

**TOWN OF CONCORD  
SELECT BOARD MEETING  
June 13, 2022 | 5:30 PM  
TOWN HOUSE  
22 MONUMENT SQUARE**

**SECOND FLOOR MEETING ROOM AND VIA ZOOM**  
<https://us02web.zoom.us/j/89034827268?pwd=UTRCald2ZHk4WVJlL2EzTVAwZnU5UT09>  
 Meeting ID: 890 3482 7268  
 Passcode: 448029  
**AGENDA**

#	Time*	Agenda Item
1.	5:30pm	Call to Order
2.	5:30pm	Executive Session in accordance with M.G.L. 30A, Section 21(a)(2), to conduct strategy sessions in preparation for negotiations with nonunion personnel (Town Manager), to return to regular session
3.	6:30pm	Consent Agenda <ul style="list-style-type: none"> <li>• Town Accountant Warrant: June 9, 2022</li> <li>• Minutes: June 6, 2022; Executive Session Minutes of May 16, 2022 (not to be released)</li> <li>• Gift Acceptance:               <ul style="list-style-type: none"> <li>○ \$1,000 from National Grid to the Concord Fire Department</li> </ul> </li> <li>• One Day Special Liquor License Applications               <ul style="list-style-type: none"> <li>○ Verrill Farm/Sake Tasting to Benefit Nanae, 11 Wheeler Road, on June 15, 2022 from 6:00pm-8:00pm, Wine &amp; Malt Beverages Only</li> <li>○ Verrill Farm/Rotary Installation Dinner, 11 Wheeler Road, on June 16, 2022 from 6:00pm-8:00pm, Wine &amp; Malt Beverages Only</li> <li>○ Verrill Farm/Strawberry Cocktail Party, 11 Wheeler Road, on June 23, 2022 from 6:00pm-8:00pm, Wine &amp; Malt Beverages Only</li> <li>○ Verrill Farm/Company Outing, 11 Wheeler Road, on June 18, 2022 from 11:00am-2:00pm, Wine &amp; Malt Beverages Only</li> <li>○ Saltbox Farm/Wedding, 40 Westford Road, on July 9, 2022 from 4:30pm-9:30pm, Wine &amp; Malt Beverages Only</li> <li>○ Saltbox Farm/Farm Dinner, 40 Westford Road, on July 15, 2022 from 5:30pm-8:30pm, Wine &amp; Malt Beverages Only</li> <li>○ Saltbox Farm/Wedding, 40 Westford Road, on July 22, 2022 from 12:30pm-4:00pm, Wine &amp; Malt Beverages Only</li> </ul> </li> </ul>
4.		Interim Town Manager's Report
5.		Chair's Report
6.	6:35pm	Review Fiber Broadband Task Force Final Report
7.	6:40pm	Public Hearing: Grant of Location Petition by National Grid to relay approximately 470 feet of 2-inch Coated Steel (1930) gas main with 470 feet of 2-inch Plastic in Davis Court from Bedford Street to end at #47 Davis Court. <b>Applicant has requested a continuance to July 11, 2022</b>
8.	6:50pm	Public Hearing: Grant of Location Petition by National Grid to relay approximately 250 feet of 4-inch Plastic main in Lowell Road with approximately 250-feet of 8-inch Plastic main from the existing 8-inch plastic main to house #925 Lowell Road. <b>Applicant has requested a continuance to July 11, 2022</b>
9.	7:00pm	Public Hearing: Grant of Location Petition by National Grid to extend its existing 2-inch plastic main in Simon Willard Road approximately 480 feet to serve an existing residence located at

		#398 Simon Willard Road. Applicant has requested a continuance to July 11, 2022
10.	7:05pm	Trolley/Shuttle Pilot Program Discussion & Vote
11.	7:10pm	Public Hearing: Grant of Location Petition by National Grid to relay approximately 805 feet of 2-inch, coated steel (1930) and approximately 150 feet of 2-inch, plastic (2013) with approximately 955 feet of 2-inch, plastic in Crescent Rd from #42 Crescent Rd to the end of main at #138 Crescent Rd; and to relay approximately 735 feet of 2-inch, coated steel (1930) with approximately 735 feet of 2-inch, plastic in Hosmer Rd from Nashoba Rd to Crescent Rd; and to relay approximately 710 feet of 2-inch, coated steel (1930) with approximately 710 feet of 2-inch, plastic in Garland Rd from Crescent Rd to Nashoba Rd; and to relay approximately 465 feet of 2-inch, coated steel (1957) with approximately 465 feet of 2-inch, plastic in Wilson Rd from Nashoba Rd to end of main at #59 Wilson Rd; and to relay of approximately 860 feet of 2-inch, coated steel (1957) with approximately 860 feet of 2-inch, plastic in Nashoba Rd from Hosmer Rd to end of main at #321 Nashoba Rd; and to relay of approximately 480 feet of 2-inch, coated steel (1930) with approximately 480 feet of 2-inch, plastic in Nashoba Rd from Garland Rd to the existing 2-inch, coated steel at #144 Nashoba Rd. Applicant has requested a continuance to July 11, 2022
12.	7:20pm	Discuss & Vote to Renew the Cultural District Designation for Concord Center
13.	7:30pm	Fleet Electrification Update with Amanda Kohn, Sustainability Director
14.	7:55pm	5G Policy Discussion
15.	8:20pm	Committee Nominations: Lois Suarez to the Pollinator Health Advisory Board; Kate Yoder to the Economic Vitality Committee
16.	8:25pm	Committee Appointments: Holly Cratsley, of 10 Edmonds Road, to the Concord 2025 Executive Committee for a term to expire December 31, 2026; Patricia Hopkins, of 65 Dalton Street, to the Concord 2025 Executive Committee for a term to expire December 31, 2026; Reappoint John Soden to the Bruce Freeman Rail Trail Advisory Committee for a term to expire May 31, 2023; Reappoint Nick Pappas to the Natural Resources Committee for a term to expire April 30, 2025; Reappoint Michael Capizzi to the Historical Commission for a term to expire May 31, 2025; Reappoint Alan Bogosian to the Historical Commission for a term to expire May 31, 2025; Reappoint Melissa Saalfeld to the Historical Commission for a term to expire May 31, 2025
17.	8:30pm	Select Board Liaison Reports
18.	8:40pm	Correspondence
19.	8:45pm	Public Comment
20.	8:50pm	Adjourn

*\*Times are approximate and subject to change*

<b>Current Board and Committee Vacancies</b>
Board of Health
Comprehensive Sustainability and Energy Committee
Concord 2025 Executive Committee
Concord Housing Development Corporation (CHDC)
Concord Local Cultural Council
Conservation Restriction Stewardship Committee
Council on Aging
Cultural Council
Economic Vitality Committee
Historic Districts Commission
Library Board
Natural Resources Commission

Personnel Board
Planning Board
Public Ceremonies and Celebrations Committee
Tax Fairness Committee
Transportation Advisory Committee
Trustees of Donations
West Concord Advisory Committee
West Concord Junction Cultural District
White Pond Advisory Committee (WPAC)
Zoning Board of Appeals

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Pursuant to a notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting in the Second Floor Meeting Room and via Zoom on June 6, 2022 at 6:31pm.

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

**Call to Order**

Chair Johnson called the meeting to order at 6:31 p.m.

**Consent Agenda**

- Town Accountant Warrant: May 26, 2022
- Minutes: May 23, 2022
- Gift Acceptance:
  - \$1,500 from the Workers Credit Union to the Concord Fire Department
- Tour Guide License Renewal: John Kinsman

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to approve the consent agenda with amendments made to the meeting minutes of May 23, 2022 including:

1. On page 6, Ms. Escobedo requested the minutes be amended to correct the spelling of Board of Health Chair Dr. Deborah Greene's name in several places.
2. On page 4, Ms. Escobedo requested the minutes be amended to reflect the proposed new d/b/a of Trails End Café, LLC, Nosh by Concord Market.

**Interim Town Manager's Report**

Ms. Lafleur reviewed the Interim Town Manager's reports that were included as part of the Select Board's meeting packet. Ms. Ackerman asked Ms. Lafleur about the volunteer database, and its accessibility to the Select Board and other Board's and Committees. Ms. Lafleur explained that a presentation regarding the volunteer database was planned for later that month.

**Chair's Report**

Chair Johnson informed the Board and residents of a volunteer appreciation reception for Town volunteers at the Town House on June 16, 2022, from 5:30pm to 7:00pm. Chair Johnson also informed the Board that they had received the first of the quarterly reports from the Middle School Building Committee, and that it was included as part of the meeting packet.

**Seasonal Outdoor Restaurant Seating Application by 80 Thoreau, LLC of 80 Thoreau Street**

Ian Calhoun, Owner of 80 Thoreau, LLC, explained that his restaurant intended to occupy a smaller outdoor space this year, than years past. He added that the outdoor area outlined in his application was entirely on private property and the seating was on a raised terraced area underneath the roof of the building.

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Chair Johnson asked how many tables and seats would be outdoors, and Mr. Calhoun explained that he was proposing 7 tables, with 28 total seats.

Ms. Hartman noted that the application included a letter from 80 Thoreau, LLC's landlord which was dated July 10, 2020, and asked if the letter's sentiment was still valid. Mr. Calhoun confirmed that it was.

Upon a motion duly made and seconded, it UNANIMOUSLY  
**VOTED:** to approve the outdoor restaurant seating application of 80 Thoreau, LLC of 80 Thoreau Street, as included in this board packet.

**Approval of 2022 General Obligation Bond Issue**

Ms. Lafleur reviewed the general obligation bond sale which took place on May 24, 2022. Ms. Lafleur stated that the Town had received 11 bids on its \$19,970,000 issuance. Ms. Lafleur explained that Morgan Stanley won the bid and stated that the original bid provides coupon rates of 4% and 5%, respectively. However, Ms. Lafleur added that after netting out the premium paid to the Town the true interest cost was actually 3.288%, and noted that the Town had estimated a true interest cost of 3.25%. Ms. Lafleur also explained that the Town resized the issuance using the premium paid down to \$18,405,000. Ms. Lafleur reviewed the items which would be financed with the bond issuance, most notably \$12,000,000 for the Middle School building project.

Ms. Lafleur also reviewed the bond rating issued by Moody's Investor Services for the Town, which was Aaa. Ms. Lafleur noted that the report from Moody's was included as part of the Select Board's meeting packet.

Finally, Ms. Lafleur stated that the Town's competitiveness was not affected by having to push the sale back by one week.

Mr. Dane asked if the cost of the issuance of \$200,000 was accurate, and Chair Johnson provided clarity. Mr. Dane also noted the impact of the \$12,000,000 bonded for the Middle School building project added a cost of \$123.00 assessed to the median annual tax bill in Town. Mr. Dane voiced concerns that based on that figure the original impact the Board had discussed may have been lower than what may be realized. Ms. Lafleur explained that the bonds that had just been issued were 20-year bonds with equal principal payments, and that the full project would utilize 25 year bonds with level debt. Mr. Johnson also explained that the project remains on target with the projected total cost of slightly over \$1,000 for median house, but with planned offsets, this amount is reduced to under \$800.

Ms. Hartman asked if the strengths and weaknesses listed in the credit rating report were surprising or concerning to Ms. Lafleur. Ms. Lafleur explained that the report was very similar to the report issued three years ago. Ms. Lafleur reviewed the scorecard included as part of the meeting packet and noted that the Town's strengths make up for the Town's weaknesses. She did add that Moody's is monitoring the Town's Free Cash, and that it was 12% about five years ago, down to 5% recently.

Ms. Escobedo asked if the stabilization funds that had been established were considered by

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Moody’s when reviewing the Town’s reserves. Ms. Lafleur explained that those stabilization funds were not unrestricted reserves, like Free Cash, and that Moody’s took that factor into account.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** that the sale of the \$19,970,000 General Obligation Municipal Purpose Loan of 2022 Bonds of the Town dated June 14, 2022 (the “Bonds”), to Morgan Stanley & CO, LLC at the price of \$21,775,393.03 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on January 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$1,330,000	5.00%	2033	\$645,000	5.00%
2024	1,325,000	5.00	2034	645,000	5.00
2025	1,320,000	5.00	2035	645,000	5.00
2026	1,320,000	5.00	2036	645,000	5.00
2027	1,305,000	5.00	2037	645,000	4.00
2028	1,080,000	5.00	2038	645,000	4.00
2029	1,075,000	5.00	2039	640,000	4.00
2030	1,075,000	5.00	2040	640,000	4.00
2031	1,075,000	5.00	2041	640,000	4.00
2032	1,070,000	5.00	2042	640,000	4.00

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 16, 2022, and a final Official Statement dated May 24, 2022 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as

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original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

**Discuss 2023 Annual Town Election & Annual Town Meeting Schedule with  
Town Moderator Carmin Reiss**

Carmin Reiss reviewed the Annual Town Election and Annual Town Meeting schedule she had drafted in conjunction with Chris Carmody, the Town's Administrative Projects Manager, and Kaari Tari, Town Clerk. Ms. Reiss also explained that the schedule was assembled with input from Finance Committee, the Town Manager, and the Superintendent of Schools.

Ms. Reiss explained that some amendments to the schedule had already been requested, including:

1. Ms. Ackerman suggested closing the warrant earlier than Friday, January 6, 2023 to allow Town staff to have the table of contents with the order of the Articles ready for the January 9, 2023 meeting of the Select Board.
2. The Planning Board requested to have their hearing moved from #3 to #4 so that both the Planning Board and the Finance Committee could both hold the hearings during their regularly scheduled meeting times.
3. There was a typo in the dates listed for the relevant holidays, specifically that the April school vacation should be listed as lasting from April 17, 2023-April 21, 2023.
4. Ms. Reiss also noted that the voter registration deadlines for the State Primary and the State Election on the election schedule but was open to adding them.

Ms. Reiss also added that the schedule set the Annual Town Meeting for the week following the April vacation, and for Annual Town Meeting to begin on a Sunday afternoon.

Ms. Escobedo encouraged the Board to add the voter registration deadlines to the schedule.

Mr. Johnson reviewed the amendments and suggested that the warrant close on January 4, 2023.

Ms. Hartman noted the inclusion of hybrid meetings in the schedule, and that the ability to hold hybrid meetings may not be possible after July. Ms. Reiss stated that snow days were included if hybrid meetings were not allowed, and weather conditions made them necessary. Mr. Dane shared his belief that holding meetings in person was more effective.

Ms. Lafleur asked that the dates listed as "TBD", be left that way until after the Town finalized its Special Town Meeting calendar.

Upon a motion duly made and seconded, it was 4-0, with Mr. Dane abstaining  
**VOTED:** to approve the 2023 Annual Town Meeting and Town Election Calendar as included in the Select Board's meeting packet with the following amendments:

1. Switching the dates for hearings #3 and #4 (Planning Board and Finance Committee)

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2. Closing the warrant on January 4, 2023 instead of January 6, 2023
3. Correcting the typo to reflect the correct dates for April vacation
4. Including the voter registration deadlines

**Departmental Update from Concord Public Works Director Alan Cathcart**

Alan Cathcart, the Director of Concord Public Works (CPW), explained that it was vital for CPW to determine the Select Board goals as they related to CPW, and for the Select Board to understand important initiatives for CPW.

Mr. Cathcart explained that some of his priorities included the review and analysis of the Keyes Road campus where CPW was located. Mr. Cathcart also stated that the replacement of the artificial turf at Doug White field would be presented at a future Town Meeting. Mr. Cathcart explained that considering the moratorium put into place following Town Meeting, he anticipated the item to be controversial.

Mr. Cathcart also described some of the organizational changes CPW had undergone, with additional or new responsibilities being tasked to staff members. Mr. Cathcart introduced three staff members to the Board, Aaron Miklosko, the Highway and Grounds Superintendent, Steve Dookran, the Town Engineer, and Jeff Murawski, the Water/Sewer Superintendent.

The Board, Mr. Miklosko, and Mr. Cathcart held a robust discussion regarding topics such as the replacement of the artificial turf field at the Doug White Field, the Town's Solid Waste and Recycling program, and Concord's Tree Planting Program.

The Board, Mr. Dookran, and Mr. Cathcart discussed ongoing engineering projects including transportation projects, the Complete Streets program, road work, and storm water systems.

The Board, Mr. Murawski, and Mr. Cathcart discussed the water and sewer system, which provided services to approximately one-third of the Town. The group further discussed wastewater capacity and the sewer improvement fee. It was noted that further discussion regarding the wastewater capacity and the sewer improvement fee may be needed at a future meeting.

**Amendment to RHSO Intermunicipal Agreement'**

Liz Rust, the Director of the Regional Housing Services Office (RHSO), explained that she was seeking the approval for an amendment to the RHSO Intermunicipal Agreement. She explained that the intermunicipal agreement was a made between nine communities and was originally signed with a three-year term. Ms. Rust explained that the only amendments requested this year were related to the budget. The Board and Ms. Rust also discussed the Housing Production Plan Survey, Concord's 10% minimum SHI to avoid 40B Housing, and how to better promote affordable housing.

Upon a motion duly made and seconded, it was UNANIMOUSLY  
**VOTED:** to authorize the Interim Town Manager to sign the Amendment to the agreement to share services of a Regional Housing Services Office, as included in the board packet.

**Discuss Battle Road Trail Connector to Thoreau Farm**

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Courtland Booth, of 144 Wright Road, Helen Bowdoin, of 100 Autumn Lane, both members of the Thoreau Farm Trust, and Robert White of 221 Monsen Road, Chair of the Trails Committee, reviewed the presentation they had included as part of the Select Board meeting packet. The group explained that they were seeking a letter of support, like one previously issued by the Select Board, to help in their efforts to join Thoreau's birthplace to the Battle Road trail. The group reviewed the extensive work and outreach they had conducted with several different organizations including the National Park Service, Mass Audubon, and the Concord Trails Committee. The presenters and the Board further discussed the potential development and costs of the project.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED**: to authorize the Chair to write a letter on the Board's behalf offering support for the connector trail from the Thoreau birthplace to the Battle Road Trail, as described in the Select Board's meeting packet.

