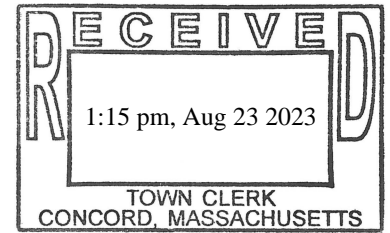


Concord Municipal Affordable Housing Trust  
Tuesday, July 18, 2023 at 5:00 pm  
[Virtual Meeting via Zoom](#)  
Approved Meeting Minutes



***Call to Order / Roll Call*** – Chair Keith Bergman called the meeting to order at 5:01pm on Zoom. Roll call of members present: Linda Escobedo, Mike Lawson, Rich Feeley, Kerry Lafleur, and Keith Bergman. Also present were Concord Housing Authority chair Stephanie Chrobak; Planning Board chair Linda Miller; Community Preservation Committee member Diane Proctor; Finance Committee member Kathy Cuocolo; and Regional Housing Services Office Director Liz Rust. The chair announced that there would be a hard stop of 6 pm for tonight’s meeting, covering as many items on our agenda as we can by that time.

***Approval of minutes*** – Mike Lawson moved to approve the minutes of the Trust’s most recent meeting on June 27, 2023; seconded by Rich Feeley; and approved by unanimous vote (5-0). The Trust then voted to approve four sets of minutes for Concord Housing Roundtables at which CMAHT had a quorum in attendance, as follows:

- For March 9, 2022 and April 12, 2023, at which Linda, Mike, Rich & Keith were present: motion to approve made by Linda, seconded by Mike, and approved by those four, with Kerry abstaining (4-0-1).
- For August 30, 2022, at which Linda, Mike, Kerry & Keith were present: motion to approve made by Linda, seconded by Mike, and approved by those four, with Rich abstaining (4-0-1).
- For June 7, 2023, at which Linda, Mike & Keith were present: motion to approve made by Linda, seconded by Mike, and approved by those three, with Rich & Kerry abstaining (3-0-2)

Linda Escobedo requested that, during discussions about the Assabet River Bluff property, we differentiate between the 2 units in the existing two-family structure purchased with the one-acre property and the 3 new units that would be developed (with additional funding) on the undeveloped portion of the property, rather than referring to 5 affordable units. The chair clarified that the mortgage document approved by the Trust<sup>1</sup> reduces the mortgage by one-fifth as each affordable unit is completed and a deed restriction is recorded. To date, no units have been deed restricted, and none of the loan has yet been forgiven.

***MBTA Communities Zoning multi-family housing (HPP strategy #8) - prepare for upcoming community workshops on MBTA Zoning boundary and language*** - The CMAHT chair recognized Planning Board chair Linda Miller who reminded us about the MBTA Communities - Mapping and Zoning Virtual Community Workshop being held on Wednesday, July 26<sup>th</sup> from 6:30 to 8:30 pm on Zoom. More information is at <https://concordma.gov/mbtacomunities>.

***Financial/Administrative: Status of proposed state legislation to fund the Trust (HPP Strategies #17, 21) LOHA bill (H.2747/S.1771), Cyr bill (S.1786), Concord’s bills (H.2729/H.2730)*** – Rich Feeley reported that the LOHA Coalition has discussed another transfer

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<sup>1</sup> On June 29, 2022, the Trust had approved the form of a mortgage and promissory note from CHDC as “mortgagor” to the Trust as “mortgagee” to secure \$600,000 in Trust funds paid towards the purchase price for the 1-acre property (with an existing 2-family structure) acquired by CHDC for 5 affordable units. The amount of the mortgage will be reduced by 1/5<sup>th</sup> (\$120,000) as each of the 5 affordable units is completed and recorded.

fee bill which may be the one that makes it all the way to the Governor’s desk in this session, and so Concord needs to discuss the impact of that bill. Filed by Cape & Islands Senator Julian Cyr, S.1786 would establish a local option real estate transfer fee to fund a municipal affordable housing trust provided that the community meets no less than 4 of the 7 criteria set forth in that bill. Rich had prepared a preliminary analysis, which was circulated to all Roundtable partners prior to the Trust’s meeting. Since [Chapter 40R](#) Smart Growth Overlay district is one of the 7 criteria in the Cyr bill, Kerry Lafleur asked whether the Town should also look at 40R. The consensus was to consider 40R at a later time, after town meeting has adopted MBTA Communities Zoning. Rich also reported that the Joint Committee on Revenue will hold a hearing on Tuesday, July 25<sup>th</sup> from 10 am to 5 pm with “written testimony only,” and Concord’s home rule petition for a [building permit surcharge, H.2729](#), is on the list for that hearing.<sup>2</sup> After discussion, Rich Feeley moved that the Trust vote to send a letter in support of H.2729 to the Joint Committee on Revenue for its July 25, 2023 hearing; seconded by Mike Lawson and approved by unanimous vote (5-0). The letter sent is attached to these minutes.

