows of initial maintenance projects recommended in the plan for asset management and capital planning for culverts and bridges.
- Purchase and maintain properly sized and appropriately equipped vehicles and equipment for the efficient and effective delivery of Public Works services in accordance with the Fleet Electrification Study (2022). In FY2024 this will include procurement of two hybrid SUVs, three light-duty plow trucks, a heavy-duty plow/de-icing truck, a skid steer loader, and a turf aerator.

Communications and Documents of Interest for Information but Not Discussion

- I. Letter from Mass Housing regarding the Project Eligibility for NOVO Riverside Commons



Massachusetts Housing Finance Agency
One Beacon Street Boston, MA 02108

Tel: 617-854-1000
Fax: 617-854-1091

Relay 711
www.masshousing.com

August 18, 2023

NOVO Riverside Commons, LLC
Two International Place, Suite 2710
Boston, MA 02110
Attention: Allen H. Peacock

**Re: NOVO Riverside Crossing, Concord
Project Eligibility/Site Approval
MassHousing ID No. 1192**

Dear Mr. Peacock:

This letter is in response to your application as “Applicant” for a determination of Project Eligibility (“Site Approval”) pursuant to Massachusetts General Laws Chapter 40B (“Chapter 40B”), 760 CMR 56.00 (the “Regulations”) and the Comprehensive Permit Guidelines issued Executive Office of Housing and Livable Communities (“EOHLC”) (the “Guidelines” and, collectively with Chapter 40B and the Regulations, the “Comprehensive Permit Rules”), under the New England Fund (“NEF”) Program (“the Program”) of the Federal Home Loan Bank of Boston (“FHLBank Boston”).

NOVO Riverside Commons, LLC submitted an application with MassHousing pursuant to Chapter 40B. You have proposed to build two hundred one (201) units of rental housing (the “Project”) on approximately 10.2 acres of land located at 292-294 Baker Avenue (the “Site”) in Concord (the “Municipality”).

In accordance with the Comprehensive Permit Rules, this letter is intended to be a written determination of Project Eligibility by MassHousing acting as Subsidizing Agency under the Guidelines, including Part V thereof, “Housing Programs In Which Funding Is Provided By Other Than A State Agency.”

MassHousing has performed an on-site inspection of the Site, which local boards and officials were invited to attend, and has reviewed the pertinent information for the Project submitted by the Applicant, the Municipality and others in accordance with the Comprehensive Permit Rules.

Municipal Comments

Pursuant to the Regulations, the Town of Concord was given a thirty (30) day period in which to review the Site Approval application and submit comments to MassHousing. The Municipality requested an additional fifteen (15) days to review the Site Approval application and submit comments to MassHousing. The Municipality submitted a letter on August 8, 2023, expressing strong support for many aspects of the Project. The Municipality also raised several areas of concern, most of which centered around the local resources and infrastructure needed to construct the proposed buildings.

In addition to the above concerns, the Municipality raised the following areas of concern:

- The Municipality is concerned with water capacity and pressure found at the Site and requests that the Applicant conduct a detailed study to determine water capacity and pressure needs of the proposed Project and if necessary, make repairs or improvements to the water system to meet the demands of the Project.
- The Municipality is concerned that the proposed Project would lead to increased traffic volume and congestion on and around Baker Avenue. In addition, the Municipality noted the need for improved pedestrian access in and out of the Site and a pedestrian connection to adjacent streets and sidewalks.
- The Municipality stressed that the Project must be designed to ensure the maximum level of emergency access and fire protection. They outlined a variety of requirements for the Project including fire lanes, sufficient roadway widths and intersection radii to accommodate public safety vehicles, hydrants, interior fire suppression systems, elevators, etc.
- The Municipality has noted the lack of any usable open space for residents and has recommended that the site plan include additional areas left for open space features. In addition, the Municipality noted that the proposed pedestrian bridge across the Assabet River would connect the Project to West Concord's Business District.

MassHousing carefully considered the Municipality's concerns and, to the extent appropriate within the context of the Site Approval process, has offered responses in the following "Recommendations" section of this letter.