**Committee Nominations**

Holly Cratsley, of 10 Edmonds Road, to the Concord 2025 Executive Committee;  
Patricia Hopkins, of 65 Dalton Street, to the Concord 2025 Executive Committee

**Committee Appointments**

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED**: to appoint Michael Lawson, of 1695 Lowell Road, to the Economic Vitality Committee for a term to expire May 31, 2025; Burton Flint, of 1643 Main Street, to the Community Preservation Committee for a term to expire May 31, 2024; Diane C. Proctor, of 57 Sudbury Road, to the Concord 2025 Executive Committee for a term to expire December 31, 2026; Cynthia Rainey of 80 Hunters Ridge Road, as the Concord Public School Committee representative to the PEG Access Advisory Committee with a term to expire May 31, 2025; Courtland Booth of 144 Wright Road as the Concord Public School Committee representative to the Financial Audit Advisory Committee for a term to expire May 31, 2023.

**Correspondence**

Chair Johnson noted the inclusion of a letter from the Concord Business Partnership and an email from Ellen Quackenbush as part of the Select Board Meeting Packet.

**Public Comment**

Mark Gailus, of 62 Prescott Road, thanked the Board for an excellent meeting and the time spent discussing Concord Public Works. Mr. Gailus also stated his belief that the Battle Road Trail connector to Thoreau Farm was worthy of the Board's support.

**Executive Session**

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED**: to enter into Executive Session in accordance with M.G.L. 30A, Section 21(a)(2),

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to conduct strategy sessions in preparation for negotiations with nonunion personnel (Town Manager), not to return to regular session

**Roll Call Vote**

Mr. Dane: Aye

Ms. Escobedo: Aye

Ms. Hartman: Aye

Mr. Johnson: Aye

Ms. Ackerman: Aye

**Meeting Materials:** <https://concordma.gov/DocumentCenter/View/36856/June-6-2022-packet>

**Minuteman Media Network Coverage:**

To Select Board and Town Manager,

The Fiber Broadband Completion Task Force has completed our report as required by Article 41 from the 2021 Annual Town Meeting. Attached are the report and a presentation that summarizes the key elements.

The Fiber optic network, owned by CMLP, is a valuable town asset. Our report outlines many important ways that it supports Town Operations, public safety, utilities and the schools. The Broadband service offered by CMLP enjoys high level of customer satisfaction, and its critical importance during the pandemic is widely recognized.

Our Task Force confirmed and documented that many residents are not currently served by the fiber network and therefore do not have Concord Light Broadband as an option. A disproportionate number of the unserved residential premises are rental and condominium units. We heard from citizens who reside in these units that they would like to have the option that others who live in a single-family home typically have. For these cases, we are recommending revising the investment models and outreach to property owners and associations, so that fiber can be extended into these properties in a fiscally responsible way.

The other major segment of the unserved premises is subdivisions where utilities are already undergrounded, but there is no available conduit for fiber. In these cases, integrated planning with the DPW road maintenance program could provide a programmatic solution to eventually fill in those gaps. However, we also determined that there is no funding currently directed at these cases. So, as with other efforts to place utility service underground, regular allocations of construction funds can ensure that when a road need to be rebuilt, the opportunity to add fiber can be seized. Failure to set up such a program will result in decades-long delay in serving these residents.

Our overall assessment is that the community should set goals and policy that reflect consensus on the extent and priority of investing in completing the fiber network. We recognize that significant groups of premises are not served. The initial roll out of Concord's Broadband service took an appropriately conservative approach to try to ensure profitable operations. We urge the Select Board and Light Board to adopt positions that support achieving universal access to the fiber network across the CMLP service area. Providing the Town Staff with clear goals and policy guidance will reduce confusion about the objectives for the system. Primarily, this means articulating more options and criteria for investments in installations and expansions of the fiber network. In particular, Broadband should be able to invest more in reaching residential customers in rental and condominium units.

We recommend adopting the goal of completing the fiber network without delay. However, in the course of the study, our review of the available Broadband Service financial reporting raised some questions that should be understood more fully before committing significant Town resources to major construction initiatives. In other words, before committing to a goal of selffinancing a completed fiber network, it will be important to more clearly understand the state of the finances.

More specifically, after several years of operation, in early 2020 an internal loan from CMLP to Broadband was "discovered" by the CMLP auditors. A policy was quickly put in place that established a ten-year repayment schedule for this loan. The magnitude of the loan, \$1.9 million, represents a major restatement of the financial position of the Broadband enterprise. The precise origin of this borrowing

was not readily available and in the opinion of the Task Force should be closely examined and confirmed before any major capital program goals or plans are made. We urge the Select Board to request that the Town Financial Audit Advisory Committee review the audit report and the circumstances that lead to the conclusion that an internal loan had in fact occurred.

Such a debt burden, if it is determined to be valid, would significantly inhibit the funding of fiber expansion from Broadband service proceeds. The ten-year repayment schedule is, in our opinion, too fast. We urge reconsideration of the repayment schedule consistent with the Town's fiscal policies.

The Broadband service clearly experienced revenue losses resulting from the pandemic. We are recommending an allocation of ARPA relief funds to help to shore up Broadband's finances. ARPA funding, targeted at lost revenue and Broadband infrastructure, presents a once-in-a lifetime opportunity.

We also suggest that no further PILOF transfers from Broadband to Minuteman Media Network be budgeted, given the relative weakness of the Broadband net position compared to MMNs strong fund balance. Subscriber growth should return to pre-pandemic rates before committing Broadband revenue to support anything other than Broadband operations and debt repayment.

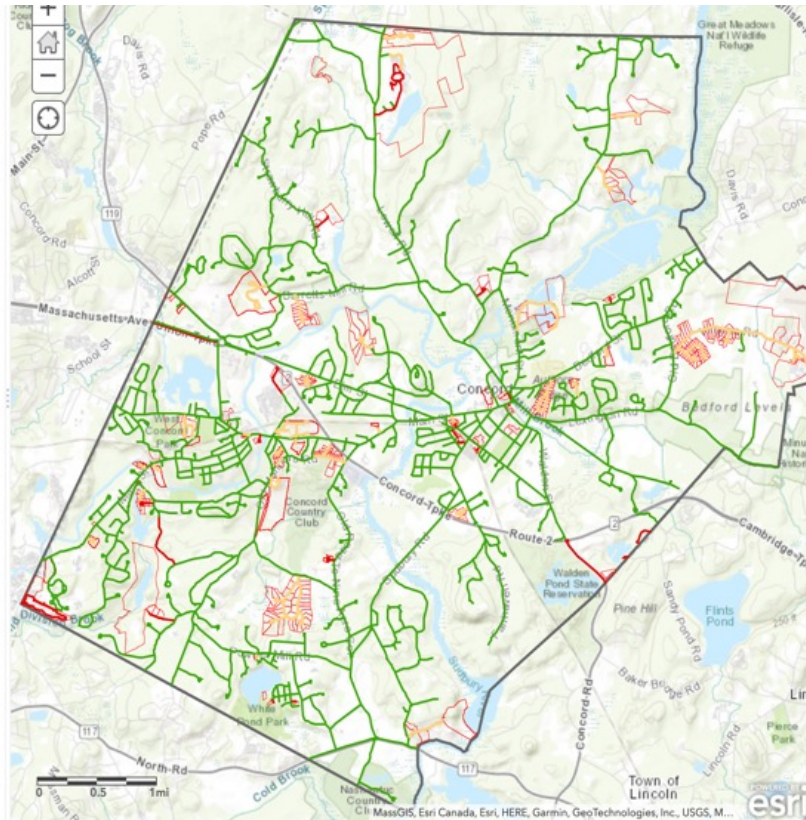
Lastly in the finance and business operations area, we recommend that staff develop and report on Broadband operational and financial performance to the Light Board on a regular basis. We have confidence that given the right focus Broadband can return to growth and return sufficient funds to begin a capital program aimed at providing nearly universal access. However, the issues listed above are important to deal with immediately before launching major fiber expansion efforts.

Significant staff shortages in Broadband during 2020 through early 2022 have been resolved. The CIO, Jason Bulger, has recently been assigned responsibility for the Fiber network and Broadband service, and a new Telecomm Director is soon to be hired. Jason has reviewed our draft report and provided comments. Jason's recent progress reports to the Light Board demonstrate progress toward the goals for reporting that we have outlined in the report. We are encouraged that this focused attention on Fiber, which began when the Task Force was formed, is already resulting in progress.

We would like to thank Jason Bulger, Jill Moonheron, the staffs of CMLP, the Town Managers Office and the IT department for their support for the work of the Task Force.

Respectfully submitted,

The Fiber Broadband Completion Task Force,  
Gordon Brockway, David Hesel, Gail Hire, Scott Hopkinson, Mark Howell (Chairperson)



Prepared for the Town of Concord  
Select Board and



**CONCORD MUNICIPAL  
LIGHT PLANT**

## **Task Force: Members:**

Mark Howell - Chair

Gail Hire – author of 2021 Article 41

Gordon Brockway – Light Board Member

David Hesel – Homeowners Association/Business

Scott Hopkinson – PEG Access Committee

## **Mission:**

Article 41 2021 TM & Charge :

Investigate Fiber completion, propose solutions

**Timeframe:** Sept 2021 to May 2022

**Web Page:** <https://concordma.gov/2958/Fiber-Broadband-Completion-Task-Force>

**The Final Report is available on the Task Force Web Page**

## **Fiber Completion Task Force process and approach:**

### **1. Study the unserved parcels and premises within Concord.**

Characterize the unserved areas, looking for common attributes and how to reach the resident.

### **2. Consider the possible cost for meeting those unserved citizens**

(e.g., what technical approach, assuming fiber, can be used to reach the resident?).

This portion of the work was primarily focused on the how with consideration given to most cost-effective approach within the constraints of the situation (e.g., underground utility requirements, third party situations such as homeowner associations and landlords between Concord Broadband and end user).

### **3. Consider alternatives and approaches to fund expansion.**

From a financial perspective, how shall we pay for #2, or can we pay for #2.

## Key Findings:

1. Concord has significant gaps in the fiber service area. Over 20% of premises are not served. Certain types of premises are consistently omitted.
2. Significant financial resources would be required to address all the gaps. It is unclear if and when such resources would be available.
3. A review of the Broadband Service finances, particularly the internal debt, is a prerequisite to inform policy on expansion.

# Summary of Recommendations:

## **1. Policies - Established by Citizens and their Representatives**

Recognize that there is value in completing the fiber network

Recognize the right thing to do from an equity perspective.

Look for alignment with other town-wide goals - sustainability, housing, etc.

## **2. Metrics to Manage the business – Specific, Consistent, Delivered by Staff**

Understand the business operations by managing to metrics.

Understand the marketplace and competition through periodic studies

Grow the business more deliberately with marketing and adoption programs.

## **3. Governance – Consistent citizen oversight of performance and process.**

Business Metrics, Rate of Return, Progress toward policy goals

Retained Earnings and Return in Investment Policy Dialog

## **4. Strategic Planning – Staff plans and targets to achieve policy goals over time**

Marketing and Growth Plans and Targets are periodically updated

Plans to achieve Business Return objectives are established

## Summary of Recommendations (cont):

### **5. *Financing and Capital Decisions – Key Policies to review and revise***

Start with ARPA Recovery - \$240K documented lost revenue  
Remove the Drag from PILOF - 20K per year and growing  
Review/Confirm and Revise Debt Financing Policies for Fiber

### **6. *Budget Process and Capital Program – Annual, Integrated with town-wide Processes***

Allocations reflect Expansion goals and plans  
Return on investment targets and achievement documented  
Integrate Fiber Expansion with Roads Program  
Adopt standard financial statements, P&L, Cash Flow, Balance Sheet

### **7. *Construction and Logistics – Staff tasks Optimize Expansion and Installations***

Integrate Fiber Expansion with Roads Program  
Review/Revise Constructions Standards and Services

## *Status of the fiber network*

**Streets covered** - about 120 of 138 Road miles (86%)

**Premises** – 6,131 of 7,804 Master Address Table entries (78.6%)

Only about 50% of Multi-Dwelling Units (MDU) and Multi-family MDU and Multi-family make up 81.4% of addresses without fiber.

<i>Broadband Status</i>	<i>Count of Broadband Status</i>	<i>% of total</i>
Available	6,131	68%
Fiber in Street but Address Noted as Not Available	1,175	13%
N/A Undeveloped	602	7%
NoAccessFrmConc	368	4%
N/A Open Space	245	3%
Condo Main/SubM	199	2%
Apt Main/SubM	150	2%
No Fiber in Streetr	130	1%
<b>Grand Total</b>	<b>9,000</b>	<b>100%</b>

## ***MDU and Multi-family***

A new investment model from the Telecommunications enterprise is needed to support property owners and homeowner associations. Without an updated approach they will remain underserved. The investments are likely to pay back and therefore are financially justifiable, revising the return-on-investment policy will enable staff to plan and execute.

## ***Streets without Fiber:***

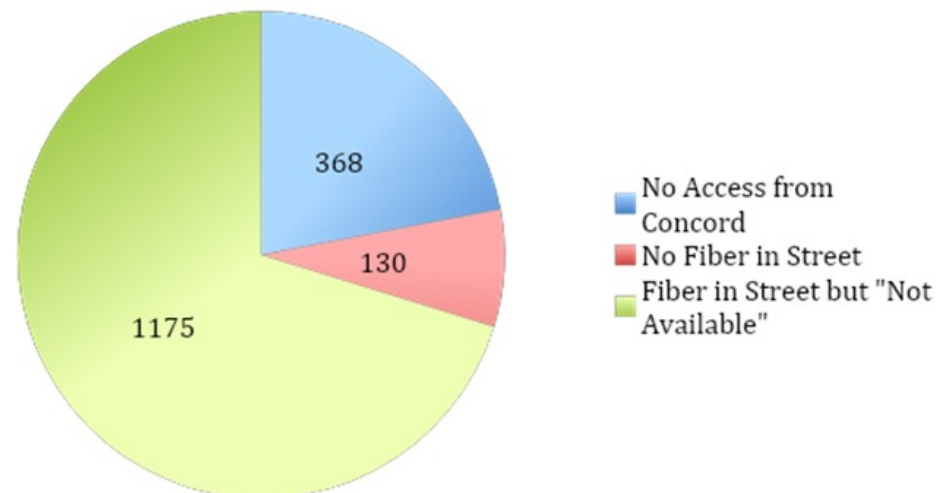
Analysis found 52 geographically identifiable areas that lack fiber.

Many are subdivision roads “of a certain era”.

Recommend investigating low-cost fiber construction techniques.

Vibratory plow & low impact under sidewalk tunneling.

Recommend integrating planning for Road Improvements with fiber extensions.



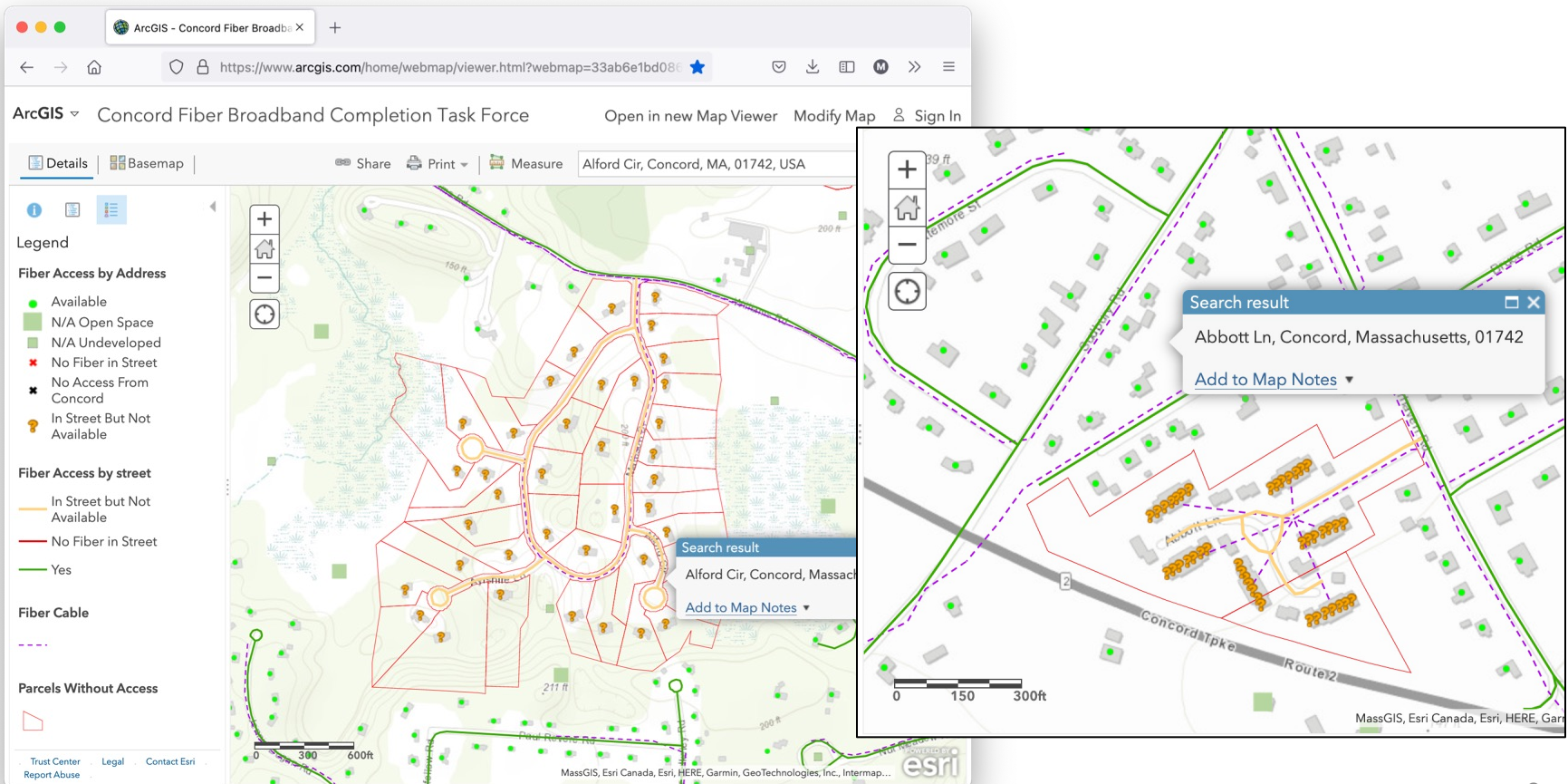
# Geographic Information Systems Fiber Review:

[ArcGIS Viewer: Concord Fiber Broadband Task Force](#)

## Examples of Streets without Fiber:

Analysis found 52 geographically identifiable areas that lack fiber.