***Prepare for next Concord Housing Roundtable (August 16<sup>th</sup>): funding priorities to add units to Subsidized Housing Inventory ([HPP Strategies #1, #2, #3, #13](#)) - proposed funding priorities for Trust’s fund balance and upcoming funding rounds for [CPA \(due 9/8/23\)](#), [ARPA](#), & Town funds for 2024 Annual Town Meeting, state grant opportunities.*** Chair Keith Bergman reviewed a draft worksheet (attached to these minutes), which had been circulated to Trust members and Roundtable partners for today’s meeting, as a suggested framework for discussion at the next Concord Housing Roundtable on August 16<sup>th</sup>. The hope is to put together a prioritized spending plan to implement Housing Production Plan (HPP) strategies with whatever funds are available for affordable housing projects in Concord. The chair reviewed with Trust members the draft worksheet consisting of tables identifying potential funding sources and housing production projects sorted by HPP strategy, and proposed project selection criteria.

***Identifying Potential Funding Sources:*** The chair began by noting that, at bottom left of the draft worksheet, are potential funding sources for affordable housing:

- CMAHT Fund Balance - \$4,106,140 has been deposited in the Trust since Town Meeting began setting aside funds for a Trust in 2019—a total which includes \$2,044,255 transferred at 2023 ATM from prior appropriations for Christopher Heights. \$983,000 has been committed for support or creation of 10 affordable units, leaving a balance of \$3,123,140.
- Free Cash - \$500,000 annual appropriations for the Trust were transferred from certified free cash at the 2019, 2020, 2021, and 2022 annual town meetings—with 2022’s sum back filled by ARPA funds. There was no free cash appropriation in 2023; and none is forecast for 2024.
- CPA Community Housing annual appropriation - Projected CPA revenues for 2024 ATM will be available by this November. The CPA Act requires a minimum of 10% be allocate for community housing. The [CPC Plan for 2023](#) reported that community housing accounted for 21% of CPA funds distributed from 2006 through 2022 ATM. 2023 ATM added \$533,000-- 28.9% of total \$1,839,680 in CPA funds this year. For the Roundtable’s budget planning purposes, could we explore with the Community Preservation Committee whether some figure beyond the minimum 10% could be made available for community housing? CPC member Diane Proctor said she would bring this to CPC tonight to schedule a discussion.

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<sup>2</sup> Concord’s other home rule petition to fund the Trust— [H.2730, for a real estate transfer fee](#)-- is not scheduled for that hearing. Both bills were referred to Joint Committee on Revenue, but H.2730 has not yet had a hearing.

- Town ARPA Funds - The Administration reports that \$30,000 has been committed from the Town's ARPA funds for "affordable housing - develop inventory of all potential units to be added to SHI." It is unclear whether additional ARPA funds could be available for housing.
- State Grant Opportunities – The Town has applied to the State for funding for a wastewater feasibility study, to remove barriers to the production of affordable housing. Concord could obtain Housing Choice Designation-- with access to Housing Choice Community Grants and preferential treatment for many state grant and capital funding programs-- once it produces a 3% increase in new year-round housing units over the last 5 years. For Concord, 3% would be met by 216 units, which NOVO Riverside Commons' 201 units would help secure. The State is also launching a new HousingWorks grant program later this year.

*Identifying Potential Projects:* The chair continued by noting that potential housing production projects identified thus far are sorted by HPP strategy, in a table at the top of the worksheet. Projects funded to date are shown with "☐"; proposed projects are shown in bold with "☑".

