

General Government



Town Clerk's Office

Kaari Mai Tari, Town Clerk

MaryLou Carney, Assistant Town Clerk

Laurie Austin, Senior Administrative Specialist

Justine Donovan, Senior Administrative Specialist

Customer Service and Staffing

The Town Clerk's Office welcomed Justine Donovan to the Town Clerk's Office on January 2nd who took over the registration of vital records. Her previous experience at the Elections Division in Cambridge was enormously helpful during the busy year and is much appreciated.

Vitals

In addition to registering vital records, staff processed 21 affidavits & corrections of vital records and issued 311 burial permits. As custodians of vital records, the Town Clerk's Office issued certified copies of birth, marriage, and death records at the counter and by mail.

Vital Statistics

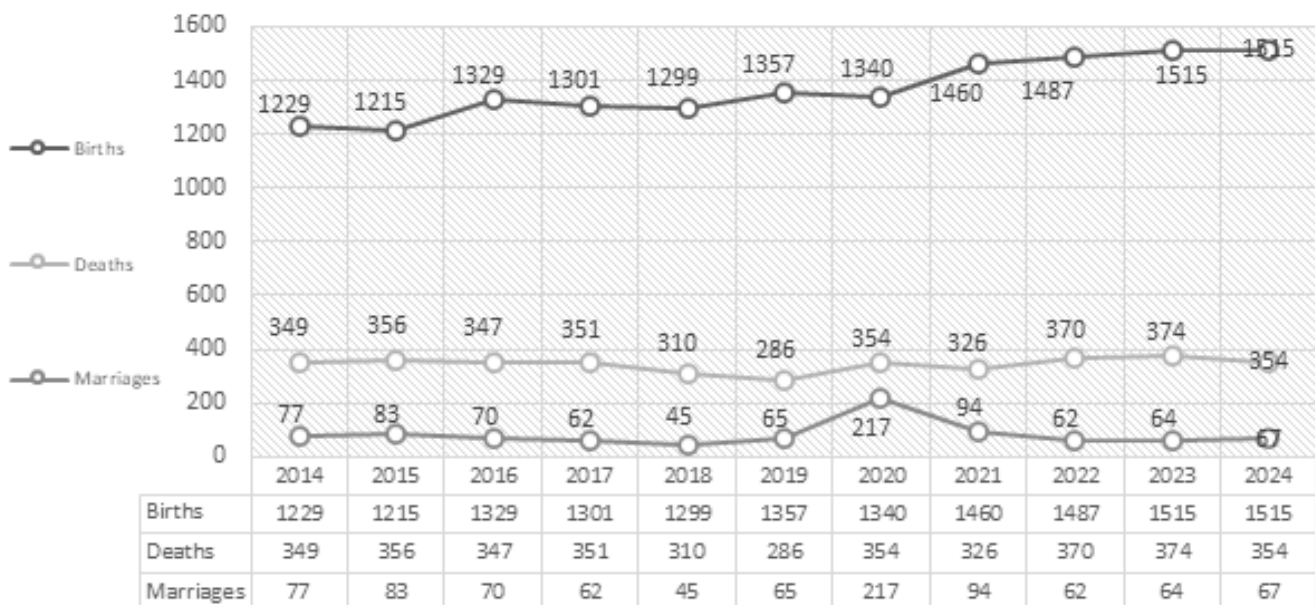
Births Registered in Concord: 1,515(133 to Concord residents)

Deaths Registered in Concord: 354 (143 to Concord residents)

Marriages Registered in Concord: 67 (31 to Concord residents)

Marriage Intentions filed in Concord: 68

Total Vital Records Recorded



Vital record transactions	Births	Marriages	Deaths
At the register	1060	95	1905
Online orders	84	103	548

Committee-related activities

During the year, staff administered the oath of office to 128 new committee and board appointees and posted 1,128 public meetings and agendas for 79 committees and subcommittees. The Town Clerk’s Office works closely with the Town Manager’s Office to manage committee interest, and appointment. In the Town Clerk’s Office, Laurie Austin focused her efforts on committee-related activities, including appointments and legal compliance with ethics and open meeting law requirements, posting meeting agendas and minutes and served as a resource for town staff and committee members on open meeting law-related questions.