Maps of groups #1 & 2, Abbott Ln and the vicinity of Mattison Dr and Alford Circle



## *MDU and Multi-family and Street Group Data*

Using the geographic information system data and maps the grouping of unserved premises is much easier to understand. By analyzing this parcel data, preliminary construction costs can be developed. Such information can become the basis for budgeting for fiber expansion projects that could be funded through the annual capital planning process.

A look at the data:

Parcel Group	Street Name	Sum of Number of Parcels	Sum of MDU Units	Sum of Total Units	Sum of Feet
1	ABBOTT LN	2	42	42	1095
<b>1 Total</b>		<b>2</b>	<b>42</b>	<b>42</b>	<b>1095</b>
2	ALFORD CIR	6	0	6	882
	AYRSHIRE LN	5	0	5	987
	MACMILLAN DR	3	0	3	683
	MATTISON DR	25	0	25	4024
<b>2 Total</b>		<b>39</b>	<b>0</b>	<b>39</b>	<b>6576</b>
3	AUTUMN LN	9	0	9	1088
<b>3 Total</b>		<b>9</b>	<b>0</b>	<b>9</b>	<b>1088</b>
4	BAKER AVENUE EXT	1	14	14	1569
<b>4 Total</b>		<b>1</b>	<b>14</b>	<b>14</b>	<b>1569</b>
5	BALDWIN RD	0	38	38	391
	CORTLAND AVE	1	80	80	1624
	MACINTOSH LN	0	18	18	367
	RUSSET RD	0	16	16	491
	SPARTAN DR	0	60	60	993
<b>5 Total</b>		<b>1</b>	<b>212</b>	<b>212</b>	<b>3867</b>

## Notes on the Concord Light Broadband Business:

Subscriber growth slowed in 2020 and 2021, the pandemic may be the cause, but it also might not be.

Take Rate is 25% for those that have fiber available (1552/6131 as Nov '21)  
For Comparison: Comcast report 4,397 cable subscribers Dec 31, 2021 to the state.  
(Note: Cable is a video service, Broadband is Internet data – they are not the same)

***Total contract value of a new subscription ~ \$16,000 (20 yrs).***

Investing more in Marketing to ensure demand and Installation services and expense appears justified.

Recommendation: Consider Increase threshold of investment for a given connection (up to \$4000 vs. <\$2000 to date) based on present value of connected location.  
(Track as asset on balance sheet).

Strategic Planning for the competition from cable, low-earth orbit satellite and 5G providers is needed needs to be done at least every 5 years

# Revenue Loss due to Pandemic – ARPA Calculation

Computed Lost revenue two ways:

Historical Installation Growth Rate of 14% per year.

Historical Installation Average 2017-2019 of 195/year

ARPU – Average Revenue per User

14% Rate		ARPU/Month	\$70.00	
Estimated Loss:		ARPU/YR	\$ 840.00	
Year	New	Current YR	Cumulative	With Install Fee
2020	131	\$ 55,165.78	\$ 55,165.78	
2021	151	\$ 63,556.07	\$173,887.62	
<b>Total</b>	<b>283</b>		<b>\$229,053.40</b>	<b>\$ 271,454.06</b>

195/YR				
Year	New	Current YR	Cumulative	
2020	124	\$ 52,080.00	\$ 52,080.00	
2021	115	\$ 48,300.00	\$152,460.00	
<b>Total</b>	<b>239</b>		<b>\$204,540.00</b>	<b>\$ 240,390.00</b>

## Recommendation Responsibility Table (1 of 2):

Recommendations	Type	Priority	Responsible Party
<b>Policies (p.39)</b>			
• <b>Establish Universal Access Goal</b>	Policy	Highest	Select Board/Town Meeting
• Expansion outside current territory	Policy	Low	Select Board/Town Meeting
• Support Economic Vitality, Sustainability, Diversity, Equity & Inclusion	Policy	High	Select Board/Light Board/TM Economic Development
• Affordable Housing	Policy	Medium	Select Board/Housing Groups
• Public Safety	Policy	Medium	Select Board/Town Manager
• Education	Policy	Medium	Select Board/School Dept.
• Government Access (PEG)	Policy	Medium	Select Board/PAAC
<b>Recommended metrics for tracking (p.41)</b>			
• Parcels served	Metric	Medium	Town Staff/Light Board
• Premises served	Metric	Medium	Town Staff/Light Board
• Road miles served	Metric	Medium	Town Staff/Light Board
• Subscribers	Metric	High	Town Staff/Light Board
• Take rate	Metric	Medium	Town Staff/Light Board
• Churn	Metric	High	Town Staff/Light Board
• <b>Installations</b>	Metric	Highest	Town Staff/Light Board
<b>Governance (p.39)</b>			
• <b>Track Metrics &amp; progress against completion</b>	Metric	Highest	Light Board/Town Staff
• Rate of return policy	Policy	High	Light Board/Town Staff
• Financial goals with regular reporting	Policy	High	Light Board/FinComm
• Retained earnings and reserve policy	Policy	High	Light Board/FinComm

## Recommendation Responsibility Table (2 of 2):

Recommendations	Type	Priority	Responsible Party
<b>Strategic Planning Goals (p.43)</b>			
• Marketing and growth	Metric	High	Light Board/Town Staff
• Business return	Policy	High	Light Board/Town Staff
<b>Budgeting Process for Fiber Expansion (p.44)</b>			
• Expand to fill existing opportunities	Planning	High	Light Board/Town Staff
• External funding sources	Research	Medium	Light Board/Town Staff
• ARPA Relief Funds Allocation, incl. Lost Rev	Finance	Highest	Select Board/Town Manager
• Review Confirm Internal Loan Findings	Finance	Highest	Financial Audit Comm/Staff
• Review & Rescind PILOF to MMN	Finance	High	Select Board/Town Manager
<b>Capital Planning Process (p.45)</b>			
• Review/Revise Debt financing schedule	Policy	Highest	Light Board/Town Staff
• Quantifying cost of expansion	Planning	Medium	Town Staff
• How to fund expansion	Planning	Medium	Light Board/Town Staff
• Revise/refine methods for computing ROI	Planning	Medium	Light Board/Town Staff
<b>Construction and Logistics (p.42)</b>			
• Vibratory plow – direct buried fiber cables	Ops	Medium	Town Staff
• Revise/Refine Communication conduit construction standards and guidance	Policy	Medium	Town Staff
• Integrate Fiber construction with the Roads Program – focus on Streets without fiber that already have underground electric	Planning	High	Town Staff

## ***Summary of Recommended Actions:***

### ***1. Adopt specific universal access goals.***

Recognize that there is value in completing the fiber network

Recognize the right thing to do from an equity perspective.

Look for alignment with other town-wide goals - sustainability, housing, etc.

### ***2. Manage the business carefully to enable the goals to be achieved organically***

Understand the business operations by managing to metrics.

Understand the marketplace and competition through periodic studies

Growth the business more deliberately with marketing and adoption programs.

### ***3. Pursue grants and other sources of funding to assist and accelerate progress.***

Start with ARPA Recovery - \$240K documented lost revenue

Remove the Drag from PILOF - 20K pre year and growing

Examine the debt repayment in more detail. - significant headwind for 10 years.

### ***4. Address Cost of Installation:***

Increase threshold of investment for a given connection (up to \$4000) based on present value of connected location. (Track as asset on balance sheet).

Reduce cost of connections through use of direct burry fiber cable (vibratory plow)

### ***5. Study other municipalities who have deployed Broadband***

Learn from best practices and mistakes.

***Questions  
and  
Discussion***

## ***Issues for awareness:***

### ***Planning Opportunities:***

Road Program Coordination & Funding

Dedicated allocation from Broadband Capital Plan.

Affordable Housing enablement

### ***Drags on the ability to fund:***

Slow subscriber growth.

PILOF to Minuteman Media Network

\$1.9 Million “Startup Loan” – Confirmation and

Payback plans

## ***Multi-Dwellings Units Summary***

1,673 Apartments

Broadband "Available" at 856 Apartments

Fiber in Street but Not Available at 380 Apartments

No fiber in Street at 84 Apartments

No Access from Concord at 351 Apartments

Total Apartments without Fiber = 835

1040 Condo Units

Broadband "Available" at 519 "Condo Units"

Fiber in Street but Not Available at 514 "Condo Units"

No Fiber in Street at 7 "Condo Units"

Total Condo Units without Fiber = 521

20 Duplexes

Broadband "Available" at 19 Duplexes

No Fiber in Street at 1 Duplex

Biz Leases - 23 total

Broadband "Available" at 18 Biz Leases

Fiber in Street but Not Available at 3 Biz Leases

No Fiber in Street at 2 Biz Leases

***Total:*** ***2,756***

***Total without Fiber:*** ***1,362***



# TOWN OF CONCORD

## Department of Planning & Land Management

To: Concord Select Board

From: Marcia Rasmussen, Director DPLM  
Elizabeth Hughes, Town Planner  
Beth Williams, Economic Vitality and Tourism Manager  
Erin Stevens, Public Information and Communications Manager

**Re: Town of Concord Trolley/Shuttle Pilot**

Date: June 6, 2022

This memorandum is intended to provide the Select Board with background information about a pilot program to provide a trolley/shuttle for visitors to historic Concord – providing transportation services to/from the Thoreau Depot to multiple historic sites in Concord Center and West Concord – and, to seek your support for funding.

Town staff has requested funding for one (1) trolley/shuttle to operate in Concord from approximately June 15, 2022, through October 31<sup>st</sup>, 2022, in a one season pilot program. The trolley will operate on a fixed loop beginning at the Thoreau Depot to Concord Center/Visitor Center and five tourist destinations as noted in the below. Twice per day, tentatively 11am and 1pm the shuttle will have an additional stop at the West Concord Train Depot. This change was made in consultation with the Concord Business Partnership and various shop owners. While requesting a one season turnkey contract as a pilot program, the Town is interested in documenting use and interest in a shuttle program to support expanding services for future operations. These expansions, subject to data gathered during the pilot, funding, and interest level, may include:

- A wider visitor route to include the towns of Lexington and Lincoln with the Minute Man National Historical Park (MMNHP) sites
- An additional loop or expanded route to West Concord
- An expanded time of operations to include commuters “first mile/last-mile” needs

The pilot trolley/shuttle is to be operated in a “hop-on, hop-off” capacity serving five (5) tourist destinations beginning at the MBTA Concord Center/Thoreau Depot commuter rail stop to allow visitors and locals alike to be less car dependent while in Concord Center and visiting the historic sites. The goal is to provide a convenient, less stressful visitor experience, reduce the number of cars on local streets, and promote the use of the commuter rail service. The shuttle schedule will be timed to align with the MBTA schedule.

This trolley/shuttle pilot program is in line with the Town’s Envision Concord - Bridge to 2030 Long Range Plan (<https://concordma.gov/2281/Comprehensive-Long-Range-Plan>), Sustainable Concord - Concord’s Climate Action Plan, Transportation Advisory Committee goals, and the Town’s overall goals to be a more inclusive community by allowing greater access for a wider variety of people to visit Concord without the need for a car. The Visitor Center reports that at least twice a week there is a request for a vehicle to help guests visit multiple sites around town.

The trolley/shuttle operator will be providing full service, turnkey operation. Operating hours are to be 9:00 AM – 4:00 PM on a continuous, fixed route, 7 days per week during the operation season and offered for free or at a low cost (initial proposal is \$4 per passenger). Fees collected will use an online web-based payment software; several



# TOWN OF CONCORD

## Department of Planning & Land Management

such programs were considered and FareHarbor was selected based on their integration with the Visit Concord Website, ease of use, and ability to have a flexible contract. In addition, cash/card would be available at the Visitor Center, if a small fee is decided to be the best option. Users would also be able to track the trolley using an app.

Based on the number of visitors who walk through the Visitor Center, a conservative estimate is that a quarter of the people who go to the Visitor Center, or roughly 4,000 people, will ride the trolley in its first pilot year. This is a potential revenue stream that could offset some of the cost to the Town. Alternatively, the trolley could be offered as a free service to provide better use data but would not recoup any costs.

The Town went out to Bid (Bid 2234) and received one proposal which fit the needs for the Pilot Program, the final cost is roughly \$100,000 for turnkey service. Based on this bid, which is ready to be awarded upon funding approval, the Town is seeking \$100,000 in ARPA funds to run the pilot shuttle program. The shuttle pilot will be ready to start once awarded.

Conducting a pilot trolley/shuttle program this year and collecting data will support and strengthen future grant applications. Currently, the Town is working with the towns of Lexington and Lincoln along with the Minute Man National Historical Park to prepare a grant application seeking funds for an expanded shuttle/trolley program through the Federal Land Access Program, which is due in August 2022. If awarded, funding would be available in late 2023. This FLAP grant application is supported by a [Feasibility Study for Town-Led Shuttle Service](https://concordma.gov/DocumentCenter/View/35762/MIMA-Shuttle-Study_August-2021) prepared by the Volpe Center in 2021 for the Minute Man National Historical Park, Concord, Lexington, and Lincoln ([https://concordma.gov/DocumentCenter/View/35762/MIMA-Shuttle-Study\\_August-2021](https://concordma.gov/DocumentCenter/View/35762/MIMA-Shuttle-Study_August-2021)), which suggested,

“A pilot could help gather data to refine service details and inform a full implementation.” The 2022 pilot program envisioned by Concord will provide data for a more competitive FLAP grant package. This data will also be useful if the State’s Workforce Transportation grant funds become available again in demonstrating that Concord is invested in making various forms of public transportation viable for getting around Town.

Based on historic data from MMNHP and other similar sized National Park celebrations, it is anticipated that there will be an additional 200,000-300,000 visitors coming to the MMNHP in 2025 and beginning in 2024, with most of the increase concentrated to special occasion months such as April and July. Concord can expect to see a strong visitor influx in correlation with that number. The Town and the region must prepare now to be able to transport visitors around and improve the experience for both visitors and the community as a whole.

So why is promoting visitors and tourism through provision of a trolley/shuttle program important to Concord? In general, the travel and tourism industry supports a tourist’s or traveler’s need for transportation, food, lodging, amusement, and entertainment. Broadly these sectors include the transportation sectors, entertainment and recreation, food services, retail trade, lodging as well as the travel arrangement sector. The Visitor Center has numerous anecdotal stories that business is boosted by tourists, which has recently been affirmed via data gathered by the Metropolitan Area Planning Council (MAPC) staff through a study to measure the regional economic impacts of tourism of Concord, Lexington, and Arlington. Data on spending in Concord suggests that tourism is a major driver in supporting local business; based on the input-output model analysis (RIMS II) it is estimated that direct tourism output (visitor spending on tourism commodities) for Concord accounts for 33.1% or \$72.3



# TOWN OF CONCORD

## Department of Planning & Land Management

million of its total annual sales of commodities of tourism and allied sectors. These percentages increase to 53.1% for Concord for total tourism output which includes indirect and induced impacts in addition to the direct impacts. Indirect spending results from regional travel-related businesses purchasing goods and services within the region, while induced spending results from employees of travel-related businesses spending part of their income in the region.”

Additionally, Concord collects local taxes through two different sources: the Local Option Meals Tax and the Local Option Room Occupancy Tax. Tax rates and revenues/collections for Concord are published by the Division of Local Services, within the MA Department of Revenue data, and is presented in the tables below. These funds contribute toward the many revenue sources that support town services.

*Local taxes collected in dollars from 2015-2020*

	Local Options Rooms Tax	Local Options Meals Tax	Total taxes collected
Year	Concord	Concord	Concord
2015	\$297,885	\$333,073	\$630,958
2016	\$334,372	\$360,184	\$694,556
2017	\$472,779	\$353,567	\$826,346
2018	\$667,462	\$380,082	\$1,047,544
2019	\$865,598	\$423,880	\$1,289,478
2020	\$530,214	\$393,523	\$923,737

*Source: Division of Local Services Databank, MA Dept. of Revenue*



# TOWN OF CONCORD

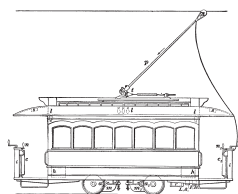
## Department of Planning & Land Management

### Additional Information:

- Approximate distance of historic route is 7 miles, approximately 45 minutes, route breakdown is below  
Stops include:
  - Concord Center MBTA Station
  - Concord Visitor Center
  - Old Manse/Robbins House/North Bridge
  - North Bridge Visitor Center
  - Concord Museum/Emerson House
  - Meriam's Corner
  - Orchard House/Wayside Home of Authors
  - Concord Visitor Center
  - **Additional stop at 1pm and 11am to West Concord Train Depot**
  - Concord Center MBTA Station

# The Concord Trolley

## PILOT PROJECT



**Let's get moving!**

- Hop-on, Hop-off trolley making 7 stops in historic Concord on a loop from **9am-4pm, 7 days per week**
- **Inexpensive and reliable transportation June-October**
- Support multi-modal transportation goals:
  - Easy travel for those coming via train, timed to line up with train schedule
  - No need to worry about parking, park and ride to the sites you want to see all day for one low price/free
  - More sustainable, less traffic, more time seeing the sites!
  - Great for visitors coming from Boston or surrounding area via train
- Online payment with easy to use web-based payment system or cash/card at Visitor Center. *Nominal fee to ride (\$4/rider) or free*
- *Online tracker system, see where the trolley is at any time*
- Estimates for an ADA accessible 14-20 passenger vehicle came out to roughly \$100,000 for 4 month pilot project

# *The Concord Trolley* PILOT PROJECT



## Why now?

### Short Term Investment for a Long Term Plan

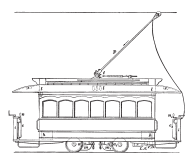
*This is a short term investment to gather necessary data to submit for a FLAP (Federal Land Access Program) grant due August 1st for a long term plan for a fully funded expanded service which would include a West Concord Loop and expanded regional service to Lexington and Lincoln.*

This data is extremely valuable as we apply for a very large grant to fully fund these services in time for Rev250 when we could have as many as 200,000 people coming to Concord

Tourism is gaining at a fast pace as the pandemic is hopefully coming to a close and people are anxious to get out and explore the world.

