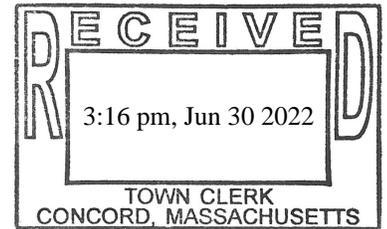


Concord Municipal Affordable Housing Trust
Wednesday, June 22, 2022 at 11:00 am
Virtual Meeting via Zoom
Approved Meeting Minutes



1. *Call to Order / Roll Call* – Chair Keith Bergman called the meeting to order at 11:03 am on Zoom. Roll call of members present: Linda Escobedo, Mike Lawson, Frank (“Rich”) Feeley, and Keith Bergman. Kerry Lafleur was absent. Also present were Concord Housing Authority chair Stephanie Chrobak plus members Rick Eifler, Charles Phillips, and Stephan Bader; and Finance Committee member Ray Andrews

2. *Approval of minutes* – Mike Lawson moved to approve the meeting minutes of June 9, 2022; seconded by Rich Feeley; approved by unanimous vote (4-0).

3. *Meet with other Concord housing entities to discuss and coordinate affordable housing funding goals and priorities for the coming fiscal year* – On June 9, 2022, trust members had asked the chair to invite other housing entities in Concord to attend today’s meeting to discuss and coordinate funding goals for affordable housing projects for the coming fiscal year. Mindful that the Community Preservation Committee has already announced its funding round for FY 2023 with applications due September 16, 2022 and that CMAHT will have an uncommitted balance of \$1,080,000 in its trust fund as of July 1, 2022, CMAHT members wanted to begin a conversation with our partners about what affordable housing funding priorities ought to be.

The chair welcomed attendees from other housing entities to today’s meeting. In addition to Stephanie, Rick, Charles, and Stephan representing the Concord Housing Authority; CMAHT member Rich Feeley also serves as Concord Housing Foundation president; and CHA member Charles Phillips also serves as member of the Community Preservations Committee. Ray Andrews is liaison from the Finance Committee. The Concord Housing Development Corporation had also been invited.

The chair reported that Housing Production Plan Steering Committee members were told on June 15, 2022 that the Town of Concord now faces the likely possibility it will fall below its 10% goal under Chapter 40B-- by between 8 and 20 housing units-- when the Massachusetts Department of Housing & Community Development releases the 2020 census year-round housing stock—the new denominator for calculating the 40B percentage-- which is now expected to occur until the spring of 2023. Regional Housing Services Office Director Liz Rust informed the HPP/SC that [Junction Village’s 83 rental units](#) are now not expected to be able to be counted on the Town’s Subsidized Housing Inventory even by then; and that without Junction Village, the Town might fall below 10% by some 8 to 20 units. The chair indicated he had also briefed CPC members about this at their meeting the previous evening, June 21, 2022.

During discussion about a strategy for the Town to stay above 10%, Rich Feeley suggested that additional funding to subsidize construction of Assabet River Bluff should be a priority, to be able to add those 5 affordable units to the Subsidized Housing Inventory. Stephanie Chrobak asked what the total development cost would be to all the 8 to 20 units needed. Linda Escobedo

asked what other projects does CHCD have in the pipeline, and when would those be counted on the SHI. It was stated that 930 Main Street is a project of Habitat for Humanity. Mike Lawson stated there is federal ARPA money and there is the Gerow property. Rick Eifler replied that the Gerow property house will be built by Habitat, but asked whether the existing house CHA owns next to it could be added to the SHI. Habitat is completing two houses; do they get added? Having CHA built 8 units would be very costly.

