

TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
APRIL 12, 2021

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference on April 12, 2021 at 4:00pm.

Present were Linda Escobedo, Chair; Jane Hotchkiss, Terri Ackerman, and Matthew Johnson. Also present was Stephen Crane, Town Manager. Select Board member Susan Bates was absent.

**Call to Order**

**Roll call vote**

Ms. Escobedo: Present  
Ms. Ackerman: Present  
Ms. Hotchkiss: Present  
Mr. Johnson: Present

**Consent Agenda**

- Gift Acceptance: Michael B. and Mary S. Fox Fund \$2500.00 Council on Aging Gift Account
- One Day Special Liquor Licenses for the Sale of All Alcoholic Beverages at Concord Country Club, located at 246 Old Road to 9 Acre Corner
  - o 4/30/2021 at 5:00pm-11:30pm
  - o 5/7/2021 at 5:00pm-11:30pm
  - o 5/14/2021 at 12:00pm-6:00pm
  - o 6/4/2021 at 1:00pm-5:00pm
  - o 6/5/2021 at 8:00am-3:00pm
  - o 6/18/2021 at 12:00pm-6:00pm
  - o 7/16/2021 at 7:00am-5:00pm
  - o 7/17/2021 at 7:00am-5:00pm
  - o 7/18/2021 at 8:00am-5:00pm
  - o 7/30/2021 at 12:00pm-6:00pm
  - o 8/6/2021 at 11:00am-9:00pm
  - o 8/7/2021 at 11:00am-9:00pm
  - o 8/13/2021 at 12:00pm-6:00pm
  - o 8/27/2021 at 12:00pm-6:00pm
  - o 9/9/2021 at 11:00am-10:00pm
  - o 9/12/2021 at 8:00am-4:00pm
  - o 10/15/2021 at 12:00pm-6:00pm
  - o 11/5/2021 at 5:00pm-11:30pm

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

**Roll call vote**

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Ms. Escobedo: Aye  
Ms. Ackerman: Aye  
Ms. Hotchkiss: Aye  
Mr. Johnson: Aye

**Town Manager's Report**

Per- and polyfluoroalkyl substances (PFAS) or “forever” chemicals represent a family of substances used since the 1950s in certain types of firefighting foam and to manufacture a variety of products including stain-resistant, water-resistant, and non-stick materials. PFAS in drinking water is an important issue nationwide. In October of 2020, MassDEP established new drinking water standards for six PFAS chemicals. Water Departments across the state have begun to test for these chemicals in accordance to a roll-out sample plan established by MassDEP. Early indications suggest the detection of these chemicals is wide-spread.

This past week Concord sampled all of its water sources with results anticipated to be furnished within the next several weeks. Several neighboring communities have already received results – some detecting concentrations that exceed MassDEP new standards. Wayland is the most recent community known to have been directly impacted by this new regulation are in the midst of developing an emergency response plan. CPW is monitoring the actions being taken there to guide the planning process for a possible exceedance in Concord.

If the test results do result in an exceedance in Concord, the Town will broadly communicate important information from MassDEP guidance regarding response measures. Examples include advising people in a sensitive subgroups (infants, pregnant or nursing women, and people diagnosed by their health care provider to have a compromised immune system) not to consume, drink or cook with municipal water. A prolonged exceedance can result an immediate and challenging public health situation for a community because there are limited resources available to respond. Moreover, an exceedance may require water bans and/or identification of alternative water sources. Full-scale treatment of impacted water supplies can involve months to years for appropriate design, permitting and construction of major infrastructure improvements.

The Engineering Division with Hayner Swanson, Inc. (HSI) assistance requested bids for the 2021 Roads Program on March 18, 2021, a pre-bid meeting was held and the bid opening is scheduled for April 15, 2021. If a reasonable bid is obtained, construction should begin in June 2021. The 2021 roadway reconstruction efforts includes the following streets: Prescott Road, Peter Spring Road, Arrowhead Road, Minuteman Drive, and Cranefield Road. This program will also be included in the Roads Program public meeting scheduled before the PWC.

Construction related to typical street openings in the Town's public right of way (ROW) opened on April 5<sup>th</sup>, earlier than the regular annual schedule of April 15. Engineering staff has begun to review and process several applications that have been submitted. Regular onsite construction inspections are being performed to ensure that the contractors are complying with the conditions

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of the ROW permit, which include the Town's construction standards and procedures.

CPW is happy to report that the Paint Shed is open for the season. Residents can drop off up to 10 gallons of good reusable latex, acrylic, oil, or alkyd paints at a time.

Recently, the Town learned that the BFRT Phase 2B contractor will be installing the wildlife culvert under Route 2 over two weekends in late April, which will entail rerouting the Rt. 2 westbound traffic up Route 2A/119 to Wetherbee Street in Acton. Additionally, the actual completion date for Phase 2B is July 2022, according to the contract,, although the contractor, MIG Corporation, intends to complete the installation of the bridge over Route 2 this summer.