The FLAP grant if received, will provide **full funding for expanded service**

*This is \$100,000 allocation for a pilot project which may provide a substantial grant to expanded service in Concord and our region expanding tourism and economic development*



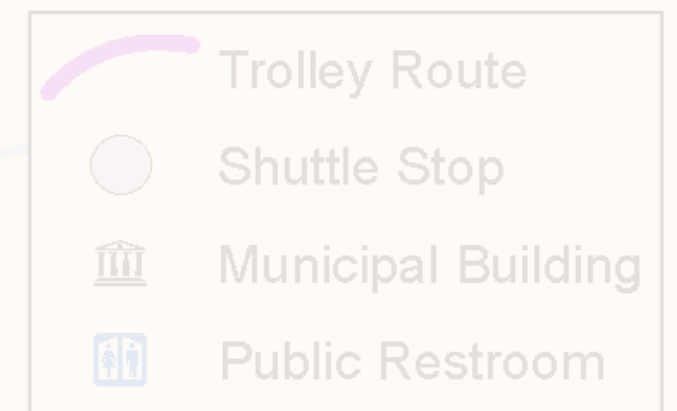
**Let's get moving!**

# Historic Concord Trolley



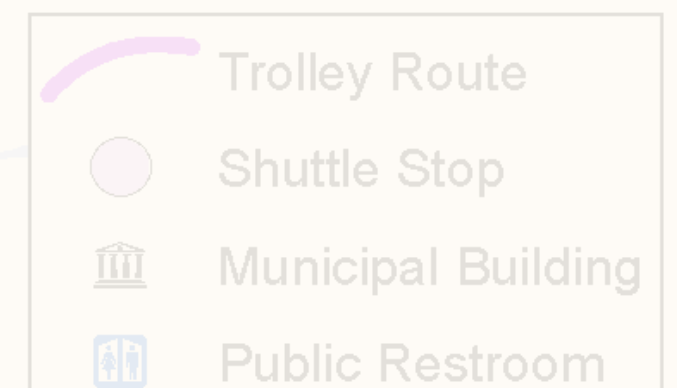
# Trolley Stops

- Thoreau Depot MBTA Commuter Rail
- Concord Visitor Center
- Concord Museum
- Meriam's Corner
- Wayside/Orchard House
- North Bridge/The Old Manse/Robbins House
- Minuteman National Historical Park North Bridge Visitor Center
- Concord Visitor Center
- *Additional stop around 11am and 1pm at West Concord Train Station for West Concord Village*
- Thoreau Depot MBTA Commuter Rail



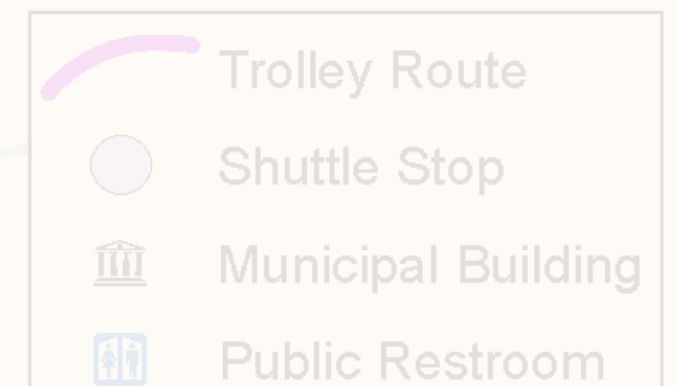
# What is supporting this?

- **Minute Man National Historical Park: Feasibility Study for Town-Led Shuttle Service:** Led by the Volpe Center, a Federal Transportation Group, the Minuteman National Historical Park, Concord, Lexington, and Lincoln.
- **Tourism Market Analysis:** MAPC study on economic development in Concord
- **Sustainable Concord:** Concord's Sustainability Action Plan
- **Roadmap to Concord Transportation and Mobility:** Transportation Advisory Committee Goals
- **Envision Concord: Bridge to 2030:** Concord's long range plan
- Tourism data and observations by our Visitor Center and Chamber of Commerce
- DEI goals of diversity and equity, if Concord is only accessible by car, we are leaving people without a car with few to no options. The train is much more affordable and can attract a wider demographic of visitors and may support more visitors coming for not just Literary and Revolutionary History, but Indigenous and African American history as well



# Support

- Concord Business Partnership
- Concord Chamber of Commerce
- Transportation Advisory Committee
- Economic Vitality Committee
- Sustainability Division
- Many Concord Businesses



# Final Notes

- Bids are back and ready to award!
- Marketing is ready
- Data collection through Trolley company and part-time intern potential
- Design of shuttle is set
- Shuttle company is ready to start as soon as awarded



Legend:

- Trolley Route
- Shuttle Stop
- Municipal Building
- Public Restroom

# Town of Concord

## Shuttle FAQ's

### Why is this important now?

This is a short term investment to gather necessary data to submit for a **FLAP** (Federal Land Access Program) **grant due August 1<sup>st</sup>** for a long term plan for a **fully funded expanded service** which would include a West Concord Loop and expanded regional service to Lexington and Lincoln.

This data is extremely valuable as we apply for a very large grant to fully fund these services in time for Rev250 when we could have as many as 200,000 people coming to Concord

Tourism is gaining at a fast pace as the pandemic is hopefully coming to a close and people are anxious to get out and explore the world.

### Why a pilot?

- Information is power! We have studies which say this will work and goals to make it happen but we need data to learn from and information to use for future growth and improvement
- Pilots are meant to be flexible. If it turns out that only 3 people get on/off at the North Bridge, we can remove that location from the various stops and identify other locations where people say they wished we stopped. This preliminary route is based on work completed in a feasibility study.

### What we have heard is important and what changes have been made?

- The inclusion of West Concord for the pilot was important and we heard that loud and clear. After discussing with business owners, town staff, and community members, **we have added an additional stop twice per day to West Concord.** This will allow people to enjoy West Concord for lunch and to shop, but will keep the loop to the optimal desired time of 30 minutes for most of the day.
- The option of a separate West Concord loop was discussed and decided that due to Commonwealth Ave. construction in West Concord throughout the summer and the additional cost of \$100,000, the addition of a mid-day stop was determined to be the best option to include West Concord and keep to a shortened loop for the rest of the day making it viable for tourist transportation. This was supported by the Concord Business Partnership.

- The plan to expand to a second route which would include West Concord remains the same and will be proposed for the expanded service in the future.

### **What are the stops?**

Thoreau Depot MBTA Commuter Rail

Concord Visitor Center

Concord Museum

Meriam's Corner

Wayside/Orchard House

North Bridge/The Old Manse/Robbins House

Minuteman National Historical Park North Bridge Visitor Center

Concord Visitor Center

### **Additional stop around 11am and 1pm at West Concord Train Station for West Concord Village**

Thoreau Depot MBTA Commuter Rail

### **What is supporting this?**

- [Minute Man National Historical Park: Feasibility Study for Town-Led Shuttle Service](#): Led by the Volpe Center, a Federal Transportation Group, the Minuteman National Historical Park, Concord, Lexington, and Lincoln.
- [Tourism Market Analysis](#): MAPC study on economic development in Concord
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- DEI goals of diversity and equity, if Concord is only accessible by car, we are leaving people without a car with few to no options. The train is much more affordable and can attract a wider demographic of visitors and may support more visitors coming for not just Literary and Revolutionary History, but Indigenous and African American history as well

### **Why schedule around the train?**

- We hear from many visitors they would much prefer to take the train, but don't want to have to walk to all the historic locations as they won't be able to visit as

much during their trip or have accessibility/mobility issues. We receive requests from roughly 30+ people per month asking for transport in the form of a shuttle or something similar. These are just the people who call asking, this does not necessarily reflect the actual number of people who want to come via train but currently do not feel it is an option

- The number of people coming via train today does not reflect the numbers that could if there was a local transportation option. Accessibility, mobility, and ease of travel are major factors when people are making travel plans and walking far distances may not be an option for everyone.
- We want to encourage train use to ease local traffic and provide a convenient way to get around Concord
- Concord is committed to sustainability and lowering our Greenhouse Gas Emissions, therefore, encouraging use of the train allows for people to use public transit to arrive in Concord and then consider less carbon intensive ways to get around such as the shuttle, walking, and biking!

### **Why now?**

- Concord is submitting an application by August 1st for a FLAP grant which, if received, would **fully fund an expanded trolley service** through Concord, Lexington, Lincoln, and the National Park
- Having data as part of our application increases the strength of the application
- We are **expecting an influx of 100,000-200,000 visitors to Concord** in association with events leading up to 2025/Rev250 based on historic parks of similar size and past events at Minuteman National Historical Park. This influx is expected to start a year before based on historic data, which means transportation needs to be addressed **before 2025** so any issues can be worked out and the FLAP grant is our best plan to pay for transportation for mass amounts of people

### **Why are we not marketing this? How will people know?**

- We do not have funding for this pilot program, we cannot market what we do not have. We would risk losing credibility as a Town and Visitor Center if we told people there was a trolley without one being funded and operational. We certainly do not want to tell people a trolley is coming or is available and then not be able to provide one, or worse, they come thinking one exists and are left without transportation.
- We have plans to market using our connections and memberships with the Greater Merrimack Business Bureau, Boston Concierge Association which has information racks in every Boston hotel, MBTA, newspapers, and targeted social media.

### **Why not Electric?**

- We would love to have an electric trolley! We looked into it and asked. The vendors we received quotes from said the technology isn't yet there to be able to do a non-stop trolley from 9am-4pm. We would have to pay 2-3x the cost to get 2-3 vehicles to do the route and recharge at the same time, which isn't economically feasible.
- This is one reason we have decided to rent through a company at first. We can continue to look for electric or good hybrid options when they become available and feasible – we are hopeful this will become true in the next year or two!

Select Board,

At its May 10, 2022 meeting, the Transportation Advisory Committee unanimously endorsed the Tourist Trolley proposal presented to us by Erin Stevens, TAC staff support and Public Information and Communications Manager.

The proposed service is aligned with the transportation vision of Envision Concord 2030 by offering a transportation service that promises to increase tourism without adding automobile traffic or increasing demands for parking. Similarly, it is aligned with the Town's sustainability goals and the Transportation Advisory Committee's goals.

We think that this service will also give the Town valuable experience in providing a transportation service to the public and believe that it will also be used by some residents who find its particular route convenient or when they have visiting friends and family. The presence of such a service in the Town will fit nicely with our desire to build public awareness of multi-modal possibilities.

We hope that the Select Board will support the proposal with funding and encourage publicity to assure it achieves its vision for a welcoming and sustainable Concord.

Respectfully,

Nick Pappas, Chair  
Transportation Advisory Committee



# CONCORD

## CHAMBER OF COMMERCE

MASSACHUSETTS

Memo

June 7, 2022

To Select Board, Matthew Johnson, Chair

Cc: Michael Gibbons

The Concord Chamber of Commerce would like to report the findings of the Trolley/Shuttle Pilot survey sent to all members.

This survey engaged the Concord Business Community in discussions. As a result of the survey and discussion with members, the Concord Chamber of Commerce requested along with other organization a revision to the Pilot Program to include stops in West Concord.

The majority of our membership supports the revised Trolley/Shuttle pilot. The membership feels it will lead to enhanced economic vitality in Concord while serving both resident and tourist clientele.

Thank you for including the Concord Chamber of Commerce in your discussion.

Thank you,

Marie

Marie Foley

President, Concord Chamber of Commerce

[president@concordchamberofcommerce.org](mailto:president@concordchamberofcommerce.org)

P.O. Box 1544

Concord MA 01742

978 371 1635

## Michael Gibbons

---

**From:** Carol Thistle [REDACTED]  
**Sent:** Friday, June 10, 2022 11:28 AM  
**To:** Matthew Johnson  
**Cc:** Michael Gibbons  
**Subject:** Concord Trolley

Dear Matt,

We are very excited about the proposed Concord Town Trolley!

The Concord Museum is in complete support of this project. We're confident it will entice more out-of-town visitors to come to the museum, as well as other Concord attractions.

We also believe the trolley will greatly benefit all of Concord businesses - including shops, restaurants, and more!

We really commend the Town of Concord for embarking on this pilot project. As you progress, please let us know if the Museum can do anything to support you in your efforts!

Thank you,  
Carol  
Carol Thistle  
Director of Marketing  
Concord Museum  
[REDACTED]



OLD NORTH BRIDGE

## TOWN OF CONCORD

SELECT BOARD'S OFFICE  
22 MONUMENT SQUARE - P.O. BOX 535  
CONCORD, MASSACHUSETTS 01742

TELEPHONE (978) 318-3001  
FAX (978) 318-3002

June 6, 2022

Ms. Carolyn Cole  
Cultural Districts Program Officer  
Communities Initiative, Mass Cultural Council  
10 St. James Avenue - #302  
Boston MA 02116

**Re: Town of Concord intent to renew the Concord Center Cultural District designation**

Dear Carolyn,

This letter is to confirm that on Monday, June 13<sup>th</sup>, the Concord Select Board voted to notify the Mass Cultural Council of its intent to review the Concord Center Cultural District designation.

In October 2018, the Select Board created the Concord Center Cultural District Committee to manage the Concord Center Cultural District. Town staff from the Department of Planning and Land Management participated in meetings with representatives from cultural organizations, not-for-profit organizations, private for-profit organizations and local businesses in planning activities and events. The Select Board believes that this designation has benefited our local cultural organizations, historical sites and businesses as more people have visited and experienced Concord, especially during COVID.

Our hope is that Cultural District designation will continue to contribute toward stimulating economic activity and enhancing the experiences of residents and visitors to Concord. We look forward to preparing the renewal application for your consideration in renewing the Cultural District designation for Concord Center.

On behalf of the Concord Select Board,

Matthew Johnson  
Chair

# Project Results & Next Steps



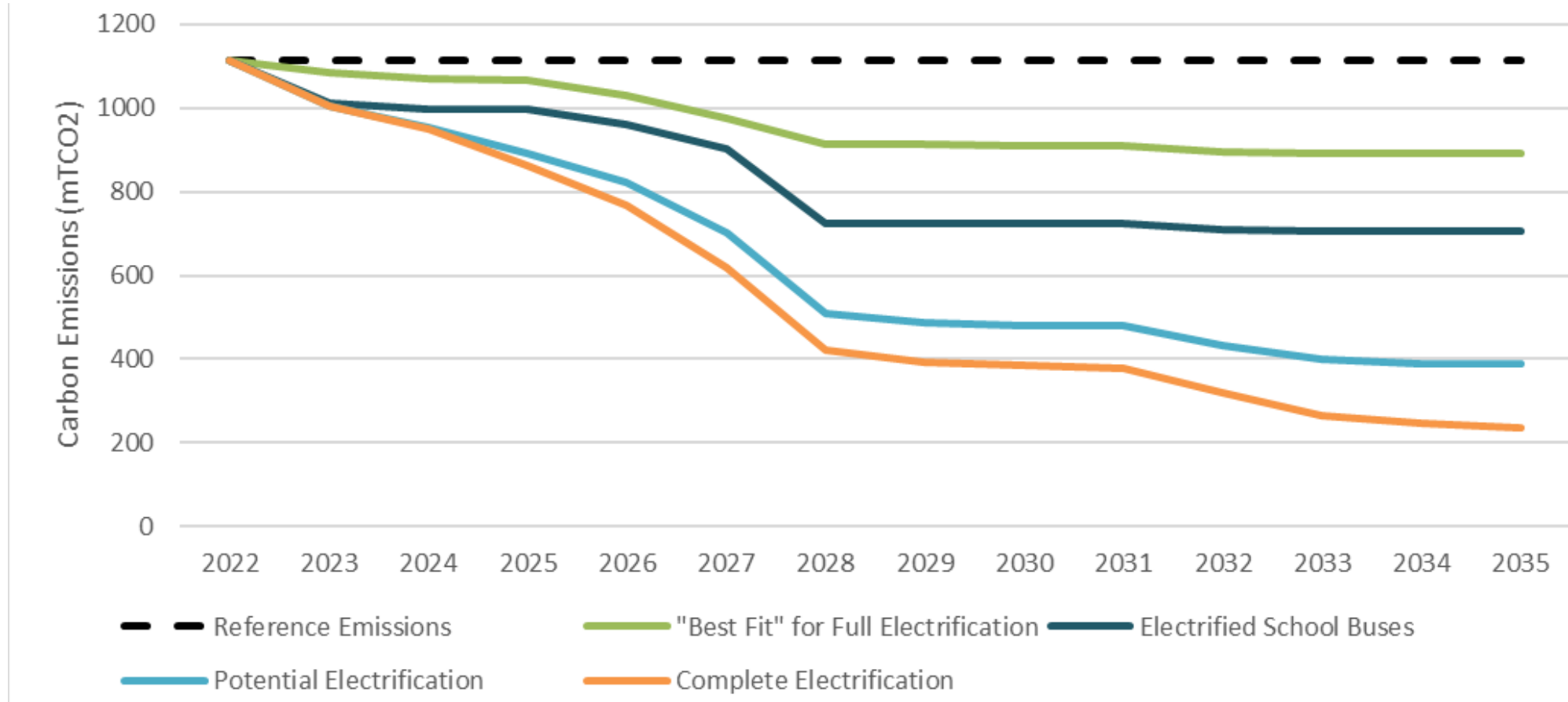
THE TOWN OF  
**CONCORD**  
MASSACHUSETTS

## Fleet Electrification Roadmap & Charging Infrastructure Needs Assessment

2022

Review Final Deliverables at:  
<https://concordma.gov/2209/Municipal-Sustainability>

# CARBON EMISSIONS REDUCTIONS BY SCENARIO



*For this analysis, the regional carbon intensity of 0.255 MTCO2 per MWh was assumed. With CMLP's goal and progress on carbon-free power supply, emissions will be reduced even further and to zero upon complete electrification.*

# APP #65 SUSTAINABLE FLEET POLICY – ADOPTED 2020






## High Level Policy Goals

- The purchase or lease of exclusively battery electric vehicles for all light-duty passenger fleet replacements by FY22 – exemptions must be approved by Town Manager
- Pilot, evaluate, and, where feasible, acquire electric vehicles for medium- and heavy-duty vehicle and equipment categories
- Minimize vehicle miles travelled and minimize idling