The table below shows five years of activity in our core areas of service:

Licenses & Registrations	2020	2021	2022	2023	2024
Business Certificates	154	151	90	123	140
Dog Licensing	1,804	2,005	1,953	2,171	1,975
Public Meetings Posted	710	947	1,003	1,084	1,128
Raffle Permits Issued	5	11	8	14	10
Recordings	2020	2021	2022	2023	2024
Board of Appeals Filings	40	30	29	34	44
Cemetery Deeds	57	71	70	54	47
Historic Districts Commission Filings	60	76	65	54	53

Town Records

Town Records form the institutional history/record/memory of the Town’s actions through its departments, committees, and boards. It is the responsibility of the Town Clerk’s Office to preserve the Town’s permanent records and schedule non-permanent records for destruction with State approval. Town records are public records, and access is governed by the Public Records Law.

Public Records Requests

In 2024, the Municipal Archivist/Records Manager tracked and responded to 840 public records requests (this does not include requests received by the Police or School departments as those are managed separately). The total number of requests was more than double 2023 due to improved tracking and 2024 being an election year. The most popular topics for requests were building permits and street files, Gerow Park/Warner’s Pond, procurement information, and voting data. Accordingly, Finance, Planning and Land Management, Town Clerk/Town Archives, and the Town Manager’s Office were the most frequently requested Departments/Divisions. Finally, of the 840 requests, 765 required the review of

Other Business

The Town Clerk’s Office issued 17 flammable storage certificates that are renewed annually. Notary Public services (excluding real estate-related transactions) are offered for customers with proper identification. A nominal fee is charged, and appointments are recommended for complex documents. In addition, several staff members have been appointed by the Governor’s Office to serve as “Commissioners to Qualify,” which authorizes us to administer the Oath of Office to individuals appointed as a Notary Public, Justice of the Peace, and various state committees or appointments in Massachusetts.

Town Meetings and Elections

The Board of Registrars report includes information about elections and town meetings in Concord.

Feel free to contact our office if you have any questions (978-318-3080), visit the Town’s web site (www.concordma.gov), or contact us via e-mail at townclerk@concordma.gov.

electronic records, 234 the review of physical records, and 32 the review of the Town’s email archive.

Records Management

The Municipal Archivist/Records Manager, Nate Smith, worked throughout the year with a variety of Town Departments to manage retention periods, inventory files, and digitize selected records. Over 100 banker’s boxes of paper files were processed for destruction (secure shredding) in 2024 from the Police, Fire, Human Resources, and Finance departments/divisions. These consisted of records that had reached their retention period and were approved for destruction by the State Supervisor of Public Records. Destruction of records past their retention period is an important part of the records management program as it frees up physical space.

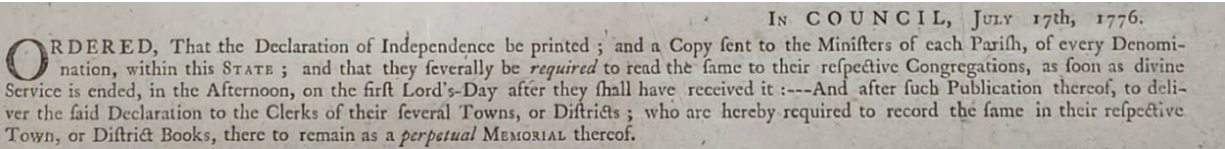
Archives Management

The Town Archives are preserved in vaults at both the Town House and Special Collections, under an agreement with the Library Corporation. The Town Archivist and Special Collections Curator, Anke Voss, work collaboratively to provide access to Town records stored in the Special Collections vault.

The Town Archives Digital Repository continues to grow

to increase accessibility to Town treasures. A notable addition this year was the volume of Births, Marriages, and Deaths that was compiled from the Towns Record Books in 1891. This covers all vital records recorded in Concord from 1635 through 1850 and has already been a help to several genealogy researchers. Several volumes of historic meetings minutes for the Planning Board, Municipal Light Board, Historical Commission, and Finance Committee were also digitized in 2024 for posting in early 2025. Many thanks to Archives Intern Laura Richards for her insightful work supporting the many digitization projects undertaken in 2024.

