



Town of Concord
Department of Planning and Land Management
141 Keyes Road
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PRESS RELEASE

For immediate release

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'Cliff Notes'—Zoning Amendments 2009

The Town of Concord's Planning Board is proposing several zoning amendments at this year's Town Meeting. The proposed amendments aim at either making Concord's bylaws more conforming to the current law, proactively addressing previous problems with existing bylaws or protect West Concord from dramatic change while long-term planning strategies are in the works. In advance of the public meeting on March 4, 2009 to discuss these amendments, the Planning Board hopes that this summary helps residents familiarize themselves with the purpose and intent of the proposed zoning articles and has also scheduled an extra public meeting to discuss the articles for Tuesday, February 24th from 6:30 to 8:00 p.m. at the Concord Town House on Monument Square.

Update Bylaws to Conform to Existing Law

Nonconforming Uses and Structures

The proposed amendment does not offer any additional rights to owners of nonconforming uses or structures; it's intended to update the Zoning Bylaw to conform with the existing State law regarding nonconforming uses and structures. An article like this was proposed last year and came in one vote short of the 2/3 majority required to pass it. Very little of the wording has changed other than further restrictions on reconstruction after voluntary demolition to address concerns that surfaced last year.

Site Plan Review

This amendment clarifies the site plan review process and makes the existing Zoning Bylaw conform to recent court cases involving religious uses, educational uses and child care facilities. The courts have ruled that a Planning Board has the authority to place conditions on a site plan for religious, educational and child care facility uses with regard to the bulk, height, lot area and parking on the site, but the Planning Board cannot withhold approval of a site plan.

Addressing previous problems with existing bylaws

Flexible Development

The Planning Board is proposing to delete Section 10, Planned Residential Development (PRD) in its entirety, and replace it with a new section titled, Flexible Development, which provides an alternative pattern of residential development to conventional subdivision. Recently, the developments under the existing PRD Bylaw do not have clearly identified public benefits that support the increased density requested. The new Flexible Development bylaw directly ties the proposed density of a development to specific public benefits such as affordable housing, housing diversity, open space and sustainable development.

Local Wetland Bylaws and the Zoning Bylaw's Wetlands Conservancy District

In the event the Local Wetlands Bylaw, proposed under Article __, is adopted by Town Meeting, this proposed amendment will remove the regulatory features of the Wetlands Conservancy District but retain the planning features. This change will help property owners by providing preliminary wetlands information in a zoning context for planning the future use and development of their land without requiring the formal delineation of the wetlands in accordance with the Massachusetts Wetlands Protection Act.

Residential Compound

The proposed change would add land trusts to the list of parties able to receive land or to enforce a conservation restriction given under the existing Residential Compound bylaw (ZBL Section 8).

Short-term protection during Master Plan work

West Concord Interim Planning Overlay District (WC-IPOD)

The West Concord Interim Planning Overlay District (WC-IPOD) provides a temporary zoning and regulatory system for the development of land in West Concord, while the Town engages in a master plan for the area. West Concord Center has been the subject of significant commercial and residential growth pressures; such growth could have an adverse impact on all the features that make West Concord so treasured by residents. The WC-IPOD provides a mechanism to allow for growth that promotes sound land use planning goals and objectives during the course of the Town's master plan.

Public Hearing

Come learn more about these proposed amendments at the Planning Board's public hearing, scheduled for 7:30 p.m. on March 4, 2009 at the Alcott School. Copies of the proposed amendments are available in the Warrant for Town Meeting, at the Town Clerk's office in the Town House on Monument Square, at the Planning Division office at 141 Keyes Road and online at www.concordma.gov/Pages/ConcordMA_Planning/board.