

WARRANT FOR ANNUAL TOWN MEETING

MONDAY, JUNE 2, 2025, 6:30 PM*
CONCORD-CARLISLE REGIONAL HIGH SCHOOL
500 WALDEN STREET

ANNUAL TOWN MEETING PUBLIC HEARING SCHEDULE **All at 7:00 P.M. at the Town House and via Zoom**

PLANNING BOARD Zoning Bylaw Amendments	Wednesday, April 9, 2025
FINANCE COMMITTEE Minuteman Regional Voc-Tech District Budget Community Preservation Committee Other Budget Articles	Thursday, April 10, 2025
SELECT BOARD General Government	Monday, April 14, 2025
FINANCE COMMITTEE Town Budget Concord Public Schools Budget Concord-Carlisle Regional School District Budget	Tuesday, April 15, 2025
FINANCE COMMITTEE Enterprise Fund Budgets & Articles	Thursday, May 1, 2025

Voter Registration Deadline: May 23, 2025 at 5:00 PM

**And Subsequent Days As Needed*

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3	Meeting Procedure	Finance Committee	Finance Committee	5
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11	Concord Public Schools Capital Budget	Concord School Committee	Finance Committee	10
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36	Citizen Petition: Ban Second-Generation Anticoagulant Rodenticides (SGARs)	Citizen Petition: Meaghan Sinclair and Gwen Shipley	Select Board	21
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**THE COMMONWEALTH OF MASSACHUSETTS
WARRANT FOR 2025 ANNUAL TOWN MEETING
Monday, June 2, 2025**

Middlesex, ss.

To any of the Constables of the Town of Concord, in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the legal voters of said Town of Concord, qualified to vote at Town Meeting for the transaction of Town affairs, to meet at the Concord-Carlisle Regional High School at 500 Walden Street, in said town, on **Monday, June 2, 2025**, at **6:30 P.M.**, by posting a printed copy of this Warrant by you attested, at the Town House and on the Town's website, and mailed as an insert in The Concord Bridge to every household at least seven days before the Town Meeting, then and there to act upon the following Articles:

CHOOSE TOWN OFFICERS

ARTICLE 1. To choose all necessary Town Officers and Committees.

HEAR REPORTS

ARTICLE 2. To hear and receive the reports of Town Officers and Committees.

MEETING PROCEDURE

ARTICLE 3. To determine whether the Town will adopt a rule of the meeting governing requirements on Motions and amendments to Motions made at this meeting under Articles concerned with expenditures in order to assure compliance with the requirements of Mass. Gen. Laws c. 59, § 21C (generally referred to as "Proposition 2½"); or take any other action relative thereto.

The motion under this article, which will be printed in the Town Meeting Briefing Book to be mailed to all households, will require that every motion or motion to amend seeking to make an appropriation greater than the amount recommended by the Finance Committee and designated as "allocation at levy limit," or where the Finance Committee has recommended NO ACTION, must identify the source of funding. Motions and motions to amend for appropriations supported by borrowing that would exceed the Finance Committee's recommendation, or on which the Finance Committee recommends NO ACTION, will be required to be made contingent upon approval of a debt exclusion, or with a corresponding offsetting reduction in another borrowing authorization. All articles making appropriations will be kept open until the Meeting's final adjournment. Town Meeting has adopted this meeting procedure for many years.

RATIFY PERSONNEL BOARD CLASSIFICATION ACTIONS

ARTICLE 4. To determine whether the Town will ratify the Personnel Board's actions to amend the Classification and Compensation Plan as follows; or take any other action relative thereto:

1. Update the title: "Senior Services Director" to "Council on Aging Director" effective January 10, 2024.

2. Add the title of “Swim Aide” to Miscellaneous Compensation Schedule 7-2 effective February 21, 2024.
3. Merge the Recreation Miscellaneous Compensation Schedule (7-2) with the Human Services Miscellaneous Compensation Schedule (7-3) into one schedule (7-2), effective March 13, 2024.
4. Add the title of “Master Plumber/ HVAC Technician” to Grade 10, effective April 10, 2024.
5. Update the title “Crew Leader/ Electrician and Carpenter” to “Master Electrician/ Crew Leader” effective April 10, 2024.
6. Add the title of “Skilled Carpenter” to Grade 6, effective April 10, 2024.
7. Remove the title of “Director of Community Development” from Grade 16, effective June 12, 2024.
8. Remove the title of “Administrative & Operations Supervisor” from Grade 8, effective June 12, 2024.
9. Remove the title of “Assistant to the Beede General Manager” from Grade 7, effective June 12, 2024.
10. Remove the title of “Engineering Technician” from Grade 6, effective June 12, 2024.
11. Remove the title of “Facilities/ Landscape Maintainer” from Grade 4, effective June 12, 2024.
12. Update the title of “Activity Coordinator” to “Program Coordinator” under Grade 2, effective June 12, 2024.
13. Add the title of “Emergency Communications Center Manager” to Grade 12, effective June 12, 2024.
14. Add the title of “Senior GIS Analyst” to Grade 8, effective June 12, 2024.
15. Add the title of “Payroll and Finance Generalist” to Grade 6, effective June 12, 2024.
16. Add the title of “Management Specialist” to Grade 7, effective June 25, 2024.
17. Add the title of “Assistant COA Director” to Grade 11, effective August 14, 2024.
18. Add the title of “Community Engagement Manager” to Grade 6, effective October 9, 2024.
19. Add the title of “Chief Information Officer” to Grade 17, effective October 9, 2024.

20. Reclassify the position of “Emergency Communications Center Manager” from Grade 12 to Grade 13, effective October 9, 2024.
21. Add the title of “Program Director” to Miscellaneous Compensation Schedule (7-2) effective October 9, 2024.
22. Add the title “Director of Community Development” to Grade 16, effective November 13, 2024.
23. Add the title “Procurement Manager” to Grade 10, effective November 13, 2024.
24. Update the title of “Program Director” to “Program Supervisor” under Miscellaneous Compensation Schedule 7-2 effective November 13, 2024.
25. Add the title of “Assistant Chief Financial Officer” to Grade 15, effective December 10, 2024.
26. Add the title of “Election and Census Manager” to Grade 8, effective December 10, 2024.
27. Add the title of “Recreation Operations Manager” to Grade 8, effective December 10, 2024.
28. Reclassify the title “Financial Manager/Accountant” from Grade 12 to Grade LP-13 effective February 12, 2025.
29. Add the title of “Lead Swim Coach” to Miscellaneous Compensation Schedule 7-2, effective December 10, 2024.
30. Make all other changes to the Classification and Compensation Plan voted by the Personnel Board between February 12, 2025, and the date the 2025 Annual Town Meeting concludes.

The Town Manager has authority to create and modify positions throughout the fiscal year. Titles and salary ranges are determined using the Town’s established classification system. Under the Personnel Bylaw, the Personnel Board is authorized to approve temporary changes in the Classification and Compensation Plans, pending ratification of such actions at the next Town Meeting. Actions already taken appear in the Warrant; if additional actions are taken by the Personnel Board after the close of the Warrant, notice will be filed with the Town Clerk and details will be presented at Town Meeting.

RATIFY PERSONNEL BOARD CLASSIFICATION & COMPENSATION PLAN

ARTICLE 5. To determine whether the Town will amend the existing Classification and Compensation Plan for regular-status Town positions by adopting the schedules published on the Town’s website and included in the Town Meeting Briefing Book; or take any other action relative thereto.

The full Classification & Compensation Plan will be posted on the Town’s website under the tab for 2025 Annual Town Meeting, presented at the pre-Town Meeting hearing before the Select Board on Monday, April 14, 2025, and included in the Town Meeting Briefing Book to be mailed to all households. Consistent with the Personnel Bylaw’s purpose of maintaining an equitable and efficient

system of personnel administration, the Town engaged GovHR in August 2022 to undertake a comprehensive study and redesign of our Classification & Compensation Plan to ensure that 1) uniform salary ranges are based on responsibilities and requirements of each job; 2) equal pay is provided for equal work; and 3) employee compensation is both internally equitable and externally competitive. As part of this redesign, GovHR consultants provided the Town with a new scoring methodology for job classification which was used to evaluate and analyze positions. This scoring methodology is used consistently whenever a new position is added or when a request is made to reclassify a position, in order to maintain integrity of the plan developed by GovHR in 2022, and ensure fair and equitable pay. Pay ranges for each grade have not changed since the plan was voted by 2024 Annual Town Meeting; the only changes are those to additions/deletions of positions or reclassified positions as detailed in the Article.

FISCAL YEAR 2025 BUDGET LINE ITEM ADJUSTMENTS

ARTICLE 6. To determine whether the Town will amend appropriations made under Article 8 of the 2024 Annual Town Meeting, Town Budget; or take any other action relative thereto.

*The Town's FY24 budget was appropriated in fourteen (14) distinct line items. Adjustments to these line-item totals may only be made through subsequent Town Meeting action or at the end of the fiscal year with the approval of the Select Board and Finance Committee, under the authority granted in Mass. Gen. Laws Ch. 44, § 33B. This article seeks approval to make certain line-item adjustments to rebalance the budget to account for actual spending, while maintaining the total appropriation of \$59,674,465. This article does **not** seek a supplemental appropriation and approval of this article will **not** increase total FY24 spending.*

FISCAL YEAR 2026 TOWN BUDGET

ARTICLE 7. To determine whether the Town will raise and appropriate or transfer from available funds, the sum of \$62,630,061, or any other sum, for the necessary and expedient purposes of the Town for the fiscal year ending June 30, 2026, as detailed in the chart published on the Town's website and incorporated in the Town Meeting Briefing Book;

And further, that the Town Manager be authorized to turn in or sell at public auction surplus equipment, the amount allowed or received therefore to be applied against the purchase of new equipment;

That the appropriation for Salary Reserve under Line Item 10 shall be transferred by the Town Manager to the various salary line items in accordance with Non-Union salary levels established effective July 1, 2025 and the implementation of the Non-Union merit pay plan in accordance with Section 10.2 (2) of the Personnel Bylaws, and any and all collective bargaining agreements in effect for FY26; and

That the Town authorize the funds to be expended from the Title 5 Septic Loan Betterment Reserve Account to meet the loan payments to the Massachusetts Clean Water Trust due and payable during FY2026;

or take any other action relative thereto.

The full Town Budget with all line items will be posted on the Town's website under the tab for 2025 Annual Town Meeting, presented at pre-Town Meeting hearing before the Finance Committee on Thursday, April 10, 2025, and included in the Town Meeting Briefing Book to be mailed to all households. The Town Budget Article provides for all General Fund (tax-supported) Town operations and activities organized by Town Charter under the direction of the Town Manager. The total appropriation presented

here for consideration for Town Meeting approval meets the Finance Committee's guideline set for FY26. The text above also makes certain other appropriation from Stabilization and Enterprise Funds, as well as authorizes certain other transfers.

DEBT EXCLUSION FOR ROAD MAINTENANCE

ARTICLE 8. To see if the Town will appropriate a sum not to exceed \$27,500,000 (Twenty-Seven Million, Five Hundred Thousand dollars), to be expended under the direction of the Town Manager, for the costs to fund the Town's Five-Year Road Maintenance Program, including, without limitation, the costs of engineering, design, site preparation, construction, landscaping, paving, traffic signalization improvements, and pedestrian and bicycle improvements, and all other costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; that to meet this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow \$27,500,000, or any other sum, under and pursuant to Mass. Gen. Laws c. 44, §7(1), or pursuant to any other enabling authority; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Mass. Gen. Laws. c.59, § 21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote; or take any other action relative thereto.