In July, the Town Archives received funding from Community Preservation Act funding following approval by Town Meeting for the conservation treatment, reproduction, and digitization of the Town's copy a broadside printing of the Declaration of Independence from 1776 and the Non-Importation Covenant dated June 27, 1774, which is signed by residents of the Town and declares their intent to suspend commercial dealings with Great Britain. These items will be added to the Town Archives Digital Repository once treatment and digitization is complete.



In September, the Town Archives applied for Community Preservation Act funding for the conservation treatment and digitization of selected 18th Century Assessors Records. In recent years, we have seen increased interest in these records as more research is being done into enslaved people around the time of the Revolutionary War. These records show which property owners were taxed or assessed as having owned slaves. Treating and digitizing these records will aid in the preservation and accessibility of these records.

Board of Registrars

CConnell Benn, Chair (R)

Anne Fortier (D)

Bart Littlefield (R)

Kaari Mai Tari (U), Town Clerk

Membership

The four-member Board of Registrars consists of not more than two members from each of the major political parties and consists of three members appointed by the Select Board, and the Town Clerk.

Voter Registration

The Town Clerk's Office registers voters through the state's Voter Registration Information System. Voters are automatically registered to vote when they conduct business at the following agencies, unless they opt out: the Registry of Motor Vehicles, the Division of Medical Assistance, and the Commonwealth Health Insurance Connector Authority.

New voter registrations include first time voters in Concord.

Voter registration changes include voters moving within Concord and modifications to registration.

Inactivated: Annual census response was not received from the voter's household or a member of the voter's household indicated that they had moved.

Deleted: Voters who have moved, died, or remained inactive through two state election cycles.

Total Voters as of 12/31/2024	New Voter Registrations	Voter Registration Changes	Inactivated in 2024	Deleted in 2024
14,383				
13,345 (active)	819	5,719	403	902
1,038 (inactive)				

Below is a snapshot of voter enrollment for Concord voters in 2024, by party or political designation.

Ward	Precinct	A	AA	CC	D	G	H	J	K	L	O	Q	R	S	T	U	X	Grand Totals
0	01	1		4	794			1		8	1		190			1503		2502
	02				1069				1	11		1	188	1	2	1746	1	3020
	03	2	1	1	950					1			228	1		1727		2911
	04	1	1	1	1044	1	1			7		1	200	1		1886		3144
	05			1	931	1		3		4			212			1654		2806
Ward 0 Totals		4	2	7	4788	2	1	4	1	31	1	2	1018	3	2	8516	1	14383
Grand Totals		4	2	7	4788	2	1	4	1	31	1	2	1018	3	2	8516	1	14383

Party Enrollment Changes:

Massachusetts had three official parties at the start of 2024 and leading up to the Presidential Election: Democrat (D), Republican (R), and Libertarian (L). The chart below shows the party change activity during 2024. This includes Unenrolled (U) voters, who made up the majority of voters in Concord. It should be noted that following the Presidential Election, the Libertarian Party reverted back to being a political designation. There are currently only two registered parties in Massachusetts (Democrat and Republican).

U→R: 42	R→U: 45	D→U: 128	L→U: 0
U→D: 160	R→D: 4	D→R: 15	L→D: 0
U→L: 3	R→L: 0	D→L: 0	L→R: 1

Nomination Papers & Petitions

Town Clerk’s Office staff certified 3,370 signatures on nomination papers for federal, state, and local candidates, and petitions.

Census

The Annual Town Census is conducted exclusively by mail. Census forms were distributed to residents in late December. The 2024 population based on census returns received and active voters through December 31, 2024, was 16,024. Note that the town census does not include inactive voters or the prison population, while the federal decennial census is a physical count of the population.

