



Concord Municipal Affordable Housing Trust
Thursday, September 22, 2022 at 9:00 am
Virtual Meeting via Zoom
Approved Meeting Minutes

1. *Call to Order / Roll Call* – Chair Keith Bergman called the meeting to order at 9:00 am on Zoom. Roll call of members present: Linda Escobedo, Mike Lawson, Frank (“Rich”) Feeley, and Keith Bergman. Town Manager Kerry Lafleur had a schedule conflict with other meetings, and was not able to attend. Also present were Regional Housing Services Office Director Liz Rust, Concord Housing Authority Stephan Bader, and Planning Board member Linda Miller.

2. *Approval of minutes* - Mike Lawson moved to approve the meeting minutes of September 8, 2022, as amended; seconded by Rich Feeley; and approved by unanimous vote (4-0).

3. *Affordable housing funding priorities for use of Trust, ARPA, free cash, [CPA funds](#)* -
[Concord Housing Development Corporation](#) - updates, next steps

- [Christopher Heights/Junction Village](#) (83 SHI units)
- [Assabet River Bluff](#) (5 SHI units)

[Concord Housing Authority](#) - updates, next steps
[Town of Concord](#) / [RHSO](#) / [CMAHT](#) - FY 2024 funding requests

Chair Keith Bergman reported that the Christopher Heights / Junction Village project was discussed at the [Select Board’s meeting on September 19, 2022](#). The Trust had voted on September 8th to support the Concord Housing Development Corporation’s request for \$1,000,000 in additional local funding needed for the developer Grantham Group’s reapplication for state funding required by the Massachusetts Department of Housing and Community Development. The Trust had sought a policy decision from the Select Board on how much of the \$1,000,000 should come from ARPA, how much from the CMAHT fund. The Trust was posted for a meeting at the same hour and location as the Select Board, but did not convene, deliberate, or take any votes. Trust members in attendance were Select Board member Linda Escobedo, Town Manager Kerry Lafleur, and members Mike Lawson and Keith Bergman. Select Board Chair Matt Johnson had begun on Monday by announcing that an update on the status of units to achieve 10% under 40B would be rescheduled for a future meeting; and then acting chair Terri Ackerman began the agenda item on Christopher Heights/Junction Village with questions from members of the Select Board. A written update from CHDC and letters of support from CMAHT and the Concord Housing Foundation were included in the Select Board’s [meeting packet](#). The Select Board took no action on the request for additional funding, but did vote to ask Town Counsel to review whether agreements between the Town and the developer were enforceable.

RHSO Director Liz Rust told Trust members that Junction Village would be back on the Select Board’s agenda for Monday, October 3rd and that CHDC chair Lee Smith would be preparing materials to submit for the Select Board’s meeting packet. Trust members felt it would be important to hone the messaging on why this project is needed, and to do further outreach to potential project supporters in advance of that meeting. Rich Feeley volunteered to prepare a draft outline for messaging, and members agreed to meet on Tuesday, September 27, 2022 at 10 am on Zoom to discuss.

The chair reported that, on Thursday, October 27, 2022 at 7 pm, both Liz Rust and Keith Bergman will be participating in LWVCC panel on looking at land use, zoning and housing through a diversity, equity and inclusion (DEI) lens—the third of four panel discussions planned. More information is available at <https://my.lwv.org/massachusetts/concord-carlisle/events/concord-carlisle-our-communities-through-diversity-equity-inclusion-lens>

CPA Funding - Community Preservation Act funding applications totaling \$1,507,983 were filed by the CPC's September 16th deadline. CPC has estimated it will have \$1,836,000 in total CPA revenues, which means at least 10% or \$183,600 must be allocated to community housing projects. Only \$133,000 in community housing applications were filed, as shown below. On September 20th, CPC discussed entertaining late-filed applications to support affordable housing, CPC chair Diane Proctor reported to Concord Chairs Breakfast on September 21st.

[CPC-Appl_01-FY24_Regional-Housing-Services-Office_TOC-DPLM-2022-09-16](#) - \$33,000

On September 8th, the Trust had voted to support the Town of Concord's request of \$33,000 in CPA community housing funds for services from the Regional Housing Services Office, including \$5,000 for services to the Concord Municipal Affordable Housing Trust.