Concord Public Works has developed a comprehensive and strategic investment plan to address the town's road improvement and pedestrian safety needs. By investing approximately \$5.5M per year over the next five years, the Town will recover from a decade of underfunding of pavement management associated with our roads and sidewalks, while providing for complimentary safety elements for pedestrians and cyclists. The goal for the 5-year frontloading of investment is to achieve a higher condition of pavement which can then be maintained at this condition with a more predictable and sustainable annual spending plan thereafter.

FY2026 CAPITAL IMPROVEMENT AND DEBT PLAN

ARTICLE 9. To determine whether the Town will raise and appropriate, or transfer from available funds, or authorize the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes under the provisions of Mass. Gen. Laws c. 44, § 7, a sum as specified in Tier One (Capital Outlay) and a sum as specified in Tier Two (Borrowed Funds) of the FY2026 Capital Improvement and Debt Plan, for a total of \$6,280,000, or any other sum, in accordance with the plan posted on the Town's website and included in the Town Meeting Briefing Book, to be expended under the direction of the Town Manager; or take any other action relative thereto.

This article authorizes the FY2026 Capital Improvement and Debt Plan, all of which will be funded within the existing Levy Limit. The FY2026 Capital Improvement and Debt Plan is proposed to be funded through cash outlay, the issuance of debt, and/or transferring remaining balances in previously authorized debt articles where these balances are no longer needed for their original intended purpose. Items included in this plan include both Tier One (single item or bundled items, up to \$250,000) and Tier Two (single item, \$250,000 - \$2,000,000) capital purchases. The full FY2026 Capital Improvement and Debt Plan will be posted on the Town's website under the tab for 2025 Annual Town Meeting, presented at pre-Town Meeting hearing before the Finance Committee on Thursday, April 10, 2025, and included in the Town Meeting Briefing Book to be mailed to all households.

CONCORD PUBLIC SCHOOLS OPERATING BUDGET

ARTICLE 10. To determine whether the Town will appropriate the sum of \$47,632,034, or any other sum, for the necessary and expedient purposes of the public schools of the Town for the fiscal year ending June 30, 2026; and that the same be expended only for such purposes and under the direction of the Concord School Committee; and further that an additional sum of \$69,906, or any other sum, be transferred from Free Cash, said sum representing the specific amount anticipated to be received by the Town in June 2025, on behalf of Concord Public Schools, through the McKinney-Vento Homeless Transportation program, for the purpose of reimbursing additional transportation expenses arising from students residing at the temporary housing shelter at 740 Elm St, Concord, MA, such sum requiring further municipal appropriation by Town Meeting; or take any other action relative thereto.

This article provides for the annual operating budget for Concord Public Schools, which serves students in pre-school, kindergarten, and grades 1 to 8, as well as for the transfer to the schools of state funds received to reimburse transportation costs for students temporarily housed in Concord. The budget appropriation presented for Town Meeting approval is aligned with the spending guideline established by the Finance Committee in December 2024.

CONCORD PUBLIC SCHOOLS CAPITAL BUDGET

ARTICLE 11. To determine whether the Town will raise and appropriate, or transfer from available funds, or authorize the Town Treasurer with the approval of the Select Board to borrow money by the issuance of bonds or notes under the provisions of Mass. Gen. Laws c. 44, the sum of \$941,570, or any other sum, to be expended under the direction of the School Committee for remodeling, construction, reconstructing or making extraordinary repairs, including original equipment and related work at various Concord Public School buildings, and further that any premium received by the Town upon the sale of any bonds or notes approved by the vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Mass. Gen. Laws c. 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

This article provides for a capital appropriation for Concord Public Schools, which serves students in pre-school, kindergarten, and grades 1 to 8. The funding will support the various capital projects necessary to maintain and improve the district's schools, buildings, grounds, and related equipment and infrastructure.

CONCORD-CARLISLE REGIONAL SCHOOL DISTRICT BUDGET

ARTICLE 12. To determine whether the Town will raise and appropriate, or transfer from available funds, the sum of \$27,209,557, or any other sum, as the Town's apportioned share of the Concord-Carlisle Regional School District budget for the fiscal year ending June 30, 2026; and that the same be expended only for such purposes and under the direction of the Concord-Carlisle Regional School Committee; or take any other action relative thereto.

This article provides Concord's share ("assessment") of the annual operating budget for the Concord-Carlisle Regional School District.

AMENITIES BUILDING

ARTICLE 13. To determine whether the Town will authorize the borrowing of \$1,417,655 to be expended under the direction of the Concord-Carlisle Regional School Committee, for the purpose of constructing an amenities building with public restrooms and concessions space, including without limitation the costs of engineering, design, site preparation, excavation, subsurface materials, and construction, and all other costs incidental or related thereto, at the Concord-Carlisle High School located at 500 Walden Street, Concord, Massachusetts; to determine whether this appropriation shall be raised by borrowing or otherwise; that to meet this appropriation the Treasurer, with the approval of the School Committee, is authorized to borrow up to the appropriated amount pursuant to Mass. Gen. Laws. c. 71, § 16, and Mass. Gen. Laws. c. 71, § 14 (D), or any other enabling authority; provided, however, that this approval shall be contingent upon passage of a Proposition 2 ½ debt exclusion referendum under Mass. Gen. Laws. c. 59 § 21C(k), and that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Mass. Gen. Laws. c. 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

The proposed amenities building will provide permanent accessible ADA compliant restrooms at CCHS Memorial Field and a small space for concessions. Providing ADA-compliant restrooms is not just a legal obligation but also will make Memorial Field and its events more accessible, welcoming, and inclusive for all attendees. Various options were considered; the selected option is expected to have a useful life of fifty years, and will be the most durable and cost effective option over the long term.

NON-RESIDENT TUITION REVOLVING FUND

ARTICLE 14. To determine whether the Town will accept Mass. Gen. Laws, c. 71, § 71F and authorize establishment of a Non-Resident Tuition Revolving Fund; or take any other action relative thereto.

This article will establish a fund that will enable Concord Public Schools to accept students from other towns, to attend Concord schools on a tuition basis, and to offset a portion of program expenses with these tuition revenues. This is intended primarily for special education programs, and is anticipated result in some cost savings, and also to provide a larger peer group for students in our special education programs.

FACILITIES RENTAL REVOLVING FUND

ARTICLE 15. To determine whether the Town will accept Mass. Gen. Laws, c. 71, § 71E and authorize establishment of a Facilities Rental Revolving Fund for Concord Public Schools Facilities; or take any other action relative thereto.

This article will establish a fund that will enable Concord Public Schools to align revenues with expenses for facilities rentals, by applying facilities rental fees to this revolving fund, to offset costs related to outside rentals, such as utilities usage and custodial costs, and building maintenance and repairs.

AUTHORITY TO CONTRACT FOR UP TO FIVE YEARS FOR SELECTED ITEMS

ARTICLE 16. To determine whether the Town will authorize the Concord Public School Committee to approve contracts for (1) the leasing of school buses for up to five years; and (2)

licenses and subscriptions for curriculum materials for up to five years in accordance with Mass. Gen. Laws, c. 30B, § 12(b), or any other enabling legislation; or take any other action relative thereto.

Municipals contracts are typically authorized for three years, with some exceptions, unless further authorization is provided by Town Meeting. This article will extend the contract terms for curriculum materials and buses leases to five-year terms. This article will enable the district take advantage of price discounts that are often offered by curriculum providers for contracts beyond three years. Bus leases are typically financed over a five-year period, and this article will enable the district to maintain that practice without separate annual articles at each Town Meeting.

MINUTEMAN REGIONAL TECHNICAL HIGH SCHOOL DISTRICT BUDGET

ARTICLE 17. To determine whether the Town will raise and appropriate, or transfer from available funds, the sum of \$1,772,373, or any other sum, for the necessary and expedient purposes of the Minuteman Regional Technical High School District for the fiscal year ending June 30, 2026; or take any other action relative thereto.

This article provides Concord's assessed share of the annual operating budget for the Minuteman Regional Technical High School District. Each of the member town assessments is calculated by a formula established pursuant to the regional agreement. Concord's enrollment at Minuteman is currently 38 students. The formula for assessments relies in part upon a rolling 4-year average of enrollment for member communities.

CREATION OF CAPITAL AND DEBT STABILIZATION FUNDS

ARTICLE 18. To determine whether the Town will establish (a) a Debt Stabilization Fund and to transfer a sum to said Debt Stabilization Fund; and (b) a Capital Stabilization Fund and to transfer a sum, from Free Cash to said Capital Stabilization Fund; as authorized by Massachusetts General Laws c. 40, § 5B; or take any other action relative thereto.

This article seeks Town Meeting approval to create a Capital Stabilization Fund and Debt Stabilization Fund and transfer from Free Cash an amount of money to set aside for future capital and debt projects/expenses.

APPROPRIATION TO GENERAL STABILIZATION FUND

ARTICLE 19. To determine whether the Town will transfer from Available Funds, the sum of money, to the General Stabilization Fund; or take any other action relative thereto.

This article seeks Town Meeting approval to transfer from Free Cash an amount of money to set aside to fund future capital projects.

OPEB TRUST FUND APPROPRIATION

ARTICLE 20. To determine whether the Town will raise and appropriate, or transfer from available funds, the sum of \$1,467,851, or any other sum, to the Other Post-Employment Benefits (OPEB) Liability Trust Fund established under Mass. Gen. Laws c. 32B, § 20; or take any other action relative thereto.

Best practice suggests that both the General Fund and Enterprise Fund contributions to the OPEB Trust Fund should be appropriated by Town Meeting. Based upon the results of the January 1, 2024, OPEB Liability Valuation Report (GASB Statements No. 74 and 75), the following contributions will be made to the OPEB Trust Fund in FY26: General Fund, \$1,401,347; Light Fund, \$50,761; and Broadband Fund, \$15,743. Based, again, upon the results of the January 1, 2024, valuation, no annual contributions are required from the Water, Sewer or Swim & Fitness Enterprise Funds.

OPEB TRUST FUND EXPENSE

ARTICLE 21. To determine whether the Town will appropriate a sum of money from the Other Post-Employment Benefits (OPEB) Liability Trust Fund established under Mass. Gen. Laws c. 32B, § 20, for OPEB Fund expenses, and further to authorize the Trustee of the OPEB Fund to employ reputable and knowledgeable investment consultants to assist in determining appropriate investments and to pay for those services from the OPEB Fund; or take any other action relative thereto.

Similar to the previous article, best practice is that all Trust Fund expenses should be appropriated and paid directly from the Fund rather than deducting them from earnings. Further, under Mass. Gen. Laws c. 32B, § 20, Town Meeting must specifically authorize the Trustee's employment of any and all investment consultants.

RETIREMENT BOARD STIPENDS

ARTICLE 22. To see if the Town will accept the provisions of Mass. Gen. Laws c. 32, § 20(6) to provide a stipend to members of Concord Retirement Board of not more than \$4,500 per year paid from funds under the control of the Retirement Board; or take any other action relative thereto.

This article is inserted in the warrant at the request of the Concord Retirement Board. By taking favorable action on this Article, the Town will accept a local option which pays the stipend available to members of the Concord Retirement Board. Chapter 176 of the Acts of 2011, An Act Providing for Pension Reform and Benefit Modernization, ("the Act"), substantively changed the retirement plan for public employees in Massachusetts by adjusting retirement benefits and by providing significant enhancements to the governance and operations of the Commonwealth's retirement boards.

With reference to governance of retirement boards, the Act requires that all retirement board members follow enhanced procurement requirements and apply increased fiduciary oversight of the retirement system's investments. Under the Act, retirement board members are required to complete mandatory education and training and must file annual statements of financial interests and acknowledgements of compliance with the conflict of interest and retirement laws. Penalties for non-compliance are substantial, and non-compliance may be considered a breach of fiduciary obligations for which a Board member would be personally liable.

In recognition of the increased responsibilities and accountability of retirement board members, the Legislature has provided a local option amendment to Mass. Gen. Laws. c. 32 § 20(6) which sets the stipend to be paid to board members from funds under the control of the Retirement Board in an amount "not less than \$3,000 and not more than \$4,500 per year."