Town Caucus—January 29, 2024

The Town Caucus of 2024 was held in the Hearing Room of the Town House. The following nominations

were made by the Caucus: for Moderator: Carmin Reiss; For Select Board: Henry Dane, Joseph Laurin, Cameron McKennitt, and Wendy Rovelli; and for School Committee: Elizabeth Cobbs, Andrew Herchek, and Tracey Marano; for Housing Authority Edward Tar Lerner. Special thanks to Michael Lawson who presided as Chair of the Caucus and to Anita Tekle who was elected Clerk of the Caucus. A total of 88 voters attended the Caucus. All participants in the Caucus and especially the candidates are applauded for their commitment to public service and the election process in Concord. Special thanks to Assistant Town Clerk MaryLou Carney for presiding over the election of Chair of the Caucus.

Annual Town Meeting—April 29 - May 1, 2024

The Annual Town Meeting was held at the Concord Carlisle Regional High School over three days, featuring 53 Warrant Articles. Town Meeting minutes are printed elsewhere in this report. Daily attendance: 4/29/2024: 1,131 voters; 4/30/2024: 977 voters; 5/1/2024: 439 voters.

Special Town Meeting—May 1, 2024

The Annual Town Meeting adjourned on May 1st to hold a Special Town Meeting for the purpose of borrowing for the design and construction of grid-scale battery storage to be repaid from revenues of the Concord Municipal Light Plant.

Elections

Five Elections were held in 2024. Election results by precinct are included elsewhere in this report.

Date	Event	Voter Turnout/ %	Voted by mail	Early, In-person	In person on Election Day
March 5, 2024	Presidential Primary	5,250 / 38%	2,623	155	2,472
April 9, 2024	Annual Town Election	4,283 / 31%	2,297	N/A	1,986
June 25, 2024	Special Town Election	2,499 / 18%	1,900	N/A	599
September 3, 2024	State Primary	3,552 / 25%	2,553	88	911
November 5, 2024	Presidential Election	12,026 / 86%	5,719	2,034	4,273

Human Resources Department

Jessica Porter, M.P.A., Assistant Town Manager/ Human Resources Director

The Human Resources (HR) Department provides services to approximately 700 regular, limited, and temporary employees on issues relating to Personnel Bylaw administration; policies, and procedures; employee classification and compensation; managing employee recruitment and selection; coordinating orientation, training, and employee recognition activities; providing workers' compensation case management and administrative services; and designing and administering employee benefits programs. HR advises the Personnel Board and Town Manager on related issues; advises managers, supervisors, and employees on personnel matters; and assists in labor negotiations and contract administration.

Human Resources – 2024 Staffing Changes

In July, 2024, the HR Department hired its first ever Benefits Manager, Malysa Simard, who replaced Business Systems Analyst Terri Scofield who resigned in May, 2024. The HR Department also hired Erin McMorrow as Assistant HR Director, replacing Stephanie Oliver who resigned in March, 2023.

Recruitment

During 2024, the department was busy once again with recruitment efforts. HR staff posted 115 jobs and processed 2947 applications for employment. These numbers include recruitments for seasonal staff positions.

Personnel Board & Projects

The HR Department works in collaboration with the five (5) member Personnel Board. Co-Chairs Elizabeth Cobbs and William Mrachek, and members Joseph Emerick, Joshua Fay and Kate Ryan supported the HR department in 2024 with a variety of initiatives and projects. Mr. Fay joined the Personnel Board in March, 2024 replacing Pamela Talbot.

HR staff worked closely with various stakeholders, including: the Select Board, through its liaison, Mark Howell; the Town Manager; and most importantly the September 2022 findings of the Personnel Study Task Force on a comprehensive proposed update to the Personnel Bylaw for non-union employees, which was

overwhelmingly voted for approval at Annual Town Meeting 2024.

The Personnel Board also approved enhancements to paid leave benefits for non-union employees, to assist with recruitment and retention efforts of top talent. In addition, the existing pay plan was converted into an 18 step pay plan, to better demonstrate a salary growth plan to employees.

An updated Personnel Board charge will be presented to the Select Board for approval in early 2025.

