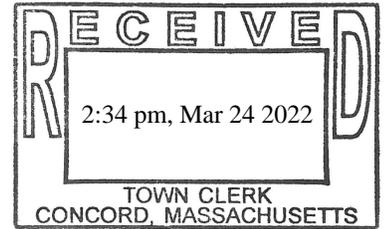


Concord Municipal Affordable Housing Trust
Thursday, March 3, 2022 at 1:30 pm
[Virtual Meeting via Zoom](#)
Approved Meeting Minutes



1. *Call to Order / Roll Call* – Chair Keith Bergman called the meeting to order at 1:30 pm on Zoom. Roll call of members present: Linda Escobedo, Mike Lawson, Frank (“Rich”) Feeley, Kerry Lafleur, and Keith Bergman.

2. *Approval of minutes* – Mike Lawson moved to approve the meeting minutes of December 13, 2021; December 14, 2021; and February 24, 2022; seconded by Rich Feeley; motion approved by unanimous vote (5-0). Rich noted that he was not present for the December 13th meeting with the Housing Authority.

3. *Proposed CMAHT Interim Policy Guidelines for Select Board approval* – On February 24, 2022, the Trustees had voted to approve an initial set of proposed interim guidelines for the Trust, subject to the Select Board’s approval under CMAHT Bylaw Section 6, Item 18. The Select Board has scheduled its review for its meeting this Monday night, March 7, 2022. Linda Escobedo made a motion to add change the title of the Concord Municipal Affordable Housing Trust’s proposed set of Interim Guidelines for Use of Funds approved on February 24, 2022 by adding the word “Policy”; seconded by Mike Lawson; and passed unanimously (5-0). The interim policy guidelines as adopted were attached to the February 24, 2022 minutes. Members suggested that the chair’s presentation to the Select Board on Monday might cite the authority to adopt guidelines under the CMAHT Bylaw, the interim nature of these guidelines, and the process of engaging housing stakeholders in drafting these guidelines in recent months.

4. *Sources of Trust funds. Updates on real estate transfer fee & building permit surcharge legislation; use of ARPA funds; exploring additional/alternative funding sources; annual town meeting articles and appropriations.* The Finance Committee holds its public hearing tonight on budget and financial articles in the 2022 Annual Town Meeting warrant. On February 17, 2022, the Trustees had voted to support Article 24, Appropriate Funds for Affordable Housing Development; Article 25, Assabet River Bluff Preservation Project; and Article 26, Community Preservation Committee Appropriation Recommendations. The chair has already notified the Town Moderator, Select Board and Finance Committee of CMAHT’s support, and will so state at tonight’s public hearing. The Select Board has not yet made a determination on CMAHT’s request for \$500,000 in federal ARPA funds to fund the Trust—which would make an appropriation under Article 24 unnecessary.

CMAHT has also discussed proposed zoning articles in the 2022 Town Meeting warrant, which will be the subject of a public hearing on Tuesday, March 8, 2022. On February 24, 2022, the Trustees had voted to approve comments on 2022 ATM Article 33, *Thoreau Depot Article 33, Zoning Bylaw Amendment – Zoning Map & Thoreau Depot Business District*. For consideration by the Trustees regarding 2022 Annual Town Meeting Article 35, *Zoning Bylaw Amendment – By Citizen Petition*, Rich Feeley had drafted comments, which the Trustees discussed and amended. Rich Feeley made a motion to authorize the chair to offer comments, as amended, on

behalf of the Trust regarding 2022 Annual Town Meeting Article 35 to the Planning Board's March 8, 2022 public hearing on proposed zoning articles; seconded by Mike Lawson; and approved unanimously (5-0). The Trust's comments to the Planning Board on Articles 33 and 35 are attached to these minutes.

5. *Use of Trust funds. Assabet River Bluff land acquisition project status* – Keith Bergman relayed a further update from Concord Housing Development Corporation chair Lee Smith that the purchase & sale agreement for the Assabet River Bluff land acquisition project is to be reviewed by Town Counsel and should be ready for execution soon.

6. *Public Comment* – Karlen Reed thanked the Trustees for their work.

7. *Future Meetings* – The Trust's next meeting is tentatively scheduled for Thursday, March 10, 2022 at 1:30 PM on Zoom, should the Trustees need to meet to follow up the March 7, 2022 meeting with the Select Board.