ACCEPTANCE OF THE HERO ACT

ARTICLE 23. To see if the Town will accept the provisions of Mass. Gen. L. Chapter 59, § 5, Clause 221 as created by Chapter 178 of the Acts of 2024, commonly referred to as the

“HERO Act”, which if accepted, would increase the amount of tax exemption granted to veterans beginning in Fiscal Year 2026, on their domiciles under Mass. Gen. Laws c. 59, § 5, Clauses 22, 22A, 22B, 22C, 22E and 22F annually by a cost-of-living adjustment (COLA) determined by the Department of Revenue (DOR) based on the consumer price index (CPI); or take any other action relative thereto.

This article would authorize additional tax exemptions for disabled veterans. The additional monies will come from the FY26 Overlay account and are not reimbursed from the state.

TRANSFER FROM MIDDLE SCHOOL STABILIZATION FUND

ARTICLE 24. To determine whether the Town will transfer from the Middle School Stabilization Fund a sum of money to be used by the Board of Assessors to reduce the tax levy for the fiscal year ending June 30, 2026; or take any other action relative thereto.

This article seeks Town Meeting approval to transfer from the Middle School Stabilization Fund the amount of \$1,000,000 to smooth the FY26 tax impact of the debt service associated with the Middle School Construction project.

TRANSFER OF PEABODY SCHOOL AND APPROPRIATE FUNDS

ARTICLE 25. To determine if the Town will authorize the transfer of care, custody, management, and control of three parcels of land known collectively as the “Peabody School Properties” and comprised of 1231 Old Marlboro Road (Parcel ID 3000), 78 Old Pickard Road (Parcel ID 2999), and 68B Powder Mill Road (Parcel ID 2991-7), to the Select Board, and to further authorize a transfer from Free Cash, in the amount of \$100,000, or any other amount, to be expended under the direction of the Town Manager to fund operational and maintenance costs associated with the building and land for the fiscal year ending June 30, 2026; or take any other action relative thereto.

The Town opened the new Ellen Garrison Building at the Concord Middle School on February 24, 2025, officially replacing both the Sanborn and Peabody Middle School buildings. As a result, the Sanborn Middle School is slated for demolition, and the Peabody Middle School is no longer needed by Concord Public Schools.

This article proposes transferring the care, custody, management, and control of the Peabody School Properties—comprising three parcels at 1231 Old Marlboro Road, 78 Old Pickard Road, and 68B Powder Mill Road—to the Select Board. This transfer will allow the Town to assume responsibility for the property while evaluating future needs and opportunities. Additionally, the article authorizes a transfer from Free Cash to cover operational and maintenance costs for the property in Fiscal Year 2026.

GENERAL BYLAW AMENDMENT: LEASING OF LAND BY SELECT BOARD AND TOWN MANAGER

ARTICLE 26. To determine whether the Town will amend the Leasing of Land Bylaw as follows; or take any other action relative thereto (changes shown in **bold italics** or ~~strikeout~~ for clarity purposes only):

LEASING OF LAND BY SELECT BOARD AND TOWN MANAGER

A. The Town Manager is authorized to solicit, award and enter into lease or license agreements for the use of land owned by the Town for a period of up to **thirty (30)** ~~ten (10)~~ years, inclusive of any renewal, extension or option provision, subject to approval by the Select Board, but without the necessity for further authorization by Town Meeting.

B. Nothing herein shall be construed to limit the Town's, the Town Manager's, or the Select Board's authority to solicit, award and enter into such a lease or license agreement for a longer term pursuant to any applicable law, including, without limitation: (1) G.L. c. 40, § 3, authorizing the Select Board to enter into leases for the use of municipal buildings for a period of up to thirty (30) years; (2) Chapter 331 of the Acts of 1981 permitting Town Meeting to authorize leases of public buildings and lands for a period of up to forty (40) years; and (3) any action by Town Meeting authorizing the Town Manager or the Select Board to enter into a specific lease or license, or category of leases or licenses.

This article would amend the General Bylaw adopted by 2017 Annual Town Meeting under Article 12 to authorize the Town Manager, with the approval of the Select Board, to approve leases of land for up to thirty years without the need for a separate Town Meeting approval. Any such approval would have to occur in a public meeting of the Select Board.

REMOTE PARTICIPATION AT ANNUAL AND SPECIAL TOWN MEETINGS

ARTICLE 27. To determine whether the Town will authorize the Select Board to petition the General Court for special legislation substantially in the form below and to authorize the Select Board to approve amendments to said legislation by the General Court before its enactment that are within the general objectives of this Article; or take any other action relative thereto:

“An Act authorizing remote participation at Town Meetings and Special Town Meetings in the Town of Concord”

SECTION 1. Notwithstanding chapter 39 of the General Laws, or any other general or special law or charter provision to the contrary, the Town of Concord may hold Town Meetings and Special Town Meetings with voters located in a common, physical location in-person, fully remotely or through a hybrid of a remote and in-person format.

SECTION 2. Any Town meeting held completely remotely or in hybrid form in accordance with this act shall be recorded and the recording shall be made available for public viewing on the town's website, or another publicly available video platform for at least 30 days following the conclusion of the meeting. The recording shall also be a public record of the Town, subject to disclosure upon request.

SECTION 3. All actions taken at a remote or hybrid Town Meeting held in accordance with this act shall have the same effect as if the Town Meeting had been conducted entirely in person.

SECTION 4. This act shall take effect upon its passage.

This article would authorize the Select Board to petition the state legislature for special legislation allowing Concord to permit voters to participate and vote in town meetings remotely. Close to 80% of respondents in our Town Meeting Study Committee survey favored having this option. Technology to secure one-person-one-vote and assure only registered voters can participate is currently under development.

Allowing remote participation can remove a barrier to full Town Meeting participation for parents with small and school-age children, senior citizens, people who travel for work, and many others, making Town Meeting more user-friendly and representative.

CITIZEN PETITION: RANKED CHOICE VOTING

ARTICLE 28. To determine whether the Town will reauthorize and request the Select Board to petition the General Court substantially in the form below for Home Rule Legislation to elect Town offices using Ranked Choice Voting or any other action relative thereto.

AN ACT RELATIVE TO RANKED CHOICE VOTING IN THE TOWN OF CONCORD

SECTION 1. RANKED CHOICE VOTING

(a) The terms below shall have the following meanings in this section.

"Batch elimination" is the simultaneous defeat of multiple candidates for whom it is mathematically impossible to be elected.

"Concluded ballot," a ballot that does not rank any continuing candidate or contains an overvote at the highest-ranked continuing candidate.

"Continuing candidate," a candidate who has not been defeated or elected.

"Election threshold," the number of votes sufficient for a candidate to be elected in a multi-seat election. It is calculated by dividing the total number of votes counting for continuing candidates in the first round by the sum of the number of seats to be elected and 1, disregarding any fractions, and then adding 1.

"Highest-ranked continuing candidate," the continuing candidate with the highest ranking on a voter's ballot. Where a ballot omits one or more rankings, the next highest ranking shall be used for determining the highest-ranked continuing candidate.

"Plurality voting," the voting system in which the candidate receiving the most votes is declared the winner, even if such candidate does not receive a majority of the votes cast in the election.

"Ranked choice voting," a method of casting and tabulating ballots in which voters rank candidates for office in order of preference.

"Last-place candidate," (i) the candidate with the lowest vote total in a round of the ranked-choice voting tabulation; or (ii) a candidate that is defeated in batch elimination.

"Overvote," a circumstance in which a voter ranks more than 1 candidate at the same ranking.

"Ranking" means the number or the numeric ranking assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Ranking number 1 shall be the highest ranking, ranking number 2 shall be the next-highest ranking, and so on.

“Surplus fraction,” the number equal to the difference between an elected candidate’s vote total and the election threshold, divided by the candidate’s vote total.

“Transfer value,” the proportion of a vote that a ballot will count to its highest-ranked continuing candidate. Each ballot shall begin with a transfer value of 1. If a ballot counts to the election of a candidate under subsection (d), it receives a lower transfer value.

(b) All town offices shall be elected by ranked choice voting, except for a single-seat office when the number of certified candidates is less than or equal to 2, or a multi-seat office when the number of certified candidates is less than or equal to the number of seats to be elected. Plurality voting shall be used when ranked choice voting cannot be conducted. Ranked choice voting elections shall be tabulated in rounds pursuant to this section.

(c) In any single-seat election with ranked choice voting, each round shall begin by counting the number of votes for each continuing candidate. Each ballot shall count as 1 vote for its highest-ranked continuing candidate. Concluded ballots shall not be counted for any continuing candidate. If no candidate receives a majority of the first-choice votes cast, an instant runoff shall be conducted. In each round of the instant runoff, the vote on each continuing ballot for each continuing candidate shall be counted. Each continuing ballot shall count as one vote for the highest-ranked continuing candidate on that continuing ballot. Each round shall end with 1 of the following 2 outcomes:

(1) If there are more than 2 continuing candidates, the last-place candidate shall be defeated or the last-place candidates shall be defeated in batch elimination and a new round shall begin; or

(2) If there are 2 continuing candidates, the candidate with the fewest votes shall be defeated, the candidate with the most votes shall be elected, and tabulation shall be complete.

(d) In any multi-seat election with ranked choice voting, each round shall begin by counting the number of votes for each continuing candidate. Each ballot shall count for its highest-ranked continuing candidate. Concluded ballots shall not count for any continuing candidate. In the first round only, the election threshold shall then be calculated. If no candidate reaches the election threshold, an instant runoff shall be conducted. In each round of the instant runoff, the vote on each continuing ballot for each continuing candidate shall be counted at its current transfer value. Each continuing ballot shall count as one vote for the highest-ranked continuing candidate on that continuing ballot. Each round shall end with 1 of the following 3 outcomes:

(1) If at least 1 continuing candidate has more votes than the election threshold, then all such candidates shall be elected. Each ballot counting for an elected candidate shall be assigned a new transfer value by multiplying the ballot’s current transfer value by the surplus fraction for the candidate. Each elected candidate shall be deemed to have a number of votes equal to the election threshold in all future rounds. If the number of elected candidates is equal to the number of seats to be filled then tabulation is complete. Otherwise, a new round shall begin;

(2) If no continuing candidate has more votes than the election threshold and the sum of the number of elected candidates and continuing candidates is more than the sum of the number of seats to be elected and 1, the last-place candidate shall be defeated or the last-place candidates shall be defeated in batch elimination, and a new round shall begin; or

(3) Otherwise, the continuing candidate with fewest votes shall be defeated, all other continuing candidates shall be elected, and tabulation is complete.

(e) Batch elimination shall apply to the largest possible group of continuing candidates such that the sum of the votes of candidates in the group is less than the individual number of votes of every continuing candidate not in the group, and provided that the number of continuing candidates not in the group is at least 1 more than the remaining number of positions to elect.

(f) If there is a tie between the continuing candidates receiving the fewest votes in any round other than the first round, the candidate with the fewest votes in the prior round shall be defeated. If the continuing candidates remain tied, this process shall be repeated using the votes from the next closest previous round, until either one continuing candidate has fewer votes or there are no more previous rounds to examine.

(g) The Town Clerk may make any changes to the ranked choice voting ballot and tabulation process necessary to ensure the integrity and smooth functioning of the election, provided that ranked choice voting shall still be used and the fewest number of changes are made to achieve such purpose.

SECTION 2. This act shall take effect upon its passage, with the provision there are at least 64 days until the next election, to allow for proper implementation.

Ranked Choice Voting (RCV), also known as Single Transferable Vote, is a method of casting and tabulating ballots in which voters rank candidates for office in order of preference. This gives every voter one vote, regardless of the number of seats to be elected, producing the most representative outcomes. Cambridge and Easthampton, MA currently use RCV for local elections. Acton, Amherst, Brookline, Concord, Lexington and Northampton, MA are in the process of adoption.