Personnel Policy amendments for 2024 included:

- > 7-2: Miscellaneous Compensation Schedule – Human Services
- > 10.2: Pay Philosophy and Salary Administration
- > 10.7-2: Uniform Pay
- > 13: Administration of Vacation Leave
- > 14: Bereavement Leave
- > 15: Town Vehicle and Licensing

Classification and Compensation Structure Adjustments during 2024 included:

Additions:

- > Community Engagement Manager, Grade 6
- > Skilled Carpenter, Grade 6
- > Management Specialist, Grade 7
- > Elections and Census Manager, Grade 8
- > Senior GIS Analyst, Grade 8
- > Master Plumber/HVAC Technician, Grade 10
- > Procurement Manager, Grade 10
- > Assistant COA Director, Grade 11
- > Emergency Communications Center Manager, Grade 13
- > Assistant Chief Financial Officer, Grade 15
- > Director of Community Development, Grade 16
- > Chief Information Officer, Grade 17

Additions to the Miscellaneous Compensation Schedule:

- > Program Supervisor
- > Swim Aide

Deletions:

- > Facilities/Landscape Maintainer, Grade 4
- > Engineering Technician, Grade 6
- > Assistant to the Beede General Manager, Grade 7
- > Administrative and Operations Supervisor, Grade 8

Other Projects

Performance Evaluation and Merit Pay Initiative

One of the department's most significant initiatives for 2024 was the rollout and implementation of a new performance evaluation and merit pay initiative for all regular, non-union staff. This initiative was part of the Classification & Compensation Plan approved at the 2023 Town Meeting.

An extensive goal setting process was undertaken to ensure that goals, collaboratively adopted with each eligible employee, were aligned with the Select Board and Town Manager objectives for FY25 and beyond. Beginning with senior leadership, the goals were appropriately cascaded throughout the organization, ensuring proper links were made to support departments, maximizing the Town's incredible employee potential. These goals will serve as the foundation for awarding merit pay.

The process was informed by individual supervisor interviews, employee focus groups and supervisor training. The updated performance evaluation process includes provisions for employees to receive a step increase effective July 1, with successful performance. Additionally, employees who achieve specific, measurable goals will be eligible for an additional one-time incentive payment based on their level of achievement.

These updates to the compensation plan enable employees to be rewarded based on their goal achievement in a manner that is affordable and sustainable to taxpayers.

Health Insurance Conversion

As a result of the dissolution of Minuteman Nashoba Health Group, the Town of Concord employees and retirees migrated to new health insurance plans effective July 1, 2024. The new Blue Cross/Blue Shield health insurance plans provided by the Massachusetts Interlocal Insurance Association (M.I.I.A.) provide quality plans for our subscribers. In addition, the program through M.I.I.A. provides an expanded Employee Assistance Program as well as an extensive array of Wellness programming (in person and virtual), all at no charge to employees. The Insurance Advisory Committee is now working on exploring new and improved benefit offerings for Dental, Vision, Life and

Long-Term Disability for the coming fiscal year.

MUNIS Conversion

In the Summer of 2024, Finance and Human Resources began building out the new MUNIS modules which will allow budgets and payroll to be centralized in one system. HR staff will also be able to link and track recruitment and benefits within the MUNIS system. The addition of these new modules, set to roll out for use in 2025, will streamline processes and result in greater efficiency. Once fully implemented, HR staff will have the ability to spend more time on projects and initiatives in the area of staff training, recruitment and retention efforts, as well as increase the quality of reporting produced for the Personnel Board.

The Executive Committee of Concord250

Gary Clayton, Co-Chair

Robert Munro, Co-Chair

John J. Arena III, Secretary...Parade Planning

Terri Ackerman...Select Board

Diana Clymer...Arts, Literature, and Music

Holly Cratsley...Community Participation

John Hickling...Minuteman Companies and Reenactors

Patricia Hopkins...Hospitality and Invitations

Christopher Johnson...Treasurer

Geoffrey Love, Massachusetts Air National Guard...At-Large

Joe Palumbo...Events

Diane Proctor...Communications and Publicity

Frederick Ryan...Public Safety

David Wood...History and Education

On April 19, 1775, Concord was already on a war footing, but as townspeople drilled and stored supplies, few expected a long struggle. The clash on the bridge and "the shot heard round the world," nonetheless, commenced one of the longest conflicts in America's history.¹ That initial, courageous encounter led to the creation of a nascent nation whose ideals are embodied in our Constitution. The Executive Committee, and its many subcommittees and volunteers, have worked throughout the year to recognize Concord's central, historic role—one, as our tagline asserts, that is "Still Heard Round the World." We have planned a robust recognition of this beginning, while we shine a bright light on the many underrepresented contributors to that effort. Thus, as folks gather from around our village, the nation, and the world, our intention is to fully honor the Concord of 1775 and the Concord that grew from that singular event on Concord's bridge.