MassHousing Determination and Recommendation

MassHousing staff has determined that the Project appears generally eligible under the requirements of the Program, subject to final review of eligibility and to Final Approval.¹ As a result of our review, we have made the findings as required pursuant to 760 CMR 56.04(1) and (4). Each such finding, with supporting reasoning, is set forth in further detail on Attachment 1 hereto. It is important to note that Comprehensive Permit Rules limit MassHousing to these specific findings in order to determine Project Eligibility. If, as here, MassHousing issues a determination of Project Eligibility, the Applicant may apply to the Zoning Board of Appeals ("ZBA") for a comprehensive permit. At that time local boards, officials and members of the public are provided the opportunity to further review the Project to ensure compliance with applicable state and local standards and regulations.

Based on MassHousing's site and design review, and considering feedback received from the Municipality, the following issues should be addressed in the application to the ZBA, and the Applicant should be prepared to explore them more fully during the public hearing process:

- Development of this Site will require compliance with all state and federal environmental laws, regulations and standards applicable to existing conditions and to the proposed use related to building construction, stormwater management, wastewater collection and treatment, and

¹ MassHousing has relied on the Applicant to provide truthful and complete information with respect to this approval. If at any point prior to the issuance of a comprehensive permit MassHousing determines that the Applicant has failed to disclose any information pertinent to the findings set forth in 760 CMR 56.04 or information requested in the Certification and Acknowledgment of the Application, MassHousing retains the right to rescind this Site Approval letter.

hazardous waste safety. The Applicant should expect that the Municipality will require evidence of such compliance prior to the issuance of a building permit for the Project.

- The Applicant should be prepared to provide a detailed traffic study assessing potential impacts of the Project on area roadways, including traffic volumes, crash rates, and the safety and level of service (LOS) of area intersections, and identifying appropriate traffic mitigation in compliance with all applicable state and local requirements governing site design.
- The traffic study or other professional site design process should address proposed on-site circulation and parking to ensure compliance with public safety standards and good design practice relative to drive-aisle widths, turning radii and sight distances along the Site drive and the parking areas through which it passes. The Applicant should be prepared to address concerns about provisions for safe pedestrian access and pedestrian/vehicular separation within the Site.
- The Applicant is encouraged to work with its design team to address concerns related to pedestrian circulation, open space elements and providing safe connections to existing sidewalks.
- The Applicant should be prepared to provide detailed information relative to proposed water use and potential impacts on existing capacity and pressure, and respond to reasonable requests for mitigation.
- The Applicant should engage with the Municipality's Fire Department to review and modify plans as needed and to ensure adequate access is provided for emergency vehicles and responders.

MassHousing has also reviewed the application for compliance within the requirements of 760 CMR 56.04(2) relative to Application requirements and has determined that the material provided by the Applicant is sufficient to show compliance.

This Site Approval is expressly limited to the development of no more than two hundred one (201) rental units under the terms of the Program, of which not less fifty-one (51) of such units shall be restricted as affordable for low- or moderate-income persons or families as required under the terms of the Guidelines. It is not a commitment or guarantee of financing and does not constitute a site plan or building design approval. Should you consider, prior to obtaining a comprehensive permit, the use of any other housing subsidy program, the construction of additional units or a reduction in the size of the Site, you may be required to submit a new Site Approval application for review by MassHousing. Should you consider a change in tenure type or a change in building type or height, you may be required to submit a new site approval application for review by MassHousing.

For guidance on the comprehensive permit review process, you are advised to consult the Guidelines. Further, we urge you to review carefully with legal counsel the M.G.L. c.40B Comprehensive Permit Regulations at 760 CMR 56.00.

This approval will be effective for a period of two (2) years from the date of this letter. Should the Applicant not apply for a comprehensive permit within this period this letter shall be considered to be expired and no longer in effect unless MassHousing extends the effective period of this letter in writing. In addition, the Applicant is required to notify MassHousing at the following times throughout this two-

year period: (1) when the Applicant applies to the local ZBA for a Comprehensive Permit, (2) when the ZBA issues a decision and (3) if applicable, when any appeals are filed.

Should a comprehensive permit be issued, please note that prior to (i) commencement of construction of the Project or (ii) issuance of a building permit, the Applicant is required to submit to MassHousing a request for Final Approval of the Project (as it may have been amended) in accordance with the Comprehensive Permit Rules (see especially 760 CMR 56.04(07) and the Guidelines including, without limitation, Part III thereof concerning Affirmative Fair Housing Marketing and Resident Selection). Final Approval will not be issued unless MassHousing is able to make the same findings at the time of issuing Final Approval as required at Site Approval.