- Assabet River Bluff is a one-acre parcel acquired for \$1,000,000 for 5 affordable housing units, with an existing 2-family structure and adjacent land on which 3 new units could be constructed. \$500,000 has been appropriated for phase 1 development, and CHDC seeks an additional \$1.5-million to complete development, including the 3 new units. The HPP specifically lists this property in Strategy #1. See CHDC memo attached to these minutes.
- Junction Village is a 12-acre parcel adjacent to MCI-Concord at the end of Winthrop Street. The property was acquired by CHDC from the State for affordable housing and open space purposes. CHDC seeks \$50,000 in pre-development funding. Additional funding would be sought after a developer is selected. The HPP specifically lists this property in Strategy #2.
- 300-310 Baker Avenue 40B- NOVO Riverside Commons project proposes 201 rental units, of which 51 (25%) would be deed-restricted at up to 80% of AMI, allowing all 201 units to count on Concord's Subsidized Housing Inventory. The HPP specifically lists this property in Strategy #3. The developer told the Select Board on July 24<sup>th</sup> that NOVO may ask the Town to defray the 51 affordable units' share of the \$1,500,000 sewer improvement fee for the project. Twenty-five percent of that total fee would be \$375,000, which the chair suggested could be funded from the Trust if the Select Board were to pursue a host community agreement with the developer, to voluntarily address issues of mutual interest outside of the scope of the comprehensive permit issued by the Zoning Board of Appeals.
- 91B Main Street surplus state property is a 1.4-acre surplus state property appraised at between \$620,000 and \$690,000, with Town sewer availability. The HPP lists this property in Strategy #3. Town officials have been told by MassDOT that the property might be able to be acquired for less than market value for affordable housing purposes if the Federal Highway Administration concurs; and the Town is pursuing with state and federal officials.
- Housing Authority properties – CHA had indicated that it did not need Town funding to implement its Project Based Voucher (PBV) program, which add several existing CHA units to the Town's Subsidized Housing Inventory. The HPP lists CHA properties in Strategy #13.
- CHDC Small Grant Program – CHDC requests \$50,000 to fund its small grant program, which is about to run out of funds and is not eligible for CPA funding. The HPP specifically lists this program in Strategy #14.
- Town rental assistance program - The Town's Community Services Coordinator requests \$50,000 for a rental assistance program. While such a program is not specifically mentioned

in the Housing Production Plan, it would seem to fall under HPP Strategy #14, services for seniors and low-income households.

CHA chair Stephanie Chrobak reported that the Housing Authority has had further discussion about its PBV program and may be developing a funding proposal to bring forward to the next Housing Roundtable. Rich Feeley indicated the Trust should use its limited fund balance to try to increase the supply of housing, rather than subsidize demand; and so should support funding for CHA's PBV program. In response to Stephanie Chrobak's question about whether priorities for determining what projects would be funded by the Trust would come from an applicant in putting forth a particular project, or from the Trust, Mike Lawson responded that our guidance comes from the Housing Production Plan. Kerry Lafleur asked whether it would be possible for the Trust to partner with the Concord Housing Authority on the 91B Main Street surplus State property, to make a better case to the State.

Potential Project Selection Criteria: The chair concluded by noting that at bottom right of the worksheet is another table which lists potential project selection criteria:

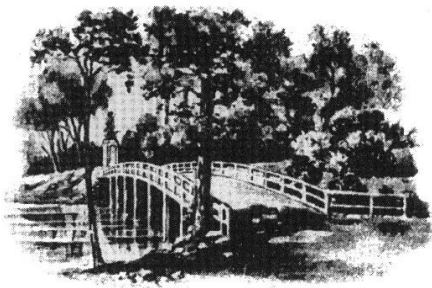
- Listed in Housing Production Plan – Accelerates development of priority projects identified in the FY 2023-2028 Housing Production Plan. A *sine qua non*, the chair suggested.
- Adds to Subsidized Housing Inventory– Increases the supply of housing units qualifying as “affordable” under Chapter 40B and as countable on the SHI.
- Leverages non-Town funding - Leverages other non-Town funds, including federal/state government, payments from private sector developers, and/or private donations.
- On property Town owns or has acquired – Where a project uses land already owned by the Town, or provided free from a state/federal agency, the per unit cost will be lower.
- Sewer availability – Where a development site can be connected to Concord's sewer system, the project could be of greater density at a lower per unit cost.
- Offers deeper affordability – Where the goal for particular projects is to provide deeper affordability— for households of incomes up to 60% of AMI, for example-- a greater per unit public subsidy would be required.

Mike Lawson and Linda Escobedo thanked the chair for preparing the draft worksheet, and suggested that we keep track of non-Trust funding for projects, and update the worksheet as additional information is obtained. Trust members will continue this discussion of funding sources, potential projects, and preferred selection criteria at its next meeting.

Adjournment - Mike Lawson made a motion to adjourn the CMAHT meeting, seconded by Rich Feeley; and passed unanimously (5-0). The meeting adjourned at 6:01 pm.