¹ Robert A. Gross, *The Minuteman and Their World*, 2022



The celebratory activities began a year ago. The Parade Subcommittee and the Hospitality Subcommittee ran, for example, a splendid rehearsal for the upcoming 2025 parade with invitations to participants and food and drink for all the marchers in April 2024. And now, besides assembling a carefully crafted group of units for the 2025 parade, they have been coordinating satellite parking, assembling a solid volunteer base for parade day, working on communications with public safety and the National Park Service, securing staging and audio support for the event, creating new banners, and developing committee/volunteer apparel and matching identification for the day of the parade. They have also been fine-tuning a plan for the ceremony at the bridge, expecting salutes from the Concord Minutemen and Concord Independent Battery, a rendition of the National Anthem, a wreath laying, a keynote address by an attending dignitary, and a possible military flyover. They are making important strides every week in preparation for April.



As well, in April of 2024, 10 “Witness Houses” flew flags—recognizing those that were in the line of action on April 19, 1775--and the Community Participation Subcommittee ordered flags for an additional 65 homes that existed on that date. On August 11th, the Communications

and Publicity Subcommittee planned and kicked off a celebration at the Concord Museum, as folks made lanterns marking 250 days until the 250th, joined by notable politicians and over 400 attendees.

On October 11th, the 250th History and Education Subcommittee, in collaboration with the Wright Tavern and the First Parish Church of Concord, organized a gathering to hear historians elucidate the importance of the Provincial Congress that had gathered 250 years earlier on that very spot. Musical and artistic endeavors followed. On September 8th, 51 Walden presented pianist Louise Bessette’s performance of “The Concord Sonata” by Charles Ives. The Concord Orchestra held two of their 250th themed concerts: “Resolve” on

October 19 and 20, and “The Unknowable” on December 6 and 7th at 51 Walden, while on December 14th, the Concord Chorus presented their winter concert “Lift Up The Light” at Middlesex School Memorial Chapel. During the year, Art For All conducted several workshops for people of all ages to make small lanterns in preparation for lantern displays in 2025, and The Concord Free Public Library commenced their Workshop Program: Monument Re(Make) to engage the public in recreating the Minuteman Statue through 3D printing, which will go through fall 2025.



In December, the Community Participation Subcommittee, honored five Concord student essayists, whose imaginative papers focused on “Concord’s past as an influence on Concord’s future in 2075.” The winners were recognized at a ceremony at the Wright Tavern in December 2024. As well, in December, Concord’s Economic Vitality

Director and Director of the Concord Visitors Center, through the support of the Arts and Literature Subcommittee, helped to inaugurate a 6’ by 4’ mural of the map of Concord Center’s historic sites, located adjacent to the Concord Visitor’s Center and a temporary art installation on a small green adjacent to Monument Square.

The Concord250 Communications and Publicity Subcommittee has played a vital role in promoting events and sharing Concord250 news through a broad range of platforms. These include managing the Concord250 website and calendar, posting daily social media information, and submitting events to over 10 external calendars and 20 newsletters, including Mass250 and America250. Additionally, the committee has taken on event planning, fundraising, and coordinating public safety messaging. As well, they have served as the coordinating voice for all





subcommittee work, ensuring a smooth, comprehensive representation of each Concord250 project and initiative. Creatively partnering with town organizations, and leveraging local resources, they have used podcasts and local media to amplify the Concord250 message.