Please note that MassHousing may not issue Final Approval if the Comprehensive Permit contains any conditions that are inconsistent with the regulatory requirements of the New England Fund Program of the FHLBank Boston, for which MassHousing serves as Subsidizing Agency, as reflected in the applicable regulatory documents. In the interest of providing for an efficient review process and in order to avoid the potential lapse of certain appeal rights, the Applicant may wish to submit a "final draft" of the Comprehensive Permit to MassHousing for review. Applicants who avail themselves of this opportunity may avoid significant procedural delays that can result from the need to seek modification of the Comprehensive Permit after its initial issuance.

If you have any questions concerning this letter, please contact Michael Busby at (617) 854-1219.

Sincerely,



Colin M. McNiece
General Counsel

cc: Ed Augustas, Secretary, Executive Office of Housing and Livable Communities
The Honorable Michael J. Barrett
The Honorable Simon Cataldo
The Honorable Carmine L. Gentile
Henry Dane, Chair, Concord Select Board

Attachment 1

760 CMR 56.04 Project Eligibility: Other Responsibilities of Subsidizing Agency
Section (4) Findings and Determinations

NOVO Concord Commons, Project #1192

MassHousing hereby makes the following findings, based upon its review of the application, and taking into account information received during the site visit and from written comments:

(a) that the proposed Project appears generally eligible under the requirements of the housing subsidy program, subject to final approval under 760 CMR 56.04(7);

The Project is eligible under the NEF housing subsidy program and at least 25% of the units will be available to households earning at or below 80% of the Area Median Income, adjusted for household size, as published by the U.S. Department of Housing and Urban Development (“HUD”). The most recent HUD income limits indicate that 80% of the current median income for a four-person household in Concord is \$118,450. Proposed rent levels of \$1,993 for a one-bedroom affordable unit, \$2,367 for a two-bedroom affordable unit and \$2,700 for a three-bedroom affordable unit accurately reflect current affordable rent levels for the Boston-Cambridge-Quincy HMFA under the NEF Program, less utility allowances of \$229, \$299 and \$380.

The Applicant submitted a letter of financial interest from Eastern Bank, a member bank of the FHLBank Boston under the NEF Program.

(b) that the site of the proposed Project is generally appropriate for residential development, taking into consideration information provided by the Municipality or other parties regarding municipal actions previously taken to meet affordable housing needs, such as inclusionary zoning, multifamily districts adopted under c.40A, and overlay districts adopted under c.40R, (such finding, with supporting reasoning, to be set forth in reasonable detail);

Based on a site inspection by MassHousing staff, internal discussions, and a thorough review of the application, MassHousing finds that the Site is suitable for residential use and development and that such use would be compatible with surrounding uses and would address the local need for housing.

The Town of Concord does have an EOHLC-approved Housing Production Plan. According to EOHLC’s Chapter 40B Subsidized Housing Inventory, updated through August 1, 2023, Concord has 715 (SHI) units (9.97% of its housing inventory), which is 3 units below the statutory minima requirement of 10%.

(c) that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns (such finding, with supporting reasoning, to be set forth in reasonable detail);

Relationship to Adjacent Building Typology (Including building massing, site arrangement, and architectural details):

The multifamily building shown on the plans as “292 Baker” contains 118 units in five stories of wood frame type IIIA construction over 2 levels of basement podium parking containing 121 parking spaces.

The multifamily building shown on the plans as “294 Baker” contains 83 units in five stories of wood frame type IIIA construction over 1 level of basement podium parking containing 40 parking spaces. Both buildings are fully elevated, including all basement levels with the main entrances and all internal amenity spaces located at the ground-level/first floor of each building. The project’s building design and placement includes minimizing building footprints to allow for natural areas and vegetation but also to provide for pedestrian access within the site and beyond. Likewise, the two buildings are designed to subtly bend horizontally to follow the curve of the pond and minimize the visual length of the buildings from multiple vantage points.

Both proposed buildings follow the same architectural design strategy. The building facades are made up of clean contemporary massing, bending slightly as noted in the site strategy. The building facades contain a blend of horizontal articulation of floor lines, interrupted by vertical articulation of full-height bay elements, as well as clusters of recessed balconies. Both building entries stand out visually with a grand canopy overhang and are grounded with a deep material tone. Increased glazing at the entries allows increased visibility of the community, engagement, and activity within, becoming visual waypoints for residents crossing from building to building, as well as visitors and future residents arriving to NOVO. The materiality of the facades is made up of varying textures and applications, as well as varying colors of fiber cement siding. The building palette is designed within a cool grey palate, and the vertical elements punctuate that with muted pops of green and warmer neutral tones. As with the entries, the base of the building is grounded with a deep tone to match.