#### Documents attached

- Trust letter to Joint Committee on Revenue in support of H.2729
- Memo from CHDC re: requests for Trust funds to implement HPP
- Draft worksheet for funding to implement HPP production strategies



OLD NORTH BRIDGE

## TOWN OF CONCORD

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

July 24, 2023

The Honorable Mark Cusack  
Chair, Joint Committee on Revenue  
State House, Room 34  
Boston, MA 02133

The Honorable Susan Moran  
Chair, Joint Committee on Revenue  
State House, Room 506  
Boston, MA 02133

**SUBJ: Concord Municipal Affordable Housing Trust supports H.2729, An act establishing a building permit fee surcharge for affordable housing in the town of Concord**

Dear Chairs Cusack and Moran:

The Concord Municipal Affordable Housing Trust writes to urge favorable action by the Joint Committee on Revenue on H.2729, An Act establishing a building permit fee surcharge for affordable housing in the town of Concord. Please accept this letter for Committee's July 25, 2023 hearing on that bill.

Concord Town Meeting voters have recognized that our Town needs predictable, sustainable revenue sources so that funds are readily available when affordable housing opportunities arise, and that without the necessary funds to act quickly, valuable opportunities could be missed. Since 2019, Town Meeting has voted to establish the Concord Municipal Affordable Housing Trust and to appropriate over \$4,000,000 to fund the Trust. But local funds alone will not be enough to implement the ambitious set of strategies in Concord's updated [Housing Production Plan](#) unanimously adopted by the Select Board and Planning Board, and approved by the State.<sup>1</sup>

So Town Meeting has also authorized filing of home rule petitions for two dedicated funding sources for Concord's Municipal Affordable Housing Trust-- [H.2729](#), to authorize a local building permit fee surcharge; and [H.2730](#), for a real estate transfer fee. Concord staff estimates that H.2729 might raise between \$344,000 and \$574,000 per year;<sup>2</sup> and H.2730, some \$1,900,000 per year. Both bills are currently before the Joint Committee on Revenue.

H.2729 would authorize Town Meeting to adopt a bylaw requiring payment of an affordable housing surcharge for any construction that requires a building permit and exceeds a minimum construction value determined by the Select Board. The bylaw would specify the surcharge's amount and how it could be increased, and any types of construction or uses to which the surcharge would not apply. The funds collected would benefit households earning up to 150% of

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<sup>1</sup> Concord's FY 2023-2028 Housing Production Plan, approved by then-DHCD in January 2023, also had the unanimous support of the Concord Housing Authority, Concord Housing Development Corporation, Concord Housing Foundation, and Concord Municipal Affordable Housing Trust.

<sup>2</sup> \$1,148,000 was raised from all building permit fees in 2021 on a rate of \$12 per \$1,000 of construction value. A surcharge of 30% (\$3.60 per \$1,000/CV) adds \$344,000/year; 50% (\$6/\$1,000 CV), \$574,000.

area mean income—a level referenced in Concord’s Planned Residential Development (PRD) zoning bylaw.

Our FY 2023-2028 Housing Production Plan reports that Concord’s housing market reached a new height in 2021 when the median sale price of homes here reached \$1.25 million-- with the median price for single family homes at \$1.4 million; condominiums, at \$765,000.

We respectfully urge your favorable action on H.2729, An Act establishing a building permit fee surcharge for affordable housing in the town of Concord; and would be pleased to answer any questions you have about it.

Thank you for your consideration and support.

Sincerely,  
CONCORD MUNICIPAL AFFORDABLE HOUSING TRUST  
Keith Bergman, CMAHT Chair  
Linda Escobedo, CMAHT Vice Chair & Select Board member  
Michael Lawson, CMAHT Clerk  
Frank “Rich” Feeley, CMAHT Member  
Kerry Lafleur, CMAHT Member & Town Manager

Cc: Senator Mike Barrett  
Representative Carmine Gentile  
Representative Simon Cataldo  
Concord Housing Roundtable partners



## Concord Housing Development Corporation

To: Keith Bergman, Chair, Concord Municipal Affordable Housing Trust  
From: Lee Smith, Chair, Concord Housing Development Corp. (CHDC)  
Re: CHDC Requests for Trust Funding  
Date: July 18, 2023

In response to your call for anticipated funding requests, CHDC submits the following:

1. **Assabet River Bluff.** With the support of the Trust and Town Meeting, CHDC purchased one acre of the seven acre property in order to create 5 new units of affordable housing. The project is on schedule to create 2 of those units in this calendar year and have 3 new units constructed subsequent to a successful developer RFP. The property is restricted to creating 100% affordable units, with only local subsidies available. These constraints require the town to subsidize the development.

CHDC estimates the construction subsidy to be \$1million - \$1.5Million, and requests that the Trust commit an amount not to exceed \$1.5 million for this project.