**Chair's Remarks**

Ms. Escobedo commended committee members for their efforts listening to recent community feedback on the various projects that are happening in town, and thanked residents for participating in community discussions and making their input known. Ms. Escobedo stated that the Select Board is listening to the feedback from residents, and making recommendations pertinent to the projects that are before the town.

Ms. Escobedo pointed out that despite there not being a Patriot's Day Parade this year, residents and tourists are still encouraged to visit Concord businesses and explore commercial districts and take part in activities that still may take place at a smaller scale than normal..

**Pollinator Health Advisory Committee Charge Revision**

Mark Hanson of the Pollinator Health Advisory Committee and Jane Hotchkiss presented the suggested revisions for the committee that were included in the [meeting materials](#). The suggested changes extend the date of the committee charge and provide the committee with a more general scope.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to approve the revisions to the Pollinator Health Advisory Committee as included in the meeting materials dated April 12, 2021 and as amended in discussion.

**Roll call vote**

Ms. Escobedo: Aye

Ms. Ackerman: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

**NMI-Starmet Reuse Planning Committee Final Report**

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NMI-Starmet Reuse Planning Committee co-chair's Gary Kleiman and Paul Boehm attended to present the final report. The full report can be viewed in the [meeting materials](#).

The NMI land was the site of a former specialty metals research and production facility. Some areas of the property became contaminated under the ownership of several private defense contractors from 1958 to 2011. The U.S. EPA placed the NMI site on the Superfund program's National Priorities List in 2001 and, with the Town's input, has worked to remediate and restore the site to residential standards. The cleanup is expected to be complete in five to seven years. This report summarizes the NSRC's work over the past 22 months to identify and clarify critical reuse issues for Concord and to formulate a master plan concept to guide future reuse. As part of the planning process, the NSRC received assistance from the EPA and its contractor, Skeo, to conduct a public workshop that collected community input on reuse. The committee also met with, and briefed, several Town committees to share initial ideas and concepts and to receive additional feedback.

The report considers several issues relevant to reuse, including:

- Risk communication around environmentally contaminated sites
- Evaluation of future possible liability and related considerations
- Appropriateness and need for housing at the site
- Recreation needs of the Town
- Potential options for taking ownership of the site
- Finance considerations
- Context of other Town development efforts
- Relevant examples of other Superfund site redevelopment

The report also presents three illustrative reuse options within the larger context of the Master Plan:

- Option 1: Municipal, Community, Recreational Focus
- Option 2: Private/Commercial/Office Use Focus
- Option 3: Mixed Use Focus - Housing, Retail, and Commercial Uses

All options conserve at least half the site, including its unique ecological features, for public use and enjoyment.

The report concludes with recommendations and next steps for the Select Board to consider based on the NSRC's findings. The NSRC strongly recommends that the Town of Concord begin planning to take ownership of the parcel at 2229 Main Street and to start active planning for the "Master Plan" concept for reuse of the site.

Other recommended short-term actions include: (i) engaging Town Counsel to strategize how to minimize future liabilities and to understand the impact of any existing liens on the property, and (ii) to develop a next-phase planning mechanism for the site's reuse beyond the NSRC's initial

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charge. Finally, in the near term, the Select Board should (iii) initiate a human health risk communication effort, which is important for public acceptance of redevelopment and future use of the site.

Longer term, the Select Board should (i) consider several principles of reuse based on the NSRC's review of issues in this report. The Town should also (ii) consider engaging with third parties to gauge demand for various redevelopment investments and partnerships and (iii) begin a process of coordinating NMI/Starmet Site redevelopment planning with other efforts at other sites and facilities in the Town. In parallel, the Town should, with input from the Finance Committee, conduct a fiscal impact study to better understand the costs and revenues of the different reuse options.

The Select Board will take this report into consideration and discuss follow up actions at a future meeting.

### **Parking Plan Presentation**

Police Chief Joseph O'Connor and Department of Planning and Land Management Director Marcia Rasmussen attended to present the Town's parking management plan. The complete plan can be found in the [meeting materials](#). Ms. Rasmussen presented a PowerPoint presentation that focused on the following themes:

- The Town's parking principals are to provide convenient parking for customers in the business district, establish clear Town and private employee parking areas, accommodate commuter parking, and protect residential neighborhoods from spillover.
- Parking meters began in Concord in the 1950s in Concord Center. Parking meters were added on Commonwealth Avenue in West Concord in 1993.
- The issue of parking has been studied by the Town in recent years. The 2005 Comprehensive Long Range Plan recommended a Comprehensive Town Parking Program. The 2010 West Concord Master Plan and Design Guidelines recommended new approaches to parking, circulation, and parking requirements. There was a Parking Management Study in 2012, which led to implementation in 2016.
- West Concord parking meters: In 1992, Commonwealth Ave. parking spaces were 'controlled' by signage limiting parking to 1 hour. At the same time, the West Concord commuter parking lot was being improved and the MBTA was implementing paid parking for their portion of the lot. Business owners were concerned that commuters would use the on-street parking rather than park in the commuter lot and requested that meters to be installed.
- Concord Center and Thoreau Depot areas plus West Concord: Both areas have more off-street than on-street spaces. Concord Center has higher percentage of generally accessible, publicly available spaces than West Concord. All areas have the same meter type, similar pricing and similar times of operation. 76% of the Concord Center off-street spaces are restricted to certain user groups while 91% of West Concord spaces are restricted.