Relationship to adjacent streets/Integration into existing development patterns

Concord is served by Route 2, an east to west roadway which connects Boston to the east with western Massachusetts (along the New York/Vermont border). The Site also has close proximity to I-95/Route 128 (approximately 10 miles to the east) and I-495 (approximately 8 miles to the north), both of which are beltway highways which loop around Boston and its suburbs. Other major roadways in proximity to the subject include Route 62, Route 117, and Route 126, all of which connect Concord to its neighboring communities and beyond. West Concord Village is located approximately 0.5 miles to the west of the subject property, along Route 62 which is accessible via Baker Ave. This historic area contains a variety of small retail stores, restaurants, and offices, along with a number of single and multifamily residences. This includes Brookside Square, a 74-unit apartment building with first floor commercial space, which was constructed in 2015. Access to the MBTA commuter rail is also located in West Concord. The West Concord station is served by the Fitchburg Line, which provides direct access to North Station in Boston. The station features 146 parking spaces, as well as available spaces for bikes.

Density

The Applicant proposes to build two hundred one (201) rental units on approximately 10.2 acres, of which, 4.22 acres are buildable. The resulting density is 47.63 units per buildable acre, which is acceptable given the proposed housing type.

Conceptual Site Plan

The proposed NOVO apartment community will be undertaken as a redevelopment and reuse of existing commercial parking facilities containing 295 parking spaces. The apartment community will include two complimentary multi-family buildings, known as 292 and 294 Baker, which are located adjacent to opposite sides of a pond centrally located on the locus. The 292 Baker Avenue building is set back and perpendicular to Baker Avenue to provide a linear view with its main entrance and drop off area facing the roadway. Surface parking and a continuation of the entrance drive run along the eastern side of 292 Baker to the 294 Baker Avenue building and its main entrance and reception area.

A proposed pedestrian trail weaves between the residential buildings and the pond as an amenity and access to the open space.

Environmental Resources

The Site consists of 10.2 acres in total. The buildable land at the site (per ownership) is 4.32 acres, as the site contains a pond and is bordered by the Assabet River on the west end of the parcel.

Topography

The site is irregular in shape and is level at street grade. The topographic features of the site have been considered in relationship to the proposed development plans and do not constitute an impediment to development of the Site.

(d) that the proposed Project appears financially feasible within the housing market in which it will be situated (based on comparable rentals or sales figures);

According to the appraisal report for the Site, Concord's residential market appears stable and strong, with an overall upward trajectory in sales volume and prices in the last decade. MassHousing's Appraisal and Marketing team (A&M) performed a Competitive Market Analysis and found that proposed market rents for each unit type fall within the range of adjusted comparable market rents.

(e) that an initial pro forma has been reviewed, including a land valuation determination consistent with the Secretariat's Guidelines, and the Project appears financially feasible and consistent with the Secretariat's Guidelines for Cost Examination and Limitations on Profits and Distributions (if applicable) on the basis of estimated development costs;

MassHousing has commissioned an as "As-Is" appraisal which indicates a land valuation of \$3,250,000. Based on a proposed investment of \$106,100,000 in equity and permanent financing the development pro forma appears to be financially feasible and within the limitations on profits and distributions.

(f) that the Applicant is a public agency, a non-profit organization, or a Limited Dividend Organization, and it meets the general eligibility standards of the housing program; and

MassHousing finds that the Applicant must be organized as a Limited Dividend Organization. MassHousing sees no reason this requirement could not be met given information reviewed to date. The Applicant meets the general eligibility standards of the NEF housing subsidy program and has executed an Acknowledgment of Obligations to restrict their profits in accordance with the applicable limited dividend provisions.

(g) that the Applicant controls the site, based on evidence that the Applicant or a related entity owns the site or holds an option or contract to acquire such interest in the site, or has such other interest in the site as is deemed by the Subsidizing Agency to be sufficient to control the site.

The Applicant controls the entire 10+/- acre Site through a Purchase and Sale Agreement between a related entity, CD 211 PROPERTY LLC, and NOVO Riverside Commons, LLC. A Purchase and Sale Agreement was dated June 16, 2023, with an expiration date of June 15, 2025.