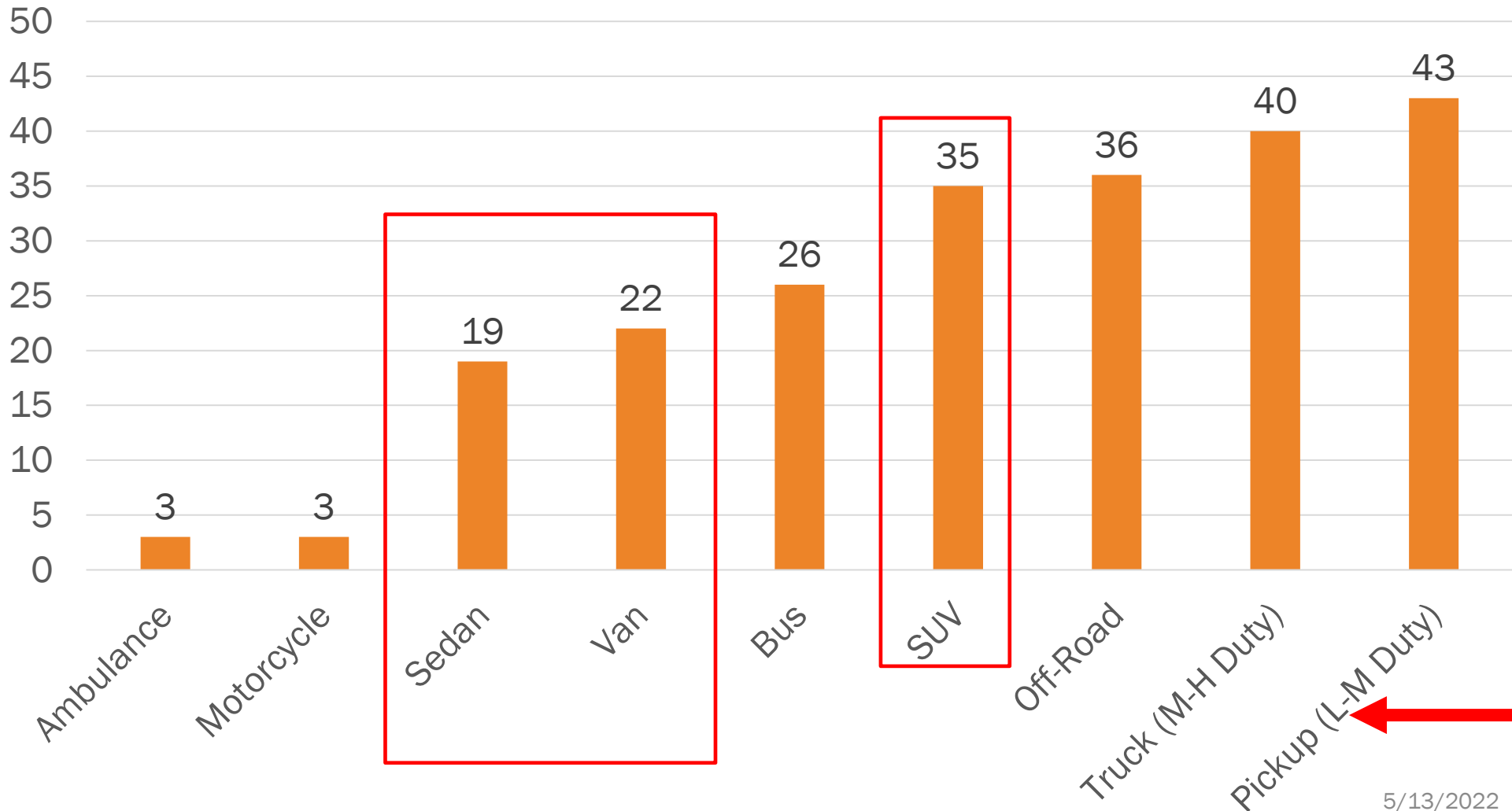
## Maintain consistent inventory across departments

- Model, make, model year, month and year purchased, VIN, drive system, weight class, miles per gallon, annual miles driven, total fuel consumption, department, vehicle function.
- Early retirement program for the least efficient vehicles – annual review

## STUDY OVERVIEW

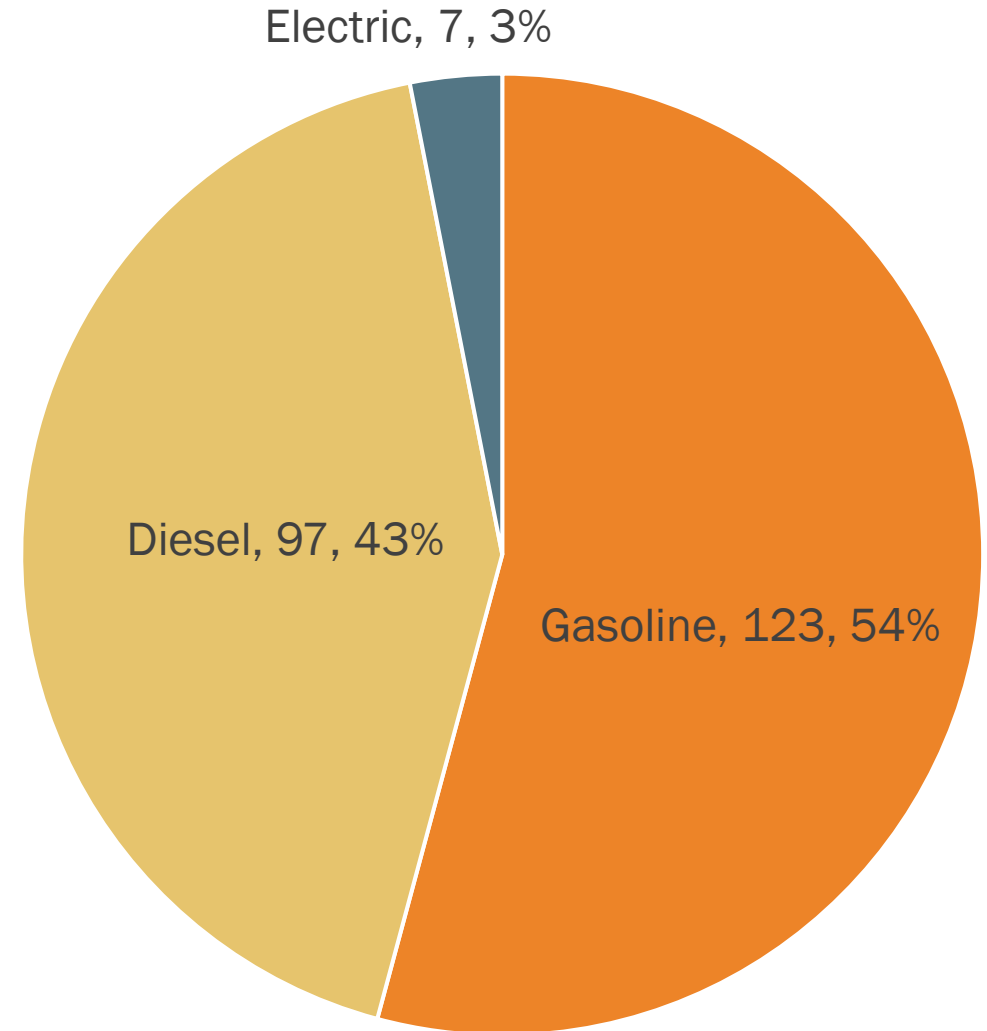
-  VEHICLE ANALYSIS & EV SUITABILITY
-  VEHICLE TOTAL COST OF OWNERSHIP ANALYSIS
-  LOAD FORECASTING & CHARGING INFRASTRUCTURE NEEDS
-  INFRASTRUCTURE COST
-  NEXT STEPS

# CURRENT FLEET BY VEHICLE TYPE – TOTAL 227



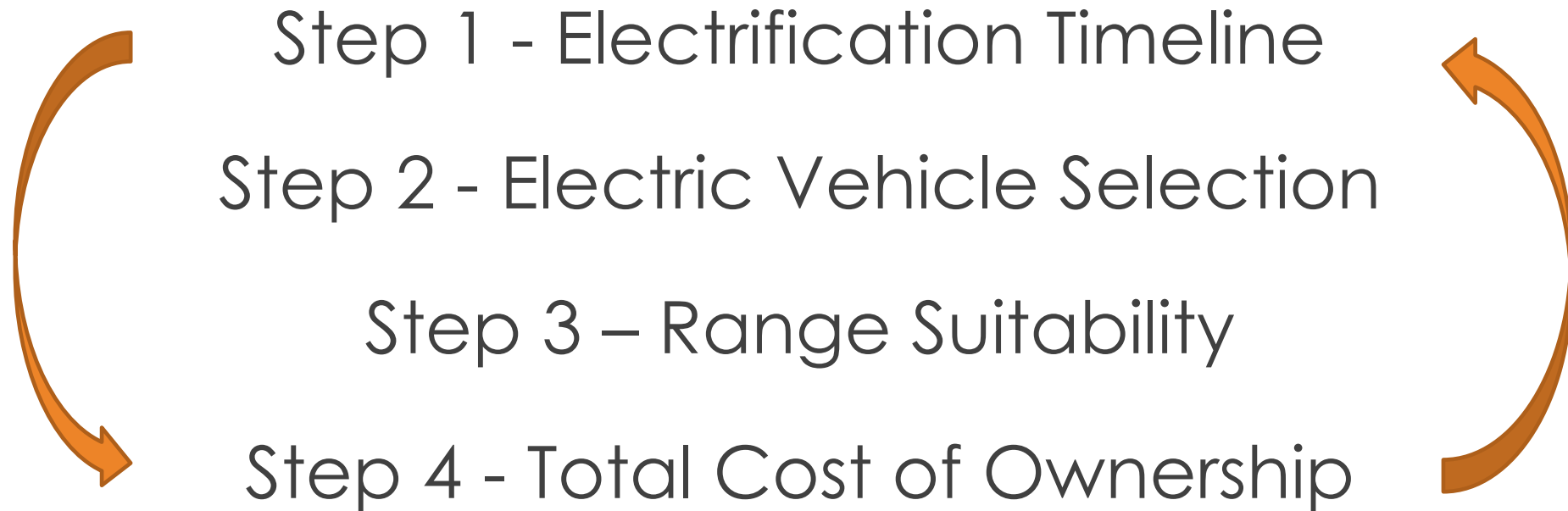
## STUDIED FLEET BY FUEL TYPE

- 91% internal combustion engines (ICE)
- 5% hybrids (gas-powered)
- 3% battery electric vehicles (BEV)
- 1% plug in hybrids (PHEV-gas and electric)

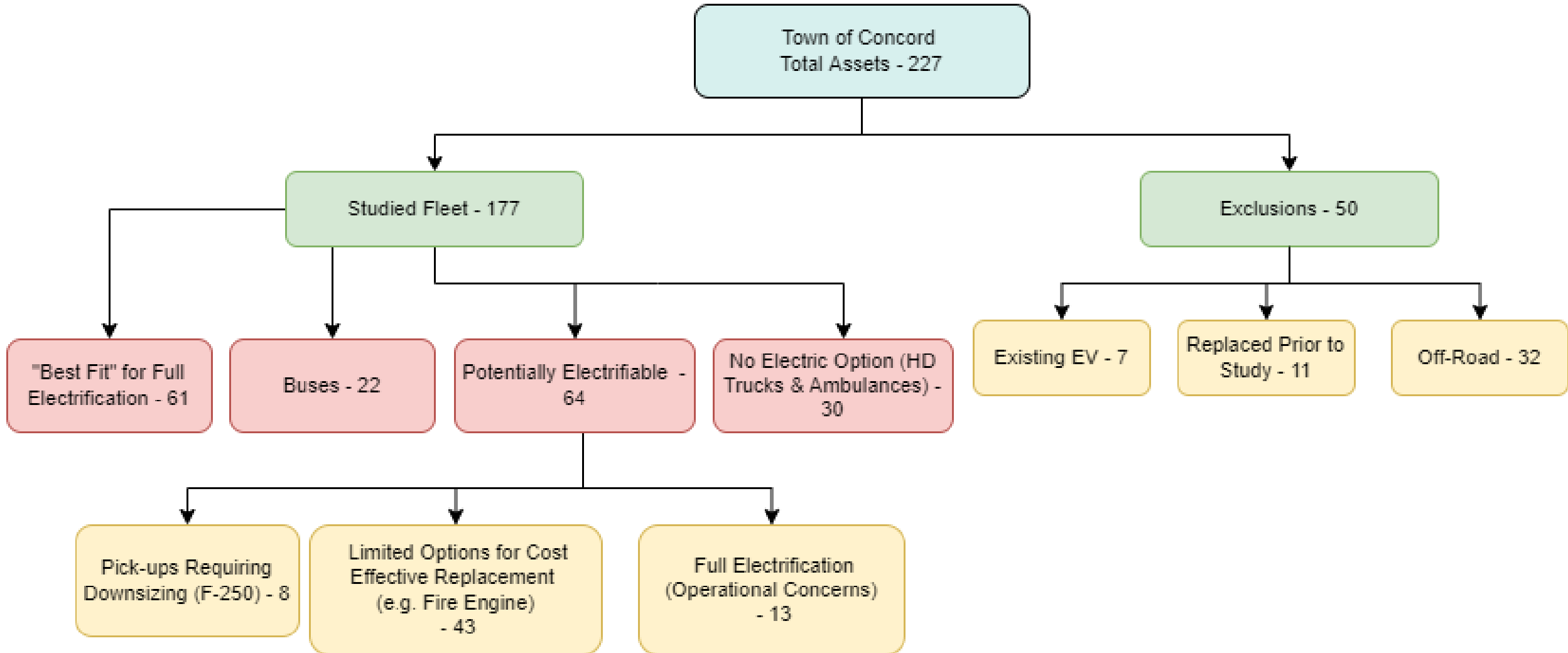


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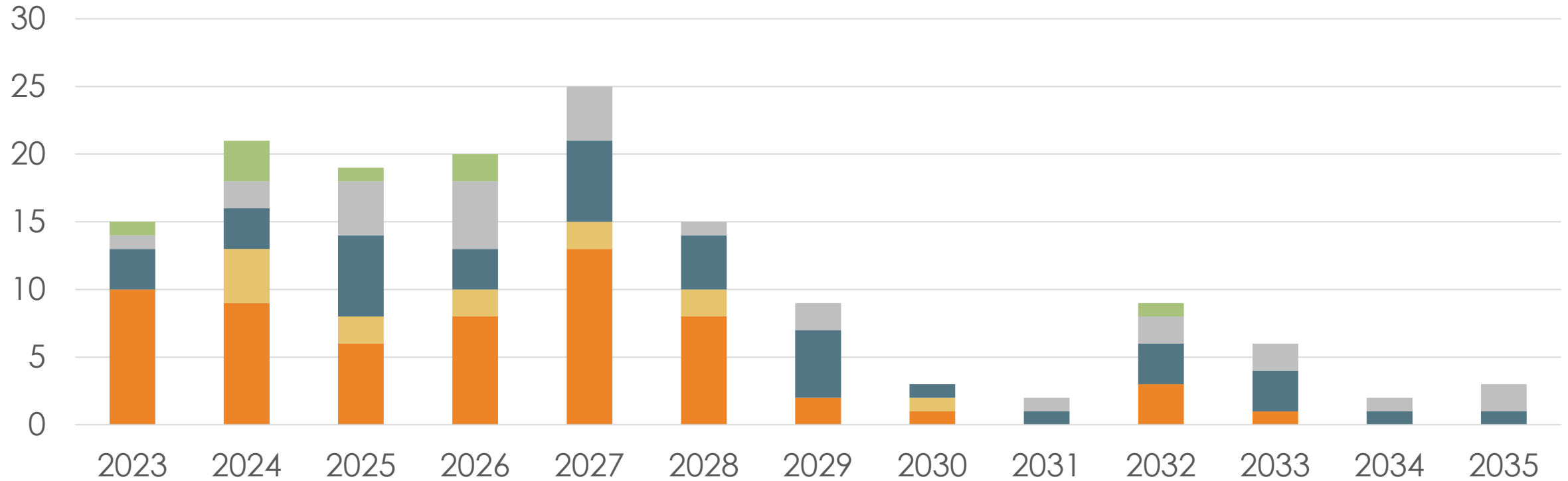
# METHODOLOGY



# FLEET CATEGORIZATION

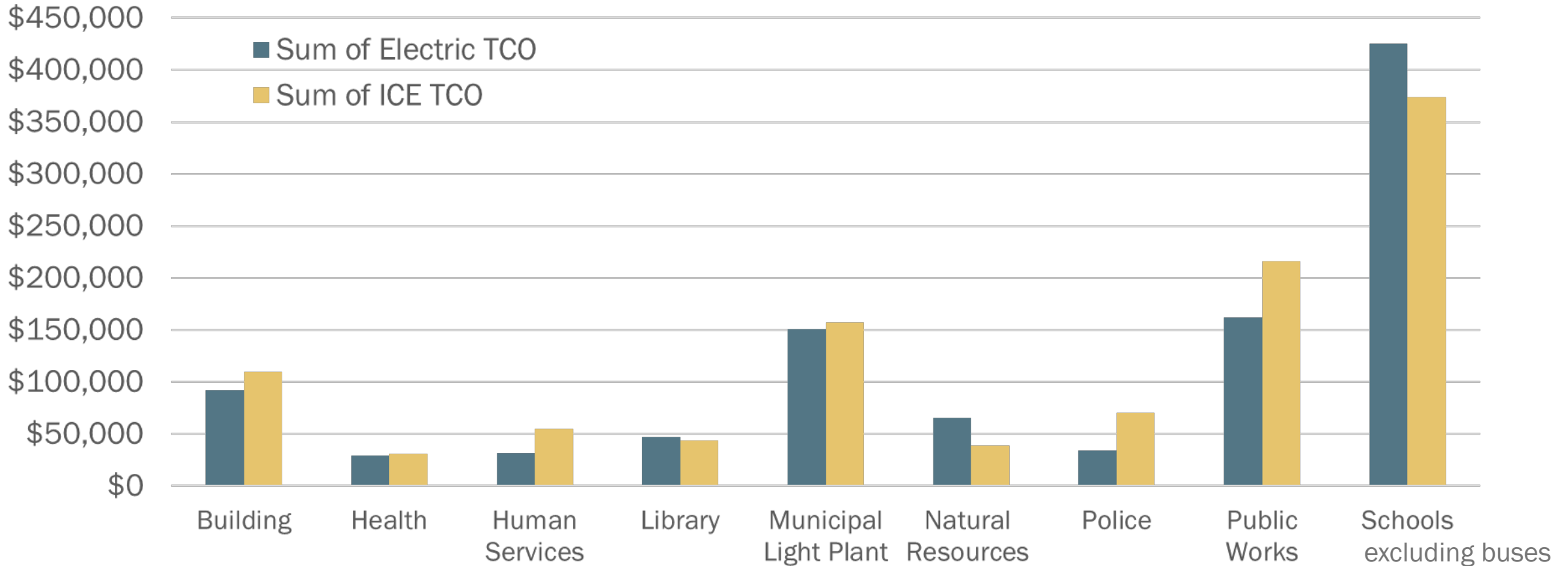


# REPLACEMENT TIMELINE BY CATEGORY



- Pickups Requiring Downsizing
- Limited Options for Cost Effective Replacement
- Full Electrification
- No Electric Alternative
- Full Electrification - Operational Concerns