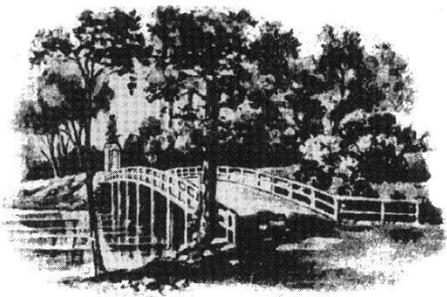
Other upcoming meetings to attend include tonight's Finance Committee public hearing on ATM financial articles; the Select Board's meeting on Monday, March 7, 2022 to review with the Trustees (and, hopefully, approve) the Trust's guidelines; the Planning Board hearing on ATM zoning articles on Tuesday evening, March 8, 2022; the quarterly meeting of the Concord Housing Roundtable & Housing Production Plan update kickoff on Wednesday, March 9, 2022 at 4 pm; and the Finance Committee meeting on Thursday evening, March 24, 2022 at 7 pm to discuss the Trust's guidelines.

Also, Chair Keith Bergman has been invited to speak on Concord's establishment of a municipal affordable housing trust at a couple of upcoming virtual events-- on Wednesday, March 16th at noon, at the [Massachusetts Housing Partnership \(MHP\)'s webinar](#) on "Building your housing infrastructure: Helping multiple housing entities work collaboratively;" and on Wednesday, March 23rd at 4 pm at a meeting of the Lexington Affordable Housing Trust Study Committee.

8. *Adjournment* – Mike Lawson made a motion to adjourn the CMAHT meeting, seconded by Rich Feeley. Motion passed unanimously (5-0). The meeting adjourned at 2:21 pm.

Document attached

- CMAHT comments to Planning Board on 2022 Town Meeting Articles 33 and 35 for March 8, 2022 public hearing on proposed zoning amendments



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742

TO: Concord Planning Board
FROM: Concord Municipal Affordable Housing Trust c/o Chair Keith Bergman
DATE: March 4, 2022
SUBJ: Public Hearing on Zoning Amendments: CMAHT Comments on Articles 33 & 35

For the Planning Board's March 8, 2022 public hearing on proposed zoning amendments, please see the comments below from the Concord Municipal Affordable Housing Trust (CMAHT) Board of Trustees regarding 2022 Annual Town Meeting Articles 33 and 35. Thanks very much.

Article 33, Zoning Bylaw Amendment – Zoning Map & Thoreau Depot Business District

The Concord Municipal Affordable Housing Trust (CMAHT) Board of Trustees supports the concept of multi-unit housing in appropriate locations, including the provision for housing units within mixed use buildings in the Thoreau District rezoning as proposed by the Planning Board in 2022 Annual Town Meeting Article 33. Trustees note with particular approval the requirement for affordable housing in Section 7.11.4 for payments when the by law would require creation of a number of affordable units that is more than an integer but less than 0.5 units below the next integer. In this way, there is no incentive for a developer to manipulate unit numbers to avoid affordable housing obligations. The money so collected could be used by CMAHT for a variety of purposes to increase the stock of affordable housing units.

Article 35, Zoning Bylaw Amendment – By Citizen Petition

While the Concord Municipal Affordable Housing Trust has yet to take a position on Article 35, Trustees did want to relay our concerns that this article will make it more difficult, and more costly, for Concord to provide additional units of affordable housing. The PRD (Planned Residential Development) regulations require a builder to offer some affordable units in a planned development, and it will be possible to use funds in the Trust to buy down additional units, or to lower the areawide median income (AMI) of affordable units the developer is required to build.

Article 35 would increase the percentage of open space which must be unprotected upland from 50% to 75%. The required open space does not include buildings, as well as roadways, parking areas and lawns and gardens attached to individual units. Raising the upland open space requirement means that the cost of purchasing the land for development will be distributed over a smaller number of units, making those units even more expensive. The cost of both market rate units and any units made affordable under the PRD rules will rise.

In the alternative, a developer who acquires a piece of land may decide that a PRD would not be profitable due to the increased land cost per unit, and can decide to build only the houses permitted “as of right” in the applicable zoning district. Recent experience in Concord with newly built homes shows that such units will be large (~4,000 square feet) and expensive (~\$1.5 million or more), making the general housing market in Concord even less affordable.

We are aware of no evidence that the existing requirements for upland open space in the PRD regulations have resulted in major environmental degradation. Sensitive habitat and wetlands have protection, and can provide wildlife habitat and a buffer around any PRD. We strongly recommend keeping the current requirement in Concord’s PRD regulations that 50% of open space in a PRD must be upland and therefore recommend against approval of Article 35.