FEASIBILITY OF ACQUIRING 2229 MAIN STREET (NMI Starmet Site)

ARTICLE 29. To determine whether the Town will raise and appropriate or transfer from available funds a sum to be expended under the direction of the Town Manager, for the purpose of evaluating the feasibility of acquiring the property located at 2229 Main Street, Concord, MA; or take any other action relative thereto.

This article seeks funding to evaluate the feasibility of the Town acquiring 2229 Main Street, the former NMI/Starmet site. The Town has been considering the feasibility of acquiring the site for ten years, beginning in 2015 when a Special Town Meeting vote authorized the Select Board to acquire or take by eminent domain the property, subject to terms and conditions agreeable to the Select Board. Since then: four parties (2 corporations and 2 US Government agencies) entered into a Consent Decree to take responsibility for and to fund environmental clean-up at the site; two Town committees issued reports (in 2021 and 2024) with recommendations on reuse and development of the site by the Town; and the 2229 Main Street Oversight Committee has followed closely the progress of site clean-up since 2003. This year, following the 2229 Main Street Advisory Task Force recommendation that the Town move forward toward acquisition of the site, the Select Board voted to send a letter to U.S. EPA and U.S. Department of Justice conveying the Town's interest in entering into discussions to acquire the site. Funding is necessary in order to formally evaluate the feasibility of site acquisition.

**AUTHORIZE GRANT OF EASMENT TO VERIZON – 835-923 OLD MARLBORO ROAD
(CONCORD MIDDLE SCHOOL)**

ARTICLE 30. To determine whether the Town will authorize the Select Board to grant or deed an easement, on terms and conditions acceptable to the Select Board, over a parcel of land owned by the Town at 835-923 Old Marlboro Road, for the purposes of providing and maintaining an easement for telecommunications services to Verizon New England Inc, and its successors and assigns; or take any other action relative thereto.

This article would authorize the Select Board to formalize an easement for Verizon to provide telecommunications services such as phone and internet to the new Concord Middle School on Old Marlboro Road. It was determined during construction that Verizon's prior telecommunications connections to the site were not documented in a recorded easement. This easement does not contemplate any new wireless communications towers or facilities, only typical conduits for wired communications.

SELECT BOARD TO ACCEPT EASEMENTS

ARTICLE 31. To authorize the Select Board, until July 1, 2026, to acquire on behalf of the Town easements for the following purposes: roads, sidewalks, vehicular, bicycle or pedestrian access or passage, water, drainage, sewer, fiber-optic cable, electricity and other utilities, where such easements are acquired at no cost to the Town and are required pursuant to a land use permit, site plan review, agreement for utility or drainage, agreement for construction, use, operation and maintenance of infrastructure, or memorandum of understanding; or take any other action relative thereto.

This general article allows the acceptance of easements by the Select Board, acquired at no cost to the town, throughout the year as they come up until the date specified in the article (in this case, July 1, 2026). This article also gives authorization for easement acceptance related to enterprise funds. This general article provides the flexibility to address land interests in project (public and private) development in a timelier fashion and reduces the need for temporary legal instruments.

**BETTERMENTS FOR TEMPORARY IMPROVEMENTS TO A PRIVATE WAY –
DARTON AND DOVER STREETS**

ARTICLE 32. To determine whether the Town will raise and appropriate, transfer from available funds, or authorize the Town Treasurer, with the approval of the Select Board, to borrow by the issuance of bonds or notes under the provisions of Mass. Gen. Laws c. 44, or any other authority, the sum of \$350,000, or any other sum, for the purpose of making temporary repairs pursuant to the Town's *Private Ways in White Pond Watershed: Temporary Repairs Bylaw* for the purpose of mitigating regular flooding impacts identified near the intersection of Darton and Dover Streets, provided that such appropriation, transfer or borrowing, and all associated costs of the improvements, shall be repaid by property owners on the streets where the improvements are made, but that any bonds or notes issued pursuant to this Article shall be the general obligation of the Town, to be expended under the direction of the Town Manager; or take any other action relative thereto.

The intersection of Dover Street and Darton Street, both private roads located within the White Pond watershed is subject to recurring flooding issues which create egress as well as localized water quality issues for nearby residents. In response to a petition submitted to the Public Works Commission, offered in accordance with the Private Ways in White Pond Watershed: Temporary Repairs Bylaw, Concord Public

Works' Engineering Division has finalized a stormwater design and roadway restoration plan to address this flooding and related road condition problem. If the appropriation is approved, and the plan is accepted by abutters pursuant to the process described in the bylaw, the costs of construction and related services will be paid back through a betterment assessed by the Public Works Commission.

MCI CONCORD – PLANNING

ARTICLE 33. To determine whether the Town will raise and appropriate or transfer from available funds a sum of money to be expended under the direction of the Town Manager, for the purpose of evaluating the feasibility of acquiring the existing MCI Concord Wastewater Treatment Plant or for general planning purposes associated with the MCI Concord; or take any other action relative thereto.

In January of 2024, the Governor's proposed FY25 Budget Plan indicated the Commonwealth was planning to close the MCI Concord prison (excluding Northeast Correctional Center ['The Farm']), including a provision that would conditionally allow the ownership of the WWTP to be transferred to the Town of Concord for public use. The wastewater treatment facility serving MCI Concord has a design capacity of 0.31 million gallons per day (MGD). Prison operations ceased on June 30, 2024, and inmate housing operations concluded on July 17, 2024.

On February 10, 2025, the Select Board voted to direct the Town Manager, the Town's Director of Public Works and Town Counsel to continue discussions with the Division of Capital Management & Maintenance ("DCAMM") on the terms of a mutually agreeable land disposition agreement (LDA). This article is being advanced to appropriate funding for the purposes of the Town's further due diligence regarding the Facility and negotiation of an LDA.

Taking ownership of MCI's Treatment Facility offers Concord an unusual and rare opportunity to provide a relief valve for wastewater treatment capacity constraints that have been unresolved within the Town for over 25 years. Such an opportunity will need to balance the Town's desire to meet the needs of economic growth and development interest by the community, while also serving the needs of the planned redevelopment of the 51 Acre site formerly occupied by MCI, as well as the needs of 'the Farm,' the State Police barracks, and the MassDOT Maintenance Facility, all located along Route 2.

STORMWATER ENTERPRISE FUND EXPENDITURES

ARTICLE 34. To determine whether the Town will appropriate the amount required for the total expenses of the Stormwater Enterprise Fund for the fiscal year ending June 30, 2026 for the operation of the Stormwater System, in accordance with Mass. Gen. Laws c. 44, § 53F $\frac{1}{2}$, to be expended under the direction of the Town Manager; or take any other action relative thereto.

The FY26 Stormwater Enterprise Fund Budget will be submitted by the Town Manager and reviewed at a public hearing of the Finance Committee May 1, 2025, and will also be published on the Town's website under the 2025 Annual Town Meeting tab and in the Town Meeting Briefing Book.

Following approval of Article 16 of the 2024 Annual Town Meeting which formally established the Stormwater Utility Enterprise Fund and associated Bylaw, a comprehensive 10-year budget projection and associated fee for the Stormwater Utility have been developed. The projected annual FY26 budget of approximately \$1,062,800 is to address the town's stormwater priorities allocated between capital and non-capital costs. The Public Works Commission has evaluated various fee structure options and plans on voting for the final rate schedule at the May 2025 PWC meeting. This vote will be contingent upon the voting in favor of this article for the FY26 Stormwater Enterprise Budget at the 2025 Annual Town Meeting. The Stormwater Utility Credit Policy designed to encourage property owners to minimize their impact on the municipal stormwater system by offering credits for approved stormwater management activities will also be formerly adopted by the PWC in May 2025. The work performed to date on

establishing this enterprise is contained in the "Evaluation of a Stormwater Enterprise Fund report," completed by Weston & Sampson and posted on the Town's website.

CITIZEN PETITION: PROTECT ORCHARD HOUSE FROM STORMWATER RUNOFF

ARTICLE 35. To determine whether the Town will vote to urge the Town Manager in consultation with the Public Works Commission and Historic Districts Commission, to take action to remedy the inundation of stormwater runoff impacting Louisa May Alcott's Orchard House resulting from changes to the grading and slope of Alcott Road in 2018.

Louisa May Alcott's Orchard House had no stormwater runoff issues until the reconstruction of Alcott Road altered its slope. Instead of directing runoff to the stormwater drainage system on the east side of Alcott Road, the new grading now channels water onto the apple orchard and surrounding land, resulting in the loss of two apple trees so far. We seek to work collaboratively with the Town to find a solution to this issue.

CITIZEN PETITION: BAN SECOND-GENERATION ANTICOAGULANT RODENTICIDES (SGARs)

ARTICLE 36. To determine whether the Town will authorize the Select Board to petition the General Court for special legislation substantially in the form below:

That notwithstanding Chapter 132B of the General Laws or any other general or special law to the contrary, the Town of Concord may by ordinance prohibit the application of second-generation anticoagulant rodenticides within the Town of Concord, including application of such pesticides by licensed commercial applicators as defined in 333 C.M.R. 10.00, except as allowed by the Board of Health to remediate a public health condition; this act shall take effect upon its passage.

This article would authorize the Select Board to petition the State Legislature for special legislation authorizing the Town to ban the use of second-generation anticoagulant rodenticides ("SGARs") on both public and private property. The use of SGARs presents a serious risk to both wildlife and domestic animals in Concord. SGARs are highly toxic, and their impact goes far beyond the targeted rodents. Non-target animals including birds of prey, wild mammals, pets, and even young children are often unintentionally exposed to these poisons through ingestion of poisoned rodents or contaminated carcasses or accidental consumption of SGARs themselves. Numerous published scientific studies have found that wildlife such as owls, hawks, coyotes, and foxes, which are crucial for controlling rodent populations naturally, can suffer fatal consequences when they consume rodents that have ingested SGARs. Rodents who have consumed SGARs can often live for several days after poisoning, making them easy prey for unsuspecting predators.

There are viable alternatives to SGARs that are both effective and safer for the community. For example, Concord Public Works uses RatX which does not make its way up the food chain. Integrated pest management strategies, such as rodent-proofing buildings, maintaining a clean environment, and setting snap traps, also can control rodent populations without resorting to dangerous poisons.

In taking the proposed action, the Town would encourage the adoption of safer, more sustainable practices and align itself with other progressive municipalities across the state that are taking action to reduce the harmful effects of these chemicals. A ban on use of SGARs would send a clear message that we are committed to creating a safe and responsible environment for both our people and the animals with whom we share it, fostering a healthier, more balanced relationship between humans and the natural world.

ZONING BYLAW AMENDMENT: SECTION 7.7.2.4 JOINT PARKING FACILITIES AND SECTION 7.7.2.7 LOCATION

ARTICLE 37. To determine whether the Town will amend Zoning Bylaw Section 7.7.2.4 Joint parking facilities to (1) replace Section 7.7.2.4 and with a new Section 7.7.2.4 and (2) to amend Section 7.7.2.7 as follows (For Section 7.7.2.7 only, deletions are shown in grey highlight ~~strikeout~~ and changes or additions are shown in grey highlight ***bold italics*** for emphasis only. Where only a portion of a section is quoted, other sections shall remain unchanged) or take any other action relative thereto:

7.7.2.4 Joint parking facilities: Shared or joint use of off-street parking is strongly encouraged. Off-street parking facilities for two (2) or more buildings or uses may be provided and used collectively or jointly in any zoning district in which the separate uses would be permitted, subject to Site Plan Review and the following provisions:

(a) A written joint parking agreement approved as to form by the Planning Board and executed by all parties concerned prior to the issuance of an occupancy permit.