# TCO ESTIMATES “BEST FIT” VEHICLES PURCHASES 2023 – 2025



*TCO estimates also available for “potential electrification and for other time periods*

## FLEET REPORT – KEY FINDINGS

- **34%** of the studied fleet (61 out 177) can be replaced with an EV currently on the market
- Electrifying “Best Fit” vehicles due for replacement between
  - 2022 – 2025 is expected to **save approximately \$200,000**
  - 2025 – 2030 is expected to **save approximately \$180,000**
  - 2031 – 2035 is estimated to **save approximately \$140,000**
- **Vehicle range is not a barrier - 100%** of the vehicles’ historical driving behavior can be managed with the recommended EV option
- Municipal fleet carbon emissions would be reduced by an **estimated 39% by 2030** with the replacement of the Town’s “Best Fit” vehicles and the buses

## CHALLENGES AND NEEDS

- Need centralized fleet management software to track data and transition. Benefits:
  - Streamlined coordination
  - Better understanding of return on investment and total cost of ownership
  - Transition is data driven, easily managed and updated
  - Route optimization, maintenance tickets, additional add-ons
- Need continual/additional analysis to review
  - Availability of medium- and heavy-duty EVs
  - Emergency operations and backup



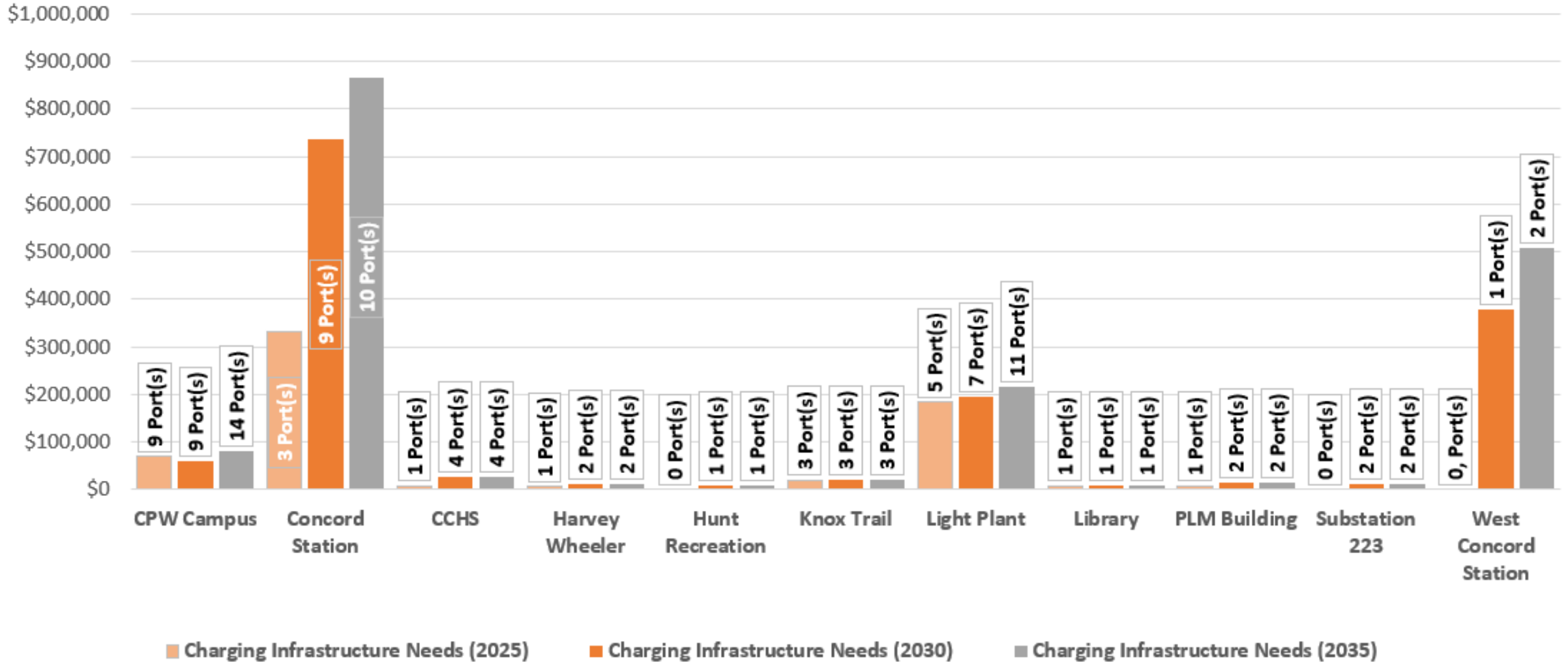
# CHARGING INFRASTRUCTURE NEEDS ASSESSMENT



## SUMMARY OF METHODOLOGY

- Solving for two major constraints:
  - Are the port ratings (kW) high enough to provide sufficient energy during vehicle dwell time?
  - Are there enough ports to provide sufficient energy to the entire fleet of EVs?

# SUMMARY OF PROJECTED CHARGING INFRASTRUCTURE NEEDS



# PROJECTED INFRASTRUCTURE NEEDS - 2025

Site	# of Electric Vehicles by Scenario (% of Total)			# of Ports (Fully Powered) & Type	Vehicle to Port Ratio ("Potential Electrification")	Notes
	"Best Fit"	"Potentially Electrifiable"	"All Vehicles"			
CPW Campus	4 (8%)	<b>12 (24%)</b>	14 (27%)	4 x 11.5 kW 4 x 6.6 kW	1.5	2 existing L2 ports
Concord Station (Total)	2 (6%)	<b>5 (15%)</b>	5 (15%)	2 x 11.5 kW 1 x 6.6 kW	1.66	
Police	2 (3%)	<b>3 (11%)</b>	3 (13%)	1 x 11.5 kW	3	150 kW for Special Unit, 11.5 kW for Patrol, 6.6 kW for Admin
Fire	0 (40%)	<b>2 (38%)</b>	2 (51%)	1 x 11.5 kW 1 x 6.6 kW	1	
CCHS	3 (20%)	<b>3 (20%)</b>	3 (20%)	1 x 6.6 kW	3	
Harvey Wheeler	0 (0%)	<b>1 (33%)</b>	1 (33%)	1 x 11.5 kW	1	
Hunt Recreation	0 (0%)			N/A	N/A	
Knox Trail	6 (50%)	<b>10 (83%)</b>	11 (92%)	1 x 11.5 kW 2 x 6.6 kW	3.33	
Light Plant	4 (15%)	<b>13 (52%)</b>	16 (64%)	1 x 150 kW 4 x 6.6 kW	2.6	150 kW for Heavy Duty vehicle(s)
Library	<b>1 (100%)</b>			1 x 6.6 kW	1	Level I charger would viable
PLM	4 (50%)	<b>4 (50%)</b>	4 (50%)	1 x 6.6 kW	4	
Substation 223	0 (0%)			N/A	N/A	
West Concord Station	0 (0%)				N/A	

# OPERATIONAL UPDATES WILL BE NEEDED

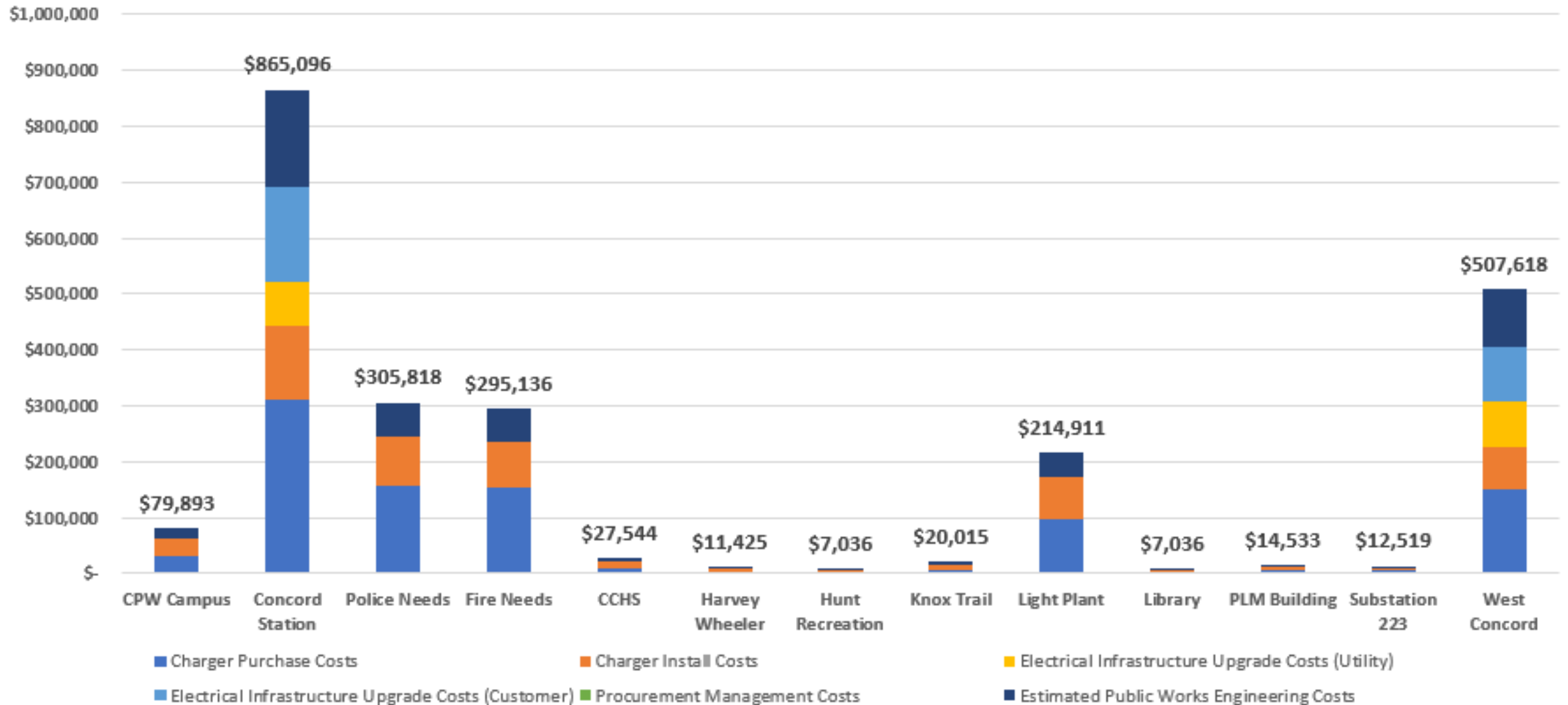
- Emergency backup for charging vehicles
- Link data with fleet management software
- Set chargers to run during off peak (at night)
- Internal education for EV drivers
- When vehicle to port ratios exceed 1, operational changes related to vehicle rotation are expected:
  - Not all vehicles will plug in every night
  - Power sharing implemented (e.g., plug count exceeds circuit capacity and chargers share power when multiple vehicles plug in)
  - Staff on hand to rotate vehicles at night
  - Charging software

## REMAINING POWER CAPACITY VS. POWER NEEDED

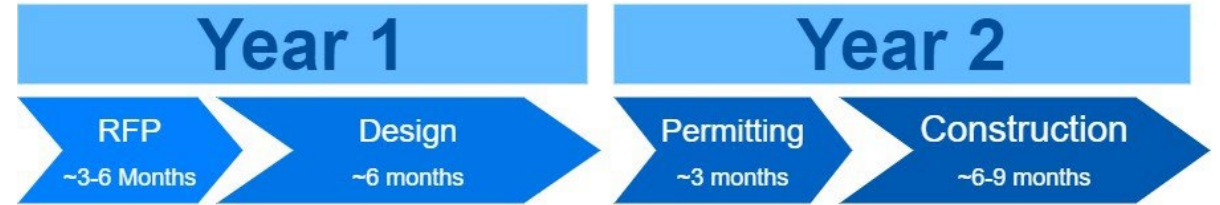
- Would need to be updated as more heavy-duty vehicles electric models become available
- Next step would be to review of utility capacity (in coordination with CMLP)

Site Name	Estimated Capacity Available (kW)	2040 Charging Needs (kW)	Sufficient Capacity?
CPW Campus	519.22	121.8	Yes
Concord Station	230	664.1	No
CCHS	133	31.3	Yes
Harvey Wheeler	356.33	23	Yes
Hunt Recreation	155.30	6.6	Yes
Knox Trail	212.83	24.7	Yes
Light Plant	336.4	235.6	Yes
Library	568.42	6.6	Yes
PLM	65.6	13.2	Yes
Substation 223	33.24	18.1	Yes
West Concord Station	48.43	300	No

# COST ESTIMATES – 2035 (INCLUDING BUILDING UPGRADES)



## NEXT STEPS



- Recommended/Draft a Funding Strategy

- Departments will need to submit a request for charging installations during capital planning. When requesting installations, Departments should rely on advice from Sustainability Director and EV Support Specialists (who are currently funded by CMLP, but may need to be funded by the Town in the future)
- Fleet Study could be used as a minimum capital projection of costs over the short term
- Centralized EV charging fund to be co-managed with Facilities and Sustainability
- Facilities Department will help with installation at buildings to reduce cost to the greatest extent feasible
- Develop procedure to ensure energy infrastructure is sufficient with CMLP. CMLP would be responsible for grid upgrades. Facilities would be responsible for electrical panel/building upgrades through centralized EV Charging Fund
- Will need to account for costs and other capital planning efforts

## Small Cell Comments Summary:

After posting the draft Small Cell Wireless Equipment policy on the Town's website, sending out a News and Notices to website subscribers, and requesting feedback at the Select Board meeting in April, we received 8 written comments from the public. What follows is a very brief synopsis of the comments with the goal of summarizing the content of each. The full comments follow this summary.

1. Nick Pappas: In favor and urges the Board to support it.
2. Sue Felshin: Intent seems good, but she has numerous "small editing issues" and provided a lot of suggestions.
3. David Ropik: In favor of a science-based approach.
4. John Woodward: In favor; disappointed by cell service in Town
  - a. Thinks there could be more than one facility per pole
  - b. Wonders if we could save paper by not requiring 10 paper copies
5. Luke Burnham: Thinks the draft is sound and policy is reasonable
6. Gail Hire: Several comments including:
  - a. Comments on regulatory framework and current events, with concerns about EMF/RF
  - b. Wireless radiation detracts from quality of life
    - i. Ideally these are sited in less populated areas
    - ii. Suggests controlling aesthetics to harmonize with surroundings
  - c. Urges the policy require random, unannounced measuring of emissions from installed small cells
  - d. Concord should allow residents to have a choice on whether or not they are exposed to wireless radiation
  - e. To improve mobile cell service, install a long-range tower at the Town-owned property on Keyes Road
  - f. Benefits to customers should be demonstrated
  - g. Elements used in small cell installations should be sustainable
7. Courtney Whalen, et al: Appreciative that the matter is being discussed, and provided specific changes to further clarify and strengthen identified areas
  - a. Keep the preamble
  - b. Expand definition to include strand-mounted antennas
  - c. Clarification of insurance requirements
  - d. Several other specific changes requested
8. Sue Felshin: correcting mistakes from her original feedback

I look forward to discussing the feedback and next steps with the Board.

Jason Bulger  
Chief Information Officer

## Small Cell Policy Comments Received

From: Sue Felshin (a) [REDACTED]  
Sent: Wednesday, May 11, 2022 11:35 AM  
To: Small Cell <smallcell@concordma.gov>  
Subject: comments on Draft Small Cell Wireless Installation Policy

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

Dear Town Manager and Select Board, or whoever is reading this email,

The intent of the draft Small Cell Wireless Installation Policy seems pretty good to me overall but I see numerous problems with the specifics of language, and numerous small editing issues, as follows:

Firstly, I don't know how you produced the PDF file you circulated, but it was hard to copy text from it because the "DRAFT" background graphic gets in the way. If you send me your source document, I'll make all the changes I suggest below, or if you send me a document I can edit with Track Changes mode, I'll make changes that way so you can pick and choose whether to use edits. Or not; up to you.

Secondly, on to specific problems:

p. 2, paragraph 4, "propose an policy" should read "propose a policy"

p. 2, item 1.a. This language is confusing: "The \$500 fee will cover up to 5 locations. Each application for more than 5 installations is subject to a separate fee of \$100 per installation." What's the difference between an "installation" and a "location"? Could a single installation cover multiple locations? Could a single location involve multiple locations? Clarify. Also, why a "separate" fee? Seems like you mean "The application fee is \$500 for up to 5 installation, plus \$100 for each additional installation."

p. 2, item 1.b. Ten hard copies? Wouldn't a single hard copy for the Public Record be sufficient? The Town should adopt a general policy on hard copy vs. electronic submissions so that as technology changes and this policy should cross-reference it, so that the general policy can be updated from time to time without the Town having to change every policy individually. That's out of scope for your request for comments on your policy but you could pass this comment along to the relevant department.

p. 2, item 1.c. What abutters list must be paid for? Item 1.h. requires the applicant to obtain the abutters list and pay to notify abutters, but nothing in the policy indicates whom, if anyone, the applicant must pay in order to obtain the abutters list. If the applicant must pay a fee to the Town to obtain the list from the Town, say so.

p. 3, item 1.d. Clarify "and resubmitted". If a new application fee must be paid, phrase as "and a new application must be submitted in order to proceed" so that the language under 1.a. is clearly applicable. (You need to include "in order to proceed" because the applicant could choose not to reapply.) If the original application fee covers the resubmission, clarify that somehow.

p. 3, item 1.i. What "time standards"? Do you mean, how much time the Town has to process the application in all respects? I did a quick web search and found no hits for "for purposes of the time standards" and only one for "for

purposes of time standards" so it doesn't seem like this is well-known language for public policy. Also, you say "Where a changed or new application" but given that you're talking about time, "When" seems like a better word.

p. 3, item 1.j. You say "the Select Board may". What other alternatives are there besides to grant, grant with conditions, or deny the application? Perhaps you mean "the Select Board shall". The way you have phrased the rest of the sentence, you allow for the Select Board to grant the application based on inadequate capacity of the pole, etc.