Rich Feeley asked whether we could make Junction Village work by using \$500,000 from the trust. Linda Escobedo stated that language in the final MOU for Christopher Heights (Junction Village) says the developer could not come back to the Town for additional money, so Grantham Group is going to the State's DHCD for funding. Rich replied if providing additional Town funds for Junction Village is the only way to avoid 40B, then the town needs to know that. Keith Bergman added that if it's the community's desire not to be subject to an "unfriendly 40B" by a developer who will come in and do, say, 200 units wherever they want, we should take the time now to identify the potential strategies for staying above 10%, and engage with the public about them. And if we do find ourselves falling below 40B a year from now, the public will want to know what could have been done to avoid it. So, we're motivated to help identify what all the options are that could keep us above 10%. Stephan Bader asked whether a bridge loan was needed by Junction Village, and if so, could the Trust provide one. Keith replied that the CMAHT bylaw reserves all of the authority granted by the [enabling state statute](#).

Rick Eifler said development of affordable housing is a fairly complex world, we need to hire someone with the skills and expertise of an affordable housing development consultant. Stephanie and Mike both concurred with Rick's comment about bringing assistance on board. The chair will reach out to the Housing Production Plan team of staff and consultants for their suggestions and input; and others are welcome to make suggestions, as well.

Stephanie Chrobak asks how will this fit into the Housing Production Plan, and what comments or input is there from the Planning Board. The chair replied that this work would certainly need to find expression in the Housing Production Plan, too—a document which the Planning Board and Select Board will be asked to approve in late 2022/early 2023—but that evaluating and pursuing specific sites will need to be done sooner than that to have additional countable units by the spring of 2023. Keith Bergman shared that RHSO's Liz Rust says the 40B process—a friendly 40B—would be the quickest way to get units added onto the SHI. Once the ZBA approves the comprehensive permit, the units get added to the SHI.

Charles Phillips asked whether keeping CHA units countable by maintaining them would be a possible use of CMAHT funds? Keith replied yes, according to the trust's adopted interim guidelines. Rick Eifler said that CHA has property on Bedford Street for 8 units, and if the Town approved a sewer hook-up, maybe add 4 more, for a total of 12 units. Maybe 2 CHA units on Commonwealth Avenue.

The chair suggested a follow-up meeting be scheduled for next week to continue this discussion with our housing partners, and trust members agreed to meet on Wednesday, June 29, 2022 at 1 PM on Zoom.

4. *Update on Housing Production Plan Steering Committee, HPP update next steps* – The HPP/SC met on June 15th and will next meet on July 27th. In addition to the update on 40B discussed above, Marcia Rasmussen told HPP/SC that a webpage for HPP update information is being created and will be linked from the Planning Division’s page at the Town website.

5. *Assabet River Bluff (5 affordable units) - Concord Housing Development Corporation – review/approve grant award documents from Town Counsel.* The chair reported that Town Counsel is recommending a mortgage as the best protection for trust funds going to a non-Town entity (CHDC) for the Assabet River Bluff project. While draft documents were not ready in time for CMAHT’s June 9, 2022 meeting, a first draft was provided afterwards to CMAHT members and CHCD. Keith Bergman and Rich Feeley reviewed with Town Counsel last week, and a revised draft document was sent out last Friday to CMAHT members and CHDC chair Lee Smith for review prior to today’s meeting, but Town Counsel indicated no comments had yet been received back. This proposed five-year mortgage would be in the total amount of trust funds being paid to the seller (\$600,000). The \$50,000 for reimbursable expenses from CHDC would not be part of the mortgage, and CMAHT could continue to authorize payments as requests are submitted. As each of the 5 affordable housing units is substantially completed with a deed restriction recorded, the \$600,000 mortgage would be reduced by 20% (\$120,000 per unit). This matter will be scheduled for the trust’s meeting on June 29, 2022, mindful of a July 5, 2022 for having all closing documents in hand.