[CPC-Appl_02-FY24_Assabet-River-Bluff-Housing_CHDC-2022-09-16](#) - \$100,000

CHDC has submitted an application to CPC for \$100,000, matched by \$50,000 from CHF, for a total of \$150,000, as follows: \$65,000 for renovations to and deed restriction for the existing two-family structure (406 Old Marlborough Road); and \$85,000 for site design, construction estimates, RFP/legal expenses, permitting, and site work for the remaining portion of the one-acre parcel (Lot 2A Upland Road).

Free Cash funding - The Trust will schedule vote at a meeting in November to request that the Select Board include on the May 2023 Annual Town Meeting warrant an article for a further annual appropriation of \$500,000 from Free Cash for the Concord Municipal Affordable Housing Trust Fund.

4. *[Housing Production Plan](#) Debrief on September 14th community forum* – There were over 50 participants at the virtual community forum for updating the Housing Production Plan held on Wednesday, September 14, 2022. The presentation made at that event is available online at <https://concordma.gov/DocumentCenter/View/38557/HPP-Update-Public-Forum-Presentation-9-14-22> The project's schedule indicates that, following the September public forum, the team will "Prepare draft HPP including goals, strategies, & action plan." In early October the team will "Submit draft HPP to SC for review" with an October 19th Steering Committee meeting to discuss the Housing Production Plan draft. A revised draft HPP would then be prepared and circulated for a December 7th Steering Committee vote to recommend. The Select Board and Planning Board would review and approve the HPP in December for submission to DHCD for state approval.

5. *Town/Commonwealth connections for affordable housing.* On September 8th, the chair had introduced this new agenda item as a means to highlight how the Town's interests and the Commonwealth's are connected through achieving affordable housing goals.

Refiling home rule petitions: [real estate transfer](#); [building permit surcharge](#) . [CMAHT’s Interim Policy Guidelines](#) note in the table, Low and Moderate Income Limits (% of Areawide Median Income) by Program/Funding Source, definitions of low income and moderate income referenced in the two home rule petitions previously filed, as shown below. Trust members wished to review and discuss what edits to the home rule petitions should be recommended to the Select Board in refiling them for the 2023-24 session of the state legislature. Mindful that the Select Board will soon be calling a special town meeting for January 2023, for which the warrant would close in October, Trust members agreed to schedule an agenda item for its September 27th meeting to request that the Select Board include these refiled home rule petitions on the January 2023 Special Town Meeting warrant.

<i>Program/Funding Source</i>	<i>Low Income</i>	<i>Moderate Income</i>	<i>Note/Reference</i>
<i>Proposed home rule petition: S.2437 - An Act establishing a real estate transfer fee upon the transfer of property in the town of Concord</i>	See Note above	See Note ¹ above	Bill provides in proposed Section 4 that, “All fees received pursuant to this act shall be deposited in the Concord Affordable Housing Trust Fund established pursuant to section 55C of chapter 44 of the General Laws. ”
<i>Proposed home rule petition: S.2438 - An Act establishing a building permit surcharge² in the town of Concord</i>		120% of AMI	Bill provides in proposed Section 3 that, “For the purposes of this act, ‘affordable housing’ shall mean as defined under section 1 of chapter 60 of the General Laws ”—i.e., below 120% of AMI

6. *Public Comment* – Simon Cataldo thanked members for their time and expertise in dealing with the important matter of affordable housing.

7. *Schedule next CMAHT meeting* – The Trust will next meet on Tuesday, September 27, 2022 at 10 am on Zoom.

8. *Adjournment* – Mike Lawson made a motion to adjourn the CMAHT meeting, seconded by Rich Feeley. Motion passed unanimously (4-0). The meeting adjourned at 10:17 am.

¹ MHP 2018 MAHT Guidebook p. 27: “The trust statute [M.G.L. C.44, s.55C] does not include definitions for key terms such as . . . ‘low- and moderate-income.’”

² Building Permit surcharge home rule petition says in Section 2 that funds “shall be dedicated to” CHDC “or deposited in the Concord Affordable Housing Trust Fund . . .”