Rephrase as "grant, grant with conditions, or deny the application.

Conditions or denial shall be based on inadequate capacity of the pole or mounting structure, safety concerns, reliability concerns, or failure to meet applicable engineering or design standards."

p. 3, item 1.i. "on a poles and support structures". Should be either "on a pole and support structures" or "on poles and support structures". I see that item 2.c. specifically allows for ground-mounted installations. Are there limits for ground-mounted installations? Are all aerial installations by definitions on "poles" or can applicants wiggle around this requirement by declaring that their structures are "towers" or something, and what if the applicant wants to apply their installation to the side of a building or a bell tower -- is that "ground-mounted", a "pole", or what?

p. 4, item m. Incorrect conjunction. Change to either "to both adjust fee calculations and disclose the reasons" or "bot to adjust fee calculations and to disclose the reasons".

p. 4, item 2.c.iii includes item 2.c.iv, so why include the latter?

p. 4, item 2.c.viii.1. What is an "amount of antennas"? Maybe you mean "number of antennas"?

p. 4, item 2.c.viii.2-6. What if the installation contains mixed types of antennas with different values for 2-6? Either disallow mixed types or rephrase in plural as "Antenna models", etc.

p. 5, item 2.g. "the pole/or location". Rephrase as "the pole or other location".

p. 5, item 2.i. "Such affidavit should characterize". Rephrase as "Such affidavit shall characterize". "Should" conveys a mere desire or suggestion and does not impose any requirement. Add missing comma between "excellent" and "good".

p. 5, item 2.j. Remove comma. As currently written, the requirement for some unspecified worker's compensation and doesn't specifically cover the installation.

p. 5, item 2.m. Why is "affidavit" capitalized here? It isn't capitalized in 2.i, 3.a, or 3.c. and it's only coincidentally capitalized in 2.i because it appears at the beginning of a sentence.

p. 6, item 2.o. Add missing "the". Should read "on which the Town is the obligee". Unless this is correct legal jargon that I'm unfamiliar with.

p. 6, item 3.a.(2) Hyphenate prenominal modifier as "in-use" for readability. (Don't hyphenate "in use" elsewhere because elsewhere it isn't a prenominal modifier.)

p. 6, item 3.c. This seems redundant with 2.m, or vice versa. I have no objection to redundant items when they serve clarity; I'm j'say'n'.

Also, remove extraneous space in "re- certification".

p. 6, item 4.a. Remove first occurrence of "not" from "but not have not been fully decommissioned and removed".

p. 6, item 4.c. Seems redundant with 2.m. and 3.c. Again, I have no problem with redundant items, but in this case no provision is made for how quickly the equipment must be removed (if different from 2.m. and 3.c) and how the provision will be enforced (if different from enforcement specified elsewhere in the policy), and if the provisions are the same as elsewhere, this redundant provision seems particularly pointless.

p. 7, item 4.e. Remove extraneous space in "re- application". Better yet, for clarity with respect to fees, rephrase as "a new application".  
(Compare my comment on item 1.d. above.)

p. 7, item 4.f. What's a "facility"? I guess it will get defined below this point, but it seems odd that the term is used here without having been defined. Clearly it's not the same thing as an "installation" since item 1.a. allows for more than five installations in an application.

p. 7, item 4.h. You say "no emailed applications" but you require some digital materials. Does this mean that digital materials must be provided by means other than email (e.g., provided on CD or thumb drive), or that digital materials may be emailed an application is not considered "filed" until the hard copy materials under 1.b. are received? Rephrase to clarify.

p. 8. I love the way you include the picture of the towering Civil War memorial, hinting that applicants could try to use it as a pole.  
Although perhaps your point is to say "hey, don't try to install wireless here".

p. 9., item 1. par. 1. Rephrase as "They also serve" since the antecedent is the plural "spaces and streetscapes".

p. 9., item 1. par. 2. Rephrase "related power equipment" as "related powered equipment".

p. 9., item 2. Why is "Rules" capitalized but not "regulations"?  
Capitalize both or neither.

p. 9., item 3. Double negation in lead-in and items. I suggest that you rephrase the lead-in as "Small Cell infrastructure is not permitted to be installed as follows:" or simply "The following prohibitions apply:". Also, add missing period at end of item a.

p. 10., item 3.d. Okay as is, but would be better as "so as to impede ADA accessibility".

p. 10. item 3.f. Change to "new application" as per my comment item 1.d. above, to clarify that a new application fee is required.

p. 10, item 4.a. Does engineered wood count as wood? Or other plant products?

p. 10, item 4.b.1. Thank you for including this provision! But you say "... of the pole". Change to "... of the pole or other supporting structure" to cover ground-mounted facilities, etc.

p. 10, item 4.d. I don't understand what "replacement" means here.  
Replacing what? Can you strike this word?

p. 10, item 5.b. Are there any limits on the width of the support structure?

p. 11, item 6.a. Rephrase "at the base of the pole" for clarity. What constitutes "at the base"? Perhaps "no higher than 1 foot from the lowest point of the pole". What constitutes "the pole", e.g., if an applicant proposes to mount a pole in a concrete footing, is the footing considered part of the pole?

p. 11, item 6.b. If your intent to minimize light pollution (and I hope it is), then rephrase as "except as required with state or federal regulations". Please don't allow poles camouflaged as street lighting except in locations where additional street lighting serves to light the town in accordance with Town lighting strategies. That is, don't allow gratuitous light pollution just to camouflage a pole.

p. 11, item 6.c. Shall match what? Maybe say "shall match the adjacent surface".

p. 11, item 6.d. What constitutes a "low" noise profile? Or who is qualified to judge -- perhaps the Building Inspector?

p. 12, item 7.1.2. Comma splice. Should be "to a park or residential district".

p. 12, item 7.5. Remove extraneous comma after "including". Or if you insist on the comma then pair it with another comma added after "limited to", but that would be awkward.

p. 13, item 7.6.b. Change "should" to "shall". Even though 7.6 states "shall", it's safer to say "shall" here too. Other items under 7.6 already say "shall".

p. 13, item 7.6.h. Unclear what "alignment" means. Horizontally? Vertically? Aesthetically?

p. 13, item 7.6.h. The other items under 7.6 cover both facilities and support structures, but this one only covers the support structures. Is that intentional?

p. 14, item 7.6. What does "new wireless support structures shall be located in line with an equidistance from any two existing structures" mean? Or do you mean "at an equidistance"? Or perhaps "new wireless support structures shall be located in line with existing lot lines or equidistantly between any two existing structures"?

p. 14, item 8.a. This item would be better as top-level text directly under the 8. heading (with all following items re-lettered), since it is a statement of purpose or intent, does not impose any requirements, and is implemented through the rest of the items in this section which do impose requirements.

p. 14, item 8.a. What is this supposed to mean? "The sidewalk area of public space is typically delineated into the pedestrian path and the amenity zone." How can you delineate something into something? Perhaps you mean "is typically divided into a pedestrian path and an amenity zone."

p. 14, item 8.b. Add missing period at end of item. Remove "clear", as it would allow an applicant to argue that some portion of the pedestrian path is not currently clear and therefore can be further obstructed by installing a SWF.

p. 14-15, items 8.e-h. You are using curly single quotes as foot marks. The correct symbol for a foot mark is a straight, slightly angled mark. I bet Microsoft Word "helpfully" turned your straight quotes into curly quotes. Here's the correct symbol so you can copy and paste it: '. If you find that too difficult, an ordinary straight single quote would serve. When using MS Word, type a straight quote and then a space. MS Word will then convert the quote. Now Undo (Control-z) to undo the conversion.

p. 15, item 8.h. Hyphenate "above-grade" for improved readability.

p. 15, item i. Non-parallel conjunction. What do you mean by "avoiding placement directly in front of ... alignment with windows"? If you can delete "alignment with", that would fix the grammar, but would it mean what you intend?

p. 15, item 9.a. Missing conjunction. Should be "and bicyclists." This item would be better as top-level text directly under the 9. heading (with all following items re-lettered), since it is a statement of purpose or intent, does not impose any requirements, and is implemented through the rest of the items in this section which do impose requirements.

p. 15, item 9.d. What are "adopted District standards"? Does this refer to the zoning district? Clarify what "District" means and which standards these are.

p. 15, item 9.e. See above comment re items 8.e-h.

p. 16, item 10.a. What does "desired" mean? Does this refer to existing locations, locations in pending applications, or both? Does this mean that the applicant must see what other applications are pending and combine their locations with locations in pending applications? This is not unreasonable, but the language must be clear.

p. 16, item 10.b. This language seems backwards. Why should the applicant explain why there is no requirement for hoteling? If Concord wants hoteling, Concord should require it. If Concord wants to reduce the number of allowable poles, Concord should reduce it. I suggest: "If the application does not involve multiple providers sharing infrastructure (hoteling) to the maximum theoretical extent, an explanation of why the applicant deems it is not possible." See also the language on p. 20 under "Include a description of efforts" which is very clear and well phrased.

p. 16, item 12. You asked for comments after the effective date has already passed. If you change the policy, for example, in response to my comments, maybe you had better update the date.

p. 17, 1st par. You used a curly quote in "Applicant's" but a straight quote in "Concord's". Make it consistent.

p. 17, 2nd par. You say "no more than 5 facilities" but p. 2, item 1.a. mentions "more than 5 installations". What's the difference between a facility and an installation? It seems from other language that an "installation" is the same as a "location", but the language should be more clear. See also my comment re p. 7, item 4.f.

p. 17, 3rd par. Is there an accepted legal definition of "closely held applicant"? If not, clarify.

p. 17, "10 day receipt date". Is the applicant supposed to fill this out? Or the Town? Is it the date the Town receives the application?  
Ten days from that date? Clarify.

p. 17, "Applications complete". Should be "Application complete", since this is the cover sheet for a single application as indicated by "being requested on this application" in the second paragraph. Oh, wait, you mean "applications to individual permitting bodies". This language is confusing. Rephrase as "Applications to other Town departments complete, including..."

p. 18, "Date and time of re-submission". Should be "Date and time of submission". Or if you really mean "re-submission", this should be "Date and time of re-submission (if this application is being resubmitted after rejection)"

p. 18, "Public Hearing Notice published in a newspaper of general circulation and mailed to abutters within 300 feet of the proposed locations by applicant using notice provided by Town." This statement is neither a requirement nor a request for confirmation. Did you mean to include "Yes No " after it?

p. 18, "Ensure that wet stamps...". Add period at end of sentence.

p. 18-19, bullet items from bottom of page 18 to top of page 19. Formatting is bad. The bullets run into the left margin. Shift them to the right to align with the left margin. Likewise bullet items "Call capacity..." and "Hardening..." on p. 19.

p. 19, bullet items under "Hardening...". Remove period at end of last bullet ("Frequency") because none of the other items have final punctuation.

p. 19, "Location details must be provided...". Add period at end of sentence.

p. 19, "Include certification...". See comment re p. 5, item 2.g. above.

p. 19, "Include an affidavit...". See comment re p. 5, item 2.i. above.

p. 20, "Include surety bond...". See comment re p. 6, item 2.o. above.

p. 20, first bullet item, (2). See comment re p. 6, item 3.a.(2) above.

p. 21, "Conditions/Prohibitions". Add blank line between this heading and the preceding bullet item.

Sincerely,  
Sue Felshin  
19 Sunnyside Lane

From: Sue Felshin (a) [REDACTED]  
Sent: Saturday, June 4, 2022 10:12 AM  
To: Small Cell <smallcell@concordma.gov>  
Subject: Re: comments on Draft Small Cell Wireless Installation Policy

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

Here follow corrections of some mistakes in my submitted comments:

On 5/11/22 11:34 AM, Sue Felshin (a) wrote to [smallcell@concordma.gov](mailto:smallcell@concordma.gov):

> p. 2, item 1.b. Ten hard copies? Wouldn't a single hard copy for the  
> Public Record be sufficient? The Town should adopt a general policy  
> on hard copy vs. electronic submissions so that as technology changes  
> and this policy should cross-reference it, so that the general policy  
> can be updated from time to time without the Town having to change  
> every policy individually. [snip]

Should read:

[snip] The Town should adopt a general policy on hard copy vs. electronic submissions and this policy should cross-reference it, so that the general policy can be updated from time to time as technology changes without the Town having to change every policy individually. [snip]

> p. 4, item m. Incorrect conjunction. Change to either "to both adjust  
> fee calculations and disclose the reasons" or "bot to adjust fee  
> calculations and to disclose the reasons".

Should read:

p. 4, item m. Incorrect conjunction. Change to either "to both adjust fee calculations and disclose the reasons" or "both to adjust fee calculations and to disclose the reasons".

> p. 5, item 2.j. Remove comma. As currently written, the requirement  
> for some unspecified worker's compensation and doesn't specifically  
> cover the installation.

Should read:

p. 5, item 2.j. Remove comma. As currently written, the requirement is for some unspecified worker's compensation and doesn't specifically cover the installation.

> p. 7, item 4.h. You say "no emailed applications" but you require some  
> digital materials. Does this mean that digital materials must be  
> provided by means other than email (e.g., provided on CD or thumb  
> drive), or that digital materials may be emailed an application is not  
> considered "filed" until the hard copy materials under 1.b. are  
> received? Rephrase to clarify.

Should read:

p. 7, item 4.h. [snip] or that digital materials may be emailed but an application is not considered "filed" until the hard copy materials under 1.b. are received? [snip]

> p. 11, item 6.b. If your intent to minimize light pollution (and I  
> hope it is), then rephrase as "except as required with state or  
> federal regulations". [snip]

Should read:

p. 11, item 6.b. If your intent to minimize light pollution (and I hope it is), then rephrase as "except as required by state or federal regulations". [snip]

Sincerely,  
Sue Felshin  
19 Sunnyside Lane

## Comments on Proposed Small Cell Policy for Concord

May 24, 2022

Dear Mr. Bulger,

Thank you for your proposed Small Cell Policy. Concord residents have been urging the Select Board to draft such a policy since June of 2019 (via letters, emails and phone calls), pointing out that in the absence of such a policy, Towns have little or no say about where to locate small cell (5G) antennas.

Your understanding of the urgency of the situation and the need for an effective Small Cell Policy that works for our Town's needs and interests is much appreciated. Moreover, we are encouraged that you have taken the best crafted small cell policies in MA as templates to work with, allowing Concord to benefit from other Towns' experiences.

The goal of the suggested *specific changes* in the attached table is to continue your efforts to produce an excellent, sound policy for Concord by further clarifying and strengthening certain areas we have identified.

*A few general comments:* During the course of the public review period, it may help residents and town officials alike to understand two underlying points about the proposed policy. It is information that you know, but the general public may not, given that these items have already come up at the 4/11/22 Select Board meeting:

- *Towns need to harvest all necessary information from applicants upfront to meet the FCC's shortened shot clocks.* To some, the information required from applicants may at first glance appear to be excessive. It's important for the public to know that the quantity and specificity of information requested in the applications are dictated by the strict time limits imposed by the FCC for processing small cell applications.
- *Towns need to establish their most effective Small Cell Policy from the start because the FCC rules and federal law do not allow for improvements to the policy if the improvements are stricter than the original.* There is no allowance for starting small and "building up" to a desired policy over time. Applying different versions of the policy to different carriers would be considered discriminatory and in violation of the 1996 Telecom Act.

Thank you for your time, consideration, and initiative.