(b) Off-street parking spaces for one (1) building and/or use shall not be considered as providing the required spaces for another building and/or use, except when it can be clearly demonstrated that the need for parking occurs at different times. The Applicant may propose a reduction in off-street parking requirements based on an analysis hour by hour, or a credible combination of hours, of parking demand for non-competing uses. The establishment of parking demand will be based on the following characteristics:

i. The joint parking spaces for the uses shall be within six hundred (600) feet as measured from the subject building and/or uses to the parking spaces they serve.

ii. Evidence that parking demand values have been projected based on data published through the transportation engineering and planning profession such as, but not limited to, the latest edition of the Institute of Transportation Engineers (ITE) *Parking Generation* publication or the latest edition of the Urban Land Institute (ULI) *Shared Parking* publication. The Planning Board may allow for empirical parking demand data from comparable uses to be utilized where the data is found to be satisfactory by the Building Commissioner. The Planning Board may require review of such data by an Outside Consultant pursuant to MGL Ch. 44, Section 53G.

iii. Parking demand data by common non-competing uses shall be documented based on a joint parking demand hour-by-hour worksheet. The typical weekday, Saturday, and/or Sunday documentation for parking demand shall be defined for seasonal characteristics in consultation with the Planning Board based on the land use.

iv. The minimum allowable off-street parking spaces to service the building(s) and/or uses shall be equal to the largest of the sum land use totals by timeframe presented in the joint parking demand hour-by-hour worksheet.

(c) Reduction in the minimum parking requirement shall not pertain to individual land uses where assigned parking is in effect unless it can be demonstrated that the assigned parking occupant(s) are not affected by the use of joint parking in the corresponding spaces.

(d) If a lower number of parking spaces than the cumulative number of minimum required parking spaces defined in Table IV is approved, no change in any use shall thereafter be permitted without review and approval by the Building Commissioner of further documentation that the parking will remain adequate following occupancy of the new use(s) and receipt of an executed joint parking agreement by all parties. If the Building Commissioner determines that said documentation is not satisfactory or that additional parking spaces are required, then additional parking spaces shall be provided prior to the change in use.

(e) The approval of joint parking facilities may be rescinded, and additional parking shall be provided by the owners, in the event that the Planning Board, after notice and public hearing thereon, determines the joint use is resulting in a public nuisance or other adverse effects on the public health, safety, and welfare.

(f) Joint parking facilities may be located on separate lots subject to the provisions of Section 7.7.2.7.

7.7.2.7 Location Off-site parking: All required parking or loading spaces shall be provided on the same parcel of land occupied by the use or building to which it is appurtenant; provided, however, that where, in the opinion of the Planning Board, there are practical difficulties in satisfying the requirement for parking spaces and/or if the public safety and convenience would be served better by another **off-site** location, the Planning Board may authorize an alternative location **off site** for ~~nonresidential~~ parking subject to the following provisions:

(a) The property to be occupied as parking shall be in the same possession as the facility served either by deed, by easement, or by long-term lease. If the property is leased, the terms of the lease shall be subject to Planning Board approval as to form and length of time and a copy of the lease, **executed by all owners and tenants**, shall be filed with and made part of the application for a building or occupancy permit.

(b) ~~The distance between the use or building and its parking area shall not be more than six hundred (600) feet.~~ **The parking spaces for the use(s) shall be within six hundred (600) feet as measured from the subject building and/or uses to the parking spaces they serve.**

(c) The separated parking area shall not create unreasonable traffic congestion or create a hazard to pedestrians or vehicular traffic.

(d) The parking area shall be located on property zoned for the same or less restrictive use as the principal use being served by the parking.

The current Zoning Bylaw allows for a decrease in the minimum parking requirements up to 50% for joint parking facilities, but only for educational, religious, lodge and club, indoor amusement, and restaurant uses that are used jointly by banks, offices, retail stores, repair shops, service establishments, and other uses not normally open, used, or operated during similar hours. The Zoning Bylaw limits the overall decrease in the minimum parking requirements while also limiting the potential land uses that can utilize joint parking.

In July 2019, the Metropolitan Area Planning Council completed the Concord Parking Policy Analysis, which included a recommendation to “build on the existing joint parking bylaw to allow developers to build less on site if they can demonstrate how parking demand varies over the course of the day.”

This Zoning Bylaw amendment would allow any uses to utilize joint parking if it can be clearly demonstrated that larger levels of off-street parking are not truly needed based on credible industry parking demand data

and an hour-by-hour analysis. This analysis must show that the number of spaces that are proposed for all the uses can accommodate the highest hourly parking demand. If a business use changes, that change of use will not be permitted until the Building Commissioner receives a new hour-by-hour analysis that once again clearly demonstrates that there is sufficient parking.

In the event that a joint parking use is resulting in a public nuisance or other adverse effects on the public health, safety, and welfare, the approval of joint parking facilities may be rescinded, and additional parking shall be provided by the owners. If a property owner is unable to provide additional parking, the Planning Board can require operational changes for the joint uses that reduce the overall demand for parking. For joint uses, an example would be a change in the hours of operation to reduce overlap.

The benefits of this amendment are in line with the Town's sustainability and economic vitality goals.

ZONING BYLAW AMENDMENT: GENERAL HOUSEKEEPING – MULTIPLE SECTIONS

ARTICLE 38. To determine whether the Town will amend multiple sections of the Zoning Bylaw with corrections of clerical errors, clarifications of language, and housekeeping corrections for items such as spelling, grammar, syntax, and punctuation, as detailed below; or take any other action relative thereto.

For emphasis only, deletions are shown in ~~grey highlight~~ ~~strikeout~~ and changes or additions are shown in ~~grey highlight~~ ***bold italics***; here a portion of a section is quoted, other sections shall remain unchanged; and where a section is deleted subsequent sections are renumbered.

6. TABLE III – DIMENSIONAL REGULATIONS

Zoning Districts	Minimum Side Yard in Feet	Minimum Rear Yard in Feet
Business	0; None , except where a business or industrial use abuts a residential district, 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.
Concord Center Business	0; None , except where a business or industrial use abuts a residential district, 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.
Thoreau Depot Business	0; None , except where a business or industrial use abuts a residential district, 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.
Nine Acre Corner Business	0; None , except where a business or industrial use abuts a residential district, 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.
West Concord Business	0; None , except where a business or industrial use abuts a residential district, 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.
West Concord Village	0; None , except where a business or industrial use abuts a residential district, 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.

Zoning Districts	Minimum Front Yard in Feet³
Industrial Park A and Industrial Park B	20' from the side lines of <i>any</i> private streets constructed as <i>part of the</i> development of a site and 100' from existing public ways. No parking areas may be placed closer than 30' from the side lines of any public way or 20' from the side lines of <i>any</i> private streets within the boundaries of the Industrial Park development.

Zoning Districts	Maximum Lot Coverage %
Limited Industrial Park #1 and Limited Industrial Park #2	35%, the same to include the gross ground floor area of all buildings and all paved areas.
Industrial Park A and Industrial Park B	50%, the same to include all paved areas and 20% maximum lot coverage by all structures.

4.2.2.2

(l) The total gross floor area of all buildings on the lot shall conform to the maximum floor area ratio as required in Section 6.2.13; ~~and~~

(m) The single-family dwelling or the additional dwelling unit shall not be used for a bed and breakfast under Section 5.3.15; ~~and~~

6.2.6 Front yards: Front yards shall be measured between the sideline of the right-of-way and the nearest point of any structure, with the exception of uncovered steps and ramps or ~~the construction of walls and fences.~~ In all cases, corner lots shall be considered to have two (2) front yards and two (2) side yards. A lot having frontage on two (2) streets shall have two (2) front yards, each of which shall comply with the requirements of the front yard provisions.

6.3.1 Single lot exemption: Any increase in area, frontage, width, yard or depth requirement of this Bylaw shall not apply to a lot for a single-family dwelling which, at the time of recording or endorsement, whichever occurs sooner, was not held in common ownership with any adjoining land, conformed to then-existing requirements and had less than the proposed requirements but at least five thousand (5,000) square feet of area and fifty (50) feet of frontage.

7.6.1.12 Treatment works: Any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation, or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works, ~~for the purpose of treatment, storage, or disposal.~~

7.6.7.2

(d) Where a portion of the lot is located ~~partially~~ outside the Groundwater Conservancy District, site design shall, to the extent feasible, locate potential pollution sources, such as on-site disposal systems, outside the district boundaries.

TABLE IV MINIMUM PARKING	
Principal Use	Required Spaces
INDUSTRIAL USES:	
Repair garage	One (1) space per employee on the largest shift plus one (1) space per company vehicle kept on the premises.

7.7.3.12 Maintenance: Parking and loading facilities and landscaping shall be continuously maintained in good condition and appearance. Whenever necessary, surfacing, lighting, curbing, markings and plantings shall be repaired or replaced with new materials, and drainage structures shall be cleaned or replaced, in order to ensure continued compliance with the provisions of Section 7.7. Failure to maintain parking facilities properly shall be considered a violation of the Zoning Bylaw.

~~7.8.2.1 Act: The federal Telecommunications Act of 1996.~~

7.8.2.4 Antenna: A device that is attached to a tower, or other structure for transmitting and receiving electromagnetic waves.

7.8.4.2 General requirements:

- (j) No new tower for a personal wireless communication facility, shall be located within:
 - ii. One-thousand (1,000) feet, on a horizontal plane, ~~of~~ the structure of an existing single-family detached dwelling;
 - iii. One thousand (1,000) feet, on a horizontal plane, ~~of~~ any structure in an Historic District, or listed, or eligible to be listed, on the state or federal Register of Historic Places;

7.8.4.6 Approval criteria:

(g) that the applicant has agreed to rent or lease available space on the tower, under the terms of a fair-market lease, without discrimination to other personal wireless service providers. Any decision by the Board to deny a special permit under this Section shall be in conformance with the **Telecommunications Act of 1996**, in that it shall be in writing and supported by substantial evidence contained in a written record.

7.9.1 Purpose and Intent:

This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after ~~April 2012~~ the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

7.9.3.1 Site plan review: Large-scale ground-mounted solar photovoltaic installations are subject to site plan review by the Planning Board. **An applicant seeking to install large-scale ground-mounted solar photovoltaic installations ("Applicant")** Proponents shall submit site plans showing:

7.9.3.2 Site control: ~~The project proponent~~ **The Applicant** shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed large-scale ground-mounted solar photovoltaic installations.

7.9.3.3 Financial Assurance: **An Applicant seeking to install** Proponents of large-scale ground-mounted solar photovoltaic installations shall be required to enter a covenant with the Planning Board to ensure adequate funds are available to provide for decommissioning and removal of the installation.

7.9.3.4 Operation & maintenance plan: The **Applicant** ~~project proponent~~ shall submit a plan for the operation and maintenance of the large-scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, stormwater controls and general procedures for operations and maintenance of the installation.

9.2.3 Dimensional regulations. Except as provided in this ~~ss~~ subsection, all dimensions shall comply with the provisions of Section 6, Table III, Dimensional Regulations. However, to protect the surrounding neighborhood, the Planning Board may require that buildings within the development be set back from some or all of the boundaries of the original development tract. The required setback from such boundaries shall be no more than fifty (50) feet.

9.2.4.3 In all cases, a perpetual restriction of the type described in G.L. c. 184, sec. 31 (including future amendments thereto and corresponding provisions of future laws) running to or enforceable by the Town shall be recorded in respect to such land. Such restriction shall provide that the open space shall be retained in perpetuity for one or more of the following uses: conservation, agriculture, recreation, or park. Such restriction shall be in such form and substance as the Planning Board shall prescribe and may contain such additional restrictions on

development and use of the open space, as the Planning Board may deem appropriate.

