



2013 CONCORD ANNUAL TOWN REPORT

2013 Annual Town Meeting

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Adjourned Session—Annual Town Meeting

April 24, 2013

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Town Moderator Eric Van Loon called the third session of the 2013 Annual Town Meeting to order at 7:00 pm. He reviewed procedural issues for the evening. He identified key government officials and introduced Kevin Batt of Anderson & Krieger, Town Counsel for the evening. He reminded visitors to wear nametags and sit in the designated visitor section. The Tellers and Ballot Counters were duly sworn to the faithful performance of their duties.

Mr. Van Loon announced his reappointment of Mark E. Garvey and Patricia C. Nelson to the Finance Committee. In addition, he appointed the following new members: Lisa Bergen, Richard H. Giles, Linda I. Miller, Scott Randall, and June Rzepczynski. He noted the retirement of Charles Blair, Pamela Hill, David Kramer, Bruce Button and Thomas Piper, thanking them each for their service to the Town. He announced that Article 30 was prescheduled to be considered this evening to begin around 7:30 pm. He noted that this is the 4th year where this issue has been considered, and there is considerable passion on both sides of the issue. Pro and con mikes were used, and speakers were limited to one-minute comments.

At 7:20 pm a Motion was made, duly seconded and Voted to consider Article 40, which had been deferred last evening.

Article 40. Zoning Bylaw Amendment—Public Service Corporation Overlay District

Upon a Motion by Mark Bobrowski and duly seconded, it was Voted by a near unanimous vote and so declared by the Moderator to Amend the Zoning

Bylaw by adding a new Section 7.10 Public Service Corporation Overlay District.

Article 56. Concord Town Charter (by petition)

There was No Motion made under this article.

Article 57. Pilot Agreement—Solar Project at Landfill Site

Upon a Motion by Elise Woodward and duly seconded, the following was Voted by an overwhelming majority and so declared by the Moderator to approve the agreement dated April 19, 2013 between the Town of Concord and Kearsarge Renewables, LLC, providing for payment in lieu of taxes in connection with the planned solar energy generating facilities to be located at 759 Walden Street.

Article 30. Repeal of Drinking Water in Single Serve PET Bottles Bylaw (by petition)

The following Motion was made by Robin Garrison and duly seconded to repeal in its entirety the bylaw known as “Drinking Water in Single-Serve PET Bottles Bylaw” adopted under Article 32 of the 2012 Annual Town Meeting, which became effective January 1, 2013.

After an hour of discussion, a Motion was made to Call the Question at 8:50 pm, which was duly seconded and Passed on a two-thirds majority in all rooms and so declared by the Moderator. The Moderator declared that a counted vote was in order. Ms. Garrison’s Motion Failed to Pass, with 621 voting in favor and 687 opposed, for a total of 1,308 voters.

Article 52. Land Acquisition—449 Barrett’s Mill Rd—McGrath’s Farm

The following Motion was made by Jeff Wieand and duly seconded to authorize the Selectmen to purchase for \$851,000 the property at 449 Barrett’s Mill Rd, consisting of approximately 1.9 acres, including the buildings located thereon, for agriculture and related purposes; and to appropriate \$851,000 to effect such purchase; and further to appropriate the sum of \$74,000 for making improvements to the site and structures; and to appropriate \$400,000 from CPA funds and to borrow \$525,000 for this purpose.

A Motion to Amend to replace CPA funds with funds from Free Cash, made by Dean Banfield that was duly seconded Failed to Pass. A Vote was then taken on Mr. Wieand’s original Motion that Passed on a two-thirds majority vote and was so declared by the Moderator.

Article 58. Wetlands Bylaw Amendment

The following Motion was made by Steve Verrill and duly seconded to Amend the Wetlands Bylaw by making minor revisions to expand the definitions for improved clarity; to align the bylaw language with state regulations, and to provide better guidance for property owners, staff and the Natural Resources Commission.

David Stephens made a Motion to Amend to remove the word “credible” from Section 7.4.b of Mr. Verrill’s Motion, which Failed to Pass. A Vote was then taken on Mr. Verrill’s original Motion, which Passed by an Overwhelming Majority, and was so declared by the Moderator.

Article 59. Town of Concord massachusetts Cat Registration Bylaw (by petition)

A Motion by Lydia Lodynsky to adopt a bylaw requiring registration of pet cats in Concord was duly seconded. The Motion Failed to Pass.

Article 60. Town of Concord massachusetts Cat Bylaw (by petition)

A Motion by Lydia Lodynsky to adopt a bylaw addressing safety or nuisance complaints as related to pet cats in Concord was duly seconded. The Motion Failed to Pass.

Article 61. Local Option Local Income Tax—Further Action

There was No Motion made under this article.

Article 62. Home Rule Legislation For one Additional License for the Retail sale of All Alcoholic Beverages off Premise

Upon a Motion by Carmin Reiss that was duly seconded, the following was Voted to authorize and request the Selectmen to file Home Rule Legislation with the General Court to allow the issuance by the Concord licensing authority of one additional license for the retail sale of all alcoholic beverages in packages, not to be drunk on premises.

Article 63. Previously considered under Consent Calendar.

There being no further business to come before the assembly, and upon a Motion that was duly made and seconded, the 2013 Annual Town Meeting was dissolved at 11:03 pm.

Respectfully submitted,

Anita S. Tekle, Town Clerk

Attendance: There were 1,012 registered voters in attendance on the first night of Town Meeting, April 22nd; 514 registered voters in attendance on the second night, April 23rd; and 1,352 registered voters in attendance on the

third and final night, April 24th. This is an unduplicated voter count of 1,795 individual voters attending one or more nights of the 2013 Annual Town Meeting (14.2% of registered voters).