The Events Subcommittee planned or supported events

each month, which ranged from the celebration of the fight for freedom and sacrifice made by Concord native Lt. Benjamin Ralph Kimlau to the creation of a Patriot of Color walking tour, and associated research and publications. Encouraged by the success of that program, the committee participated in creating a winning grant proposal from the Healey-Driscoll Administration and the Massachusetts Office of Travel and Tourism (MOTT) and won a coveted award of \$25,000 for their project: “A Fight for Freedom: Honoring Patriots of Color.” Concord’s project is in alignment with the Healey-Driscoll Administration goals of ensuring all people’s stories are celebrated in the upcoming Massachusetts 250 and Concord250 celebrations as with our local Select Board’s charge to have the work of Concord250 “include reference to new historical research and the contributions of Indigenous and Black Concordians in the founding and development of our country.” Their work is in collaboration with Minute Man National Historical Park and The Robbins House Museum.



For the second consecutive summer, members of the Concord250 History and Education Subcommittee, came together to host a Summer Teacher Professional Workshop. The Summer 2024 group of teachers, in a collaborative effort, focused on creating experiential pedagogy activities for 3rd, 5th, and 8th graders for Revolutionary Trunks, boxes of objects with thematic categories, to further enhance learning about the American Revolution. An additional outgrowth of this committee’s work shared significant research diligently compiled over the past two years with a public talk. This research includes previously unknown Concord residents and others who served on behalf of Concord during the eight years of the Revolutionary War.



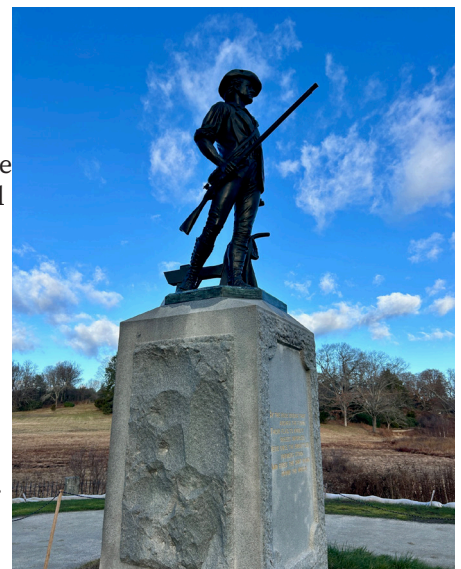
The study identified 19 individuals who died during their military service, 22 Patriots of Color, and 22 Revolutionary War veterans in New

England whose graves had never been marked until now with flags as war veterans.

The Permanent Memorial Subcommittee raised sufficient funds, with the support of Town funds, to anticipate the planting of 250 trees around Concord, wearing wraps that bear the 250th logo. In an important effort to establish a living memorial to those first shots and the men and women who sacrificed so much. The historical research by the History and Education Subcommittee, involving a comprehensive list of the individuals who fought in the American Revolution fulfills another important commemorative memorial goal.

The finances have remained a challenge. The Finance Subcommittee has worked with Town Hall to stay in sync on the Executive Committee’s approximately \$1.4 MM budget. This work has largely been focused on the urgencies of safety, and on managing the 55 events and projects that have come through our subcommittees to ensure that we are carefully spending the public and private funds made available for the 250th celebrations.

Central to all of the events is an emphasis on citizen safety during the coming year. The Annual Town Meeting awarded \$350,000 for public safety needs relative to Concord250. Working closely with federal, state, and local safety resources, crafting transportation strategies, collaborating with 3 other towns (Lincoln, Arlington, and Lexington), coordinating with the Minute Man National Park, Hanscom Air Force Base, the National Guard, the MBTA, and Concord’s Police and Fire Department leaders, the focus remains on running a healthy, enjoyable celebration for all.



Town Counsel

Mina S. Makarious

Anderson & Kreiger LLP

The following is a description of the lawsuits by or against the Town filed or pending during calendar year 2024 and handled by Town Counsel:

Town of Concord v. Rasmussen, et al. (Massachusetts Supreme Judicial Court).

The Town sought a declaration and judgment affirming the right of the public to access Estabrook Road, as well as an injunction preventing the Defendants from interfering with the public's right to access the road. The Town obtained a preliminary injunction in July 2020 from the Land Court preventing the Defendants from interfering with public access while the case is pending, after the Defendants attempted to close the road. Trial took place in June 2021, and closing arguments took place in October 2021. In November 2022, the Land Court issued a decision in the Town's favor on all issues in dispute, finding that the public retained a right to access Estabrook Road. Defendants appealed the Land Court's decision in December 2022. The Appeals Court in October 2024 affirmed the decision in favor of the Town. Defendants obtained Further Appellate Review in the Supreme Judicial Court. Briefing and argument were completed as of May 7, 2025. The case is currently under advisement.