10.2.3.3 Unit size: A variety of units shall be provided within the PRD, which may include dwelling units of one, two, three or more bedrooms. **Units shall have** with a minimum gross floor area of not less than four hundred (400) square feet.

10.2.9.1

(a) Land abutting the Concord, Assabet or Sudbury Rivers, their tributaries, Elm Brook, or ponds of significant public interest, which enhances or protects wetlands or flood plain, or which provides public access to the water body, or which enhances or provides significant scenic vistas or views, or which provides water-related recreational opportunities;

10.2.11 Sustainable design requirement:

(a) Low impact development for stormwater design. Low impact development **should rely** on natural features (indigenous to the site or bio-designed) to protect water quality and encourage on-site infiltration of stormwater. Such measures may include use of natural drainage flow paths, minimization of land clearance, incorporation of bioretention features/raingardens, and minimization of the creation of impervious surfaces (through building clustering, minimizing size and footprint of buildings and paved areas, and use of pervious surfaces where practical).

(b) Energy efficiency and clean energy usage. ~~Use of energy~~ **Energy**-efficient appliances and HVAC systems **should be used** ~~is desired~~. All-electric buildings, with no fossil-fuel usage, and the use of more sustainable forms of energy production, such as geothermal and solar, are encouraged.

(c) Energy efficient building design. The building envelope and components (~~b~~ Building framing, insulation, windows, HVAC systems) should be designed to maximize energy conservation.

(d) Building layout. The arrangement of buildings on the site and the accompanying infrastructure **should** minimize impervious surface area and maximize contiguous open space for both residents and wildlife.

(e) ~~Ways to minimize~~ **Minimization of** greenhouse gas emissions. ~~Maintaining or proposing new~~ Vegetation to maximize carbon sequestration on site **and** ~~should be proposed or maintained~~. Selection of HVAC systems and appliances ~~to~~ **that** encourage use of renewable energy sources **should be selected**. Construction design ~~to~~ **should** minimize emissions from construction vehicles.

(f) Other green building, energy efficiency, sustainability measures. The applicant **is encouraged to** ~~may~~ propose other measures that fit within the broad rubric of sustainable site planning, design and construction.

10.3.1 Special provisions for the Concord Housing Authority and Town of Concord projects: Except as provided for in subsection 10.2.6 and 10.2.7 above, the limitations contained in subsection 10.2 shall not apply to a PRD application submitted by the Concord Housing Authority or to a PRD application submitted by the Concord Select Board in which **at least** seventy-five percent (75%) of the units will be of the type described in subsection 10.2.3.1 and 10.2.3.2 provided that the Board shall find that the proposed design is generally in keeping with the purposes of this Bylaw and with Town of Concord Housing Partnership Guidelines.

10.3.2 Special provisions for non-profit entity: Except as provided for in subsection 10.2.6 and 10.2.7 above, the limitations contained in subsection 10.2 shall not apply to a PRD application submitted by a Non-profit entity in which **at least** seventy-five percent (75%) of the units will be of the type described in subsections 10.2.3.1 and 10.2.3.2 provided that the Board shall find that the proposed design is generally in keeping with the purposes of this Bylaw.

11.1.1 The Building Inspector, upon a written complaint of any **resident citizen** of, or owner of property within, the Town or upon such officer's own initiative, shall institute any appropriate action or proceedings in the name of the Town of Concord to prevent, restrain or abate violation of this Bylaw.

11.8.7.1

(b) Physical layout of the plan as it relates to convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent streets and, when **applicable necessary**, compliance with other regulations for the handicapped, minors and the elderly;

This article addresses spelling errors, updates and clarifies language, and corrects clerical oversights.

ZONING BYLAW AMENDMENT: ACCESSORY DWELLING UNIT (ADU)

ARTICLE 39. To determine whether the Town will amend Section 4.2.2.2 of the Zoning Bylaw (Two-family or additional dwelling unit) so that the following Section read as follows (deletions are shown in grey highlighted ~~strikeout~~ or grey highlighted **bold italics** for emphasis only; here a portion of a section is quoted, other sections shall remain unchanged); or take any other action relative thereto:

4.2.2.2 For the purpose of providing small ~~additional~~ **accessory** dwelling units to rent in the Town that will not substantially alter the appearance of the Town or for the purpose of enabling owners of single-family dwellings larger than required for their present needs to share space and the burdens of homeownership, a building permit may be granted for one ~~additional~~ **accessory** dwelling unit in ***an existing or proposed*** single-family dwelling or ***existing or proposed*** detached accessory structure, provided that:

- (a) The area of the lot on which the single-family dwelling and ~~additional~~ **accessory** dwelling unit ~~is are~~ located shall not be less than the required minimum lot size for the applicable Zoning District;
- (b) The ~~additional~~ **accessory** dwelling unit shall occupy no more than ~~750~~ **1,000** square feet of gross floor area, ***as defined under Section 1.3.12, but excluding space used for a garage or as defined in 760 CMR 71.02, whichever is greater,*** of the single-family dwelling or detached accessory structure;
- (c) No more than one such ~~additional~~ **accessory** dwelling unit shall exist on the lot;
- ~~(d) Either the additional dwelling unit or the single family dwelling shall be occupied by the owner of the property except for bona fide temporary absences;~~
- ~~(de)~~ Dimensioned floor plans of the ~~additional~~ **accessory** dwelling unit shall be filed with the building permit or special permit application;

- (ef) No use or occupancy of the additional **accessory** dwelling unit shall be allowed prior to the issuance of a certificate of occupancy by the Building Inspector;
- (fg) The additional **accessory** dwelling unit shall meet the required setbacks for the primary structure of the applicable Zoning District **and all other requirements for location on the lot applicable to the primary structure in the applicable Zoning District.** and a **A** site plan, at a measurable scale, shall be submitted with the application to the Building Inspector showing the location of the additional **accessory** dwelling unit, and the location and arrangement of parking spaces on the property;
- (gh) One parking space shall be provided for the additional **accessory** dwelling unit, **except no parking space shall be required for lots within a half mile radius of a transit stop as specified in M.G.L. Chapter 40A Section 1A;**
- (hi) The property is served by Town sewer or, alternatively, the on-site subsurface disposal system is adequate to accommodate any increased flows generated by the additional **accessory** dwelling unit;
- (ij) The additional **accessory** dwelling unit shall not be legally separated or sold apart from the single-family dwelling;
- (jk) The additional **accessory** dwelling unit shall meet the height restrictions for primary and accessory structures in the applicable Zoning District as required in Section 6.2.11;
- (kl) The total gross floor area of all buildings on the lot shall conform to the maximum floor area ratio as required in Section 6.2.13;
- (lm) The single-family dwelling or the additional **accessory** dwelling unit shall not be used for a bed and breakfast **or tourist home** under Section 5.3.15, and;
- (mn) Any additional **accessory** dwelling unit that is subject to a special permit recorded with the Middlesex South Registry of Deeds prior to September 2020 shall be exempt from the requirements in Items (a), (b), (g), and (l) of this Section 4.2.2.2 provided that the dimensions of the additional **accessory** dwelling unit conform to the dimensional requirements in the recorded special permit.

The Board may grant a Special Permit for relief for an additional **accessory** dwelling unit located on a **legal nonconforming** lot with less than the required minimum lot **are size or less than the required frontage** for the applicable Zoning District, ~~and/or an additional dwelling unit up to 1,000 gross square feet, and/or a reduction in the required setbacks for a detached additional~~ **accessory** dwelling unit, provided that **the Board finds that** the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

The Planning Board is proposing amendments to the first paragraph, current items (b), (g) and (m), and the last paragraph to clarify issues raised by the Building Commissioner during the permitting process for previous ADU applications.

The remaining proposed amendments, increasing the square footage allowed by-right from 750 s.f. to 1,000 s.f. under Item (b), deleting Item (d) requiring either the ADU or the single-family dwelling to be occupied by the owner of the property, and changing the parking requirement, are proposed to comply with 2024 amendments to the State's Zoning Act making ADUs meeting certain requirements a by-right

use The change of the term “Additional Dwelling Unit” to ‘Accessory Dwelling Unit’ also is proposed to be consistent with State Law which now uses the term Accessory Dwelling Unit.

**ZONING BYLAW AMENDMENT: SECTION 2.2 ZONING MAP – FLOODPLAIN
CONSERVANCY DISTRICT**

ARTICLE 40. To determine whether the Town will amend Section 2.2. Zoning Map – Floodplain Conservancy District (deletions are shown in grey highlight ~~strikeout~~ and changes or additions are shown in grey highlight **bold italics** for emphasis only. Where a portion of a section is quoted, other sections shall remain unchanged) and the Zoning Map as follows to reflect updates to the Floodplain Conservancy District in accordance with the map on file with the Town Clerk; or take any other action relative thereto:

2.2 Zoning Map

Floodplain Conservancy District, Town of Concord, ~~April 2019~~ **July 8, 2025** (Scale 1"=1400' consisting of a single sheet). The Floodplain Conservancy District is an overlay district that includes all special flood hazard areas within the Town of Concord designated as Zone A, AE, or AH on the Middlesex County Flood Insurance Rate Map (FIRM) dated ~~July 6, 2016~~ **July 8, 2025** issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District are defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated ~~July 6, 2016~~ **July 8, 2025**. The FIRM and FIS report are incorporated herein by reference and are on file with the **Community Development** Department ~~of Planning & Land Management~~ and Public Works Engineering Division.

This Zoning Map amendment updates the Floodplain Conservancy District boundary as a result of an alteration to the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) for the Merrimack watershed made through a Federal Emergency Management Agency (FEMA) Flood Map update. The amendment to the Floodplain Conservancy District boundary is necessary for the Town to remain in compliance with requirements of the National Flood Insurance Program.

**CITIZEN PETITION: ZONING BYLAW AMENDMENT: PERSONAL WIRELESS
COMMUNICATIONS FACILITY**

ARTICLE 41. To determine whether the Town will vote to amend Section 7.8.4.5 of the Zoning Bylaw by deleting the first sentence of said section in its entirety and replacing it with the following:

7.8.4.5 Relief from general requirements: The Board may grant relief from the general requirements contained in subsection 7.8.4.2 or from any location requirements imposed by the “Personal Wireless Communications Facility Overlay District Map, Town of Concord, April 2019 (Scale 1” = 1,000’ consisting of a single sheet)” or any successor thereto where the Board determines that there is a significant gap in coverage, that the granted relief provides a viable means of reducing or eliminating such significant gap in coverage, and that the desired relief may be granted without substantial detriment to the neighborhood or derogating from the intent and purpose of this bylaw. Or take any other action relative thereto.

For a variety of reasons the Town has been unable to provide satisfactory and reliable cell service in Concord Center. This has been a serious and long-standing obstacle to the conduct of business, public safety and personal convenience both to residents and visitors. One, but not the only, reason for this failure is the “Personal Wireless Communication Facility Overlay District” map adopted by the 2019

Town Meeting under which the only possible solution is the Lowell Road DPW site which the Town appears to think unsuitable. The proposed Amendment would make it easier for the Zoning Board of Appeals to make the determination that there is a “gap in coverage” and, in such case, to allow the placement of a wireless communications facility without regard to the 2019 map if it could do so “without substantial detriment to the neighborhood or derogating from the intent and purpose of the bylaw.”

GENERAL BYLAW AMENDMENT: SIGN BYLAW

ARTICLE 42. To determine whether the Town will amend Section 5 of the Sign Bylaw to change the word “additional” to “addition” so that the following Section reads as follows (deletions are shown in grey highlight ~~strikeout~~ or grey highlight ***bold italics*** for emphasis only; where a portion of a section is quoted, other sections shall remain unchanged); or take any other action relative thereto:

5. SIGNS ALLOWED IN ALL DISTRICTS

The following categories of signs are allowed in all districts under this bylaw in ~~additional~~ ***addition*** to any other sign allowed under this bylaw and, unless otherwise provided, such signs may be erected, altered or relocated without a permit issued by the Building Inspector pursuant to this bylaw:

This article amendment corrects a grammatical error.