Sincerely,

Courtney Whalen  
65 Dover Street

Kati Winchell  
91 Main Street

Louise Berliner  
179 Independence Road

Michele Laura  
255 Commonwealth Avenue

**COMMENTS ON PROPOSED SMALL CELL POLICY FOR CONCORD**

Submitted by Courtney Whalen, Kati Winchell, Louise Berliner, and Michele Laura 5/24/22



Notes:

- Red text below denotes suggested changes or additions.
- Cover Letter by separate attachment

For easier navigation, the three parts of the proposed policy are referred to as:

- Part 1: Applications for Small Cell Wireless Installations (SCWI)
- Part 2: Design Rules and Regulations for Small Cell Wireless Facility
- Part 3: Applications for SCWI Cover Sheet

PROPOSED CONCORD POLICY	SUGGESTED CHANGES	REASON FOR CHANGES
<b>PART 1: APPLICATIONS FOR SMALL CELL WIRELESS INSTALLATIONS</b>		
<b>Preamble</b>		
<p>The “Whereas...Now Therefore” preamble provides essential context for this policy that should not be omitted.</p>	<p>At an April Select Board meeting, it was suggested that the “Whereas” preamble be dropped because it’s too archaic.</p> <p><b>Suggestion:</b> To satisfy this point, the content in the preamble could be re-framed to “Given that...Therefore,” or preserved in paragraph form.</p> <p><b>Further suggestion:</b> Provide this section with a title, such as: “Preamble” or “Background” or “Introduction” or “Overview,” etc.</p>	<p>The points in the “Whereas” section provide the public and town officials with indispensable information and a clear rationale for establishing an effective Small Cell Policy. The contents of this section should be retained.</p> <p>Giving it a title provides a reference handle.</p>
<b>PART 1 - SECTION 1: APPLICATION PROCESS</b>		
<b>Item 1b</b>		
<p>“Ten (10) hard copies and 1 (one) electronic copy of the application must be submitted...”</p>	<p>To a previous suggestion that hard copies be eliminated in favor of electronic applications:</p> <p>Given the requirements for wet stamps and wet signatures within the application process, hard copies should be retained, in addition to an electronic copy.</p>	<p>Caution demands redundancy in both forms (electronic &amp; hard copy).</p>

PROPOSED CONCORD POLICY	SUGGESTED CHANGES	REASON FOR CHANGES
PART 1 - SECTION 1 <i>continued</i>		
Item 1g		
<p>“Once the application is deemed complete, and all comments have been received, the Select Board will schedule and hold a public hearing to consider the application, such that a determination may be made on any application for an installation on an existing structure within the time period required by law.”</p>	<p>“Once the application is deemed complete, and all comments have been received, the Select Board will schedule and hold a public hearing to consider the application, such that a determination may be made on any application for an installation on an existing <b>or new</b> structure within the time period required by law.”</p>	<p>Was “a new” inadvertently omitted here?</p>
Item 1h		
<p>“The applicant must also pay for and publish and mail legal notices of the public hearing to local newspapers and abutters, as applicable. The applicant is responsible for obtaining the abutters list for each pole location within the application. The applicant must provide proof of mailing and publication to the Town Manager.”</p>	<p>“The applicant must also pay for and publish and mail legal notices of the public hearing to local newspapers and abutters, as applicable.</p> <p><b>The applicant is required to post conspicuous signs of pending applications at proposed sites, and notify all abutters within 300 feet of the proposed antenna installation by certified mail within 5 days of application submission.</b></p> <p>The applicant must provide proof of mailing and publication to the Town Manager.”</p>	<p>The items in red would serve the public in the following ways (in addition to notices by mail and in newspapers):</p> <p>1) Posted signs on proposed sites would improve notice to abutters and the community.</p> <p>2) “Notify...by certified mail within 5 days of application” provides a needed time frame and certified mail will be noticed more quickly, which would better serve abutters.</p>
After Item 1k, ADD a new item		
	<p><b>New item:</b></p> <p><b>“Applications and permits are required for all types of RF antennas, including free-standing, pole-mounted and strand-mounted antennas.”</b></p>	<p>Many small cell policies are silent on <b>strand-mounted antennas</b>, allowing carriers to benefit from this omission by adding new equipment inside existing installations (and accelerating the timeline of approval), instead of treating them as new applications. The red text would help avoid that.</p>
PART 1 - SECTION 2: CONTENT OF APPLICATIONS		
Item 2c		
<p>“Detailed drawings, with wet stamp/wet signature, and descriptions of the equipment to be installed, whether mounted on poles or on the ground, or otherwise, including:...”</p>	<p>“Detailed drawings, with wet stamp/wet signature, and descriptions of the equipment to be installed, whether mounted on poles, <b>on the ground, strand-mounted, or otherwise...</b>”</p>	<p>The explicit listing of strand-mounted antennas here prevents them from being folded into existing installations.</p>

PROPOSED CONCORD POLICY	SUGGESTED CHANGES	REASON FOR CHANGES
PART 1 - SECTION 2 <i>continued</i>		
Item 2i		
<p>“Affidavit from a Radio Frequency Engineer outlining the network/network service requirements in Concord and how the installations address that need in Concord. Such affidavit should characterize the current level of coverage and how the desired installations will change the current level of coverage, through or with coverage maps, including current and proposed coverage, including a breakdown of “excellent” “good and “poor” reception areas.”</p>	<p>“Affidavit from a Radio Frequency Engineer outlining the network/network service requirements in Concord and how the installations address that need in Concord. Such affidavit should characterize the current level of coverage and how the desired installations will change the current level of coverage, through or with coverage maps, including current and proposed coverage, including a <b>general</b> breakdown of “excellent” “good and “poor” reception areas, <b>as well as inclusion of specific emissions from single antennas, and aggregate emissions from all co-located equipment.</b>”</p>	<p>The additional information in red RE: aggregate emissions will provide basic data for tracking whether co-located antennas are within or exceed any FCC limits.</p>
Item 2j		
<p>“Insurance certificate evidencing workers’ compensation coverage, and comprehensive general liability coverage for the installation.”</p>	<p>“Insurance certificate evidencing workers’ compensation coverage, and comprehensive general liability coverage for the installation. <b>Applicants are required to provide documentation of liability insurance which does not have a ‘pollution exclusion’ (insurance term). The insurance must be issued to the parent company (e.g., Verizon), not the contractor, agent or company subdivision. Self-insurance is not accepted.</b>”</p>	<p>The addition of the red text will close a number of loopholes that could leave the Town vulnerable to liability. Many wireless carriers’ coverage commonly includes a ‘<i>pollution exclusion</i>’ (a term that limits policy holders’ liability). This has become a standard. EMF (which operates small cells and wireless technologies) is defined as pollution by the insurance industry.</p>
POTENTIAL ADDITIONAL ITEMS for PART 1 – Section 2		
<p>Should these items from Medford’s policy (Sections 2m, 2n, 2o, and 2p) be added to Concord’s?</p> <p><b>“2m. A written analysis indicating that the installation and location of the equipment will not interfere with the operation of the existing pole or its primary uses.</b></p> <p><b>2n. A written analysis indicating how the installation of new equipment on existing poles will effect the integrity of the pole for public safety concerns.</b></p> <p><i>Continued to right &gt;</i></p>	<p><b>2o. A written plan indicating the protocol for turning off wireless facilities when utility workers are present on poles, in order to limit their exposure to radio frequency emissions. The plan should also include a description of any warning signs that will be posted to alert utility workers to radio frequency exposure.</b></p> <p><b>2p. A written plan indicating the response protocol to be implemented in the event that the equipment is damaged by a weather-related event or due to an accident.”</b></p>	<p>Would it be advantageous for Concord to adopt any or all of Medford’s items?</p>

PROPOSED CONCORD POLICY	SUGGESTED CHANGES	REASON FOR CHANGES
<b>PART 2: DESIGN RULES &amp; REGULATIONS for Small Cell Wireless Installations</b>		
<b>Section 1: Background</b>		
<p>“Public spaces and streetscapes enhance the quality of life for our residents and visitors, and ensure that the Town has the foundation to become a more walkable and sustainable city. It also serves as the city’s civic, cultural, and physical framework of the character of Concord.”</p>	<p>“Public spaces and streetscapes enhance the quality of life for our residents and visitors, and ensure that the Town has the foundation to become a more walkable and sustainable <b>town</b>. It also serves as the <b>Town’s</b> civic, cultural, and physical framework of the character of Concord.”</p>	<p>Two edits: change “city” to “town”</p>
<b>Section 2: Adoption</b>		
<p>“These Rules and regulations are intended to…”</p>	<p>“These Rules and <b>R</b>egulations are intended to…”</p>	<p>Edit: change lower case to upper case “R”</p>
<b>Section 6: Signage/Logos/ etc.</b>		
<p>6e. Logos/Decals:  “…The small wireless facility operator/permittee shall utilize the smallest and lowest visibility RF warning sticker required by government or electric utility regulations. Placement of the RF sticker shall be as close to the antenna as possible.”</p>	<p>6e. Logos/Decals:  “…The small wireless facility operator/permittee shall <b>utilize a easily readable RF warning sticker placed at a height clearly visible from the ground to the public and maintenance workers.</b>”</p>	<p>This notice is a matter of public safety and should be visible to the public. The new location of the sign near eye-level at the base has the added benefit of allowing maintenance workers to see the warning <i>before</i> ascending a pole or structure.</p>
<b>Section 7.1 and 7.3: Location Requirements</b>		
<p><b>“7.1 Most Preferable Locations</b>  The following are the most preferred areas for new small wireless facilities in the order of preference (1 being most preferable):</p> <ol style="list-style-type: none"> <li>1. <i>Industrial Districts</i> if not adjacent to a park, residential district or historic district.</li> <li>2. <i>Public Rights of Way</i> areas if not adjacent to a park, residential district.”</li> </ol> <p><b>“7.3 Least Preferable Location</b>  The following are the least preferred areas for new small wireless facilities in the order of preference (2 being least preferable).</p> <ol style="list-style-type: none"> <li>1. Residential Districts</li> <li>2. Parks “</li> </ol>	<p><b>“7.1 Most Preferable Locations</b>  The following are the most preferred areas for new small wireless facilities in the order of preference (1 being most preferable):</p> <ol style="list-style-type: none"> <li>1. <i>Industrial Districts</i> if not adjacent to a park, residential district, historic district, <b>or schools and daycare centers</b></li> <li>2. <i>Public Rights of Way</i> areas if not adjacent to a park, residential district, <b>or schools and daycare centers</b> “</li> </ol> <p><b>“7.3 Least Preferable Location</b>  The following are the least preferred areas for new small wireless facilities in the order of preference (<b>3</b> being least preferable).</p> <ol style="list-style-type: none"> <li>1. Residential Districts</li> <li>2. Parks</li> <li>3. <b>Schools and daycare centers”</b></li> </ol>	<p>Adding “schools and daycare centers” to 7.1 and 7.3 would be parallel to and consistent with Concord’s WCF Bylaw.</p>

PROPOSED CONCORD POLICY	SUGGESTED CHANGES	REASON FOR CHANGES
<b>PART 2 <i>continued</i></b>		
<b>Section 11: Limitations</b>		
“While the Town fully intends to apply the guidelines established in this policy uniformly to all Small Cell Wireless Facility applications, there may be circumstances where not every specific guideline may be met.”	“While the Town fully intends to apply <b>the rules and regulations</b> established in this policy uniformly to all Small Cell Wireless Facility applications, there may be circumstances where not every specific <b>rule or regulation</b> may be met.”	The replacement phrase is more consistent with the title of this section.
<b>PART 3: APPLICATIONS COVER SHEET</b>		
	There is a great deal of overlapping information between Parts 1 & 3. Please ensure that whatever changes are made in one will be carried over to the other. This, of course, also applies globally to the proposed policy.	

End

**From:** Gail E.Hire [REDACTED]  
**Sent:** Tuesday, May 24, 2022 3:17 PM  
**To:** Small Cell <smallcell@concordma.gov>  
**Subject:** Citizen comments on Small Cell Policy

May 24, 2022

I have the following comments regarding the proposed Draft Small Cell Wireless Equipment Policy. Concord citizens have been asking for a 5G policy since at least 2019, so it is great to finally have this dialogue.

### **Regulatory Framework and Current Events**

The Telecommunications Act of 1996 constrains local governments in their review of wireless facility siting and explicitly prohibits the consideration of health or environmental effects. This prohibition is based on the presumed safety of wireless technology and is intended to prevent telecommunications siting decisions from being based upon unscientific or irrational fears that emissions from telecommunications sites may cause undesirable health effects.

While industry-funded experts may disagree, a growing number of respected scientists, medical doctors, and environmental health experts believe that electromagnetic fields (EMF) and RF sources pose serious threats to human health, especially to children, and to the environment. One extreme example is directed RF energy, which, in 2020, the U.S. government concluded was used to deliberately cause the debilitating neurological symptoms experienced by American diplomats in Cuba, China and other countries. Some of the more than 1,000 scientific studies of the biological effects of radio frequency radiation may be found at this website: <https://www.grassrootsinfo.org/wireless-digest> (Independent Science on the Effects of Wireless Radiation on Human Health and the Environment, visited May 22, 2022). In 2021, doubts regarding FCC's safety guidelines were affirmed by a Federal appeals court. The FCC's current safety guidelines for wireless radiation are based on 1996 technology. In their lawsuit against the FCC, the Environmental Health Trust and others produced over 10,000 pages of evidence on health effects of wireless radiation, and convinced a Federal Court to require that the FCC re-evaluate the 1996 guidelines. (*Environmental Health Trust, et al., v. FCC*, Case No., 20-1025, 2021, U.S. Court of Appeals, D. C. Circuit.) The City of Pittsfield Board of Health recently took the extraordinary step of finding, unanimously, that a Verizon cell tower physically harmed numerous local residents and is a nuisance, and they issued a cease and desist order. The Town of Easton, Connecticut, has affirmed and extended its ban on 5G infrastructure (see article at <https://www.ctinsider.com/fairfield/article/Easton-extends-ban-on-5G-infrastructure->

[17188173.php](http://17188173.php)). The municipal actions may yet be challenged by industry and turned aside by current Federal law, however, the steps taken by Pittsfield and Easton show that reasonable people who closely studied these issues are concerned about wireless safety in their communities. The Town of Concord should be aware of these scientific and legal developments and know that concerned citizens' desire to minimize this new, environmental toxin has a firm basis in scientific fact and human suffering.

### **Wireless Radiation Detracts from Quality of Life**

Concord is an historic town that is valued by residents and visitors for its aesthetics as well as its stunningly peaceful, natural spaces. People enjoy the connection with nature for its healthful benefits. Wireless facilities that constantly emit radiation to the environment would be unsightly and would destroy this peace.

- The Small Cell Policy can and does encourage small cells to be sited in less populated areas in town (Industrial Districts and Public Rights of Way), which will lessen their visual impact on nature and reduce human exposure to wireless radiation. Placing these technologies out of sight has been a common practice for wireless facilities.
- I also strongly support any efforts to control the aesthetics of small cells, which should be harmonized with their surroundings as much as possible.

### **Emissions Should be Measured**

Concord's Small Cell Policy should require periodic (such as annual) as well as random, unannounced measuring of emissions from any installed small cells.

- Whether or not the FCC limits are truly protective, regular measuring of emissions could identify cells that have been damaged or malfunctioned and pose greater risks to the nearby public or to utility workers.
- Just as water quality reports are published for Concord's drinking water sources, these RF emissions test results should be shared with those working or living near the small cells.

### **Small Cell Installation in Neighborhoods Usurps Personal Choice**

Residents and businesses should have the choice whether to be exposed to wireless radiation. This choice is especially important for residential neighborhoods, as EMF and RF exposure should be minimized during sleep. Any customer of Concord Light Broadband has the option to use a

wireless router for high-speed connectivity to WiFi; routers can be controlled to turn off these radio signals, which my family does each night. Businesses can choose to make their WiFi signals available to the public or to guests. If the Town wants to improve mobile cell service, it should install a long-range tower at Town-owned property on Keyes Road, or some other location that is not inside a neighborhood.

- Home- and business-based wireless sources and cell tower sites are controllable. In contrast, allowing densely-sited small cells throughout Town would cede excessive authority to telecommunications providers.
- Littering our historic and natural community with additional radiation from small cells is not the right choice for Concord.

### **Benefits to Customers Should be Demonstrated**

I have a concern regarding what 5G or small cells could offer customers. Would a cell phone user need to be a customer of the particular provider (say, Verizon), and also be paying for a higher level of service, or buy a certain type of phone, to use the new small cells? If so, how does that help resolve the cell coverage gaps?

- Any small cell application should clearly explain how customers would benefit.
- Wouldn't a few 4G towers, which any cell phone subscriber with a relatively modern phone could access, be a better solution for improved wireless coverage?

### **Sustainability**

The Town's Policies should derive from and relate to Concord's Sustainability Principles: Reduce dependence on fossil fuels, underground metals, and minerals; Reduce dependence upon synthetic chemicals and other manufactured substances; Reduce encroachment on nature; and Meet human needs fairly and efficiently. For example, many of the metals and minerals needed for today's renewables technology are mined with questionable labor practices and their extraction causes environmental harm. Any applicant for small cell facilities should be required to describe how its equipment and its service would meet Concord's Sustainability Principles.

- For example, the applicant should describe the materials used in the small cell equipment, how much power is required and who pays for this power, the expected length of the equipment's useful life, and a commitment to safely dispose of or recycle equipment that is damaged or replaced.
- The applicant must certify that the operation of the small cells will comply with the Americans with Disabilities Act, and will not jeopardize human health and well being.

- The Policy should prohibit tree removal and trimming of trees or vegetation that may interfere with cellular signals.

Thank you for this opportunity to comment on the draft Small Cell policy.

*Gail Hire*

*54 Nancy Road, Concord*

From: Luke Burnham [REDACTED]  
Sent: Thursday, May 12, 2022 9:35 PM  
To: Small Cell <smallcell@concordma.gov>  
Subject: Draft Policy

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

TWIMC

The draft seems pretty sound. We all want to use our cell phones but no one wants an antenna in their backyard or near their house. Seems like the policy here is reasonable and strikes a good balance. We're way too NIMBY in this town.

= Luke =

**From:** John Woodward [REDACTED]  
**Sent:** Tuesday, May 10, 2022 2:36 PM  
**To:** Small Cell <smallcell@concordma.gov>  
**Subject:** Comments

First, thank you for soliciting public comments. I have long been concerned about the terrible cell service in Concord—and I have tried 2 carriers. It is my hope that the small cell technology will improve things dramatically. It is clear that a great deal of thought has gone into this policy. I have just 2 comments.

The main one is with this sentence on page 3: "Only one small cell wireless facility shall be eligible to be approved on a poles and support structures." Despite the typo in the sentence, I think this could be overly restrictive. Wouldn't the ability to support more than one depend on the size and shape of the facility? Some are quite small. Plus, if you will approve only one, then you will have the problem of favoring one carrier over another. Page 16 says you may use your discretion. I would ask that you remove this restriction and use your discretion if more than one facility is requested.

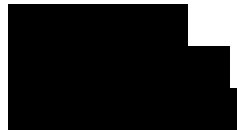
My only other comment is not substantive--but in this time of electronic communication--why don't you save some trees and not require 10 printed copies of each application?

John Woodward  
100 Chestnut St.

**From:** David New 2013 [REDACTED]  
**Sent:** Tuesday, May 10, 2022 5:23 PM  
**To:** Small Cell <smallcell@concordma.gov>  
**Subject:** re:small cell wireless equipment policy

For far too long our intelligent community has bent to the passions of those loud few who deny the scientific evidence and claim cell communication radiation is a health threat. I would hope that those few voices do not drive policy decisions in this area, either regarding the equipment rules in the draft, or regarding the acceptance of cell phone technology generally.

David Ropeik  
Retired Harvard Instructor, Author  
21 Baker Ave.  
Concord, MA 01742



From: [REDACTED]  
Sent: Wednesday, May 11, 2022 8:19 PM  
To: Small Cell <smallcell@concordma.gov>  
Subject: Good Policy

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I think that adoption of the proposed policy will be good for the residents, visitors, and businesses of Concord and urge the Select Board to adopt it as soon as practical.

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