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	<b>CC &amp; TD</b>	<b>WC</b>	<b>Total</b>
On-street	1,191	678	1,869
Off-street	2,708	2,094	4,802
Total	3,899	2,772	6,671

- Parking Inventory in Concord Center & Thoreau Depot areas: Of the on-street parking spaces in CC & TD ~ 218 (out of 1,191) have meters, or 18.3%. Of the off-street parking spaces in CC & TD ~ 56 (out of 2,708) are paid parking through a permit program, or 2%.
- Parking Inventory in West Concord area: Of the on-street parking spaces in WC ~ 78 (out of 678) have meters, or 11.5%. Of the off-street parking spaces in WC ~ 184 (out of 2,094) are paid parking through a permit program, or 8.7%.
- The Town had employed a Parking Meter Officer (Wages, OT and Benefits) at approximately \$115,000: This position was discontinued in FY20. Street Line Marking costs approximately \$70,000. Traffic Control Maintenance costs approximately \$5,000 to \$10,000. Parking Meter Repair costs approximately \$120,000.

The Select Board discussed ways to improve the usability and convenience of parking in businesses districts while still encouraging turnover of spaces. The non-enforcement of parking meters is scheduled to expire on April 20, 2021. Any proposed changes to the parking meter enforcement or system would come before the Select Board at a future meeting.

**Committee Nominations**

There were no committee nominations.

**Committee Appointments:**

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to appoint Tourism Director Beth Williams, Senior Planner Heather Gill, and Historical Commission Representative Nancy Nelson of 1695 Lowell Road to the Battle Road Scenic Byway Committee for terms to expire on April 30, 2023. Mark Giddings of 474 Barretts Mill Road as the Hanscom Field Advisory Commission Representative for a term to expire on April 30, 2024.

**Roll call vote**

Ms. Escobedo: Aye  
Ms. Ackerman: Aye  
Ms. Hotchkiss: Aye

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Mr. Johnson: Aye

**Committee Liaison Reports**

Mr. Johnson attended the Middle School Building Committee meeting where they have reviewed community feedback and options for schematic design of the gymnasium and auditorium. The Zoning Board of Appeals reviewed applications from the Umbrella Arts Center. The 1442 Main Street hearing has been continued until June. The ZBA reviewed previously unapproved work that took place at Concord Country Club, and mitigation options available. The Housing Authority voted to approve a contract for their new Executive Director Martin Corona.

Ms. Ackerman attended the West Concord Junction Cultural District Committee where they discussed an event on the weekend of May 19-22<sup>nd</sup>. The Transportation Advisory Committee discussed signs that contradict the 25 mile per hour speed limit around town. The Concord-Carlisle Human Rights Council held a Holocaust Remembrance Event on April 11.

Ms. Hotchkiss attended the Natural Resources Commission, where they discussed the notice of intent from Westchester Company for the Lot 2A at Keuka Road. The Middlesex School continues to discuss their plan for converting playing fields to artificial turf, which will be revisited at the April 25 NRC meeting. The Town's White Pond vehicular and boat access plan, as well as the stormwater runoff plan, was reviewed by the NRC. There was also a notice of intent for invasive species removal at 299 Estabrook Road.

Ms. Escobedo reported that the Economic Vitality Committee is beginning their work on an action plan that defines the barriers to businesses opening in Concord.

**Miscellaneous Correspondence**

**Public Comments**

Dean Banfield of 73 Walden Terrace commented that there was no discussion in the parking agenda item about how spaces were added in the business districts for bus parking. In addition, Mr. Banfield added that during the pandemic, there has been a strain on parking spaces at conservation sites.

Susannah Kaye of 366 Estabrook Road commented that parking access at Town owned conversation land should be revisited and that the Town should carry burden for improving the parking access at these conservation spaces.

**Adjourn to Executive Session, not to return to open session, to discuss strategy with respect to ongoing litigation regarding Symes Development & Permitting LLC v. Town of Concord et al., as an open meeting may have a detrimental effect on the litigating position of the**

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**Town as declared by the Chair.**

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to Adjourn to Executive Session, not to return to open session, to discuss strategy with respect to ongoing litigation regarding Symes Development & Permitting LLC v. Town of Concord et al., as an open meeting may have a detrimental effect on the litigating position of the Town as declared by the Chair.

**Roll call vote**

Ms. Escobedo: Aye

Ms. Ackerman: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

**Minuteman Media Network Coverage:** <https://www.youtube.com/watch?v=2kiWOCbA4j4>

**Meeting Materials:** <https://concordma.gov/DocumentCenter/View/28845/April-12-SB-Packet>