ZONING BYLAW AMENDMENT: SECTION 5 ACCESSORY USES AND TABLE II ACCESSORY USE REGULATIONS

ARTICLE 43. To determine whether the Town will amend the Zoning Bylaw, Section 5 and Table II to add a new subsection 5.3.19 Accessory Retail Store to be permitted in all Industrial Districts as follows; or take any other action relative thereto:

5.3.19 Accessory Retail Store: Sale and display of related goods and merchandise on the premises as an accessory use to the principal industrial operation.

5.3	Accessory Uses	Residential Districts				Commercial Districts					
		AA	A	B	C	B	CCB TDB NACB	WCB	WCV	LB	MP
5.3.19	Accessory Retail Store	no	no	no	no	no	no	no	no	no	no

5.3	Accessory Uses	Industrial Districts					
		WCI	I	IPA	IPB	LIP #1	LIP #2

5.3.19	Accessory Retail Store	yes	yes	yes	yes	yes	yes
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Concord has five main areas zoned for industrial use: along Virginia Road near Hanscom Air Force Base, bordering Bedford; along Main Street and Forest Ridge Road at the Town line with Acton and Maynard; the area off Baker Avenue and Baker Ave. Extension; and in West Concord off Beharrell Street, Winthrop Street and Bradford Street.

Although “industrial” may suggest images of heavy machinery, noise, and pollution, Concord’s industrial zones are quite the opposite—a mix of scientists and tradespeople, artists and artisans, small-scale manufacturers, warehouses, and offices.

These areas include notable historic properties like Damon Mill and Bradford Mill, as well as a series of unique spaces along the Assabet River, home to Nashoba Brook Bakery, the mixed-use complex of Brookside Square, West Concord Dance Academy, and the U.S. Post Office. In Concord’s industrial zones you’ll find the production studios of This Old House, offices of the Guild for Human Services, and sports venues like the Thoreau Club and Valley Sports Arena.

The proposed bylaw amendment would allow retail as a secondary, complementary use in industrial districts. Currently, retail is only permitted for items manufactured on site. The amendment would expand this to include related products, such as a soap maker selling both soap and soap dishes or a guitar maker offering recordings of performers playing their instruments.

ZONING BYLAW AMENDMENT: COMMERCIAL DISTRICTS PARKING REQUIREMENTS
SECTION 4.2.3 COMBINED BUSINESS/RESIDENCE AND SECTION 7.7 TABLE IV
MINIMUM PARKING REQUIREMENTS

ARTICLE 44. To determine whether the Town will amend Zoning Bylaw Section 4.2.3 (Combined business/residence) to add a new subsection 4.2.3.5, and Zoning Bylaw Section 7.7 Off-Street Parking, Loading, and Design Standards Table IV Minimum Parking to add the following Footnote 1 to Business Uses (amendment shown in ***bold italics*** for emphasis only. Where a portion of a section is quoted, other sections shall remain unchanged); or take any other action relative thereto:

Subsection 4.2.3.5 In Commercial Districts, a change in use from a permitted Business use to a Combined Business/Residence use shall not be required to provide additional off-street parking.

TABLE IV MINIMUM PARKING	
Principal Use	Required Spaces
BUSINESS USES: <i>Footnote 1</i>	

Footnote 1: In Commercial Districts, a change in use from a permitted Business use to another permitted Business use shall not be required to provide additional parking.

Removing excess parking requirements invigorates the local business activity that Concord aims to foster, which boosts economic vitality, enhances resident services, and increases tax revenues. It sustains Concord's historic commercial areas, supports small businesses, and advances environmental goals by reducing surface parking and better using existing structures.

The proposed bylaw change reflects Concord's priority to maintain its unique character while fostering moderate, responsible economic growth. By allowing changes of use without requiring new off-street parking (provided no square footage is added), these bylaw amendments sustain Concord's small commercial base in a way that directly benefits residents, both financially and in quality of life.

ZONING BYLAW AMENDMENT: SECTION 10.2.3.6 PLANNED RESIDENTIAL DEVELOPMENT – DENSITY BONUS

ARTICLE 45. To determine whether the Town will amend Zoning Bylaw Section 10.2.3.6 (Density bonus) to delete a category of affordable units that would qualify for a density bonus, so that paragraph (a) of the Section reads as follows (deletions are shown in grey highlighted ~~strikeout~~ and changes in grey highlighted **bold italics** for emphasis only. Where a portion of a section is quoted, other sections shall remain unchanged); or take any other action relative thereto:

10.2.3.6 Density bonus: Increases beyond the basic density within the Planned Residential Development may be authorized by the Board based upon one or more of the following:

(a) If at least ten percent (10%) of the units are made available as described in subsection ~~10.2.3.1 and~~ 10.2.3.2. If only one unit is required, it shall be made available as described in subsection ~~10.2.3.1~~ **10.2.3.2 paragraph (a)**, and if two or more units are required, then at least 50% of the affordable units shall be made available as described in subsection ~~10.2.3.1~~ **10.2.3.2 paragraph (a)**.

Recent development projects in Concord have increased the number of housing units countable on the Town's Subsidized Housing Inventory (SHI) above the 10% required by Mass. Gen. Laws. Chapter 40B to 12.8% of Concord's 7,172 year-round housing units. While there is still a need for "affordable units" (those made available only to households making below 80% of area median income (AMI)), there is also a need for "workforce" units (which are available to households making between 100% and 150% of AMI). Currently, Concord has only 36 workforce units compared to 421 affordable units.

To address this, the Select Board adopted a FY 2025 goal to enhance the diversity of the Town's affordable housing stock by adding more workforce housing. The Town has also committed \$500,000 in ARPA funds to subsidize the development of workforce housing.

This proposed zoning bylaw amendment revises the criteria for density bonuses in Planned Residential Developments to align with the Town's workforce housing objectives. It removes the existing requirement that provides a density bonus for 80% AMI units only, so applicants could qualify for additional density with a combination of starter-priced housing (up to 110% of AMI) and moderately priced housing (up to 150% of AMI) as well. These units would require a smaller developer investment than 80% AMI units, which could motivate applicants to include them to gain Board approval for higher density.

CITIZEN PETITION: ZONING BYLAW AMENDMENT: CONTINUING CARE RETIREMENT COMMUNITY OVERLAY DISTRICT

ARTICLE 46. To determine whether the Town will vote to amend the Zoning Bylaw and Zoning Map as follows: (1) add to Section 2.1 (Classification of Districts) the Continuing Care Retirement Community Overlay District; (2) add to Section 2.2 (Zoning Map) the Continuing Care Retirement Community Overlay District; and (3) add Section 7.12 Continuing Care Retirement Community Overlay District as follows (deletions are show in ~~strikeout~~ and additions in **bold italics** for emphasis only); or take any other action relative thereto:

1. Add at the end of Section 2.1, Classification of Districts, the following:
Continuing Care Retirement Community Overlay District (CCRCOD)
2. Amend the last paragraph of Section 2.2, Zoning Map, to read as follows, and add the Continuing Care Retirement Community Overlay District Map, June 2025 (consisting of a single sheet)

The Conservancy Districts, ~~and~~ the Wireless Communication Facility(s) Overlay District, ~~and~~ the MBTA Communities Multi-family Overlay District (MCMOD), ***and the Continuing Care Retirement Community Overlay District (CCRCOD)*** are overlay districts whose boundaries are superimposed on the Residential, Commercial, Industrial and By-Pass Districts established by this Bylaw. Said zoning maps are hereby made part of this Bylaw and shall be filed in the Office of the Town Clerk.

3. Add Section 7.12 Continuing Care Retirement Community Overlay District as follows (all language is new, but not shown in ***bold italics***):

Section 7.12 Continuing Care Retirement Community Overlay District

7.12.1 Standards.

7.12.1.1 The Continuing Care Retirement Community Overlay District (CCRCOD) shall not replace existing zoning districts but shall be superimposed on the underlying zoning district(s) as shown on the Zoning Map. The regulation for uses, dimensions, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right in the CCRCOD. Uses that are not identified in Section 7.12 are governed by the requirements of the underlying zoning district(s).

7.12.2 Definitions. The following definitions shall apply in the CCRCOD:

7.12.2.1 Continuing care. The furnishing to an individual, other than an individual related by consanguinity or affinity to the person furnishing such care, of board and lodging together with nursing services, medical services or other health related services, or wellness services, regardless of whether or not the lodging and services are provided at the same location, pursuant to a contract as required under M.G.L. c. 93, s. 76, effective for the life of the individual or for a period in excess of one year.

7.12.2.2 Continuing Care Retirement Community (CCRC). A facility or homes providing Long Term Care Services pursuant to a contract effective for the life of the individual or for a period in excess of one year.

7.12.2.3 Long Term Care Services. A combination of nursing home care, in-home nursing care, assisted living services, independent living services, home health care, personal care, homemaking, case management or comparable services designed to enable a functionally impaired resident to maintain self and living unit, as safely and comfortably as is reasonably possible in a continuing care setting as defined herein. For the purposes of this definition, the term “Long Term Care Services” shall also be construed to include necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, or custodial care, all as set forth in M.G.L. c. 93, s. 76, as well as hospitality and wellness services.

7.12.3 Maximum permissible density. The maximum permissible density shall not exceed sixteen (16) dwelling and/or health services units per acre within the CCRCOD.

7.12.4 Yard requirements. All structures shall meet the following required setbacks from the boundary of the CCRCOD:

	Independent Living Unit	Multi-Unit Structure
Front Yard	40 ft.	40 ft.
Side Yard	30 ft.	40 ft.
Rear Yard	15 ft.	40 ft.

7.12.5 Height.

7.12.5.1 The height of a free-standing independent living dwelling unit shall not exceed thirty-five (35) feet in height and shall be measured as set forth in the third paragraph of Section 6.2.11 of this Bylaw.

7.12.5.2 The height of a multi-unit building shall not exceed eighty-five (85) feet in height and shall be measured as set forth in the first paragraph of Section 6.2.11 of this Bylaw.

7.12.6 Parking. Each independent living dwelling unit shall require one (1) off-street parking space. Assisted living residence and nursing home parking shall comply with Table IV Minimum Parking.

7.12.7 Common Open Space. All land within the CCRCOD which is not covered by buildings, roads, driveways, parking areas or service areas, and which is not set aside as yards, patios, gardens, or similar areas for exclusive use by a resident, shall be common open space. The area of the common open space shall equal at least twenty (20) percent of the total area of the CCRCOD.

7.12.7.1 The Common open space shall have a shape, dimension, character, and location suitable to ensure its use exclusively for conservation, agricultural, horticultural, or passive recreation purposes by at least all the residents in the CCRC. Common open space may be subject to a recorded restriction enforceable by the Town, providing that such land shall be perpetually kept in a natural state and that it shall be maintained in a manner which will ensure its suitability for its intended purposes. Underground utilities to serve the CCRC facilities may be located within the common open space.

7.12.8 Attainable Dwelling and/or Health Services Units. The Planning Board may require, as a condition of site plan approval, that up to 10% percent of the independent living dwellings and/or health services units shall be Attainable Units, with an initial entry price and monthly rental price determined to be attainable for an individual or household earnings between 70 – 140 % percent of the Area Median Income, adjusted for household size, as established by the U.S. Census Bureau. The Attainable Units shall be located within the CCRCOD, or at another Concord location determined to be acceptable by the Planning Board.