Developing these 5 affordable units was identified in the Housing Production Plan strategies.

2. **Small Grant Program:** The CHDC administers a successful Small Grant Program assisting income eligible homeowners with primarily home repairs to address health and safety issues, helping people stay in their homes (assessed under the median value). The program has been operational for 11 years (making grants since FY13), and has assisted 66 eligible households with \$194,000 of total grants, from an approximate budget of \$20,000 annually. The program is not CPA eligible and presently has no funding source. Unless a funding source is identified, the Small Grant Program will be discontinued.

CHDC requests a two-year funding grant for the program for a total of \$50,000 (\$25k annually). A two-year funding allocation is requested because the grant process often takes over two years – starting when the homeowner obtains two estimates, to applying and getting the grant awarded, to completing the work.

Funding the Small Grant Program was identified in the Housing Production Plan strategies.

3. **Junction Village:** CHDC continues to pursue new development at Junction Village and is finalizing a developer RFP. CHDC has no funds available for Junction Village for any pre-development requirements.

CHDC requests \$50,000 for pre-development expenses for Junction Village. These funds could be used for work such as updates to the environmental and engineering studies that have been done (almost 10 years ago now), as well as any legal or other costs specific to this property.

Creating housing at Junction Village was identified in the Housing Production Plan strategies.

Thank you for your consideration of these requests.

Sincerely,

Concord Housing Development Corporation

TOWN OF CONCORD – HOUSING PRODUCTION PLAN – IMPLEMENTATION

**DRAFT FUNDING WORKSHEET – Projects by HPP Strategy -  funded to date,  proposed for FY 2024 & Beyond**

HPP Strategy (HPP pp.)	Project(s)	Project Amount	Previously funded	FY 2024	FY 2025	Beyond	Source(s); comment
1. Assabet River Bluff - 5 SHI units (pp. 28-29)	<input checked="" type="checkbox"/> Assabet River Bluff acquire land	\$1,000,000	\$1,000,000				CMAHT/CPA/CHF, 2022
	<input checked="" type="checkbox"/> Assabet – rehab 2 units	500,000	500,000				CPA 2023
	<input type="checkbox"/> Assabet – develop 3 units	1,500,000	-	?	?		CMAHT and/or CPA
2. Junction Village (30-31)	<input type="checkbox"/> Junction Village pre-develop	50,000			?	?	
3. Other land to create SHI units (32, 35)	<input checked="" type="checkbox"/> 930 Main St. – 2 units	150,000	150,000				SB from TM funds, 2019
	<input type="checkbox"/> 300-310 Baker Ave 40B	?	-	?	?	?	
	<input type="checkbox"/> 91B Main St. State surplus	?	-	?	?	?	CMAHT and/or CPA
	<input type="checkbox"/> Feasibility: specific site(s)	100,000		?	?	?	
	<input type="checkbox"/> Other (specify):	?		?	?	?	
4. SHI units in private developments (32-33)	<input checked="" type="checkbox"/> Preserve Emerson Avenue unit	95,000	95,000				SB from TM funds, 2021
	<input checked="" type="checkbox"/> Buy-down 135 Baker Ave. unit	38,000	38,000				CMAHT, 2023
	<input type="checkbox"/> Other (specify):	?		?	?	?	
13. CHA units (47-48)	<input checked="" type="checkbox"/> Gerow Feasibility	50,000	50,000				SB from TM funds, 2019
14. Services for seniors, low income (48-49)	<input type="checkbox"/> CHDC small grant program	50,000	-	25,000?	25,000?	?	CMAHT not CPA-eligible
	<input type="checkbox"/> Town rental assistance	50,000		?	?	?	
<b>TOTALS</b>							

Sources of Funding	Available FY 2024	Projected FY 2025	Projected FY 2026
CMAHT fund balance	\$3,123,140	?	?
CPA Community Housing Reserve?	?		
CPA CH annual appropriation?		?	?
Town ARPA funds?	?		
Other Town funds?	?	?	?
State grant opportunities?	?	?	?
<b>TOTALS</b>			

Include as project selection criteria?	
<input type="checkbox"/>	Listed in Housing Production Plan
<input type="checkbox"/>	Adds to Subsidized Housing Inventory
<input type="checkbox"/>	Leverages non-Town funding
<input type="checkbox"/>	On property Town owns/acquired
<input type="checkbox"/>	Sewer availability
<input type="checkbox"/>	Offers deeper affordability
<input type="checkbox"/>	Other (specify):
<input type="checkbox"/>	Other (specify):