6. *Minuteman National Park affordable rental housing opportunity* –Mike Lawson, Linda Escobedo and Liz Rust continue to pursue conversations with Minuteman National Park about potential opportunities for leasing five MNP residential properties for affordable housing purposes—two of which may be proceeding this summer, Mike said. While the National Park Service requires these units be rented at market rate, the Town can explore designing a rental assistance program to pay the difference between an affordable rate and a market rate. Rich Feeley indicated that the Concord Housing Founding is interested in helping to fund. Liz Rust has volunteered to draft an outline of what a program for that might look like.

7. *Discuss CMAHT staffing needs per CMAHT Bylaw Section 6, Item 20* – Chair Keith Bergman noted that CMAHT does not have any staff assigned to it, and so had scheduled an initial discussion of our staffing and support needs, since the [CMAHT Town By-law](#), in Section 6, Item 20, empowers the Trust “to compensate Town employees for services provided to the Trust in connection with the Trust’s activities, including but not limited to dedicated staff to Trustees, engineering support for project-specific activities, and other Town services, as requested by the Trustees to the Town Manager and authorized by the Town Manager.” Other town boards have support assigned from Town staff and/or the Regional Housing Services Office.¹ Based on the

¹ [Community Preservation Committee’s staff and technical support](#) is funded by \$40,000 in CPA funds for FY 2022. Planning Division’s application for CPA funding for CPC indicates “In FY21, \$27,455.64 was expended from this account for the Senior Planner’s salary to assist” CPC with their work. [CPA funds for housing services for Town from RHSO](#) of \$28,000 were matched by \$28,000 from Town in FY 2022, to procure \$56,000 in housing services from RHSO for monitoring, SHI administration, HOME administration, local support for Concord’s housing non-profits, resales of existing affordable housing units, regional activities support. [Planning Division | Concord, MA \(concordma.gov\)](#) says support is provided for “Planning Board, Historical Commission, Historic Districts Commission, Community Preservation Committee, Bruce Freeman Rail Trail Advisory Committee, West Concord Advisory Committee, Comprehensive Long Range Plan Committee, Zoning Board of Appeals.”

discussion from earlier in today's meeting, a priority for the Trust may be to obtain affordable housing development planning resources, the chair said. Linda Escobedo thought that funding this resource should be a Town responsibility, and that-- unlike the Community Preservation Committee, CMAHT does not have recurring funds, so she would be hesitant to have the Trust take that responsibility. Rich Feeley said that in the short term, the Trust needs support/assistance in setting up the chart of accounts, and an estimate of development costs for Assabet River Bluff's five affordable units, since that information has not been available from CHDC. Mike Lawson departed the meeting at 12:20 pm. The chair said he would reach out to Jennifer Goldson and the Housing Production Plan update team to discuss how to coordinate this scope with the HPP.

8. *Exploring Sources of Trust Funds: Updates on real estate transfer fee & building permit surcharge legislation; exploring additional/alternative funding sources; annual town meeting articles and appropriations; ARPA funding; CPA borrowing and appropriations.* The LOHA Coalition sent out an update last week indicating the proposed state enabling legislation for a real estate transfer fee for affordable housing-- [H.1377](#) and [S.868](#). "An Act empowering cities and towns to impose a fee on certain real estate transactions to support affordable housing"-- was "discharged" to the Revenue Committee-- without a report from the Joint Committee on Housing, whose recommendation was due by June 15th. LOHA says this move keeps the bill alive and in play this session" and that "by moving it to Revenue, it lands in the committee that so far has favorably reported out every municipal transfer fee Home Rule Petition it reviewed this session"—including Concord's.

Concord's Community Preservation Committee held its first informational session last night for its upcoming [funding round for FY 2023](#). Applications are due September 16, 2022; with another informational session to be held on August 16th.

9. *Public Comment* – None.

10. *Future Meetings* - Next CMAHT meeting will be held on Wednesday, June 29, 2022 at 1 pm.

11. *Adjournment* – Rich Feeley made a motion to adjourn the CMAHT meeting, seconded by Linda Escobedo. Motion passed unanimously (3-0). The meeting adjourned at 12:27 pm.