7.12.9 Site Plan Review. Development under Section 7.12 requires Site Plan Review by the Planning Board under Section 11.8. The Planning Board may waive any substantive requirement contained herein as part of the issuance of site plan approval and may impose reasonable terms and conditions to promote and serve the purposes and objectives of Section 7.12 and Section 11.8. Approval may reasonably condition matters such as attainable units, vehicular and pedestrian access and circulation on site, stormwater management, site design and layout, lighting, and screening for adjacent properties. The Planning Board may require a performance guarantee to ensure compliance with these conditions. The submittals and permits under Section 7.12 shall be in addition to any other requirements or provisions of this Zoning Bylaw.

This article would amend Section 2.1 (Zoning Districts) and Section 2.2 (Zoning Map) to add a new Continuing Care Retirement Community Overlay District and create Section 7.12 “Continuing Care Retirement Community Overlay District” to allow different types of housing, services, health care, hospitality, and wellness services at one location for older individuals or couples who choose to “age in place”.

The CCRCOD is an overlay district having an area of approximately 12.1 acres located off Old Marlboro Road and west of Old Road to Nine Acre Corner.

COMMUNITY PRESERVATION APPROPRIATION RECOMMENDATIONS

ARTICLE 47. To determine whether the Town will appropriate or reserve from the Concord Community Preservation Fund annual revenues and prior year fund balance in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2026, with each item to be considered a separate appropriation, in accordance with Mass. Gen. Laws c. 44B, to be expended under the direction of the Town Manager as follows; or take any other action relative thereto:

Item	Project/Description	Category	Reserve Funds	Prior Year Fund Balance	FY26 CPA Fund Revenues	Total Amount Recommended
APPROPRIATIONS						
A	Concord Municipal Affordable Housing Trust – Implement Housing Production Plan	Community Housing			\$740,000	\$740,000
B	Town of Concord/Planning – Regional Housing Services Office	Community Housing			\$43,500	\$43,500
C	Town of Concord/Concord Public Schools – Thoreau Athletic Fields and Greenspace	Recreation			\$222,480	\$222,480
		Open Space			\$222,480	\$222,480
D	Town of Concord/Recreation – Gerow Recreation Area – Design and Cost Estimation	Recreation			\$45,000	\$45,000
		Open Space			\$45,000	\$45,000
E	Town of Concord/Planning & CHC – Preservation Survey of Modern Structures and Neighborhoods	Historic Preservation			\$50,000	\$50,000

F	Town of Concord/Town Archives – Preservation of 18 th -century Assessor's Records	Historic Preservation			\$32,000	\$32,000
G	Staff and Technical Support	Administration			\$50,000	\$50,000
	TOTAL APPROPRIATIONS				\$1,450,460	\$1,450,460
	RESERVES					
	Historic Preservation Reserves	Historic Preservation			\$103,928	\$103,928
	Budgeted Reserves	Budgeted Reserves		\$1,000,430	\$341,568	\$1,341,998
	TOTAL RESERVES			\$1,000,430	\$445,496	\$1,445,926

This article authorizes the appropriation of funds from the Community Preservation Fund for the completion of specific projects, the Concord Municipal Affordable Housing Trust, administrative expenses and reserves as listed in the above chart and allowed under the Community Preservation Act. These appropriations will expend a total of \$1,450,460 (with \$783,500 for Community Housing, \$267,480 for Open Space, \$267,480 for Recreation, \$82,000 for Historic Preservation, and \$50,000 for Administration).

The estimated total available for appropriation at 2025 Annual Town Meeting is \$3,146,386. \$103,928 will be placed in Historic Preservation Reserve Funds in order to meet the 10% requirement in each category, \$250,000 will remain in Open Space Reserve Funds, and \$1,341,998 will be placed in CPA Budgeted Reserves. Town Meeting may reduce or reject but may not increase the appropriation from the Community Preservation Fund for any item proposed by the Committee.

**AUTHORIZE EXPENDITURE OF REVOLVING FUNDS UNDER
MASS. GEN. LAWS c. 44 § 53 E1/2**

ARTICLE 48. To determine whether the Town will authorize the total expenditures for the following revolving funds pursuant to Mass. Gen. Laws c. 44, § 53E ½ for the fiscal year ending June 30, 2026, to be expended in accordance with the Town's Revolving Fund Bylaw; or take any other action relative thereto.

Revolving Fund	Annual Spending Limit
Ambulance	\$1,000,000
Regional Housing Services	\$ 400,000
Road Repair	\$ 120,000
Senior Services	\$ 50,000
Tree Preservation	\$ 50,000
Visitor's Center & Tourism	\$ 100,000

This article authorizes the annual spending limits for each of the Revolving Funds identified above. Spending from these funds may only occur for the stated purposes identified in the Town's Revolving Fund Bylaw, and only with the approval of the Town Manager.

LIGHT PLANT EXPENDITURES AND PAYMENT IN LIEU OF TAXES

ARTICLE 49. To determine whether the Town will authorize that the income from sales of electricity and from servicing and jobbing during the ensuing fiscal year, together with the

balance of operating cash in the Light Plant Fund, be expended without further appropriation under the direction and control of the Town Manager for the expenses of the Light Plant for that fiscal year, as defined in Mass. Gen. Laws c. 164, § 57, or for other plant extensions, enlargements, additions, renewals and reconstruction; and further, to authorize a transfer of \$459,000 or any other sum, from the Operating Fund of the Light Plant to be used by the Board of Assessors to reduce the tax levy for the fiscal year ending June 30, 2026; or take any other action relative thereto.

This article authorizes the Town Manager, as manager of the Light Plant, to expend the income received by the Light Plant from the sale of electricity long with other departmental income to be used for the purposes of operating the department for the fiscal year ending June 30, 2026. This is a routine annual action. Further, this article authorizes the transfer of \$459,000 from the operating fund of the Light Plant to the General Fund, an amount consistent with past years and designed to represent what a private utility would pay in property taxes.

SOLID WASTE DISPOSAL FUND EXPENDITURES

ARTICLE 50. To determine whether the Town will authorize that the income from user fees for solid waste disposal services, associated services, and jobbing services by Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Solid Waste Disposal Fund, be expended without further appropriation under the direction and control of the Town manager in accordance with the Motion passed under Article 27 of the 1989 Annual Town Meeting; or take any other action relative thereto.

Pursuant to Article 27 of the 1989 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Solid Waste Disposal Fund and user fee revenue from fiscal year ending June 30, 2026, to be used to operate the Town's "pay-as-you-throw" curbside solid waste and recycling collection and disposal program. The program consists of two major components: curbside collection and disposal including recycling and Drop-off Days; and the operation and maintenance of the Town's composting site including the former landfill. This has been a routine annual action.

SEWER SYSTEM EXPENDITURES

ARTICLE 51. To determine whether the Town will authorize that the income from user fees, special service fees and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Sewer Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 37 of the 1976 Annual Town Meeting; or take any other action relative thereto.

Pursuant to Article 37 of the 1976 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Sewer Fund and fiscal year 2026 revenue for the operation and maintenance and improvement to the Town's sewer system. The Sewer Fund is an enterprise fund similar to the Town's Water and Light Plant Funds. The entire cost of operations, maintenance, and capital replacement and renewal is funded by user fees. At the present time approximately one-third of Concord's residences and many businesses and institutions are connected to the Town's municipal sewer system. This has been a routine annual action.

SEWER IMPROVEMENT FUND EXPENDITURES

ARTICLE 52. To determine whether the Town will authorize that the income from sewer improvement fees during the ensuing fiscal year, together with the balance of operating cash in

the Sewer Improvement Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 25 of the 1989 Annual Town Meeting and applicable state enabling statutes; or take any other action relative thereto.

Pursuant to Article 25 of the 1989 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Sewer Improvement Fund (a sub-fund within the Sewer Fund), as well as fiscal year 2026 fees, for constructing and expanding the Town's sewer lines and treatment facilities. Sewer improvement fees are charged to certain properties connecting to the sewer system. This has been a routine annual action.

WATER SYSTEM EXPENDITURES

ARTICLE 53. To determine whether the Town will authorize that the income from user fees, special service fees, and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Water Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 38 of the 1974 Annual Town Meeting; or take any other action relative thereto.

Pursuant to Article 38 of the 1974 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Water Fund and fiscal year 2026 revenue for the operation and maintenance and improvement of the Town's water system. Similar to the Town's Sewer and Light Plant Funds, the Water Fund is an enterprise fund. The entire cost of operations, maintenance, and capital replacement and renewal is funded by user fees. Almost all of Concord's residences and businesses/ institutions are connected to the Town's municipal water system. This has been a routine annual action.

AUTHORIZE EXPENDITURE FROM PEG ACCESS & CABLE-RELATED FUND

ARTICLE 54. To determine whether the Town will appropriate the amount required for the total expenses of the PEG Access and Cable-Related Fund, to be expended during the fiscal year ending June 30, 2026 under the direction of the Town Manager for necessary and expedient cable-related purposes, consistent with the Town's license agreement with Comcast; or take any other action relative thereto.

The FY2026 PEG Access & Cable-Related Fund Budget will be submitted by the Town Manager and reviewed at a public hearing of the Finance committee on May 1, 2025. Contract negotiations with Comcast are in their final stages. Currently, the Town currently receives 4.8% of all revenue generated by Comcast from the company's Concord customers. This article proposes that the revenue from Comcast received during the calendar year 2025 be appropriated, to be used only for cable-related purposes in accordance with the Town's license agreement. PEG Access services are Public, Educational and Governmental local cable television channels. The fund balance as of July 1, 2024 was \$1,704,247.

BEEDE SWIM AND FITNESS CENTER ENTERPRISE FUND EXPENDITURES

ARTICLE 55. To determine whether the Town will appropriate the amount required for the total expenses of the Community Pool Enterprise Fund for the fiscal year ending June 30, 2026 for the operation of the Community Pool, in accordance with Mass. Gen. Laws c. 44, § 53F ½, to be expended under the direction of the Town Manager; or take any other action relative thereto.

The FY26 Beede Swim and Fitness Center Enterprise Fund Budget will be submitted by the Town Manager and reviewed at a public hearing of the Finance Committee on May 1, 2025.

APPROPRIATE AND TRANSFER BALANCE OF PARKING METER FUND

ARTICLE 56. To determine whether the Town will vote to appropriate the sum of \$60,000, or any other sum, from Parking Meter Receipts to fund expenses related to removal of the parking meters, and further, that the balance of the fund be released for transfer or re-appropriation; or take any other action relative thereto.

This fund will be closed out and \$60,000 will be used for the removal of parking meters in Town, with the balance to be used to offset Tier 1 Capital Improvement plan projects.

UNPAID BILLS

ARTICLE 57. To determine whether the Town will raise and appropriate, or transfer from available funds, a sum of money to pay the unpaid bills of prior fiscal years or take any other action relative thereto.

If there are unpaid bills of a prior fiscal year, State Law requires that such bills be presented to the Town Meeting. There are two known unpaid bills as of the date of publication.

DEBT RESCISSION

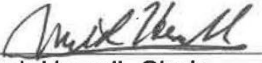
ARTICLE 58. To determine whether the Town will rescind any unused borrowing authorizations or take any other action relative thereto.

If needed, this article would authorize the rescission of debt authorizations made in prior years that are no longer needed. Any borrowing authorizations identified as no longer necessary will be presented to Town Meeting.

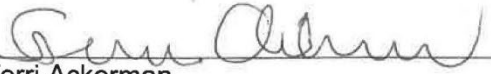
Hereof fail not and make due return of this Warrant with your doings thereon, to the Town Clerk, at or before the time of meeting aforesaid. Given under our hands this 17th day of March in the year two thousand twenty-five.



Mary Hartman, Chair



Mark Howell, Clerk



Terri Ackerman



Cameron McKennitt



Wendy Rovelli

SELECT BOARD

Commonwealth of Massachusetts Middlesex, ss.

Concord March 17, 2025
Date

By virtue of this warrant I have notified the legal voters of the Town of Concord to meet at the times and places and for the purposes within named as directed.



Constable of Concord