Kay, M.D. and Read v. Town of Concord (Massachusetts Appeals Court). P

laintiffs, who are both defendants in *Town of Concord v. Rasmussen et al.*, filed suit in the Superior Court in March 2022 alleging that they were improperly denied production of records on the basis of attorney-client privilege, despite not having challenged the Town's assertion of privilege with respect to those same records in the Rasmussen litigation itself. Plaintiffs filed a similar suit with respect to additional records in May 2022. The cases were consolidated in July 2022. In May 2023, the Superior Court ruled in the Town's favor in both cases. The plaintiffs appealed. Briefing and argument occurred in 2024. The Appeals Court subsequently issued a decision adopting the Town's legal analysis, but finding that certain of the documents at issue did not meet the standard for attorney-client privilege and remanded to the Superior Court to order release of those documents. The parties have submitted an agreed proposed judgment to the Superior Court that will resolve this matter.

Lyczkowski, et al. v. Keuka Road, LLC, et al. (Massachusetts Land Court).

Title action between private parties regarding access rights on private road. The plaintiffs named as defendants all persons owning land abutting a former

paper street, Keuka Road, which included the Town. The Town was a nominal defendant, and as in other quiet title actions where it is named as a nominal defendant, did not take an active role. Following cross-motions for summary judgment filed by the actively-litigating parties filed cross-motions for summary judgment, in January 2024 the Land Court issued a judgment ordering that the plaintiffs could pass and repass over Keuka Road and McCallar Lane, that plaintiffs could not park in McCallar Lane, and that the owner of 680 Main could access McCallar Lane from a driveway off of Main Street. No parties filed any appeal.

Symes Development & Permitting, LLC v. James Smith, et al., in their capacities as members of the Town of Concord Zoning Board of Appeals (Symes III) (Massachusetts Land Court).

In 2021, the ZBA denied the plaintiff's application for an earth removal special permit required to construct a subdivision approved by the Planning Board. After trial, the Land Court reversed the denial and ordered the Town to issue the permit subject to reasonable conditions. The Town chose not to appeal the Land Court's decision. The permit issued following a ZBA hearing on April 10, 2025.

Archstone Builders, LLC v. Town of Concord Historic District[s] Commission (Middlesex Superior Court).

Applicant filed suit appealing denial of certificate of appropriateness by the Historic Districts Commission to construct a residence in the Barretts Mill Historic District in July 2022. Town Counsel negotiated with applicant's counsel to stay the litigation to permit the applicant to provide revised plans to the Historic Districts Commission. Those plans were filed, but the certificate was again denied. The litigation remains pending.

Gresty v. Concord Zoning Board of Appeals (Massachusetts Land Court).

The Zoning Board of Appeals (ZBA) denied Mr. Gresty's application for a Special Permit under Zoning Bylaw sections 11.6 and 4.2.2.2 to construct a detached additional dwelling unit ("ADU") at 262 Virginia Road. Mr. Gresty filed a Complaint with the Land Court on July 7, 2024. After the parties conferred with the Court, Mr. Gresty revised his application to address the Gross Floor Area issue, and the Court remanded the decision on September 30, 2024 to allow the Board to reconsider the decision in light of recently-passed state legislation regarding ADUs. Mr. Gresty filed an amended application with the Board on October 21, 2024, and the Board reconsidered and denied that application on December 12, 2024. Mr. Gresty filed an amended complaint on March 19, 2025. Discovery in this case is pending.

*Feman v. Town of Concord Zoning Board of Appeals
(Massachusetts Superior Court).*

The Zoning Board of Appeals (ZBA) granted an ADU for property located at 41 Nashoba Road. Plaintiffs filed an appeal in October 2024, arguing that the ADU would overburden the easement Plaintiffs use to access their own property. The ZBA filed a motion to dismiss on the grounds that plaintiffs failed to provide notice of the appeal to the Town Clerk within 20 days, a jurisdictional defect. The motion to dismiss is currently pending.